



**PLANNING COMMITTEE  
REPORT  
24-017**

**November 19, 2024**

**9:30 a.m.**

**Council Chambers (Hybrid), Hamilton City Hall  
71 Main Street West**

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

**Absent with Regrets:** Councillor A. Wilson – City Business

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**THE PLANNING COMMITTEE PRESENTS REPORT 24-017 AND RESPECTFULLY  
RECOMMENDS:**

1. **City Initiated Application for a Zoning By-law Amendment for Lands Located at 65 Frances Avenue, Stoney Creek (PED24153) (Ward 10) (Item 10.1)**
  - (a) That City Initiative CI-23-P, to add the lands to City of Hamilton Zoning By-law No. 05-200 as Conservation Hazard Land (P5) Zone, for the lands known municipally as 65 Frances Avenue, Stoney Creek, as shown on Appendix “A” attached to Report PED24153, be APPROVED on the following basis:
    - (i) That the Draft By-law, attached as Appendix “B” to Report PED24153, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
    - (ii) That the proposed change in zoning is consistent with the Provincial Planning Statement (2024) and complies with the Urban Hamilton Official Plan.

**2. Rental Housing Licensing Pilot Program - Update (PED21097(f)) (Wards 1, 8 and parts of 14) (Item 11.1)**

That Report PED21097(f) respecting Rental Housing Licensing Pilot Program – Update (Wards 1, 8 and parts of 14), be received.

**3. City of Hamilton’s Response to the Proposed Regulation under the *Planning Act* to Facilitate the Creation of Additional Residential Units - Proposed Amendment to Ontario Regulation 299/19 Additional Residential Units (PED24208) (City Wide) (Item 11.2)**

- (a) That Council receive Report PED24208 as the basis for written comments on Proposed Amendment to Ontario Regulation 299/19 Additional Residential Units, including the attached submission to the Province, attached as Appendix “A” to Report PED24208.
- (b) That Council adopts the submission and recommendations as provided in Report PED24208 on Proposed Amendment to Ontario Regulation 299/19 Additional Residential Units.
- (c) That the Director of Planning and Chief Planner be authorized and directed to confirm the submission made to the Province, attached as Appendix “A” to Report PED240208.
- (d) That should Proposed Amendment to Ontario Regulation 299/19 Additional Residential Units, made under the *Planning Act*, come into force, staff be directed and authorized to prepare the necessary draft amendments to the City’s Official Plans and Zoning By-laws and schedule a Statutory Public Meeting for Council’s consideration at a future Planning Committee.

**4. Report Back on Rental Housing Protection Tenant Assistance Guideline (PED22091(b)) (City Wide) (Item 11.3)**

- (a) That the revised Tenant Relocation and Assistance Guideline, attached as Appendix “A” to Report PED22091(b) be approved, and that the General Manager of the Planning and Economic Development Department or their designate be granted the authority to make minor modifications to the Guideline if needed; and
- (b) That the Director of Licensing and By-law Services be directed to take the necessary actions to apply the same methodology for calculating rent gap compensation contained within the Tenant Relocation and Assistance Guideline, to permits issued under Renovation License and Relocation By-law No. 24-055.

- (c) That the Director of Planning and Chief Planner or their designate be directed to update and publish the amounts used as the basis for calculating rent gap compensation on an annual basis.

**5. Repealing the Pesticide Use By-law No. 07-282 (PED24152) (City Wide) (Item 11.4)**

That the draft by-law attached as Appendix “A” to Report PED24152 to repeal the City of Hamilton’s Pesticide Use By-law No. 07-282, which has been prepared in a form satisfactory to the City Solicitor, be approved.

**6. Appeal to the Ontario Land Tribunal for lands located at 9285, 9445, 9511, 9625 and 9751 Twenty Road East and 555 Glancaster Road, Glanbrook for Lack of Decision on Urban Hamilton Official Plan Amendment Applications (UHOPA-20-018, UHOPA-20-019 and UHOPA-20-020) (LS24020) (Ward 11) (Item 15.2)**

- (a) That the directions to staff in Closed Session respecting Report LS24020 be approved;
- (b) That closed session recommendations (a), (b), and (c) to Report LS24020, be released to the public, following approval by Council; and,
- (c) That the balance of Report LS24020 remain confidential.

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 2)**

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

**5. COMMUNICATIONS**

- 5.1 ACORN respecting Report Back on the Rental Housing Protection Tenant Assistance Guideline (Item 11.3)

Recommendation: Be received and referred to the consideration of Item 11.3.

**10. PUBLIC HEARINGS**

- 10.1 City Initiated Application for a Zoning By-law Amendment for Lands Located at 65 Frances Avenue, Stoney Creek (PED24153) (Ward 10)

- (a) Added Written Submissions:
  - (i) Shane Ormerod
- (b) Staff Presentation

## 11. DISCUSSION ITEMS

11.2 City of Hamilton's Response to the Proposed Regulation under the *Planning Act* to Facilitate the Creation of Additional Residential Units - Proposed Amendment to Ontario Regulation 299/19 Additional Residential Units (PED24208) (City Wide)

- (a) Staff Presentation

11.3 Report Back on Rental Housing Protection Tenant Assistance Guideline (PED22091(b)) (City Wide)

- (a) Staff Presentation

The agenda for the November 19, 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) November 5, 2024 (Item 4.1)

The Minutes of the November 5, 2024 meeting were approved, as presented.

### (d) COMMUNICATIONS (Item 5)

#### (i) ACORN respecting Report Back on the Rental Housing Protection Tenant Assistance Guideline (Item 11.3) (Added Item 5.1)

The correspondence from ACORN, respecting Report Back on the Rental Housing Protection Tenant Assistance Guideline (Item 11.3), was received and referred to the consideration of Item 11.3.

**(e) DELEGATION REQUESTS (Item 6)**

**(i) John Gerrard, Hamilton Burlington SPCA, respecting 245 Dartnall Road (For a future meeting) (Item 6.1)**

The Delegation Request from John Gerrard, Hamilton Burlington SPCA, respecting 245 Dartnall Road, was approved for a future meeting.

**(f) DELEGATIONS (Item 7)**

**(i) Robert Thompson respecting Noise Complaints at Club SIX15 (Approved at the November 5th meeting) (Item 7.1)**

Robert Thompson was not in attendance when called upon to speak.

**(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.

If a person or public body would otherwise have an ability to appeal the decision of Council, City of Hamilton to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Hamilton before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Hamilton before the by-law is passed, 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) City Initiated Application for a Zoning By-law Amendment for Lands Located at 65 Frances Avenue, Stoney Creek (PED24153) (Ward 10) (Item 10.1)**

**(1)** Scott Turnbull, Planner II, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

**(2)** Chair Cassar called three times for public delegations and no one came forward.

- (3) (a) The following public submission regarding this matter was received and considered by the Committee:
  - (i) Written Submission (Item 10.1(a)):
    - (1) Shane Ormerod (Item 10.1(a)(i))
  - (b) The public meeting was closed.

For disposition of this matter, refer to Item 1.

(h) **DISCUSSION ITEMS (Item 11)**

- (i) **City of Hamilton's Response to the Proposed Regulation under the *Planning Act* to Facilitate the Creation of Additional Residential Units - Proposed Amendment to Ontario Regulation 299/19 Additional Residential Units (PED24208) (City Wide) (Item 11.2)**

Alana Fulford, Supervisor Zoning Bylaw Reform, addressed the Committee respecting City of Hamilton's Response to the Proposed Regulation under the *Planning Act* to Facilitate the Creation of Additional Residential Units - Proposed Amendment to Ontario Regulation 299/19 Additional Residential Units (PED24208), with the aid of a PowerPoint presentation.

The presentation from Alana Fulford, Supervisor Zoning Bylaw Reform, respecting City of Hamilton's Response to the Proposed Regulation under the *Planning Act* to Facilitate the Creation of Additional Residential Units - Proposed Amendment to Ontario Regulation 299/19 Additional Residential Units (PED24208), was received.

For disposition of this matter, refer to Item 3.

- (ii) **Report Back on Rental Housing Protection Tenant Assistance Guideline (PED22091(b)) (City Wide) (Item 11.3)**

The staff presentation was waived.

For disposition of this matter, refer to Item 4.

(i) **NOTICES OF MOTION (Item 13)**

Councillor Danko introduced the following Notice of Motion:

(i) **Options to Limit SDU's to One Story in Urban/Suburban Neighbourhoods (Added Item 13.1)**

That staff report back to Planning Committee with options to reduce the 6m (two story) allowable height permitted for secondary dwelling units (SDU's) to limit construction to one story in urban/suburban neighbourhoods where a large two story building adjacent to the property line would be disruptive to neighbouring residents.

(j) **PRIVATE & CONFIDENTIAL (Item 15)**

(i) **Closed Session Minutes – November 5, 2024 (Item 15.1)**

- (a) The Closed Session Minutes dated November 5, 2024, were approved as presented; and,
- (b) The Closed Session Minutes dated November 5, 2024, are to remain confidential.

The Committee moved into Closed Session for Item 15.2 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 Committee meeting reconvened in Open Session at 11:41 a.m.

(i) **Appeal to the Ontario Land Tribunal for lands located at 9285, 9445, 9511, 9625 and 9751 Twenty Road East and 555 Glancaster Road, Glanbrook for Lack of Decision on Urban Hamilton Official Plan Amendment Applications (UHOPA-20-018, UHOPA-20-019 and UHOPA-20-020) (LS24020) (Ward 11) (Item 15.2)**

For disposition of this matter, refer to Item 6.

**(k) ADJOURNMENT (Item 16)**

There being no further business, the Planning Committee adjourned at 11:42 a.m.

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Councillor C. Cassar, Chair  
Planning Committee

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Lisa Kelsey  
Legislative Coordinator