



## **PLANNING COMMITTEE**

### **REPORT 13-015**

**9:30 am**

**Tuesday, October 1, 2013**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

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

**Absent with Regrets:** Councillor M. Pearson – City Business

**Also Present:** Councillor B. McHattie  
Councillor B. Morelli

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### **THE PLANNING COMMITTEE PRESENTS REPORT 13-015 AND RESPECTFULLY RECOMMENDS:**

**1. Capital Projects' Status as of June 30, 2013 (PED13159) (City Wide) (Item 5.1)**

That Report PED13159, Capital Projects' Status as of June 30, 2013, be received.

**2. Request to Designate 634 Rymal Road West (Hamilton) (Paradise Corner Children's Centre, Former Union School), Under Part IV of the Ontario Heritage Act (PED13160) (Ward 8) (Item 5.2)**

- (a) That Council include 634 Rymal Road West (Hamilton) in the Register of Property of Cultural Heritage Value or Interest, and that staff make the appropriate amendments to the Register of Property of Cultural Heritage Value or Interest;

- (b) That Council direct staff to carry out a Cultural Heritage Assessment of 634 Rymal Road West (Hamilton) to determine whether the property is of cultural heritage value, and worthy of designation under Part IV of the Ontario Heritage Act;
- (c) That if 634 Rymal Road West (Hamilton) is determined to be of cultural heritage value or interest, a Statement of Cultural Heritage Value and Description of Heritage Attributes be prepared by staff for Council's consideration for designation under Part IV of the Ontario Heritage Act;
- (d) That the Cultural Heritage Assessment work be assigned a low priority, and be added to staff's workplan for completion in 2019, as per Appendix "G" to Report PED13160;
- (e) That Report PED13160 be forwarded to the Hamilton Municipal Heritage Committee for information;
- (f) That Report PED13160 be forwarded to the owner of 634 Rymal Road West (Hamilton) for information.

**3. Application for a Zoning By-law Amendment for Lands Located at 98 Shoreview Place (Stoney Creek) (PED13156) (Ward 10) (Item 6.1)**

- (a) That approval be given to Zoning By-law Application ZAC-12-042, by King-Tis Investments Limited, c/o Tom Weisz (Owner), for a change in zoning from the Small Scale Institutional "IS" Zone to the Multiple Residential "RM3-52" Zone, with a Special Exception, in order to permit the development of 72 townhouse units, for lands located at 98 Shoreview Place (Stoney Creek), as shown on Appendix "A" to Report PED13156, on the following basis:
  - (i) That the draft By-law, attached as Appendix "B" to Report PED13156, that 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 PED13156, be added to Map No. "1" of former City of Stoney Creek Zoning By-law No. 3692-92;
  - (iii) That the proposed change in zoning is in conformity with the Urban Hamilton Official Plan.
- (b) That upon finalization of the implementing By-law, the subject lands within the Lakeshore Neighbourhood Plan be re-designated from "Parkland/Open Space - Park" to "Medium Density Residential".

**4. The Strathcona Secondary Plan and Official Plan Amendment and the Strathcona Transportation Management Plan (PED13143/ PW13053) (Ward 1) (Item 6.2)**

- (a) That Official Plan Amendment No. [REDACTED] to the Urban Hamilton Official Plan be approved, and that the By-law, attached as Appendix “A” to Report PED13143 / PW13053, which has been prepared as a By-law of adoption, in a form satisfactory to the City Solicitor, be approved and forwarded to Council for approval;
- (b) That the Strathcona Secondary Plan Urban Design Guidelines, attached as Appendix “B” to Report PED13143 / PW13053, be adopted;
- (c) That the Strathcona Transportation Management Plan, attached as Appendix “D” to Report PED 13143 / PW 13053, be endorsed;
- (d) That the General Manager of the Public Works Department be authorized and directed to file the Strathcona Transportation Management Plan, attached as Appendix “D” to Report PED13143 / PW13053, with the Municipal Clerk for a minimum thirty day public review period;
- (e) That upon the completion of the thirty day public review, the General Manager of the Public Works Department be authorized and directed to consider the recommended Schedule B projects for the purpose of future Capital Budget submissions, provided no comments or “Part II Order” requests are received that cannot be resolved;
- (f) That the recommended projects, attached as Appendix “E” to Report PED13143 / PW13053, be received and approved.
- (g) That Site Specific Area E be deleted from Map B.6.6-1 and that policy 6.6.15.5 be deleted from the Secondary Plan;
- (h) That the properties known municipally as 158-160 Dundurn Street North; 577-587 York Boulevard; and 155-157 Strathcona Avenue North, be changed from “Mixed Use – Medium Density” to “Low Density Residential 3” on Map B.6.6-1.
- (i) That the properties known municipally as 129-131 Locke Street North; and 122-124 Locke Street North, be changed from “High Density Residential” to “Low Density Residential 3” on Map B.6.6-1.
- (j) That staff be directed to amend the subsequent policies and policy numbers to reflect the changes above.

- (k) That Appendix “A” to Report PED13143 / PW13053 be amended, as follows:
  - (i) That on Page 35 of 61, Policy number 6.6.14.3.5, subsection a) be amended by deleting subsection a) in its entirety and replacing it with the following:
    - “a) There shall be no negative impacts on the Core Areas natural features of their ecological functions.”
  - (ii) That on page 37 of 61, Policy number 6.6.14.4.3 be amended by adding the words “and deemed feasible to the satisfaction of the City” following the words “landscape, wherever possible”.
  - (iii) That on page 47 of 61, the definition of Significant Woodland be amended by adding the following paragraph after subsection c) and prior to the text “In the City of Hamilton” as follows:
    - “The presence of European Buckhorn, Common Lilac, and Staghorn Sumac shall be irrelevant to the determination of whether a woodland is a significant woodland.”
- (l) That the closure of one lane on Main Street be referred to the City Wide Master Transportation Plan process.

**5. Application for an Amendment to City of Hamilton Zoning By-law No. 05-200 for Lands Located at 22 - 24 Emerald Street South (Hamilton) (PED13119) (Ward 3) (Item 8.1)**

That approval be given to Zoning By-law Amendment Application ZAR-12-056 by the Astra Society, Owner, for a change in zoning from the “H” (Community Shopping and Commercial, etc.) District, in Zoning By-law No. 6593, to the Community Institutional (I2, 453) Zone, with a Special Exception, in Zoning By-law No. 05-200, to permit the expansion of the existing Corrections Residence and addition of a Social Services Establishment use, on lands identified at 22 - 24 Emerald Street South, as shown on Appendix “A” to Report PED13119, on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED13119, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the proposed change in zoning conforms to the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan.

**6. Hamilton Municipal Heritage Committee – Report 13-005**

(a) Ontario Heritage Trust Award Nominations (Item 7.3)

That the following nominations respecting the Ontario Heritage Trust Awards be made in the following categories:

(i) That The Beach Canal Lighthouse Group be nominated for the Ontario Heritage Trust Award for Built Heritage, consisting of the following members:

- Stewart Patch, Chair
- George Thomson, Vice-Chair
- Barbara Murray, Treasurer
- Rosalind Brennenman, Director
- Anthony Butler, Secretary
- Bruce Hoyle, Director
- Robin McKee, Director
- Gloria Pffeferele, Membership Coordinator

(ii) That the Doors Open Hamilton 2013 Volunteer Organizing Committee be nominated for the Ontario Heritage Trust Award for Cultural Heritage, consisting of the following members:

- Rebecca Beatty
- Ken Coit
- Franca Hicks
- Ron Johnson
- Bridget Ker
- Erica Miracoli
- Barbara Murray
- Mary Pocius
- Donna Reid
- Shawn Selway
- Christopher Redford

(iii) That Patricia Saunders be nominated for the Ontario Heritage Trust Award for Lifetime Achievement.

**7. Downtown Parking Transportation Demand Management (Item 9.1)**

That staff be directed to establish a staff working group including representatives from parking, traffic, transportation, and HSR to strategize on a more coordinated and comprehensive approach to advancing the various Transportation Demand measures (for example, car share, bike lanes, carpooling, bike lockers, etc.) and

in devising a more coordinated approach to pricing downtown parking rates as a whole.

**8. Downtown Parking Mosque Parking (Item 9.2)**

That staff meet and negotiate a temporary parking agreement with the Wilson Street downtown Mosque under the conditions that all issues are covered in that discussion.

**9. Road widening (Item 9.3)**

That Planning and Public Works staff prepare a report to Planning Committee respecting concerns and issues related to excessive setback and road widening requirements in all the City's downtowns.

**10. Fruitland-Winona Secondary Plan Public Meeting (Item 9.4)**

- (a) That the November 19, 2013, Planning Committee Meeting be relocated from City Hall to the Stoney Creek Municipal Service Centre to facilitate the statutory public meeting for the Fruitland-Winona Secondary Plan Urban Hamilton Official Plan amendment;
- (b) That the appellants respecting the Fruitland-Winona Secondary Plan Urban Hamilton Official Plan amendment be informed of the scheduled public meeting.

**11. Newalta Landfill Proposal (Item 9.5)**

WHEREAS on August 13, 2013, Council requested that Newalta Corporation ("Newalta") provide supporting documents for Newalta's proposal to increase the height of the Newalta Stoney Creek Landfill Site and draft documents have since been received from Newalta;

WHEREAS the City is concerned that there has been inadequate public notice and consultation with respect to Newalta's proposed changes to the height of the Newalta Stoney Creek Landfill Site, particularly given the significant residential community in the vicinity of the Site;

Be it resolved:

That the following comments be forwarded to Newalta, the Ministry of Environment (“MOE”) Environmental Approvals Access and Service Integration Branch, local MPPs and the Environmental Commissioner of Ontario:

- (a) Newalta’s proposal to change the height of the Newalta Stoney Creek Landfill Site should be treated as environmentally significant and therefore the MOE should do everything in its power to provide appropriate notice to the public of Newalta’s proposal by posting a public notice on the Environmental Registry and also by providing additional public notice in accordance with the *Environmental Bill of Rights, 1993*;
- (b) Newalta’s proposed changes to the Newalta Stoney Creek Landfill Site have not undergone sufficient public consultation, particularly given that the consultation to date has only been during the summer months, and therefore the MOE should do everything in its power to require enhanced public participation in accordance with the *Environmental Bill of Rights, 1993*;
- (c) Newalta should be required to provide comprehensive information to the public, particularly nearby residents, of the proposed changes to the height of the landfill, including any additional height which will be added as a cap to the top of the landfill waste and any associated analysis of the potential impact of that additional height, so that the full extent of Newalta’s proposal is known and understood by the community;
- (d) That given the history of dust and odours with the last know resident directly north of the landfill (C. Utter Farm), the city remains seriously concerned about the impact on the Empire Home subdivision.

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**FOR THE INFORMATION OF COUNCIL:**

**(a) CHANGES TO THE AGENDA (Item 1)**

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

1. DELEGATION REQUESTS

4.2 Delegation requests respecting Item 8.1, Application for an Amendment to City of Hamilton Zoning By-law No. 05-200 for Lands Located at 22 – 24 Emerald Street South (Hamilton) (PED13119) (Ward 3), on today’s agenda:

- (i) Bob Sim, President, St. Leonard’s Society of Hamilton

- (ii) John Clinton, Executive Director, St. Leonard's Society of Hamilton
- (iii) Jessica Moore, Manager, St. Leonard's Society of Hamilton
- (iv) Ed Fothergill

2. PUBLIC HEARINGS AND DELEGATIONS

6.2 The Strathcona Secondary Plan and Official Plan Amendment and the Strathcona Transportation Management Plan (PED13143 / PW13053) (Ward 1)

- (ii) Correspondence from John Terpstra
- (iii) Correspondence from Alison Hannam
- (iv) Correspondence from Scott Hannam
- (v) Correspondence from Andrew Pettit
- (vi) Correspondence from Glenn Hamilton
- (vii) Correspondence from Mary Leach
- (viii) Correspondence from Michael Power
- (ix) Correspondence from Garry Toth
- (x) Correspondence from Jennifer Dawson
- (xi) Correspondence from Christine Shaw
- (xii) Correspondence from AJ Lakatos Planning Consultant (1176792 Ontario Inc.)
- (xiii) Correspondence from WeirFoulds LLP – Shoppers Drug Mart
- (xiv) Correspondence from Townsend and Associates
- (xv) Correspondence from Raymond Beshro

3. DISCUSSION ITEMS

8.2 Hamilton Municipal Heritage Committee – Report 13-005

The Agenda for the October 1, 2013 meeting of the Planning Committee was approved, as amended.

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

None.



**(c) APPROVAL OF MINUTES (Item 3)**

**(i) September 17, 2013**

The Minutes of the September 17, 2013 Planning Committee meeting were approved.

**(d) DELEGATION REQUESTS (Item 4)**

**(i) Delegation Request from Sergio Manchia respecting Dawson Avenue private drainage matter for a future meeting (Item 4.1)**

The delegation request Sergio Manchia respecting Dawson Avenue private drainage, was approved for a future meeting.

**(ii) Delegation requests respecting Item 8.1, Application for an Amendment to City of Hamilton Zoning By-law No. 05-200 for Lands Located at 22 – 24 Emerald Street South (Hamilton) (PED13119) (Ward 3), on today’s agenda:**

- (i) Bob Sim, President, St. Leonard’s Society of Hamilton
- (ii) John Clinton, Executive Director, St. Leonard’s Society of Hamilton
- (iii) Jessica Moore, Manager, St. Leonard’s Society of Hamilton
- (iv) Ed Fothergill

The delegation requests respecting Item 8.1 Application for an Amendment to City of Hamilton Zoning By-law No. 05-200 for Lands Located at 22 – 24 Emerald Street South (Hamilton) (PED13119) (Ward 3), were approved for today’s meeting.

**(e) PUBLIC HEARINGS AND DELEGATIONS (Item 6)**

**(i) Application for a Zoning By-law Amendment for Lands Located at 98 Shoreview Place (Stoney Creek) (PED13156) (Ward 10) (Item 6.1)**

In accordance with the provision of the Planning Act, 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 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 PED13156, Application for a Zoning By-law Amendment for Lands Located at 98 Shoreview Place (Stoney Creek), was closed.

The staff presentation, respecting Report PED13156, Application for a Zoning By-law Amendment for Lands Located at 98 Shoreview Place (Stoney Creek), was waived.

For disposition on this Item, refer to item 3.

**(ii) The Strathcona Secondary Plan and Official Plan Amendment and the Strathcona Transportation Management Plan (PED13143/PW13053) (Ward 1) (Item 6.2)**

In accordance with the provision of the Planning Act, 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 Secondary Plan, Official Plan Amendment and the Transportation Management Plan, 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.

Jocelyn Strutt, Planner, and Margaret Fazio, Project Manager, Environmental Planning, provided an overview of the report with the aid of PowerPoint Presentations. A copy of the presentations has been included in the public record.

The staff presentation respecting Report PED13143/PW13053, The Strathcona Secondary Plan and Official Plan Amendment and the Strathcona Transportation Management Plan, was received.

Registered Speakers:

1. Jason Leach

Mr. Leach expressed concerns with the aid of a PowerPoint Presentation. A copy of the presentation has been included in the public record.

2. Matt Johnston

Mr. Johnston, on behalf of Shoppers Drug Mart, expressed concerns with the aid of a PowerPoint Presentation. A copy of the presentation has been included in the public record.

3. Mahesh P. Butani

Mr. Butani expressed concerns with his application which is part of the new secondary plan.

4. Raychyl Whyte

Ms. Whyte expressed concerns with the notification process and the loss of historical features.

5. Dave Mclaughlin

Mr. Mclaughlin expressed concerns with the loss of historical features.

6. Victor Labreche

Mr. Labreche expressed concerns on behalf of his clients with the aid of speaking notes. A copy of the notes has been included in the public record.

The public presentations respecting Report PED13143/PW13053, The Strathcona Secondary Plan and Official Plan Amendment and the Strathcona Transportation Management Plan, was received.

The public meeting respecting Report PED13143/PW13053, The Strathcona Secondary Plan and Official Plan Amendment and the Strathcona Transportation Management Plan, was closed.

The correspondence respecting Report PED13143/PW13053, The Strathcona Secondary Plan and Official Plan Amendment and the Strathcona Transportation Management Plan, was received.

The recommendations to Report PED13143/PW13053, The Strathcona Secondary Plan and Official Plan Amendment and the Strathcona Transportation Management Plan, were amended by adding new subsections (g), (h), (i), and (j) as follows:

- (g) That Site Specific Area E be deleted from Map B.6.6-1 and that policy 6.6.15.5 be deleted from the Secondary Plan;
- (h) That the properties known municipally as 158-160 Dundurn Street North; 577-587 York Boulevard; and 155-157 Strathcona Avenue North, be changed from “Mixed Use – Medium Density” to “Low Density Residential 3” on Map B.6.6-1.
- (i) That the properties known municipally as 129-131 Locke Street North; and 122-124 Locke Street North, be changed from “High Density Residential” to “Low Density Residential 3” on Map B.6.6-1.
- (j) That staff be directed to amend the subsequent policies and policy numbers to reflect the changes above.

The amendment CARRIED on the following vote:

Yeas: T. Whitehead, C. Collins, J. Farr, L. Ferguson, R. Pasuta, J. Partridge and B. Johnson  
Total: 7  
Nays: B. Clark  
Total: 1  
Absent: M. Pearson  
Total: 1

The recommendations to Report PED13143/PW13053, The Strathcona Secondary Plan and Official Plan Amendment and the Strathcona Transportation Management Plan, were amended by adding a new subsection (k) as follows:

- (k) That Appendix “A” to Report PED13143 / PW13053 be amended, as follows:
  - (i) That on Page 35 of 61, Policy number 6.6.14.3.5, subsection a) be amended by deleting subsection a) in its entirety and replacing it with the following:
    - “a) There shall be no negative impacts on the Core Areas natural features of their ecological functions.”

- (ii) That on page 37 of 61, Policy number 6.6.14.4.3 be amended by adding the words “and deemed feasible to the satisfaction of the City” following the words “landscape, wherever possible”.
- (iii) That on page 47 of 61, the definition of Significant Woodland be amended by adding the following paragraph after subsection c) and prior to the text “In the City of Hamilton” as follows:

“The presence of European Buckhorn, Common Lilac, and Staghorn Sumac shall be irrelevant to the determination of whether a woodland is a significant woodland.”

The recommendations to Report PED13143/PW13053, The Strathcona Secondary Plan and Official Plan Amendment and the Strathcona Transportation Management Plan, were amended by adding new subsections (l), and (m) as follows:

- (l) That the closure of one lane on Main Street be referred to the City Wide Master Transportation Plan process.
- (m) That the York Street recommendations be referred to the City Wide Master Transportation Plan process.

Recommendation (m) was withdrawn.

The motion to withdraw CARRIED on the following vote:

Yeas: T. Whitehead, B. Clark, C. Collins, J. Farr, R. Pasuta, J. Partridge and B. Johnson  
Total: 7  
Nays: L. Ferguson  
Total: 1  
Absent: M. Pearson  
Total: 1

- (l) That the closer of one lane on Main Street be referred to the City Wide Master Transportation Plan process.

The amendment CARRIED on the following vote:

Yeas: T. Whitehead, C. Collins, B. Clark, L. Ferguson, R. Pasuta, J. Partridge and B. Johnson

Total: 7  
Nays: J. Farr  
Total: 1  
Absent: M. Pearson  
Total: 1

Councillor Ferguson expressed his opposition to the York amendments.

For disposition on this Item, refer to item 4.

Committee recessed at 2:37 p.m. Committee reconvened at 3:00 p.m.

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

**(i) Application for an Amendment to City of Hamilton Zoning By-law No. 05-200 for Lands Located at 22 - 24 Emerald Street South (Hamilton) (PED13119) (Ward 3) (Item 8.1)**

Report PED13119, Application for an Amendment to City of Hamilton Zoning By-law No. 05-200 for Lands Located at 22 - 24 Emerald Street South (Hamilton), was lifted from the table.

Delegations:

Ed Fothergill expressed the public consultation efforts with respects to this application.

Bob Sim, President, St. Leonard's Society of Hamilton provided an overview of the organization and his association.

Jessica Moore, Manager, St. Leonard's Society of Hamilton provided her association with the organization and the impact the organization has on the community. She also addressed the plans for the application to 22-24 Emerald Street South.

John Clinton, Executive Director, St. Leonard's Society of Hamilton spoke to the application and what the organization is looking for with respects to zoning by-law changes.

The delegations respecting Report PED13119, Application for an Amendment to City of Hamilton Zoning By-law No. 05-200 for Lands Located at 22 - 24 Emerald Street South (Hamilton), was received.

The Committee approved to hear legal advice out of camera.

For disposition on this Item, refer to item 5.

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

**(i) Downtown Parking Transportation Demand Management (Item 9.1)**

That staff be directed to establish a staff working group including representatives from parking, traffic, transportation, and HSR to strategize on a more coordinated and comprehensive approach to advancing the various Transportation Demand measures (for example, car share, bike lanes, carpooling, bike lockers, etc.) and in devising a more coordinated approach to pricing downtown parking rates as a whole.

For disposition on this Item, refer to item 7.

**(ii) Downtown Parking Mosque Parking (Item 9.2)**

That staff meet and negotiate a temporary parking agreement with the Wilson Street downtown Mosque under the conditions that all issues are covered in that discussion.

For disposition on this Item, refer to item 8.

**(iii) Road widening (Item 9.3)**

That Planning and Public Works staff prepare a report to Planning Committee respecting concerns and issues related to excessive setback and road widening requirements in all the City's downtowns.

For disposition on this Item, refer to item 9.

**(iv) Fruitland-Winona Secondary Plan Public Meeting (Item 9.4)**

(a) That the November 19, 2013, Planning Committee Meeting be relocated from City Hall to the Stoney Creek Municipal Service Centre to facilitate the statutory public meeting for the Fruitland-Winona Secondary Plan Urban Hamilton Official Plan amendment;

- (b) That the appellants respecting the Fruitland-Winona Secondary Plan Urban Hamilton Official Plan amendment be informed of the scheduled public meeting.

For disposition on this Item, refer to item 10.

**(v) Newalta Landfill Proposal (Item 9.5)**

WHEREAS on August 13, 2013, Council requested that Newalta Corporation (“Newalta”) provide supporting documents for Newalta’s proposal to increase the height of the Newalta Stoney Creek Landfill Site and draft documents have since been received from Newalta;

WHEREAS the City is concerned that there has been inadequate public notice and consultation with respect to Newalta’s proposed changes to the height of the Newalta Stoney Creek Landfill Site, particularly given the significant residential community in the vicinity of the Site;

Be it resolved:

That the following comments be forwarded to Newalta, the Ministry of Environment (“MOE”) Environmental Approvals Access and Service Integration Branch, local MPPs and the Environmental Commissioner of Ontario:

- (a) Newalta’s proposal to change the height of the Newalta Stoney Creek Landfill Site should be treated as environmentally significant and therefore the MOE should do everything in its power to provide appropriate notice to the public of Newalta’s proposal by posting a public notice on the Environmental Registry and also by providing additional public notice in accordance with the *Environmental Bill of Rights, 1993*;
- (b) Newalta’s proposed changes to the Newalta Stoney Creek Landfill Site have not undergone sufficient public consultation, particularly given that the consultation to date has only been during the summer months, and therefore the MOE should do everything in its power to require enhanced public participation in accordance with the *Environmental Bill of Rights, 1993*;
- (c) Newalta should be required to provide comprehensive information to the public, particularly nearby residents, of the proposed changes to the height of the landfill, including any additional height which will be added as a cap to the top of the landfill waste and any associated analysis of the potential impact of that additional height,



so that the full extent of Newalta's proposal is known and understood by the community;

- (d) That given the history of dust and odours with the last know resident directly north of the landfill (C. Utter Farm), the city remains seriously concerned about the impact on the Empire Home subdivision.

For disposition on this Item, refer to item 11.

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

Councillor Johnson introduced the following Notice of Motion:

**(i) Fruitland-Winona Secondary Plan Public Meeting (Item 10.1)**

That the November 19, 2013, Planning Committee Meeting be relocated from City Hall to the Stoney Creek Municipal Service Centre to facilitate the statutory public meeting for the Fruitland-Winona Secondary Plan Urban Hamilton Official Plan amendment.

The rules were waived in order to allow the introduction of a motion respecting Fruitland-Winona Secondary Plan Public Meeting.

Councillor Ferguson introduced the following Notice of Motion:

**(ii) Road widening (Item 10.2)**

That Planning and Public Works staff prepare a report to Planning Committee respecting concerns and issues related to excessive setback and road widening requirements in all the City's downtowns.

The rules were waived in order to allow the introduction of a motion respecting Road Widening.

Councillor Clark introduced the following Notice of Motion:

**(iii) Newalta Landfill Proposal (Item 10.3)**

WHEREAS on August 13, 2013, Council requested that Newalta Corporation ("Newalta") provide supporting documents for Newalta's proposal to increase the height of the Newalta Stoney Creek Landfill Site and draft documents have since been received from Newalta;

WHEREAS the City is concerned that there has been inadequate public notice and consultation with respect to Newalta's proposed changes to the height of the Newalta Stoney Creek Landfill Site, particularly given the significant residential community in the vicinity of the Site;

Be it resolved:

That the following comments be forwarded to Newalta, the Ministry of Environment ("MOE") Environmental Approvals Access and Service Integration Branch, local MPPs and the Environmental Commissioner of Ontario:

- (a) Newalta's proposal to change the height of the Newalta Stoney Creek Landfill Site should be treated as environmentally significant and therefore the MOE should do everything in its power to provide appropriate notice to the public of Newalta's proposal by posting a public notice on the Environmental Registry and also by providing additional public notice in accordance with the *Environmental Bill of Rights, 1993*;
- (b) Newalta's proposed changes to the Newalta Stoney Creek Landfill Site have not undergone sufficient public consultation, particularly given that the consultation to date has only been during the summer months, and therefore the MOE should do everything in its power to require enhanced public participation in accordance with the *Environmental Bill of Rights, 1993*;
- (c) Newalta should be required to provide comprehensive information to the public, particularly nearby residents, of the proposed changes to the height of the landfill, including any additional height which will be added as a cap to the top of the landfill waste and any associated analysis of the potential impact of that additional height, so that the full extent of Newalta's proposal is known and understood by the community;
- (d) That given the history of dust and odours with the last know resident directly north of the landfill (C. Utter Farm), the city remains seriously concerned about the impact on the Empire Home subdivision.

The rules were waived in order to allow the introduction of a motion respecting Newalta Landfill Proposal.

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

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

The following Outstanding Business List due dates were revised:

- (aa) Item G: Municipal Services and Property Taxation on Condo Properties  
Current Date: October 1, 2013  
New Date: January 2014

The following items were removed from the Outstanding Business List:

- (aa) Item T: (B) Amendments to the Site Alteration By-law No. 03-126, as Amended by By-law No. 05-115 and Further Amended by By-law No. 11-262 (PED12184(a))
- (ba) Item U: (C) Amendments to the Site Alteration By-law No. 03-126, as Amended by By-law No. 05-115 and Further Amended by By-law No. 11-262 (PED12184(a))

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

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

**(j) ADJOURNMENT**

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

Respectfully submitted,

Councillor J. Farr  
Chair, Planning Committee

Vanessa Robicheau  
Legislative Coordinator  
Office of the City Clerk