



PLANNING COMMITTEE

MINUTES 18-007

9:30 a.m.

Tuesday, May 1, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent with

Regrets: Councillor D. Conley (2nd Vice Chair) illness
Councillor B. Johnson, personal

Also Present: Councillors L. Ferguson, T. Jackson and T. Whitehead

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Adjustments to School Crossing Guard Locations (PED18090) (Wards 2, 4, and 12) (Item 5.1)

(Partridge/Pearson)

- (a) That the revised list of school crossing guard locations resulting from school closures, openings and lunch program changes in Wards 2, 4, and 12 as outlined in Appendix "A" attached to Report PED18090, be approved;
- (b) That staff be authorized and directed to consult with the affected Ward Councillors and to use delegated authority for adding and / or removing school crossing guards prior to City Council approval for any proposed changes by the Hamilton-Wentworth District School Board and the Hamilton-Wentworth Catholic District School Board for the 2018 / 2019 school year.

CARRIED

2. Application for Approval of a Draft Plan of Condominium (Common Element) for Lands Located at 50 John Frederick Drive (Ancaster) (Ward 12) (PED18095) (Item 6.1)

(Collins/Farr)

(a) That Draft Plan of Condominium Application 25CDM-201708, by WEBB Planning Consultants Inc., on behalf of 1541079 Ontario Inc. (Losani Homes Limited), owner, to establish a Draft Plan of Condominium (Common Element) to create a condominium road network, sidewalks, landscaped areas, 12 visitor parking spaces, centralized mailboxes and exclusive use common element areas, on lands located at 50 John Frederick Drive (Ancaster), as shown on Appendix "A" attached to Report PED18095, be APPROVED subject to the following conditions:

(i) That the approval for Draft Plan of Condominium (Common Element) application 25CDM-201708 applies to the plan prepared by A.T. McLaren Limited, certified by S. D. McLaren, and dated March 12, 2018, consisting of a condominium road network, sidewalks, landscaped areas, 12 visitor parking spaces, centralized mailboxes and exclusive use common element areas, in favour of 21 townhouse dwelling units attached as Appendix "B" to Report PED18095;

(ii) That the conditions of Draft Plan of Condominium Approval 25CDM-201708, attached as Appendix "C" to Report PED18095, be received and endorsed by City Council;

(b) *That there were no public submissions received regarding this matter.*

Main Motion, as Amended, CARRIED

3. Application to Amend City of Hamilton Zoning By-law No. 05-200 for Lands Located at 240 Butter Road West, Ancaster (Ward 12) (PED18078) (Item 6.2)

(Collins/Partridge)

(a) That Zoning By-law Amendment Application ZAA-18-004, by A.B Ventures Inc. (Owner), for a modification to the Agricultural (A1) Zone and the Conservation / Hazard Land - Rural (P6) Zone in order to prohibit the construction of a single detached dwelling and residential care facility and to recognize the lot size of the lands to be retained as shown on Appendix "A" to Report PED18078, be APPROVED on the following basis:

(i) That the draft By-law, attached as Appendix "B" to Report PED18078, 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 “C” of Zoning By-law No. 05-200;
 - (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Greenbelt Plan (2017), and complies with the Rural Hamilton Official Plan (RHOP);
- (b) ***That the public submissions received regarding this matter did not affect the decision.***

Main Motion, as Amended, CARRIED

4. Applications to Amend the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92, and City of Hamilton Zoning By-law No. 05-200 for Lands Located at 84, 86, 88, 90, 92, 94, 96 Lakeview Drive (Stoney Creek) (Ward 10) (PED18085) (Item 6.4)

(Pearson/Partridge)

- (a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-17-009, by DeSantis Rose Joint Venture Inc., Owner, to amend the Urban Hamilton Official Plan to: redesignate the lands from “Arterial Commercial” to “Neighbourhoods” and “Mixed Use – Medium Density”; to add a Site Specific Policy Area for lands designated “Neighbourhoods” to establish a density range of 40 to 100 units per hectare for medium density residential uses; to add ~~a~~ Site Specific Policies ~~y~~ for the lands designated “Mixed Use – Medium Density” to prohibit drive-through facilities; ~~and ground related housing forms; to require that permitted residential uses be located within a mixed use building;~~ to permit a residential development consisting of 94 maisonette dwellings and 42 stacked townhouse dwellings for a total of 136 dwelling units on a private road, and a future ***stand-alone residential or*** mixed-use development, for the lands known as 84, 86, 88, 90, 92, 94, 96 Lakeview Drive (Stoney Creek), as shown on Appendix “A” to Report PED18085, be APPROVED on the following basis:
 - (i) ***That clauses 1.0 b) and c) be deleted from Section 4.2.1 b) of the draft Official Plan Amendment;***
 - (ii) That the draft Official Plan Amendment, attached to Report PED18085 as Appendix “B”, ***as amended***, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (iii) That the proposed amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017).

- (b) That Amended Zoning By-law Amendment Application ZAC-17-020, by DeSantis Rose Joint Venture Inc., Owner, for a change in zoning from the Highway Commercial (Holding) “HC(H)” Zone, to the Multiple Residential “RM3-64” Zone, Modified on a portion of the subject lands, and the “Mixed Use Commercial “MUC-10” Zone, Modified, on the remaining portion of the subject lands, in City of Stoney Creek Zoning By-law No. 3692-92, to permit a residential development consisting 94 maisonette dwellings and 42 stacked townhouse dwellings for a total of 136 dwelling units on a private road, and a ***future stand-alone residential or*** mixed-use development for the lands known as 84, 86, 88, 90, 92, 94, 96 Lakeview Drive (Stoney Creek), as shown on Appendix “C” to Report PED18085, be APPROVED on the following basis:
- ~~(i) That the draft By-law, attached as Appendix “C” to Report PED18085, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;~~
 - ~~(ii) That the amending By-law, attached as Appendix “C” to Report PED18085, be added to Map No. 2 of Schedule “A” of By-law No. 3692-92;~~
 - (i) That Apartment Dwellings be added as a permitted use to the modified Mixed Use Commercial “MUC-10” Zone;***
 - (ii) That two separate By-laws be prepared in a form satisfactory to the City Solicitor, to amend the City of Stoney Creek Zoning By-law No. 3692-92; one By-law for a Multiple Residential “RM3-64” Zone, Modified, and one By-law for the Mixed Use Commercial “MUC-10” Zone, Modified; and be enacted by City Council;***
 - (iii) That the amending By-laws be added to Map No. 2 of Schedule “A” of By-law No. 3692-92;***
 - ~~(iii)(iv)~~ That the proposed change in zoning complies with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No. ____
- (c) That approval be given to add the lands located at 86, 88, 90, 92, and 94 Lakeview Drive and a portion of 84 and 96 Lakeview Drive, Stoney Creek, to Zoning By-law No. 05-200 and zone said lands Mixed Use Medium Density – ~~Pedestrian Focus~~-(C5, 682) Zone in Zoning By-law No. 05-200, subject to the following:
- (i) That the Mixed Use Medium Density – Pedestrian Focus (C5a, 682) Zone be replaced by the Mixed Use Medium Density (C5, 682) Zone in the Draft By-law;***

- (ii) That the draft By-law, attached as Appendix "D" to Report PED18085, ***as amended***, be held in abeyance until such time as the Commercial and Mixed Use Zones are in force and effect; and,
- (iii) That staff be directed to bring forward the draft By-law, attached as Appendix "D" to Report PED18085, ***as amended***, for enactment by City Council, once Zoning By-law No. 17-240, the by-law to establish the Commercial and Mixed Use Zones, is in force and effect.
- (d) That the Bayview Neighbourhood Plan be amended by redesignating the subject lands from "Highway Commercial" to "Medium / High Density Residential" (~~Block 1 of Schedule "A" to the draft By-law attached as Appendix "C" to Report PED18085, and to "General Commercial" (Block 2 of Schedule "A" to the draft By-law attached as Appendix "C" to Report PED18085, upon finalization of the Zoning By-law Amendments as shown as Appendix "C", attached to Report PED18085.~~
- (e) ***That the public submissions received regarding this matter did not affect the decision.***

Main Motion, as Amended, CARRIED

5. Appeal to the Ontario Municipal Board (OMB) on the City of Hamilton's Refusal or Neglect to Adopt an Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 1518, 1530 and 1540 Upper Sherman Avenue, Hamilton (Ward 7) (PED18086) (Item 8.1)

(Skelly/Partridge)

- (a) That Report PED18086 respecting Appeal to the Ontario Municipal Board (OMB) on the City of Hamilton's Refusal or Neglect to Adopt an Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 1518, 1530 and 1540 Upper Sherman Avenue, Hamilton be received;
- (b) That the comments from the delegations be received and referred to staff for consideration when they prepare their recommendation report on how to proceed regarding the appeal to the Local Planning Appeals Tribunal.

CARRIED

6. Hamilton Municipal Heritage Committee Report 18-004 (Item 8.2)

(Partridge/Farr)

- (a) **Recommendation to Remove the Property Located at 167 Book Road East, Ancaster from the Register of Properties of Cultural Heritage Value or Interest and Staff's Work Plan for Designation under Part IV of the Ontario Heritage Act (Ward 12) (PED18083)**

- (1) That the property located at 167 Book Road East, Ancaster, shown on Appendix "A" to Report PED18083, currently included in the City of Hamilton's Register of Properties of Cultural Heritage Value or Interest NOT be designated as a property of cultural value or interest under Part IV of the Ontario Heritage Act;
- (2) That the subject property be removed from staff's designation work plan entitled "Requests to Designate Properties under Part IV of the Ontario Heritage Act: Priorities (as amended by Council on February 28, 2018)", attached as Appendix "E" to Report PED18083;
- (3) That the subject property be removed from the City's Register of Properties of Cultural Heritage Value or Interest as a non-designated property;
- (4) That the Documentation and Salvage Report, to be submitted by the applicant, be circulated to Council, to the Hamilton Municipal Heritage Committee, and to the Hamilton Public Library's Local History & Archives Department for archival purposes; and
- (5) That Planning staff be directed to explore the potential of having an historical interpretive plaque erected on site detailing the history of the Book family.

(b) Recommendation to Designate 111 Kenilworth Access, Hamilton, under Part IV of the Ontario Heritage Act (Ward 4) (PED18088)

- (1) That the designation of 111 Kenilworth Access, Hamilton (Barton and Kenilworth Reservoirs), shown in Appendix "A" to Report PED18088, as a property of cultural heritage value pursuant to the provisions of Part IV of the *Ontario Heritage Act*, be approved;
- (2) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "A" to Report 18-004, be approved;
- (3) That the City Clerk be directed to take appropriate action to designate 111 Kenilworth Access, Hamilton (Barton and Kenilworth Reservoirs) under Part IV of the *Ontario Heritage Act*, in accordance with the Notice of Intention to Designate, attached as Appendix "C" to Report PED18088;
- (4) That the Public Works Department be directed to report back to Council on the preparation of a combined heritage conservation plan and management plan in consultation with Development Planning, Heritage and Design, Heritage Resource Management,

and Municipal Law Enforcement staff, to guide the short to long term protection and preferred conservation treatment of the east portion of the property and to explore options for the future use of the property; and

- (5) That Council direct the Tourism and Culture Division of the Planning and Economic Department to include the Barton Reservoir, the Pipeline Trail and the Hamilton Waterworks National Historic Site of Canada in the Cultural Heritage Landscape Assessment Study.

(c) Recommendation to Designate 378 Main Street East, Hamilton under Part IV of the Ontario Heritage Act (Ward 3) (PED18089)

That Report PED18089 respecting a Recommendation to Designate 378 Main Street East, Hamilton under Part IV of the Ontario Heritage Act (Ward 3), be DEFERRED to the May 10, 2018 meeting, to allow for the representative of the property to attend the discussion of the report.

(d) Recommendation to Designate 1021 Garner Road East, Ancaster (Lampman House) Under Part IV of the Ontario Heritage Act (Ward 12) (PED18094)

- (1) That the designation of 1021 Garner Road East, Ancaster, shown in Appendix "A" to Report PED18094, as a property of cultural heritage value pursuant to the provisions of Part IV of the Ontario Heritage Act, be approved;
- (2) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report 18-004, be approved;
- (3) That the City Clerk be directed to take appropriate action to designate 1021 Garner Road East, Ancaster under Part IV of the Ontario Heritage Act, in accordance with the Notice of Intention to Designate, attached as Appendix "C" to Report PED18094.

CARRIED

7. Appeal of Non-Decision of Proposed Urban Hamilton Official Plan (UHOP) Amendment and Zoning By-Law Amendment for lands located at 1117 Garner Road East, Ancaster (LS17011(a)/PED17066(a)) (Ward 12) (Item 12.1)

(Skelly/Collins)

That Report LS17011(a)/PED17066(a) be approved and remain private and confidential until approved by Council upon which the recommendations will be released.

CARRIED

FOR INFORMATION:

(a) APPROVAL OF THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

1. ADDED DELEGATION REQUEST

- 4.2 Glen Wellings, Wellings Planning Consultants Inc., respecting Item 8.1 regarding the appeal to the OMB (now LPAT) submitted by Sonoma Homes for 1518, 1530, and 1540 Upper Sherman Avenue. (For today's meeting.)

2. ADDED WRITTEN COMMENTS

- 6.3(a) Steve and Rose Dean, 8404 English Church Road, Mount Hope respecting Item 6.3 Applications for a Rural Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 8475 English Church Road, Glanbrook (Ward 11) (PED18077)

3. CHANGES TO Item 6.4

- Item 6.4 will be considered first under Public Hearings as the Ward Councillor and the agent both have scheduling conflicts;
- The recommendations for Item 6.4 have been revised by staff.

(Farr/Green)

That the agenda for the May 1, 2018 meeting be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

There were none declared.

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

(i) April 17, 2018 (Item 3.1)

(Pearson/Partridge)

That the Minutes of the April 17, 2018 meeting be approved.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

(Skelly/Green)

- (a) That the following delegation requests be approved to address Committee at today's meeting:
- (i) Scott Gallea, to request deferral of the heritage designation of 1021 Garner Road East, Ancaster (Item 8.2 on this agenda) (Item 4.1);
 - (ii) Glen Wellings, Wellings Planning Consultants Inc., respecting Item 8.1 regarding the appeal to the OMB (now LPAT) submitted by Sonoma Homes for 1518, 1530, and 1540 Upper Sherman Avenue. (Item 4.2.)

CARRIED

(e) DELEGATIONS/PUBLIC HEARING (Item 6)

- (i) Application for Approval of a Draft Plan of Condominium (Common Element) for Lands Located at 50 John Frederick Drive (Ancaster) (Ward 12) (PED18095) (Item 6.1)**

In accordance with the provisions of the *Planning Act*, Chair A. 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 Draft Plan of Condominium (Common Element), the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

No members of the public came forward.

(Skelly/Collins)

That the public meeting be closed.

CARRIED

James Webb of WEBB Planning Consultants, representing the owner, was in attendance. James Webb advised that the owner is in agreement with the staff report.

(Pasuta/Partridge)

That the staff presentation be waived.

CARRIED

(Collins/Farr)

That the recommendations be amended by adding the following subsection (b) and re-lettering the balance:

(b) *That there were no public submissions received regarding this matter.*

Amendment CARRIED

For disposition of this matter refer to Item 2.

(ii) Application to Amend City of Hamilton Zoning By-law No. 05-200 for Lands Located at 240 Butter Road West, Ancaster (Ward 12) (PED18078) (Item 6.2)

In accordance with the provisions of the *Planning Act*, Chair A. 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 Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

No members of the public came forward.

(Partridge/Collins)

That the public meeting be closed.

CARRIED

Ward Councillor Ferguson was in attendance and indicated that he is in support of the staff report.

(Skelly/Farr)

That the staff presentation be waived.

CARRIED

Matt Johnston of UrbanSolutions Planning and Land Development Consultants Inc. representing the owner, was in attendance. Matt Johnston advised that the owner is in agreement with the staff report.

(Collins/Partridge)

That the recommendations be amended by adding the following subsection (b) and re-lettering the balance:

- (b) *That the public submissions received regarding this matter did not affect the decision.*

Amendment CARRIED

For disposition of this matter refer to Item 3.

- (iii) **Applications for a Rural Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 8475 English Church Road, Glanbrook (Ward 11) (PED18077) (Item 6.3)**

In accordance with the provisions of the *Planning Act*, Chair A. 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 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 Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Written Comments

6.3(a) Steve and Rose Dean, 8404 English Church Road, Mount Hope

(Pearson/Partridge)

That the written comments, Item 6.3(a), be received.

CARRIED

No members of the public came forward.

(Pasuta/Skelly)

That the public meeting be closed.

CARRIED

(Partridge/Pearson)

That Report PED18007 respecting Applications for a Rural Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 8475 English Church Road, Glanbrook (Ward 11) be TABLED to a future meeting to allow the Ward Councillor to meet with the applicant.

CARRIED

(Green/Partridge)

That the Statutory Public Meeting be reopened when Report PED18007 respecting Applications for a Rural Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 8475 English Church Road, Glanbrook (Ward 11) is included on a future Planning Committee agenda.

CARRIED

- (iv) **Applications to Amend the Urban Hamilton Official Plan, City of Stoney Creek Zoning By-law No. 3692-92, and City of Hamilton Zoning By-law No. 05-200 for Lands Located at 84, 86, 88, 90, 92, 94, 96 Lakeview Drive (Stoney Creek) (Ward 10) (PED18085) (Item 6.4)**

In accordance with the provisions of the *Planning Act*, Chair A. 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 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 Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Written Comments

6.4(a) Eudora Leblanc, 97 Lakeview Drive, Stoney Creek

(Skelly/Green)

That the written comments, Item 6.4(a), be received.

CARRIED

Alana Fulford, Planner, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the report. A copy is available for viewing on the City's website.

(Pearson/Partridge)

That the staff presentation be received.

CARRIED

John Arians of IBI Group, addressed Committee with the aid of a PowerPoint presentation and requested amendments to the staff recommendations. A copy of the presentation is available for viewing on the City's website.

(Pearson/Skelly)

That the agent's presentation be received.

CARRIED

Speakers

1. **Rodney Wortley, 9 Thomas Court, Stoney Creek**

Rodney Wood addressed Committee and expressed various concerns with the proposal.

2. Al Cordery, 91 Lakeview Drive, Stoney Creek

Al Cordery addressed Committee and indicated his concerns with the proposal.

(Pearson/Partridge)

That the delegations be received.

CARRIED

(Pearson/Skelly)

That the public meeting be closed.

CARRIED

(Pearson/Partridge)

That the recommendations be amended to add stand-alone residential uses to the Phase Two lands of the applications to permit a future stand-alone residential or mixed use development for the lands known as 86, 88, 90, 92, 94, and a portion of 96 Lakeview Drive (Phase Two lands).

Amendment CARRIED

(Pearson/Partridge)

That Planning Department staff be directed to:

- (i) Remove Clause 1.0c) from Section 4.2.1 Chapter C – Urban Site Specific Policies “USCC-XX”;*
- (ii) Prepare two separate By-laws in a form satisfactory to the City Solicitor, to amend the City of Stoney Creek Zoning By-law No. 3692-92; one By-law for a Multiple Residential “RM3-64” Zone, Modified, and one By-law for the Mixed Use Commercial “MUC-10” Zone, Modified; and be enacted by City Council;*
- (iii) Add the permitted use of Apartment Dwelling to the Special Exemption for the Mixed Use Commercial “MUC-10” Zone.*

Amendment CARRIED

(Pearson/Partridge)

That the following subsection (e) be added to the recommendations:

- (e) That the public submissions received regarding this matter did not affect the decision.*

Amendment CARRIED

For disposition of this matter refer to Item 4.

(f) DISCUSSION ITEMS (Item 8)

- (i) Appeal to the Ontario Municipal Board (OMB) on the City of Hamilton's Refusal or Neglect to Adopt an Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 1518, 1530 and 1540 Upper Sherman Avenue, Hamilton (Ward 7) (PED18086) (Item 8.1)**

Jennifer Roth, Planner, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the report. A copy is available for viewing on the City's website.

Delegations

1. Joe Pyziak, 177 Acadia Drive, Hamilton

Joe Pyziak addressed Committee and expressed concerns with the proposed development. A copy of his prepared statement has been submitted and a copy is available for viewing on the City's website.

(Skelly/Partridge)

That the five minute time limit be extended for this delegation.

CARRIED

2. Paul Busnello, 126 Cartier Crescent, Hamilton

Paul Busnello addressed Committee and read from a prepared statement and expressed concerns with the proposed development.

3. Helen McKenzie, 91 Carter Crescent, Hamilton

Helen McKenzie addressed Committee with the aid of a PowerPoint presentation and expressed her concerns with the proposal. A copy of her presentation is available for viewing on the City's website.

4. Patricia A. Kay, 39 Halo Street, Hamilton

Patricia Kay was unable to attend.

5. Doug Lockhart, 108 Chamomile Drive, Hamilton

Doug Lockhart addressed Committee with the aid of a PowerPoint presentation. A copy is available for viewing on the City's website. He spoke against the proposal.

6. Bob Huget, 225 Acadia Drive, Hamilton

Bob Huget addressed Committee and expressed concerns with the proposal and especially the lack of public consultation.

7. Kim Zanello, 15 Ridgemount Drive, Hamilton

Kim Zanello addressed Committee and expressed opposition to the proposed by-law amendments. A copy of her written submission is available for viewing on the City's website.

8. Glen Wellings, Wellings Planning Consultants

Glen Wellings addressed Committee and indicated that he is a planning consultant for Sonoma Homes and that they have listened carefully to the delegations and to the submitted written comments. He explained that the appeal was submitted because of the uncertainty due to the transition of the appeal process from the Ontario Municipal Board (OMB) to the Local Planning Appeals Tribunal (LPAT) and the purpose was not to shut down the public consultation.

(Skelly/Partridge)

That the delegations be received and be referred to staff for consideration when preparing their recommendation report regarding this matter.

CARRIED

For further disposition of this matter refer to Item 5.

(ii) Hamilton Municipal Heritage Committee Report 18-004 (Item 8.2)

Jeremy Parsons, Planner, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the proposal to designate 1021 Garner Road East, Ancaster under the Ontario Heritage Act. A copy of his presentation is available for viewing on the City's website.

Ward Councillor Ferguson was in attendance for this Item.

(Pasuta/Partridge)

That the staff presentation be received.

CARRIED

Delegation

1. Scott Gallea, 1021 Garner Road, Ancaster

Scott Gallea addressed Committee and requested that the designation of 1021 Garner Road under the Ontario Heritage Act be deferred to allow him time to investigate the process required for his plans to move his house forward and sell a portion of the back yard for development in order to raise the money he requires to preserve the house.

(Farr/Partridge)

That the delegation be received.

CARRIED

(Farr/Green)

That Scott Gallea be permitted to address Committee a second time.

CARRIED

Scott Gallea assured Committee that he does not intend to demolish his house or his garage.

For disposition of this matter refer to Item 6.

(g) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

Committee did not consider the following Item and it will therefore be included on the next agenda:

(i) OUTSTANDING BUSINESS LIST

(a) That the following Item be identified as completed and be removed:

Item "F" – Deferral of Item 5 of HMHC Report 15-005 proposing inclusion of 1021 Garner Rd E on register of properties of cultural heritage value or interest to allow consultation with property owner and to correct wording. (Item 8.2 on this agenda.)

(h) PRIVATE AND CONFIDENTIAL

- (i) Appeal of Non-Decision of Proposed Urban Hamilton Official Plan (UHOP) Amendment and Zoning By-Law Amendment for lands located at 1117 Garner Road East, Ancaster (LS17011(a)/PED17066(a)) (Ward 12) (Distributed under separate cover.) (Item 12.1)**

(Collins/Farr)

That Committee move into Closed Session at 1:58 p.m. to discuss Item 12.1 pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) of the Municipal Act, 2001, as amended, 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, including communications necessary for that purpose.

CARRIED

Committee reconvened in Open Session at 2:27 p.m.

For disposition of this matter refer to Item 7.

(i) ADJOURNMENT (Item 14)

(Partridge/Green)

That, there being no further business, the Planning Committee be adjourned at 2:30 p.m.

CARRIED

Respectfully submitted,

Councillor A. Johnson
Chair, Planning Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk