



**PLANNING COMMITTEE
REPORT
23-010**

June 13, 2023

9:30 a.m.

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

Present: Councillor J.P. Danko (Chair)
Councillor T. Hwang (1st Vice Chair)
Councillor C. Cassar (2nd Vice Chair)
Councillors J. Beattie, C. Kroetsch, M. Francis, T. McMeekin,
N. Nann, E. Pauls, M. Tadeson, A. Wilson

Absent with regrets: Councillor M. Wilson – City Business

**THE PLANNING COMMITTEE PRESENTS REPORT 23-010 AND RESPECTFULLY
RECOMMENDS:**

**1. Rental Housing Licensing Pilot Program Update (PED21097(d)) (Wards 1, 8
and part of 14) (Item 8.1)**

That Report PED21097(d), respecting Rental Housing Licensing Pilot Program Update, be received.

**2. Active Official Plan Amendment, Zoning By-law Amendment, and Plan of
Subdivision Applications (PED23141) (City Wide) (Item 8.2)**

That Report PED23141, respecting Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications, be received.

**3. Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones
in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide)
(Item 9.1)**

(a) That Report PED23069 and Draft Mid Rise Residential Zone Provisions, attached as Appendix "A" and Appendix "B" to Report PED23069, be received;

- (b) That staff be authorized to proceed with public engagement on the Draft Zoning By-law regulations with respect to Mid Rise Residential Zones and that staff report back to the Planning Committee summarizing public input and to identify the preferred approach for the new Zones to be incorporated into Section 15: Residential Zones in Hamilton Zoning By-law No. 05-200;
 - (c) That staff be authorized to proceed with public engagement for the proposed expansion of the Transit Oriented Corridor Zones along the BLAST transit network, and that staff report back to the Planning Committee summarizing public input and to identify the preferred approach for incorporating additional lands into the Transit Oriented Corridor Zones in Hamilton Zoning By-law No. 05-200.
- 4. Bill 97, Proposed Helping Homebuyers, Protecting Tenants Act, 2023 and Proposed Provincial Planning Statement 2023 (PED23145) (City Wide) (Item 9.2)**
- (a) That Council adopt the submissions and recommendations as provided in Report PED23145 regarding Schedules 3, 4, 5 and 6 of proposed Bill 97, Helping Homebuyers, Protecting Tenants Act, 2023;
 - (b) That Council adopt the submissions and recommendations as provided in Report PED23145 regarding the proposed new Provincial Planning Statement, 2023;
 - (c) That the Director of Planning and Chief Planner be authorized and directed to confirm the submissions made to the Province attached as Appendix "A" to Appendix "D" to Report PED23145;
 - (d) That staff report back to Council should Bill 97, Helping Homebuyers, Protecting Tenants Act, 2023, and the proposed new Provincial Planning Statement be proclaimed on any required staffing, process, fee and By-law changes necessary to implement the proposed changes;
 - (e) That the Director of Planning and Chief Planner and the City Solicitor be authorized to make submissions on Bill 97, Helping Homebuyers, Protecting Tenants Act, 2023, the proposed Provincial Planning Statement, 2023 and any associated regulations consistent with the comments and concerns raised in Report PED23145.

**5. Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide)
(Item 9.3)**

- (a) That the “City of Hamilton Urban Forest Strategy”, attached as Appendix “A” to Report PED20173(a) be approved as a background study to the City of Hamilton Official Plan review and that staff be directed to integrate the actions identified in Appendix “D” as part of future Departmental workplans;
- (b) That the “City of Hamilton Urban Forest Strategy Technical Report”, attached as Appendix “B” to Report PED20173(a) be received;
- (c) That the Urban Forest Strategy Implementation Chart, attached as Appendix “D”, to Report PED20173(a) be received;
- (d) That the City adopt a target of 40% tree canopy coverage for the urban area by 2050, and to achieve the 40% tree canopy target:
 - (i) That staff be directed to refer to the 2024 budget process two Full Time Employee enhancements as follows:
 - (1) An enhancement of one Full-Time Employee (FTE) within the Forestry Section of Public Works to undertake the ongoing monitoring, reporting and facilitation of the implementation of the Urban Forest Strategy including prioritizing those areas with greatest need for tree canopy;
 - (2) An enhancement of one Full-Time Employee (FTE) within the Forestry Section of Public Works to supplement the City’s tree planting program, with a goal of increasing the annual target for City-led tree planting from 12,000 to 20,000 trees per year and increasing the annual free tree giveaway from 3,000 trees to 5,000 trees per year;
 - (ii) The staff be directed to refer to the 2024 budget process a capital budget allocation of up to \$100,000 to purchase Laser Imaging Detection and Ranging or other appropriate data to accurately measure the city’s tree canopy city-wide and by ward;
 - (iii) That staff be directed to explore the feasibility of using carbon credits as a possible means to fund tree planting initiatives as part of their review of the Tree Protection Guidelines and polices;

- (iv) That as one action to respond to food insecurity and to increase biodiversity, that the Forestry Section of Public Works include opportunities for increased planting of fruit and nut trees in the urban area as part of the City's expanded tree planning initiatives;
- (v) That staff be directed to include in their 2024 workplan, the development of a City-wide tree protection by-law on private property within the urban area as defined in the Urban Hamilton Official Plan and lands removed from the Greenbelt Plan;
- (vi) That staff be directed to report back with recommendations to revise the Tree Protection Guidelines and policies for private property to require compensation for the removal of existing trees to accommodate new development through replanting or payment to the city based on calliper and species as per the current policies for City property;
- (vii) That up to \$150,000 be provided from the Woodland Protection Strategy Capital ID Account No. 81217755700 to fund any necessary consulting, research or related costs to prepare options and recommendations regarding a City-wide tree protection by-law, City-wide woodlot protection by-law and revisions to the Tree Protection Guidelines and policies.

6. Application for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) (Item 10.3)

- (a) That Official Plan Amendment Application UHOPA-22-002, by GSP Group Inc. (c/o Brenda Khes) on behalf of Shaver Road M.D. Holdings Inc., Owner, to amend the Shaver Neighbourhood Secondary Plan to redesignate the subject lands from "Medium Density Residential 2a" to "Medium Density Residential 2b" and to establish a Site Specific Policy to permit a 36 unit stacked townhouse development with a maximum density of 80 units per hectare and a maximum height of four storeys, for lands located at 487 Shaver Road, as shown on Appendix "A" attached to Report PED23089, be APPROVED, on the following basis:
 - (i) That the draft Official Plan Amendment attached as Appendix "B" to Report PED23089, which has been prepared in a form satisfactory to the City Solicitor, 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 (2019, as amended);

- (b) That Zoning By-law Amendment Application ZAC-22-005, by GSP Group Inc. (c/o Brenda Khes) on behalf of Shaver Road M.D. Holdings Inc., Owner, for a change in zoning from the Rural Commercial “C5-243” Zone, Modified to the Residential Multiple “RM5” Zone, Modified, to permit a 36 unit stacked townhouse development with 45 surface parking spaces, for lands located at 487 Shaver Road, as shown on Appendix “A” attached to Report PED23089, as submitted and proposed by the applicant be DENIED, on the following basis:
 - (i) That the change in zoning does not meet the general intent of the Urban Hamilton Official Plan and the Shaver Neighbourhood Secondary Plan with respect to land use compatibility and building placement;
 - (ii) That the proposal does not meet the general intent of the Zoning By-law with regards to allowable setbacks, minimum side yard, minimum rear yard, and planting strip;
 - (iii) That the proposal is not considered to be good planning and is considered an overdevelopment of the site;

- (c) That the staff Amended Zoning By-law Amendment Application ZAC-22-005, by GSP Group Inc. (c/o Brenda Khes) on behalf of Shaver Road M.D. Holdings Inc., Owner, for a change in zoning from the Rural Commercial “C5-243” Zone, Modified to the Residential Multiple “RM5-716” Zone, Modified, to permit up to 36 stacked townhouse units and 45 surface parking spaces, for lands located at 487 Shaver Road, as shown on Appendix “A” attached to Report PED23089, be APPROVED, on the following basis:
 - (i) That the draft By-law attached as Appendix “C” to Report PED23089, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020) and conform to A Place to Grow (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.

7. Demolition Permit for 2600 Regional Road 56, Binbrook (Added Item 12.1)

WHEREAS, the owner of the above-mentioned property would like to demolish an existing building on the property without having to replace it with a new dwelling.

WHEREAS, the building is part of the Binbrook Agricultural Society's Fairground property and has not been used as a residential home, but as a storage facility and a gatehouse during fair time, since it was purchased by the Agricultural Society over a decade ago.

WHEREAS, the building is in disrepair and poses significant safety concerns.

WHEREAS, there have been ongoing issues with the building being repeatedly trespassed and vandalized, creating ongoing security concerns for the surrounding neighbours and owner.

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for 2600 Regional Road 56, Glanbrook 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.

8. Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Official Plan Amendment Application (UHOPA-17-005), Zoning By-law Amendment Application (ZAC-17-015) and Draft Plan of Subdivision Application (25T-201703) for Lands located at 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterfront Crescent, Stoney Creek (LS23008/PED22150(b)) (Ward 10) (Added Item 15.1)

- (a) That Legal Services be directed to oppose all appeals before the Ontario Land Tribunal for 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterfront Crescent, on the basis that the proposal is not good planning in that it represents an over-development of the subject lands and does not reflect the existing neighbourhood character, and that the City Solicitor be authorized to retain any necessary external consultants, including external legal counsel, to be paid for from Tax Stabilization Reserve 110046; and,
- (b) That the balance of Report LS23008/PED22150(b) and its Appendices remain confidential.

9. Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-18-004) and Zoning By-law Amendment Application (ZAC-18-009) for lands located at 299-307 John Street South and 97 St. Joseph Drive (LS22007(b)/PED22038(c)) (Ward 2) (Added Item 15.2)

- (a) That the directions to staff in closed session respecting Report LS22007(b)/PED22038(c) be approved;

- (b) That closed session recommendations (a), (b), and (c) attached to Report LS22007(b)/PED22038(c) and Appendices “B” and “C”, be approved and remain confidential until made public as the City’s position before the Ontario Land Tribunal; and,
 - (c) That the balance of Report LS22007(b)/PED22038(c) remain confidential.
- 10. Appeal to the Ontario Land Tribunal (OLT) for Refusal of Official Plan Amendment Application (UHOPA-22-004) and Zoning By-law Amendment Application (ZAC-22-011) for Lands Located at 392, 398, 400, 402, 406 and 412 Wilson Street East and 15 Lorne Avenue, Ancaster (LS23024/PED22070(a)) (Ward 12) (Added Item 15.3)**
- (a) That the directions to staff in closed session respecting Report LS23024/PED22070(a) be approved;
 - (b) That closed session recommendations (a), (b), (c), and (d) to Report LS23024/ PED22070(a) and Appendices “A”, “B”, and “C”, be approved and remain confidential until made public coincident with staff’s presentation of the City’s position to the OLT;
 - (c) That the balance of Report LS23024/PED22070(a) remain confidential.
- 11. Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Zoning By-law Amendment (ZAC-18-049) and for Lack of Decision on Draft Plan of Subdivision Application (25T-202109) for Lands Located at 860 and 884 Barton Street, Stoney Creek (LS22022(a)/PED22138(a)) (Ward 10) (Added Item 15.4)**
- (a) That the directions to staff in closed session respecting Report LS22022(a)/ PED22138(a) and Appendices “A”, “B”, “C”, “F”, and “G” be approved and remain confidential until made public coincident with staff’s presentation of the City’s position to the OLT; and
 - (b) That the balance of Report LS22022(a)/PED22138(a) remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

9. STAFF PRESENTATIONS

The following items were previously listed under Discussion Items, and have been moved to Staff Presentations:

- 9.1 Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) (previously Item 11.1)
- 9.2 Bill 97, Proposed Helping Homebuyers, Protecting Tenants Act, 2023 and Proposed Provincial Planning Statement 2023 (PED23145) (City Wide) (previously Item 11.2)
- 9.3 Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide) (previously Item 11.3)

Due to the above, the report that was previously 11.4 on this agenda, has been renumbered to be 11.1.

10. PUBLIC MEETINGS

- 10.1 Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 382 Southcote Road, Ancaster (PED23119) (Ward 12)
 - (a) Added Written Submissions:
 - (i) Paul Graham
- 10.2 Application for Zoning By-law Amendment for Lands Located at 140 Wilson Street West, Ancaster (PED23122) (Ward 12)
 - (a) Added Written Submissions:
 - (iii) Judy Tottman, President, Board of Directors for Ancaster Mews
 - (iv) Ken Singh

10.3 Application for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12)

(b) Added Written Submissions:

(i) Caitlin Kelterborn

13. NOTICES OF MOTION

13.1 Demolition Permit for 3260 Homestead Drive

13.2 Demolition Permit for 2600 Regional Road 56, Binbrook

15. PRIVATE AND CONFIDENTIAL

15.1 Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Official Plan Amendment Application (UHOPA-17-005), Zoning By-law Amendment Application (ZAC-17-015) and Draft Plan of Subdivision Application (25T-201703) for Lands located at 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterfront Crescent, Stoney Creek (LS23008/PED22150(b)) (Ward 10)

15.2 Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-18-004) and Zoning By-law Amendment Application (ZAC-18-009) for lands located at 299-307 John Street South and 97 St. Joseph Drive (LS22007(b)/PED22038(c)) (Ward 2)

15.3 Appeal to the Ontario Land Tribunal (OLT) for Refusal of Official Plan Amendment Application (UHOPA-22-004) and Zoning By-law Amendment Application (ZAC-22-011) for Lands Located at 392, 398, 400, 402, 406 and 412 Wilson Street East and 15 Lorne Avenue, Ancaster (LS23024/PED22070(a)) (Ward 12)

15.4 Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Zoning By-law Amendment (ZAC-18-049) and for Lack of Decision on Draft Plan of Subdivision Application (25T-202109) for Lands Located at 860 and 884 Barton Street (Stoney Creek) (LS22022(a)/PED22138(a)) (Ward 12)

The agenda for the June 13, 2023 Planning Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) May 30, 2023 (Item 4.1)

The Minutes of the May 30, 2023 meeting were approved, as presented.

(d) DELEGATIONS (Item 7)

(i) Scott McInnes respecting Property Standards issues in Ainslie Wood area (Item 7.1)

Scott McInnes addressed the Committee respecting Property Standards issues in Ainslie Wood area.

The delegation from Scott McInnes respecting Property Standards issues in Ainslie Wood area, was received.

(ii) Matt Johnston, Urban Solutions, respecting Redesignation of Class 4 Noise Designation for 115 and 121 Vansitmart Avenue (Item 7.2)

Matt Johnston with Urban Solutions addressed the Committee respecting Redesignation of Class 4 Noise Designations for 115 and 121 Vansitmart Avenue.

The delegation from Matt Johnston with Urban Solutions respecting Redesignation of Class 4 Noise Designations for 115 and 121 Vansitmart Avenue, was received.

Staff were directed to report back to the July 11th Planning Committee meeting with recommendations about granting a Class 4 Noise Exemption to the development application located at 121 Vansitmart Avenue.

(e) STAFF PRESENTATIONS (Item 9)

(i) Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) (Item 9.1)

Mallory Smith, Planner I, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

For disposition of this matter, refer to Item 3.

(ii) Bill 97, Proposed Helping Homebuyers, Protecting Tenants Act, 2023 and Proposed Provincial Planning Statement 2023 (PED23145) (City Wide) (Item 9.2)

Charlie Toman, Program Lead-Policy Planning and Municipal Comprehensive Review, and Jennifer Allen, Planner II, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

For disposition of this matter, refer to Item 4.

(iii) Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide) (Item 9.3)

Ken Coit, Manager of Heritage and Urban Design, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

For disposition of this matter, refer to Item 5.

(f) PUBLIC HEARINGS (Item 10)

In accordance with the *Planning Act*, Chair J.P. Danko 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 J.P. Danko 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 for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 382 Southcote Road, Ancaster (PED23119) (Ward 12) (Item 10.1)

Aminu Bello, Planner II provided the Committee with a presentation with the aid of a PowerPoint presentation.

The staff presentation was received.

Matt Johnson, with Urban Solutions Planning and Land Development Consultants Inc., was in attendance, and indicated support for the staff report.

The presentation from Matt Johnson, with Urban Solutions Planning and Land Development Consultants Inc, was received.

Chair Danko called three times for public delegations and none came forward.

- (a) The following public submissions (Item 10.1 (a)) regarding this matter were received and considered by the Committee; and,
 - (i) Paul Graham – Concerns with development
- (b) The public meeting was closed.

The Committee recessed from 2:00 p.m. to 2:45 p.m.

- (a) That Official Plan Amendment Application UHOPA-23-003 by Urban Solutions Planning and Land Development Consultants Inc. c/o Matt Johnson, on behalf of 1376412 Ontario Ltd. c/o Zeina Homes, Owner, to add a new Site Specific Policy within the Garner Neighbourhood Secondary Plan, to permit the development of the subject lands for 3 single detached dwellings with a minimum lot frontage of 12.0 metres and a maximum overall density of 24 units per gross/net residential hectare, for lands located at 382 Southcote Road, as shown on Appendix “A” attached to Report PED23119, be APPROVED on the following basis:
 - (i) That the draft Official Plan Amendment attached as Appendix “B” to Report PED23119, which has been prepared in a form satisfactory to the City Solicitor, 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 Amended Zoning By-law Amendment Application ZAR-23-003 by Urban Solutions Planning and Land Development Consultants Inc., on behalf of 1376412 Ontario Ltd. c/o Zeina Homes, Owner, for a change in zoning from the Agricultural “A-216” Zone, Modified, to the Low Density Residential (R1, 848) Zone, Modified, to facilitate development of three single detached dwellings, for lands located at 382 Southcote Road, as shown on Appendix “A” attached to Report PED23119, be APPROVED on the following basis:

- (i) That the draft By-law attached as Appendix “C” to Report PED23119, 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 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 the approval of Urban Hamilton Official Plan Amendment No. XX.

Report PED23119 was DEFERRED to the July 11, 2023 Planning Committee meeting to allow staff and the applicant to find a better solution for the Tree Protection Plan in order to preserve trees for the benefit of the neighbourhood and community.

(ii) Application for Zoning By-law Amendment for Lands Located at 140 Wilson Street West, Ancaster (PED23122) (Ward 12) (Item 10.2)

The staff presentation was waived.

Stephen Fraser with A.J. Clarke & Associates, was in attendance and indicated support for the staff report.

The delegation from Stephen Fraser with A.J. Clarke & Associates was received.

Chair Danko called three times for additional public delegations and no one came forward.

- (a) The following public submissions (Item 10.2 (a)) were received and considered by the Committee:
 - (i) Larry McClung – In support of the development
 - (ii) Ilija Pavlic – Concerns with development
 - (iii) Judy Tottman, President, Board of Directors for Ancaster Mews – Concerns with development
 - (iv) Ken Singh – Concerns with development
- (b) The public meeting was closed.
- (a) That Zoning By-law Amendment Application ZAC-20-024, by A.J. Clarke and Associates (c/o Stephen Fraser, Agent), on behalf of 1376412 Ontario Inc. (c/o Ali Alaichi, Owner), for a change in

zoning from the Existing Residential “ER” Zone to the Holding Residential Multiple “H-RM6-714” Zone, Modified, under Zoning By-law No. 87-57 (Ancaster), in order to permit a three storey multiple dwelling containing nine dwelling units with 14 surface parking spaces, for lands located at 140 Wilson Street West, as shown on Appendix “A” attached to Report PED23122, be APPROVED on the following basis:

- (a) That the draft By-law attached as Appendix “B” to Report PED23122, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the amending By-law apply the Holding Provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject property by introducing the Holding ‘H’ to the proposed Residential Multiple “RM6-714” Zone, Modified, as shown on Schedule ‘A’ to Appendix “B” attached to Report PED23122:

The Holding Residential Multiple “H-RM6-714” Zone, Modified, applicable to the lands located at 140 Wilson Street West be removed conditional upon the following:

- (i) That the applicant complete an Archaeological Assessment to the satisfaction of the Ministry of Citizenship and Multiculturalism and the Director of Planning and Chief Planner;
- (ii) That the Owner prepare and receive approval of a Landscape Plan, including providing for 1 for 1 compensation for 22 privately owned trees (10 cm diameter at breast height (DBH) or greater) that are removed from private property through replanting trees on site and/or payment of cash-in-lieu, to the satisfaction of the Director of Planning and Chief Planner;
- (iii) That the Owner shall investigate the noise levels and determine and implement the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of Environment, Conservation and Parks (MECP) recommended sound level limits. An acoustical report prepared by a qualified Professional Engineer containing the recommended noise control measures shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner. Should a peer review of the acoustical report

be warranted, all associated costs shall be borne by the owner and shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner;

- (c) That the proposed amendment 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 and Ancaster Wilson Street Secondary Plan.

Report PED23122 was DEFERRED to the July 11, 2023 Planning Committee meeting to allow the applicants to meet with the Ward Councillor and public regarding alternatives to removing two large City trees on the property.

(iii) Application for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) (Item 10.3)

Mark Michniak, Planner II, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Brenda Khes with GSP Group Inc. was in attendance and indicated they were not fully in support of the staff report.

The delegation from Brenda Khes with GSP Group Inc., was received.

Chair Danko called three times for public delegations and none came forward.

Registered Delegations:

- (i) Carl Maragno (virtual) was not in attendance when called upon.
- (a) The following public submission was received and considered by the Committee; and
 - (i) Caitlin Kelterborn – Opposed to development
- (b) The public meeting was closed.

For disposition of this matter, refer to Item 6.

(g) DISCUSSION ITEMS (Item 11)

(i) Provincial Amendments to the Greenbelt Plan (Greenbelt Plan Amendment No. 3) (PED23046(a)) (City Wide) (Item 11.1)

- (a) That Planning and Economic Development Department staff, in conjunction with Legal Services staff, be directed to provide input to the Provincial Land and Development Facilitator with respect to any private development proposals and associated community benefits within the lands removed by the Province from the Greenbelt Plan Area;
- (b) That the Ten Directions to Guide Development attached as Appendix “D” to Report PED23046(a), which were previously approved by Council as part of the City’s Municipal Comprehensive Review process, be utilized as the framework for the City’s input to the Provincial Land and Development Facilitator with respect to any private development proposals within the lands removed by the Province from the Greenbelt Plan Areas;
- (c) That Planning and Economic Development Department staff be directed to schedule a public meeting of the Planning Committee for the purpose of obtaining public input as to the City’s priorities and expectations with respect to any private development proposals within the lands removed by the Province from the Greenbelt Plan Area.

Report PED23046(a) respecting Provincial Amendments to the Greenbelt Plan (Greenbelt Plan Amendment No. 3), was DEFERRED to the July 11, 2023 Planning Committee meeting.

(h) NOTICES OF MOTION (Item 13)

(i) Demolition Permit for 3260 Homestead Drive (Added Item 13.1)

Councillor Tadeson introduced the following Notice of Motion:

WHEREAS, the owner of the above-mentioned property would like to demolish the building prior to obtaining a Building Permit for a replacement building.

WHEREAS, the owner has plans to rebuild and is currently in the planning process, has received development approval and is working through site plan approval to redevelop the above property and the neighbouring property at 3250 Homestead Drive into a 40-unit condominium building.

WHEREAS, the previous owner did receive a demolition permit for the rear portion of the house and was in the process of demolishing parts of the interior and exterior when the property was purchased in the summer of 2021.

WHEREAS, the remaining house is beyond repair and dangerous for people to enter, yet people continue to break in.

WHEREAS, neighbouring residents have encouraged the property owner to apply for a demolition permit as soon as possible to relieve the challenges and risks of vandalism and mischief at the property.

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for 3260 Homestead Drive, Glanbrook, 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.

(ii) Demolition Permit for 2600 Regional Road 56, Binbrook (Added Item 13.2)

The Rules of Order were waived to allow for the introduction of a Motion respecting Demolition Permit for 2600 Regional Road 56, Binbrook.

For disposition of this matter, refer to Item 7.

(i) GENERAL INFORMATION / OTHER BUSINESS (Item 14)

(i) Outstanding Business List (Item 14.1)

The following changes to the Outstanding Business List, were approved:

(a) Items to be Removed:

22L - Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 05-200 for Lands Located at 392, 398, 400, 402, 406, and 412 Wilson Street East and 15 Lorne Avenue (Ancaster) (PED22070) (Ward 12) (9.5). Addressed at the May 3, 2022 Report 22-007, Item 6.

23H - Five-Year Review of the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan and Associated Financial Assistance Programs (Addressed as Item #4 on Report 23-009, May 30)

(j) PRIVATE & CONFIDENTIAL (Item 15)

Committee moved into Closed Session pursuant to Section 9.3, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

The meeting time was extended for the time required to vote on Items 15.1, 15.2, 15.3 and 15.4 in Open Session.

- (i) Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Official Plan Amendment Application (UHOPA-17-005), Zoning By-law Amendment Application (ZAC-17-015) and Draft Plan of Subdivision Application (25T-201703) for Lands located at 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterfront Crescent, Stoney Creek (LS23008/PED22150(b)) (Ward 10) (Added Item 15.1)**

For disposition of this matter, refer to Item 8.

- (ii) Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-18-004) and Zoning By-law Amendment Application (ZAC-18-009) for lands located at 299-307 John Street South and 97 St. Joseph Drive (LS22007(b)/PED22038(c)) (Ward 2) (Added Item 15.2)**

For disposition of this matter, refer to Item 9.

- (iii) Appeal to the Ontario Land Tribunal (OLT) for Refusal of Official Plan Amendment Application (UHOPA-22-004) and Zoning By-law Amendment Application (ZAC-22-011) for Lands Located at 392, 398, 400, 402, 406 and 412 Wilson Street East and 15 Lorne Avenue, Ancaster (LS23024/PED22070(a)) (Ward 12) (Added Item 15.3)**

For disposition of this matter, refer to Item 10.

- (iv) Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Zoning By-law Amendment (ZAC-18-049) and for Lack of Decision on Draft Plan of Subdivision Application (25T-202109) for Lands Located at 860 and 884 Barton Street (Stoney Creek) (LS22022(a)/PED22138(a)) (Ward 10) (Added Item 15.4)**

For disposition of this matter, refer to Item 11.

(k) ADJOURNMENT (Item 16)

There being no further business, the Planning Committee adjourned at 5:40 p.m.

Councillor J.P. Danko, Chair
Planning Committee

Lisa Kelsey
Legislative Coordinator