



**PLANNING COMMITTEE
REPORT
23-015**

September 19, 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 C. Kroetsch, M. Francis, T. McMeekin, N. Nann,
E. Pauls, M. Tadeson, A. Wilson, M. Wilson, J. Beattie

Also in Attendance: Councillor B. Clark

THE PLANNING COMMITTEE PRESENTS REPORT 23-015 AND RESPECTFULLY RECOMMENDS:

1. Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED23155) (City Wide) (Item 9.1)

That Report PED23155 respecting Active Official Plan Amendment Zoning By-law Amendment, and Plan of Subdivision Applications, be received.

2. Application for Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 82 Carlson Street, Stoney Creek (PED23178) (Ward 9) (Item 10.1)

(a) That Zoning By-law Amendment Application ZAC-22-064, by MHBC Planning Ltd. (c/o Dave Aston), on behalf of Losani Homes (1998) Ltd, (c/o Myles Smith, Owner), for a change in zoning from Neighbourhood Development "ND" Zone and Single Residential "R4-22" Zone, Modified to Low Density Residential (R1, 870) Zone, to permit 23 residential lots for single and semi detached dwellings located on the extension of Carlson Street, for the lands located at 82 Carlson Street, as shown on Appendix "A" attached to Report PED23178, be APPROVED on the following basis:

(i) That the draft By-law attached as Appendix "B" to Report PED23178, 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); and,
 - (iii) That the proposed change in zoning complies with the Urban Hamilton Official Plan.
- (b) That Draft Plan of Subdivision Application 25T-202209, by MHBC Planning Ltd. (c/o Dave Aston), on behalf of Losani Homes (1998) Ltd., (Myles Smith), Owner, on lands located at 82 Carlson Street, shown as on Appendix "A" attached to Report PED23178, be APPROVED in accordance with By-law No. 07-323 being the delegation of the City of Hamilton's Assigned Authority Under the *Planning Act* for the Approval of Subdivisions and Condominiums, on the following basis:
- (i) That this approval apply to the Draft Plan of Subdivision 25T-202209, certified by R.S. Querubin, O.L.S., dated May 16, 2023, consisting of 14 lots for single detached dwellings (Lots 1-14), seven lots for semi detached dwellings (Lots 15-21), two future development blocks (Blocks 22 and 23), one 0.3 metre reserve (Block 24), and the extension of Carlson Street, as shown on Appendix "D" attached to Report PED23178;
 - (ii) That the Owner enter into a Standard Form Subdivision Agreement as approved by City Council and with the Special Conditions as shown attached as Appendix "E" to Report PED23178;
 - (iii) That the Special Conditions of Draft Plan of Subdivision Approval, 25T-202209, as shown on Appendix "C" attached to Report PED23178, be received and endorsed by City Council;
 - (iv) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the issuance of each building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council; and,
 - (v) Acknowledgement by the City of Hamilton of its responsibility for cost sharing with respect to this development shall be in accordance with the City's Financial Policies and will be determined at the time of development.

3. School Zone Special Enforcement Area Pilot (PED19238(b)) (City Wide) (Item 11.1)

That Council direct Transportation Planning and Parking (Planning and Economic Development) staff in collaboration with Transportation Staff (Public Works) to develop a framework for evaluating future requests for Special Enforcement Areas in proximity to school sites and report back in advance of the 2024/2025 School Year.

4. Draft Major Transit Station Areas (PED23105) (City Wide) (Item 11.2)

- (a) That the Major Transit Station Area draft report, prepared by Dillon Consulting, attached as Appendix “B” to Report PED23105, be received by Council;
- (b) That Council authorize staff to commence public and stakeholder consultation on the Major Transit Station Area draft report identified in Recommendation (a) to Report PED23105, and that staff report back on the results of the consultation and any changes or revisions to the report at the time that the Major Transit Station Area final report is presented for approval.

5. Administrative Penalty System Database (PED23186) (City Wide) (Item 11.3)

That staff be authorized to negotiate a single source contract, in a form satisfactory to the City Solicitor, with ACCEO Solutions Incorporated to continue to supply and service the enforcement system currently used to issue and manage penalty notices in the City of Hamilton for Parking Enforcement, and Licensing and By-law Services.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

10. PUBLIC HEARINGS

10.1 Application for Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 82 Carlson Street, Stoney Creek (PED23178) (Ward 9)

- (a) Added Written Submissions:
 - (i) Frank Stanisa

(ii) Nancy Meletti

The agenda for the September 19, 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) September 5, 2023 (Item 4.1)

The Minutes of the September 5, 2023 meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Bernadette Bowen respecting Enclosure of Twin Compactors at Canadian Tire on 777 Upper James St. (For the October 3rd meeting)

The Delegation Request from Bernadette Bowen respecting Enclosure of Twin Compactors at Canadian Tire on 777 Upper James St., was approved for the October 3rd meeting.

(e) DELEGATIONS (Item 7)

(i) Joshua Bossence respecting Concerns about the McMaster Homecoming event on Dalewood Avenue (Approved at the September 15th meeting) (Item 7.1)

The Delegate was not in attendance when called upon to speak.

(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) Application for Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 82 Carlson Street, Stoney Creek (PED23178) (Ward 9) (Item 10.1)

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

The staff presentation was received.

Stephanie Mirtitsch with MHBC Planning, was in attendance, and indicated support for the staff report.

The presentation from Stephanie Mirtitsch with MHBC Planning, was received.

Chair Danko called three times for public delegations and the following delegates came forward:

- (i) Frank Stanisa – Concerns with proposal
- (ii) Oyin Adenbigbe with CityLab – with questions about community engagement
- (iii) Nancy Diklic – Concerns with proposal

(a) The public submissions regarding this matter were received and considered by the Committee; and,

(b) The public meeting was closed.

For disposition of this matter, refer to Item 2.

(g) DISCUSSION ITEMS (Item 11)

(i) Draft Major Transit Station Areas (PED23105) (City Wide) (Item 11.2)

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

The staff presentation was received.

For disposition of this matter, refer to Item 4.

(h) GENERAL INFORMATION/OTHER BUSINESS

(i) General Manager's Update (Added Item 14.2)

General Manager Jason Thorne provided an update to the Committee respecting upcoming staffing changes, with Jason Thorne becoming Acting City Manager, and Steve Robichaud becoming Acting General Manager of Planning and Economic Development.

The General Manager's Update, was received.

(i) PRIVATE AND CONFIDENTIAL (Item 15)

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

(i) Closed Session Minutes (Item 15.1)

(a) August 15, 2023

(b) September 5, 2023

(i) The Closed Session Minutes dated August 15, 2023 and September 5, 2023, were approved, as presented; and,

(ii) The Closed Session Minutes dated August 15, 2023 and September 5, 2023, are to remain confidential.

(j) ADJOURNMENT (Item 16)

There being no further business, the Planning Committee adjourned at 11:57 a.m.

Councillor J.P. Danko, Chair
Planning Committee

Lisa Kelsey
Legislative Coordinator

