



## **PLANNING COMMITTEE**

### **REPORT 12-011**

**Tuesday, July 10, 2012**

**9:30 am**

**Council Chambers**

**City Hall**

**71 Main Street West**

**Hamilton, Ontario**

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

**Also Present:** T. McCabe, GM, Planning & Economic Development  
M. Hazell, Senior Director, Parking & By-Law Services  
J. Hickey-Evans, Manager, Policy Planning  
S. Robichaud, Manager, Development Planning  
V. Robicheau, Office of the City Clerk

### **THE PLANNING COMMITTEE PRESENTS REPORT 12-011 AND RESPECTFULLY RECOMMENDS:**

**1. Appointment By-law under the Building Code Act (PED12111) (City Wide) (Item 5.1)**

That the By-law attached to Report PED12111 to repeal and replace City of Hamilton By-law 08-223, as amended, being a By-law to appoint a Chief Building Official, Deputies and Inspectors under Section 3 of the Building Code Act, be approved.

**2. Pre-Christmas Free Parking Strategy – Ancaster Business Improvement Area (B.I.A.) (PED12123) (Ward 12) (Item 5.2)**

That the annual Pre-Christmas Free Parking Program, approved by City Council on June 25, 2003, be amended to include free on-street parking at all times from

November 24<sup>th</sup> to December 24<sup>th</sup> annually and limited to two hours in duration for the Ancaster Business Improvement Area.

**3. Committee of Adjustment Consent and Minor Variance Applications SC/B-12:07 and SC/A-12:31 for the Property Located at 1311 Highway No. 8 (Stoney Creek), Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment (PED12125) (Ward 11) (Item 5.3)**

- (a) That Report PED12125, respecting Committee of Adjustment Consent and Minor Variance Applications SC/B-12:07 and SC/A-12:31, for the property located at 1311 Highway No. 8 (Stoney Creek), as shown on Appendix "A" to Report PED12125, supported by the Planning and Economic Development Department, but denied by the Committee of Adjustment, be received for information;
- (b) That Council direct Legal Services to attend the OMB Hearing in support of the Committee of Adjustment decisions, and to retain outside professional(s);
- (c) That the amount required to attain outside professional(s) is to be funded first through the 2012 Budget; second, through the year-end Corporate Surpluses; third, through the Tax Stabilization Reserve.

**4. Hamilton Municipal Heritage Committee – Minutes 12-005 (Item 5.4)**

That the Hamilton Municipal Heritage Committee Minutes 12-005, be received.

**5. Applications for Amendments to the City of Stoney Creek Official Plan, Zoning By-law No. 3692-92, and Draft Plan of Subdivision Known as "Paramount", for Lands Located at 220 Mud Street West - Nash Neighbourhood (Stoney Creek) (PED12079) (Ward 9) (Item 6.A)**

- (a) That approval be given to Official Plan Amendment Application OPA-11-008, by 2268329 Ontario Inc. o/a Albion Developments Inc. (Albion), Owners, for Official Plan Amendment No. [REDACTED], to amend Schedule "A3-2" Nash Neighbourhood Secondary Plan to redesignate lands to "Open Space - Walkway", "Low Density Residential", "Medium Density Residential 1", and "Medium-High Density Residential", for the lands located at 220 Mud Street West, (Stoney Creek) as shown on Schedule "A" to Appendix "B" to Report PED12079, on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED12079, be adopted by Council;
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement, and conforms to the Places to Grow Growth Plan for the Greater Golden Horseshoe and the Hamilton-Wentworth Official Plan.
- (b) That approval be given to Urban Hamilton Official Plan Amendment No. [REDACTED], to amend Map B.7.5-1 - Nash Neighbourhood Secondary Plan for redesignation from “Utility” to “Low Density Residential 2” and “Natural Open Space”; from “Medium Density Residential 2” to “Natural Open Space”, “Medium Density Residential 3”, “Medium Density Residential 2h”, “General Open Space”, “Natural Open Space”, “Low Density Residential 2”, and “Utility”; from “Medium Density Residential 3” to “Natural Open Space”; and, from “Natural Open Space” to “Utility” designations; to be held in abeyance until a final decision has been made regarding the Urban Hamilton Official Plan, for lands known municipally as 220 Mud Street West (Stoney Creek), as shown on Schedule “I” to Appendix “H” to Report PED12079;
- (c) That approval be given to **Zoning Application ZAC-11-051, by 2268329 Ontario Inc. o/a Albion Developments Inc., Owners**, for changes in zoning to By-law No. 3692-92 from the Single Residential “R2” Zone, the Single Residential “R2-14” Zone, with a Special Exception, the Single Residential “R2-15” Zone, with a Special Exception, the Single Residential “R3” Zone, the Multiple Residential Holding “RM3-2(H)” Zone, with a Special Exception, and the Multiple Residential Holding “RM5-3(H)” Zone, with a Special Exception, to the Single Residential “R3-33” Zone, with a Special Exception (Blocks 1, 2, 4, 6, and 7), the Single Residential “R6-6” Zone, with a Special Exception (Blocks 8, 10, 12, and 13), the Multiple Residential “RM2-29” Zone, with a Special Exception (Blocks 9 and 11), the Multiple Residential “RM3-45” Zone, with a Special Exception (Block 14), the Multiple Residential “RM3-46” Zone, with a Special Exception (Blocks 3 and 5), the Multiple Residential “RM5-10” Zone, with a Special Exception (Block 15), the Single Residential “R3-34” Zone, with a Special Exception (Blocks 16, 17, and 18), and adding lands to Zoning By-law No. 05-200 to the Conservation/Hazard (P5) Zone (Blocks 1 and 2) and the Conservation/Hazard (P5, 29) Zone, with a Special Exception (Block 3), as shown on Schedule “A” to Appendices “C” and “D” to Report PED12079, on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED12079, 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 “A”, Map No. 10 of Zoning By-law No. 3692-92;
  - (iii) That the draft By-law, attached as Appendix “D” to Report PED12079, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (iv) That the amending By-law be added to Schedule “A”, Map Nos. 1404 and 1455 of Zoning By-law No. 05-200;
  - (v) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the City of Stoney Creek Official Plan upon finalization of Official Plan Amendment No. [REDACTED].
- (d) That approval be given to **Draft Plan of Subdivision Application 25T-201108, by 2268329 Ontario Inc. o/a Albion Developments Inc., Owners**, to establish a draft plan of subdivision known as “Paramount”, on lands at 220 Mud Street West, in the former City of Stoney Creek, as shown on Appendix “E” to Report PED12079, subject to the following conditions:
- (i) That this approval apply to “Paramount”, 25T-201108, prepared by A.J. Clarke and Associates Ltd., and certified by B.J. Clarke, O.L.S., dated August 19, 2011, as revised January 19, 2012, showing 115 lots for single detached dwellings (Lots 1-82, and 97-129), 24 lots for 48 semi-detached dwellings (Lots 83-96 and 130-139), nine blocks for 53 freehold townhouse units (Blocks 140-148), two blocks for 117 townhouse condominium units (Blocks 149 and 150), one block for future high density development for 32 units (Block 151), two blocks for walkways (Blocks 154 and 155), one hedgerow block (Block 153), four ESA blocks (Blocks 156-158 and 160), one stormwater management pond (Block 159), one block for the Felker Channel and future pedestrian connection (Block 161), one block for open space (Block 152), and the creation of 4 public roads (Streets “A”, “B”, “C”, and “D”), attached as Appendix “E” to Report PED12079, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix “F” to Report PED12079;
  - (ii) Acknowledgement by the City of Hamilton of its responsibility for cost-sharing with respect to this development for the following item:

(1) The Stormwater Management Facility, from an approved Capital Budget Source, in accordance with applicable Council policies.

(iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the Planning Act, prior to the issuance of each building permit. The calculation of the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of each building permit, with the exception of Blocks 140 to 151, for which payment shall be based on the value of the land on the day prior to the issuance of the first building permit for each said block;

With regard to Lots 1-82 and 97-129 (Single-Detached Residential) and Lots 83-96 and 130-139 (Semi-Detached Residential) a parkland dedication at a ratio of 5% shall be required;

With regard to Blocks 140-148 (Street Townhouses), a parkland dedication at a ratio of 1 ha per 300 dwellings units shall be required;

With regard to Blocks 149-151 (Maisonettes/High Density Residential), a parkland dedication at a ratio of 0.6 ha of the net land area for each 300 dwelling units proposed shall be required.

All in accordance with the financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council.

(e) That Appendix F be replaced with the Revised Appendix F to include condition (1)(j), to read as follows:

(1)(j) That the required landscape plan include additional plantings in key locations in order to provide a substantive natural buffer between the existing single detached dwellings along Audubon Street South and Block 149.

**6. Application for Amendment to the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 433 Hamilton Drive (Ancaster) (PED12124) (Ward 12) (Item 6.2)**

That approval be given to Amended Zoning Application ZAR-11-074, by Grace Simonji (Owner), for a change in zoning from the Agricultural "A-216" Zone to the Residential "R3-652" Zone, with a Special Exception, to facilitate the creation of two single detached dwelling lots, on lands located at 433 Hamilton

Drive (Ancaster), as shown on Appendix “A” to Report PED12124, on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED12124, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the amending By-law be added to Section 34 of Zoning By-law No 87-57 as “R3-652”;
- (c) That the proposed change in zoning is consistent with the Provincial Policy Statement, conforms to the Places to Grow Plan, and is in conformity with the Hamilton-Wentworth Official Plan, the Town of Ancaster Official Plan, and New Urban Hamilton Official Plan.

**7. Application for Approval of a Draft Plan of Condominium (Common Elements) by Carriage Gate Homes (Mountain Garden) Inc. for Lands Known as 70 Highgate Drive (Stoney Creek) (PED12127) (Ward 9) (Item 6.3)**

That approval be given to **Draft Plan of Condominium Application 25CDM-201113, by Carriage Gate Homes (Mountain Garden) Inc., Owner**, to establish a draft plan of condominium (Common Elements Condominium) to create a condominium road and sidewalk, visitor parking areas, and landscaped areas, for 46 freehold townhouse dwelling units, on lands located at 70 Highgate Drive (Stoney Creek), known legally as Block 65, Registered Plan 62M-1141 (Mountain Garden), as shown on the attached location map marked as Appendix “A” to Report PED12127, subject to the following conditions:

- (i) That this approval shall apply to the plan, prepared by A.T. McLaren Limited and certified by S.D. McLaren, O.L.S., dated April 16, 2012, showing the common elements, attached as Appendix “B” to Report PED12127;
- (ii) That the Final Plan of Condominium shall comply with all of the applicable provisions of Zoning By-law No. 3692-92;
- (iii) That the final plan of condominium shall comply, in all respects, with the approved Site Plan (DA-11-077), to the satisfaction of the Director of Planning;
- (iv) That the owner shall receive final approval of a Part Lot Control Application, including the enactment and registration on title of the Part Lot Control Exemption By-law, to the satisfaction of the Director of Planning;

- (v) That the owner shall enter into a Development Agreement to ensure that the tenure of each of the proposed 46 freehold units has legal interest, in common, to the Common Elements Condominium, to the satisfaction of the City Solicitor;
- (vi) That the owner shall include the following warning clauses in the Development Agreement and all Purchase and Sale Agreements, and any rental or lease agreements required for occupancy:
  - (a) “Purchasers are advised that the City of Hamilton will not be providing maintenance or snow removal service for the private condominium road and sidewalk”;
  - (b) “That the home/business mail delivery will be from a designated Centralized Mail Box”;
  - (c) “That the developers/owners will be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales”;
  - (d) “On-street, public parking in the surrounding neighbourhood is limited and cannot be guaranteed in perpetuity. Garage space for this unit is provided and intended for the purposes of parking a vehicle. It is the owner’s responsibility to ensure that their parking needs can be accommodated.”
- (vii) That the owner shall agree to:
  - (a) Work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations, which may be utilized by Canada Post, until the curbs, boulevards, and sidewalks are in place in the remainder of the subdivision;
  - (b) Install a concrete pad in accordance with the requirements of, and in locations to be approved by, the Senior Director of Growth Management and Canada Post, to facilitate the placement of Community Mail Boxes;
  - (c) Identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase;
  - (d) Determine the location of all centralized mail receiving facilities in cooperation with the Senior Director of Growth Management and Canada Post, and indicate the location of centralized mail facilities on appropriate maps, information boards, and plans. Maps are

also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.

- (viii) That prior to occupancy, the owner shall agree to register an easement for drainage purposes over Block 65 of Registered Plan of Subdivision, 62M-1141, in favour of the future Condominium Corporation, to the satisfaction of the Senior Director of Growth Management;
- (ix) That the owner shall provide the Manager of Design and Construction with evidence that satisfactory arrangements, financial and otherwise, have been made with a telecommunication service provider, approved by the Canadian Radio and Telecommunication Commission (CRTC), that adequate telecommunication service will be provided to the condominium, including 9-1-1 emergency calling service that identifies, at a minimum, the caller's name and location information;
- (x) That the owner/developer shall provide to Union Gas Limited the necessary easements and/or agreements required by Union Gas Limited for the provision of gas services for this project, in a form satisfactory to Union Gas Limited;
- (xi) That the owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton.

**8. Application to Amend the Stoney Creek Official Plan and Zoning By-law No. 3692-92 for Lands Located at 845 and 857 North Service Road (Stoney Creek) (PED12089) (Ward 11) (Item 6.5)**

- (a) That approval be given to **Official Plan Amendment Application OPA-11-004, by Homes by DeSantis (Meadows) Inc., c/o Gabe DeSantis, (Owner)**, for Official Plan Amendment No. [REDACTED], for changes in designation from the "Low Density Residential" and "Institutional" designations to the "Medium Density Residential" designation, on Schedule A4 - Urban Lakeshore Area Secondary Plan in the Stoney Creek Official Plan, on the lands known as 845 and 857 North Service Road (Stoney Creek), as shown on Appendix "A" to Report PED12089, on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED12089, be adopted by Council;
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement, and conforms to Places to Grow and the Hamilton-Wentworth Official Plan.



- (b) That approval be given to Urban Hamilton Official Plan Amendment No. [REDACTED] for changes in designation to the Urban Lakeshore Area Secondary Plan - Map 7.3-1, from “Low Density Residential 2b” and “Institutional” to “Low Density Residential 3c”, to be held in abeyance until a final decision has been made regarding the Urban Hamilton Official Plan, for lands known municipally as 845 and 857 North Service Road (Stoney Creek), as shown on Appendix “C” to Report PED12089;
- (c) That approval be given to **Zoning Amendment Application ZAC-11-025, by Homes By DeSantis (Meadows) Inc., c/o Gabe DeSantis, (Owner)**, for changes in zoning from the Neighbourhood Development “ND” Zone to the Multiple Residential “RM2-31” Zone, with a Special Exception (Block 1); to the Multiple Residential “RM2-32” Zone, with a Special Exception (Block 2); and to the Multiple Residential “RM2-33” Zone, with a Special Exception (Block 3), to permit the development of 20 street townhouse dwelling units fronting onto Palacebeach Trail and 28 freehold townhouse dwelling units fronting a private (condominium) road, for lands located at 845 and 857 North Service Road (Stoney Creek), as shown on Appendix “A” to Report PED12089, on the following basis:
- (i) That the draft By-law, attached as Appendix “D” to Report PED12089, 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 Map No. “2” of Zoning By-law No. 3692-92;
- (iii) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the City of Stoney Creek Official Plan upon approval of Official Plan Amendment No. [REDACTED];
- (d) That upon finalization of the implementing By-law, the subject lands be identified as Medium Density Residential (MD) on the Trillium Neighbourhood Plan.
9. **Applications for Approval of an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, and Draft Plan of Common Element Condominium, for Lands Located at 120 and 124 King Street West (Stoney Creek) (PED12100) (Ward 9) (Item 6.6)**
- (a) That approval be given to **Official Plan Amendment Application OPA-12-004, by 1810915 Ontario Inc (Nick Uhac), Owner**, for Official Plan Amendment No. [REDACTED], to add a site-specific policy to the Olde Town Secondary plan to permit a maximum residential density of 114 units per

hectare on the entirety of the lands located at 120 and 124 King Street West (Stoney Creek), as shown on Appendix “A” to Report PED12100, on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED12100, be adopted by City Council;
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement and conforms to the Hamilton-Wentworth Official Plan.
- (b) That approval be given to Urban Hamilton Official Plan Amendment No. [REDACTED] to amend Map B.7.2-1 - Old Town - Land Use Plan to identify the subject lands as Site-Specific Policy Area D, in order to permit a maximum residential density of 114 units per hectare and to allow for local commercial uses, attached as Appendix “C” to Report PED12100, to be held in abeyance until a final decision has been made regarding the Urban Hamilton Official Plan, for lands located at 120 and 124 King Street West (Stoney Creek);
- (c) That approval be given to **Amended Zoning Amendment Application ZAC-11-024, by 1810915 Ontario Inc (Nick Uhac), Owner**, for changes in zoning from the Multiple Residential (Holding) “RM4(H)” Zone to the Multiple Residential “RM4-7” Zone, with a Special Exception (Block 1), and to the Multiple Residential “RM2-30” Zone, with a Special Exception (Block 2), to permit the development of a 6-storey apartment building containing 80 units and 10 live-work street townhouse units containing commercial uses on the ground floor, and a residential use on the second floor, for lands located at 120 and 124 King Street West (Stoney Creek), as shown on Appendix “A” to Report PED12100, on the following basis:
- (i) That the draft By-law, attached as Appendix “D” to Report PED12100, 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 Map No. “5” of Zoning By-law No. 3692-92;
  - (iii) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the City of Stoney Creek Official Plan upon finalization of Official Plan Amendment No. [REDACTED].
- (d) That approval be given to **Draft Plan of Subdivision Application 25T-201102, by 1810915 Ontario Inc (Nick Uhac), Owner**, to establish a draft plan of subdivision known as “Village Creek”, on lands located at 120 and

124 King Street West (Stoney Creek), as shown on Appendix "A" to Report PED12100, subject to the following conditions:

- (i) That this approval apply to "Village Creek", 25T-201102, prepared by IBI Group, and certified by S.D. McLaren, O.L.S., dated March 2, 2011, and revised on February 13, 2012, showing 10 lots for live-work street townhouses (Lots 1-10), 1 block for an apartment building containing 80 units (Block 12), and 1 block for a common element condominium road and visitor parking (Block 11), attached as Appendix "E" to Report PED12100, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix "F" to Report PED12100;
- (ii) Acknowledgement that there will be no City share for any municipal works associated with this development;
- (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the Planning Act, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the land on the day prior to the issuance of the first building permit for each said Lot or Block.

With regard to Lots 1 to 10 (live-work townhouses), a parkland dedication at a ratio of 1.0 ha per 300 dwelling units will be required. For the apartment building (Block 12), a parkland dedication at a ratio of 0.5 ha per 300 dwelling units will be required.

All in accordance with the Financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council.

- (e) That approval be given to **Draft Plan of Condominium Application 25CDM-201104, by 1810915 Ontario Inc (Nick Uhac), Owner**, to establish a draft plan of condominium (Common Elements Condominium) to create a condominium road and visitor parking areas, on lands located at 120 and 124 King Street West (Stoney Creek), as shown on Appendix "A" to Report PED12100, subject to the following conditions:
  - (i) That this approval applies to the plan prepared by IBI Group, and certified by S.D. McLaren, O.L.S., dated February 13, 2012, showing the common elements (Block 11), attached as Appendix "G" to Report PED12100;
  - (ii) That the Final Plan of Condominium complies with all the applicable provisions of Zoning By-law No. 3692-92;

- (iii) That the owner receives final approval and registers Draft Plan of Subdivision 25T-201102, to the satisfaction of the Director of Planning;
- (iv) That the owner enters into a Development Agreement to ensure that the tenure of each of the proposed 10 freehold, live-work townhouse lots and the proposed condominium apartment building have legal interest, in common, to the Common Elements Condominium, to the satisfaction of the City Solicitor;
- (v) That the owner includes the following warning clause in the Development Agreement, all Purchase and Sale Agreements, and any rental or lease agreements required for occupancy:

“Purchasers are advised that the City of Hamilton will not be providing maintenance or snow removal service for the private condominium roadway or sidewalk.”
- (vi) That the owner satisfies any conditions, financial or otherwise, of the City of Hamilton.

**10. Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 135 and 137 King Street East and 42 Passmore Street (Stoney Creek) (PED12130) (Ward 9) (Item 6.8)**

- (a) That approval be given to **Official Plan Amendment Application OPA-11-017, by 1507939 Ontario Inc., c/o Alex Kepecs, Owner**, for Amendment No. [REDACTED] to the Stoney Creek Official Plan, for changes in designation on Schedule “A” from “General Commercial” and “Residential” to “Institutional”, and for changes in designation on Schedule “A5” from “General Commercial” and “Low Density Residential” to “Institutional”, with a Special Policy, in order to permit a retirement home and secondary commercial uses, on the lands located at 135 and 137 King Street East and 42 Passmore Street (Stoney Creek), as shown on Appendix “A” to Report PED12130, on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED12130, be adopted by City Council;
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement and conforms to the Hamilton-Wentworth Official Plan.

- (b) That approval be given to Urban Hamilton Official Plan Amendment No. [REDACTED] to amend Map B.7.2-1 - Old Town Secondary Plan from the "Local Commercial" and "Low Density Residential 2a" designations to the "Institutional" designation with a Site Specific Policy - Area E to permit secondary commercial uses; to be held in abeyance until a final decision has been made regarding the Urban Hamilton Official Plan, for lands known municipally as 135 and 137 King Street East and 42 Passmore Street (Stoney Creek), as shown on Appendix "A" to Report PED12130;
- (c) That approval be given to **Zoning Application ZAC-11-069, by 1507939 Ontario Inc., c/o Alex Kepecs, Owner**, for changes in zoning from the General Commercial "GC" Zone (Block "1") and the Single Residential "R1" Zone (Block 2) in Stoney Creek Zoning By-law No. 3692-92 to the Major Institutional (I3, 449, H49) Zone, with a Special Exception and Holding Provision, in Hamilton Zoning By-law No. 05-200, in order to permit a retirement home and secondary commercial uses, for lands located at 135 and 137 King Street East and 42 Passmore Street (Stoney Creek), as shown on Appendix "A" to Report PED12130, on the following basis:
- (i) That the draft By-law, attached as Appendix "D" to Report PED12130, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the changes in zoning conform to the Hamilton-Wentworth Official Plan, and will conform to the Stoney Creek Official Plan upon finalization of Official Plan Amendment No. [REDACTED];
- (d) That upon finalization of the implementing By-law, the subject lands within the Olde Town Neighbourhood Plan be redesignated from "Commercial" (Block 1 on Appendix "A") and "Low Density Residential" (Block 2 on Appendix "A") to "Institutional";
- (e) That staff be directed to include the following changes/requirements in the site plan approval process:
- (i) That the lay-by be removed on Passmore Street;
- (ii) That changes to traffic signage/flows be completed in order to remove the merge situation at Gray and King Street;
- (iii) That a wind study be completed;
- (iv) That a hydrological study be completed.

- (f) That a Community Liaison Committee be formed to work with the Ward Councillor on providing input to the Councillor on final site plan details and for ongoing monitoring of the project.

#### **FOR THE INFORMATION OF COUNCIL:**

#### **(a) CHANGES TO THE AGENDA**

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

##### DELEGATION REQUESTS

- 4.2 Delegation Request from Ryan Oosterhoff respecting item 8.1, Applications for Amendments to the City of Stoney Creek Official Plan, Zoning By-law No. 3692-92, and Draft Plan of Subdivision Known as "Paramount", for Lands Located at 220 Mud Street West - Nash Neighbourhood (Stoney Creek) (PED12079) (Ward 9) (*For Today's Meeting*)

##### PUBLIC HEARINGS AND DELEGATIONS

- 6.A Applications for Amendments to the City of Stoney Creek Official Plan, Zoning By-law No. 3692-92, and Draft Plan of Subdivision Known as "Paramount", for Lands Located at 220 Mud Street West - Nash Neighbourhood (Stoney Creek) (PED12079) (Ward 9)
- 6.7 Application for an Amendment to Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 3250 Homestead Drive (Glanbrook) (PED12128) (Ward 11)
  - (ii) Correspondence from Marianne and Hugh Brown
  - (iii) Correspondence from John Holtrop

The Agenda for the June 19, 2012 meeting of the Planning Committee was approved, as amended.

#### **(b) DECLARATIONS OF INTEREST**

None.

**(c) APPROVAL OF MINUTES****(i) June 19, 2012**

The Minutes of the June 19, 2012 Planning Committee meeting were approved.

**(d) DELEGATION REQUESTS****(i) Delegation from Bob Carr respecting a concern about the Urban Design Study and to present an alternative residential vision for the West Harbour (Item 4.1)**

The delegation request from Bob Carr, respecting a concern about the Urban Design Study and to present an alternative residential vision for the West Harbour, was approved for a future meeting.

**(ii) Delegation Request from Ryan Oosterhoff respecting item 6.1(a), Applications for Amendments to the City of Stoney Creek Official Plan, Zoning By-law No. 3692-92, and Draft Plan of Subdivision Known as "Paramount", for Lands Located at 220 Mud Street West - Nash Neighbourhood (Stoney Creek) (PED12079) (Ward 9) (Item 4.2)**

The delegation request from Ryan Oosterhoff, respecting item 6.1(a), Applications for Amendments to the City of Stoney Creek Official Plan, Zoning By-law No. 3692-92, and Draft Plan of Subdivision Known as "Paramount", for Lands Located at 220 Mud Street West - Nash Neighbourhood (Stoney Creek) (PED12079) (Ward 9), was approved for today's meeting.

**(e) CONSENT ITEMS****(i) Committee of Adjustment Consent and Minor Variance Applications SC/B-12:07 and SC/A-12:31 for the Property Located at 1311 Highway No. 8 (Stoney Creek), Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment (PED12125) (Ward 11) (Item 5.3)**

Report PED12125, Committee of Adjustment Consent and Minor Variance Applications SC/B-12:07 and SC/A-12:31 for the Property Located at 1311 Highway No. 8 (Stoney Creek), Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment, was amended by deleting the words, "and no further action by the City be taken" and replacing it with the following words, to read as follows:

- (a) That Report PED12125, respecting Committee of Adjustment Consent and Minor Variance Applications SC/B-12:07 and SC/A-12:31, for the property located at 1311 Highway No. 8 (Stoney Creek), as shown on Appendix "A" to Report PED12125, supported by the Planning and Economic Development Department, but denied by the Committee of Adjustment, be received for information;
- (b) That Council direct Legal Services to attend the OMB Hearing in support of the Committee of Adjustment decisions, and to retain outside professional(s);
- (c) That the amount required to attain outside professional(s) is to be funded first through the 2012 Budget; second, through the year-end Corporate Surpluses; third, through the Tax Stabilization Reserve.

For disposition on this item, refer to item 3.

**(f) PUBLIC HEARINGS AND DELEGATIONS**

- (i) Applications for Amendments to the City of Stoney Creek Official Plan, Zoning By-law No. 3692-92, and Draft Plan of Subdivision Known as "Paramount", for Lands Located at 220 Mud Street West - Nash Neighbourhood (Stoney Creek) (PED12079) (Ward 9) (Item 6.A)**

Appendix F was replaced with a Revised Appendix F to include condition (1)(j), to read as follows:

- (1)(j) That the required landscape plan include additional plantings in key locations in order to provide a substantive natural buffer between the existing single detached dwellings along Audubon Street South and Block 149.

For disposition on this item, refer to item 5.

- (ii) Delegation from Ross and Ross Barristers and Solicitors respecting 179 Sunnyridge Rd., Jerseyville Rural Settlement Area (Item 6.1)**

John Ross provided an overview of the issues with 179 Sunnyridge Rd., with the aid of a PowerPoint Presentation. A copy of the presentation has been included in the public record.



The presentation from John Ross respecting 179 Sunnyridge Rd., Jerseyville Rural Settlement Area, was received.

**(iii) Application for Amendment to the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 433 Hamilton Drive (Ancaster) (PED12124) (Ward 12) (Item 6.2)**

In accordance with the provision of the Planning Act, Chair B. Clark advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the Zoning By-law amendments, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

The public meeting respecting, Report PED12124, Application for Amendment to the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 433 Hamilton Drive (Ancaster), was closed.

The staff presentation respecting, Report PED12124, Application for Amendment to the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 433 Hamilton Drive (Ancaster), was waived.

The recommendations for Report PED12124, Application for Amendment to the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 433 Hamilton Drive (Ancaster), were amended by replacing the words, "Howard Boulevard" with the words, "Hamilton Drive".

Staff was directed to report back to the Planning Committee on how a temporary side walk can be placed on the corner of Hamilton Drive.

For disposition on this Item, refer to item 6.

**(iv) Application for Approval of a Draft Plan of Condominium (Common Elements) by Carriage Gate Homes (Mountain Garden) Inc. for Lands Known as 70 Highgate Drive (Stoney Creek) (PED12127) (Ward 9) (Item 6.3)**

In accordance with the provision of the Planning Act, Chair B. Clark advised those in attendance that if a person or public body does not make

oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the Draft Plan of Condominium, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

The public meeting respecting, Report PED12127, Application for Approval of a Draft Plan of Condominium (Common Elements) by Carriage Gate Homes (Mountain Garden) Inc. for Lands Known as 70 Highgate Drive (Stoney Creek), was closed.

The staff presentation respecting, Report PED12127, Application for Approval of a Draft Plan of Condominium (Common Elements) by Carriage Gate Homes (Mountain Garden) Inc. for Lands Known as 70 Highgate Drive (Stoney Creek), was waived.

For disposition on this Item, refer to item 7.

**(v) Application for an Amendment to Hamilton Zoning By-law No. 05-200 for the Property Located at 586 Beach Road (Hamilton) (PED12118) (Ward 4) (Item 6.4)**

In accordance with the provision of the Planning Act, Chair B. Clark advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the Zoning By-law amendments the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Greg Macdonald, Senior Planner, presented an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting Report PED12118, Application for an Amendment to Hamilton Zoning By-law No. 05-200 for the Property Located at 586 Beach Road (Hamilton), was received.

Public Speakers:

1. Steve Perry – 14 Beatty Ave., Hamilton, ON L84 3P4

Mr. Perry expressed concerns over the debris and disturbances on the site.

The public presentation respecting Report PED12118, Application for an Amendment to Hamilton Zoning By-law No. 05-200 for the Property Located at 586 Beach Road (Hamilton), was received.

The public meeting respecting, Report PED12118, Application for an Amendment to Hamilton Zoning By-law No. 05-200 for the Property Located at 586 Beach Road (Hamilton), was closed.

James Webb, on behalf of the applicant, expressed that the land is zoned for industrial uses and that his applicant wishes to expand and that this zone change is appropriate and compatible with the intent of the area.

The applicant's presentation respecting Report PED12118, Application for an Amendment to Hamilton Zoning By-law No. 05-200 for the Property Located at 586 Beach Road (Hamilton), was received.

Report PED12118, Application for an Amendment to Hamilton Zoning By-law No. 05-200 for the Property Located at 586 Beach Road (Hamilton), was tabled for further consultation between the Ward Councillor, applicant and stakeholders.

Staff was directed to report back to the Planning Committee with a plan to proactively ensure industrial operators, who require a Certificate of Approval, have a valid certificate when applying for a new business license or through the renewal process.

**(vi) Application to Amend the Stoney Creek Official Plan and Zoning By-law No. 3692-92 for Lands Located at 845 and 857 North Service Road (Stoney Creek) (PED12089) (Ward 11) (Item 6.5)**

In accordance with the provision of the Planning Act, Chair B. Clark advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the Official Plan and Zoning By-law amendments the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a

party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

The public meeting respecting, Report PED12089, Application to Amend the Stoney Creek Official Plan and Zoning By-law No. 3692-92 for Lands Located at 845 and 857 North Service Road (Stoney Creek), was closed.

Alvin Chan, Planner, presented an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting, Report PED12089, Application to Amend the Stoney Creek Official Plan and Zoning By-law No. 3692-92 for Lands Located at 845 and 857 North Service Road (Stoney Creek), was received.

John Ariens, on behalf of the applicant, provided an overview of the development and addressed issues over concerns with parking.

The applicant's presentation respecting Report PED12089, Application to Amend the Stoney Creek Official Plan and Zoning By-law No. 3692-92 for Lands Located at 845 and 857 North Service Road (Stoney Creek), was received.

Councillor Johnson indicated that she wishes to be included in discussions related to this development.

For disposition on this Item, refer to item 8.

**(vii) Applications for Approval of an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, and Draft Plan of Common Element Condominium, for Lands Located at 120 and 124 King Street West (Stoney Creek) (PED12100) (Ward 9) (Item 6.6)**

In accordance with the provision of the Planning Act, Chair B. Clark advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the Official Plan, Zoning By-law amendments and the Draft Plan of Subdivision, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the

Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Public Speakers:

1. Ed Paprocki - 13 Orlanda Rd., Hamilton, ON L8G 2J9

Mr. Paprocki has been asked by neighbours to represent them with regard to this matter. Residents live in single dwelling, low rise units that back onto the unit. Residents are suggesting that the apartment building be reduced back to 4 stories from the amended 6 stories to address the density issues.

The public presentation, respecting Report PED12100, Applications for Approval of an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, and Draft Plan of Common Element Condominium, for Lands Located at 120 and 124 King Street West (Stoney Creek), was received.

The public meeting, respecting Report PED12100, Applications for Approval of an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, and Draft Plan of Common Element Condominium, for Lands Located at 120 and 124 King Street West (Stoney Creek), as closed.

John Ariens, on behalf of the applicant, provided an overview of the development and addressed issues concerning the number of stories and location of the proposed apartment building.

The applicant's presentation, respecting Report PED12100, Applications for Approval of an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, and Draft Plan of Common Element Condominium, for Lands Located at 120 and 124 King Street West (Stoney Creek), was received.

For disposition on this Item, refer to item 9.

**(viii) Application for an Amendment to Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 3250 Homestead Drive (Glanbrook) (PED12128) (Ward 11) (Item 6.7)**

- (aa) Correspondence from Crystal Schweyer and Cameron Brown**
- (bb) Correspondence from Marianne and Hugh Brown**
- (cc) Correspondence from John Holtrop**

In accordance with the provision of the Planning Act, Chair B. Clark advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the Zoning By-law amendments the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Alvin Chan, Planner, presented an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting, Report PED12128, Application for an Amendment to Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 3250 Homestead Drive (Glanbrook), was received.

**Public Speakers:**

1. Marianne Chamberlain – 3260 Homestead Dr., Hamilton, ON L0R 1W0

Ms. Chamberlain wished to know what stores were being put into the building and asked about idling vehicles. She also expressed concerns for the height being over 10 metres, the height of the fence, trees and a future road grant.

2. Crystal Schweyer - 3 Longview Dr., Hamilton, ON L0R 1W0

Ms. Schweyer provided a copy of a petition from 62 area residents who oppose the Zoning By-law Amendment that is proposed for land at 3250 Homestead Drive.

The petition respecting, Report PED12128, Application for an Amendment to Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 3250 Homestead Drive (Glanbrook), was received.

3. John Evely – 3260 Homestead Dr., Hamilton, ON L0R 1W0

Mr. Evely spoke to reserve his right to appeal.

4. Robert Henderson – 45 Thames Way, Hamilton, ON L0R 1W0

Mr. Henderson spoke to reserve his right to appeal.

5. Hugh Brown – 55 Marion St., Hamilton, ON L0R 1W0

Mr. Brown provided a background of the area in relation to commercial needs and expressed concerns over parking. Mr. Brown also provided the committee with photos of the area.

6. Gord Morris – 3253 Homestead Dr., Hamilton, ON L0R 1W0

Mr. Morris is representing his mother who is a longtime resident.

The public presentations respecting Report PED12128, Application for an Amendment to Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 3250 Homestead Drive (Glanbrook), was received.

The correspondence respecting, Report PED12128, Application for an Amendment to Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 3250 Homestead Drive (Glanbrook), was received.

The public meeting, respecting Report PED12128, Application for an Amendment to Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 3250 Homestead Drive (Glanbrook), was closed.

Same Esposito Architects, the agent, on behalf of the applicant, provided an overview of the development and addressed issues concerning the number of stories and location of the proposed apartment building.

The applicant's presentation, respecting Report PED12128, Application for an Amendment to Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 3250 Homestead Drive (Glanbrook), was received.

Report PED12128, Application for an Amendment to Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 3250 Homestead Drive (Glanbrook), was tabled for further consultation between the Ward Councillor and the Applicant.

- (ix) **Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 135 and 137 King Street East and 42 Passmore Street (Stoney Creek) (PED12130) (Ward 9) (Item 6.8)**
- (aa) **Correspondence from Helen and Jack Lyle**  
(bb) **Correspondence from Arlene Pancoast**

In accordance with the provision of the Planning Act, Chair B. Clark advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the Official Plan and Zoning By-law amendments the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Greg Macdonald, Senior Planner, presented an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting, Report PED12130, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 135 and 137 King Street East and 42 Passmore Street (Stoney Creek), was received.

Public Speakers:

1. Sam Porco – 33 Passmore St., Hamilton, ON L8G 3J6

Mr. Porco expressed his opposition to the overall size of the development in a single-family dwelling area.

2. LeighAnne Malcolmson-Matecki – 18 Passmore St., Hamilton, ON L8G 3J5

Ms. Malcolmson-Matecki expressed her opposition to the size of the development.

3. Mary MacDonald – 30 Cartwright Ave., Hamilton, ON L8G 3T6

Ms. MacDonald expressed opposition to the height of the buildings that will block the view, traffic overflow, parking and privacy.

4. Muriel Malcolmson – 53 Dawson Ave., Hamilton, ON L8G 3R7



Ms. Malcolmson expressed concerns over how busy the neighbourhood has become due to traffic and that she wishes to keep the quiet and calm neighbourhood.

5. Jim Edwards – 15 Dawson Ave., Hamilton, ON L8G 3T5

Mr. Edwards expressed concerns over the height of the building which will block sunlight due to shadowing.

6. Jessica MacDonald – 30 Cartwright Ave., Hamilton, ON L8G 3T6

Ms. McDonald expressed concerns over the height of the building, privacy and diminished property values.

7. Charles Viola – 56 Grey Rd., Hamilton, ON L8G 3V1

Mr. Viola expressed concerns over the microclimate of the area, hydrogeology and potential negative effects of the new site.

8. David Reid – 11 Passmore St., Hamilton, ON L8G 3J4

Mr. Reid expressed ask a question in relation to the zoning of the building and questioned the parking.

9. Joe Malcolmson – 53 Dawson Ave., Hamilton, ON L8G 3R7

Mr. Malcolmson expressed concerns with the traffic flow and green space.

10. Michael Petis – 31 Passmore St., Hamilton, ON L8G 3J6

Mr. Petis expressed concerns with the height and shadowing of the building.

The public presentations respecting, Report PED12130, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 135 and 137 King Street East and 42 Passmore Street (Stoney Creek), was received.

The correspondence respecting, Report PED12130, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 135 and 137 King Street East and 42 Passmore Street (Stoney Creek), was received.

The public meeting, respecting Report PED12130, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 135 and 137 King Street East and 42 Passmore Street (Stoney Creek), was closed.

Sergio Manchia, the planner, on behalf of the applicant, provided an overview of the application with the aid of a PowerPoint Presentation. A copy of the presentation has been included in the public record.

The applicant's presentation, respecting Report PED12130, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 135 and 137 King Street East and 42 Passmore Street (Stoney Creek), was received.

Report PED12130, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 135 and 137 King Street East and 42 Passmore Street (Stoney Creek), was amended to include new recommendations (e) and (f), as follows:

- (e) That staff be directed to include the following changes/requirements in the site plan approval process:
  - (i) That the lay-by be removed on Passmore Street;
  - (ii) That changes to traffic signage/flows be completed in order to remove the merge situation at Gray and King Street;
  - (iii) That a wind study be completed;
  - (iv) That a hydrological study be completed.
- (f) That a Community Liaison Committee be formed to work with the Ward Councillor on providing input to the Councillor on final site plan details and for ongoing monitoring of the project.

For disposition on this Item, refer to item 10.

**(g) MOTIONS**

Councillor Clark introduced the following motion:

**(i) City initiated Official Plan Amendment and Rezoning for 1925 Rymal Road East (Item 9.1)**

Where the City of Hamilton adopted OPA (SC) 159 to include a new Trinity West Secondary Plan into the former City of Stoney Creek Official Plan, for area situated south of Highland Road, north of Rymal Road, east of the proposed Trinity Church Arterial Corridor and west of the midpoint of the Trinity Neighbourhood;

And whereas the OPA(SC) 159 is final and binding since no appeals were received;

And whereas the City of Hamilton adopted OPA (SC) 163 to designate a portion of the lands within the Trinity Neighbourhood 'Open Space', more specifically, the lands located south of Highland Road West, north of Rymal Road East and west of Second Road West to protect the Karst Feeder Lands as Natural Open Space;

And whereas the OPA(SC) 163 is final and binding since no appeals were received;

And whereas the Urban Hamilton Official Plan was modified by the Province's Notice of Decision on March 11, 2011 to reflect Amendment Nos. 159 and 163 made to the former City of Stoney Creek Official Plan. And whereas the Urban Hamilton Official Plan is not in effect as a result of appeals to the Ontario Municipal Board;

And whereas the lands municipally known as No. 1925 Rymal Road East, as shown as part 3 on the attached map were designated Mixed Use - Medium Density in the former City of Stoney Creek and the Urban Hamilton Official Plan since these lands were outside the Karst Feeder Lands;

And whereas the Hamilton Conservation Authority is entering into a long term lease with the Province to retain the Karst Feeder Lands as well as the lands known as No. 1925 Rymal Road east for open space purposes. And whereas it is appropriate to designate all the lands within scope of the long term lease as open space;

Therefore, be it resolved that:

- (aa) Staff be directed to initiate an Official Plan Amendment for the former City of Stoney Creek to consider the redesignation of the lands known as No. 1925 Rymal Road East from “Mixed Use – Medium Density” to “General Open Space” in the Trinity West Secondary Plan within the former City of Stoney Creek Official Plan;
- (bb) Staff be directed to consider the removal of the lands known as 1925 Rymal Road East from the “Neighbourhood Development” (ND) zone in the former City of Stoney Creek Zoning By-law 3692-92 and to include these lands as “General Open Space” (P4) zone in the Comprehensive Zoning By-Law 05-200;
- (cc) Staff arrange for a public meeting under the Planning Act for a Planning Committee meeting by Q4 2012 in order for committee to consider the amendments referenced in (a) and (b) above;
- (dd) When the Urban Hamilton Official Plan is in effect, staff be directed to initiate an Official Plan Amendment to the Urban Hamilton Official Plan, to consider the redesignation of the lands known as No. 1925 Rymal Road East from “Mixed Use- Medium Density” to “Open Space” on Schedule E-1 -Urban Land Use Designations and Mixed Use – Medium Density” to “General Open Space” on Map B.7.7-1 of the Trinity West Secondary Plan.

Attach. (1)

## (h) GENERAL INFORMATION AND OTHER BUSINESS

### (i) Outstanding Business List Amendments (Item 11.1)

The following Outstanding Business List due dates were revised:

- (aa) Item J: Losani Homes, Royal Winter Drive, Binbrook  
Current Due Date: July 10, 2012  
Proposed Due Date: August 14, 2012
- (bb) Item X: Aggregate Resources Act Review  
Current Due Date: July 10, 2012  
Proposed Due Date: August 14, 2012

The following items were removed from the Outstanding Business List:

- (aa) Item BB: Paramount 220 Mud Street West

**(ii) News from the General Manager (Item 11.2)**

The General Manager provided updates of current events within the department.

**(i) ADJOURNMENT**

There being no further business, the Planning Committee be adjourned at 5:25 p.m.

Respectfully submitted,

Councillor B. Clark  
Chair, Planning Committee

Vanessa Robicheau  
Legislative Coordinator  
Office of the City Clerk  
July 10, 2012