



PLANNING COMMITTEE

MINUTES 12-015

9:30 am

Tuesday, October 2, 2012

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent with Regrets: Councillor B. Clark (Chair) – personal

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:

1. Hamilton Municipal Heritage Committee – Minutes 12-008 (Item 5.1)

(Pearson/Collins)

That the Hamilton Municipal Heritage Committee – Minutes 12-008, be received.

CARRIED

2. Resignation from Terri Mines from the Heritage Policy and Design Committee and the Hamilton Permit Review Subcommittee (Item 5.2)

(Whitehead/Partridge)

That the resignation from Terri Mines from the Heritage Policy and Design Committee and the Hamilton Permit Review Sub-Committee, be approved.

CARRIED

3. Application for an Amendment to the Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 6363 White Church Road (Glanbrook) (PED12177) (Ward 11) (Item 6.3)

(Ferguson/Johnson)

That approval be given to Zoning Application ZAA-12-012, by Mark and Katherine Comley, Owners, for a change in zoning from the General Agriculture "A1" Zone to the General Agriculture "A1-278" Zone, with a Special Exception, in order to prohibit the construction of any residential dwelling(s), for the lands located at 6363 White Church Road (Glanbrook), as shown on Appendix "A" to Report PED12177, on the following basis:

- (a) That the draft By-law, attached as Appendix "B" to Report PED12177, 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 Schedule "B" of Zoning By-law No. 464;
- (c) That Schedule "A" of the draft by-law, attached to Report PED12177 as Appendix "B", be amended to revise the configuration of the lands to be rezoned to reflect the revised 0.6 ha (1.5 acre) lot configuration being a rectangular configuration approximately 75 m wide by 80 m deep.

CARRIED

4. Correspondence from the Municipality of Central Huron requesting Legislative amendments to transfer the provision and employment of School Crossing Guards to the Minister of Education (referred from the September 12, 2012 Meeting of Council) (Item 8.1)

(Whitehead/Johnson)

- (a) That the Correspondence from the Municipality of Central Huron requesting Legislative amendments to transfer the provision and employment of School Crossing Guards to the Minister of Education (referred from the September 12, 2012 Meeting of Council), be received;
- (b) That the City of Hamilton request the Minister of Education be responsible for the costs of the Crossing Guard Program;
- (c) That this resolution be circulated to the Minister of Education and Minister of Transportation.

CARRIED

5. Hamilton Municipal Heritage Committee – Report 12-005 (Item 8.2)

(Collins/Ferguson)

That the Hamilton Municipal Heritage Committee write a letter, including the comments included in Appendix A to Heritage Committee Report 12-005, to the Ministry of Community and Social Services in response to their correspondence regarding the draft Design of Public Spaces in the Built Environment (Accessibility Standards for the Built Environment) under the *Accessibility for Ontarians with Disabilities Act, 2005*.

CARRIED

6. OPA, ZBA and Draft Plan of Subdivision Appeals for non-decision by Parkside Hills Inc. for the property known municipally as 619 Centre Road, Hamilton (in the former municipality of Flamborough) (LS12031) (Delivered under separate cover) (Item 12.1)

(Partridge/Collins)

- (a) That Report LS12031, OPA, ZBA and Draft Plan of Subdivision Appeals for non-decision by Parkside Hills Inc. for the property known municipally as 619 Centre Road, Hamilton (in the former municipality of Flamborough), be received;
- (b) That Report LS12031, OPA, ZBA and Draft Plan of Subdivision Appeals for non-decision by Parkside Hills Inc. for the property known municipally as 619 Centre Road, Hamilton (in the former municipality of Flamborough), remain confidential;
- (c) That the recommendations and reasons for said recommendations contained in Appendix "A" to report LS12031 form the basis for the City's position in respect of, or possible settlement of, the appeals by Parkside Hills of its OPA, ZBA and Draft Plan of Subdivision appeals to the OMB in respect of the property known municipally as 619 Centre Road, Hamilton (former municipality of Flamborough) scheduled to be heard on October 23.

CARRIED

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

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

PRIVATE AND CONFIDENTIAL

- 12.1 OPA, ZBA and Draft Plan of Subdivision Appeals for non-decision by Parkside Hills Inc. for the property known municipally as 619 Centre Road, Hamilton (in the former municipality of Flamborough) (LS12031) (Delivered under separate cover)

(Collins/Johnson)

That the Agenda for the October 2, 2012 meeting of the Planning Committee be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) APPROVAL OF MINUTES (Item 3)

(i) September 18, 2012

(Pearson/Johnson)

That the Minutes of the September 18, 2012 Planning Committee meeting be approved.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

(i) Delegation Request from Lawrence Pearce respecting the by-law against parking large recreational vehicles in front property (Item 4.1)

(Johnson/Collins)

That the delegation request from Lawrence Pearce respecting, the by-law against parking large recreational vehicles in front property, be approved for a future meeting.

CARRIED

(e) PUBLIC HEARINGS AND DELEGATIONS (Item 6)

(i) Delegation Request from Hamilton Habitat for Humanity respecting Section 37 of the Planning Act – Affordable Housing as a Community Benefit (Item 6.1)

John Ariens, representing Hamilton Habitat for Humanity, presented with the aid of speaking notes. A copy of the speaking notes has been included in the public record.

(Pearson/Whitehead)

That the presentation from John Ariens, respecting Section 37 of the Planning Act – Affordable Housing as a Community Benefit, be received.

CARRIED

(Collins/Partridge)

That staff present alternatives to the Planning Committee related to Section 37 of Hamilton's new Urban Official Plan that seeks to increase the height and/or density of new multi-unit developments with the goal and objective of increasing Hamilton's affordable housing stock.

CARRIED

(ii) Delegation Request from Mike Whaling respecting an illegal business (Item 6.2)

The delegation from Mike Whaling was referred to the October 16, 2012 meeting of the Planning Committee.

(iii) Application for an Amendment to the Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 6363 White Church Road (Glanbrook) (PED12177) (Ward 11) (Item 6.3)

In accordance with the provision of the Planning Act, Vice-Chair J. Farr 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 amendment, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

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

(Pearson/Pasuta)

That the staff presentation respecting PED12177, Application for an Amendment to the Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 6363 White Church Road (Glanbrook), be received.

CARRIED

Roberto Aburto, agent, highlighted the changes with aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

(Johnson/Pearson)

That the agent's presentation respecting PED12177, Application for an Amendment to the Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 6363 White Church Road (Glanbrook), be received.

CARRIED

Mark Comley, applicant, expressed that the 1.5 acre was lot to manage source water protection and commented that he would prefer to have the 1.5 acre lot to avoid additional costs and time.

(Johnson/Pearson)

That the applicant's presentation respecting PED12177, Application for an Amendment to the Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 6363 White Church Road (Glanbrook), be received.

CARRIED

(Ferguson/Pearson)

That the public hearing respecting PED12177, Application for an Amendment to the Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 6363 White Church Road (Glanbrook), be closed.

CARRIED

(Johnson/Ferguson)

That Report PED12177, Application for an Amendment to the Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 6363 White Church Road (Glanbrook), be amended by adding a new sub-section (c), as follows:

- (c) That Schedule "A" be amended to revise the configuration to approx 75 feet by 80 feet, to reflect the square 1.5 acre lot.

Amendment CARRIED

For disposition on this Item, refer to item 3.

(f) GENERAL INFORMATION AND OTHER BUSINESS (Item 11)

(i) Outstanding Business List Amendments (Item 11.1)

(Collins/Pearson)

That the following items be removed from the Outstanding Business List:

- (a) Item H: Losani Homes, Royal Winter Drive, Binbrook
- (b) Item W: Proposed Zoning By-law Amendment for 24 Brock Street North (Dundas)

CARRIED

(g) PRIVATE AND CONFIDENTIAL (Item 12)

(i) OPA, ZBA and Draft Plan of Subdivision Appeals for non-decision by Parkside Hills Inc. for the property known municipally as 619 Centre Road, Hamilton (in the former municipality of Flamborough) (LS12031) (Delivered under separate cover) (Item 12.1)

(Partridge/Whitehead)

- (a) That Report LS12031, OPA, ZBA and Draft Plan of Subdivision Appeals for non-decision by Parkside Hills Inc. for the property known municipally as 619 Centre Road, Hamilton (in the former municipality of Flamborough), be received;
- (b) That Report LS12031, OPA, ZBA and Draft Plan of Subdivision Appeals for non-decision by Parkside Hills Inc. for the property known municipally as 619 Centre Road, Hamilton (in the former municipality of Flamborough), remain confidential;
- (c) That the recommendations and reasons for said recommendations contained in Appendix "A" to report LS12031 form the basis for the City's position in respect of, or possible settlement of, the appeals by Parkside Hills of its OPA, ZBA and Draft Plan of Subdivision appeals to the OMB in respect of the property known municipally as 619 Centre Road, Hamilton (former municipality of Flamborough) scheduled to be heard on October 23.

CARRIED

For disposition on this Item, refer to item 6.

(h) ADJOURNMENT

(Collins/Ferguson)

There being no further business, the Planning Committee adjourned at 11:00 a.m.

Respectfully submitted,

Councillor J. Farr
Vice-Chair, Planning Committee

Vanessa Robicheau
Legislative Coordinator
Office of the City Clerk