



PLANNING COMMITTEE

REPORT 14-007

9:30 am

Tuesday, May 6, 2014

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent with Regrets: Councillor T. Whitehead

THE PLANNING COMMITTEE PRESENTS REPORT 14-007 AND RESPECTFULLY RECOMMENDS:

1. Hamilton Historical Board Minutes - March 18, 2014 (Item 5.1)

That the Hamilton Historical Board Minutes from March 18, 2014, be received.

2. Application for Approval of a Draft Plan of Condominium (Common Element) (25CDM-201302) Affecting Lands Located at 421 Kitty Murray Lane (Ancaster) (PED14078) (Ward 12) (Item 6.2)

That approval be given to **Condominium Application 25CDM-201302, by Springbrook West Development Inc., Owner**, to establish a Draft Plan of Condominium (Common Element) to create a common element condominium road for 28 townhouse dwelling units on lands known as 421 Kitty Murray Lane (Ancaster), as shown on the attached location map marked as Appendix "A" to Report PED14078, subject to the following conditions:

- (a) That this approval shall apply to the plan, prepared by B.A. Jacobs Surveying Limited, and certified by Byran Jacobs, O.L.S., dated January 11, 2011, showing the condominium road labelled as Part 29 and

residential dwelling lots as Parts 1-28, attached as Appendix "B" to Report PED14078;

- (b) That the final plan of condominium shall comply with all of the applicable provisions of Ancaster Zoning By-law No. 87-57, as amended by Zoning By-law 12-157;
- (c) That the final plan of condominium shall comply, in all respects, with the approved Site Plan (DA-12-091), to the satisfaction of the Director of Planning;
- (d) 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;
- (e) 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.
- (f) 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.
- (g) That the owner provide evidence to the satisfaction of the Senior Director of Growth Management, that the Condominium Approval Agreement and Condominium Agreement contains appropriate wording requiring the future Condominium Corporation to be responsible for maintenance, repair and/or replacement of all common elements including, but not

limited to, maintaining landscaping and fencing, as well as, the grading and drainage in accordance with the engineering drawings and other drawings approved through Site Plan application DA-12-091;

- (h) 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;
- (i) That the owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton.
- (j) That a sign be erected on Redeemer property at the east fence line of the subject property stating, "Future Student Residence".

3. Application for an Amendment to the Urban Hamilton Official Plan and Town of Ancaster Zoning By-law for Lands Located at 1117 Garner Road East (PED14075) (Ward 12) (Item 6.3)

- (a) That approval be given to **Official Plan Amendment Application OPA-13-009, by Sonoma Homes Inc, Owner**, for Official Plan Amendment No. [REDACTED], for a change in designation from "Utility" to "Medium Density Residential 2c" on Map B.2.6-1 - Land Use Plan, and to establish a new Site Specific Policy Area F, within the Meadowlands Neighbourhood IV Secondary Plan, to permit a three-storey, mixed-use building containing offices on the ground floor, and 36 residential units on the second and third floors, on lands located at 1117 Garner Road East (Ancaster), as shown on Appendix "A" to Report PED14075, on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix "C" to Report PED14075, be adopted by City Council.
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and the Places to Grow Growth Plan.
- (b) That approval be given to **Zoning By-law Amendment Application ZAC-12-036, by Sonoma Homes Inc, Owner**, for changes in zoning from the Motor Vehicle Services "C6-271" Zone, Modified, and Agricultural "A" Zone, to the Holding - Residential Multiple "H-RM6-658" Zone, Modified, to permit a three-storey, mixed-use building containing offices on the ground floor and 36 residential units on the second and third floors, on lands located at 1117 Garner Road East (Ancaster), as shown on Appendix "A" to Report PED14075, on the following basis:

- (i) That the draft By-law, attached as Appendix “C” to Report PED14075, 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 1 to Schedule “B” of By-law No. 87-57; and,
- (iii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) upon finalization of Official Plan Amendment No. [REDACTED].

4. Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster) (PED14079) (Ward 12) (Item 6.4)

That **Zoning By-law Amendment Application ZAC-13-033, by Sonoma Homes, Owner**, for a change in zoning from the Existing Residential “ER” Zone, to the General Commercial “C3-655” Zone, Modified, with a Special Exception, on lands located at 125 Wilson Street East (Ancaster), as shown on Appendix “A” to Report PED14079, be approved, on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED14079, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
- (b) That the amending By-law be added to Map 1 Schedule “B” of Zoning By-law No. 87-57;
- (c) That the proposed change in Zoning is in conformity with the Urban Hamilton Official Plan (UHOP);
- (d) That the Ward Councillor attend the Site Plan approval meeting and that the Site Plan be in general conformity with Appendix C, page 4 of 4, to Report PED14079, Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster).

5. Zoning By-law Amendment for Lands Located at 85 Robinson Street, 220 Park Street South and 90 Charlton Avenue West (Hamilton) (City Square) (PED14087) (Ward 2) (Item 6.5)

That approval be given to **Amended Zoning Application ZAC-13-004, by New Horizon Development (City Square) Corporation, Owner**, for a change in zoning from the “E/S-1600” (Multiple Dwellings, Lodges, Clubs, Etc.) District, Modified, to the “E/S-1600a” (Multiple Dwellings, Lodges, Clubs, Etc.) District, Modified, to modify the setbacks for the existing and proposed development,

and to permit the construction of an 11-storey multiple dwelling, on lands located at 85 Robinson Street, 220 Park Street South, and 90 Charlton Avenue West (Hamilton), as shown on Appendix “A” to Report PED14087, on the following basis:

- (a) That the Draft By-law, attached as Appendix “B” to Report PED14087, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the amending By-law, attached as Appendix “B” to Report PED14087, be added to District Map No. W-5 of Zoning By-law No. 6593;
- (c) That the proposal is consistent with the Provincial Policy Statement (2014) and conforms to Places to Grow and the Urban Hamilton Official Plan;
- (d) That the parking be increased to a minimum of 119 spaces.

6. Food Trucks on Private Property, Places of Worship, Schools and Industrial Zones (PED12085(c)) (City Wide) (Item 8.1)

- (a) That Schedule 6, Food Service Vehicles – Class B, of the Business Licensing By-law No. 07-170, be amended to relax the regulations respecting Food Service Vehicles as follows:
 - (i) To permit Food Service Vehicles to operate on private properties for places of worship for fundraising efforts and schools for fundraising and special events no more than **twenty** days in a calendar year;
 - (ii) To permit Food Service Vehicles to operate within Industrial Business Parks and industrial zoned areas provided there is a 30 m separation from residential uses;
- (b) That Food Service Vehicles are only permitted to operate on private property where the zoning permits a restaurant (except in institutional and industrial areas as per recommendations (i) and (ii) of Report PED12085(c));
- (c) That Food Service Vehicles be prohibited on private property within 100 m of a Special Event Advisory Team event;
- (d) That in accordance with Recommendations (a), (b) and (c) of Report PED12085(c), the proposed By-law attached as Appendix “A” to Report PED12085(c) which amends Schedule 6, Food Service Vehicles – Class

B, of the Business Licensing By-law, and which has been prepared in a form satisfactory to the City Solicitor, be enacted.

7. Amendments to Responsible Animal Ownership By-law 12-031 (PED09303(d)) (City Wide) (Item 8.2)

- (a) That the Responsible Animal Ownership By-law 12-031 be amended to permit businesses/facilities to display prohibited animals for educational purposes provided that:
 - (i) the property is zoned for the use;
 - (ii) the business/facility shares no common wall or HVAC system with any other use;
 - (iii) the business is not a pet store (does not offer animals for sale);
 - (iv) the primary purpose of the business/facility is the display of animals and it is accredited by Canada's Accredited Zoos and Aquariums;
 - (v) ***That the business is not physically attached to a residential unit or structure.***
- (b) That the proposed by-law attached as Appendix "B" to Report PED09303(d)), which amends the Responsible Animal Ownership By-law 12-031 and which has been prepared in a form satisfactory to the City Solicitor be enacted;
- (c) That staff report back in time for Council on the self contained unit clause;
- (d) That staff investigate annual inspections as part of the approval process, possibly through Canada's Accredited Zoos and Aquariums (CAZA);
- (e) That the Board of Health conduct a random inspection once a year at the facility;
- (f) That signage be placed to ensure the public is aware of the dangers and health issues associated with wild and dangerous animals.

FOR THE INFORMATION OF COUNCIL

(a) CHANGES TO THE AGENDA (Item 1)

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

DELEGATION REQUESTS

4.2 Delegation Requests respecting item 8.2 Amendments to Responsible Animal Ownership By-law 12-031:

- (i) Regan Russell
- (ii) Barry Kent MacKay
- (iii) Liz White
- (iv) Neva Novakovic
- (v) Patrick Tohill
- (vi) Julie Woodyer
- (vii) Rob Laidlaw
- (viii) Vivian Laflamme

DISCUSSION ITEMS

8.2 Amendments to Responsible Animal Ownership By-law 12-031 (PED09303(d)) (City Wide)

- (i) Correspondence from William Russell and Patricia Townson-Russell
- (ii) Correspondence from Regan Russell
- (iii) Correspondence from Liz Duchene
- (iv) Correspondence from Sheila Krekorian
- (v) Correspondence from Catharine Ens-Hurwood, Niagara Action for Animals
- (vi) Correspondence from Lori Sirianni
- (vii) Correspondence from Ann Crawford

NOTICE OF MOTION

10.1 Redevelopment of a City of Hamilton Owned Surface Parking Lot

10.2 Construction Information Ground Signs

The Agenda for the May 6, 2014 meeting of the Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) APPROVAL OF MINUTES (Item 3)

(i) April 15, 2014

The Minutes of the April 15, 2014 Planning Committee meeting were approved.

(d) DELEGATION REQUESTS (Item 4)

(i) Delegation Request from Greg Tarry, Canada's Accredited Zoo's and Aquariums, respecting item 8.2 Amendments to Responsible Animal Ownership By-law 12-031 (Item 4.1)

The delegation request from Greg Tarry, Canada's Accredited Zoo's and Aquariums, respecting item 8.2 Amendments to Responsible Animal Ownership By-law 12-031, were approved.

(ii) Delegation Requests respecting item 8.2 Amendments to Responsible Animal Ownership By-law 12-031 (Item 4.2):

- (1) Regan Russell**
- (2) Barry Kent MacKay**
- (3) Liz White**
- (4) Neva Novakovic**
- (5) Patrick Tohill**
- (6) Julie Woodyer**
- (7) Rob Laidlaw**
- (8) Vivian Laflamme**

The delegation requests respecting item 8.2 Amendments to Responsible Animal Ownership By-law 12-031, were approved.

(e) 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)

The delegation from Anna Roberts and Viv Saunders respecting changes to Land Use Process and Procedures, was tabled to a future meeting.

(ii) Application for Approval of a Draft Plan of Condominium (Common Element) (25CDM-201302) Affecting Lands Located at 421 Kitty Murray Lane (Ancaster) (PED14078) (Ward 12) (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.

Glenn Wellings, on behalf of the applicant, requested clarification as to whether this application qualifies for waste removal

The agent's presentation respecting report PED14078 Application for Approval of a Draft Plan of Condominium (Common Element) (25CDM-201302) Affecting Lands Located at 421 Kitty Murray Lane (Ancaster), was received.

The public meeting respecting report PED14078 Application for Approval of a Draft Plan of Condominium (Common Element) (25CDM-201302) Affecting Lands Located at 421 Kitty Murray Lane (Ancaster), was closed.

The recommendations were amended by deleting recommendation (e) (ii), as follows:

- (e) (ii) This property is ineligible for municipal collection of Garbage, Recycling, Organics, and Leaf and Yard Waste. Collection of Garbage, Recycling, Organics, and Leaf and Yard Waste must

be provided through a Private Waste Hauler(s). Recycling is strongly encouraged.

The recommendations contained in Report PED14078 Application for Approval of a Draft Plan of Condominium (Common Element) (25CDM-201302) Affecting Lands Located at 421 Kitty Murray Lane (Ancaster), were amended by adding a new sub-section (j) as follows:

- (j) That a sign be erected on Redeemer property at the east fence line of the subject property stating, "Future Student Residence".

For disposition on this Item, refer to item 2.

(iii) Application for an Amendment to the Urban Hamilton Official Plan and Town of Ancaster Zoning By-law for Lands Located at 1117 Garner Road East (PED14075) (Ward 12) (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 and Urban Hamilton Official Plan 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.

Heather Travis, 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.

The staff presentation respecting report PED14075, Application for an Amendment to the Urban Hamilton Official Plan and Town of Ancaster Zoning By-law for Lands Located at 1117 Garner Road East, was received.

Glenn Wellings, on behalf of the applicant, expressed that they support the recommendations

The agent's presentation respecting report PED14075, Application for an Amendment to the Urban Hamilton Official Plan and Town of Ancaster Zoning By-law for Lands Located at 1117 Garner Road East, was received.

Public Speakers:

1. Dov Ciscioli – 76 Bridgeport Cres., Hamilton, ON L9K 1K4

Mr. Ciscioli expressed concerns with his neighbouring property.

The public presentation respecting report PED14075, Application for an Amendment to the Urban Hamilton Official Plan and Town of Ancaster Zoning By-law for Lands Located at 1117 Garner Road East, were received.

The public meeting respecting report PED14075, Application for an Amendment to the Urban Hamilton Official Plan and Town of Ancaster Zoning By-law for Lands Located at 1117 Garner Road East, was closed.

For disposition on this Item, refer to item 3.

(iv) Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster) (PED14079) (Ward 12) (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 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.

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.

The staff presentation respecting report PED14079, Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster), was received.

Glenn Wellings, on behalf of the applicant, expressed that they support the recommendations. Concerns arose respecting roofing material.

The agent's presentation respecting report PED14079, Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster), was received.

Speakers:

1. Geoff Ondercin-Bourne – 125 Dalley Dr., Hamilton, ON L9G 1K4

Mr. Ondercin-Bourne expressed concerns with current tree coverage.

The public presentation respecting report PED14079, Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster), was received.

The public meeting respecting report PED14079, Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster), was closed.

The recommendations contained in Report PED14079, Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster), were amended by adding a new sub-section (d), to read as follows:

- (d) That the Ward Councillor attend the Site Plan approval meeting and that the Site Plan be in general conformity with Appendix C, page 4 of 4, to Report PED14079, Proposed Zoning By-law Amendment Affecting Lands Located at 125 Wilson Street East (Ancaster).

For disposition on this Item, refer to item 4.

- (v) **Zoning By-law Amendment for Lands Located at 85 Robinson Street, 220 Park Street South and 90 Charlton Avenue West (Hamilton) (City Square) (PED14087) (Ward 2) (Item 6.5)**

(i) Correspondence from D. Joan Eagle

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, 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.

Delia McPhail, 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.

The staff presentation respecting Report PED14087, Zoning By-law Amendment for Lands Located at 85 Robinson Street, 220 Park Street South and 90 Charlton Avenue West (Hamilton) (City Square), was received.

Caroline Baker, GSP Group, and Jeff Paikin, New Horizon Development (City Square) Corporation, 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 agents' presentation respecting Report PED14087, Zoning By-law Amendment for Lands Located at 85 Robinson Street, 220 Park Street South and 90 Charlton Avenue West (Hamilton) (City Square), was received.

Public Speakers:

1. Barb Henderson – 611-90 Charlton Ave W, Hamilton, ON L8P 0B4

Ms. Henderson expressed concerns to parking.

2. David Cheskewski – 603 - 69 Herkimer St, Hamilton, ON L8P 2G6

Mr. Cheskewski expressed concerns with density, parking issues, increased traffic.

3. Ernie Geisel – 40 Charlton Ave W, Hamilton, ON L8P 2C1

Mr. Geisel expressed concerns with the planning principals

4. Kirstin Godsave – 219 Park St S, Hamilton, ON L8P 0A2

Ms. Godsave expressed concerns with parking, traffic flow, and shadowing.

5. Janice Brown – 186 ½ Duke St., Hamilton, ON L8P 1Y2

Ms. Brown expressed concerns to previous meeting outcomes, density, minutes of settlement from 1996 with Latco (1986) Developments Ltd. Ms. Brown provided speaking notes with have been included in the public record.

The public presentations respecting Report PED14087, Zoning By-law Amendment for Lands Located at 85 Robinson Street, 220 Park Street South and 90 Charlton Avenue West (Hamilton) (City Square), were received.

The public meeting respecting Report PED14087, Zoning By-law Amendment for Lands Located at 85 Robinson Street, 220 Park Street South and 90 Charlton Avenue West (Hamilton) (City Square), was closed.

The correspondence respecting Report PED14087, Zoning By-law Amendment for Lands Located at 85 Robinson Street, 220 Park Street South and 90 Charlton Avenue West (Hamilton) (City Square), was received.

The recommendations contained in report PED14087, Zoning By-law Amendment for Lands Located at 85 Robinson Street, 220 Park Street South and 90 Charlton Avenue West (Hamilton) (City Square), were amended to include a new sub-section (d) as follows:

(d) That the parking be increased to a minimum of 119 spaces.

For disposition on this Item, refer to item 5.

(f) DISCUSSION ITEMS (Item 8)

(i) Food Trucks on Private Property, Places of Worship, Schools and Industrial Zones (PED12085(c)) (City Wide) (Item 8.1)

The recommendations contained in Report PED12085(c), Food Trucks on Private Property, Places of Worship, Schools and Industrial Zones, were amended in section (a)(i) by deleting the word, “ten”, before the words, “days in a calendar year” and replacing it with the word, “twenty”.

For disposition on this Item, refer to item 6.

- (ii) **Amendments to Responsible Animal Ownership By-law 12-031 (PED09303(d)) (City Wide) (Item 8.2)**
 - (i) **Correspondence from William Russell and Patricia Townson-Russell**
 - (ii) **Correspondence from Regan Russell**
 - (iii) **Correspondence from Liz Duchene**
 - (iv) **Correspondence from Sheila Krekorian**
 - (v) **Correspondence from Catharine Ens-Hurwood, Niagara Action for Animals**
 - (vi) **Correspondence from Lori Sirianni**
 - (vii) **Correspondence from Ann Crawford**

Bill Young and Paola Pianegonda, 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.

Greg Tarry, Canada's Accredited Zoos and Aquariums, spoke to the containment of animals in a self containing structure, insurance, and the accreditation process.

The staff presentation respecting report PED09303(d), Amendments to Responsible Animal Ownership By-law 12-031, was received.

Delegations:

1. Regan Russell

Ms. Russell expressed that she used to work with the Region of Peel helping educate people on how to approach animals. Her concerns are related to the safety of children, how the animals are treated during school visits and what this teaches children.

2. Barry Kent MacKay

Mr. MacKay expressed that he works in animal and environmental protection. He spoke to handling snakes and the dangers.

3. Liz White

Ms. White expressed that she works on animal protection in municipalities. She spoke to inspection capacity in order to maintain public health. She also spoke to the transportation of animals to community functions and the implications to public health.

4. Neva Novakovic

Ms. Novakovic expressed that she works with Animal Justice Canada which does not condone the use of animals as entertainment.

5. Patrick Tohill

Mr. Tohill expressed that he is concerned that Little Ray's identifies that it is a rescue.

6. Julie Woodyer

Ms. Woodyer expressed that she is involved with Aspen Valley Wildlife Sanctuary. She expressed caution that CAZA certification may not protect public safety based on the inspection program.

7. Rob Laidlaw

Mr. Laidlaw, Zoo Check, spoke to public safety of dangerous animals.

8. Vivian Laflamme

Ms. Laflamme is an employee of the Hamilton-Burlington SPCA. She expressed that exotic animals require special care, especially in an emergency and emergency preparedness. She expressed that Little Ray's is a resource that the HBSPCA turns to should there be an emergency.

9. Steve Featherstone

Mr. Featherstone spoke to public safety at Little Ray's. He indicated that there have not been any incidents in 18-years and their policies exceed CAZA standards.

10. Paul Goulet

Mr. Goulet spoke to the policies at Little Ray's and spoke to the ability to perform their shows without large reptiles. He also indicated that public safety is their top priority.

11. Greg Tarry, Canada's Accredited Zoos and Aquariums

Spoke to the CAZA standards and their accreditation program. He indicated that Little Ray's has applied with all documentation to become an accredited zoo.

The delegations respecting report PED09303(d), Amendments to Responsible Animal Ownership By-law 12-031, were received.

The correspondence respecting report PED09303(d), Amendments to Responsible Animal Ownership By-law 12-031, was received.

Recommendation (a) contained in Report PED09303(d), Amendments to Responsible Animal Ownership By-law 12-031, was amended by adding a new sub-section (a)(v), to read as follows:

- (a) That the Responsible Animal Ownership By-law 12-031 be amended to permit businesses/facilities to display prohibited animals for educational purposes provided that:
 - (v) That the business is not physically attached to a residential unit or structure;

The recommendations contained in Report PED09303(d), Amendments to Responsible Animal Ownership By-law 12-031, were amended by adding new sub-sections (c), (d), (e) and (f), as follows:

- (c) That staff report back in time for Council on the self contained unit clause;
- (d) That staff investigate annual inspections as part of the approval process, possibly through Canada's Accredited Zoos and Aquariums (CAZA);
- (e) That the Board of Health conduct a random inspection once a year at the facility;
- (f) That signage be placed to ensure the public is aware of the dangers and health issues associated with wild and dangerous animals.

Yeas: C. Collins, B. Johnson, J. Farr, M. Pearson
Total: 4
Nays: R. Pasuta, B. Clark, J. Partridge
Total: 3
Absent: T. Whitehead, L. Ferguson

Total: 2

For disposition on this Item, refer to item 7.

(iii) Hamilton Municipal Heritage Committee Report 14-003 (Item 8.3)

Hamilton Municipal Heritage Committee Report 14-003 was referred back to the Hamilton Municipal Heritage Committee in respect to Appendix E to the Volunteer Committee Procedural Handbook which identifies procedures for communicating with any outside agency, including other levels of Government and the media.

(g) NOTICES OF MOTION (Item 10)

Councillor Farr introduced the following Notice of Motion:

(i) Redevelopment of a City of Hamilton Owned Surface Parking Lot (Item 10.1)

WHEREAS The City of Hamilton owns lands that are currently used for surface parking within the Downtown Community Improvement Plan area which is not the highest and best use of these lands;

AND WHEREAS it is a goal of the Downtown Community Improvement Plan area “To ensure a viable population of residents, jobs and visitors to the Project Areas that provide local business support, employment and economic opportunities” and “To make more efficient use of existing infrastructure”;

AND WHEREAS ss 106(3) of the Municipal Act, 2001 provides that the prohibition on a municipality granting bonuses in ss 106(1) does not apply where a Council exercises its authority within a community improvement project area pursuant to ss 28(6) or (7) of the Planning Act.

AND WHEREAS Section 8.2 of the Downtown and Community Renewal Community Improvement Plan states that “The City may also dispose, including sale, lease, or otherwise, of municipal land and buildings within any Community Improvement Project Area for the purpose of achieving the goals and objectives of this Plan”;

AND WHEREAS through the disposition of a surface parking lot the City of Hamilton can provide for the opportunity for the redevelopment of City owned lands currently utilized solely for the purpose of surface

parking, provide for additional residential and employment opportunities in the Downtown Community Improvement Plan area and achieve excellence in urban design;

NOW THEREFORE IT IS RESOLVED:

- (a) That Planning and Economic Development Department staff be directed and authorized to report back to Planning Committee by September, 2014 on:

A Request for Proposals process for the redevelopment of a City of Hamilton owned surface parking lot in which the City of Hamilton will facilitate the process through the conveyance of the City of Hamilton lands for the best offer subject to the successful project meeting the City of Hamilton's requirements including, but not limited to, matters of design, timing, density and affordability;

- (b) That in preparing the Request for Proposal, Planning and Economic Development Department staff report include a cost-benefit analysis on the redevelopment of the City-owned lands;
- (c) That Planning and Economic Development Department staff report back on the process for the evaluation and assessment of the Request for Proposals, including a stakeholder advisory committee and the composition of the committee.

Councillor Farr introduced the following Notice of Motion:

(ii) Construction Information Ground Signs (Item 10.2)

WHEREAS the Hamilton Sign By-Law No.10-197 regulates signs, including temporary "Construction Information Ground Signs" within the City of Hamilton;

AND WHEREAS the Hamilton Sign By-Law No.10-197 restricts the height (7.5 m) and size(maximum area 18.0 m² for a single-faced or 36.0 m² for a double or multi-faced Sign) of ground mount signs, including temporary "Construction Information Ground Signs";

AND WHEREAS there are available space challenges to locating "Construction Information Ground Signs" in the most visible and effective manner for many of the vital new developments occurring within the Downtown;

NOW THEREFORE IT IS RESOLVED:

- (a) That Planning and Economic Development Department staff be directed to review the provisions of the Hamilton Sign By-Law No.10-197 and to report back with possible alternatives to address the challenges in locating “Construction Information Ground Signs” associated with Downtown developments;
- (b) That staff be directed to use discretion in enforcing “Construction Information Ground Signs” in the Downtown area until the requested report is considered by Committee and City Council.

(h) 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 L: Municipal Costs for Appeals to the Ontario Municipal Board for Municipal Decision on Mineral Aggregate Resource Developments
Current Due Date: May 6, 2014
Proposed Due Date: TBD
- (bb) Item KK: Delegation Request from MasonryWorx
Current Due Date: May 6, 2014
Proposed Due Date: May 20, 2014

The following item was removed from the Outstanding Business List:

- (aa) Item DD: Food Trucks on Private Property

(i) ADJOURNMENT

There being no further business, the Planning Committee adjourned at 5:03 p.m.

Respectfully submitted,

Councillor B. Johnson
Chair, Planning Committee

Vanessa Robicheau
Legislative Coordinator
Office of the City Clerk