PLANNING COMMITTEE
MINUTES 15-007
9:30 am
Tuesday, April 14, 2015
Council Chambers
Hamilton City Hall
71 Main Street West

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

Absent with regrets: Councillors B. Johnson, (1st Vice Chair), J. Farr and D. Conley, personal commitment

THE FOLLOWING ITEMS WERE REPORTED FOR THE CONSIDERATION OF COUNCIL:

1. Vehicle Inspection Manual for Taxis (PD05141(d)) (City Wide) (Outstanding Business List Item) (Item 5.1)

(Green/A. Johnson)
That Report PED05141(d) respecting Vehicle Inspection Manual for Taxis, be received.

CARRIED

2. Credit Card Payment Option at Municipal Carparks (PED10219(b)) (City Wide) (Item 5.2)

(Green/A. Johnson)
That Report PED10219(b) respecting Credit Card Payment Option at Municipal Carparks, be received.

CARRIED
3. **Applicable Law Review Fee for Tents (PED15020(a)) (City Wide)(Outstanding Business List Item) (Item 5.3)**

   *(Green/A. Johnson)*
   
   That Report PED15020(a) respecting Applicable Law Review Fee for Tents, be received.

   **CARRIED**

4. **City Initiative 15-A–Urban Farmers Markets – Official Plan and Zoning By-law Amendments (PED14084(a)) (Wards 1 to 13 and 15) (Item 6.1)**

   *(Pasuta/Collins)*

   (a) That approval be given to **City Initiative 15-A**, for Official Plan Amendment (OPA) No. to the Urban Hamilton Official Plan (UHOP), to:
   
   define urban farmers market, value-added local agricultural products and local agricultural products; and, permit the urban farmers market in conjunction with institutional and recreational facilities as well as commercial areas, on the following basis:

   - (i) That the draft Official Plan Amendment (OPA), attached as Appendix “A” to Report PED14084(a), be adopted by Council; and,
   
   - (ii) That the proposed Official Plan Amendment (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 15-A**, for a general text amendment to Zoning By-law No.05-200, to:
   
   define urban farmers market, value-added local agricultural products and local agricultural products; permit the urban farmers market in conjunction with institutional and recreational facilities; and, establish appropriate regulations, on the following basis:

   - (i) That the Draft By-law, attached as Appendix "B" to Report PED14084(a), 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 (UHOP) upon approval of Official Plan Amendment No. 35.

   (c) That approval be given to **City Initiative 15-A**, for a general text amendment to Town of Ancaster Zoning By-law No.87-57 to:
   
   define urban farmers market, value-added local agricultural products and local
agricultural products; permit the urban farmers marketing commercial areas; and, establish appropriate regulations, on the following basis:

(i) That the Draft By-law, attached as Appendix “C” to Report PED14084(a), 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 (UHOP) upon approval of Official Plan Amendment No. [insert number].

(d) That approval be given to **City Initiative 15-A**, for a general text amendment to Town of Dundas Zoning By-law No. 3581-86 to: define urban farmers market, value-added local agricultural products and local agricultural products; permit the urban farmers marketing commercial areas; and, establish appropriate regulations, on the following basis:

(i) That the Draft By-law, attached as Appendix “D” to Report PED14084(a), 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 (UHOP) upon approval of Official Plan Amendment No. [insert number].

(e) That approval be given to **City Initiative 15-A**, for a general text amendment to Town of Flamborough Zoning By-law No. 90-145-Z to: define urban farmers market, value-added local agricultural products and local agricultural products; permit the urban farmers marketing commercial areas; and, establish appropriate regulations, on the following basis:

(i) That the Draft By-law, attached as Appendix “E” to Report PED14084(a), 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 (UHOP) upon approval of Official Plan Amendment No. [insert number].

(f) That approval be given to **City Initiative 15-A**, for a general text amendment to Township of Glanbrook Zoning By-law No. 464 to: define urban farmers market, value-added local agricultural products and local agricultural products; permit the urban farmers marketing commercial areas; and, establish appropriate regulations, on the following basis:
(i) That the Draft By-law, attached as Appendix “F” to Report PED14084(a), 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 (UHOP) upon approval of Official Plan Amendment No. [insert number].

(g) That approval be given to City Initiative 15-A, for a general text amendment to City of Hamilton Zoning By-law No. 6593 to: define urban farmers market, value-added local agricultural products and local agricultural products; to permit the urban farmers marketing conjunction with institutional and recreational facilities; and, establish appropriate regulations, on the following basis:

(i) That the Draft By-law, attached as Appendix “G” to Report PED14084(a), 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 (UHOP) upon approval of Official Plan Amendment No. [insert number].

(h) That approval be given to City Initiative 15-A, for a general text amendment to City of Stoney Creek Zoning By-law No. 3692 to: define urban farmers market, value-added local agricultural products and local agricultural products; permit the urban farmers marketing commercial areas; and, establish appropriate regulations, on the following basis:

(i) That the Draft By-law, attached as Appendix “H” to Report PED14084(a), 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 (UHOP) upon approval of Official Plan Amendment No. [insert number].

CARRIED

5. Application for Amendment to Flamborough By-law No. 90-145-Z for Lands Located at 250 Concession 4 Road West (Flamborough) (PED14236) (Ward 15) (Referred back to staff December 9, 2014/Outstanding Business List Item) (Item 6.2)
(Partridge/Green)

(a) That approval be given to Zoning Application ZAR-12-066, by Landmark Group, Owner, for a change in zoning to the Flamborough Zoning By-law No. 90-145-Z from the “A” (Agricultural) Zone to the “CM” (Conservation Management) Zone (Block 1) and from the “A” (Agricultural) Zone to the “A-93(H)” (Agricultural) Zone, Modified, Holding with a special exception (Block 2), in order to permit an agricultural operation with a number of agricultural related and accessory uses including, but not limited to: education and resource centre, restaurant, accessory retail uses, cidery and related parking, as shown on Appendix “C”, on the following basis:

(i) That the draft By-law, attached as Appendix “B” to Report PED14236, that has been prepared in a form satisfactory to the City Solicitor, be amended by incorporating the following additional provisions:

1. Minimum parking requirement of 1 space per 20m² of GFA to a maximum of 95 spaces.

2. No livestock building or structure, including associated manure storage facility shall be located within 500 metres of the southerly most property line.

3. No outdoor tents or marquees for events shall be permitted.

4. A visual barrier shall be provided on the north and west side of any parking area and the north side of the agritourism buildings, to be comprised of a continuous planting of suitable trees or shrubs, with a minimum 3m wide planting area appropriate for healthy plant growth, such trees to have a minimum height of 1.8 metres.

5. Notwithstanding Section 5: Sub-Section 5.13.5 and Sub-Section 5.21.7, permeable pavers and/or gravel shall be permitted for all parking and loading spaces, except the main driveway.

6. No part of the land on which a patio or courtyard is situate shall be used as a place of entertainment for the purpose of providing entertainment or amusement including live or recorded music or dance facilities.

(ii) That the draft By-law, attached as Appendix “B” to Report PED14236, be further amended by deleting provisions (c), (d) and (e) under 33.2 Zoning Provisions.
(iii) That the draft bylaw, as amended, be held in abeyance until such time as a noise assessment conducted by the applicant in-conjunction with neighbouring residents, is completed to the satisfaction of the Ward Councillor. The noise assessment shall include independent verification both at the noise source and adjacent properties.

(iv) That staff be directed to include the subject lands in the new Rural Zoning By-law, once approved, in the appropriate Agriculture (A1) Zone with a Special Exception.

(v) That the site specific by-law, once approved, be added to Schedule “A-11” of former Town of Flamborough Zoning By-law No. 90-145-Z;

(vi) That the site specific by-law, once approved, be added to Section 33.3 of Zoning By-law No. 90-145-Z as “A-93(H)”;

(vii) That the site specific By-law apply the following Holding Provision in accordance with Section 36 (1) of the Planning Act, R.S.O., 1990, 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 condition has been completed to the satisfaction of the Director of Planning and the Ministry of the Environment:

1) That the Hydrology and Servicing Report receive final approval to the satisfaction of the Ministry of Environment;

(viii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), and conforms to the Growth Plan for the Greater Golden Horseshoe and the Greenbelt Plan, and is in conformity with the Rural Hamilton Official Plan (RHOP).

Amendment CARRIED
Main Motion as Amended CARRIED

6. Application for a Zoning By-law Amendment, Draft Plan of Subdivision and Vacant Land Condominium for Property Located at 301 Shaver Road, Ancaster (PED15045) (Ward 12) (Item 6.4)

(Pearson/Green)
(a) That approval be given to Amended Zoning Application ZAC-09-017, Tandi Developments, (Peter Tancredi), to amend Town of Ancaster Zoning By-law 87-57 for lands located at 301 Shaver Drive, Ancaster, from the Agricultural “A” Zone to the Residential “R2-662” Zone, Modified; and,
to amend Zoning By-law 05-200 to include lands to be zoned Conservation / Open Space “P5, 466” Zone, Modified; and the Conservation / Open Space “P5” Zone as shown on the Draft By-law, attached as Appendix “C” to Report PED15045, and furthermore that the Amending By-law, attached as Appendix “D” to Report PED15045, be approved to revise Map Nos. 1383 and 1384 of Zoning By-law No. 05-200;

(b) That application for red-line revised Draft Plan of Subdivision 25T-200903 by Tandi Developments, (Peter Tancredi), to establish a Draft Plan of Subdivision (“Balsam Estates”) on lands located at 301 Shaver Road, Ancaster, as shown on Appendix “A” to Report PED15045, be approved subject to the following conditions:

(i) That the revised Draft Plan of Subdivision, 25T-200903, prepared by Ashenhurst Nouwens and Associates Inc. and certified by Harry Kalantzakos, O.L.S., dated July 21, 2014, consisting of one block (Block 1) for Open Space and one block (Block 2) for low density residential development, be received and endorsed by City Council;

(ii) That the conditions of approval for Draft Plan of Subdivision 25T-200903 provided as Appendix “B” to Report PED15045, be received and endorsed by City Council;

(iii) Acknowledgement by the City of Hamilton that there shall be no cost sharing within this development;

(iv) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the Planning Act, prior to the issuance of each building permit. The calculation of the Cash-in-Lieu payment shall be based upon the value of the lands on the day prior to the day of issuance of each building permit; and,

All payment of cash-in-lieu will be in accordance with the financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council.

(c) That approval be given to Draft Plan of Vacant Land Condominium, 25CDM-201407, Tandi Developments, (Peter Tancredi), to create ten single detached residential units, one common element block (Block 11) for private services, including a sanitary pumping station and a dry pond for storm water management, and one common element block for a private roadway, on lands located at 301 Shaver Road, Ancaster, subject to the following conditions:

(i) That this approval applies to the plan prepared by Harry Kalantzakos, O.L.S., Ashenhurst Nouwens Ltd., dated, December
13, 2012, showing the following condominium elements: one block for a private roadway, one block for private services, storm water management, and ten units for single detached residential dwellings, attached as Appendix “F” to Report PED15045; and,

(ii) That the conditions of Draft Plan of Condominium Approval 25CDM-201407 provided as Appendix “C” to Report PED15045 be received and endorsed by City Council.

CARRIED

7. Revised Environmental Impact Statement Guidelines and New Linkage Assessment Guidelines (PED15033) (City Wide) (Deferred from the March 31, 2015 meeting.) (Item 7.1)

(Green/Pearson)
That the revised Environmental Impact Statement (EIS) Guidelines, which are attached as Appendix “A” to Report PED15033 and the new Linkage Assessment (LA) Guidelines, which are attached as Appendix “B” to Report PED15033, be adopted by Council.

CARRIED

8. Demolition Permit for Vacant Building on 417 Federal Street (Added Item)

(Pearson/Green)
That a Demolition Permit be issued to the owner of the vacant building at 417 Federal Street immediately, to allow the owner to demolish and clear the property as soon as possible.

CARRIED

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes to the agenda:

(i) Added written comments regarding Item 6.1, City Initiative 15-A–Urban Farmers Markets – Official Plan and Zoning By-law Amendments (PED14084(a)) (Wards 1 to 13 and 15)
6.1(i) Heather Ireland, Planning Approvals Analyst, Niagara Peninsula Conservation Authority, 250 Thorold Road West, 3rd Floor, Welland ON L3C 3W2

(ii) Added written comments and registered speakers regarding Item 6.2, Application for Amendment to Flamborough By-law No. 90-145-Z for Lands Located at 250 Concession 4 Road West (Flamborough) (PED14236) (Ward 15)

6.2 (i) Diana and Paul Kenel, Rock Chapel Golf Centre., 167 Highway #5 West, R.R. #2, Dundas L9H 5E2, February 17, 2015

6.2(ii) Diana and Paul Kenel, Rock Chapel Golf Centre., 167 Highway #5 West, R.R. #2, Dundas L9H 5E2, April 9, 2015

6.2(iii) E-mail correspondence from Dan Ruth and family

Added Registered Speakers

1. Brad Dee

2. Ian McCormick, Farm Start

(iii) Added registered speaker regarding Item 6.3, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 201 Robert Street and 166 Ferguson Avenue North (Hamilton) (PED15044) (Ward 2)

Added Registered Speaker

1. John Neary, representing the Beasley Neighbourhood Association

(iv) Added written comments respecting Item 7.1 Revised Environmental Impact Statement Guidelines and New Linkage Assessment Guidelines (PED15033) (City Wide).

7.1(ii) Paul Smith, Director of Conservation and Education, Hamilton Naturalists’ Club

(Pearson/Green)
That the Agenda for the April 14, 2015 meeting of the Planning Committee be approved, as amended.

CARRIED
(b) DECLARATIONS OF INTEREST (Item 2)

None.

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

(i) March 31, 2015

(Green/Collins)
That the Minutes of the March 31, 2015 meeting be approved.  

CARRIED

(d) DELEGATIONS/PUBLIC HEARINGS (Item 6)

(i) City Initiative 15-A–Urban Farmers Markets – Official Plan and Zoning By-law Amendments (PED14084(a)) (Wards 1 to 13 and 15) (Item 6.1)

In accordance with the provisions of the Planning Act, Chair Partridge 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 Official Plan and 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.

6.1 Submitted Written Comments

(i) Heather Ireland, Planning Approvals Analyst, Niagara Peninsula Conservation Authority, 250 Thorold Road West, 3rd Floor, Welland ON L3C 3W2 (Added Item 6.1(i))

(Pearson/Pasuta)
That the written comments from Heather Ireland of the Niagara Peninsula Conservation Authority be received.

CARRIED

Joanne Hickey-Evans, Manager of Policy Planning and Zoning By-law Reform, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the report. A copy of the presentation has been uploaded onto the City’s website.

Joanne Hickey-Evans responded to questions from Committee.
That the staff presentation respecting Report PED14084(a) be received.  
CARRIED

Registered Speakers

1. Victor Veri, 971 Highway 6 North

Victor Veri addressed Committee and his comments included but were not limited to the following:

- He is here to reserve his right to appeal to the OMB;
- Subsection (a) of the staff recommendations includes “commercial areas” but they are not included in subsection (b);
- The wording is confusing and unclear;
- In appendix A, Section 3.2.5.1 states that Urban Farms “may be permitted” and then outlines the various designations in subsection (a), (b), (c) and (d) which is not clear;
- In Appendix C, 1(a) the definition of local agricultural products should include mushrooms;
- Would the terms “meat” and “poultry” include live rabbits and chickens?
- The definition of agricultural products should not be so restrictive and should include the words “not limited to”
- In Appendix “E”, page 2 of 4, subsection 2 (a) (i) indicates “the majority of the local agricultural products . . . shall be grown or produced by the person who operates the vendor stalls”. The subsequent subsections refer to percentages. Mathematically this does not work. There is also reference to maximums and minimums. Why restrict? Let the market size be determined by the market dynamics;
- Does the reference to “raw” agricultural products include “raw” milk? The term is problematic. Is there such a thing as “raw” flowers?
- A knowledge or farming is required to prepare this document.

That the delegation be received.  
CARRIED

That the public meeting be closed.  
CARRIED
For disposition of this matter refer to Item 4.

(ii) **Application for Amendment to Flamborough By-law No. 90-145-Z for Lands Located at 250 Concession 4 Road West (Flamborough) (PED14236) (Ward 15) (Referred back to staff December 9, 2014/Outstanding Business List Item) (Item 6.2)**

Chair Partridge relinquished the Chair to Vice-Chair Pearson to speak to this issue.

In accordance with the provisions of the Planning Act, Vice-Chair Pearson 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.

### 6.2 Submitted Written Comments

(i) Diana and Paul Kenel, Rock Chapel Golf Centre, 167 Highway #5 West, R.R. #2, Dundas L9H 5E2, February 17, 2015 (Added Item 6.2(i))

(ii) Diana and Paul Kenel, Rock Chapel Golf Centre, 167 Highway #5 West, R.R. #2, Dundas L9H 5E2, April 9, 2015 (Added Item 6.2(ii))

(Partridge/Green) That the written comments from Diana and Paul Kenel of the Rock Chapel Golf Centre dated February 17, 2015 and April 9, 2015 be received. **CARRIED**

(iii) E-mail correspondence from Dan Ruth and family (Added Item 6.2(iii))

(Partridge/Green) That the written comments from Dan Ruth and family be received. **CARRIED**

Edward John, Planner/Senior Project Manager addressed Committee with the aid of a PowerPoint presentation and provided an overview of the
Edward John responded to questions from Committee.

(Green/Pasuta)
That the staff presentation respecting Report PED14236 be received.
CARRIED

Chris Pidgeon of GSP Group, the agent for the applicant, provided an overview of the proposal with the aid of a PowerPoint presentation and copies of a hand-out were distributed. A copy has also been uploaded onto the City’s website. They are in support of the staff report. However, the applicant is requesting a maximum gross floor area for an Agricultural Promotion Centre of 1950m² which is more than the 1600m² being proposed in the draft by-law. Chris Pidgeon responded to questions from Committee.

Aaron Ciancone addressed Committee. He indicated that he is the owner, and president of the family run business Pearl Hospitality, formerly Landmark Group. The public interest in the fresh produce on the menu of the family owned Ancaster Old Mill led his business partner Jeff Crump and pastry chef Bettina Schormann to write a book entitled “Earth to Table”. The book promotes cooking seasonally and buying local. Chefs and farmers work together. This proposal is similar to the Stone Barns Centre located outside of New York City. The concept is to practice and teach sustainable farming. It has an events centre, restaurant, retail store and it is a self sustaining model. He suggested that Committee visit their website.

The presenters responded to questions from Committee.

(Partridge/Green)
That the presentation by the agent and owner be received.
CARRIED

Registered Speakers

1. Brad Dee, 271 Concession 4 West, Waterdown

Brad Dee read from a prepared statement. A copy was submitted for the official record and has been uploaded onto the City’s website.

The concerns he expressed included the following:
The effect this proposal will have on the local residents and the wildlife;
- The increase in traffic will result in increased accidents, pollution, and safety concerns for pedestrians;
- The roads are not made to handle heavy trucks;
- Why is a traffic study not required?
- The number and size of the buildings for this business is certainly to attract more people and to hold large weddings;
- This is not an agricultural use;
- What will the impact be on the water supply?

(Green/Pasuta)
That the delegation from Brad Dee be received.  

CARRIED

2. **Ian McCormick, FarmStart**

Leanne Ciancone addressed Committee and indicated that she is excited about the project. She appreciates the neighbours’ concerns. They have met with the farmers and have taken measures to address their concerns.

Ian McCormick, addressed Committee and indicated that he is the FarmStart Program Manager. The program provides resources and equipment to start farming on a cost recovery basis. They encourage ecological practices. They partner with the Hamilton Conservation Authority. The program is very much in demand.

(A. Johnson/Partridge)
That the delegation from Leanne Ciancone and Ian McCormick be received.

CARRIED

(Pasuta/Green)
That the public meeting be closed.

CARRIED

(Partridge/Green)
That the staff recommendations be amended by adding the following provisions to the by-law:

1. Minimum parking requirement of 1 space per 20m² of GFA to a maximum of 95 spaces.
2. No livestock building or structure, including associated manure storage facility shall be located within 500 metres of the southerly most property line.

3. No outdoor tents or marquees for events shall be permitted.

4. A visual barrier shall be provided on the north and west side of any parking area and the north side of the agritourism buildings, to be comprised of a continuous planting of suitable trees or shrubs, with a minimum 3m wide planting area appropriate for healthy plant growth, such trees to have a minimum height of 1.8 metres.

5. Notwithstanding Section 5: Sub-Section 5.13.5 and Sub-Section 5.21.7, permeable pavers and/or gravel shall be permitted for all parking and loading spaces, except the main driveway.

6. No part of the land on which a patio or courtyard is situate shall be used as a place of entertainment for the purpose of providing entertainment or amusement including live or recorded music or dance facilities.

(ii) That provisions (c), (d) and (e) under 33.2 Zoning Provisions be deleted;

(iv) That the site specific bylaw be held in abeyance until such time as a noise assessment conducted by the applicant in-conjunction with neighbouring residents, is completed to the satisfaction of the Ward Councillor. The noise assessment shall include independent verification both at the noise source and adjacent properties.

(v) That staff be directed to include the subject lands in the new Rural Zoning By-law, once approved, in the appropriate Agriculture (A1) Zone with a Special Exception.

Amendment CARRIED
Main Motion as Amended CARRIED

Approval was unanimous. For disposition of this matter refer to Item 5.

Chair Partridge assumed the chair.

(iii) Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 201 Robert Street and 166 Ferguson Avenue North (Hamilton) (PED15044) (Ward 2) (Item 6.3)

In accordance with the provisions of the Planning Act, Chair Partridge 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 Official Plan and 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.

Edward John, Planner/Senior Project Manager, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the report. A copy of the presentation has been uploaded onto the City’s website.

Staff responded to questions from Committee.

(Green/A. Johnson)  
That the staff presentation respecting Report PED15044 be received.  
CARRIED

James Webb, of Webb Planning Consultants, the agent for the applicant, Hamilton Health Sciences Corporation, provided an overview of the proposal with the aid of a PowerPoint presentation.

His comments included but were not limited to the following:

- There is a demonstrated and documented need for parking for the Hamilton Health Sciences Campus;
- The new Ron Joyce Children’s Health Centre has displaced a number of parking spaces;
- However, there has been a net reduction in land use to provide the same number of parking spaces;
- The proposal does not alter the long term plan for the land;
- This is a transitional proposal to use a vacant and underutilized piece of land;
- His client, Hamilton Health Sciences (HHS) has an active and ongoing program to reduce automobile dependency;
- Its Smart Commute Program has been awarded the gold standard;
- HHS has had full engagement with the neighbourhood;
- An open house was held and will be engaging in detailed site planning.

(Collins/Pearson)  
That the presentation by the agent be received.  
CARRIED
Registered Speakers

1. **John Neary, representing the Beasley Neighbourhood Association.**

Bill Simone, a member of the Beasley Association addressed Committee on behalf of John Neary who was unable to attend. He indicated that the Association has the following seven points:

- The Association opposes the parking lot;
- Parking lots are a waste of space
- After hours this will be dead space which makes the area less safe;
- HHS is trying to provide more staff parking;
- They should build more above parking garages north of Barton Street;
- The City needs to invest in better bicycle and bus infrastructure;
- This proposal contradicts the West Harbour Secondary Plan.

2. **Victor Veri, 971 Highway 6 North**

Victor Veri addressed Committee and his comments included but were not limited to the following:

- The applicant does not come here with clean hands – he does not want to explain it;
- He opposes the proposal;
- His concerns include taxation and planning issues;
- This proposal is contrary to existing planning policies;
- The agent’s statement suggests that the lot that was opened up 2 years ago is solely for the employees but the signage says something different;
- The issue was taken up at the second OMB Hearing;
- He won’t say anything more;
- The applicant is not even compliant with the existing zoning by-law;
- He will be making a formal demand on the City to enforce the by-law;
- Cars are parked on lands not approved by the OMB;
- The City is losing taxes;
- The Province does not give hospitals money to purchase parking lots therefore they must lease the land;
- The parking lots will be there indefinitely.
3 Eduardo Moeno, 140 Cathcart Street

Eduardo Moeno addressed Committee and his comments included but were not limited to the following:

- He lives in the Beasley Neighbourhood which is one of the poorest in the country;
- There is a culture of indifference on the part of the corporations;
- It is the same attitude that HHS has had with the neighbourhood;
- HHS has indicated that the renovations are already underway which means that it is a done deal;
- They advised that the public meeting wasn’t about the parking but about their services in general but when he attended the meeting, all that was there were photos of the parking lot;
- He is disappointed this proposal is supported by staff;
- How long would the lease be for the parking lot?
- There is development happening everywhere, would not a 10 year lease impede development during that time?
- This land should be used for housing;
- He doesn’t see the point of having a Secondary Plan if the City is going to make exceptions;
- How can they be reducing parking lots?
- There are private parking lots everywhere;
- With respect to the City’s vision statement – how can more parking lots be good for raising a child?
- When he sees an old derelict building he sees possibility when he sees a parking lot he sees no possibility;
- This proposal does not favour the downtown;
- Staff are recommending a visual barrier, why are there no visual barriers to the existing parking lots;
- The City of Toronto has less parking lots for its hospitals;
- There are other models, for example, Toronto provides its staff with shuttle buses;
- Will the increase in employees really provide economic benefit to the neighbourhood?
- What are the results of HHS’s policies to promote alternative transportation?

(Pearson/Green)
That the delegations from Bill Simone, Victor Veri and Eduardo Moeno be received.

CARRIED
(Collins/Pasuta)  
That the public meeting be closed.  

CARRIED

(Collins/Green)  
That Item 6.3 respecting Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 201 Robert Street and 166 Ferguson Avenue North (PED15044) be TABLED to the May 5, 2015 Planning Committee meeting

CARRIED

(iv) Application for a Zoning By-law Amendment, Draft Plan of Subdivision and Vacant Land Condominium for Property Located at 301 Shaver Road, Ancaster (PED15045) (Ward 12) (Item 6.4)

In accordance with the provisions of the Planning Act, Chair Partridge 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 draft plan of subdivision and the vacant land 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 member of the public came forward.

(Collins/Pasuta)  
That the staff presentation respecting Report PED15045 be waived.  

CARRIED

(Pearson/Pasuta)  
That the public meeting be closed.  

CARRIED

For disposition of this matter refer to Item 6.

(e) PRESENTATIONS

(i) Revised Environmental Impact Statement Guidelines and New Linkage Assessment Guidelines (PED15033) (City Wide) (Item 7.1)  

(ii) Written comments from the Lakewood Beach Community Council respecting Revised Environmental Impact Statement
Guidelines and New Linkage Assessment Guidelines (PED15033) (Item 7.1(i))

(Pearson/Collins)
That the written comments from the Lakewood Beach Community Council be received.

CARRIED

(ii) Written comments from Paul Smith, Director of Conservation and Education, Hamilton Naturalists’ Club, respecting Item 7.1 Revised Environmental Impact Statement Guidelines and New Linkage Assessment Guidelines (PED15033) (City Wide).
(Added Item 7.1(ii))

(A. Johnson/Collins)
That the written comments from Paul Smith, from the Hamilton Naturalists’ Club be received.

CARRIED

Cathy Plosz, Natural Heritage Planner addressed Committee with the aid of a PowerPoint presentation and a copy has been uploaded onto the City’s website.

(Pasuta/Green)
That the staff presentation be received.

CARRIED

For disposition of this matter refer to Item 7.

(f) MOTIONS

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

(Green/A. Johnson)
That the motion to Waive Minor Variance Fee for 27 Vanderlip, Ancaster be deferred to the May 5, 2015 meeting when Councillor Farr will be in attendance.

CARRIED

(g) NOTICES OF MOTIONS

Councillor Pearson presented the following Notice of Motion:

Re: Demolition Permit for Vacant Building on 417 Federal Street (Added Item)
Whereas property located at 417 Federal Street and 202 Millen Road, Stoney Creek was purchased last fall and a Committee of Adjustment application was approved for the severance of both parcels of land to create two new lots at 417 Federal Street, which also contains a single detached home, and

Whereas the owner intends on building two new homes on the newly created vacant lot to the west side of the current 417 Federal Street and demolish and rebuild a new home at 417 Federal Street, and

Whereas, the owner has pursued the sale of the two newly created lots and is in the process of completing the final transactions, and

Whereas, the owner has delayed in obtaining the transfer of the rear of 202 Millen Road due to a paperwork issue that is currently being finalized; and

Whereas, the new owner has been clearing the property and clearing materials from the property and the building has been boarded up to secure it and the owner has paid to put it on the vacant building registry; and

Whereas, this building has become a concern in the neighbourhood that it will be entered and a fire could occur as the structure is frame and stucco and is in close proximity to the neighbouring house; and

Whereas the neighbourhood residents have expressed a concern for the safety of the neighbourhood and the owner is willing to demolish the building immediately; and

Whereas the Ward Councillor has been involved in discussion with the neighbours and the owner and has no concern that the demolition of this building will leave a vacant lot for any amount of time;

Therefore be it resolved, that a Demolition Permit be issued to the owner of the vacant building at 417 Federal Street immediately, to allow the owner to demolish and clear the property as soon as possible.

(Pearson/Green)
That the rules of order be waive to introduce a motion respecting Demolition Permit for Vacant Building on 417 Federal Street.

CARRIED

For disposition of this matter refer to Item 8.
(h) GENERAL INFORMATION/OTHER BUSINESS

(i) Outstanding Business List (Item 11.1)

(Collins/Pearson)

(a) That the following new due dates be approved:

- Item “H” - Municipal Costs for Appeals to the Ontario Municipal Board for Municipal Decision on Mineral Aggregate Resource Developments
  Due date: March 31, 2015
  Proposed New Due Date: September 15, 2015

- Item “S” - Preliminary Screenings of the Memorial (City) School and WH Ballard Public School
  Due date: March 31, 2015
  Proposed New Due Date: 2019 (as per Item 4 (c) of Planning Committee Report 14-014)

- Item “V” - Correspondence from Bill Grahlanl CD, President, 447 Wing Royal Canadian Air Force Association, respecting possible property acquisition by the City of Hamilton
  Due date: March 31, 2015
  Proposed New Due Date: June 16, 2015

- Item “Y” - Redevelopment of a City of Hamilton Owned Surface Parking Lot
  Due date: March 31, 2015
  Proposed New Due Date: October 6, 2015

(b) That the following Items be removed:

- Item “F” - Vehicle Inspection Manual for Taxis (Item 5.1 on this agenda)
- Item “MM” - Legal Fees for Tent Permits (Item 5.3 on this agenda)

   CARRIED

(ii) Planning and Economic Department updates

(Collins/A. Johnson)

That staff be directed to report back to the Planning Committee respecting the status of the commitments of LIUNA and McMaster University to construct a second building in the downtown core.

   CARRIED
(i) PRIVATE AND CONFIDENTIAL (Item 12)

Closed Session Minutes – March 31, 2015 (Distributed under separate cover) (Item 12.1)

This matter is proposed for consideration in Closed Session pursuant to Subsections 8.1(e) and 8.1(f) of the City’s Procedural By-law and Section 239.2 of the Municipal Act as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City and the receiving of advice that is subject to solicitor-client privilege.

(Pearson/Green)

(a) That the Closed Session Minutes of the March 31, 2015 meeting be approved;

(b) That the Closed Session Minutes of the March 31, 2015 meeting remain private and confidential and restricted from public disclosure.

CARRIED

(j) ADJOURNMENT (Item 13)

(Pearson/Pasuta)

There being no further business, that the Planning Committee be adjourned at 1:33 p.m.

CARRIED

Respectfully submitted,

Councillor J. Partridge
Chair, Planning Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk