Present:
Councillors J. Partridge (Chair), B. Johnson, (1st Vice Chair), M. Pearson (2nd Vice-Chair), C. Collins, D. Conley, J. Farr, M. Green, A. Johnson, and R. Pasuta

THE PLANNING COMMITTEE PRESENTS REPORT 15-009 AND RESPECTFULLY RECOMMENDS:

1. Business Licensing Audit Review Update (PED13037(c)) (City Wide) (Outstanding Business List Item) (Item 5.1)

   That Report PED13037(c) respecting Business Licensing Audit Review Update be received.

2. Proposal to Proceed with an OMB Appeal for Minor Variance Application FL/A-15:40, 71 Innovation Drive, Flamborough (PED15066) (Ward 15) (Item 5.2)

   That Council agree to the following action, as detailed in Report PED15066, respecting the appeal of City of Hamilton Committee of Adjustment Minor Variance Application FL/A-15:40 (19067273 (Jaswinder Gill)), 71 Innovation Drive (Flamborough), as shown on Appendix “A” to Report PED15066, approved by the Committee of Adjustment but recommended for denial (in part) by the Planning and Economic Development Department, Development Planning, Heritage and Design Section;

   (a) That Council of the City of Hamilton proceed with the appeal to the Ontario Municipal Board (OMB) against the decision of the Committee of Adjustment to approve Application FL/A-15:40; and,
(b) That appropriate Legal Services and Planning staff be directed to attend
the future OMB Hearing in opposition to the decision of the Committee of
Adjustment to approve Application FL/A-15:40.

3. Application for an Amendment to the Town of Flamborough Zoning By-Law
No. 90-145-Z, for the Lands Located at 12 McDonald Court, Flamborough
(PED15062) (Ward 15) (Item 6.1)

That Zoning Application ZAR-14-013 by Michael and Amanda Domenichetti,
Owner, for a modification to the Urban Residential (Single Detached) “R1-6”
Zone, Modified, to facilitate a severance of the lands located at 12 McDonald
Court, Flamborough, as shown on Appendix “A” to Report PED15062, be
DENIED on the following basis:

(a) That the proposal represents an over-intensification of development within
an established residential neighbourhood that would detract from the
residential character of the neighbourhood;

(b) That the application does not comply with the Urban Hamilton Official
Plan, in that it is not compatible with the existing character of the
neighbourhood; and,

(c) That approval of the application would encourage other similar
applications, which, if approved, would undermine the intent of the Official
Plan and Zoning By-law.

4. Hess Village Paid Duty Policing Pilot (Item 9.2)

That the Hamilton Police Service be requested to report to the Planning
Committee on the levels of policing required in Hess Village under current
conditions and possible alternatives for those requirements and the costs of the
proposed Paid Duty Policing Pilot.

5. Hamilton Municipal Heritage Committee Summary of Nominations (Item 9.3)

That the Hamilton Municipal Heritage Committee Summary of Nominations for
the 2014 Heritage Property Recognition Awards, attached to Report 15-009 as
Appendix “A”, be approved.
FOR THE INFORMATION OF COUNCIL:

Chair Partridge recognized the tragic accident that took the life of Ryan Powless who worked for the City of Hamilton as a Special Enforcement Officer in Municipal Law Enforcement. She expressed sincere condolences and requested prayers for his family on behalf of the Planning Committee and the City of Hamilton.

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised that Item 12.1 respecting Proposed Settlement of the Appeals of Flamborough Power Centre Inc., Flamborough South Centre Inc. and Clappison Five Six Properties Inc. et al, of Official Plan Amendment Application OPA-13-013 and Zoning By-law Amendment Application ZAC-13-045 Legal Direction (Ward 15) – LS15006(a)/PED15031(a) is deleted from the agenda and will be included on the agenda of a future meeting.

The Agenda for the May 19, 2015 meeting of the Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING (Item 3)

(i) May 5, 2015 Meeting (Item 3.1)

The Minutes of the May 5, 2015 meeting were approved.

(d) CONSENT ITEMS (Item 5)

(i) Business Licensing Audit Review Update (PED13037(c)) (City Wide) (Outstanding Business List Item) (Item 5.1)

Staff were directed to report back to Committee within a year’s time respecting the Business Licensing Audit Review Update with regards to whether the revenues justify the requirement of the FTE.

For disposition refer to Item 1.
(e) DELEGATIONS/PUBLIC HEARINGS (Item 6)

(i) Application for an Amendment to the Town of Flamborough Zoning By-Law No. 90-145-Z, for the Lands Located at 12 McDonald Court, Flamborough (PED15062) (Ward 15) (Item 6.1)

Chair Partridge relinquished the Chair to Vice Chair B. Johnson.

In accordance with the provisions of the Planning Act, Vice 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 makes a decision regarding 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.

Written Comments

6.1(i) David and Jane Lee

The written comments from David and Jane Lee were received.

Delia McPhail, Planner, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the report. A copy of her presentation has been uploaded onto the City’s website.

Delia McPhail responded to questions from Committee.

The staff presentation was received.

Michael Domenichetti, the owner and applicant addressed Committee. He distributed copies of the “Residential Intensification Guide” and copies of excerpts from other documents related to his proposal. A copy of his hand-out has been retained for the public record and a copy has been uploaded onto the City’s website.

Michael Domenichetti’s comments included, but are not limited to, the following:

- He and his wife submitted their application in January 2013 before the change over from the Provincial plan for intensification which
occurred in August 2013 and they would like their application process to be completed under the Provincial plan;

- Their application is being refused because it is not in keeping with the character of the neighbourhood;
- He loves the character of the neighbourhood and he and his wife want to live there for the rest of their lives;
- They want to fit the character of the neighbourhood and are therefore, not proposing a large house;
- They are proposing similar architecture and landscaping to fit into character of the neighbourhood;
- The lands already approved for severance are directly adjacent to 12 McDonald Court;
- 8 McDonald Court and 10 McDonald Court are directly adjacent to subject lands;
- 13 McDonald Court and 15 McDonald Court are directly across the street;
- The two lots that would result if their severance is approved would be larger at 770 square metres and 880 square metres compared to 650 square metres approved at 15 McDonald Court;
- The size of the house that they are proposing would comply with the current by-law.

Michael Domenichetti responded to questions from Committee.

The presentation by Michael Domenichetti was received.

Speakers

1. Robert Potter, 21 McDonald Court

Robert Potter addressed Committee and read from a prepared statement and a copy was submitted to the Committee Clerk for the public record. A copy has also been uploaded onto the City’s website.

He indicated that he does not support this proposal for the following reasons:

- There is no guarantee of what the applicant would do if the severance is approved;
- After moving the existing house onto a smaller lot, the applicant’s renters had to park on his property during the winter as there is no on street parking;
- McDonald Court has been deemed a unique community by a previous OMB judge in 1994 and they want to keep it that way;
• Their homes are their biggest investment.

The delegation from Robert Potter was received.

2. Janice Lauren, 48 McDonald Court

Janice Lauren addressed Committee and her comments included, but were not limited to, the following:

• Her property is located on the back side of this lot being proposed for severance;
• She moved to McDonald Court 30 years ago;
• She needed a home and she found one;
• She wants to preserve the uniqueness and the character of McDonald Court for herself and the other residents;
• It is a fenceless community;
• They borrow each other’s furniture and cut each other’s lawns;
• It is a tight knit community;
• If this is approved a fence will go up;
• Do you need this and do you want this?

Janice Lauren responded to questions from Committee.

Janice Lauren’s delegation was received.

3. Amanda Domenichetti, 2 Melissa Crescent

Amanda Domenichetti addressed Committee and indicated that she is Michael Domenichetti’s wife. Her comments included, but were not limited to, the following:

• She was not planning to speak but the comments from the other residents made her change her mind;
• The house at 12 McDonald Court was full of mould and rot and by moving it they improved the neighbourhood;
• Their intention was and still is to build a home on the court and live there to raise their children and grandchildren;
• This is not a whim;
• With respect to the “love” of McDonald Court they have tried to help the neighbours however, they were bullied and threatened to sign a petition against another resident;
• It is not the love of McDonald Court but it is bullying that has helped names to be added to the petition.
The delegation from Amanda Domenichetti was received.

The public meeting was closed.

For disposition of this matter refer to Item 3.

Councillor Partridge assumed the Chair.

(f) MOTIONS

(i) Waive Minor Variance Fee for 27 Vanderlip, Ancaster (Item 9.1)

Councillor Farr addressed Committee and explained that after he received the background information regarding this matter and learned that there was no staff error, he indicated that he was withdrawing his motion to waive the Minor Variance Fee for 27 Vanderlip, Ancaster.

(ii) Hess Village Paid Duty Policing Pilot (Item 9.2)

Councillor Farr spoke to his motion which was before Committee for its consideration.

(a) The motion respecting Hess Village Paid Duty Policing Pilot was deferred in order to request that the Hamilton Police Service provide a report to the Planning Committee on the levels of policing required in Hess Village under current conditions and possible alternatives for those requirements and the costs of the proposed Paid Duty Policing Pilot, and;

(b) The motion is to remain deferred pending receipt of the report.

For disposition of this matter refer to Item 4.

(g) NOTICES OF MOTIONS

Councillor Farr presented the following Notice of Motion:

Re: Status of White Star Property

That legal staff be directed to report back to Committee with an update respecting the White Star property.
(h) GENERAL INFORMATION/OTHER BUSINESS

(i) Outstanding Business List (Item 11.1)

(a) The following new due date was approved:
   Item “F” - By-law to Regulate Parking on Boulevards and Front and Side Yard (PED13042)
   Due date: May 19, 2015
   Proposed New Due Date: September 15, 2015

(b) The following Items were removed:
   Item “U” – Work Plan to Address Performance Audit Report 2013-14 - Unlicensed Businesses (See Item 5.1)
   Item “KK” - New Multi-residential tax class (The same Item is on the Audit, Finance and Administration Committee Agenda)

(i) ADJOURNMENT (Item 12)

There being no further business, the Planning Committee adjourned at 10:40 a.m.

CARRIED

Respectfully submitted,

Councillor J. Partridge
Chair, Planning Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk

Council – May 27, 2015
Hamilton Municipal Heritage Committee

Summary of Nominations

HMHC Heritage Property Recognition Awards
Presented to property owners demonstrating an outstanding contribution to the conservation, restoration and preservation of Hamilton’s built heritage.

1. 2869 Upper James St., Mount Hope, Ontario - St. Paul’s (Glanford) Anglican Church,
2. 3146 Cemetery Road, Binbrook, Ontario
3. 6475 Sinclairville Road, Binbrook, Ontario
4. 1640 Glancaster Road, Mount Hope, Ontario - The Smuck Homestead
5. 541 Barton St. East, Hamilton, Ontario - 541 Eatery and Exchange
6. 325 Dundas St. E, Waterdown, Ontario - Pickwick Book Store
7. 185 Delaware Ave., Hamilton, Ontario - The Cooper House
8. Unique Restaurant Group of properties
   a. The Pheasant Plucker, 20 Augusta St., Hamilton, Ontario
   b. The Augusta House, 17 Augusta St., Hamilton, Ontario
   c. The Power House, 1 jones St., Stoney Creek, Ontario
   d. The Vicars Vice, 2251 Rymal Road East, Stoney Creek, On
9. 25 Cross St., Dundas, Ontario - The Maples
10. 35 Cross St., Dundas, Ontario - Wood-Dale
11. 55 Caylee St., Dundas, Ontario - Robada Cottage

HMHC Developer of the Year Award
Presented to a heritage property developer demonstrating an outstanding contribution to the conservation, restoration and preservation of Hamilton’s built heritage.

1. Stinson Developments (Owner: Harry Stinson)
   For the Stinson School Lofts, 200 Stinson St., Hamilton, Ontario
   The adaptive reuse of the 1894 Stinson Public School building into unique residential condominiums.

2. Valvasori Properties (Owners: Michael and David Valvasori)
   For the Dundas District Lofts, 397 King Street West, Dundas, On L9H 1W8
   The adaptive reuse of the 1929 Dundas District High School building into unique residential condominiums.

*Please find attached, photos and reference information for each nomination.*
Hamilton Municipal Heritage Committee

Nominations

For the 2014 Heritage Property Recognition Awards

HMHC Heritage Property Recognition Awards are presented to property owners demonstrating an outstanding contribution to the conservation, restoration and preservation of Hamilton’s built heritage.

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<thead>
<tr>
<th>Property</th>
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<tbody>
<tr>
<td>1. St. Paul’s (Glanford) Anglican Church 2869 Upper James St. Mount Hope, Ontario</td>
<td>Members of the St. Paul’s Glanford Anglican Church</td>
<td>Established in 1849 and moved to its permanent home in 1851 where the congregation continues to meet and provide service to the Mount Hope Community. St. Paul’s is the most complete example of the recreation of the principles of medieval Gothic Church design to survive from the 1850’s in Ontario and is the only surviving church in the Province designed by Frank Mills who have been called the most important Gothic Revival architect of his generation in North America. As such it is not only a local treasure but a heritage monument of national importance. During WW2, the Mount Hope Airport was part of the Commonwealth Air Training Plan as site of Number 33 Air Navigation School. This award nomination would also recognize the tireless work of the Church volunteers who faithfully carry on a tradition of tending to the graves of the 14 airmen who were tragically killed in training accidents and are buried in the adjacent cemetery.</td>
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<td>2.</td>
<td>3146 Cemetery Road, Binbrook, Ontario</td>
<td>Laura and Bill Martin</td>
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<td>3.</td>
<td>6475 Sinclairville Road, Binbrook, Ontario</td>
<td>Rosemary &amp; Barry Knight</td>
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| 4. The Smuck Homestead  
1640 Glancaster Road  
Mount Hope, Ontario  L0R 1W0 | Carol and Roy Elliot | The house is the former Smuck homestead which is affiliated with the Smuck Cemetery on Salem Road, now located on the Hamilton Airport property. There are over 40 family members buried in the cemetery. The home dates back to the mid 1800’s, this home received a brick addition in 1870. The majority of the home is composed of original materials and has been lovingly restored using historic photos and reclaimed materials. |
| 5. 541 Eatery and Exchange  
541 Barton St. East  
Hamilton, Ontario | Property Owners,  
541 Cooperative,  
Volunteers and  
Steering Committee | Built in 1907 for the Bank of British North America and later became a Bank of Montreal Branch, this location was recently renovated for use as an eatery; offering fresh, homemade meals and backed goods that are “affordable, nutritious and family-friendly”. This project has been a driving force for community improvement in the Barton area. The physical space and the proceeds from food sales are used to facilitate educational community initiatives such as a homework club, a youth employment program and other skills training opportunities. |
### Hamilton Municipal Heritage Committee

**Nominations**

**For the 2014 Heritage Property Recognition Awards**

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| 6. _Pickwick Book Store_  
325 Dundas St. E  
(Corner of Dundas St. E & Mill St. N.)  
Waterdown, Ontario | Property Owners | Home of the Pickwick Book Store, the owner has spent many years re-pointing and looking after the building. |
| 7. _The Cooper House_  
185 Delaware Ave.,  
Hamilton, Ontario | Felice Capolongo and Linda D’Andrea | This home was built by William Henry Cooper, founder of Cooper Construction, in 1914. Over the course of its history, this beautiful single family residence was converted into a nine-bed nursing home. 100 years after its construction, this home was restored to its original grandeur by Felice Capolongo and his wife Linda. |
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| The Pheasant Plucker  
20 Augusta St. 
Hamilton, Ontario | The Unique Restaurant Group 
Graeme Tosh (and Partners) | These property owners operate and maintain successful businesses in heritage properties throughout the City of Hamilton. |
| The Augusta House  
17 Augusta St. 
Hamilton, Ontario  L8N 1P6 | | |
**Hamilton Municipal Heritage Committee**

**Nominations**

**For the 2014 Heritage Property Recognition Awards**

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| The Power House  
1 Jones St.,  
Stoney Creek, Ontario |  |  |
| The Vicars Vice  
2251 Rymal Road East,  
Stoney Creek, On |  |  |
| (site of the) Southcote 53 Tap Grill  
534 Garner Road East,  
Ancaster, Ontario L9G 2K9 |  |  |
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| 9. | The Maples  
25 Cross St.  
Dundas, Ontario  
(Photo not available at time of nomination) | Laurie (Lawrence) and Susan Masterman | James Coleman, the first titled Mayor of Dundas (1850-52) and our Town's first millionaire, built his home on this site, but the original structure was demolished in the 1940s, probably after a fire. The home was later owned by Col. J.J. Grafton of Grafton Department Store fame. The current residence was constructed to the specifications of Mrs. J. J. Grafton. It was constructed with brick from the Graftons’ old carriage house that stood on Melville Street in the late 1800s. The current owners have completed a lengthy list of renovations since 2005. |
| 10. | Wood-Dale  
35 Cross St.  
Dundas, Ontario  
(Before) | Property Owners | Built in 1846 by Lt. Col. Thomas H. McKenzie, an early settler who commanded a battalion of the Wentworth militia during the 1837 Rebellion. Born in Scotland about 1811, McKenzie was one of the biggest merchants in Dundas, buying and selling pork by the hundreds of tons. His sales exceeded $1 million in his best year. He was Mayor from 1859 to 1861. It is a classic example of a Regency cottage. The symmetrical design with the centrally-placed door |
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<td>(After)</td>
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<td>flanked by identical, evenly placed slender high windows is typical of the style. Also noteworthy is the stonework of the street facade and the long verandah. On the left half of the rear wall is a red brick addition of 1876 - the first ballroom in Dundas, where Col. McKenzie held grand galas to 'showcase' his single daughters. The roof over the verandah was recently added after decades with just a railing around the verandah.</td>
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</tbody>
</table>
| Robada Cottage  
55 Caylee St.  
Dundas, Ontario | Dave and Joan MacDougall | As quoted by Dave MacDougall, editor for the Dundas Valley Historical Society (and property owner)  
"Our home,"Robada Cottage" first paid independent taxes in 1908 after William Powell sold the home to his son-in-law, "Rob" and his daughter "Ada".  
However, since the house was constructed with coal gas piping and coal gas fixture it must have been built before 1900 when the Dundas coal gas company went out of business. Coal gas fixture (including combination fixtures, gas and electricity) both inside and outside are still attached to the piping. We still have flow glass. |
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<td>(Combination fixtures)</td>
<td></td>
<td>windows. I have enclosed a real estate photo from 1923 when Roberta and Ada sold to the Murrays. Mildred married Jim in 1925 and lived here until her death in 1997. The exterior today is identical to the 1923 photo except for the lampposts in the large urns on the front lawn. The final restoration was completed last summer.</td>
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Hamilton Municipal Heritage Committee
Nominations
For the 2014 Heritage Property Recognition Awards

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