



**PLANNING COMMITTEE  
REPORT  
22-012**

**August 3, 2022**

**9:30 a.m.**

**Council Chambers, Hamilton City Hall  
71 Main Street West**

**Present:** Councillor B. Johnson (Chair)  
Councillor L. Ferguson (1<sup>st</sup> Vice Chair),  
Councillor M. Wilson (2<sup>nd</sup> Vice Chair)  
Councillors J.P. Danko, J. Partridge, J. Farr, and M. Pearson

**Also in Attendance:** Councillor B. Clark

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**THE PLANNING COMMITTEE PRESENTS REPORT 22-012 AND RESPECTFULLY RECOMMENDS:**

1. **Hamilton Municipal Heritage Committee Report 22-007 (Item 7.1)**
  - (i) **Request to Designate 39 Lakeview Drive, Stoney Creek under Part IV of the Ontario Heritage Act (PED22146) (Ward 10) (Item 8.1)**
    - (a) That the subject property located at 39 Lakeview Drive, Stoney Creek be removed from staff's designation work plan;
    - (b) That the property be removed from the Registry entirely and the requirement for a documentation and salvage report also be removed.
  - (ii) **Inventory and Research Working Group Meeting Notes - April 25, 2022 - Respecting 39 Lakeview Avenue, Stoney Creek (Item 4) (deferred from the June 10, 2022 meeting) (Item 10.1)**

That 39 Lakeview Avenue, Stoney Creek, be removed from Staff's Designation Work Plan, and that the property maintain its current status to remain on the Register.

**(iii) Notice of Intention to Demolish the Building Located at 345 Mountain Brow Road, Flamborough, being a Non-designated Property Included in the Register of Property of Cultural Heritage Value or Interest (PED22168) (Ward 15) (Item 10.2)**

- (a) That no action be taken in response to the Notice of Intention to Demolish the existing residential building located at 345 Mountain Brow Road, Flamborough, a property included in the City's Register of Property of Cultural Heritage Value or Interest;
- (b) The property located at 345 Mountain Brow Road, Flamborough, be removed from the Register following demolition of the existing residential building.

**2. Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200 for Lands Located at 327 and 335 Wilson Street East, Ancaster (PED22006) (Ward 12) (Item 9.1)**

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-21-02 by T. Johns Consulting Group (c/o Katelyn Gillis) on behalf of 2632902 Ontario Inc. (c/o Connie DiGregorio, Owner), for an amendment to the Ancaster Wilson Street Secondary Plan to establish a site specific policy to permit a three storey mixed use building on lands located at 335 Wilson Street East, as shown on Appendix "A" attached to Report PED22006, be APPROVED on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED22006, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019);
- (b) That Zoning By-law Amendment Application ZAC-21-002, by T. Johns Consulting Group (c/o Katelyn Gillis) on behalf of 2632902 Ontario Inc. (c/o Connie DiGregorio, Owner), for a change in zoning from the Mixed Use Medium Density – Pedestrian Focus (C5a, 570) Zone to the Mixed Use Medium Density – Pedestrian Focus (C5a, 760) Zone to recognize the existing two storey, six unit multiple dwelling on lands located at 327 Wilson Street East (Ancaster), and to permit a three storey (12.0 m) mixed use building on lands located at 335 Wilson Street East (Ancaster), as shown on Appendix "A" attached to Report PED22006, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “C” to Report PED22006, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), and will comply with the Urban Hamilton Official Plan, upon finalization of Urban Hamilton Official Plan Amendment No. XX.

**3. Application for Amendment to Flamborough Zoning By-law No. 90-145-Z for Lands Located at 265 Mill Street South, Flamborough (PED22162) (Ward 15) (Item 9.2)**

- (a) That Zoning By-law Amendment Application ZAC-21-017, by IBI Group Inc. on behalf of Braebourne Holdings Inc., for a change in zoning from the Parkway Belt Open Space “O1-1” Zone, Modified in the Town of Flamborough Zoning By-law No. 90-145-Z, to the Community Institutional (I2, 816, H129) Zone in the City of Hamilton Zoning By-law No. 05-200, to permit the adaptive re-use of the existing single detached dwelling and accessory structure for an Educational Establishment for lands located at 265 Mill Street South, Flamborough, as shown on Appendix “A” attached to Report PED22162, be APPROVED, on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED22162, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That Schedule “D” - Holding Provisions, of Zoning By-law No. 05-200, be amended by adding a Holding Provision as follows:

H129. Notwithstanding Section 8.2 of this By-law, within lands zoned Community Institutional (I2, 816) Zone on Map No. 483 on Schedule “A” – Zoning Maps, and described as 265 Mill Street South, Waterdown (Flamborough), no development shall be permitted until such time as:

- (1) A revised Transportation Impact Study (TIS) has been submitted and approved with any recommendations made in the revised TIS being implemented to the satisfaction of the Manager, Transportation Planning;
- (2) A Conservation Plan and Construction Monitoring Plan has been submitted and approved with any recommendations made in the Conservation Plan and Construction Monitoring Plan being implemented to the satisfaction of the Manager of Heritage and Urban Design;

(3) An updated Cultural Heritage Impact Assessment has been submitted and approved with any recommendations made in the Cultural Heritage Impact Assessment being implemented, to the satisfaction of the Director of Planning and Chief Planner;

(iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and the Niagara Escarpment Plan, 2017, and complies with the Urban Hamilton Official Plan.

**4. Application for Amendment to Glanbrook Zoning By-law No. 464 for Lands Located at 0 Gowland Drive and 3435 Binbrook Road, Glanbrook (PED22161) (Ward 11) (Item 9.3)**

(a) That Zoning By-law Amendment Application ZAC-21-024, by Armstrong Planning & Project Management, on behalf of Empire Communities (Binbrook) Ltd., for a change in zoning from the Residential Multiple “RM4-217” Zone, Modified, to the Residential Multiple “RM4-817” Zone, Modified, to permit four residential stacked townhouse blocks consisting of 72 units in total for lands located at 0 Gowland Drive and 3435 Binbrook Road, Glanbrook, as shown on Appendix “A” attached to Report PED22161, be APPROVED, on the following basis:

(i) That the draft By-law, attached as Appendix “B” to Report PED22161, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended) and complies with the Urban Hamilton Official Plan and the Binbrook Village Secondary Plan.

(b) That staff be directed to explore a secondary egress; and,

(c) That staff be directed to ensure the design of the building conforms to the Binbrook Village Design Guidelines.

**5. Application for Zoning By-law Amendment for the Lands Located at 1117, 1121, 1129 and 1133 Beach Boulevard, Hamilton (Ward 5) (PED22140) (Item 9.4)**

(a) That Revised Zoning By-law Amendment Application ZAC-22-007 by Design Plan Services Inc. c/o Steven Qi on behalf of SG Real Estate Opportunities III LP c/o John Cheung, Owner, to remove the subject lands,

located at 1117, 1121, 1129 and 1133 Beach Boulevard from Zoning By-law No. 05-200, and adding the subject lands to Zoning By-law No. 6593 as “RT-30/S-1821-‘H’” (Street – Townhouse) District, Modified, Holding to permit 10, three storey street townhouse dwellings (in two separate buildings) and two parking spaces per unit, as shown on Appendix “A” attached to Report PED22140, be APPROVED on the following basis:

- (i) That the draft By-laws, attached as Appendix “B” and Appendix “C” to Report PED22140, which have been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the proposed change in zoning is consistent with Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended, and complies with the Urban Hamilton Official Plan;
- (iii) That the amending By-law apply the Holding Provision of section 36(1) of the Planning Act, R.S.O. 1990 to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed Zoning for the following:
  - (1) The Owner submit and receive completion of a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MECP) or enter into a conditional building permit agreement with respect to completing a Record of Site Condition. This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MECP, and submission of the City of Hamilton’s current RSC administration fee;
  - (2) That Owner enter into an External Works Agreement for all required road improvements within the municipal right-of-way, to the satisfaction of the Manager of Development Engineering Approvals;
  - (3) A Documentation and Salvage Report in accordance with the City’s Guidelines for Documentation and Salvage Reports has been submitted and implemented all to the satisfaction of the Director of Planning and Chief Planner prior to any demolition and the Owner shall demonstrate that a copy of this report is submitted to the Hamilton Public Library;

- (b) That upon finalization of the amending By-law, the subject lands be re-designated from “Tourist Commercial” to “Attached Housing” in the Hamilton Beach Neighbourhood Plan.

**6. Applications for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for lands located at 136 and 144 Upper Mount Albion Road, Stoney Creek (PED22130) (Ward 9) (Item 9.5)**

- (a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-21-016, by Bousfields Inc. on behalf of Taha Group of Companies Inc., (Owner), to re-designate the subject lands from “Local Commercial” to “High Density Residential 1” with a Special Policy Area in the West Mountain Area Secondary Plan, to permit a 145 unit, six-storey multiple dwelling with a maximum density of 280 units per hectare, for the lands located at 136 and 144 Upper Mount Albion Road, as shown on Appendix “A” attached to Report PED22130, be APPROVED on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED22130, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (b) That Amended Zoning By-law Amendment Application ZAC-21-033, by Bousfields Inc. on behalf of Taha Group of Companies Inc., (Owner), for a change in zoning from Community Commercial (C3, 304, 570, H82) Zone, to Mixed Use Medium Density (C5, 813) Zone, to permit a 145 units, six-storey multiple dwelling with one level of underground parking, for lands located at 136 and 144 Upper Mount Albion Road, as shown on Appendix “A” attached to Report PED22130, be APPROVED on the following basis:
  - (i) That the draft By-law, attached as Appendix “C” to Report PED22130, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended);
  - (iii) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No.\_\_\_\_\_.

- 7. Amendments to Expand the Permitted Uses in the Low Density Residential Zones of the Former Community Zoning By-laws of the Town of Ancaster, Town of Dundas, Town of Flamborough, Township of Glanbrook, City of Hamilton, and City of Stoney Creek and Create Two New Low Density Residential Zones in Zoning By-law No. 05-200 (PED22154) (City Wide) (Item 9.6)**
- (a) That City Initiative CI 22-G respecting amendments to the Low Density Residential Zones in Zoning By-law No. 05-200 and the Zoning By-laws applicable to the Town of Ancaster, Town of Dundas, Town of Flamborough, Township of Glanbrook, City of Hamilton, and City of Stoney Creek, to implement Urban Hamilton Official Plan Amendment No.167 by permitting an expanded range of low density residential uses and the conversion of existing single detached dwellings and duplex dwellings (two family dwellings) to provide small-scale intensification opportunities, be APPROVED on the following basis:
- (i) That the Draft By-laws to amend the Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, Town of Flamborough Zoning By-law No. 90-145-Z, Township of Glanbrook Zoning By-law No. 464, City of Hamilton Zoning By-law No. 6593, and the City of Stoney Creek Zoning By-law No. 3692-92, attached as Appendix “A”, as amended, to Appendix “F” to Report PED22154, which have been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (a) That Section 5(b) be amended to delete reference to the “ER” Zone;
- (b) That Section 6 be deleted in its’ entirety
- (c) That Sections 7 – 17 be renumbered accordingly to Section 6 – 16.
- (d) That the Appendix map included in the draft By-law to amend By-law 87-57 be amended to delete any lands zoned “ER” in the former Town of Ancaster Zoning By-law.
- (ii) That the Low Density Residential (R1) Zone and the Low Density Residential – Small Lot (R1a) Zone be added to Zoning By-law 05-200, and amendments to the Definition, Parking, General Provision and other Administrative Sections of Zoning By-law to implement the new zones, attached as Appendix “G” to Report PED22154, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (iii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform with A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and comply the Urban Hamilton Official Plan;

- (iv) That upon final approval of Urban Hamilton Official Plan Amendment No. 167 and the draft Zoning By-laws that a general text amendment be added to all Neighbourhood Plans to add semi-detached dwellings and townhouse dwellings as permitted uses and to allow for the conversions of single detached dwellings and duplex dwellings to all low density residential areas identified in Appendix "A", as amended, to "G" to Report PED22154;
- (v) That staff be directed to consult on Neighbourhood Infill Guidelines and Urban Design Standards that will inform the creation of Residential Zones in Comprehensive Zoning By-law No. 05-200.

**8. Taxi Regulation Review Report (PED22055) (City Wide) (Item 10.1)**

- (a) That Council approve the reinstatement of the Taxi Inactive Plate fee retroactive to its termination date of December 31, 2021 and extend it until December 31, 2022 at an estimated cost of \$28,350 and that the User Fees and Charges By-law No. 15-158, be amended accordingly;
- (b) That Council approve the amendment to Appendix 1, Schedule 25 of the Licensing By-law 07-170, to add a \$10 fee for requested Van (non-accessible) trips, attached as Appendix "A" to Report PED22055; and,
- (c) That Council approve a one-year extension to the Accessible Taxi Financial Incentive Program until April 1, 2024, originally passed as a one year pilot program in 2018 through report PED18082, was extended through PED18082(a) for 16 months and then re-extended through PED18082(a) until April 1, 2023 and that it be modified to include additional incentives of \$100 to \$500 annually based on the overall number of trips per approved licensed driver.

**9. Demolition Permits for 1117 and 1133 Beach Boulevard, Hamilton (Item 11.1)**

WHEREAS, the owner of the property cannot proceed with a Demolition permit until after Site Plan approval, due to changes in the Demolition Control By-law; and,

WHEREAS, the neighbours at a Community meeting on the subject property requested demolition of the houses once they became vacant and the owner wishes to uphold that request;

THEREFORE, BE IT RESOLVED:

- (a) That the Chief Building Official be authorized and directed to issue a demolition permit for 1117 Beach Boulevard, Hamilton, pursuant to Section 33 of the Planning Act as amended, without having to comply with



the conditions in Sub-Section 6.(a) of Demolition Control Area By-law 22-101, upon the successful completion of the following condition:

- (i) That the Holding Provision applicable to the property pursuant to Zoning By-law XX be lifted pursuant to s. 36 of the Planning Act, which shall require a documentation and salvage report to the satisfaction of the Director of Planning.
- (b) That the Chief Building Official be authorized and directed to issue a demolition permit for 1133 Beach Boulevard, Hamilton, pursuant to Section 33 of the Planning Act as amended, without having to comply with the conditions in Sub-Section 6.(a) of Demolition Control Area By-law 22-101.

**10. Demolition Permit for 83 Traymore Avenue, Hamilton (Item 11.2)**

WHEREAS, McMaster University has received conditional site plan approval and is awaiting final sign off on the Delegated authority as per the Demolition Control By-Law and is currently working through site plan approvals;

WHEREAS, McMaster University has boarded up the vacant properties but continues to have untoward activity at the property that is uninhabitable; and,

WHEREAS, it is not appropriate to pursue repair or restoration of these buildings as prescribed by the Property Standards By-law or maintain the property on the Vacant Building Registry and demolition is appropriate; and,

WHEREAS, the following associated properties received approvals at the March 22, 2022 Planning Committee meeting: 43, 47, 51, and 55 Forsyth Avenue South; 75, 77, 81, 99, 103, 107, 111, and 115 Traymore Avenue; and 50 Dalewood Avenue, Hamilton.

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demotion permit for 83 Traymore Avenue, Hamilton, pursuant to Section 33 of the Planning Act as amended, without having to comply with the conditions in Sub-Section 6.(a) of Demolition Control Area By-law 22-101.

**11. 442-462 Wilson Street East - Ontario Land Tribunal Appeal Instructions (Added Item 11.3)**

WHEREAS, at its meeting on July 5, 2022, Planning Committee recommended refusal of the subject applications;

WHEREAS, on July 6, 2022 appeals were filed with the Ontario Land Tribunal for a failure of the City to make a decision on applications UHOPA-21-019 and ZAC-21-049 for lands located at 442, 450, 454 and 462 Wilson Street East; and

WHEREAS, at its meeting on July 8, 2022, Council refused the subject applications;

THEREFORE, BE IT RESOLVED:

- (a) That Legal and Risk Management Services staff be instructed to oppose the appeals for non-decision by 2691823 Ontario Inc arising from its applications for Official Plan amendment application UHOPA-21-019 and Zoning By-law amendment application ZAC-21-049;
- (b) That the Ontario Land Tribunal (OLT) be advised that the reasons for Council's opposition include but are not limited to the following:
  - (i) That the proposed amendment does not meet the general intent of the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan with respect to building height, scale, massing, privacy, overlook, compatibility, and enhancing the character of the existing neighbourhood;
  - (ii) That the proposed change in zoning does not meet the general intent of the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan with respect to setbacks, building height, and massing;
  - (iii) There is inadequate sanitary capacity for the proposed density;
  - (iv) That the proposal is not considered to be good planning and is considered an over development of the site.
- (c) That staff from Planning and Economic Development attend the hearing to provide evidence, if necessary;
- (d) That Legal and Risk Management Services staff, in consultation with Development Planning staff, be authorized to retain such outside professional(s) in support of Council's opposition to the proposal, as necessary and charge such costs of retainers to the Development Stabilization Reserve 110086.

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 2)**

The Committee Clerk advised of the following changes to the agenda:

**1. DELEGATION REQUESTS (Item 6)**

- 6.2 James Kemp respecting Accessible Taxi Program (Item 10.1) (For today's meeting)
- 6.3 Tim Nolan respecting Taxi Regulation Review Report (Item 10.1) (For today's meeting)

**2. PUBLIC HEARINGS/ DELEGATIONS (Item 9)**

- 9.1 Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200 for Lands Located at 327 and 335 Wilson Street East, Ancaster (PED22006) (Ward 12)

(a) Added Registered Delegations

- (i) Bob Maton, Ancaster Village Heritage Community (virtual)

(b) Added Written Submissions

- (i) Robert Wilkins
- (ii) Ilango Thirumoorthi
- (iii) Jan King
- (iv) Bob Maton
- (v) Nonni Iler
- (vi) Jim MacLeod

- 9.2 Application for Amendment to Flamborough Zoning By-law No. 90-145-Z for Lands Located at 265 Mill Street South, Flamborough (PED22162) (Ward 15)

(a) Added Registered Delegations

- (i) Sidney Shaw (virtual)

- 9.3 Application for Amendment to Glanbrook Zoning By-law No. 464 for Lands Located at 0 Gowland Drive and 3435 Binbrook Road, Glanbrook (PED22161) (Ward 11)

(a) Added Written Submissions

- (i) Pete Koning, Tish Healey, Phyllis Healey, and Zanden Koning
- (b) Added Registered Delegations:
  - (i) Pete Koning (virtual)
  - (ii) Patricia Healey (in person)
- 9.6 Amendments to Expand the Permitted Uses in the Low Density Residential Zones of the Former Community Zoning By-laws of the Town of Ancaster, Town of Dundas, Town of Flamborough, Township of Glanbrook, City of Hamilton, and City of Stoney Creek and Create Two New Low Density Residential Zones in Zoning By-law No. 05-200 (PED22154) (City Wide)
  - (a) Added Registered Delegations:
    - (ii) Ian Borsuk, Environment Hamilton (virtual)
    - (iii) Nancy Hurst, Stop Sprawl HamOnt (pre-recorded)
  - (b) Added Written Submissions:
    - (ii) Mary Ellen Scanlon
    - (iii) Adan Amer
    - (iv) Bill Johnston
    - (v) Emil and Kris Gadjanski
    - (vi) Nancy Hurst
    - (vii) Jill Tonini

**3. NOTICES OF MOTION (Item 12)**

- 12.1 442 - 462 Wilson Street East - Ontario Land Tribunal Appeal Instructions

The agenda for the August 3, 2022 Planning Committee meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 3)**

Councillor Ferguson declared an interest with Item 10.1, Taxi Regulation Review Report (PED22055), as he is an owner of taxi plate licences.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)**

**(i) July 5, 2022 (Item 4.1)**

The Minutes of the July 5, 2022 meeting were approved, as presented.

**(d) COMMUNICATIONS (Item 5)**

**(i) Lakewood Beach Community Council respecting Public Consultation Amendments (Item 5.1)**

The correspondence from Lakewood Beach Community Council respecting Public Consultation Amendments, was referred to the August 9, 2022 Planning Committee meeting.

**(e) DELEGATION REQUESTS (Item 6)**

**(i) Aamir Shahzad respecting Dispatch Practices of the City of Hamilton Licensed Taxicab Brokerages - Concerns, Suggestions and Removal of Anomalies (For the August 9<sup>th</sup> meeting) (Item 6.1)**

The Delegation Request from Aamir Shahzad respecting Dispatch Practices of the City of Hamilton Licensed Taxicab Brokerages - Concerns, Suggestions and Removal of Anomalies was approved for the August 9<sup>th</sup> meeting.

**(ii) Delegation Requests respecting Taxi Regulation Review Report (Item 10.1) (For today's meeting) (Added Items 6.2 and 6.3)**

The following Delegation Requests respecting Taxi Regulation Review Report (Item 10.1), were approved for today's meeting, to be heard before Item 10.1:

(i) James Kemp (Added Item 6.2)

(ii) Tim Nolan (Added Item 6.3)

**(f) CONSENT ITEMS (Item 7)**

**(i) Hamilton Municipal Heritage Committee Report 22-007 (Item 7.1)**

WHEREAS, MHBC completely a review along with staff as to the heritage features of the property located at 39 Lakeview Drive, Stoney Creek, and have determined that it has been significantly altered over time; No original doors and windows remain, only some interior casing remain of any original architectural features, exterior brick work is not salvageable,

and the integrity of the structure is questionable due to the poor condition of the existing brick, which is showing signs of deterioration.

WHEREAS, the home does not contribute to the heritage context of the surrounding community;

WHEREAS MHBC does not recommend designation of 39 Lakeview Drive, Stoney Creek and that it be removed from the list;

WHEREAS following this review and determination the Inventory and Research Working Group (IRWG) have recommended that the property remain on the Registry should the property be demolished and at such time requiring the owners to complete a Documentation and Salvage Report.

THEREFORE BE IT RESOLVED:

That sub-sections (a), (b) and (c) of the recommendation in PED22146, respecting a Request to Designate 39 Lakeview Drive, Stoney Creek under Part IV of the Ontario Heritage Act, be deleted in its entirety and replaced with the following wording:

**1. Request to Designate 39 Lakeview Drive, Stoney Creek under Part IV of the Ontario Heritage Act (PED22146) (Ward 10) (Item 8.1)**

~~(a) That the subject property located at 39 Lakeview Drive, Stoney Creek remain on the City's Register of Properties of Cultural Heritage Value as a non-designated property, subject to Section 27 of the Ontario Heritage Act;~~

~~(b) That the subject property located at 39 Lakeview Drive, Stoney Creek be removed from staff's designation work plan;~~

~~(c) That staff be directed and authorized to require a Documentation and Salvage Report to be submitted to the satisfaction of the Manager of Heritage & Urban Design, as a requirement of a complete site plan Application or notice of intention to demolish the subject property at 39 Lakeview Drive, Stoney Creek.~~

**(a) That the subject property located at 39 Lakeview Drive, Stoney Creek be removed from staff's designation work plan;**

- (b) ***That the property be removed from the Registry entirely and the requirement for a documentation and salvage report also be removed.***

For disposition of this matter, refer to Item 1(i).

**(g) PUBLIC HEARINGS / DELEGATIONS (Item 9)**

In accordance with the *Planning Act*, Chair Johnson advised those viewing the meeting that the public had been advised of how to pre-register to be a delegate at the Public Meetings on today's agenda.

In accordance with the provisions of the *Planning Act*, Chair Johnson advised that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Development applications before the Committee today, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Land Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**(i) Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200 for Lands Located at 327 and 335 Wilson Street East, Ancaster (PED22006) (Ward 12) (Item 9.1)**

Jennifer Allen, Planner II, with the Planning and Economic Development Department, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Katelyn Gillis and Terri Johns with T. Johns Consulting Group, were in attendance and indicated support for the staff report.

The delegation from Katelyn Gillis and Terri Johns with T. Johns Consulting Group, was received.

The Chair asked whether there were any individuals in attendance who wanted to speak to this matter, and no one came forward.

The following Delegation addressed the Committee:

- (i) Bob Maton, Ancaster Village Heritage Community (Added Item 9.1(a)) (virtually)

- (a) The following written and oral submissions regarding this matter were received and considered by the Committee:
  - (i) Added Oral Submissions (Item 9.1 (a))
    - (i) Bob Maton, Ancaster Village Heritage Community – Concerns with proposal
  - (ii) Added Written Submissions (Item 9.1 (b))
    - (i) Robert Wilkins, in Opposition to the proposal
    - (ii) Ilango Thirumoorthi, Concerns with proposal
    - (iii) Jan King, in Opposition to the proposal
    - (iv) Bob Maton, Concerns with proposal
    - (v) Nonni Iler, in Opposition to the proposal
    - (vi) Jim MacLeod, Concerns with proposal
- (b) The Public Meeting was Closed.

For disposition of this matter, refer to Item 2.

**(ii) Application for Amendment to Flamborough Zoning By-law No. 90-145-Z for Lands Located at 265 Mill Street South, Flamborough (PED22162) (Ward 15) (Item 9.2)**

Devon Morton, Planner II, with the Planning and Economic Development Department addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Mike Crough with IBI Group, was in attendance and indicated support for the staff report.

The delegation from Mike Crough with IBI Group, was received.

The Chair asked whether there were any individuals in attendance who wanted to speak to this matter, and no one came forward.

The following Registered Delegation addressed the Committee:

- (i) Sidney Shaw, in Opposition to the proposal (Added Item 9.2(a)(i)),
- (a) The written submissions in the staff report and following oral submissions regarding this matter were received and considered by the Committee:



- (i) Added Oral Submissions (Item 9.2 (a))
  - (i) Sidney Shaw, in Opposition to the proposal (Added Item 9.2(a)(i))

(b) The Public Meeting was Closed.

For disposition of this matter, refer to Item 3.

**(iii) Application for Amendment to Glanbrook Zoning By-law No. 464 for Lands Located at 0 Gowland Drive and 3435 Binbrook Road, Glanbrook (PED22161) (Ward 11) (Item 9.3)**

Councillor Johnson relinquished the Chair to Councillor Ferguson.

Devon Morton, Planner II, from the Planning and Economic Development Department, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Vimal Lad with Armstrong Planning and Project Management, was in attendance and indicated support for the staff report.

The delegation from Vimal Lad with Armstrong Planning and Project Management, was received.

The Chair asked whether there were any individuals in attendance who wanted to speak to this matter.

The following individuals apprised the Chair of their intention to speak to this matter:

- (i) Lisa Poshni
- (ii) Shawn Charvala

The following Delegation was not in attendance when called upon:

- (i) Patricia Healey (Added Item 9.3(b)(ii))

The following Delegations addressed the Committee:

- (i) Pete Koning (virtual), Concerns with proposal (Added Item 9.3(b)(i))
- (ii) Lisa Poshni (in person), Concerns with proposal (Added Item 9.3(b)(iii))
- (iii) Shawn Charvala (in person), Concerns with proposal (Added Item 9.3(b)(iv))

- (a) The following written and oral submissions regarding this matter were received and considered by the Committee:
  - (i) Added Written Submissions (Item 9.3(a))
    - (i) Pete Koning, Tish Healey, Phyllis Healey and Zanden Koning, Concerns with proposal
  - (ii) Oral Submissions (Item 9.3 (b))
    - (i) Pete Koning (virtual), Concerns with proposal (Added Item 9.3(b)(i))
    - (ii) Lisa Poshni (in person), Concerns with proposal (Added Item 9.3(b)(iii))
    - (iii) Shawn Charvala (in person), Concerns with proposal (Added Item 9.3(b)(iv))
- (b) The Public Meeting was Closed.

**(b) That staff be directed to explore a secondary egress; and,**

**(c) That staff be directed to ensure the design of the building conforms to the Binbrook Village Design Guidelines.**

For disposition of this matter, refer to Item 4.

Councillor Johnson assumed the Chair.

**(iv) Application for Zoning By-law Amendment for the Lands Located at 1117, 1121, 1129 and 1133 Beach Boulevard, Hamilton (Ward 5) (PED22140) (Item 9.4)**

The staff presentation was waived.

Steven Qi with Design Plan Services Inc., was in attendance and indicated support for the staff report.

The delegation from Steven Qi with Design Plan Services Inc., was received.

The Chair asked whether there were any individuals in attendance who wanted to speak to this matter, and no one came forward.

- (a) There were no public submissions received regarding this matter; and,
- (b) The Public Meeting was Closed.

For disposition of this matter, refer to Item 5.

Item 11.1, respecting Demolition permits for 1117 and 1133 Beach Boulevard, Hamilton was moved up to be heard at this time.

For disposition of this matter, refer to Item 9.

**(v) Applications for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for lands located at 136 and 144 Upper Mount Albion Road, Stoney Creek (PED22130) (Ward 9) (Item 9.5)**

The staff presentation was waived.

David Falletta with Bousfields Inc., was in attendance and indicated support for the staff report.

The delegation from David Falletta with Bousfields Inc., was received.

The Chair asked whether there were any individuals in attendance who wanted to speak to this matter, and no one came forward.

(a) There were no public submissions received regarding this matter; and,

(b) The Public Meeting was Closed.

For disposition of this matter, refer to Item 6.

The Committee recessed from 12:07 p.m. to 12:25 p.m.

**(vi) Amendments to Expand the Permitted Uses in the Low Density Residential Zones of the Former Community Zoning By-laws of the Town of Ancaster, Town of Dundas, Town of Flamborough, Township of Glanbrook, City of Hamilton, and City of Stoney Creek and Create Two New Low Density Residential Zones in Zoning By-law No. 05-200 (PED22154) (City Wide) (Item 9.6)**

Alana Fulford, Senior Planner with the Planning and Economic Development Department addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

The Chair asked whether there were any individuals in attendance who wanted to speak to this matter, and no one came forward.

The following Delegations addressed the Committee:

- (i) J. Cameron Nolan (virtual), in support with some concerns
  - (ii) Ian Borsuk, Environment Hamilton (virtual), in support of the Proposal
  - (iii) Nancy Hurst, Stop Sprawl HamOnt (pre-recorded), in support of the proposal
- (a) The following written and oral submissions regarding this matter were received and considered by the Committee:
- (i) Oral Submissions (Item 9.6 (b))
    - (i) J. Cameron Nolan, in support with some concerns
    - (ii) Ian Borsuk, Environment Hamilton, in support of the proposal
    - (iii) Nancy Hurst, Stop Sprawl HamOnt, in support of the proposal
  - (ii) Written Submissions (Item 9.6 (a))
    - (i) Dina D’Ermo, concerns with the proposal
    - (ii) Mary Ellen Scanlon, in support of the proposal
    - (iii) Adan Amer, in support of the proposal
    - (iv) Bill Johnston, in support of the proposal
    - (v) Emil and Kris Gadjanski, in support of the proposal
    - (vi) Nancy Hurst, in support of the proposal
    - (vii) Jill Tonini, in support of the proposal
- (b) The Public Meeting was Closed.

Appendix “A” to Report PED22154 was amended as follows:

- (a) ***That Section 5(b) be amended to delete reference to the “ER” Zone;***
- (b) ***That Section 6 be deleted in its’ entirety***
- (c) ***That Sections 7 – 17 be renumbered accordingly to Section 6 – 16.***
- (d) ***That the Appendix map included in the draft By-law to amend By-law 87-57 be amended to delete any lands zoned “ER” in the former Town of Ancaster Zoning By-law.***

For disposition of this matter, refer to Item 7.

**(h) DISCUSSION ITEMS (Item 10)**

**(i) Taxi Regulation Review Report (PED22055) (City Wide) (Item 10.1)**

James Kemp addressed the Committee respecting Accessible Taxi Program.

Tim Nolan addressed the Committee respecting the Taxi Regulation Review Report.

The following registered delegations, were received:

- (a) James Kemp (Added Item 6.2)
- (b) Tim Nolan (Added Item 6.3)

For disposition of this matter, refer to Item 8.

**(i) NOTICES OF MOTION (Item 12)**

**(i) 442 - 462 Wilson Street East - Ontario Land Tribunal Appeal Instructions (Added Item 12.1)**

The Rules of Order were waived to allow for the introduction of a Motion respecting 442 - 462 Wilson Street East - Ontario Land Tribunal Appeal Instructions.

For disposition of this matter, refer to Item 11.

**(j) GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

**(i) General Manager's Update (Added Item 13.1)**

General Manager of Planning and Economic Development, Jason Thorne, addressed the Committee to advise of the August 9, 2022 Planning Committee and upcoming staff reports on the agenda.

The General Manager's Update, was received.

**(k) ADJOURNMENT (Item 15)**

There being no further business, the Planning Committee adjourned at 3:05 p.m.

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Councillor B. Johnson  
Chair, Planning Committee

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Lisa Kelsey  
Legislative Coordinator