



## **PLANNING COMMITTEE**

### **MINUTES 14-005**

**9:30 am**

**Tuesday, April 1, 2014**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

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

**Also Present:** Councillor R. Morrow

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

**1. Hamilton Heritage Conservation Grant Program (City Wide) (PED14055) (Item 5.1)**

**(Pearson/Partridge)**

- (a) That the Hamilton Heritage Conservation Grant Program (HHCGP) be implemented for a three-year trial basis, according to the program terms and conditions identified as Appendix "A" to Report PED14055;
- (b) That the General Manager of Planning and Economic Development be authorized to approve grants to a maximum of \$5,000 per grant, to applicants under the Hamilton Heritage Conservation Grant Program;
- (c) That By-law 10-052 as amended, which delegates authority of certain loans and grants to the General Manager, Planning and Economic Development, be repealed and replaced with the By-law attached as Appendix "C" to Report PED14055;
- (d) That staff from the Urban Renewal Section report back to Council by 2017 to provide an update on the program for further direction.

**CARRIED**

**2. Information Report Animal Services - Service Delivery (PED14053) (Item 5.2)**

**(Collins/Partridge)**

That Report PED14053, Information Report Animal Services - Service Delivery, be received.

**CARRIED**

**3. Request to Designate 304 Main Street East (Hamilton) (Canadian Tire Gas Bar) Under Part IV of the Ontario Heritage Act (PED14045) (Ward 2) (Item 5.3)**

**(Ferguson/Whitehead)**

That Report PED14045, Request to Designate 304 Main Street East (Hamilton) (Canadian Tire Gas Bar) Under Part IV of the Ontario Heritage Act, be received.

**CARRIED**

**4. Hamilton Historical Board Minutes - February 18, 2014 (Item 5.4)**

**(Partridge/Collins)**

That the Hamilton Historical Board Minutes - February 18, 2014, be received.

**CARRIED**

**5. St. Clair Boulevard Heritage Conservation District (Item 9.3)**

**(Collins/Farr)**

Whereas the former City of Hamilton passed By-Law No. 92-140 designating lands on St. Clair Boulevard between Delaware Avenue and Cumberland Avenue, identified in Schedule "A" of By-law No. 92-140, as a Heritage Conservation District under Part V of the Ontario Heritage Act, known as the St. Clair Boulevard Heritage Conservation District;

And Whereas the City of Hamilton prepared the St. Clair Boulevard Heritage Conservation District Background Study and Plan (1992) and established the St. Clair Boulevard Heritage Conservation District Advisory Committee;

And Whereas amendments have been made to the Ontario Heritage Act, since Council passed By-Law No. 92-140 designating the St. Clair Boulevard Heritage Conservation District;

And Whereas the St. Clair Boulevard Heritage Conservation District Advisory Committee has expressed an interest in revising the St. Clair Boulevard

Heritage Conservation District Background Study and Plan (1992) and formally adopting a district plan under the amended Ontario Heritage Act;

And Whereas Part V of the Ontario Heritage Act, as amended, requires that a by-law designating a heritage conservation district shall include the adoption of a heritage conservation district plan, and prescribes the contents of a heritage conservation district plan;

And Whereas capital funding for the review of the St. Clair Boulevard Heritage Conservation District Plan was included in the preliminary 2014 Capital Project Listing for the Planning & Economic Development Department, but was not included in the final project list.

**THEREFORE BE IT RESOLVED:**

That \$100,000 be re-allocated from the 2014 Capital Budget for the Public Works Department for Leaf & Yard Composting Facility Relocation (Project ID 5121290111) to the Capital Budget for the Planning and Economic Development Department for the purposes of conducting the St. Clair Boulevard Heritage Conservation District Plan Review (Project ID 8121455500).

**CARRIED**

**6. Application for Approval of a Draft Plan of Condominium (Common Elements) by Parkside Developments (Albion) Limited, for Lands Known as 36 Waterbridge Street (Stoney Creek) (PED14048) (Ward 9) (Item 6.2)**

**(Clark/Pearson)**

That approval be given to Draft Plan of Condominium Application 25CDM-201307 by Parkside Developments (Albion), Owner, to establish a Draft Plan of Condominium (Common Elements) to create a condominium driveway, sidewalks, visitor parking areas, and open space, for 92 freehold townhouse dwellings, on lands located at 36 Waterbridge Street, Stoney Creek, as shown on Appendix "A" to Report PED14048, subject to the following conditions:

- (a) That this approval shall apply to the plan, prepared by A.T. McLaren Limited, and certified by S.D. McLaren, dated July 31, 2013, showing a condominium driveway, sidewalks, visitor parking areas, and open space, attached as Appendix "B" to Report PED14048;
- (b) That the Final Plan of Condominium shall comply with all of the applicable provisions of Zoning By-law No. 3692-92, as amended by By-law No. 10-324 and Minor Variance application SC/A-13:88;

- (c) That the Final Plan of Condominium shall comply, in all respects, with the approved Site Plan (DA-12-150), to the satisfaction of the Director of Planning;
- (d) That the owner has received final approval of Part Lot Control Application PLC- 13-028, including the enactment and registration on title of the Part Lot Control Exemption By-law No. 14-009, to the satisfaction of the Director of Planning;
- (e) That the owner shall enter into a Development Agreement to ensure that the tenure of each of the proposed freehold townhouse dwellings having frontage on the condominium road has legal interest, in common, to the Common Elements Condominium, to the satisfaction of the City Solicitor;
- (f) That the owner shall agree to include in all offers of purchase and sale, a statement that advises the purchaser:
  - (i) Purchasers/tenants are advised that the City of Hamilton will not be providing maintenance or snow removal service for the private condominium road.
- (g) That the owner shall agree to:
  - (i) 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.
  - (ii) Determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the 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.
  - (iii) Provide the centralized mail facility at their own expense, as per Canada Post's multi-unit policy, which will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.
- (h) Register an easement for drainage purposes over Block 131 of the Registered Plan of Subdivision, 62M-1182, in favour of the future Condominium Corporation, to the satisfaction of the Director of Planning;
- (i) 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;

- (j) That the owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton.

**CARRIED**

**7. Application for an Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 87 Redfern Avenue (Hamilton) (PED14050) (Ward 8) (item 6.3)**

**(Whitehead/Pearson)**

- (a) That approval be given to Zoning By-law Amendment Application ZAR-13-049, by Starward Homes, Owner, for a change in zoning from the "RT-20/S-1654" (Townhouse – Maisonette) District, Modified, to the "R4" (Small Lot Single Family Detached) District, to permit one single-detached dwelling, on lands located at 87 Redfern Avenue (Hamilton), as shown on Appendix "A" to Report PED14050, on the basis:
  - (i) That the draft By-law, attached as Appendix "B" to Report PED14050, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
  - (ii) That the proposed modification in zoning conforms to the Urban Hamilton Official Plan (UHOP).
- (b) That upon finalization of the implementing By-law, the Mountview Neighbourhood Plan be amended by changing the designation of the subject lands from "Institutional" to "Residential – Single and Double".

**CARRIED**

**8. Application for Approval of a Draft Plan of Subdivision, on Lands Located at 440 Victoria Avenue North, Hamilton (PED14040) (Ward 3) (Item 6.4)**

**(Pearson/Collins)**

That approval be given to amended Draft Plan of Subdivision Application 25T-201208, by DCR Holdings, Owner, to establish a draft plan of subdivision known as "Freeman Industrial Park", on lands located at 440 Victoria Avenue North (Hamilton), as shown on Appendix "A" to Report PED14040, subject to the following conditions:

- (a) That this approval apply to "Freeman Industrial Park", 25T-201208, prepared by GSP Group and UrbanCore Developments, and certified by S.D McLaren, O.L.S., dated May 9, 2013, as redline revised, showing 18

lots (Lots 1-18) for industrial purposes, one new municipal street (Street 'A'), and one block for a one foot reserve (Block 19), attached as Appendix "B" to Report PED14040, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with Special Conditions attached as Appendix "C" to Report PED14040; and,

- (b) Acknowledgement by the City of Hamilton of its responsibility for cost-sharing with respect to this development for the following item:
  - 1. The extension of sidewalks along the north side of Mars Avenue from the end of the existing sidewalk to the limit of Wentworth Avenue North, form an approved Capital Budget Source, in accordance with applicable Council policies.

all in accordance with the Financial Policies for Development, as approved by Council.

**CARRIED**

**9. Applications to Amend Stoney Creek Zoning By-law No. 3692-92 and for Approval of a Draft Plan of Subdivision Known as "Foothills of Winona Phase 3", for Lands Located at 1335 Barton Street, Stoney Creek (PED14054) (Ward 11) (Item 6.5)**

**(Whitehead/Johnson)**

- (a) That approval be given to Zoning Application ZAC-13-022, by 1800615 Ontario Inc., A. DiCenzo and S. Manchia, Owners, for a for a change in zoning from the Agricultural Specialty "AS" Zone to the: Multiple Residential "RM2-38" Zone (Blocks 1 and 4); Multiple Residential "RM3-48" Zone (Blocks 2 and 3); and, Multiple Residential "RM3-47" Zone (Block 5), for the lands located at 1335 Barton Street, as shown on Appendix "A" to Report PED14054, on the following basis:
  - (i) That the draft By-law, attached as Appendix "B" to Report PED14054, 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. 9, 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 (UHOP).
- (b) That approval be given to Draft Plan of Subdivision Application 25T-201304, by 1800615 Ontario Inc., A. DiCenzo and S. Manchia, Owners, to

establish a draft plan of subdivision known as “Foothills of Winona Phase 3”, on lands located at 1335 Barton Street (Stoney Creek), as shown on Appendix “A” to Report PED14054, subject to the following conditions:

- (i) That this approval apply to “Foothills of Winona Phase 3”, 25T-201304, prepared by GSP Group, and certified by Edward J. Grenkie, O.L.S., dated May 27, 2013, as redline revised, for a maximum of 77 units comprised of 6 blocks (Blocks 1-6) for 36 street townhouse units, 2 blocks (Blocks 7 and 8) for 41 townhouse units, 2 blocks (Blocks 9 and 10) for future development with the adjoining Blocks in “Foothills of Winona Phase 2” for street townhouse units (Block 9) and townhouse units (Block 10), and one new municipal street (Street ‘A’) attached as Appendix “C” to Report PED14054, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with Special Conditions attached as Appendix “D” to Report PED14054;
- (ii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the Planning Act, and will be calculated in accordance with the City’s Parkland Dedication By-law, and shall be based on the value of the lands on the day prior to the issuance of each Building Permit at a parkland dedication rate of 1 hectare for each 300 dwelling units proposed for multiple dwellings;
- (iii) Acknowledgement that there will be no City share for any municipal works associated with this development;

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

- (c) That the proposed Fruitland-Winona Secondary Plan be modified to identify portions of the subject lands as Area Specific Policy - Area “I”, as identified in Appendix “E” to Report PED14054.
- (d) That Appendix D, Special Conditions for 25T-201304 “Foothills of Winona Phase 3”, Item 16, be amended by deleting the words, “and backup power unit”, after the words “overflow on surface”.

**CARRIED as Amended**

**10. Application for a Zoning By-law Amendment for Lands Located at 231 York Road (Dundas) (PED14044) (Ward 13) (Item 6.6)**

**(Whitehead/Partridge)**

That Zoning By-law Application ZAC-13-040, by Recchia Developments Inc. (Owner), for a change in zoning from the Single-Detached Residential "R2" Zone, to the Low Density Residential "R3/S-124" Zone, with a Special Exception, in order to permit the development of 12 semi-detached dwelling units (within 6 buildings), for lands located at 231 York Road (Dundas), as shown on Appendix "A" to Report PED14044, be DENIED.

**CARRIED**

**11. Renaming of the Trinity Church Arterial Road Corridor (Item 9.1)**

**(Clark/Johnson)**

Whereas the Red Hill Business Park South Transportation Master Plan finalized the location of the Trinity Church Arterial Road Corridor;

And whereas the Trinity Church Arterial Road Corridor will no longer connect to Trinity Church Road;

Therefore be it resolved;

- (a) That the Trinity Church Arterial Road Corridor be renamed as Upper Red Hill Valley Parkway from Stone Church Road East to the point of connection to the future extension of Twenty Road East;
- (b) That this motion be forwarded to all departments in the City of Hamilton, and all agencies and utilities that receive regular notification from the City concerning street names and addressing.

**CARRIED**

**12. Naming of the Waterdown East/West Roadway (Item 9.2)**

**(Partridge/Pasuta)**

Whereas the Waterdown/Aldershot Transportation Master Plan finalized the location of the Waterdown East/West Roadway;

Therefore be it resolved;

- (a) That the Waterdown East/West Roadway be named as North Waterdown Drive from Highway No. 6 to the point of connection with Parkside Drive;
- (b) That this motion be forwarded to all departments in the City of Hamilton, and all agencies and utilities that receive regular notification from the City concerning street names and addressing.

**CARRIED**

**13. 1232 Golf Club Rd. Proposed Settlement of OMB Appeal (LS14015/PED14090) (Ward 11) (Item 12.3)**

**(Pearson/Partridge)**

That the recommendations remain confidential until Council approval.

**CARRIED**

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**FOR THE INFORMATION OF COMMITTEE:**

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

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

**1. DELEGATION REQUESTS**

- 4.2 Delegation Request from John Ariens respecting item 5.3, Request to Designate 304 Main Street East (Hamilton) (Canadian Tire Gas Bar) Under Part IV of the Ontario Heritage Act (PED14045) (Ward 2)

**2. PRIVATE AND CONFIDENTIAL**

- 12.3 1232 Golf Club Rd. Proposed Settlement of OMB Appeal (LS14015/PED14090) (Ward 11)

Pursuant to Sub-sections 8.1(f) and (e) of the City's Procedural By-law and Section 239.2 of the Municipal Act as the subject matter pertains to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

**3. 9.3 St. Clair Boulevard Heritage Conservation District**

Moved to after consent items.

**(Pearson/Clark)**

That the Agenda for the April 1, 2014 meeting of the Planning Committee be approved, as amended.

**CARRIED**

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

None.

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

**(i) March 18, 2014**

**(Pasuta/Ferguson)**

That the Minutes of the March 18, 2014 Planning Committee meeting be approved.

**CARRIED**

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

**(i) Delegation Request from MasonryWorx respecting new home construction and municipal sustainability for a future meeting (Item 4.1)**

**(Ferguson/Collins)**

That the delegation request from MasonryWorx respecting new home construction and municipal sustainability, be approved for a future meeting.

**CARRIED**

**(ii) Delegation Request from Matt Johnston, on behalf of John Ariens, respecting item 5.3, Request to Designate 304 Main Street East (Hamilton) (Canadian Tire Gas Bar) Under Part IV of the Ontario Heritage Act (PED14045) (Ward 2) (Item 4.2)**

**(Pearson/Pasuta)**

That the delegation request from Matt Johnston respecting item 5.3, Request to Designate 304 Main Street East (Hamilton) (Canadian Tire Gas Bar) Under Part IV of the Ontario Heritage Act (PED14045) (Ward 2), be approved.

**CARRIED**

**(e) CONSENT ITEMS (Item 5)**

**(i) Hamilton Heritage Conservation Grant Program (City Wide) (PED14055) (Item 5.1)**

The motion CARRIED on the following vote:

Yeas: Farr, Collins, Partridge, Johnson, Clark, Pasuta, Pearson  
Whitehead  
Total: 8  
Nays: Ferguson  
Total: 1

For disposition on this Item, refer to item 1.

**(ii) Request to Designate 304 Main Street East (Hamilton) (Canadian Tire Gas Bar) Under Part IV of the Ontario Heritage Act (PED14045) (Ward 2) (Item 5.3)**

Matt Johnston and Scott Arbuckle, on behalf of John Ariens, IBI Group, and the property owner, expressed that the property owner is opposed to the designation.

**(Whitehead/Ferguson)**

That the delegation from Matt Johnston and Scott Arbuckle, on behalf of John Ariens, IBI Group, and the property owner, be received.

**CARRIED**

**(Ferguson/Whitehead)**

That Report PED14045, Request to Designate 304 Main Street East (Hamilton) (Canadian Tire Gas Bar) Under Part IV of the Ontario Heritage Act, be received.

The motion CARRIED on the following vote:

Yeas: Collins, Partridge, Johnson, Clark, Pasuta, Pearson  
Whitehead, Ferguson  
Total: 8  
Nays: Farr  
Total: 1

For disposition on this Item, refer to item 3.

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

**(i) Delegation from Anna Roberts and Viv Saunders respecting changes to Land Use Process and Procedures (Item 6.1)**

**(Pearson/Whitehead)**

That the delegation from Anna Roberts and Viv Saunders respecting changes to Land Use Process and Procedures, be tabled to the May 6, 2014 meeting of Planning Committee

**CARRIED**

**(ii) Application for Approval of a Draft Plan of Condominium (Common Elements) by Parkside Developments (Albion) Limited, for Lands Known as 36 Waterbridge Street (Stoney Creek) (PED14048) (Ward 9) (Item 6.2)**

In accordance with the provision of the Planning Act, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council 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.

**(Pearson/Clark)**

That the public meeting respecting Report PED14048, Application for Approval of a Draft Plan of Condominium (Common Elements) by Parkside Developments (Albion) Limited, for Lands Known as 36 Waterbridge Street (Stoney Creek), be closed.

**CARRIED**

**(Clark/Pearson)**

That the staff presentation respecting Report PED14048, Application for Approval of a Draft Plan of Condominium (Common Elements) by Parkside Developments (Albion) Limited, for Lands Known as 36 Waterbridge Street (Stoney Creek), be waived.

**CARRIED**

Matt Johnston, on behalf of the applicant, provided information on garbage collection.

For disposition on this Item, refer to item 6.

**(iii) Application for an Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 87 Redfern Avenue (Hamilton) (PED14050) (Ward 8) (item 6.3)**

In accordance with the provision of the Planning Act, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council 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.

No public speakers came forward.

**(Whitehead/Partridge)**

That the public meeting respecting Report PED14050, Application for an Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 87 Redfern Avenue (Hamilton), be closed.

**CARRIED**

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

**(Whitehead/Pearson)**

That the staff presentation respecting Report PED14050, Application for an Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 87 Redfern Avenue (Hamilton), be received.

**CARRIED**

For disposition on this Item, refer to item 7.

**(iv) Application for Approval of a Draft Plan of Subdivision, on Lands Located at 440 Victoria Avenue North, Hamilton (PED14040) (Ward 3) (Item 6.4)**

In accordance with the provision of the Planning Act, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves 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.

No public speakers came forward.

**(Pearson/Partridge)**

That the public meeting respecting Report PED14040 Application for Approval of a Draft Plan of Subdivision, on Lands Located at 440 Victoria Avenue North, Hamilton, be closed.

**CARRIED**

Peter De Iulio, Senior Project Manager, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

**(Clark/Whitehead)**

That the staff presentation respecting Report PED14040 Application for Approval of a Draft Plan of Subdivision, on Lands Located at 440 Victoria Avenue North, Hamilton, be received.

**CARRIED**

Caroline Baker, GSP Group, on behalf of the applicant, and Sergio Manchia, IBI Group, 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.

**(Collins/Pearson)**

That the agent's presentation respecting Report PED14040 Application for Approval of a Draft Plan of Subdivision, on Lands Located at 440 Victoria Avenue North, Hamilton, be received.

**CARRIED**

For disposition on this Item, refer to item 8.

- (v) **Applications to Amend Stoney Creek Zoning By-law No. 3692-92 and for Approval of a Draft Plan of Subdivision Known as "Foothills of Winona Phase 3", for Lands Located at 1335 Barton Street, Stoney Creek (PED14054) (Ward 11) (Item 6.5)**

In accordance with the provision of the Planning Act, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the zoning by-law amendments and draft plan of subdivision, the person or public body is not entitled to appeal the decision of the Council of the

City of Hamilton to the 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.

**(Clark/Pearson)**

That the public meeting respecting Report PED14054, Applications to Amend Stoney Creek Zoning By-law No. 3692-92 and for Approval of a Draft Plan of Subdivision Known as "Foothills of Winona Phase 3", for Lands Located at 1335 Barton Street, Stoney Creek, be closed.

**CARRIED**

**(Johnson/Ferguson)**

That the staff presentation respecting Report PED14054, Applications to Amend Stoney Creek Zoning By-law No. 3692-92 and for Approval of a Draft Plan of Subdivision Known as "Foothills of Winona Phase 3", for Lands Located at 1335 Barton Street, Stoney Creek, be waived.

**CARRIED**

Caroline Baker, GSP Group, 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. She also notified that this application should be referred to as Phase 4, rather than Phase 3.

**(Whitehead/Farr)**

That the agent's presentation respecting Report PED14054, Applications to Amend Stoney Creek Zoning By-law No. 3692-92 and for Approval of a Draft Plan of Subdivision Known as "Foothills of Winona Phase 3", for Lands Located at 1335 Barton Street, Stoney Creek, be received.

**CARRIED**

**(Clark/Pearson)**

That the recommendations contained in Report PED14054, Applications to Amend Stoney Creek Zoning By-law No. 3692-92 and for Approval of a Draft Plan of Subdivision Known as "Foothills of Winona Phase 3" for Lands Located at 1335 Barton Street, Stoney Creek, be amended by adding a new sub-section (d), to read as follows:

- (d) That Appendix D, Special Conditions for 25T-201304 "Foothills of Winona Phase 3", Item 16, be amended by deleting the words, "and backup power unit", after the words "overflow on surface".

**Amendment CARRIED**

For disposition on this Item, refer to item 9.

**(vi) Application for a Zoning By-law Amendment for Lands Located at 231 York Road (Dundas) (PED14044) (Ward 13) (Item 6.6)**

In accordance with the provision of the Planning Act, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council 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.

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

**(Partridge/Pearson)**

That the staff presentation respecting Report PED14044, Application for a Zoning By-law Amendment for Lands Located at 231 York Road (Dundas), be received.

**CARRIED**

Ed Fothergill, on behalf of the applicant, provided a brief background of the application.

**(Pearson/Pasuta)**

That the agent's presentation respecting Report PED14044, Application for a Zoning By-law Amendment for Lands Located at 231 York Road (Dundas), be received.

**CARRIED**

**Public Speakers:**

1. Cathy Haggerty - 246 York Road, Dundas, ON L9H 6L8

Ms. Haggerty expressed concerns with the application in regards to: the character of neighbourhood; parking issues; lack of visitor parking; overflow parking on Fieldgate; setbacks are not uniform with rest of neighbourhood; the aesthetics; safety issues of walkways; poor site lines and increased pedestrian traffic. She indicated that the

neighbourhood residents have issues with this proposal and concerns about the development on this property.

**(Pearson/Partridge)**

That the public presentation respecting Report PED14044, Application for a Zoning By-law Amendment for Lands Located at 231 York Road (Dundas), be received.

**CARRIED**

**(Pearson/Partridge)**

That the public meeting respecting Report PED14044, Application for a Zoning By-law Amendment for Lands Located at 231 York Road (Dundas), be closed.

**CARRIED**

**(Ferguson/Pearson)**

That approval be given to Zoning By-law Application ZAC-13-040, by Recchia Developments Inc. (Owner), for a change in zoning from the Single-Detached Residential "R2" Zone, to the Low Density Residential "R3/S-124" Zone, with a Special Exception, in order to permit the development of 12 semi-detached dwelling units (within 6 buildings), for lands located at 231 York Road (Dundas), as shown on Appendix "A" to Report PED14044, on the following basis:

- (a) That the draft By-law, attached as Appendix "B" to Report PED14044, that 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 "Q" of Zoning By-law No. 3581-86; and,
- (c) That the proposed change in zoning is in conformity with the Urban Hamilton Official Plan (UHOP).

The motion was DEFEATED on the following vote:

Yeas:	Farr Pearson Ferguson, Pasuta
Total:	4
Nays:	Clark, Partridge, Whitehead, Collins, Johnson
Total:	5

The recommendation to deny the application CARRIED on the following vote:

Yeas: Clark, Partridge, Whitehead, Collins, Johnson  
Total: 5  
Nays: Farr Pearson Ferguson, Pasuta  
Total: 4

For disposition on this Item, refer to item 10.

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

**(i) Renaming of the Trinity Church Arterial Road Corridor (Item 9.1)**

Yeas: Clark, Partridge, Whitehead, Farr, Pearson Ferguson,  
Pasuta, Johnson  
Total: 8  
Nays: Collins  
Total: 1

For disposition on this Item, refer to item 11.

**(ii) Naming of the Waterdown East/West Roadway (Item 9.2)**

For disposition on this Item, refer to item 12.

**(iii) St. Clair Boulevard Heritage Conservation District (Item 9.3)**

For disposition on this Item, refer to item 5.

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

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

That the following Outstanding Business List due dates be revised:

**(Pearson/Farr)**

- (aa) Item P: City Initiative to Amend Hamilton Zoning By-law No. 6593 for the Properties Located at 118 to 338 Mountain Brow Boulevard (Hamilton) (PED13101)  
Current Due Date: April 1, 2014  
Proposed Due Date: June 3, 2014

- (bb) Item FF: Performance Review – Planning and Economic Development Directors (No Copy)  
Current Due Date: April 1, 2014  
Proposed Due Date: April 15, 2014

**CARRIED**

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

**(i) Closed Session Minutes - March 18, 2014 (Item 12.1)**

**(Pearson/Partridge)**

- (a) That the Closed Session Minutes of the March 18, 2014 meeting of the Planning Committee be approved, as presented.
- (b) That the Closed Session Minutes of the March 18, 2014 meeting of the Planning Committee, remain confidential and restricted from public disclosure.

**CARRIED**

**(Pearson/Partridge)**

That the Planning Committee move into Closed Session, at 2:02 p.m. for the discussion of Item 12.2, pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 10-053, and Section 239, Sub-section (c) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land by the municipality or local board

**CARRIED**

Committee moved into open session at 2:16 p.m.

**(i) Possible Property Acquisition – Motion (tabled from March 18, 2014) (Item 12.2)**

Direction was provided to staff in closed session.

**(j) ADJOURNMENT**

**(Partridge/Clark)**

That, there being no further business, the Planning Committee adjourn at 2:17 p.m.

**CARRIED**

Respectfully submitted,

Vanessa Robicheau  
Legislative Coordinator  
Office of the City Clerk

Councillor B. Johnson  
Chair, Planning Committee