



## **PLANNING COMMITTEE**

### **MINUTES 18-012**

**9:30 a.m.**

**Tuesday, August 14, 2018**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

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

**Also present:** Councillors L. Ferguson and T. Whitehead

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#### **THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:**

**1. Illegal Businesses on Agricultural Areas Pilot Project Final Report (PED16207(c)) (Ward 11) (Item 5.1)**

**(B. Johnson/Pasuta)**

WHEREAS, there are on-going, significant problems associated with the large number of illegal businesses operating on agricultural lands in Ward 11;

WHEREAS, illegal businesses operate with unfair advantages over legal businesses including, but not limited to the fact that they do not pay the same property taxes; and

WHEREAS, a concentrated, proactive enforcement effort and a unique enforcement skill set is required to address the significant problem of illegal businesses operating on agricultural lands in Ward 11;

**THEREFORE, BE IT RESOLVED:**

- (a) That Report PED16207(c) respecting Illegal Businesses on Agricultural Areas Pilot Project Final Report, be received for information;
- (b) That the Council approved Pilot Project regarding Illegal Businesses in the Rural Area of Ward 11 consisting of a temporary Zoning Examiner/Enforcement Officer, to address complaints regarding alleged illegal businesses in the agricultural areas of Ward 11, currently set to expire in September 2018, be extended to the end of the 2019 Budget

process, and continue to be funded through the Tax Stabilization Reserve;  
and

- (c) That funding for a permanent Zoning Examiner/Enforcement Officer be referred to the 2019 Budget process.

**CARRIED**

**2. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED18160) (City Wide) (Item 5.2)**

**(Pasuta/Conley)**

That Report PED18160 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

**CARRIED**

**3. Appeal to the Local Planning Appeals Tribunal (LPAT) for Lack of Decision for an Amendment to City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 16 and 18 King Street West, Stoney Creek (PED18143) (Ward 9) (Item 5.3)**

**(Conley/Partridge)**

That Report PED18143 respecting Appeal to the Local Planning Appeals Tribunal (LPAT) for Lack of Decision for an Amendment to City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 16 and 18 King Street West, Stoney Creek, be received.

**CARRIED**

**4. Rental Housing Sub-Committee Report 18-001 (Item 5.4)**

**(B. Johnson/Partridge)**

**(a) Licensing of Rental Housing (PED10049(x)) (Item 5.1)**

That Report PED10049(x), respecting Licensing of Rental Housing, be received.

**CARRIED**

**5. Rental Housing Sub-Committee Report 18-002 (Item 5.5)**

**(Farr/Conley)**

**(a) Rental Housing Best Practices Tour (PED10049(y)) (City Wide) (Item 5.1)**

That Report PED10049(y), respecting the Rental Housing Best Practices Tour, be received.

(b) **Rental Housing Municipality Comparison 2013 - Present (PED10049(z))  
(City Wide) (Item 5.2)**

That Report PED10049(z) respecting a Rental Housing Municipality Comparison, 2013 - Present, be received.

**CARRIED**

6. **Application for an Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 100 Cumberland Avenue (Ward 3) (PED18129) (TABLED June 19, 2018) (Item 6.1)**

**(Green/Collins)**

(a) That Amended Zoning By-law Amendment Application ZAC-13-007 by MacNaughton Hermesen Britton Clarkson Planning Limited (c/o Eldon Theodore) on behalf of Archer Developments Corporation, Owner, for a change in zoning from the "JJ" (Restricted Light Industrial) District to the "DE-2/S-1763-'H'" (Multiple Dwellings) District, Holding, Modified to permit the construction of a five storey, 65 unit multiple dwelling on lands located at 100 Cumberland Avenue, Hamilton, as shown on Appendix "A" to Report PED18129, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix "B" to Report PED18129, **as amended to allow for a commercial use at grade level not exceeding 80 square metres in gross floor area** 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 "B" to Report PED18129, **as amended**, be added to District Map No. E23 of Zoning By-law No. 6593;
- (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (PPS), conforms to the Growth Plan for the Greater Golden Horseshoe (2017), and complies with the Urban Hamilton Official Plan;
- (iv) That the amending By-law, **as amended**, apply the Holding Provision of section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding symbol 'H' as a suffix to the proposed zoning.

The Holding Provision "DE-2/S-1763-'H'" (Multiple Dwellings) District, Holding, Modified, be removed conditional upon:

- (a) The Owner submit a signed Record of Site Condition (RSC) to the City of Hamilton and the Ministry of the Environment and Climate Change (MOECC). This RSC must be to the satisfaction of the Director of Planning and Chief Planner,

including a notice of acknowledgement of the RSC by the MOECC, and submission of the City of Hamilton's current RSC administration fee.

- (b) That the St. Clair Neighbourhood Plan be amended by changing the designation of the subject lands currently designated as "Industrial" to "High Density Apartments" to accommodate the proposed residential development.
- (c) ***That the public submissions received regarding this matter did not affect the decision.***

**Main Motion, as Amended, CARRIED**

**7. Applications to Amend the Urban Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 70 Garner Road East, Ancaster (PED18185) (Ward 12) (Item 6.2)**

**(Partridge/Collins)**

- (a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-17-30 by Ancaster Reformed Church (Jim Bezemer, Owner), to redesignate a portion of the subject lands from "Institutional" to "Airport Employment Growth District" in the Urban Hamilton Official Plan, and to redesignate a portion of the lands from "Institutional, Special Policy Area B" to "Airport Prestige Business" and establish a site specific policy area to permit a funeral home in the Airport Employment Growth District Secondary Plan for a portion of lands located at 70 Garner Road East, as shown on Appendix "A" to Report PED18185, be APPROVED on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED18185, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
  - (ii) That the proposed Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017) (Places to Grow).
- (b) That Amended Zoning By-law Amendment Application ZAC-17-068 by Ancaster Reformed Church (Jim Bezemer, Owner), for a change in zoning from the Major Institutional (I3, 39, H37) Zone to the Airport Prestige Business (M11, 697, H37, H104) Zone for a portion of lands located at 70 Garner Road East (Ancaster), as shown on Appendix "A" to Report PED18185, be APPROVED on the following basis:
  - (i) That the draft By-law, attached as Appendix "C" to Report PED18185, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017), and complies with the Urban Hamilton Official Plan upon finalization of Official Plan Amendment No. XX.

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

**Main Motion, as Amended, CARRIED**

**8. Applications to Amend the Urban Hamilton Official Plan and Zoning By-law No. 05-200 and for Approval of a Draft Plan of Subdivision for Lands Located at 620 Tradewind Drive (Ancaster) (PED18150) (Ward 12) (Item 6.3)**

**(Pearson/Collins)**

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-17-016, by 1932376 Ontario Inc., c/o Ted Valeri, (Owner), to remove the “Core Areas” and “Linkages” designation on Schedule B – Natural Heritage System; and, to remove the “Key Natural Heritage and Key Hydrologic Feature Wetlands” designation on Schedule B-4 – Detailed Natural Heritage Features Wetlands; and, to permit the requested permitted uses on a local road, for the lands known as 620 Tradewind Drive (Ancaster), as shown on Appendix “A” to Report PED18150, be APPROVED on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18150, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed Official Plan 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-05-063, 1932376 Ontario Inc., c/o Ted Valeri, (Owner), for changes in zoning from General Business Park (M2) Zone to Conservation / Hazard Lands (P5) Zone and General Business Park (M2, 611) Zone (Block 1); and from Conservation / Hazard Lands (P5) Zone to General Business Park (M2, 611) Zone (Block 2), in order to permit additional uses, and the removal of a portion of a natural heritage feature, for lands known as 620 Tradewind Drive (Ancaster), as shown on Appendix “A” to Report PED18150, be APPROVED on the following basis:
  - (i) That the draft By-law, attached as Appendix “C” to Report PED18150, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

- (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2014), conform to the Growth Plan for the Greater Golden Horseshoe and comply with the Region of Hamilton-Wentworth Official Plan and the Former Town of Ancaster Official Plan; and, will comply with the Urban Hamilton Official Plan, upon finalization of Urban Hamilton Official Plan Amendment No.\_\_\_\_;
- (c) That Amended Draft Plan of Subdivision Application 25T-200512, by 1932376 Ontario Inc., c/o Ted Valeri, (Owner), to establish a Draft Plan of Subdivision on lands known as 620 Tradewind Drive (Ancaster), as shown on Appendix "A" to Report PED18150, be APPROVED subject to the following conditions:
  - (i) That this approval apply to "Valery Ancaster Business Park", 25T-200512, prepared by UrbanSolutions Planning and Land Development Consultants Inc., and certified by B.J. Clarke, O.L.S., dated February 27, 2017, showing 11 Blocks for Industrial development (Blocks 1-7 and Blocks 9-12), one block for stormwater management purposes (Block 8), one block for a one-foot reserve (Block 13), two proposed streets (Streets "A" and "B"), and the extension of Cormorant Road, attached as Appendix "F" to Report PED18150, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Conditions attached as Appendix "D" to Report PED18150;
  - (ii) ***Notwithstanding conditions of approval within Appendix "D" conditions 3, 5 and 15 shall be deemed satisfied upon deed and transfer of the lands required for the extension of Cormorant Road;***
  - (iii) Acknowledgement by the City of Hamilton of its responsibility for cost-sharing with respect to this development for the following items:
    - (a) There is a City share for the proposed SWM facility for the land cost which is set at \$250K per acre with an upset limit of 60% for the land and construction costs, including soft costs; and,
    - (b) There is a City share for the installation of the extension of Cormorant Road from the west limits of the subject lands to the east limit to Trinity Road South, at 100% cost of servicing works, excluding culvert design and installation costs.
- (d) ***That public submissions received regarding this matter did not affect the decision.***

**Main Motion, as Amended, CARRIED**

**9. Application for a Zoning By-law Amendment for Lands Located at 1221 Limeridge Road East, Hamilton (PED18170) (Ward 6) (Item 6.4)**

**(Collins/Conley)**

(a) That Amended Zoning By-law Amendment Application ZAC-17-057, by 1221 Limeridge Inc., Owner, for further modification to the “DE-3/S-1427” (Multiple Dwellings) District, Modified, in City of Hamilton Zoning By-law No. 6593 to permit an expansion of the existing Residential Care Facility / Retirement Home for services and additional ancillary uses on the lands located at 1221 Limeridge Road East, Hamilton, as shown on Appendix “A” to Report PED18170, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED18170, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), and complies with the Urban Hamilton Official Plan.

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

**Main Motion, as Amended, CARRIED**

**10. Application for Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 393 Rymal Road West (Hamilton) (PED18183) (Ward 8) (Item 6.5)**

**(B. Johnson/Pearson)**

(a) That Amended Zoning By-law Amendment Application ZAC-16-075, (Zest Communities, Owner), for further modification to the “DE/S-664”, “DE/S-664a”, “DE/S-664b” and “DE/S-664c” (Low Density Multiple Dwellings) District, Modified, to permit a 157 unit multiple dwelling, on lands located at 393 Rymal Road West (Hamilton), as shown on Appendix “A” to Report PED18183, be APPROVED, on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED18183, 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 “B” to Report PED18183, be added to sheet W17e of the District Maps of the City of Hamilton Zoning By-law No. 6593;
- (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (PPS), conforms to the Growth Plan for

the Greater Golden Horseshoe (Places to Grow), and complies with the Urban Hamilton Official Plan.

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

**Main Motion, as Amended, CARRIED**

**11. Application for an Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 517 Stone Church Road West, Hamilton (PED18188) (Ward 8) (Item 6.6)**

**(Pearson/Conley)**

- (a) That Zoning By-law Amendment Application ZAR-17-075 by Nicholas Legault and Josee Pregent, Owners, for a further modification to the “D/S-198” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, in the City of Hamilton Zoning By-law No. 6593 to permit an accessory unit (second dwelling unit) within an existing semi detached dwelling, on lands located at 517 Stone Church Road West, Hamilton, as shown on Appendix “A” to Report PED18188, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “B” to Report PED18188, 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 “B” to Report PED18188, be added to District Map No. W27c of Zoning By-law No. 6593;
  - (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017), and complies with the Urban Hamilton Official Plan.

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

**Main Motion, as Amended, CARRIED**

**12. Applications to Amend Zoning By-law No. 05-200, Approval of a Draft Plan of Subdivision "Butternut Hill" and Draft Plan of Condominium (Common Element) for Lands Located at 706 Highway No. 8, Flamborough (PED18144) (Ward 14) (Item 6.7)**

**(Pasuta/Conley)**

- (a) That Amended Zoning By-law Amendment Application ZAC-15-028 by Don and Susan Pede (Owners), for a change in zoning from Settlement Residential (S1, 60) Zone to Conservation / Hazard Land Rural (P7) Zone



(Block 1); from Conservation / Hazard Land (P7) Zone to Settlement Residential (S1, 23) Zone (Block 2), and from Settlement Residential (S1, 60) Zone to Settlement Residential (S1, 23) Zone (Block 3), for lands located at 706 Highway No. 8 Flamborough, as shown on Appendix "A" to Report PED18144, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix "B" to Report PED18144, ***as amended to require a planting strip and visual barrier***, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the amending By-law, ***as amended***, be added to Schedule C – Special Exceptions of Zoning By-law No. 05-200.
- (b) That Revised Draft Plan of Subdivision Application 25T-201506 by Don and Susan Pede (Owners), to establish a Draft Plan of Subdivision known as "Butternut Hill", on lands located as 706 Highway No. 8 Flamborough, as shown on Appendix "C" to Report PED18144, be APPROVED subject to the following:
  - (i) That this approval apply to the Draft Plan of Subdivision "Butternut Hill", 25T-201506, prepared by IBI Group and certified by D. McLaren, O.L.S., dated, June 22, 2018, consisting of six blocks for up to 6 single detached dwellings (Blocks 1 to 6), one block for a private road and stormwater management dry pond (Block 7) and one block for an Environmentally Significant Area and Vegetation Protection Zone (Block 8); subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix "D", ***as amended to require a privacy fence and landscaping***, to Report PED18144.
- (c) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the *Planning Act* and By-law No. 18-126, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of each building permit, in accordance with the Financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council.
- (d) That Amended Draft Plan of Condominium Application 25CDM-201507, by Don and Susan Pede (Owners), to establish a Draft Plan of Condominium (Common Element) to create a condominium road, stormwater management dry pond, and Environmentally Sensitive Area and Vegetation Protection Zone, on lands located at 706 Highway No. 8 Flamborough, as shown on Appendix "E" to Report PED18144 be APPROVED, subject to special conditions:

- (i) That the approval for Draft Plan of Condominium (Common Element) Application 25CDM-201507, applies to the plan prepared by IBI Group and certified by D. McLaren, O.L.S., dated, June 22, 2018, consisting of a condominium road, stormwater management dry pond, and Environmentally Sensitive Area and Vegetation Protection Zone, attached as Appendix "E" to Report PED18144;
  - (ii) That the conditions of Draft Plan of Condominium Approval 25CDM-201507, attached as Appendix "F" to Report PED18144, be received and endorsed by City Council.
- (e) ***That the public submissions received regarding this matter did not affect the decision.***

**Main Motion, as Amended, CARRIED**

**13. Application to Amend the City of Stoney Creek Zoning By-law No. 3692-92 and the City of Hamilton Zoning By-law No. 6593 for Lands Located at 121 and 125 Highway No. 8, Stoney Creek (PED18180) (Ward 9) (Item 6.8)**

**(Conley/Collins)**

- (a) That Amended Zoning By-law Amendment Application ZAC-17-085 by Branthaven Marz Inc. (c/o Anthony Girolami), Owner, to remove the northerly portion of the subject lands at located at 121 and 125 Highway No. 8 from the City of Hamilton Zoning By-law No. 6593 and zoned "H/S-1313" (Community Shopping and Commercial, etc.) District, Modified as shown on the attached map shown as "Block 2" on Appendix "A" to Report PED18180, be APPROVED on the following basis:
  - (i) That the draft By-law, attached as Appendix "B" to Report PED18180, 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 "B" to Report PED18180, be added to Schedule No. 5 of Zoning By-law No. 3692-92;
- (b) That Amended Zoning By-law Amendment Application ZAC-17-085 by Branthaven Marz Inc. (c/o Anthony Girolami), Owner, to add lands shown as "Block 2" on Appendix "A" to Report PED18180 to the City of Stoney Creek Zoning By-law No. 3692-92; to zone lands as shown as "Block 2" on Appendix "A" to Report PED180180 to Multiple Residential "RM4-10" Zone, Modified in the Stoney Creek Zoning By-law No. 3692-92; and, to change the zoning of Block "1" as shown on Appendix "A" to Report PED18180, in the City of Stoney Creek Zoning By-law No. 3692-92 from General Commercial "GC" Zone to Multiple Residential "RM4-10" Zone, Modified, to permit an eight storey multiple dwelling for lands located at 121 and 125 Highway No. 8, Stoney Creek, as shown on Appendix "A" to Report PED18180, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “C” to Report PED18180, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (iii) That the amending By-law, attached as Appendix “C” to Report PED18180, be added to Schedule No. 5 of Zoning By-law No. 3692-92;
  - (iv) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017) and complies with the Urban Hamilton Official Plan.
- (c) That approval be given for a modification to the Mixed Use – Medium Density (C5) Zone in the Hamilton Zoning By-law No. 05-200, to permit an eight storey multiple dwelling for lands located at 121 and 125 Highway No. 8, Stoney Creek, as shown on Appendix “A” to Report PED18180, subject to the following:
- (i) That the draft By-law, attached as Appendix “D” to Report PED18180, be held in abeyance until such time as By-law No. 17-240, being a by-law to establish the Commercial and Mixed Use Zones is in force and effect; and,
  - (ii) That staff be directed to being forward the draft By-law, attached as Appendix “D” to Report PED18180, for enactment by City Council, once By-law No. 17-240 is in force and effect.
- (d) ***That the public submissions received regarding this matter did not affect the decision.***

**Main Motion, as Amended, CARRIED**

**14. Applications for an Amendment to the Rural Hamilton Official Plan and the City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 19 Highland Road East, Stoney Creek (PED18169) (Ward 9) (Item 6.9)**

**(Conley/Pearson)**

- (a) That Rural Hamilton Official Plan Amendment Application RHOPA-17-024, by Five SAC, (Owner), to establish a Site Specific Policy Area in order to permit the development of three self-storage (U-Haul) buildings for lands located at 19 Highland Road East, as shown on Appendix “A” to Report PED18169, be APPROVED and staff be directed to prepare the Official Plan Amendment for Council’s approval,
- (b) That Zoning By-law Amendment Application ZAC-17-055 by Five SAC, (Owner), for a further modification to the Rural Industrial “MR-5” Zone - Holding to permit the development of three self-storage (U-Haul) buildings

for lands located at 19 Highland Road East, as shown on Appendix "A" to Report PED18169, be APPROVED and staff be directed to prepare the amending Zoning By-law for Council's approval.

- (c) That there were no public submissions received regarding this matter.

**CARRIED**

**15. Hamilton Municipal Heritage Committee Report 18-007 (Item 8.1)**

**(Pearson/Partridge)**

- (a) Inventory and Research Working Group Meeting Notes - January 22, 2018 (Item 5.1)**

**(Pearson/Pasuta)**

- (i) Stoney Creek United Church, 1 King Street West, Stoney Creek

That the Stoney Creek United Church ***not*** be added to the City of Hamilton Register of Properties of Cultural and Heritage Value and/or Interest and that Staff ~~complete a preliminary screening to add the property to the work plan as a candidate for designation~~ ***be directed to complete an inventory of the heritage features for posterity.***

- (ii) The Powerhouse, 21 Jones Street, Stoney Creek

That the Powerhouse, Stoney Creek Ontario, be added to the City Register of Properties of Cultural and Heritage Value and/or Interest, and that Staff complete a preliminary screening to add the property to the work plan as a candidate for designation.

- (b) Notice of Intention to Demolish the Building at 154 Main Street East, Hamilton (PED18157) (Ward 2) (Item 7.1)**

That 154 Main Street East, Hamilton, be removed from the Register of Property of Cultural Heritage Value or Interest.

- (c) Notice of Intention to Demolish Metal Accessory Structure at 64 Hatt Street, Dundas (PED18166) (Ward 13) (Item 7.2)**

- (i) That no action be taken in response to the notice of intention to demolish the metal accessory structure at 64 Hatt Street, Dundas, a property included in the City's Register of Property of Cultural Heritage Value or Interest;

- (ii) That 64 Hatt Street, Dundas remain on the designation work plan for completion of a Cultural Heritage Assessment in 2025.

**(d) Recommendation to Designate 270 Sherman Avenue North, Hamilton (Cotton Factory) under Part IV of the *Ontario Heritage Act* (PED18167) (Ward 3) (Item 8.1)**

- (i) That the designation of 270 Sherman Avenue North, Hamilton (Cotton Factory), shown in Appendix “A” to Report PED18167, as a property of cultural heritage value pursuant to the provisions of Part IV of the *Ontario Heritage Act*, be approved;
- (ii) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report PED18167, be approved;
- (iii) That the City Clerk be directed to take appropriate action to designate 270 Sherman Avenue North, Hamilton (Cotton Factory) under Part IV of the *Ontario Heritage Act*, in accordance with the Notice of Intention to Designate, attached as Appendix “C” to Report PED18167.

**Main Motion, as *AMENDED*, CARRIED**

**16. Personal Transportation Provider (PTP) (PED16099(c)) (City Wide) (Outstanding Business List Item) (Item 8.2)**

**(Pearson/Pasuta)**

- (a) That Schedule 24 and Schedule 25 to the City of Hamilton’s Business Licensing By-law 07-170 be amended to increase all taxicab vehicle ages to ten years and to update the term “manufacturing year” to “model year”, as described in Report PED16099(c);
- (b) That the appropriate By-law updates be enacted by Council, with content acceptable to the General Manager of Planning and Economic Development and in a form satisfactory to the City Solicitor.

**CARRIED**

**17. Request that Health Canada seek the City of Hamilton’s Approval for the Location of any Potential Licensed Producers of Medical Cannabis Prior to Issuing the Licence (Item 9.3)**

**(B. Johnson/Conley)**

WHEREAS, the City of Hamilton has experienced numerous complaints about the illegal growing of Cannabis in our Community;

WHEREAS, Health Canada has a rigorous vetting process for the issuance of licences to Licenced Producers which includes security checks, and security and storage capacity of the applicant;

WHEREAS, although the applicant must notify the City of its intent to produce, there is no approval process for the City to object to licencing production at a specific location; and

WHEREAS, the odour, property conditions and operations of these Licenced Producers may have a negative impact and affect the quality of life for the local neighbouring residents,

THEREFORE, BE IT RESOLVED:

That the Mayor write to Health Canada and request that Health Canada's approval of any Licence for a Cannabis Producer for Medical Purposes within the City of Hamilton be conditional upon the receipt of written confirmation from the City that the site of the production facility that is the subject of the application for a licence respects nearby sensitive land uses and complies with all zoning and other applicable municipal regulations.

**CARRIED**

**18. Ancaster High School, 374 Jerseyville Road West, Ancaster, to be considered for Heritage Designation (Item 9.4)**

**(Collins/Farr)**

WHEREAS the Chair of the Hamilton Wentworth District School Board (HWDSB) advised Council on June 20<sup>th</sup> that their intent was to sever 11 acres of land from the campus of Ancaster High School at 374 Jerseyville Road West;

WHEREAS the HWDSB has advised the City that they could purchase the 11 acres of land from the Board to keep it in public use for a price of "highest and best use" which means residential development or one to one and a half million dollars per acre or 11 to 13 million dollars;

WHEREAS in the June 28<sup>th</sup> Ancaster News story, the Board Chair states that "There is no threat to the use of this property", the same article quotes the local trustee as saying their desire is to get the property in the hands of the City and this means at highest and best use or residential development price, not the cost of parkland;

WHEREAS the City currently has an infrastructure deficit of \$3.5 billion dollars and therefore unlikely to afford to purchase the 11 acres at highest and best use prices or 11 to 13 million dollars;

WHEREAS the taxpayers of Ancaster have already paid for the site once;

WHEREAS the Town of Oakville recently put a heritage designation on Glen Abby Golf Club as it formed an integral part of the Town's Culture and Heritage;

WHEREAS in the 1950's the Ancaster High School Board, in conjunction with the Town of Ancaster, decided to jointly purchase the existing High School Campus

with the novel idea that the school would use the site during the day and community would use the site in the evening and on weekends; and

WHEREAS the Ancaster High School with some 40 acres, form an integral part of the community for the past 60 years and the Town has invested in a pool at this site with the similar novel idea that the school would use it during the day and the community could use the pool in the evenings and on weekends;

THEREFORE, BE IT RESOLVED:

That staff be directed to start the process of designating the campus of Ancaster High School site as a site of historical significance and report back to the Heritage Committee on providing the property with a Heritage designation.

**CARRIED**

**19. Site Plan Application (SPA-18-082) for 2400 Regional Road 56 (Item 10.1)**

**(B. Johnson/Pasuta)**

WHEREAS the District Commercial (C6) Zone does not permit parking in the front yard;

WHEREAS a Site Specific amendment to the District Commercial (C6) Zone was passed by Council for the lands located at 2400 Regional Road 56 to recognize existing uses and to allow for the expansion of the use but did not capture parking in the front yard; and

WHEREAS a Site Plan Application (SPA-18-082) to permit the construction of a two storey commercial addition has been submitted;

THEREFORE, BE IT RESOLVED:

That staff be directed to waive the City of Hamilton fee for the required Minor Variance application for the lands located at 2400 Regional Road 56 and to schedule the hearing for the September 20, 2018 Committee of Adjustment meeting.

**CARRIED**

**20. Instructions - Appeal for Non-Decision to the Local Planning Appeal Tribunal re: Zoning By-Law Amendment, for lands located at 1518, 1530 and 1540 Upper Sherman Avenue, Hamilton (PL180175) (LS18020/PED18172) (Ward 7) (Distributed under separate cover.) (Item 12.1)**

**(B. Johnson/Pearson)**

(a) That the recommendations of Report LS18020/PED18172 respecting Instructions - Appeal for Non-Decision to the Local Planning Appeal Tribunal re: Zoning By-Law Amendment, for lands located at 1518, 1530

and 1540 Upper Sherman Avenue, Hamilton (PL180175) be approved and be released to the public following a decision by Council;

- (b) That the remainder of Report LS18020/PED18172 remain private and confidential.

**CARRIED**

**21. Boats Moored on Hamilton Waterfront Used As Residences ("Liveaboards") (LS18048) (City Wide) (Distributed under separate cover) (Added Item 12.2)**

**(Farr/Pearson)**

- (a) That Report LS18048 respecting Boats Moored on Hamilton Waterfront Used As Residences ("Liveaboards") be received;
- (b) That Report LS18048 respecting Boats Moored on Hamilton Waterfront Used As Residences ("Liveaboards") remain confidential and not be released as a public document without the consent of City Council.

**CARRIED**

**FOR INFORMATION:**

**(a) APPROVAL OF THE AGENDA (Item 1)**

The Committee Clerk advised of the following changes:

**1. ADDED DELEGATION REQUESTS**

- 4.1 Linda Hart, Stoney Creek United Church, respecting Hamilton Municipal Heritage Committee recommendation for heritage designate for the Stoney Creek United Church (Item 8.1) (For today's meeting)
- 4.2 Doug Caldwell, regarding Stoney Creek United Church, 1 King Street West, and the potential impact of a heritage designation (Item 8.1) (For today's meeting)
- 4.3 Reverend Mark Winger, Stoney Creek United Church, respecting the proposed heritage designation of the Church. (Item 8.1) (For today's meeting)
- 4.4 Mike Jovanovic, Terrapure Environmental, respecting Item 5.6, the proposed Compensation Agreement with the City. (For today's meeting.)



**2. ADDED WRITTEN COMMENTS**

6.5(a) Marjorie McIntyre, 26 Cardinal Mindszenty Blvd, respecting Item 6.5 Application for Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 393 Rymal Road West (Hamilton) (PED18183) (Ward 8)

6.7(a) Al & Ann Forth, 724 Old Highway No. 8 Flamborough respecting Item 6.7 Applications to Amend Zoning By-law No. 05-200, Approval of a Draft Plan of Subdivision "Butternut Hill" and Draft Plan of Condominium (Common Element) for Lands Located at 706 Highway No. 8, Flamborough (PED18144) (Ward 14)

**3. MOTIONS**

9.2 Terrapure Environmental Stoney Creek Regional Facility 65 Green Mountain Road West – this Item is REMOVED at the request of the Councillor

9.4 Ancaster High School, 374 Jerseyville Road West, Ancaster, to be considered for Heritage Designation (this Item is added as it was a Notice of Motion at the July 10, 2018 Meeting)

**4. CHANGE TO THE OUTSTANDING BUSINESS LIST:**

11.1 Outstanding Business List

(a) Item identified as completed to be removed:

Item "GG(b)" – Staff to report back on August 14, 2018 regarding the existing rules respecting year-round liveaboard accommodations.

(Added Item 12.2 on this agenda)

**5. ADDED PRIVATE AND CONFIDENTIAL**

12.2 Boats Moored on Hamilton Waterfront Used As Residences ("Liveaboards") (LS18048) (City Wide) (Distributed under separate cover)

*Pursuant to Section 8.1, Sub-section (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (f) of the Municipal Act, 2001, as amended, as the subject matter pertains to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.*

**(Collins/Green)**

That the agenda for the August 14, 2018 meeting be approved, as amended.

**CARRIED**

**(b) DECLARATIONS OF INTEREST (Item 2)**

Councillor Pearson declared an interest with respect to Items 5.4 and 5.5 as she is the owner of rental properties.

Councillor Green advised that after consulting with the Integrity Commissioner, although he is the owner of a rental property, he has no interest to declare.

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

**(i) July 10, 2018 (Item 3.1)**

**(Partridge/Pasuta)**

That the Minutes of the July 10, 2018 meeting be approved.

**CARRIED**

**(d) DELEGATION REQUESTS**

**(Farr/Pearson)**

That the following delegation requests be approved to address Committee at today's meeting:

- 4.1 Linda Hart, Stoney Creek United Church, respecting Hamilton Municipal Heritage Committee recommendation for heritage designate for the Stoney Creek United Church (Item 8.1)
- 4.2 Doug Caldwell, regarding Stoney Creek United Church, 1 King Street West, and the potential impact of a heritage designation (Item 8.1)
- 4.3 Reverend Mark Winger, Stoney Creek United Church, respecting the proposed heritage designation of the Church. (Item 8.1)
- 4.4 Mike Jovanovic, Terrapure Environmental, respecting Item 5.6, the proposed Compensation Agreement with the City

**CARRIED**

**(B. Johnson/Pearson)**

That Item 5.6 be considered following Item 8.2.

**CARRIED**

**(e) DELEGATIONS/PUBLIC HEARING (Item 6)**

- (i) Application for an Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 100 Cumberland Avenue (Ward 3) (PED18129) (TABLED June 19, 2018) (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 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.

**Written Comments**

6.1(a) Tom Broen, 231 Sherman Avenue South

6.1(b) Brian Gilham, 183 Burris Street

6.1(c) Ricardo Campos, 137 Gladstone Avenue

6.1(d) Andre and Ursula Erasmus, 145 Gladstone Avenue

6.1(e) Chelsea Woods and Sean House, 151 Gladstone Avenue

6.1(f) C.J. Urech, 147 Gladstone Avenue

**(Pearson/Pasuta)**

That the written comments, Items 6.1(a) to 6.1(f) be received.

**CARRIED**

Councillor Green submitted to the Committee Clerk copies of correspondence received through his office to be added to the August 17, 2018 Council agenda in the event that this correspondence had not already been entered into the public record.

No members of the public came forward.

**(Green/Pearson)**

That the public meeting be closed.

**CARRIED**

**(Partridge/Green)**

That the staff presentation be waived.

**CARRIED**

Eldon Theodore of MacNaughton Hermesen Britton Clarkson (MHBC) Planning Limited, agent for the applicant was in attendance and indicated that the applicant is in agreement with the staff report.

**(Green/Collins)**

*That staff be directed to include the appropriate provisions in the amending by-law to allow for a commercial use at grade level not exceeding 80 square metres in gross floor area.*

**CARRIED**

**(Green/Collins)**

*That the recommendations be amended by adding the following subsection (c):*

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

**Amendment CARRIED**

For disposition of this matter refer to Item 6.

**(ii) Applications to Amend the Urban Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 70 Garner Road East, Ancaster (PED18185) (Ward 12) (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 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.

No members of the public came forward.

**(Pearson/B. Johnson)**

That the public meeting be closed.

**CARRIED**

**(Pearson/Conley)**

That the staff presentation be waived.

**CARRIED**

Ward Councillor Ferguson was in attendance and spoke in support of the proposal.

Ed Fothergill of Fothergill Planning and Development was in attendance representing the applicant. He indicated that the applicant is in support of the staff report.

**(Partridge/Collins)**

***That the recommendations be amended by adding the following subsection (c):***

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

**CARRIED**

For disposition of this matter refer to Item 7.

**(iii) Applications to Amend the Urban Hamilton Official Plan and Zoning By-law No. 05-200 and for Approval of a Draft Plan of Subdivision for Lands Located at 620 Tradewind Drive (Ancaster) (PED18150) (Ward 12) (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 Amendments and Zoning By-law Amendments and 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 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.

**(Collins/Pearson)**

That the public meeting be closed.

**CARRIED**

**(Farr/Green)**

That the staff presentation be waived.

**CARRIED**

Sergio Manchia of UrbanSolutions Planning and Land Development Consultants Inc was in attendance and addressed committee with a PowerPoint presentation. He presented proposed amendments to the Draft Plan of Subdivision and he provided copies of the proposed amendments which were distributed to the Committee and a copy has been retained for the public record.

Ward Councillor Ferguson was in attendance and spoke in support of the application and asked to be allowed to speak to the applicant, the agent and staff regarding the proposed changes.

**(Green/Partridge)**

That the agent's presentation be received.

**CARRIED**

**(Green/Partridge)**

That the report be referred back to staff to consider the proposed changes and to report to a meeting in September, 2018.

Councillor Partridge withdrew as a seconder.

**(Pearson/B. Johnson)**

That this Item be TABLED to be considered later on the agenda in order to allow the Ward Councilor to discuss the proposed changes with the applicant, the agent and staff.

**CARRIED**

Councillor Green indicated that he wished to be recorded as OPPOSED to this motion.

Subsequently, after the discussions between the Ward Councillor, the applicant, the agent and staff, the following amending motion was presented to Committee:

**(Pearson/Conley)**

***That subsection (c) of the recommendations be amended by adding the following subsection (ii) and renumbering the balance:***

***(c)(ii) Notwithstanding conditions of approval within Appendix D, that conditions 3, 5 and 15 shall be deemed satisfied upon deed and transfer of the lands required for the extension of Cormorant Road.***

**CARRIED**

**(Pearson/Collins)**

***That the recommendations be further amended by adding the following subsection (d):***

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

**CARRIED**

For disposition of this matter refer to Item 8.

**(iv) Application for a Zoning By-law Amendment for Lands Located at 1221 Limeridge Road East, Hamilton (PED18170) (Ward 6) (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 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.

**(Collins/Conley)**

That the public meeting be closed.

**CARRIED**

**(Pasuta/B. Johnson)**

That the staff presentation be waived.

**CARRIED**

Michael Crough of IBI Group was in attendance representing the applicant. He indicated that the applicant is in support of the staff report.

**(Collins/Conley)**

***That the recommendations be amended by adding the following subsection (b):***

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

**CARRIED**

For disposition of this matter refer to Item 9.

- (v) Application for Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 393 Rymal Road West (Hamilton) (PED18183) (Ward 8) (Item 6.5)**

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.

**Written Comments**

6.5(a) Marjorie McIntyre, 26 Cardinal Mindszenty Blvd

**(Green/Pearson)**

That the added written comments, Item 6.5(a) be received.

**CARRIED**

**Speakers**

**1. Marcel Lambert, 23 Bishop Sherlock Lane**

Marcel Lambert addressed Committee and expressed concerns that, as per the original contract, the lands were supposed to be used for charitable and not-for-profit purposes.

**2. Ruth Chappell, 29 Nolan Trail**

Ruth Chappell addressed Committee and expressed concerns that the culverts and stormwater pond are not being properly maintained.

**(Pearson/B. Johnson)**

That the delegations be received.

**CARRIED**

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

**(Pearson/Partridge)**

That the staff presentation be received.

**CARRIED**

Sarah Knoll of GSP Group was in attendance representing the applicant. Ms. Knoll indicated that the applicant is in agreement with the staff report and she addressed Committee with the aid of a PowerPoint presentation. Gary Zock from Zock and Associates, the Project Manager, explained that the property was sold to Zest Communities Inc. in 2014. Part of the requirement is to have a not-for-profit corporation. Such a corporation has been set up. A copy of the presentation is available for viewing on the City's website.

**(B. Johnson/Conley)**

That the agent's presentation be received.

**CARRIED**



**(Pasuta/Collins)**

That the public meeting be closed.

**CARRIED**

**(B. Johnson/Pearson)**

*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.**

**CARRIED**

For disposition of this matter refer to Item 10.

- (vi) Application for an Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 517 Stone Church Road West, Hamilton (PED18188) (Ward 8) (Item 6.6)**

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.

**(Pearson/Pasuta)**

That the public meeting be closed.

**CARRIED**

**(Pearson/Conley)**

That the staff presentation be waived.

**CARRIED**

James Webb of WEBB Planning Consultants and the owners, Nicholas Legault and Josee Pregent were in attendance. Mr. Webb advised that the owners are in agreement with the staff report.

**(Pearson/Conley)**

*That the recommendations be amended by adding the following subsection (b):*

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

**CARRIED**

For disposition of this matter refer to Item 11.

**(vii) Applications to Amend Zoning By-law No. 05-200, Approval of a Draft Plan of Subdivision "Butternut Hill" and Draft Plan of Condominium (Common Element) for Lands Located at 706 Highway No. 8, Flamborough (PED18144) (Ward 14) (Item 6.7)**

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 Draft Plan of Subdivision and 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.

**Written Comments**

6.7(a) Al & Ann Forth, 724 Old Highway No. 8, Flamborough

**(Collins/Partridge)**

That the added written comments, Item 6.7(a) be received.

**CARRIED**

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

**(B. Johnson/Pearson)**

That the staff presentation be received.

**CARRIED**

John Ariens of IBI Group was in attendance representing the applicant. Mr. Ariens addressed Committee with the aid of a PowerPoint presentation. A copy of the presentation is available for viewing on the City's website.

**(Pearson/Pasuta)**

That the agent's presentation be received.

**CARRIED**

**Speakers**

**1. Don Liske, 701 Old Highway 8**

Don Liske addressed Committee and read letters expressing concerns from the following neighbours:

- Dave Bromston, 716 old Highway 8
- Laurene and Orval Quantz, 712 Old Highway 8

He also read a letter from he and his wife expressing their concerns with the proposal.

Copies of the correspondence have been submitted for the public record and are available for viewing on the City's website.

**(B. Johnson/Pearson)**

That the delegation and written comments be received.

**CARRIED**

**(Partridge/Collins)**

That the public meeting be closed.

**CARRIED**

**(Pasuta/B. Johnson)**

**(a) That Appendix "B" to the report, the Zoning By-law amendment, be amended to require a planting strip and a visual barrier;**

**(b) That Appendix "D" to the report, the Draft Plan of Subdivision, be amended to require privacy fencing and landscaping.**

**CARRIED**

**(Pasuta/Conley)**

***That the recommendations be amended by adding the following subsection (e):***

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

**CARRIED**

For disposition of this matter refer to Item 12.

- (viii) Application to Amend the City of Stoney Creek Zoning By-law No. 3692-92 and the City of Hamilton Zoning By-law No. 6593 for Lands Located at 121 and 125 Highway No. 8, Stoney Creek (PED18180) (Ward 9) (Item 6.8)**

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 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.

No members of the public came forward.

**(Collins/Farr)**

That the public meeting be closed.

**CARRIED**

**(Conley/Pearson)**

That the staff presentation be waived.

**CARRIED**

Franz Kloibhofer of A.J. Clarke and Associates Limited was in attendance representing the applicant. He indicated that the applicant is in agreement with the staff report.

**(Conley/Collins)**

***That the recommendations be amended by adding the following subsection (d):***

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

**CARRIED**

For disposition of this matter refer to Item 13.

- (ix) Applications for an Amendment to the Rural Hamilton Official Plan and the City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 19 Highland Road East, Stoney Creek (PED18169) (Ward 9) (Item 6.9)**

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.

No members of the public came forward.

**(Partridge/Pearson)**

That the public meeting be closed.

**CARRIED**

**(Green/Farr)**

That the staff presentation be waived.

**CARRIED**

John Fisher, of U-Haul International, the applicant, addressed Committee and spoke about the Company. Jason Brower of Brower Architecture addressed Committee with the aid of a PowerPoint presentation and outlined the merits of the proposal.

**(B. Johnson/Conley)**

That the agent's presentation be received.

**CARRIED**

For disposition of this matter refer to Item 14.

Councillor B. Johnson indicated that she wished to be recorded as OPPOSED to the approval of this Item.

**(f) DISCUSSION ITEMS (Item 8)**

**(i) Hamilton Municipal Heritage Committee Report 18-007 (Item 8.1)**

Jason Parsons, Cultural Heritage Planner, provided a brief overview of Item 1(a) of the Committee Report regarding the recommendation to designate the Stoney Creek United Church.

**(Pearson/Conley)**

That the verbal overview from staff be received.

**CARRIED**

**Delegations**

**1. Linda Hart, Stoney Creek United Church (Item 4.1)**

Linda Hart addressed Committee and read from a prepared statement. A copy has been submitted to the Clerk for the official record and is available for viewing on the City's website. She also presented a couple of photographic images.

**2. Doug Caldwell (Item 4.2)**

Doug Caldwell addressed Committee and read from a prepared statement. He also used the aid of a PowerPoint presentation. Copies of the hand out were distributed and is available for viewing on the City's website.

**3. Reverend Mark Winger, Stoney Creek United Church (Item 4.3)**

Reverend Mark Winger addressed Committee and read from a prepared statement requesting that Stoney Creek United Church not be designated as a heritage property.

**(Farr/Pearson)**

That the delegations be received.

**CARRIED**

**(Pearson/Partridge)**

That Item 1(a) of the Hamilton Municipal Heritage Committee Report 18-007 be amended by inserting the word "**not**" before the words "**be added**" and by removing the words "**complete a preliminary screening to add the property to the work plan as a candidate for designation**" and inserting the words "**be directed to complete an inventory of the heritage features for posterity**" therein.

**Amendment CARRIED**

For disposition of this matter refer to Item 15.

**(ii) Personal Transportation Provider (PTP) (PED16099(c)) (City Wide) (Outstanding Business List Item) (Item 8.2)**

The Clerk advised that no one had registered to speak to this matter.

There was no one in attendance who indicated they wished to address Committee regarding Item 8.2.

For disposition of this matter refer to Item 16.

**(iii) Terrapure Stoney Creek Regional Facility EA – Compensation Agreement (LS18045 / FCS18072) (Ward 9) (Item 5.6)**

**Delegations**

**1. Mike Jovanovic, Terrapure Environmental (Item 4.4)**

Mike Jovanovic of Terrapure Environmental addressed Committee and spoke to the compensation agreement. He affirmed that they are agreeable to a compensation agreement with the City.

**(Collins/Conley)**

That the delegation be received.

**CARRIED**

**(Conley/Green)**

That Report LS18045/FCS18072 respecting Terrapure Stoney Creek Regional Facility EA – Compensation Agreement be TABLED until a decision has been made by the Province respecting Terrapure's Environment Assessment process whereby it is seeking to increase the capacity of the landfill.

**CARRIED**

**(g) MOTIONS (Item 9)**

- (i) To Waive the Road Widening Requirement for 71 Rebecca Street (Item 9.1)**

**(Farr/Collins)**

That Item 9.1 regarding To Waive the Road Widening Requirement for 71 Rebecca Street be removed from the agenda.

**CARRIED**

- (ii) Terrapure Environmental Stoney Creek Regional Facility 65 Green Mountain Road West (Item 9.2)**

This Item was removed under Changes to the agenda.

**(h) NOTICES OF MOTION (Item 10)**

- (i) Site Plan Application (SPA-18-082) for 2400 Regional Road 56 (Added Item 10.1)**

Councillor B. Johnson introduced a Notice of Motion respecting Site Plan Application (SPA-18-082) for 2400 Regional Road 56.

**(B. Johnson/Pasuta)**

That the rules of order be waived in order to allow for the introduction of a Motion respecting Site Plan Application (SPA-18-082) for 2400 Regional Road 56.

**CARRIED**

For disposition of this matter refer to Item 19.

**(i) GENERAL INFORMATION/OTHER BUSINESS (Item 11)**

11.1 Outstanding Business List

**(Pearson/Pasuta)**

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

Item "G" - That staff be directed to present to the Planning Committee an updated digital sign by-law

Due date: August 14, 2018

New due date: September 18, 2018

Item "N" - Update re: Losani OMB appeal and sign variance application appeal.

Due date: August 14, 2018

New due date: December 11, 2018

Item "P" - That Staff report back to the Planning Committee on increasing the number of EV Charging Stations in our downtown and include how the City will recover costs, how users will pay for current and future facilities and the current plus future demand levels.

Due date: August 14, 2018

New due date: December 11, 2018

Item "T" - Staff to prepare an updated discharge of Firearms by-law

Due date: August 14, 2018

New due date: February 19, 2019

(b) That the following Items be identified as completed and be removed:

Item "I" - That staff monitor the operations of the Personal Transportation Providers (Schedule 24 of the Licensing By-law 17-170) licensing category over the next year to determine if any adjustments are required and report back to Committee.

Item 8.2 on this agenda.

Item "GG(b)" – Staff to report back on August 14, 2018 regarding the existing rules respecting year-round liveaboard accommodations.

Added Item 12.2 on this agenda.

**CARRIED**

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

Committee approved the following Items without moving into Closed Session:



- (i) **Instructions - Appeal for Non-Decision to the Local Planning Appeal Tribunal re: Zoning By-Law Amendment, for lands located at 1518, 1530 and 1540 Upper Sherman Avenue, Hamilton (PL180175) (LS18020/PED18172) (Ward 7) (Distributed under separate cover.) (Item 12.1)**

For disposition of the matter refer to Item 20.

- (ii) **Boats Moored on Hamilton Waterfront Used As Residences ("Liveaboards") (LS18048) (City Wide) (Distributed under separate cover) (Item 12.2)**

For disposition of the matter refer to Item 21.

**(k) ADJOURNMENT (Item 13)**

**(Pasuta/Green)**

That, there being no further business, the Planning Committee be adjourned at 1:47 p.m.

**CARRIED**

Respectfully submitted,

Councillor A. Johnson  
Chair, Planning Committee

Ida Bedioui  
Legislative Co-ordinator  
Office of the City Clerk