PLANNING COMMITTEE
REPORT 14-010
As Amended by Council on June 25, 2014
9:30 am
Tuesday, June 17, 2014
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Councillors B. Johnson (Chair), J. Partridge (1st Vice Chair), C. Collins (2nd Vice Chair), J. Farr, B. Clark, L. Ferguson, R. Pasuta, M. Pearson and T. Whitehead

Also Present: Councillor T. Jackson

THE PLANNING COMMITTEE PRESENTS REPORT 14-010 AND RESPECTFULLY RECOMMENDS:

1. Rental Housing Enforcement Strategy (PED10049(q)) (City Wide) (Item 5.1)

That City Council endorse the Rental Housing By-law Enforcement Strategy outlined in Appendix “A” attached hereto.

2. Annual Report on Building Permit Fees (PED14128) (City Wide) (Item 5.3)

That Report PED14128, Annual Report on Building Permit Fees, be received.

3. Proposed Common Elements Condominium Application for Parkside Hills, Phase 1 (25CDM-201309) 619 Centre Road (PED14111) (Ward 15) (Item 6.1)

That approval be given to Draft Plan of Condominium Application 25CDM-201309, by Parkside Hills Inc., Owner, to establish a draft plan of condominium (Common Elements Condominium) to create a condominium road with sidewalk, manoeuvring area, private on-site visitors parking, and landscaped areas, for 22 freehold maisonette townhouse dwelling units, on
lands located at 619 Centre Road (Waterdown), known legally as Blocks 97 and 98, Registered Plan 62M-1125, as shown on the attached location map marked as Appendix “A” to Report PED14111, subject to the following conditions:

(a) That this approval shall apply to the plan, prepared by Metropolitan Consulting Inc. and certified by Thomas J. Salb., O.L.S., dated February 25, 2014, showing the common elements, attached as Appendix “B” to Report PED14111.

(b) That the Final Plan of Condominium shall comply with all of the applicable provisions of Flamborough Zoning By-law No. 90-145-Z, as amended by Ontario Municipal Board Decision for OMB Case Number PL101121, PL101150 and PL121013, issued January 21, 2013.

(c) That the Final Plan of Condominium shall comply, in all respects, with the approved Site Plan (DA-13-013), to the satisfaction of the Director of Planning.

(d) That the owner shall receive final approval of a Part Lot Control Application, including the enactment and registration on title of the Part Lot Control Exemption By-law, to create the 22 Parcels of Tied Land, to the satisfaction of the Director of Planning.

(e) That the owner shall enter into a Development Agreement to ensure that the tenure of each of the proposed 22 freehold townhouse dwellings having frontage on the condominium road has legal interest, in common, to the Common Elements Condominium, to the satisfaction of the City Solicitor.

(f) That the owner shall include the following warning clauses in the Development Agreement and all Purchase and Sale Agreements, and any rental or lease agreements required for occupancy:

(i) “Purchasers are advised that the City of Hamilton will not be providing maintenance or snow removal service for the private condominium road and sidewalk.”

(ii) “That the home/business mail delivery will be from a designated Centralized Mail Box.”

(iii) “On-street, public parking in the surrounding neighbourhood is limited and cannot be guaranteed in perpetuity. Garage space for this unit is provided and intended for the purposes of parking a vehicle. It is the owner’s responsibility to ensure that their parking needs can be met on-site.”

(g) That the owner shall agree to:
(i) Work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations, which may be utilized by Canada Post, until the curbs, boulevards, and sidewalks are in place in the remainder of the subdivision.

(ii) Install a concrete pad in accordance with the requirements of, and in locations to be approved by, the Senior Director of Growth Management and Canada Post, to facilitate the placement of Community Mail Boxes.

(iii) Identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase.

(iv) Determine the location of all centralized mail receiving facilities in cooperation with the Senior Director of Growth Management and Canada Post, and indicate the location of centralized mail facilities on appropriate maps, information boards, and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.

(v) Providing official notification to the purchasers, of the exact Centralized Mail Box locations, prior to the closing of any home sales.

(h) That the owner provide evidence to the satisfaction of the Senior Director of Growth Management, that the Condominium Approval Agreement and Condominium Agreement contains appropriate wording requiring the future Condominium Corporation to be responsible for maintenance, repair and/or replacement of all common elements, including, but limited to, maintaining landscaping and fencing, as well as the grading and drainage in accordance with the engineered drawings approved through Site Plan Application DA-13-013.

(i) That the owner shall provide the Manager of Design and Construction with evidence that satisfactory arrangements, financial and otherwise, have been made with a telecommunication service provider, approved by the Canadian Radio and Telecommunication Commission (CRTC), that adequate telecommunication service will be provided to the condominium, including 9-1-1 emergency calling service that identifies, at a minimum, the caller’s name and location information.

(j) That the owner/developer shall provide to Union Gas Limited the necessary easements and/or agreements required by Union Gas Limited for the provision of gas services for this project, in a form satisfactory to Union Gas Limited.

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(k) That the owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton.

(l) That the owner shall obtain the required final approvals for the severances of the lands in Park Place, Phase 2A which create 23 parcels of tied land, and a second condominium road with visitor parking, landscaped strip and retaining wall, such that those parcels of tied land and common elements shall be included in the Common Elements Condominium at the time of registration to the satisfaction of the Director of Planning.

4. **Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 739 Upper Paradise Road (PED14125) (Ward 8) (Item 6.2)**

That approval be given to Zoning Application ZAR-14-016, by Chris Gosopoulas, Owner, for a change in zoning from the “B” (Suburban Agriculture and Residential, etc.) District to the “C” (Urban Protected Residential, etc.) District, to facilitate the severance of a lot for the creation of two additional single detached residential lots, on lands located at 739 Upper Paradise Road (Hamilton), as shown on Appendix “A” to Report PED14125, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED14125, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593;

(c) That the proposed change in zoning is consistent with the Provincial Policy Statement (PPS), and conforms to the Growth Plan for the Greater Golden Horseshoe and the Urban Hamilton Official Plan (UHOP).

5. **Zoning By-law Amendment ZAC-13-028 to Permit Modifications to Residential Uses in Silverwoods Subdivision, 111 Parkside Drive (Waterdown) (PED14127) (Ward 15) (Item 6.3)**

(a) That approval be given to **Zoning Application ZAC-13-028, Silvercreek, Owner**, for changes in zoning to permit four (4) semi-detached dwelling units (Blocks “1” and “2”); three (3) street townhouse units (Block “3”); and six (6) future semi-detached dwelling units (Block “4” and “5”), for the lands located at 111 Parkside Drive, Waterdown.
(Flamborough), as shown on Appendix “A” to Report PED14127, on the following basis:

(i) That Blocks “1” and “2” be changed from the Medium Density Residential “R6-22”, Zone Modified, to the Urban Residential “R4-7” Zone, Modified;

(ii) That Block “3” be changed from the Medium Density Residential “R6-22”, Zone Modified, to the Medium Density Residential “R6-34”, Zone, Modified;

(iii) That Blocks “4” and “5” be changed from the Medium Density Residential “R6-22” Zone, Modified, to the Medium Density Residential “R4-7-H” Zone, Modified Holding;

(iv) That the amending By-law apply the following Holding Provisions in accordance with Section 36 (1) of the Planning Act, R.S.O., 1990, to Blocks “4”, and “5”, by introducing the Holding Symbol ‘H’ as a suffix to the proposed Zoning District. The Holding provision ‘H’ shall not be removed until such time as the following conditions have been completed to the satisfaction of the Director of Planning and the Senior Director of Growth Management:

(1) The owner has provided a Record of Site Condition for the lands within Eager Drive to the satisfaction of the Senior Director of Growth Management, and the Director of Planning.

(2) An alternative access has been provided to the subdivision to allow for the construction of the lots along Eager Drive, either on the adjacent DiMarco Estates, or by means of the East-West Corridor, to the satisfaction of the Senior Director of Growth Management and the Director of Planning.

(3) The temporary watermains servicing the Silverwoods Subdivision along Eager Drive have been decommissioned to the satisfaction of the Senior Director of Growth Management.

(v) That the draft By-law, attached as Appendix “B” to Report PED14127, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,

(vi) That the proposed changes in zoning are consistent with the PPS, and conforms with the Growth Plan for the Greater Golden

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Horseshoe (Places to Grow), and the Urban Hamilton Official Plan (UHOP).

(b) That Appendix “B” to Report PED14127, Draft Zoning By-law, be amended on page 2 of 6, 1(c) by deleting “R6-24” and replacing it with “R6-22”.

6. Applications for an Official Plan Amendment, Zoning By-law Amendment and for Revisions to a Draft Plan of Subdivision “Ancaster Glen Phase 2” for Lands Located at 435 Garner Road East (Ancaster) (PED14113) (Ward 12) (Item 6.4)

(a) That approval be given to *Urban Hamilton Official Plan Amendment Application OPA-12-023, by Losani Homes (1998) Limited (Owner)*, for a change in designation on Map B.2.3-1 – Garner Neighbourhood Secondary Plan Land Use Plan from “Local Commercial” and “Medium Density Residential 2b” to “Low Density Residential 2c” with a Site Specific Policy to permit increased density and from “Low Density Residential 3a” to “Utility”, in order to permit a residential subdivision on the subject lands located at 435 Garner Road East (Ancaster), as shown on Appendix “A” to Report PED14113, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED14113, be adopted by City Council.

(b) That approval be given to *Zoning By-law Application ZAC-12-068, by Losani Homes (1998) Limited (Owner)*, for a change in zoning from the Holding–General Commercial “H-C3-610” Zone (Block 1) and the Holding-Residential Multiple “H-RM2-609” Zone (Block 2) to the Residential Multiple “RM5-660” Zone and from the Holding-Residential Multiple “H-RM2-609” Zone (Block 3), the Holding-Residential “H-R5-622” Zone (Block 4) and the Holding-Residential “H-R5-601” Zone (Block 5) to the Residential Multiple “RM2-661” Zone, in order to permit a residential plan of subdivision on the subject lands located at 435 Garner Road East (Ancaster), as shown on Appendix “A” to Report PED14113, on the following basis:

(i) That the draft By-law, attached as Appendix “C” to Report PED14113, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the amending By-law be added to Schedule “B”, Map No. 1 of By-law No. 87-57;
(iii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan upon finalization of Official Plan Amendment No.

(c) That approval be given to Draft Plan of Subdivision Application 25T-200725(R), by Losani Homes (1998) Limited, Owner, to revise a portion of the previously approved Draft Plan of Subdivision for “Ancaster Glen Phase 2”, subject to the following condition:

(i) That this approval apply to the draft plan of Subdivision, located at 435 Garner Road East, 25T-200725(R), prepared by Losani Homes and certified by S.D. McLaren, O.L.S., dated October 2012 and revised May 1, 2014, showing 130 lots for single detached dwellings (Lots 1 to 130), sixteen blocks for 84 townhouse units (Blocks 153 to 159 and Blocks 170 to 178), two blocks for future medium density residential development (Blocks 166 and 168), one block for townhouses and maisonettes (Block 169), one block for an elementary school (Block 165), one block for a neighbourhood park (Block 160), two blocks for stormwater management (Blocks 161 and 162), two blocks for open space/conservation (Blocks 163 and 164), one block for future road access (Block 167), two blocks for 0.3 m reserves (Blocks 179 and 180), and the creation of five streets (Streets “A”, “B”, “C”, “D” and “E”) and the extension of four streets (John Frederick Drive, Annalee Drive, Gegorio Avenue and Bookjans Drive), attached as Appendix “D” to Report PED14113, subject to the owner revising the Registered Subdivision Agreement to include the revised Draft Plan of Subdivision (attached as Appendix “D”) and with the revised Special Conditions, attached as Appendix “E”.

(ii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the Planning Act, prior to the registration of the plan of subdivision.

With regard to Blocks 170 - 178 (Street Townhouse), a parkland dedication at a ratio of 1 ha of the net land area for each 300 dwelling units proposed, will be required.

With regard to Blocks 166, 168 and 169 (Medium Density Residential Uses), a parkland dedication at a ratio of 0.6 ha of the net land area for each 300 dwelling units proposed will be required.

All in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council.
7. **Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 99-103 Locke Street South (Hamilton) (PED14122) (Item 6.5)**

(a) That approval be given to Zoning Application ZAC-12-020, by Lougain Properties, Owner, for a change in zoning to Hamilton Zoning By-law No. 6593 from the "H" (Community Shopping Centre, etc.) District and the "G-3/S-1108" (Public Parking Lot) District, Modified, to the "E"-'H' (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified Holding, in order to permit a six-storey, mixed-use building comprised of 84 residential units and ground floor commercial, as shown on Appendix “A”, on the following basis:

(i) That the draft By-law, attached as Appendix “B” to Report PED14122, that has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the change in zoning is in conformity with the Urban Hamilton Official Plan (UHOP).

(b) That upon finalization of the implementing By-law, the subject lands within the Kirkendall Neighbourhood Plan be re-designated from “Commercial” to “Commercial and Apartments”.

(c) That Appendix, “B”, Draft By-law, be amended in condition 2(a)(i) by adding the following words, “as permitted in the ‘H’ (Community Shopping and Commercial) District”, between the words, “commercial units”, and “and 84 residential units” to read as follows:

(i) A mixed-use building with ground floor commercial units as permitted in the ‘H’ (Community Shopping and Commercial) District and 84 residential units located above shall be permitted.

8. **Official Plan Amendment to incorporate the Ancaster Wilson Street Secondary Plan into the Urban Hamilton Official Plan (PED12078(a)) (Ward 12) (Item 6.6)**

(a) That draft Official Plan Amendment No. ___ to the Urban Hamilton Official Plan, attached as Appendix “A” to Report PED12078(a), to add a new Secondary Plan and associated mapping (Ancaster Wilson Street Secondary Plan), be adopted by City Council.

(b) That Appendix “E” to Appendix “A” to Report PED12078a be amended, as follows:
(i) That the properties, known municipally as 11, 19, 25, and 33 Douglas Road and 121, 127, and 131 Fiddlers Green Road, be changed from “Low Density Residential 3” to “Low Density Residential 1” on Map B.2.8-1.

(ii) That the property, known municipally as 97 Wilson Street East, be changed from “Low Density Residential 1” to “Low Density Residential 3” on Map B.2.8-1.

9. City Initiative 14-B - Review Medical Marihuana Growing and Harvesting Facility, Greenhouse and Aquaponics Facility, as Permitted Uses in Urban and Rural Areas (PED14037(b)) (City Wide) (Item 6.7)

(a) That approval be given to City Initiative 14-B, for Official Plan Amendment (OPA) No. to the Urban Hamilton Official Plan, to establish a definition of a medical marihuana growing and harvesting facility, and to permit a medical marihuana growing and harvesting facility with appropriate regulations, a greenhouse, and an aquaponics facility in the Employment Area – Industrial Land Designation and the Employment Area – Business Park Designation, on the following basis:

(i) That the draft OPA, attached as Appendix “A” to Report PED14037(b), be adopted by Council; and,

(ii) That the proposed OPA is consistent with the Provincial Policy Statement (PPS) 2014, and conforms to the Growth Plan for the Greater Golden Horseshoe.

(b) That approval be given to City Initiative 14-B, for a general text amendment to Zoning By-law 05-200, to establish a definition of a medical marihuana growing and harvesting facility, and to permit a medical marihuana growing and harvesting facility with appropriate regulations, a greenhouse, and an aquaponics facility in the General Business Park (M2) Zone, Prestige Business Park (M3) Zone, General Industrial (M5) Zone, and Light Industrial (M6) Zone, on the following basis:

(i) That the Draft By-law, attached as Appendix “B” to Report PED14037(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,

(ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No.

(c) That approval be given to City Initiative 14-B, for a general text amendment to City of Hamilton Zoning By-law No. 6593, to establish a
definition for a medical marihuana growing and harvesting facility and to prohibit this use in the Urban Area, on the following basis:

(i) That the Draft By-law, attached as Appendix “F” to Report PED14037(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,

(ii) That the proposed changes in zoning conform to the Urban Hamilton Official Plan (UHOP).

10. Revisions to Draft Rural Zoning By-law (PED13167(a)) (Wards 9, 11, 12, 13, 14 and 15) (Item 7.1)

That report PED13167(a), Revisions to Draft Rural Zoning By-law, be received.

11. Changes to the Current Wording in the Standard Form Subdivision Agreement regarding Canada Post’s Fee for Community Mail Boxes in New Developments (PED14123) (City Wide) (Item 8.1)

That Growth Management staff be directed to amend Canada Post Condition 1.22 of the Standard Form Subdivision Agreement to the following:

“The Owner covenants and agrees to provide the Senior Director of Growth Management with evidence that satisfactory Planning and Engineering arrangements, have been made with Canada Post Corporation for the installation of Community Mail Boxes (CMB) in locations satisfactory to the City of Hamilton.”

12. Police Animal Protection By-law (LS14024) (City Wide) (Item 8.2)

That the proposed By-law attached as Appendix A to Report LS14024 to provide for the protection of police animals and persons who may be affected, and which By-law is in a form satisfactory to the City Solicitor, be enacted.

13. Tow Truck Licensing Sub-Committee Report 14-001 (Item 8.3)

(a) That the by-law enforcement respecting tow truck licensing be held, pending passing of Provincial legislation Bill 189;

(b) That staff be directed to investigate better enforcement of the Anti-Solicitation By-law through Hamilton Police Services;

(c) That public education programs be implemented (paper ads, Public Service Announcements);
(d) That Bill 189, An Act to amend various acts with respect to tow and storage service, the enhancement of consumer protection, commercial motor vehicle and tow truck regulation, and the enforcement of legislation, be endorsed;

(e) That this motion be forwarded to the Premier of Ontario and the Honourable Tracy MacCharles, Minister of Consumer Services.

14. 336-338 King. St. W. OMB Appeal re: Zoning By-law Amendment (ZAC-12-043) (Dundas) (LS14021/PED14119) (Item 12.1)

(a) That Legal staff be directed to support the revised Concept Plan and Zoning By-law, attached to Report LS14021/PED14119 as Appendices “C” and “D”, subject to such drafting, editorial or technical modifications as may be necessary;

(b) That staff be directed to provide evidence in support of the settlement to the Ontario Municipal Board, respecting 336-338 King. St. W. OMB Appeal regarding Zoning By-law Amendment (ZAC-12-043) (Dundas), as may be necessary; and,

(c) That Report LS14021/PED14119, respecting 336-338 King. St. W. OMB Appeal respecting Zoning By-law Amendment (ZAC-12-043) (Dundas) and its appendices remain confidential.

15. 176 Parkside Drive, OMB Appeals re: Zoning By-law Amendment (ZAR-12-060) and Consent (FL/B-12:106) (LS14020/PED14118) (Item 12.2)

(a) That Legal Services staff be directed to settle the Appeals in accordance with:

(i) The revised proposal, attached as Appendix “B” to Report LS14020/PED14118;

(ii) An approved servicing plan, to the satisfaction of the Senior Director, Growth Management; and,

(iii) The conditions of approval outlined in Report LS14020/PED14118, subject to such drafting, editorial or technical modifications as may be necessary;
(b) That staff be directed to finalize a Zoning By-law for approval by the Ontario Municipal Board, with content satisfactory to the Director of Planning, and in a form satisfactory to the City Solicitor;

(c) That staff be directed to present and/or provide evidence in support of the settlement to the Ontario Municipal Board, as may be necessary; and,

(d) That Report LS14020/PED14118, respecting 176 Parkside Drive, OMB Appeals regarding Zoning By-law Amendment (ZAR-12-060) and Consent (FL/B-12:106) and its appendices, remain confidential.

16. 1041 West 5th Street OMB Appeals Re: OPA (OPA-12-024) and ZBA (ZAC-12-070) Owner: 1804487 Ontario Inc. (LS14026/PED14141) (Item 12.3)

(a) That, in regards to appeals to the Ontario Municipal Board by 1804487 Ontario Inc. of Official Plan Amendment application OPA-12-024 and Zoning By-law Amendment application ZAC-12-070 concerning lands located at 1041 West 5th Street, staff be directed to:

(i) Advise the Ontario Municipal Board that the application by 1804487 Ontario Inc. for an official plan amendment is not required as the proposed uses are permitted under the Urban Hamilton Official Plan; and,

(ii) Support the application for the zoning by-law amendment, subject to inclusion of an “H” provision to address sanitary sewer capacity, and to submit a proposed zoning by-law to the Ontario Municipal Board in a form and content satisfactory to the Director of Planning; and,

(b) That Report LS14026/PED14141, respecting 1041 West 5th Street OMB Appeals respecting OPA (OPA-12-024) and ZBA (ZAC-12-070) Owner: 1804487 Ontario Inc., remain confidential.

17. 1125 West 5th - Ontario Municipal Board Appeal (ZAC-12-067) and Plan of Subdivision 25T-201202, Owner: DiCenzo Construction Company Limited (LS14028/PED14140) (Item 12.4)

(a) That staff be directed to continue to oppose the Applications on the grounds of prematurity, described in Appendix “C” to Report LS14028/PED14140, and non-conformity with the Urban Hamilton Official Plan;
(b) That staff be authorized and directed to continue discussions with the applicant in an effort to resolve outstanding matters, and:

(i) if any or all matters are resolved, then staff be authorized and directed to present such resolution on applicable matters to the Ontario Municipal Board; and,

(ii) If any or all matters remain unresolved, then staff be directed to oppose the Applications before the Ontario Municipal Board based on those matters;

(c) That staff be directed to prepare and finalize a zoning by-law and conditions of draft plan approval for the Applications, in a form satisfactory to the City Solicitor and with content satisfactory to the Director of Planning, for presentation to the Ontario Municipal Board;

(d) That staff be directed to bring forward to the August 12, 2014 Planning Committee meeting an amendment to the UHOP which creates an Area Specific Policy for the Mewburn Neighbourhood to exempt lands designated Neighbourhoods from the minimum residential densities identified in policies E.3.5 and E.3.6;

(e) That Appendix “C” attached to Report LS14028/PED14140 be made public, following Council; and,

(f) That Report LS14028/PED14140, respecting 1125 West 5th - Ontario Municipal Board Appeal (ZAC-12-067) and Plan of Subdivision 25T-201202, Owner: DiCenzo Construction Company Limited and its Appendices “A” and “B”, remain confidential.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

1. DELEGATION REQUESTS

4.4 Delegation Requests Respecting item 8.3 Tow Truck Licensing Sub-Committee Report 14-001

   (i) Fred Dath
   (ii) Greg Ryan
(iii) John Norris  
(iv) Ray Weninger

4.5 Delegation Request from George Zajac/Lorne Richter respecting  
Item 5.2 Proposal to Proceed with an OMB Appeal for Minor  
Variance Application, 55 Rymal Road East, Hamilton (PED14108)  
(Ward 7)

2. PUBLIC HEARING ITEMS

6.2 Application for Amendment to City of Hamilton Zoning By-law No.  
6593 for Lands Located at 739 Upper Paradise Road (PED14125)  
(Ward 8)  
(i) Correspondence from A. Galletti

6.5 Application for Amendment to City of Hamilton Zoning By-law No.  
6593 for Lands Located at 99-103 Locke Street South (Hamilton)  
(PED14122)  
(ii) Correspondence from William Gunn  
(iii) Correspondence from Laura Gunn  
(iv) Correspondence from Brendan Prince  
(v) Correspondence from Mel Athulathmudali  
(vi) Correspondence from Pat McCormack

3. DISCUSSION ITEMS

8.1 Changes to the Current Wording in the Standard Form Subdivision  
Agreement regarding Canada Post’s Fee for Community Mail  
Boxes in New Developments (PED14123) (City Wide)  
(i) Correspondence from Hamilton-Halton Home Builders’  
Assoc.

The Agenda for the June 17, 2014 meeting of the Planning Committee was  
approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Pearson declared and interest in Item 5.1, Rental Housing  
Enforcement Strategy (PED10049(q)) (City Wide) as she is involved in the  
rental housing industry.
(c) APPROVAL OF MINUTES (Item 3)

(i) June 3, 2014

The Minutes of the June 3, 2014 Planning Committee meeting were approved.

(d) DELEGATION REQUESTS (Item 4)

(i) Delegation Request from James Pichette respecting a complaint against a Municipal Law Enforcement Officer for a future meeting (Item 4.1)

The delegation from James Pichette respecting a complaint against a Municipal Law Enforcement Officer, was referred to staff.

(ii) Delegation Request from Gail McGinnis, Kit Cat Club of Hamilton, respecting Hamilton Animal Control for a future meeting (Item 4.2)

The delegation from Gail McGinnis, Kit Cat Club of Hamilton, respecting Hamilton Animal Control was approved for a future meeting.

(iii) Delegation Request from Joanne Turnell respecting by-law exemptions for Wilson Street Farmers Market for a future meeting (Item 4.3)

The delegation from Joanne Turnell respecting by-law exemptions for Wilson Street Farmers Market was approved for a future meeting.

(iv) Delegation Requests Respecting item 8.3 Tow Truck Licensing Sub-Committee Report 14-001 (Item 4.4)

(i) Fred Dath
(ii) Greg Ryan
(iii) John Norris
(iv) Ray Weninger
The delegations respecting item 8.3 Tow Truck Licensing Subcommittee Report 14-001, were approved.

(v) Delegation Request from George Zajac/Lorne Richter respecting Item 5.2 Proposal to Proceed with an OMB Appeal for Minor Variance Application, 55 Rymal Road East, Hamilton (PED14108) (Ward 7) (Item 4.5)

The delegation from George Zajac and Lorne Richter, respecting Item 5.2 Proposal to Proceed with an OMB Appeal for Minor Variance Application, 55 Rymal Road East, Hamilton, was approved.

(e) CONSENT ITEMS (Item 5)

(i) Proposal to Proceed with an OMB Appeal for Minor Variance Application, 55 Rymal Road East, Hamilton (PED14108) (Ward 7) (Item 5.2)

Report PED14108, Proposal to Proceed with an OMB Appeal for Minor Variance Application, 55 Rymal Road East, Hamilton, was referred back to staff for further consultation and for a report back to the Planning Committee meeting of August 12, 2014.

(f) PUBLIC HEARINGS AND DELEGATIONS (Item 6)

(i) Proposed Common Elements Condominium Application for Parkside Hills, Phase 1 (25CDM-201309) 619 Centre Road (PED14111) (Ward 15) (Item 6.1)

In accordance with the provision of the Planning Act, Chair B. Johnson 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 proposed common elements of condominium, 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.
The applicant indicated they were in agreement with the staff recommendations and that this development is eligible for waste removal.

The public meeting respecting Report PED14111 Proposed Common Elements Condominium Application for Parkside Hills, Phase 1 (25CDM-201309) 619 Centre Road, was closed.

The staff presentation respecting Report PED14111 Proposed Common Elements Condominium Application for Parkside Hills, Phase 1 (25CDM-201309) 619 Centre Road, was waived.

For disposition on this Item, refer to item 3.

(ii) Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 739 Upper Paradise Road (PED14125) (Ward 8) (Item 6.2)

(i) Correspondence from A. Galletti

In accordance with the provision of the Planning Act, Chair B. Johnson 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 amendments, 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.

The public meeting respecting Report PED14125 Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 739 Upper Paradise Road, was closed.

The staff presentation respecting Report PED14125 Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 739 Upper Paradise Road, was waived.

The correspondence respecting Report PED14125 Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 739 Upper Paradise Road, was received.
For disposition on this Item, refer to item 4.

(iii) Zoning By-law Amendment ZAC-13-028 to Permit Modifications to Residential Uses in Silverwoods Subdivision, 111 Parkside Drive (Waterdown) (PED14127) (Ward 15) (Item 6.3)

In accordance with the provision of the Planning Act, Chair B. Johnson 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 amendments, 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.

The public meeting respecting Report PED14127 Zoning By-law Amendment ZAC-13-028 to Permit Modifications to Residential Uses in Silverwoods Subdivision, 111 Parkside Drive (Waterdown), was closed.

The staff presentation respecting Report PED14127 Zoning By-law Amendment ZAC-13-028 to Permit Modifications to Residential Uses in Silverwoods Subdivision, 111 Parkside Drive (Waterdown), was waived.

(a) The recommendations contained in Report PED14127 Zoning By-law Amendment ZAC-13-028 to Permit Modifications to Residential Uses in Silverwoods Subdivision, 111 Parkside Drive (Waterdown), were amended by:

(i) deleting the words, “six (6)”, before the words, “semi-detached dwelling units (Blocks “1” and “2”), and replace it with the words, “four (4)”;

(ii) deleting the words, “four (4)”, before the words, “future semi-detached dwelling units (Blocks “4” and “5”)

(b) The recommendations contained in Report PED14127 Zoning By-law Amendment ZAC-13-028 to Permit Modifications to Residential Uses in Silverwoods Subdivision, 111 Parkside Drive
(Waterdown), were amended by adding a new sub-section (b) to read as follows:

(b) That Appendix “B” to Report PED14127, Draft Zoning By-law, be amended on page 2 of 6, 1(c) by deleting “R6-24” and replacing it with “R6-22”.

For disposition on this Item, refer to item 5.

(iv) Applications for an Official Plan Amendment, Zoning By-law Amendment and for Revisions to a Draft Plan of Subdivision “Ancaster Glen Phase 2” for Lands Located at 435 Garner Road East (Ancaster) (PED14113) (Ward 12) (Item 6.4)

In accordance with the provision of the Planning Act, Chair B. Johnson 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 official plan and zoning by-law amendments as well as the draft plan of subdivision, 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.

The public meeting respecting Report PED14113 Applications for an Official Plan Amendment, Zoning By-law Amendment and for Revisions to a Draft Plan of Subdivision “Ancaster Glen Phase 2” for Lands Located at 435 Garner Road East (Ancaster), was closed.

The staff presentation respecting Report PED14113 Applications for an Official Plan Amendment, Zoning By-law Amendment and for Revisions to a Draft Plan of Subdivision “Ancaster Glen Phase 2” for Lands Located at 435 Garner Road East (Ancaster), was waived.

For disposition on this Item, refer to item 6.

(v) Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 99-103 Locke Street South (Hamilton) (PED14122) (Item 6.5)

(i) Correspondence from David Cuming

Council – June 25, 2014
In accordance with the provision of the Planning Act, Chair B. Johnson 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 amendments, 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.

The correspondence respecting Report PED14122 Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 99-103 Locke Street South (Hamilton), was received.

Edward John, 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.

The staff presentation respecting Report PED14122 Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 99-103 Locke Street South (Hamilton), was received.

Public Speakers:
1. Carmen Cuming – 309 Jackson St. W., Hamilton, ON L8P 1M6
2. Rita Bailey – 84 Pearl St. S., Hamilton, ON L8P 3X1
3. Maria Murchie – 368 Main St. W., Hamilton, ON L8P 1K2
4. Hans Stief – 323 Jackson St. W., Hamilton, ON L8P 1M8
5. Eli Harsed – 119 Locke St. S., Hamilton, ON L8P 4A7
7. Sandy Shan – 279 Homewood Ave., Hamilton, ON L8P 2M8

The public presentations respecting Report PED14122 Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 99-103 Locke Street South (Hamilton), were received.

The public meeting respecting Report PED14122 Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 99-103 Locke Street South (Hamilton), was closed.

Sergio Manchia, spoke to the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The agent’s presentation respecting Report PED14122 Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 99-103 Locke Street South (Hamilton), was received.

Members of the Planning Committee indicated that they are not supportive of a lane closure for this development.

For disposition on this Item, refer to item 7.

(vi) Official Plan Amendment to incorporate the Ancaster Wilson Street Secondary Plan into the Urban Hamilton Official Plan (PED12078(a)) (Ward 12) (Item 6.6)

(i) Correspondence from GSP Group on behalf of Garth Trails Ltd.

(ii) Correspondence from Ward Construction

In accordance with the provision of the Planning Act, Chair B. Johnson 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 official plan amendments, 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.

The public meeting respecting PED12078(a), Official Plan Amendment to incorporate the Ancaster Wilson Street Secondary Plan into the Urban Hamilton Official Plan, was closed.

The staff presentation respecting PED12078(a), Official Plan Amendment to incorporate the Ancaster Wilson Street Secondary Plan into the Urban Hamilton Official Plan, was waived.

The recommendations contained in Report PED12078(a) were amended by adding a new sub-section (b) to read as follows:

(b) That Appendix “E” to Appendix “A” to Report PED12078a be amended, as follows:

(i) That the properties, known municipally as 11, 19, 25, and 33 Douglas Road and 121, 127, and 131 Fiddlers Green Road, be changed from “Low Density Residential 3” to “Low Density Residential 1” on Map B.2.8-1.

(ii) That the property, known municipally as 97 Wilson Street East, be changed from “Low Density Residential 1” to “Low Density Residential 3” on Map B.2.8-1.

For disposition on this Item, refer to item 8.

(vii) City Initiative 14-B - Review Medical Marihuana Growing and Harvesting Facility, Greenhouse and Aquaponics Facility, as Permitted Uses in Urban and Rural Areas (PED14037(b)) (City Wide) (Item 6.7)

In accordance with the provision of the Planning Act, Chair B. Johnson 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 city initiative, 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.

Joanne Hickey-Evans, Manager, Planning Policy and Zoning By-Law Reform, provided an overview of the report with the aid of a PowerPoint presentation.
presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting Report PED14037(b), City Initiative 14-B - Review Medical Marihuana Growing and Harvesting Facility, Greenhouse and Aquaponics Facility, as Permitted Uses in Urban and Rural Areas, was received.

**Public Speakers:**

1. Michael Thomas – 25-1350 Limeridge Rd. E., Hamilton, ON L8W 1L6
   
   Mr. Thomas expressed his concerns with the aid of speaking notes. A copy of the speaking notes has been included in the public record.

2. Rami Reda – 784 Concession St., Hamilton, ON L8V 1C9
   
   Mr. Reda expressed support for the report.

   
   Ms. Hughes expressed support for the aquaponics facilities

   
   Ms. Licorish expressed support for the aquaponics facilities

5. Warren Bravo – 780 8th Concession Rd. W., Flamborough, ON N0B 2J0
   
   Mr. Bravo expressed support but concerned about the size limitation

6. Bill Pauagootakopoulos – 1653 Hwy 6 N, Hamilton, ON L8N 2Z7
   
   Mr. Pauagootakopoulos expressed support but concerned about the size limitation

The public presentations respecting Report PED14037(b), City Initiative 14-B - Review Medical Marihuana Growing and Harvesting Facility, Greenhouse and Aquaponics Facility, as Permitted Uses in Urban and Rural Areas, were received.

Council – June 25, 2014
The public meeting respecting Report PED14037(b), City Initiative 14-B - Review Medical Marihuana Growing and Harvesting Facility, Greenhouse and Aquaponics Facility, as Permitted Uses in Urban and Rural Areas, was closed.

(a) Staff were directed to include a site plan control process as part of the Official Plan Amendment that will permit medical marihuana growing and harvesting facilities, Greenhouses and Aquaponics facilities in the Rural Areas.

(b) Staff were directed to determine the number of current applications/facilities that exceed the square footage limits in the rural area, referred to in the report.

(c) Staff were directed to review the development charge exemptions for industrial use in light of new marijuana by-laws and report back to the Planning Committee on possible changes to the development charges by-law.

The following recommendations were referred back to staff for further direction:

(a) That approval be given to City Initiative 14-B, for a general text amendment to Town of Ancaster Zoning By-law 87-57, to establish a definition for a medical marihuana growing and harvesting facility, to add this use to the list of agricultural uses, to establish appropriate regulations, and to prohibit it in certain zones in the urban area that permit some agricultural uses, on the following basis:

(i) That the Draft By-law, attached as Appendix “C” to Report PED14037(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,

(ii) That the proposed changes in zoning conform to the Rural Hamilton Official Plan (RHOP) and the Urban Hamilton Official Plan (UHOP).

(b) That approval be given to City Initiative 14-B, for a general text amendment to Town of Flamborough Zoning By-law 90-145-Z, to establish a definition for a medical marihuana growing and harvesting facility, to add this use to the list of agricultural uses,
to establish appropriate regulations and to prohibit it in certain zones that permit some agricultural uses, on the following basis:

(i) That the Draft By-law, attached as Appendix “D” to Report PED14037(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,

(ii) That the proposed changes in zoning conform to the Rural Hamilton Official Plan (RHOP).

(c) That approval be given to City Initiative 14-B, for a general text amendment to Township of Glanbrook Zoning By-law No. 464, to establish a definition for a medical marihuana growing and harvesting facility, to add this use to the list of agricultural uses, to establish appropriate regulations, to permit this use in the Rural Industrial Business Park “M6” Zone with appropriate regulations and to prohibit a medical marihuana growing and harvesting facility and an aquaponics facility in certain zones that permit some agricultural uses, on the following basis:

(i) That the Draft By-law, attached as Appendix “E” to Report PED14037(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,

(ii) That the proposed changes in zoning conform to the Rural Hamilton Official Plan (RHOP) and the Urban Hamilton Official Plan (UHOP).

(d) That approval be given to City Initiative 14-B, for a general text amendment to City of Stoney Creek Zoning By-law No. 3692-92, to establish a definition for a medical marihuana growing and harvesting facility, to add a medical marihuana growing and harvesting facility and aquaponics uses to the list of agricultural uses, to establish appropriate regulations and to prohibit a medical marihuana growing and harvesting facility and an aquaponics facility in certain zones in the urban area that permit some agricultural uses, on the following basis:

(i) That the Draft By-law, attached as Appendix “G” to Report PED14037(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
(ii) That the proposed changes in zoning conform to the Rural Hamilton Official Plan (RHOP) and the Urban Hamilton Official Plan (UHOP).

(e) That the definition of a medical marihuana growing and harvesting facility and the associated regulations be included in the proposed Agricultural (A1) and Agricultural (A2) Zones for the Rural area.

For disposition on this Item, refer to item 9.

(g) PRESENTATIONS (Item 7)

(i) Revisions to Draft Rural Zoning By-law (PED13167(a)) (Wards 9, 11, 12, 13, 14 and 15) (Item 7.1)

Heather Travis, Senior Planner, 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.

The presentation respecting Report PED13167(a), Revisions to Draft Rural Zoning By-law, was received.

For disposition on this Item, refer to item 10.

(h) DISCUSSION ITEMS (Item 8)

(i) Changes to the Current Wording in the Standard Form Subdivision Agreement regarding Canada Post’s Fee for Community Mail Boxes in New Developments (PED14123) (City Wide) (Item 8.1)

(ii) Police Animal Protection By-law (LS14024) (City Wide) (Item 8.2)

Sgt. Brad Adams provided an overview of complaints that have prompted this report.
The presentation respecting Report LS14024, Police Animal Protection By-law, was received.

That the by-law be amended to increase the fine from $250 to $1,000.

The Amendment was DEFEATED on the following vote:

Yeas:  C. Collins, J. Farr, B. Clark
Total:  3
Nays:  R. Pasuta, L. Ferguson, T. Whitehead, B. Johnson, M. Pearson
Total:  5
Absent: J. Partridge
Total:  1

For disposition on this Item, refer to item 12.

(iii) Tow Truck Licensing Sub-Committee Report 14-001 (Item 8.3)

Delegations:

1. Fred Dath
   Mr. Dath was supportive of the recommendations.

2. Greg Ryan
   Mr. Ryan expressed support for the recommendations as a way to move forward.

3. John Norris
   Mr. Norris could not stay but indicated his support for the report.

4. Ray Weninger
   Mr. Weninger was unable to attend.

The delegations respecting Tow Truck Licensing Sub-Committee Report 14-001, were received.

For disposition on this Item, refer to item 13.
(i) MOTIONS (Item 9)

(i) Delegated Authority to Consent to Heritage Permits Under the Ontario Heritage Act (Item 9.1)

Whereas the *Ontario Heritage Act* requires consent from City of Hamilton Council or its delegate for alterations to properties designated under the *Ontario Heritage Act*, and that this consent be obtained through the issuance of a Heritage Permit;

And Whereas the *Ontario Heritage Act* requires consultation with the Municipal Heritage Committee on Heritage Permit applications, but not public notice or public consultation, before a decision with respect to a Heritage Permit application is made;

And Whereas City Council passed By-law No.05-364, as amended by By-law No. 07-322, delegating the power to consent to Heritage Permits to the Director of Planning.

And Whereas the delegated power to consent has been in place for approximately 9 years and it is prudent to conduct periodic review of by-laws and procedures;

Therefore be it resolved:

(a) That staff in the Planning Division be directed to carry out a review of the Heritage Permit process, and report back to Planning Committee.

The motion respecting Delegated Authority to Consent to Heritage Permits Under the Ontario Heritage Act was amended to include a sub-section (b), to read as follows:

(b) That staff come back with a terms of reference.

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

(i) Outstanding Business List Amendments (Item 11.1)

The following Outstanding Business List due dates were revised:

(aa) Item C: Protection Measures for Existing Stable Residential Areas (Monster Homes) (PED11196)
    Due Date: Q1 2014
Proposed Due Date: July 8, 2014

(bb) Item D: Dust Control: Clean Air Hamilton 2011 Progress Report (BOH12015) (City Wide)
Due Date: Q1 2014
Proposed Due Date: September 3, 2014

(cc) Item K: By-law to Regulate Parking on Boulevards and Front and Side Yard (PED13042)
Due Date: Q1 2014
Proposed Due Date: 2015

(dd) Item Q: Establishment of a Specialized By-law Enforcement Unit (PED13108) (City Wide) (Item 5.1)
Due Date: Q1 2014
Proposed Due Date: August 12, 2014

(ee) Item R: Parked Facing the Wrong Way (PED13109) (City Wide)
Due Date: Q1 2014
Proposed Due Date: 2015

(ff) Item K: Municipal Costs for Appeals to the Ontario Municipal Board for Municipal Decision on Mineral Aggregate Resource Developments
Current Due Date: Q1 2014
Proposed Due Date: Q1 2015

(gg) Item W: Amendment to Site Plan Control By-law No. 03-294, as Amended by By-law No. 08-298 (PED14014) (City Wide)
Current Due Date: June 17, 2014
Proposed Due Date: Q1 2015

The following items were removed from the Outstanding Business List:

(aa) Item H: Business Licensing Fee Review (PD01104(h))

(bb) Item V: Proposed Zoning By-law Amendment for 307 and 325 Fiddler's Green Road (Ancaster) (PED13183)

(cc) Item X: Resolution Opposing the Requalification of Municipal Building Officials

(dd) Item OO: Inclusion of 1 St. James Place, Hamilton in the Register of Property of Cultural Heritage Value or Interest

(ee) Item T: Police Services Animal By-law
(k) PRIVATE AND CONFIDENTIAL (Item 12)

The Planning Committee moved into Closed Session, at 3:40 p.m. for the discussion of Items 12.1 through to item 12.4, pursuant to Section 8.1, Sub-sections (c), (e) and (f) of the City's Procedural By-law 10-053, and Section 239, Sub-sections (c), (e) and (f) 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 City;
- advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- a proposed or pending acquisition or disposition of land by the municipality or local board

Committee moved into open session at 4:15 p.m.

(i) 336-338 King St. W. OMB Appeal re: Zoning By-law Amendment (ZAC-12-043) (Dundas) (LS14021/PED14119) (Item 12.1)

For disposition on this Item, refer to item 15.

(ii) 176 Parkside Drive, OMB Appeals re: Zoning By-law Amendment (ZAR-12-060) and Consent (FL/B-12:106) (LS14020/PED14118) (Item 12.2)

For disposition on this Item, refer to item 16.

(iii) 1041 West 5th Street OMB Appeals Re: OPA (OPA-12-024) and ZBA (ZAC-12-070) Owner: 1804487 Ontario Inc. (LS14026/PED14141) (Item 12.3)

For disposition on this Item, refer to item 17.

(iv) 1125 West 5th - Ontario Municipal Board Appeal (ZAC-12-067) and Plan of Subdivision 25T-201202, Owner: DiCenzo Construction Company Limited (LS14028/PED14140) (Item 12.4)

Appendix "C" to Report LS14028/PED141401125, West 5th - Ontario Municipal Board Appeal (ZAC-12-067) and Plan of Subdivision 25T-
201202, Owner: DiCenzo Construction Company Limited, was deleted and replaced with the revised Appendix “C”.

For disposition on this Item, refer to item 18.

(I) ADJOURNMENT

There being no further business, the Planning Committee adjourned at 4:20 p.m.

Respectfully submitted,

Councillor B. Johnson
Chair, Planning Committee

Vanessa Robicheau
Legislative Coordinator
Office of the City Clerk
Rental Housing Enforcement Strategy Framework

Much of the work of the new proactive rental housing enforcement team will support the neighbourhood action plans developed as part of the City’s Neighbourhood Development Strategies, and will address problem properties/areas in response to Community and Ward Councillor concerns.

However, normal day-to-day proactive enforcement will be focused on the following problem properties and/or key neighbourhoods in each of the eight Wards as identified through consultation with the respective Ward Councillors and stakeholders:

Ward 1 - property standards issues associated with single/semi-detached housing in the neighbourhoods in close proximity to McMaster University.

Ward 2 – external property standards within the Stinson Neighbourhood and other problem areas as determined through ongoing consultation with neighbourhood associations and other stakeholders.

Ward 3 - visible (i.e. outside) property standards issues such as garbage and debris, long grass/weeds associated with single/semi-detached housing, and extra effort and coordination with Public Health Services to address bed bug problems.

Ward 4 - property standards issues associated with single/semi-detached housing and multi-residential buildings as well as monitoring illegal dumping in vicinity of high-rises.

Ward 5 - internal/common area property standards issues associated with multi-residential buildings, as well as monitoring illegal dumping in vicinity of high-rises.

Ward 6 - property standards issues associated with single/semi-detached housing and multi-residential rentals along key arterials as well as monitoring illegal dumping along the Mountain Brow.

Ward 7 - external property standards issues associated with Hamilton Housing properties and single/semi-detached housing in close proximity to Mohawk College, as well as site specific problems as identified by the Ward Councillor through consultation with the Community.

Ward 8 - property standards issues associated with single/semi-detached housing in the neighbourhoods in close proximity to Mohawk College.
Wards 9 to 15 - enforcement of rental housing conditions in these Wards will primarily be on a complaint basis. However, periodic proactive blitzes and attending to problem properties/areas will occur from time to time in consultation with the respective Ward Councillors.