



**PLANNING COMMITTEE
REPORT
23-009**

**May 30, 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, M. Francis, T. McMeekin,
N. Nann, M. Tadeson, A. Wilson, M. Wilson

Absent with regrets: Councillor C. Kroetsch – Personal
Councillor E. Pauls – Personal

**THE PLANNING COMMITTEE PRESENTS REPORT 23-009 AND RESPECTFULLY
RECOMMENDS:**

1. **Municipal Reporting on Planning Matters – Proposed Minister’s Regulation Under the Planning Act (PED23082(a)) (City Wide) (Item 9.1)**

That Report PED23082(a), respecting Municipal Reporting on Planning Matters – Proposed Minister’s Regulation Under the Planning Act, be received.
2. **Application for a Zoning By-law Amendment for Lands Located at 300 Albright Road, Hamilton (PED23104) (Ward 5) (Item 10.1)**
 - (a) That Amended Zoning By-law Amendment Application ZAC-21-043 by MHBC Planning, on behalf of Valerie Homes, Owner, for a change in zoning from “AA” (Agricultural) District to “RT-20/S-1829” (Townhouse-Maisonette) District, Modified, and to add the Conservation/Hazard Land (P5) Zone in Zoning By-law No. 05-200 (which was a proposed amendment from Staff) to a portion of the lands, to permit 101 townhouse units (five standard townhouses and multiple dwelling units in the form of 96 stacked townhouses) with a total of 124 on-site parking spaces, for the lands located at 300 Albright Road, Hamilton, as shown on Appendix “A” attached to Report PED23104, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED23104, 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: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (iii) That the proposed changes in zoning comply with the Urban Hamilton Official Plan (UHOP).

3. Application for Approval of a Draft Plan of Subdivision for Lands Located at 9236 and 9322 Dickenson Road West, Glanbrook (PED23111) (Ward 11) (Item 10.2)

- (a) That Draft Plan of Subdivision Application 25T-202002, by WEBB Planning Consultants Inc. (c/o James Webb), on behalf of GreyCan 11 Properties Limited Partnership by its General Partner GreyCan 11 Properties Inc., and North Hamilton Airport Lands Limited Partnership by its General Partner 11693387 Canada Inc., Owners, on lands located at 9236 and 9322 Dickenson Road West (Glanbrook), as shown on Appendix “A” attached to Report PED23111, be APPROVED, subject to the following:
 - (i) That this approval apply to the Draft Plan of Subdivision application 25T-202002 certified by Odan-Detech Consulting Engineers dated April 14, 2023, consisting of one block for industrial development (Block 1), one block for future development (Block 2), a Vegetation Protection Zone block (Block 3), a block for a right-of-way dedication (Block 4), a block for a temporary cul-de-sac (Block 5), and a public road (Street “A”) attached as Appendix “B” to Report PED23111;
 - (ii) That the Owner enter into a Standard Form Subdivision Agreement as approved by City Council and with the Special Conditions attached as Appendix “C” to Report PED23111;
 - (iii) 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;

- (iv) 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.

4. Implementation of Changes to the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan, Community Improvement Project Area and Associated Financial Assistance Programs (PED23076(a)) (City Wide) (Item 10.3)

- (a) That the Environmental Remediation and Site Enhancement Community Improvement Project Area (2023) draft By-law, prepared in a form satisfactory to the City Solicitor and attached as Appendix "A" to Report PED23076(a), be enacted;
- (b) That the Environmental Remediation and Site Enhancement Community Improvement Plan (2023), attached as Appendix "B" to Report PED23076(a) and implementing financial assistance program descriptions, be approved and the Environmental Remediation and Site Enhancement Community Improvement Plan (2023) draft By-law, prepared in a form satisfactory to the City Solicitor and attached as Appendix "C" to Report PED23076(a), be enacted;
- (c) That existing By-law No. 05-086 "Environmental Remediation and Site Enhancement (ERASE) (April 2005) Community Improvement Project Area", as amended, be repealed on such day that the By-law enacting the new Environmental Remediation and Site Enhancement Community Improvement Plan (2023) comes into effect in accordance with Subsection 28(4) of the Planning Act;
- (d) That existing By-law No. 05-087 "Environmental Remediation and Site Enhancement (ERASE) (April 2005) Community Improvement Plan", as amended, be repealed on such day that Environmental Remediation and Site Enhancement Community Improvement Plan (2023) comes into effect;
- (e) That the following implementing financial assistance program descriptions be approved and appended to the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan (2023):
 - (i) The ERASE Study Grant Program Description attached as Appendix "D" to Report PED23076(a);
 - (ii) The ERASE Redevelopment Grant Program Description attached as Appendix "E" to Report PED23076(a);
 - (iii) The ERASE Tax Assistance Program Description attached as Appendix "F" to Report PED23076(a);

- (iv) The ERASE Commercial Districts Remediation Loan Program Description attached as Appendix “G” to Report PED23076(a);
- (v) The ERASE Affordable Housing Grant Program Description attached as Appendix “H” to Report PED23076(a);

- (f) That the draft By-law to Delegate Authority to the Planning and Economic Development Department to Issue Approvals for Loans/Grants Under Certain ERASE Financial Assistance Programs, prepared in a form satisfactory to the City Solicitor and attached as Appendix “I” to Report PED23076(a), be enacted and come into force on such day that the Environmental Remediation and Site Enhancement Community Improvement Plan (2023) comes into effect.

5. Hamilton Municipal Heritage Committee Report 23-005 (Item 11.1)

- (a) Heritage Permit Application HP2023-019, Under Part V of the Ontario Heritage Act, for the Construction of a Rear Detached Accessory Structure at 32 John Street East, Flamborough (PED23126) (Ward 15) (Item 8.2)**

That Heritage Permit Application HP2023-019, for the erection of a rear detached accessory structure on the designated property at 32 John Street East, Flamborough (Mill Street Heritage Conservation District), as shown in Appendix “A” attached to Report PED23126, be approved, subject to the approval of any required *Planning Act* applications, and the following Heritage Permit conditions:

- (i) That the final details of the windows, garage doors, siding and roofing material be submitted to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation;

- (ii) That any minor changes to the plans and elevations following approval shall be submitted to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;

- (iii) That construction and site alterations, in accordance with this approval, shall be completed no later than June 30, 2026. If the construction and site alterations are not completed by June 30, 2026, then this approval expires as of that date, and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

(b) Recommendation to Designate 3 Main Street, Dundas, under Part IV of the Ontario Heritage Act (PED23125) (Ward 13) (Item 8.3)

That the City Clerk be directed to give notice of Council's intention to designate 3 Main Street, Dundas, shown in Appendix "A" attached to Report PED23125, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED23125, subject to the following:

- (i) If no objections are received to the notice of intention to designate in accordance with the Ontario Heritage Act, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
- (ii) If an objection to the notice of intention to designate is received in accordance with the Ontario Heritage Act, City Council directs staff to report back to Council to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

(c) Monthly Report on Proactive Listings for the Municipal Heritage Register, April 2023 (PED23101) (Wards 3 and 11) (Item 10.1)

That staff be directed to list the following properties on the Municipal Heritage Register as non-designated properties that Council believes to be of cultural heritage value or interest, as outlined in Report PED23136, in accordance with Section 27 of the Ontario Heritage Act:

- (i) 9575 Twenty Road West, Glanbrook (Ward 11);
- (ii) 9511 Twenty Road West, Glanbrook (Ward 11).

(d) Ontario Heritage Conference 2023 (Added Item 13.3)

- (i) That the following members of the Hamilton Municipal Heritage Committee be designated as the Committee's representatives at the Ontario Heritage Conference on June 15 to 17, 2023:
 - (i) Lyn Lunsted;
 - (ii) Will Rosart;
 - (iii) Graham Carrol;
 - (iv) Alissa Denham-Robinson; and,

- (ii) That the costs incurred by the Committee's representatives attending the Ontario Heritage Conference for the conference, accommodations and travel, be reimbursed from Account Number 56328-814000.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

10. PUBLIC MEETINGS

- 10.2 Application for Approval of a Draft Plan of Subdivision for Lands Located at 9236 and 9322 Dickenson Road West, Glanbrook (PED23111) (Ward 11)

(a) Added Written Submissions

- (i) Donna and Verne Deneault
- (ii) Jill Tonini
- (iii) Anne Gabrielle Walker
- (iv) Suzanne Cooper
- (v) Harriet Woodside
- (vi) John Radoman
- (vii) Bruce R. Allen
- (viii) Irene Schieberl and Stephen Suggett
- (ix) Gail Lorimer
- (x) Heather Vaughan
- (xi) Joan Styan
- (xii) Paul R. Dekar
- (xiii) Peter Banting
- (xiv) Myrna McBrien
- (xv) Tina Brajic
- (xvi) Marie Covert
- (xvii) Laurel Imeson
- (xviii) Don Brown
- (xix) Hilde Reis-Smart
- (xx) Carolanne Forster
- (xxi) Kristina Wilson
- (xxii) Nicole Doro
- (xxiii) Kiran Larsen
- (xxiv) Victoria Koch
- (xxv) Hailey Van Sickle
- (xxvi) Frances Neufeld
- (xxvii) Gord McNulty

- (xxviii) Wendy Leigh-Bell
- (xxix) Mike Robitaille
- (xxx) Elizabeth Knight

(b) Added Registered Delegations

- (i) Don McLean (virtual)
- (ii) David Bennett (in-person)

The agenda for the May 29, 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 16, 2023 (Item 4.1)

The Minutes of the May 16, 2023 meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Scott McInnes respecting Property Standards Issues in Ainslie Wood Area (For the June 13th meeting) (Item 6.1)

The delegation request from Scott McInnes respecting Property Standards Issues in Ainslie Wood Area, was approved for the June 13th meeting.

(e) 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 a Zoning By-law Amendment for Lands Located at 300 Albright Road, Hamilton (PED23104) (Ward 5) (Item 10.1)**

Alaina Baldassara, Planner II provided the Committee with a presentation with the aid of a PowerPoint presentation.

The staff presentation was received.

Stephanie Mirtitsch, MHBC Planning was in attendance, indicated support for the staff report and addressed the Committee with the aid of a PowerPoint presentation.

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

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

- (a) The public submissions regarding this matter were received and considered by the Committee; and
- (b) The public meeting be closed.

For disposition of this matter, refer to Item 2.

(ii) **Application for Approval of a Draft Plan of Subdivision for Lands Located at 9236 and 9322 Dickenson Road West, Glanbrook (PED23111) (Ward 11) (Item 10.2)**

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

The staff presentation was received.

James Webb, Webb Consulting was in attendance and indicated support for the staff report.

The delegation from James Webb, Webb Consulting was received.

The following Registered Delegations addressed the Committee:

- (i) Don McLean
- (ii) David Bennett

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

- (iii) Lynn Gates

(a) The following written submissions and delegations, were received and considered by the Committee:

(i) Added Written Submissions:

- (i) Donna and Verne Deneault, Opposed
- (ii) Jill Tonini, Opposed
- (iii) Anne Gabrielle Walker, Opposed
- (iv) Suzanne Cooper, Opposed
- (v) Harriet Woodside, Opposed
- (vi) John Radoman, Opposed
- (vii) Bruce R. Allen, Opposed
- (viii) Irene Schieberl and Stephen Suggett, Opposed
- (ix) Gail Lorimer, Opposed
- (x) Heather Vaughan, Opposed
- (xi) Joan Styan, Opposed
- (xii) Paul R. Dekar, Opposed
- (xiii) Peter Banting, Opposed
- (xiv) Myrna McBrien, Opposed
- (xv) Tina Brajic, Opposed
- (xvi) Marie Covert, Opposed
- (xvii) Laurel Imeson, Opposed
- (xviii) Don Brown, Opposed
- (xix) Hilde Reis-Smart, Opposed
- (xx) Carolanne Forster, Opposed
- (xxi) Kristina Wilson, Opposed
- (xxii) Nicole Doro, Opposed
- (xxiii) Kiran Larsen, Opposed
- (xxiv) Victoria Koch, Opposed
- (xxv) Hailey Van Sickle, Opposed
- (xxvi) Frances Neufeld, Opposed
- (xxvii) Gord McNulty, Opposed
- (xxviii) Wendy Leigh-Bell, Opposed
- (xxix) Mike Robitaille, Opposed
- (xxx) Elizabeth Knight, Opposed

(ii) Added Delegations:

- (i) Don McLean, Opposed
- (ii) David Bennett, Opposed
- (iii) Lynn Gates, Opposed

(b) The public meeting was closed.

For disposition of this matter, refer to Item 3.

(iii) Implementation of Changes to the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan, Community Improvement Project Area and Associated Financial Assistance Programs (PED23076(a)) (City Wide) (Item 10.3)

Chair Danko called three times for public delegations and none 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 4.

(f) PRIVATE & CONFIDENTIAL (Item 15)

The Committee determined that discussion of Item 15.1 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

(i) Closed Session Minutes - May 16, 2023 (Item 15.1)

- (a) The Closed Session Minutes dated May 16, 2023, were approved as presented; and,
- (b) The Closed Session Minutes dated May 16, 2023, are to remain private and confidential.

(g) ADJOURNMENT (Item 16)

There being no further business, the Planning Committee adjourned at 12:19 p.m.

Councillor J.P. Danko, Chair
Planning Committee

Lisa Kelsey
Legislative Coordinator