



**PLANNING COMMITTEE
REPORT**

24-004

April 5, 2024

9:30 a.m.

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

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

Absent with Regrets: Councillors E. Pauls and N. Nann - Personal

**THE PLANNING COMMITTEE PRESENTS REPORT 24-004 AND RESPECTFULLY
RECOMMENDS:**

- 1. Annual Report on Building Permit Fees (PED24039) (City Wide) Item 9.1)**
 - (a) That Report PED24039 respecting Annual Report on Building Permit Fees, be received; and,
 - (b) That City staff provide a breakdown, by Ward, of the Annual Report of Building Permit Fees, including the past five years of data, for the next Planning Committee meeting, and as part of future reporting; and, that the report back to Committee include the Building Permit fees and fines collected under the Building Act.
- 2. Application for a Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) (Item 10.1)**
 - (a) That Zoning By-law Amendment Application ZAC-22-066 by GSP Group Inc. c/o Brenda Khes on behalf of Rymal Holding Ltd., owner, for a change in zoning from the "AA" (Agricultural) District to the Transit Oriented Corridor Multiple Residential (TOC3, 874, H162) Zone, to permit an eight storey multiple dwelling containing 210 units and two, three storey multiple dwellings (townhouses) containing 10 dwelling units, on lands located at

81 and 87 Rymal Road East, as shown on Appendix “A” attached to Report PED23216, be APPROVED, on the following basis:

- (i) That the REVISED draft By-law, attached as Appendix “B” to Report PED23216, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) 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 symbol ‘H’ to the proposed Transit Oriented Corridor Multiple Residential (TOC3, 874, H162) Zone; The Holding Provision ‘H’ is to be removed, conditional upon:
 - (1) That the properties municipally known as 81 and 87 Rymal Road East be merged in title, to the satisfaction of the Director of Planning and Chief Planner;
 - (2) That the Owner submit a revised Functional Servicing Report to demonstrate that the increased wastewater generated from the proposed development will not adversely impact the hydraulic performance of the City’s sanitary sewer system by completing a sanitary sewer analysis to demonstrate that there is a residual capacity in the system to support the proposed development, to the satisfaction of the Director of Development Engineering;
 - (3) That the Owner submit a Stormwater Management Report and design to demonstrate there is a suitable storm outlet for the proposed development, to the satisfaction of the Director of Development Engineering;
 - (4) That the Owner submit a Watermain Hydraulic Analysis identifying the modelled system pressures at pressure district level, under various boundary conditions and demand scenarios, to demonstrate that the municipal system can provide for required flows to support the proposed development, to the satisfaction of the Director of Development Engineering;
 - (5) That the Owner shall convey to the City, without cost and free of encumbrance, the road widening as shown on the DiCenzo Sobie Draft Plan of Subdivision 25T-87032 through a future Site Plan Control application, to the satisfaction of the Director of Development Engineering;

(6) That the Owner enter into and register on title of the lands, an External Works Agreement with the City, in accordance with the Functional Servicing Report and Watermain Hydraulic Analysis, for the design and construction of any required improvements to the municipal infrastructure including the DiCenzo Drive extension, at the Owner's cost, as upgrades are required to the infrastructure to support the development, to the satisfaction of the Director of Development Engineering;

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

3. Taxi Financial Incentive Pilot Program (PED24035) (City Wide) (Item 11.1)

(a) That the Accessible Taxi Financial Incentive Pilot Program, be extended beyond April 1, 2024, up to such time as when the comprehensive review of Licensing By-law 07-170, Schedule 25 (Taxicabs) is completed as per direction through Planning Committee report 23-020 Item 8.

(b) That subject to the approval of recommendation (a), the City of Hamilton User Fees and Charges By-law No. 24-036 be amended to support the temporary extension of the pilot program.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

6. DELEGATIONS

6.1 Delegations respecting Taxi Financial Incentive Program (Item 11.1) (For today's meeting)

(i) James Kemp

10. PUBLIC HEARINGS

10.1 Application for a Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) - REVISED Appendix "B"

- (a) Written Submissions:
 - (i) Hamid Hakimi, Elite Developments

10.2 Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13)

DEFERRED to a future meeting

The agenda for the April 5, 2024 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) February 23, 2024 (Item 4.1)

The Minutes of the February 23, 2024 meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) The following Delegation Request was approved for today's meeting:

- (i) James Kemp, respecting Taxi Financial Incentive Program (Added Item 6.1)

(e) DELEGATIONS (Item 7)

(i) Delegation respecting Taxi Financial Incentive Program (Item 11.1) (Added Item 7.1)

The following Delegation addressed the Committee respecting Taxi Financial Incentive Program (Item 11.1):

- (i) James Kemp (Added Item 7.1)

The following Delegation respecting Taxi Financial Incentive Program (Item 11.1), was received.

- (i) James Kemp (Added Item 7.1)

For disposition of this matter, refer to Item 3.

(f) **CONSENT ITEMS (Item 9)**

(i) **Annual Report on Building Permit Fees (PED24039) (City Wide) (Item 9.1)**

That Report PED24039 respecting Annual Report on Building Permit Fees, be received.

That Report PED24038 respecting Annual Report on Building Permit Fees, be **amended**, by adding sub-section (b) as follows:

- (b) ***That City staff provide a breakdown, by Ward, of the Annual Report of Building Permit Fees, including the past five years of data, for the next Planning Committee meeting, and as part of future reporting; and, that the report back to Committee include the Building Permit fees and fines collected under the Building Act.***

For disposition of this matter, refer to Item 1.

(g) **PUBLIC HEARINGS (Item 10)**

In accordance with the *Planning Act*, Chair C. Cassar 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 C. Cassar 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 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) (Deferred from the December 5th and January 16th Meetings) (Item 10.1)**

(a) The following public submission regarding this matter was received:

- (i) James Kemp

For disposition of this matter, refer to Item 2.

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

(i) General Manager's Update (Added Item 14.1)

Steve Robichaud, Acting General Manager of Planning and Economic Development, advised the Committee of staffing changes due to his assuming the role of Acting General Manager; that Provincial legislation respecting development approvals, the Housing Action Plan and Policy changes is expected as soon as next week; that there are two reports coming to the April 16th Planning Committee meeting respecting Accessible Dwelling Units and the Demolition Control By-law; that there will be a presentation to the Open For Business Sub-committee on April 8th respecting Construction planning, along with an update on the Development and Building application processes; and that the Ontario Land Tribunal issued a decision on a development at Wilson and Lorne Streets in Ancaster, dismissing the Site Plan appeal on the basis that the Official Plan is the guiding document for height restrictions.

That the General Manager's Update be received.

(i) PRIVATE & CONFIDENTIAL (Item 15)

(i) Closed Session Minutes – February 23, 2024 (Item 15.1)

- (a) The Closed Session Minutes dated February 23, 2024, were approved as presented; and,
- (b) The Closed Session Minutes dated February 23, 2024, are to remain confidential.

(j) ADJOURNMENT (Item 16)

There being no further business, the Planning Committee adjourned at 10:35 a.m.

Councillor C. Cassar, Chair
Planning Committee

Lisa Kelsey
Legislative Coordinator