



PLANNING COMMITTEE MINUTES 13-014

9:30 am

Tuesday, September 17, 2013

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors J. Farr (Chair), B. Johnson (1st Vice Chair), B. Clark, C. Collins, L. Ferguson, M. Pearson and T. Whitehead

Absent with Regrets: Councillor R. Pasuta – Vacation
Councillor J. Partridge – City Business

Also Present: Councillor B. McHattie

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:

- 1. Application to Amend City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 1297 Baseline Road (Stoney Creek) (PED13150) (Ward 11) (Item 6.2)**

(Johnson/Clark)

That Zoning By-law Amendment Application ZAC-12-048, by Cretaro Homes, (Owner), for a change in zoning from the Neighbourhood Development “ND” Zone (Block 1) and the Single Residential “R1” Zone (Block 2) to a Single Residential “R3” Zone, with a Special Exception, in order to permit the development of 4 single detached dwellings, on the lands located at 1297 Baseline Road (Stoney Creek), as shown on Appendix “A” to Report PED13150, be Denied on the following basis:

- (a) That the application is not consistent with policies of the Provincial Policy Statement, as the proposed lot sizes are not consistent with those currently found within the neighbourhood, and are not complementary to the existing streetscape and gradation of density/lot widths along Baseline Road;

- (b) That the application does not conform to the Places to Grow Plan, as the proposal is not an appropriate type and scale of intensification for this area, and is not of an appropriate design that will not provide transition of built form to adjacent areas;
- (c) That the application does not conform to Policies of Volume 1 of the Urban Hamilton Official Plan, as the proposal does not maintain or enhance the relationship with the existing neighbourhood character and streetscape, and is not compatible with the surrounding area in terms of scale, form, and character, or transition of height and density to adjacent residences;
- (d) That the application does not conform with Policy Section D-8, "Lot Severance" policies of the Hamilton-Wentworth Official Plan, as the proposal does not conform to the area municipal Official Plan;
- (e) That the application conforms to the Urban Lakeshore Area Secondary Plan, but does not conform with Policies A.1.1.3 and A.1.2.19 of the parent Stoney Creek Official Plan, and by default, does not conform to the Urban Lakeshore Area Secondary Plan, as per Policy Section F.3;
- (f) That the application conflicts with the criteria for subdivision of land, Section 51(24) of the Planning Act, as it does not conform to the Official Plan and adjacent plans of subdivision, and proposes lot dimensions and shapes which are not consistent with or harmonious to the existing streetscape and neighbourhood character.

CARRIED

2. Amendments to the Downtown and Community Renewal Community Improvement Plan (PED13132(a)) (Wards 1, 2, 3, 4, 6, 7, 8, 9, 11, 12, 13 and 15) (Item 6.3)

(Ferguson/Pearson)

- (a) That the Downtown and Community Renewal Community Improvement Plan be amended as set out in the implementing by-law attached as Appendix "A" to Report PED13132(a);
- (b) That Appendix "F" to the Downtown and Community Renewal Community Improvement Plan, being the Program Description and Terms of the Hamilton Heritage Property Grant Program, be deleted and replaced respectively with the Program Description and Terms of the Hamilton Heritage Property Grant Program, attached as Appendix "B" to Report PED13132(a);
- (c) That Appendix "G" to the Downtown and Community Renewal Community Improvement Plan, being the Program Description and Terms of the GORE Building Improvement Grant Program, be deleted and replaced

respectively with the Program Description and Terms of the GORE Building Improvement Grant Program, attached as Appendix "C" to Report PED13132(a).

CARRIED

3. Application for Amendments to the Town of Flamborough Zoning By-law No. 90-145-Z for Lands Located at 392, 488, and 530 Dundas Street East (Flamborough) (PED13140) (Ward 15) (Item 6.5)

(Collins/Ferguson)

- (a) That approval be given to Zoning Application ZAC-12-013, by Waterdown Bay Ltd., for a change in zoning to permit a residential, commercial, and mixed-use subdivision, for lands located at 392, 488, and 530 Dundas Street East (Flamborough), as shown on Appendix "A" to Report PED13140, on the following basis:
- (i) That the draft By-law, attached as Appendix "B" to Report PED13140, 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, conform with the Places to Grow Growth Plan, and the Urban Hamilton Official Plan;
 - (iii) That the proposed development satisfies the intent of the Waterdown South Secondary Plan, providing for a residential, mixed-use, and commercial subdivision that is consistent with existing and planned future developments of the area.
- (b) That the Draft Plan of Subdivision conditions, as contained within Appendix "E" to Report PED13140, in addition to the balance of By-law provisions that affect lands formally considered under previous Zoning Application ZAC-05-066, as contained in Appendix "A" of Report PED13140, be endorsed by City Council; and that staff be directed to present these conditions and applicable By-law provisions to the Ontario Municipal Board (OMB) in support of the proposed development, subject to such modifications as staff may identify of a technical or minor nature during the course of the Board proceedings or pertaining to drafting issues.
- (c) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the Planning Act, prior to the Building Permit stage. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of each Building Permit, with the exception of the townhouse and multiple dwelling blocks, to which

payment shall be based on the value of the land on the day prior to the issuance of the first Building Permit for each said block.

Parkland credits may be applied on a land value basis to the proposed Draft Plan of Subdivision in the event of any over-dedication of Parkland from the registration of the Draft Plan of Subdivision 25T200513.

All in accordance with the Financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council, and which is without prejudice to any determination of the implications of the Memorandum of Agreement, dated October 30, 1997.

CARRIED

4. Downtown Parking Study Update (PED12153(a)) (Ward 2) (Item 8.1)

(Ferguson/Pearson)

That staff be authorized to issue a Request for Information (RFI) to gauge the level of private sector interest in the development of a parking structure in one of the two Downtown "high demand parking areas" (King and Bay Streets and King William and John Streets).

CARRIED as Amended

5. 178 Hixon Road, Hamilton - Slope Stabilization (PED13157/PW13066) (Ward 5) (Item 8.2)

(Collins/Johnson)

- (a) That Report PED13157/PW13066 178 Hixon Road, Hamilton - Slope Stabilization, be received;
- (b) That staff use area rating funds to source an arrangement to purchase the property (building demolition) and either restore the property for open space use or dispose of the property for redevelopment.

CARRIED

6. Rental Housing Licensing By-law (PED10049(m)) (City Wide) (Item 8.3)

(Collins/Johnson)

- (a) That a permanent Proactive Enforcement Program to enforce rental housing conditions be approved, subject to the approval of items (i) and (ii) below:
 - (i) An additional 5 FTEs (4 enforcement officers and 1 support clerk) at an estimated net levy impact of \$275,000 annually until 2017

when the levy impact would be reduced to approximately \$175,000 annually;

- (ii) A one-time Capital (cost to an upset limit of \$160,000) to purchase 4 vehicles funded from Unallocated Capital Reserve Account No. 108020.
- (b) That a sub-committee be established to work with interested stakeholders to assist with the implementation of an approach to enforcement and legalization of appropriate rental housing including, but not limited to, process, fees, and by-law regulations.

CARRIED as Amended

7. Business Licensing Fee Review (PD01104(h)) (City Wide) (Item 8.4)

(Whitehead/Clark)

- (a) That the comprehensive staff report on business license fees be delayed until such time as the performance audit respecting "License Revenue" approved by Council on April 24, 2013, is complete and dealt with by the Audit, Finance and Administration Committee and Council;
- (b) That the second year of the five-year, cost recovery phase-in strategy for Business License Fees, as contained in Appendix "A" to Report PD01104(h), be approved.

CARRIED

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

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

1. DELEGATION REQUESTS

4.1 Delegation Request respecting Item 8.3 Rental Housing Licensing By-law (PED10049(m)) (City Wide), for today's meeting:

- (i) Realtors Association of Hamilton-Burlington
- (ii) Michael Power
- (iii) John Cerino
- (iv) Renee Wetselaar
- (v) Alok Pathak

- (vi) Mike Chopowick and Vincent Brescia
- (vii) Rajan Pathak
- (viii) Arun Pathak
- (ix) Zack Casuccio
- (x) Patricia Cunningham-Ward
- (xi) Patricia Cunningham-Ward (on behalf of Doris Lanigan)
- (xii) – Withdrawn --
- (xiii) C. Michael Ollier
- (xiv) Paul Martindale
- (xv) Robert Flis
- (xvi) Susan Stewart-Greene
- (xvii) Hank Balfourt
- (xviii) Valerie Pereira
- (xix) Nick Vescio
- (xx) David Horwood

4.2 Delegation Request from Teresa Hartman from Hamilton Animal Control – Stop the Killings, respecting Item 6.1 Delegation from Gail McGinnis, Kit Cat Club of Hamilton Rescue, respecting animal control, for today’s meeting.

2. PUBLIC HEARINGS AND DELEGATIONS

6.4 City Initiative - Amendments to Incorporate Regulations for the Storage of Major Recreational Equipment Within the Former City of Stoney Creek Zoning By-law No. 3692-92 (PED13154) (Wards 9, 10, and 11)

- (i) Correspondence from Carl Hendershot
- (ii) Correspondence from John Millward
- (iii) Correspondence from Bill Sears

3. DISCUSSION ITEMS

8.3 Rental Housing Licensing By-law (PED10049(m)) (City Wide)

- (i) Correspondence from Ainslie Wood/Westdale Community Association
- (ii) Correspondence from Malcolm Horsnell and Janet Woodward
- (iii) Correspondence from S.P. Horwood
- (iv) Correspondence from Jason Avery
- (v) Correspondence from Marilyn and Dan Pilling
- (vi) Correspondence from Tibor Bocz
- (vii) Correspondence from David Hitchcock
- (viii) Correspondence from Rachelle Sender

- (ix) Correspondence from Pieter DeJonge
- (x) Correspondence from Danny Davids
- (xi) Correspondence from Ron Lancaster
- (xii) Correspondence from Anita McGowan
- (xiii) Correspondence from Don Woodside
- (xiv) Correspondence from Joseph Day
- (xv) Correspondence from Catherine and David Weir
- (xvi) Correspondence from Karyn Callaghan
- (xvii) Correspondence from Terri Bocz
- (xviii) Correspondence from Linda Bryant
- (xix) Correspondence from Daniel Coleman
- (xx) Correspondence from Klaus Schultes
- (xxi) Correspondence from Linda Ellis
- (xxii) Correspondence from Kathy Greaves
- (xxiii) Correspondence from Stephanie Ounpuu
- (xxiv) Correspondence from Nancy Gulliver
- (xxv) Correspondence from Karen Bernyak-Bouwman
- (xxvi) Correspondence from Betty Bechtel
- (xxvii) Correspondence from Helen Silke
- (xxviii) Correspondence from McMaster Students Union

(Collins/Johnson)

That the Agenda for the September 17, 2013 meeting of the Planning Committee be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Pearson declared a conflict of interest for Item 8.3, Rental Housing Licensing By-law (PED10049(m)) (City Wide), as she is involved in the rental housing industry.

(c) APPROVAL OF MINUTES (Item 3)

(i) September 4, 2013

(Collins/Whitehead)

That the Minutes of the September 4, 2013 Planning Committee meeting be approved.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

(i) **Delegation Request respecting Item 8.3 Rental Housing Licensing By-law (PED10049(m)) (City Wide), for today's meeting:**

- (i) Realtors Association of Hamilton-Burlington
- (ii) Michael Power
- (iii) John Cerino
- (iv) Renee Wetselaar
- (v) Alok Pathak
- (vi) Mike Chopowick and Vincent Brescia
- (vii) Rajan Pathak
- (viii) Arun Pathak
- (ix) Zack Casuccio
- (x) Patricia Cunningham-Ward
- (xi) Patricia Cunningham-Ward (on behalf of Doris Lanigan)
- (xii) Andrew Robertson – Withdrawn --
- (xiii) C. Michael Ollier
- (xiv) Paul Martindale
- (xv) Robert Flis
- (xvi) Susan Stewart-Greene
- (xvii) Hank Balfourt
- (xviii) Valerie Pereira
- (xix) Nick Vescio
- (xx) David Horwood

(Collins/Whitehead)

That the delegation requests respecting Item 8.3 Rental Housing Licensing By-law (PED10049(m)) (City Wide), be approved for today's meeting

CARRIED

4.2 Delegation Request from Teresa Hartman from Hamilton Animal Control – Stop the Killings, respecting Item 6.1 Delegation from Gail McGinnis, Kit Cat Club of Hamilton Rescue, respecting animal control, for today's meeting.

(Pearson/Whitehead)

That the delegation request from Teresa Hartman from Hamilton Animal Control – Stop the Killings, respecting Item 6.1 Delegation from Gail McGinnis, Kit Cat Club of Hamilton Rescue, respecting animal control, be approved for today's meeting.

CARRIED

(e) PUBLIC HEARINGS AND DELEGATIONS (Item 6)

- (i) **Delegation from Gail McGinnis, Kit Cat Club of Hamilton Rescue, respecting animal control (Item 6.1)**

Gail McGinnis did not attend the meeting.

6.1(i) Delegation from Teresa Hartman

Teresa Hartman expressed concerns to current practices respecting animal control.

(Whitehead/Johnson)

That the delegation from Teresa Hartman respecting animal control, be received.

CARRIED

- (ii) **Application to Amend City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 1297 Baseline Road (Stoney Creek) (PED13150) (Ward 11) (Item 6.2)**

In accordance with the provision of the Planning Act, Chair J. Farr advised those in attendance 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 approves the zoning by-law amendment, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

(Collins/Whitehead)

That the public meeting, respecting Report PED13150 Application to Amend City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 1297 Baseline Road (Stoney Creek), be closed.

CARRIED

(Collins/Johnson)

That the staff presentation, respecting Report PED13150 Application to Amend City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 1297 Baseline Road (Stoney Creek), be waived.

CARRIED

John Ariens, agent, provided an overview of the proposed changes and expressed concerns with staff recommendations.

(Pearson/Ferguson)

That the agent's presentation respecting Report PED13150 Application to Amend City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 1297 Baseline Road (Stoney Creek), be received.

CARRIED

For disposition on this Item, refer to item 1.

(iii) Amendments to the Downtown and Community Renewal Community Improvement Plan (PED13132(a)) (Wards 1, 2, 3, 4, 6, 7, 8, 9, 11, 12, 13 and 15) (Item 6.3)

In accordance with the provision of the Planning Act, Chair J. Farr advised those in attendance 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 approves the downtown and community renewal community improvement plan, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

(Ferguson/Johnson)

That the public meeting, respecting Report PED13132(a), Amendments to the Downtown and Community Renewal Community Improvement Plan, be closed.

CARRIED

(Collins/Johnson)

That the staff presentation, respecting Report PED13132(a), Amendments to the Downtown and Community Renewal Community Improvement Plan, be waived.

CARRIED

For disposition on this Item, refer to item 2.

(iv) City Initiative - Amendments to Incorporate Regulations for the Storage of Major Recreational Equipment Within the Former City of Stoney Creek Zoning By-law No. 3692-92 (PED13154) (Wards 9, 10, and 11) (Item 6.4)

- (i) Correspondence from Carl Hendershot
- (ii) Correspondence from John Millward
- (iii) Correspondence from Bill Sears

In accordance with the provision of the Planning Act, Chair J. Farr advised those in attendance 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 approves the zoning by-law amendment, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Peter De Iulio, Senior Project Manager, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

(Clark/Whitehead)

That the staff presentation respecting Report PED13154, City Initiative - Amendments to Incorporate Regulations for the Storage of Major Recreational Equipment Within the Former City of Stoney Creek Zoning By-law No. 3692-92, be received.

CARRIED

Public Speakers:

1. Larry Pearce – 148 Watercrest Drive, Stoney Creek, ON L8E 5C7

Mr. Pearce expressed concerns with respect to the by-law with the aid of speaking notes. A copy of his speaking notes has been included in the public record.

(Ferguson/Pearson)

That the public presentations respecting Report PED13154, City Initiative - Amendments to Incorporate Regulations for the Storage of Major Recreational Equipment Within the Former City of Stoney Creek Zoning By-law No. 3692-92, be received.

CARRIED

(Collins/Pearson)

That the items of correspondence respecting Report PED13154, City Initiative - Amendments to Incorporate Regulations for the Storage of Major Recreational Equipment Within the Former City of Stoney Creek Zoning By-law No. 3692-92, be received.

CARRIED

(Pearson/Johnson)

That the public meeting respecting Report PED13154, City Initiative - Amendments to Incorporate Regulations for the Storage of Major Recreational Equipment Within the Former City of Stoney Creek Zoning By-law No. 3692-92, be closed.

CARRIED

(Clark/Pearson)

That Report PED13154, City Initiative - Amendments to Incorporate Regulations for the Storage of Major Recreational Equipment Within the Former City of Stoney Creek Zoning By-law No. 3692-92, be referred back to staff for further review with staff, legal and Ward 9, 10 and 11 Councillors.

CARRIED

(v) Application for Amendments to the Town of Flamborough Zoning By-law No. 90-145-Z for Lands Located at 392, 488, and 530 Dundas Street East (Flamborough) (PED13140) (Ward 15) (Item 6.5)

In accordance with the provision of the Planning Act, Chair J. Farr advised those in attendance 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 approves the zoning by-law amendment, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

(Whitehead/Pearson)

That the public meeting, respecting Report PED13140 Application for Amendments to the Town of Flamborough Zoning By-law No. 90-145-Z for Lands Located at 392, 488, and 530 Dundas Street East (Flamborough), be closed.

CARRIED

(Whitehead/Pearson)

That the staff presentation, respecting Report PED13140 Application for Amendments to the Town of Flamborough Zoning By-law No. 90-145-Z for Lands Located at 392, 488, and 530 Dundas Street East (Flamborough), be waived.

CARRIED

For disposition on this Item, refer to item 3.

(f) DISCUSSION ITEMS (Item 8)

(i) Downtown Parking Study Update (PED12153(a)) (Ward 2) (Item 8.1)

MMM Group, consultants, provided an overview of their findings with the aid of a PowerPoint Presentation. A copy of the presentation has been included as part of the public record.

(Ferguson/Whitehead)

That the consultant's presentation respecting Report PED12153(a), Downtown Parking Study Update, be received.

CARRIED

(Clark/Whitehead)

That the staff recommendations be amended by deleting the words, "participating with the City in", before the words "the development of a parking structure", to read as follows:

That staff be authorized to issue a Request for Information (RFI) to gauge the level of private sector interest in the development of a parking structure in one of the two Downtown "high demand parking areas" (King and Bay Streets and King William and John Streets).

Amendment CARRIED

(Farr/Collins)

That the recommendations be amended by adding a new sub-section (b) to read as follows:

- (b) That staff be directed to look at multi-usage along with neighbourhood usages as a portion of the RFI considerations;

The motion was DEFEATED on the following vote:

Yeas: T. Whitehead, C. Collins, J. Farr

Total: 3

Nays: B. Johnson, M. Pearson, B. Clark, L. Ferguson

Total: 4

Absent: R. Pasuta, J. Partridge

Total: 2

The main motion, as amended, CARRIED on the following vote:

Yeas: B. Johnson, M. Pearson, B. Clark, L. Ferguson, C. Collins
Total: 5
Nays: T. Whitehead, J. Farr
Total: 2
Absent: R. Pasuta, J. Partridge
Total: 2

For disposition on this Item, refer to item 4.

Planning Committee recessed from 1:40 p.m. until 2:05 p.m.

(ii) Rental Housing Licensing By-law (PED10049(m)) (City Wide) (Item 8.3)

- (i) Correspondence from Ainslie Wood/Westdale Community Association
- (ii) Correspondence from Malcolm Horsnell and Janet Woodward
- (iii) Correspondence from S.P. Horwood
- (iv) Correspondence from Jason Avery
- (v) Correspondence from Marilyn and Dan Pilling
- (vi) Correspondence from Tibor Bocz
- (vii) Correspondence from David Hitchcock
- (viii) Correspondence from Rachelle Sender
- (ix) Correspondence from Pieter DeJonge
- (x) Correspondence from Danny Davids
- (xi) Correspondence from Ron Lancaster
- (xii) Correspondence from Anita McGowan
- (xiii) Correspondence from Don Woodside
- (xiv) Correspondence from Joseph Day
- (xv) Correspondence from Catherine and David Weir
- (xvi) Correspondence from Karyn Callaghan
- (xvii) Correspondence from Terri Bocz
- (xviii) Correspondence from Linda Bryant
- (xix) Correspondence from Daniel Coleman
- (xx) Correspondence from Klaus Schultes
- (xxi) Correspondence from Linda Ellis
- (xxii) Correspondence from Kathy Greaves
- (xxiii) Correspondence from Stephanie Ounpuu
- (xxiv) Correspondence from Nancy Gulliver
- (xxv) Correspondence from Karen Bernyak-Bouwman
- (xxvi) Correspondence from Betty Bechtel
- (xxvii) Correspondence from Helen Silke
- (xxviii) Correspondence from McMaster Students Union

Joe Xamin, Manager, Operational Strategies, provided an overview of the report with an aid of a PowerPoint Presentation. A copy of the presentation has been included in the public record.

(Whitehead/Collins)

That the staff presentation respecting Report PED10049(m), Rental Housing Licensing By-law, be received.

CARRIED

(Johnson/Collins)

That the correspondence respecting Report PED10049(m), Rental Housing Licensing By-law, be received.

CARRIED

Delegations:

1. Realtors Association of Hamilton-Burlington (RAHB)

RAHB provided alternative solutions to licensing rental housing.

2. John Cerino

Mr. Cerino expressed concerns with respect to licensing rental housing due to increased fees.

3. Renee Wetselaar

Ms. Wetselaar provided a PowerPoint Presentation. A copy of the presentation has been included in the public record.

4. Alok Pathak

Mr. Pathak expressed concerns with the feasibility of licensing of rental housing.

5. Vincent Brescia

Mr. Brescia, Federation of Rental Providers, discussed a report written by Michael Fenn, regarding Rental Housing Licensing; noting concerns with licensing rental properties.

6. Rajan Pathak

Mr. Pathak expressed concerns with the feasibility of licensing of rental housing.

7. Arun Pathak

Mr. Pathak expressed concerns with the feasibility of licensing of rental housing.

8. Zack Casuccio

Mr. Casuccio expressed concerns with the feasibility of licensing of rental housing.

9. Patricia Cunningham-Ward

Ms. Cunningham-Ward expressed concerns with the feasibility of licensing of rental housing.

10. Patricia Cunningham-Ward (on behalf of Doris Lanigan)

Ms. Cunningham-Ward expressed on behalf of Doris Lanigan concerns with the feasibility of licensing of rental housing.

11. C. Michael Ollier

Mr. Ollier expressed on behalf of Doris Lanigan concerns with the feasibility of licensing of rental housing.

12. Paul Martindale

Mr. Martindale expressed concerns with the feasibility of licensing of rental housing.

13. Robert Flis

Mr. Flis expressed concerns with the feasibility of licensing of rental housing.

14. Susan Stewart-Greene

Ms. Stewart-Greene expressed concerns with the feasibility of licensing of rental housing.

15. Hank Balfourt

Mr. Balfourt expressed concerns with the feasibility of licensing of rental housing.

16. Valerie Pereira

Ms. Pereira expressed concerns, on behalf of herself and Nick Vescio, with the feasibility of licensing of rental housing.

(Whitehead/Johnson)

That the delegations respecting Report PED10049(m), Rental Housing Licensing By-law, be received.

CARRIED

(Collins/Johnson)

That the recommendations contained in Report PED10049(m), Rental Housing Licensing By-law, be amended by adding a new sub-section (c) to read as follows:

- (c) That a sub-committee be established to work with interested stakeholders to assist with the implementation of the new by-law including, but not limited to, the regulation and conversion of illegal units.

Amendment CARRIED

(Collins/Clark)

That the recommendations contained in Report PED10049(m), Rental Housing Licensing By-law, be amended by tabling recommendation (a), as follows:

- “(a) That the Rental Housing Licensing By-law attached as Appendix “A” to Report PED10049(m), which is in a form satisfactory to the City Solicitor, and which would become Schedule (30) Rental Dwelling Units of the Licensing By-law No. 07-170 and come into force on April 10, 2017, be approved subject to the approval of items (i), (ii) and (iii) below:

- (i) The creation of a “*Manager of Rental Housing*” position (1 FTE) effective January 1, 2014 at an annual cost of \$135,000 to be fully funded from the Tax Stabilization Reserve for 2014; 1/3 FTE expense to be added to the Levy in each 2015, 2016 and 2017, with offsetting revenues eliminating the Levy impact in 2017 through revenues associated with the Rental Housing Licensing Program;

- (ii) An additional 8 FTEs to administer and enforce the Rental Housing Licensing By-law at an estimated net levy impact of \$115,000 (effective January 1, 2017) and reduced annually until such time as the Program becomes full cost recovery (estimated at 2020);
- (iii) That a \$100 per dwelling unit annual rental housing license fee be added to the City's User Fees and Charges By-law effective January 1, 2017"

Amendment CARRIED

It is noted that a further amendment to the recommendations will be made at a later date.

For disposition on this Item, refer to item 6.

(g) NOTICES OF MOTION (Item 10)

Councillor Farr introduced the following Notice of Motion:

(i) Downtown Parking

- (a) That Planning staff be directed to undergo a comprehensive consultation process with Public Works staff respecting Transportation Demand Management as it relates to the RFI process for the Downtown Parking Study Update (PED12153(a));
- (b) That staff be directed to request the Hamilton Police Services Board and representatives of the Wilson Street Hamilton Downtown Mosque work to pursue a temporary agreement for parking usage between the hours of noon and 4:00 p.m. on Friday afternoons at the property at the South side of the Mosque where it is currently located.

(h) GENERAL INFORMATION AND OTHER BUSINESS (Item 11)

(i) Outstanding Business List Amendments (Item 11.1)

That the following Outstanding Business List due dates be revised:

(Pearson/Collins)

- (aa) Item D: Protection Measures for Existing Stable Residential Areas (Monster Homes) (PED11196)

Current Date: September 17, 2013
New Date: December 3, 2013

- (bb) Item F: By-law 05-200, to Modify General Commercial "C3-116" and "C3-117" Zone and add Site Specific General Commercial "C3-275" Zone to the Glanbrook Zoning By-law No. 464

Current Date: September 17, 2013
New Date: December 3, 2013

- (cc) Item G: Municipal Services and Property Taxation on Condo Properties

Current Date: September 17, 2013
New Date: October 1, 2013

- (dd) Item Q: Development of an Urban Woodland Conservation By-law

Current Date: September 17, 2013
New Date: November 5, 2013

- (ee) Item Y: Fifty Road

Current Date: September 17, 2013
New Date: November 19, 2013

- (ff) Item FF: Delegation from Jagtar Singh Chahal respecting challenges in the taxi industry

Current Date: September 17, 2013
New Date: October 15, 2013

CARRIED

(Clark/Johnson)

That the following items be removed from the Outstanding Business List:

- (aa) Item EE: Appeal of the City of Hamilton Committee of Adjustment Decision to Approve Severance Application HM/B-13:27, Louis Serafini, Fengate Capital Management Ltd. (Owner), 1400 Upper James Street

CARRIED

(ii) News from the General Manager (Item 11.2)

The General Manager provided updates of current events and initiatives within the department.

(i) **PRIVATE AND CONFIDENTIAL (Item 12)**

(i) **Closed Session Minutes – September 4, 2013 (delivered under separate cover)**

(Johnson/Pearson)

- (a) That the Closed Session Minutes of the September 4, 2013 meeting of the Planning Committee be approved, as presented.
- (b) That the Closed Session Minutes of the September 4, 2013 meeting of the Planning Committee, remain confidential and restricted from public disclosure.

CARRIED

(j) **ADJOURNMENT**

(Pearson/Johnson)

That, there being no further business, the Planning Committee adjourn at 6:19 p.m.

CARRIED

Respectfully submitted,

Councillor J. Farr
Chair, Planning Committee

Vanessa Robicheau
Legislative Coordinator
Office of the City Clerk