



PLANNING COMMITTEE REPORT 22-013

August 9, 2022

9:30 a.m.

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

Present: Councillor L. Ferguson (Chair)
Councillor M. Wilson (2nd Vice Chair)
Councillors J.P. Danko, J. Partridge, J. Farr, and M. Pearson

Absent with Regrets: Councillor B. Johnson

Also in Attendance: Councillors E. Pauls, T. Jackson, R. Powers

THE PLANNING COMMITTEE PRESENTS REPORT 22-013 AND RESPECTFULLY RECOMMENDS:

1. **To Extend and Open a Portion of Lands as Public Highway being Sonoma Lane by By-law (PED22049) (Ward 10) (Item 7.1)**
 - (a) That the following Lands designated as Parts 1, 2, and 6, inclusive, on Plan 62R-21744 be established as a public highway to form part of Sonoma Lane;
 - (b) That the By-law to incorporate the City lands to form part of Sonoma Lane be prepared to the satisfaction of the City Solicitor and be enacted by Council;
 - (c) That the City Solicitor, or designate, be authorized and directed to register the By- law.
2. **Residential Drainage Assistance Program (RDAP) (PED22164) (Ward 7) (Item 7.2)**
 - (a) That with respect to the properties bounded by East 37th Street, Seventh Avenue, East 36th Street and Fennell Avenue, the City implements and funds the construction of two private rear yard catch-basins (Public Portion Only), as recommended in Option 2 of the report prepared by AECOM, dated May 25, 2022, shown in Appendix "B" attached to Report PED22164, at a cost of \$44,500 for works within the Right of Way;

- (b) That with respect to the properties bounded by East 37th Street, Seventh Avenue, East 36th Street and Macassa Avenue, the City funds the costs of all Site Alteration Permits for the implementation of Option 4 as recommended in the report prepared by AECOM, dated May 25, 2022, shown in Appendix “B” attached to Report PED22164, comprised of the installation of individual soakaway pits, at a cost of \$965 per property totalling \$9,650;
- (c) That funding for work on the City Right of Way in Recommendation (a) estimated at \$44,500, as well as City permits be funded from Capital Account No. 518216, in accordance with the Residential Assistance Program (RDAP);
- (d) That funding for the work on private properties bounded by East 37th Street, Seventh Avenue, East 36th Street and Fennell Avenue; and by East 37th Street, Seventh Avenue, East 36th Street and Macassa Avenue, estimated at \$59,000 and \$48,000 respectively be apportioned among the benefiting property owners;
- (e) That prior to proceeding with any work on City property, appropriate agreements with the benefiting property owners in properties bounded by a) East 37th Street, Seventh Avenue, East 36th Street and Fennell Avenue; and b) East 37th Street, Seventh Avenue, East 36th Street and Macassa Avenue, are entered into to the satisfaction of the City Solicitor.

3. Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED22160) (City Wide) (Item 7.3)

That Report PED22160 respecting Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications, be received.

4. Application to Deem lands Being Blocks 131-134, Inclusive, of Registered Plan No. 62M-1085 not to be Part of a Registered Plan of Subdivision, for the Purposes of Subsection 50(3) of the Planning Act (Hamilton) (PED22157) (Ward 14) (Item 9.2)

- (a) That approval be given to deem lands being Blocks 131-134, inclusive, of Registered Plan No. 62M-1085, not to be part of a Registered Plan of Subdivision, for the purposes of Subsection 50(3) of the Planning Act, as shown on Appendix “A” to Report PED22157, on the following basis:
 - (i) That the draft By-law, attached as Appendix “C” to Report PED22157, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

- (ii) That the proposal to deem Blocks 131-134, inclusive, of Registered Plan 62M-1085, not to be part of a registered plan of subdivision is consistent with the Provincial Policy Statement (2020) and complies with the Urban Hamilton Official Plan (UHOP).

5. Application for a Zoning By-law Amendment for Lands Located at 154 Wilson Street East, Ancaster (PED22165) (Ward 12) (Item 9.3)

- (a) That Amended Zoning By-law Amendment Application ZAC-18-058, by UrbanSolutions Planning and Land Development (c/o Matt Johnston) on behalf of T. Valeri Construction Ltd. (Owner), for a change in zoning from Existing Residential “ER” Zone to Residential Multiple “RM4-715” Zone, Modified, to permit 10, three storey townhouse dwellings on a private (condominium) road for the lands located at 154 Wilson Street East, as shown on Appendix “A” attached to Report PED22165, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED22165 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 the proposed change in zoning complies with the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan.
 - (iv) That the proposal include a grass area along the curb of Wilson Street, for residents to leave garbage on pick-up day.
 - (v) That the Noise Study be implemented through the Site Plan and Condominium approval stages, which includes notice in the Agreement of Purchase and Sale, and in the Condominium agreement, to ensure it’s registered on title to advise future property owners of the maintenance facility of the golf club behind the proposed development.

6. Applications for Amendments to the Urban Hamilton Official Plan and Hamilton Zoning By-law No. 6593 for Lands Located at 705 and 713 Rymal Road East, Hamilton (PED22171) (Item 9.4)

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-21-012, by Wellings Planning Consultants Inc. (c/o Glenn Wellings, Applicant) on behalf of Royal Living Development Group Inc. (Alex Arbab, Owner) to

establish an Urban Site Specific Policy to permit a noise barrier adjacent to a Secondary Corridor and to permit a minimum net residential density of 50 units per hectare within a medium density residential area of the Neighbourhoods Designation on lands located at 705 and 713 Rymal Road East, as shown on Appendix "A" to Report PED22171, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment attached as Appendix "B" to Report PED22171, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).
- (b) That Zoning By-law Amendment Application ZAC-21-026, by Wellings Planning Consultants Inc. (c/o Glenn Wellings, Applicant) on behalf of Royal Living Development Group Inc. (Alex Arbab, Owner) for a change in zoning from the "AA" (Agricultural) District and the "C" (Urban Protected Residential, Etc.) District to the "RT-30/S-1824" (Street - Townhouse) District, Modified, to permit 41 two-storey street townhouse dwellings on a private condominium road with a total of 52 parking spaces (one garage space per unit plus 11 visitor parking spaces) on lands located at 705 and 713 Rymal Road East, as shown on Appendix "A" to Report PED22171, be APPROVED on the following basis:
 - (i) That the draft By-law attached as Appendix "C" to Report PED22171, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: 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. XX;
- (c) That upon approval of Urban Hamilton Official Plan Amendment Application UHOPA-21-012 and Zoning By-law Amendment Application ZAC-21-026, the subject lands be re-designated from "Single and Double" to "Attached Housing" and the Proposed Roads being the westerly extension of Eaglewood Drive be deleted from the subject lands in the Eleanor Neighbourhood Plan.

7. Application for Official Plan Amendment and Zoning By-law Amendment for the Lands Located at 1842 King Street East, Hamilton (PED22139) (Ward 4) (Item 9.5)

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-21-009 by UrbanSolutions Planning & Land Development Consultant Inc. c/o Sergio Manchia, on behalf of 1842 King St E. Inc. c/o New Horizon Development Group, (Owner), to establish a Site Specific Policy Area within the Neighbourhoods designation, to permit a 13 storey, mixed use development, with a residential density of 500 units per hectare, to restrict the maximum height to 13 storeys, and to permit commercial uses below the ground floor, for 1842 King Street East, as shown on Appendix “A” attached to Report PED22139, be APPROVED on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED22139, be adopted by 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 Revised Zoning By-law Amendment Application ZAC-21-021 by UrbanSolutions Planning & Land Development Consultant Inc. c/o Sergio Manchia, on behalf of 1842 King St E. Inc. c/o New Horizon Development Group, Owner, for a change in zoning from Major Institutional (I3) Zone to Mixed Use Medium Density (C5, 812, H76, H77) Zone, to permit four, 13 storey multiple dwellings with commercial uses below the ground floor and, four, four storey maisonette for a total of 1,341 dwelling units, and four commercial units, for lands located at 1842 King Street East, as shown on Appendix “A” attached to Report PED22139, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “C” to Report PED22139, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the amending By-law attached as Appendix “C” to Report PED22139 be added to Map No. 1139 of Schedule “A” – Zoning Maps of Zoning By-law No. 05-200;
 - (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Growth: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and complies with the City of Hamilton Official Plan upon approval of the Official Plan Amendment No. _____;

- (iv) 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' (H76) 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, Conversation and Parks (MECP) or enters 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 the Owner submit a Functional Servicing Report to demonstrate the stormwater management, sanitary flow and water supply demand (Water Hydraulic Analysis) resulting from this development has adequate capacity in the existing municipal infrastructure system in accordance with City standards to accommodate the proposed development, to the satisfaction of the Director of Growth Management;
 - (3) That the Owner make satisfactory arrangements with City's Growth Management Division and enter into an external works agreement with the City for the design and construction of any improvements to the municipal infrastructure at the Owner's cost, should it be determined that upgrades are required to the infrastructure to support this development, according to the Functional Servicing Report, Traffic Impact Study (TIS) and Watermain Hydraulic Analysis Report, to the satisfaction of the Director of Growth Management;
 - (4) 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;
 - (5) An updated Pedestrian Wind Study has been submitted and implemented to the satisfaction of the Director of Planning and Chief Planner;

- (v) 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' (H77) as a suffix to the proposed zoning for the following:

- (1) Regulations

For such time as the Holding Provision is in place, these lands shall be subject to the regulations of the (C5, 812) Zone except where in conflict with the following:

- (aa) No development exceeding 1,341 dwelling units;

- (2) Conditions for Holding Provision Removal

The Holding Provision shall, upon application by the landowner, be removed by way of an amending Zoning By-law, for all or part of the lands subject to this provision when the following conditions have been satisfied:

- (aa) That the Owner submit and receive approval of an updated Transportation Impact Study where greater than 1,341 dwelling units are proposed, to the satisfaction of the Director of Transportation Planning;
- (bb) That the Owner submit and receive approval of an updated Functional Servicing Report and Watermain Hydraulic Analysis Report where greater than 1,341 dwelling units are proposed, to the satisfaction of the Director of Growth Management.

8. Process, Staffing and Fee Changes to Implement Bill 13 and Bill 109 (PED22112(c)) (City Wide) (Item 9.6)

- (a) That the Bill 109 Risk Identification and Recommendations report, prepared by BMA Management Consulting Inc., dated July 2022, attached as Appendix "A" to Report PED22112(c), be approved;
- (b) That the 2023 Tariff of Fees for Planning and Engineering Development Applications, attached as Appendix "B" to Report PED22112(c) be approved and incorporated into the User Fees and Charges By-law, effective January 1, 2023;
- (c) That any fee refunds required to be issued as a result of the new Bill 109 provincial regulations be funded by the Development Fee Stabilization

Reserve (Reserve No. 110086) and reported to Council annually through the annual budget process;

- (d) That the creation of two FTEs for a Solicitor and one FTE for a Legal Clerk within the Legal Services Division be referred to the 2023 Operating Budget;
- (e) That an exception be made to the City's Budgeted Complement Control (Policy No: CBP – 1) to provide the General Manager of Planning and Economic Development with the delegated authority to undertake the following, provided that all costs are fully fee-funded and will have no impact on the levy:
 - i) increasing permanent complement or increasing temporary complement beyond 24 months for staff working in development approvals;
 - ii) changing complement type (i) from Temporary to Permanent. (ii) from Temporary (less than 24 month duration) to Temporary (longer than 24 month duration) and/or (iii) deleting one position and adding a new position which would be expected to change the pay band for the new position higher by more than one band, for staff working in development approvals;
- (f) That the General Manager of Corporate Services report to Council three times per year through the regular Tax and Rate Operating Budget Variance Report on any new permanent positions created through the delegated authority;
- (g) That the Urban Hamilton Official Plan Amendment, attached as Appendix "C" to Report PED22112(c), to implement Bill 13 and Bill 109, be approved, in accordance with the requirements of the Planning Act on the following basis:
 - i) That the draft Urban Hamilton Official Plan Amendment, attached as Appendix "C" to Report PED22112(c), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
- (h) That the Rural Hamilton Official Plan Amendment, attached as Appendix "D" to Report PED22112(c), to implement Bill 13 and Bill 109, be approved, in accordance with the requirements of the Planning Act on the following basis:
 - i) That the draft Rural Hamilton Official Plan Amendment, attached as Appendix "D" to Report PED22112(c), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;

- (i) That the by-law to delegate approval authority to pass a by-law to remove a Holding symbol, for a temporary use by-law and for other minor zoning by-law amendments to the Director Planning and Chief Planner or their designate, attached as Appendix “E” to Report PED22112(c), be approved and forwarded to Council to be passed upon the draft Rural and Urban Hamilton Official Plan Amendments, attached as Appendix “C” and “D” to Report PED22112(c), becoming final and binding;
- (j) That the Bill 109 Transition Framework, attached as Appendix “I” to Report PED22112(c), be approved.

9. Re-enactment of the Parkland Dedication By-law (PED22158) (City-wide) (Item 9.7)

- (a) That existing Parkland Dedication By-law No. 18-126 and amending By law No. 21-078, be repealed;
- (b) That the Parkland Dedication By-law attached as Appendix “A” to Report PED22158, prepared in a form satisfactory to the City Solicitor, be enacted;
- (c) That the General Manager, Planning and Economic Development, or designate, be directed to prepare and implement updated Parkland Dedication and Cash-in-Lieu of Parkland Procedures consistent with the enacted Parkland Dedication By-law.

10. Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 405 James Street North, Hamilton (PED22155) (Ward 2) (Item 9.8)

- (a) That Official Plan Amendment Application UHOPA-21-014 by T. Johns Consulting c/o Katelyn Gillis on Behalf of Jamesville Redevelopment Limited Partnership, Applicant, to redesignate the subject lands from “Medium Density Residential 1” to “Medium Density Residential 2” and establish a Special Policy Area on Schedule “M-2” and to change the building height permissions on Schedule “M-4” in the West Harbour (Setting Sail) Secondary Plan in the former City of Hamilton Official Plan to permit a 447 unit residential development with building heights ranging from three to seven storeys, for lands located at 405 James Street North, as shown on Appendix “A” attached to Report PED22155, be APPROVED on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED22155, be adopted 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 Revised Zoning By-law Amendment Application ZAC-21-031 by T. Johns Consulting c/o Katelyn Gillis on Behalf of Jamesville Redevelopment Limited Partnership, Applicant, for a change in zoning from the “DE/S-65” (Low Density Multiple Dwellings) District, Modified to the Transit Oriented Corridor Multiple Residential (TOC3, 811, H128) Zone to permit a 447 unit residential development consisting of 14, three storey (13.0 metre) multiple dwellings (stacked townhouses) and two, seven storey (24.0 metre) multiple dwellings, together with 334 parking spaces for lands located at 405 James Street North, as shown on Appendix “A” attached to Report PED22155, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “C” to Report PED22155, 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, as amended, and complies with the City of Hamilton Official Plan upon approval of Official Plan Amendment No. XX;
 - (iii) That Schedule “D” – Holding Provisions, of Zoning By-law No. 05-200; be amended by adding the Holding Provisions as follows:

H128. Notwithstanding Section 11.3 of this By-law, within lands zoned Transit Oriented Corridor Multiple Dwelling (TOC3, 811) Zone on Map No. 869 on Schedule “A” – Zoning Maps, and described as 405 James Street North, Hamilton, no development shall be permitted until such time as:

 - 1. The Owner agrees in a signed Site Plan Agreement to implement all required noise mitigation measures identified in the Environmental Noise Feasibility Study dated March 9, 2022 by Valcoustics Canada Ltd., to the satisfaction of the Director of Planning and Chief Planner;
 - 2. The Owner agrees in a signed Site Plan Agreement, to provide notice to any subsequent owner, as well as any prospective purchasers or tenants that the dwellings are located in a Class 4 Area, and to agree

to register this notice and any / all warning clauses on title, and include them in any purchase and sale and in any lease or rental agreement, to the satisfaction of the Director of Planning and Chief Planner;

3. The Owner submit and receive approval of a Watermain Hydraulic Analysis to identify the required upgrades to the existing watermain on Ferrie Street West, to the satisfaction of the Manager of Development Engineering Approvals;
4. The Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MECP). 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;

- (c) That Council deem the lands at 405 James Street North (see Appendix "A" attached to Report PED22155) as a Class 4 Area pursuant to the Ministry of the Environment, Conservation and Parks' (MECP) Noise Guidelines NPC-300 (Stationary and Transportation Sources – Approval and Planning), and that the Class 4 Area designation apply only to the development proposal attached as Appendix "E" to Report PED22155 with the requirement that all noise mitigation and warning clauses be secured through the Holding Provision attached to the implementing Zoning By-law as specified in Section (b)(iii) outlined above.

11. Update on Applications for Amendments to the Urban Hamilton Official Plan, Stoney Creek Zoning By-law No. 3692-92, and Hamilton Zoning By-law No. 05-200, and Draft Plan of Subdivision for Lands Located at 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent (Stoney Creek) (PED22150(a)) (Ward 10) (Item 10.1) (Deferred from the July 5, 2022 Planning Committee meeting)

That Report PED22150(a) respecting Update on Applications for Amendments to the Urban Hamilton Official Plan, Stoney Creek Zoning By-law No. 3692-92, and Hamilton Zoning By-law No. 05-200, and Draft Plan of Subdivision for Lands Located at 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent (Stoney Creek), be received.

12. Committee of Adjustment Delegated Authority and Application Fees (PED22167) (City Wide) (Item 10.2)

- (a) That the authority to decide on routine and administrative Consent applications, and Certificates for Cancellation and Validation of Title be delegated to an appointed officer, being the Director of Planning and Chief Planner in accordance with Section 53 and 57 of the Planning Act;
- (b) That the By-law to amend By-law No. 07-300, Delegation of Consent Authority and Constituting a Committee of Adjustment as amended by By-law No. 21-151, to provide an increase for the Committee of Adjustment member honorarium and to enable Recommendation (a), attached as Appendix “A” to Report PED22167 be enacted by Council;
- (c) That the By-law to amend By-law No. 12-282 Tariff of Fees, as amended by By-law No. 19-108, attached as Appendix “B” to Report PED22167, to provide for reduced fees for the processing of routine and administrative consents, and associated process changes, be enacted by Council.

13. Urban Hamilton Official Plan Amendment (UHOPA-21-019) and Zoning By-law Amendment (ZAC-21-041) Applications for the Lands Located at 510 Centennial Parkway North (PED22129) (Ward 5) (Item 9.3) (Deferred back to Committee by Council at their July 8, 2022 meeting) (Item 10.3)

- (a) That Official Plan Amendment Application UHOPA-21-019 by Confederation Park Shopping Centres Limited and Confederation Park Shopping Centres II Limited, Owner (c/o Adam Anthony Hawkswell) for a further modification to Area Specific Policy - Area “D” in the Centennial Neighbourhoods Secondary Plan to permit the establishment of a four storey warehouse (mini storage facility), to restrict the maximum gross floor area of the mini storage use to 12,900 square metres and to permit a mini storage facility in addition to the existing maximum gross floor area cap of 45,058 square metres for all District Commercial uses, for lands located at 510 Centennial Parkway North, as shown on Appendix “A” attached to Report PED22129, be APPROVED on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED22129, be adopted 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, as amended;
- (b) That Zoning By-law Amendment Application ZAC-21-041 by Confederation Park Shopping Centres Limited and Confederation Park

Shopping Centres II Limited (c/o Adam Anthony Hawkswell) for a further modification to the “G-1/S-1613” (Designated Shopping Centre) District, Modified, to permit a four storey, 12,482 square metre warehouse (mini storage facility) on the lands located at 510 Centennial Parkway North, as shown on Appendix “A” attached to Report PED22129, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “C” to Report PED22129, 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, as amended, and complies with the Urban Hamilton Official Plan upon the approval of Official Plan Amendment No. ____.

14. Demolition Permit for 708 Rymal Road East (Added Item 11.1)

WHEREAS, the property at 708 Rymal Road East, Hamilton, has been abandoned and dilapidated for many years;

WHEREAS, the vacant property attracts untoward activity;

WHEREAS, the vacant property poses a significant threat to safety;

WHEREAS, the vacant property poses a significant liability;

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

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for 708 Rymal Road East, Hamilton, Ontario, L8W 1B3 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.

15. Organizational Design Changes in the Planning and Economic Development Department (PED22187) (City Wide) (Item 14.1)

- (a) That Report PED22187 respecting Organizational Design Changes in the Planning and Economic Development Department, be received; and

- (b) That Report PED22187 respecting Organization Design Changes in the Planning and Economic Development Department remain confidential.

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. Delegation Requests for 11-30 Lakeside Drive and 81 Waterford Cres (Item 10.1) (For today's meeting)

- (i) Silvana Puddu (in person)
- (ii) Prem Galagoda (in person)
- (iii) Ira Idzkowski (in person)
- (iv) David Neligan (virtual)
- (v) Peter van Hazel (in person)

2. PUBLIC HEARINGS / DELEGATIONS (Item 9)

9.3 Application for a Zoning By-law Amendment for Lands Located at 154 Wilson Street East, Ancaster (PED22165) (Ward 12)

(a) Added Registered Delegations:

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

(b) Added Written Submissions:

- (i) Bob Maton, Ancaster Village Heritage Community

9.4 Applications for Amendments to the Urban Hamilton Official Plan and Hamilton Zoning By-law No. 6593 for Lands Located at 705 and 713 Rymal Road East, Hamilton (PED22171) (Ward 6)

(a) Added Written Submissions:

- (i) Rob MacFarlane, Zelinka Priamo LTD.
- (ii) Nancy Frieda and Joseph M. Liberatore, GSP Group Inc.

9.5 Application for Official Plan Amendment and Zoning By-law Amendment for the Lands Located at 1842 King Street East, Hamilton (PED22139) (Ward 4)

(b) Added Written Submissions:

- (iii) Randy McClelland
- (iv) Robert Fuciarelli
- (v) Michael Howie and Kate Young

9.6 Process, Staffing and Fee Changes to Implement Bill 13 and Bill 109 (PED22112(c)) (City Wide) (REVISED TITLE)

(a) Added Written Submissions:

- (ii) West End Home Builders' Association

9.8 Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 405 James Street North, Hamilton (PED22155) (Ward 2)

(a) Added Registered Delegations:

- (i) Bryan Ritskes, Harbour West Neighbours (in person)
- (ii) Keven Piper (virtual)
- (iii) Andrew Robinson, North End Neighbourhood Association (virtual)
- (iv) Robert Koch (virtual)

(b) Added Written Submissions:

- (i) Bryan Ritskes, Harbour West Neighbours

3. NOTICES OF MOTION (Item 12)

12.1 Demolition Permit for 708 Rymal Road East

The agenda for the August 9, 2022 Planning Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Ferguson declared an interest with Item 9.1, Aamir Shahzad respecting Dispatch Practices of the City of Hamilton Licensed Taxicab Brokerages – Concerns, Suggestions and Removal of Anomalies, as he is an owner of taxi plate licences.

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

(i) August 3, 2022 (Item 4.1)

The Minutes of the August 3, 2022 meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Various Delegations (Item 6.1 and Added Item 6.2)

(a) The following Delegation Requests respecting 510 Centennial Parkway North (Item 10.3), were approved for today's meeting, to be heard before Item 10.3 (Item 6.1):

- (i) Stuart Hasting, GSP Group (virtual)
- (ii) Adam Hawkseil and Allan Scully, SmartCentres (in person)

(b) The following Delegation Requests respecting 11-30 Lakeside Drive and 81 Waterford Cres (Item 10.1), were approved for today's meeting, to be heard before Item 10.1 (Added Item 6.2):

- (i) Silvana Puddu (in person)
- (ii) Prem Galagoda (in person)
- (iii) Ira Idzkowski (in person)
- (iv) David Neligan (virtual)
- (v) Peter van Hazel (in person)

(e) PUBLIC HEARINGS / DELEGATIONS (Item 9)

(i) Aamir Shahzad respecting Dispatch Practices of the City of Hamilton Licensed Taxicab Brokerages - Concerns, Suggestions and Removal of Anomalies (Approved at the August 3, 2022 Planning Committee Meeting (Item 9.1))

Aamir Shahzad addressed the Committee respecting Dispatch Practices of the City of Hamilton Licensed Taxicab Brokerages – Concerns, Suggestions and Removal of Anomalies.

The Delegation from Aamir Shahzad respecting Dispatch Practices of the City of Hamilton Licensed Taxicab Brokerages – Concerns, Suggestions and Removal of Anomalies, was received.

In accordance with the *Planning Act*, Acting Chair Ferguson 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*, Acting Chair Ferguson 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.

(ii) Application to Deem lands Being Blocks 131-134, Inclusive, of Registered Plan No. 62M-1085 not to be Part of a Registered Plan of Subdivision, for the Purposes of Subsection 50(3) of the Planning Act (Hamilton) (PED22157) (Ward 14) (Item 9.2)

The staff presentation was waived.

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

The delegation from Katelyn Gillis with T. Johns Consulting, 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.

(b) The Public Meeting was Closed.

For disposition of this matter, refer to Item 4.

(iii) Application for a Zoning By-law Amendment for Lands Located at 154 Wilson Street East, Ancaster (PED22165) (Ward 12) (Item 9.3)

James Van Rooi, Planner I, with the Planning and Economic Development Department addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Matt Johnston with UrbanSolutions, was in attendance and indicated support for the staff report.

The delegation from Matt Johnston with UrbanSolutions, 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 Delegations addressed the Committee:

- (i) Bob Maton, Ancaster Village Heritage Community (virtual),
Concerns with the proposal
- (a) The following written and oral submissions regarding this matter
were received and considered by the Committee:
 - (i) Registered Delegation (Item 9.3 (a))
 - (i) Bob Maton, Ancaster Village Heritage Community,
Concerns with the proposal
 - (ii) Written Submission (Item 9.3 (b))
 - (i) Bob Maton, Ancaster Village Heritage Community,
Concerns with the proposal
- (b) The Public Meeting was Closed.
- (a) That Amended Zoning By-law Amendment Application ZAC-18-058, by UrbanSolutions Planning and Land Development (c/o Matt Johnston) on behalf of T. Valeri Construction Ltd. (Owner), for a change in zoning from Existing Residential “ER” Zone to Residential Multiple “RM4-715” Zone, Modified, to permit 10, three storey townhouse dwellings on a private (condominium) road for the lands located at 154 Wilson Street East, as shown on Appendix “A” attached to Report PED22165, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED22165 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 the proposed change in zoning complies with the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan.

Councillor Ferguson relinquished the Chair to Councillor Danko.

The recommendations in Report PED22165 were **amended**, by adding sub-section (iv), as follows:

- (iv) ***That the proposal include a grass area along the curb of Wilson Street, for residents to leave garbage on pick-up day.***

The recommendations in Report PED22165 were **amended**, by adding sub-section (v), as follows:

- (v) ***That the Noise Study be implemented through the Site Plan and Condominium approval stages, which includes notice in the Agreement of Purchase and Sale, and in the Condominium agreement, to ensure it's registered on title to advise future property owners of the maintenance facility of the golf club behind the proposed development.***

For disposition of this matter, refer to Item 5.

Councillor Ferguson assumed the Chair.

- (iv) **Applications for Amendments to the Urban Hamilton Official Plan and Hamilton Zoning By-law No. 6593 for Lands Located at 705 and 713 Rymal Road East, Hamilton (PED22171) (Ward 6) (Item 9.4)**

The staff presentation was waived.

Glenn Wellings with Wellings Planning Consultants Inc., was in attendance and indicated support for the staff report.

The delegation from Glenn Wellings with Wellings Planning Consultants 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) The following public submissions regarding this matter were received and considered by the Committee:
 - (i) Written Submissions (Item 9.4 (a))

- (i) Rob MacFarlane, Zelinka Priamo LTD., Concerns with proposal
- (ii) Nancy Frieda and Joseph M. Liberatore, GSP Group Inc., Concerns with proposal

(b) The Public Meeting was Closed.

For disposition of this matter, refer to Item 6.

(v) Application for Official Plan Amendment and Zoning By-law Amendment for the Lands Located at 1842 King Street East, Hamilton (PED22139) (Ward 4) (Item 9.5)

The staff presentation was waived.

Matt Johnston with UrbanSolutions Planning and Land Development Consultants, was in attendance and indicated support for the staff report.

The delegation from Matt Johnston with UrbanSolutions Planning and Land Development Consultants, 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 Delegations (Item 9.5(a)) addressed the Committee:

- (i) Bruce Picken (in person), in Opposition to the proposal
- (ii) Randy McLelland (in person), in Opposition to the proposal
- (iii) Dave Wilson (in person), Concerns with proposal

(a) The following written and oral submissions regarding this matter were received and considered by the Committee:

(i) Registered Delegations (Item 9.5 (a))

- (i) Bruce Picken, in Opposition to the proposal
- (ii) Randy McLelland, in Opposition to the proposal
- (iii) Dave Wilson, Concerns with proposal

(ii) Written Submissions (Item 9.5 (b))

- (i) Matthew Grant, Concerns with proposal
- (ii) Charlette Lockhart, in Opposition to the proposal
- (iii) Randy McClelland, Concerns with proposal

- (iv) Robert Fuciarelli, Concerns with proposal
- (v) Michael Howie and Kate Young, Concerns with proposal

(b) The Public Meeting was Closed

For disposition of this matter, refer to Item 7.

(vi) Process, Staffing and Fee Changes to Implement Bill 13 and Bill 109 (PED22112(c)) (City Wide) (Item 9.6)

Tiffany Singh, Planner I, Ken Coit, Manager of Heritage and Urban Design, Anita Fabac, Manager of Development Planning, Heritage & Design, and Jim Bruzzese, BMA Management Consulting Inc. 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.

- (a) The following public submissions regarding this matter were received and considered by the Committee:
 - (i) Written Submissions (Item 9.6 (a))
 - (i) Lakeside Beach Community Council, Concerns with the proposal
 - (ii) West End Home Builders' Association, Comments on the proposal

(b) The Public Meeting was Closed.

For disposition of this matter, refer to Item 8.

The Committee recessed from 12:53 p.m. to 1:30 p.m.

(vii) Re-enactment of the Parkland Dedication By-law (PED22158) (City-wide) (Item 9.7)

Phil Caldwell, Senior Project Manager, and Ray Kessler, Chief Corporate Real Estate Officer, 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.

- (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 9.

(viii) Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 405 James Street North, Hamilton (PED22155) (Ward 2) (Item 9.8)

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

The staff presentation was received.

Terri Johns with T. Johns Consulting was in attendance and indicated support for the staff report.

The delegation from Terri Johns with T. Johns Consulting, 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 Delegations addressed the Committee:

- (i) Bryan Ritskes, Harbour West Neighbours (in person), Concerns with the proposal
 - (ii) Keven Piper (virtual), Concerns with the proposal
 - (iii) Andrew Robinson, North End Neighbourhood Association (virtual), Concerns with the proposal
 - (iv) Robert Koch (virtual), Concerns with the proposal
- (a) The following written and oral submissions regarding this matter were received and considered by the Committee:
- (i) Registered Delegations (Item 9.7 (b))
 - (i) Bryan Ritskes, Harbour West Neighbours, Concerns with proposal
 - (ii) Keven Piper, Concerns with proposal

- (iii) Andrew Robinson, North End Neighbourhood Association, Concerns with the proposal
- (iv) Robert Koch, Concerns with the proposal
- (ii) Written Submissions (Item 9.8 (a))
 - (i) Bryan Ritskes, Harbour West Neighbours, Concerns with the proposal
- (b) The Public Meeting was Closed.

For disposition of this matter, refer to Item 10.

(f) DISCUSSION ITEMS (Item 10)

- (i) **Update on Applications for Amendments to the Urban Hamilton Official Plan, Stoney Creek Zoning By-law No. 3692-92, and Hamilton Zoning By-law No. 05-200, and Draft Plan of Subdivision for Lands Located at 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent (Stoney Creek) (PED22150(a)) (Ward 10) (Item 10.1) (Deferred from the July 5, 2022 Planning Committee meeting)**

The staff presentation was waived.

The following delegations (Added Item 6.2) addressed the Committee:

- (i) Silvana Puddu (in person) – Concerns with the proposal
- (ii) Prem Galagoda (in person) – Concerns with the proposal
- (iii) Ira Idzkowski (in person) – Concerns with the proposal
- (iv) David Neligan (virtual) – in Opposition to the proposal
- (v) Peter van Hazel (in person) – Concerns with the proposal

The following public submissions regarding this matter were received and considered by the Committee:

- (a) Written Submissions:
 - (i) Ira Idzkowski, Concerns with the proposal
 - (ii) Premalal Galagoda, Lakeside Drive Owners, Concerns with the proposal
 - (iii) Alaa Yousif, Concerns with the proposal
 - (iv) Glenn and Ulrike Cleland, Concerns with the proposal
 - (v) David Neligan, Concerns with the proposal
- (b) Oral Submissions:

- (i) Silvana Puddu, Concerns with the proposal
- (ii) Prem Galagoda, Concerns with the proposal
- (iii) Ira Idzkowski, Concerns with the proposal
- (iv) David Neligan, in Opposition to the proposal
- (v) Peter van Hazel, Concerns with the proposal

Report PED22150 respecting Applications for Amendments to the Urban Hamilton Official Plan, Stoney Creek Zoning By-law No. 3692-92, and Hamilton Zoning By-law No. 05-200, and Draft Plan of Subdivision for Lands Located at 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent, Stoney Creek (PED22150) (Ward 10), which was DEFERRED from the July 5, 2022 Planning Committee meeting to the August 9, 2022 Planning Committee meeting, was further DEFERRED to the September 6, 2022 meeting.

For further disposition of this matter, refer to Item 11.

(ii) Committee of Adjustment Delegated Authority and Application Fees (PED22167) (City Wide) (Item 10.2)

Jamila Sheffield, Secretary-Treasurer of the Committee of Adjustment, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

For disposition of this matter, refer to Item 12.

(iii) Urban Hamilton Official Plan Amendment (UHOPA-21-019) and Zoning By-law Amendment (ZAC-21-041) Applications for the Lands Located at 510 Centennial Parkway North (PED22129) (Ward 5) (Item 9.3) (Item 10.3) (Referred to Planning Committee by Council at their July 8, 2022 meeting)

The staff presentation was waived.

The following Registered Delegations addressed the Committee:

- (i) Stuart Hastings, GSP Group, in Support of the proposal
- (ii) Adam Hawkswell and Allan Scully, SmartCentres, in support of the proposal

The following public submissions were received:

- (a) Written Submission (Item 10.3(a))
 - (i) Sarah Knoll, GSP Group, in Support of the proposal

(b) Oral Submissions

- (i) Stuart Hastings, GSP Group, in Support of the proposal
- (ii) Adam Hawkswell and Allan Scully, SmartCentres, in Support of the proposal

For disposition of this matter, refer to Item 13.

(g) NOTICES OF MOTION (Item 12)

(i) Demolition Permit for 708 Rymal Road East (Added Item 12.1)

The Rules of Order were waived to allow for the introduction of a Motion respecting Demolition Permits for 708 Rymal Road East.

For disposition of this matter, refer to Item 14.

(h) PRIVATE AND CONFIDENTIAL (Item 14)

The Committee determined they did not need to move into Closed Session.

(i) Organizational Design Changes in the Planning and Economic Development Department (PED22187) (City Wide) (Item 14.1)

For disposition of this matter refer to Item 15.

(i) ADJOURNMENT (Item 15)

There being no further business, the Planning Committee adjourned at 5:20 p.m.

Councillor L. Ferguson
Acting Chair, Planning Committee

Lisa Kelsey
Legislative Coordinator