



PLANNING COMMITTEE REPORT 14-014

9:30 am

Tuesday, September 16, 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, R. Pasuta and M. Pearson

Absent with Regrets: Councillor B. Clark
Councillor T. Whitehead
Councillor L. Ferguson

Also Present: Councillor S. Merulla

THE PLANNING COMMITTEE PRESENTS REPORT 14-014 AND RESPECTFULLY RECOMMENDS:

- 1. Amendments to the Site Alteration By-law No. 03-126, as Amended by By-law Nos. 05-115, 11-262, 13-098, and Further Amended by By-law No.13-206 (PED12184(c)) (City Wide) (Item 5.1)**
 - (a) That amendments to Site Alteration By-law No. 03-126, as amended by By-law Nos. 05-115, 11-262, 13-098 and further amended by By-law No. 13-206, as set out in Report PED12184(c), be approved and that the draft amending By-law, attached as Appendix "A" to Report PED12184(c), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (b) That staff be directed to continue to submit as part of the 2015 Capital Budget process monies for a comprehensive review and update of the City of Hamilton's Site Alteration By-law.

2. City of Hamilton's Response to the Resolution from Township of Muskoka Lakes to Correct Errors in the Land Titles Electronic Registry System - Outstanding Business List Item - (PED14162) (City Wide) (Item 5.2)

That the resolution from the Township of Muskoka Lakes regarding the Request for the Ministry of Government Services to correct errors in the Land Titles Electronic Registry System, be received.

3. Committee of Adjustment Minor Variance Application - DN/A-14:50 (93 Head Street, Dundas) - Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment (PED14168) (Item 5.3)

- (a) That Report PED14168, respecting Committee of Adjustment Minor Variance Application DN/A-14:50 (see Appendix "E" to Report PED14168), for the property known as 93 Head Street (Dundas), as shown on Appendix "A" to Report PED14168, supported by the Planning and Economic Development Department, but Denied by the Committee of Adjustment, be received;
- (b) That Legal Services be directed to not attend to the Ontario Municipal Board, either in support of the Committee's decision, or against the decision.

4. Requests to Designate 1175 Main Street East, Hamilton (Memorial School) and 801 Dunsmure Road, Hamilton (W.H. Ballard Public School) Under Part IV of the Ontario Heritage Act (PED14175) (Wards 3 and 4) (Item 5.4)

- (a) That Council direct staff to carry out a Cultural Heritage Assessment of 1175 Main Street East, Hamilton (Memorial School), shown in Appendix "A1" of Report PED14175, to determine whether the property is of cultural heritage value worthy of designation under Part IV of the Ontario Heritage Act;
- (b) That Council direct staff to carry out a Cultural Heritage Assessment of 801 Dunsmure Road, Hamilton (W.H. Ballard Public School), shown in Appendix "A2" of Report PED14175, to determine whether the property is of cultural heritage value worthy of designation under Part IV of the Ontario Heritage Act;
- (c) That the Cultural Heritage Assessment work for 1175 Main Street East (Memorial School) and 801 Dunsmure Road (W.H. Ballard Public School) be assigned low priorities, and be added to staff's work

program for completion in 2019, as per the attached Appendix “F” of Report PED14175;

- (d) That, if 1175 Main Street East, Hamilton (Memorial School), is determined to be of cultural heritage value or interest, a Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes be prepared by staff for Council’s consideration for designation under Part IV of the Ontario Heritage Act;
- (e) That, if 801 Dunsmure Road, Hamilton (W.H. Ballard Public School), is determined to be of cultural heritage value or interest, a Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes be prepared by staff for Council’s consideration for designation under Part IV of the Ontario Heritage Act;
- (f) That a copy of Report PED14175 be forwarded to the Hamilton Municipal Heritage Committee for information;
- (g) That a copy of Report PED14175 be forwarded to the owner of 1175 Main Street East and 801 Dunsmure Road for information;

5. Street Name Housekeeping Amendments (Thornwood Drive, Portion of Claudette Gate, Portion of Chedmac Drive, Portion of Highway 5 West, Portion of Highbury Drive, Portion of Ipswich Road) (Ancaster, Flamborough, Hamilton, Stoney Creek) (PED14201) (Wards 4, 8, 9, 12 and 14) (Item 5.5)

- (a) That Thornwood Road, in the former Town of Ancaster, be renamed “Thornwood Drive” as identified on Appendix “A” to Report PED14201, and that the draft By-law, attached as Appendix “B” to Report PED14201, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That a portion of Claudette Gate, in the former City of Hamilton, be renamed “Sabrina Boulevard” as identified on Appendix “C” to Report PED14201, and that the draft By-law, attached as Appendix “D” to Report PED14201, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (c) That a portion of Chedmac Drive, in the former City of Hamilton, be renamed “Southridge Court” as identified on Appendix “E” to Report PED14201, and that the draft By-law, attached as Appendix “F” to Report PED14201, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

- (d) That a portion of Highbury Drive, in the former City of Stoney Creek, be renamed "Picardy Drive" as identified on Appendices "G" and "H" to Report PED14201, and that the draft By-law, attached as Appendix "I" to Report PED14201, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (e) That a portion of Highway No. 5 West, in the former Town of Flamborough, be renamed "Emmons Lane" as identified on Appendix "J" to Report PED14201, and that the draft By-law, attached as Appendix "K" to Report PED14201, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (f) That a portion of Ipswich Road, in the former City of Hamilton, be renamed "Ipswich Place" as identified on Appendix "L" to Report PED14201, and that the draft By-law, attached as Appendix "M" to Report PED14201, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

6. Terms of Reference for Review of the Heritage Designation Process and Delegated Authority to Consent to Heritage Permits under the Ontario Heritage Act (PED14204) (City Wide) (Item 5.6)

- (a) That the Terms of Reference for Review of the Heritage Designation Process and Delegated Authority to Consent to Heritage Permits under the Ontario Heritage Act, attached here to as Appendix "A", to Report 14-014, be approved.
- (b) That staff in the Planning Division be directed to carry out a review of the processes related to heritage designation and delegated authority to consent to heritage permit applications, in accordance with the Terms of Reference attached here to as Appendix "A", to Report 14-014;
- (c) That Staff report back to Planning Committee by the end of the second quarter of 2015.

7. Appeals to the Ontario Municipal Board on the City of Hamilton's Refusal or Neglect to Adopt Amendments to the City of Hamilton Official Plan and Zoning By-law No. 6593; and the City of Stoney Creek Official Plan and Zoning By-law No. 3692-92, for Lands Located at 560 Grays Road (Hamilton and Stoney Creek) (PED14223) (Wards 5 and 10) (Item 5.7)

- (a) That Report PED14223, Appeals to the Ontario Municipal Board on the City of Hamilton's Refusal or Neglect to Adopt Amendments to the City of Hamilton Official Plan and Zoning By-law No. 6593; and the City of

Stoney Creek Official Plan and Zoning By-law No. 3692-92, for Lands Located at 560 Grays Road (Hamilton and Stoney Creek), be received.

- (b) That staff, in consultation with the Ward Councillors (5 and 10), hold an open house for Ward residents in order to create an issues list to present to the Ontario Municipal Board.

8. Application for an Amendment to Zoning By-law 05-200 for Lands Located at 950 and 956 South Service Road, Stoney Creek (Ward 11) (PED14180) (Item 6.1)

That Zoning By-law Amendment Application ZAR-14-024, by Galanda Properties, Owner, for a modification in zoning from the Prestige Business Park (M3) Zone to the Prestige Business Park (M3, 460) Zone, Modified, with a Special Exception (Block 1) and from the General Business Park (M2) Zone to the General Business Park (M2, 460) Zone, Modified, with a Special Exception (Block 2), on lands located at 950 and 956 South Service Road (Stoney Creek), as shown on Appendix "A" to Report PED14180, be approved, on the following basis:

- (a) That the draft By-law, attached as Appendix "B" to Report PED14180, 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 Nos. 1202 and 1256 of Schedule "A" of City of Hamilton Zoning By-law No. 05-200;
- (c) That the proposed changes in Zoning are in conformity with the Urban Hamilton Official Plan.

9. City Initiative 14-E - Official Plan and Zoning By-law Changes for Urban Agriculture (Community Gardens and Urban Farms) in the Urban Area (PED14161) (Wards 1 to 13, 15) (Item 6.2)

- (a) That approval be given to City Initiative 14-E, for Official Plan Amendment (OPA) No. to the Urban Hamilton Official Plan, to define community garden and urban farm, and to permit the uses within residential, institutional areas, parks and open spaces zones, and mixed use and commercial areas, on the following basis:

- (i) That the draft OPA, attached as Appendix "A" to Report PED14161, be adopted by Council; and,

- (ii) That the proposed OPA is consistent with the Provincial Policy Statement (PPS) 2014, and conforms to the Growth Plan for the Greater Golden Horseshoe.
- (b) That approval be given to **City Initiative 14-E**, for a general text amendment to Zoning By-law 05-200, to define community garden and urban farm, to permit these uses, either as ancillary or as principle uses, in institutional and specific parks and open space, and downtown, and to establish appropriate regulations, on the following basis:
 - (i) That the Draft By-law, attached as Appendix “B” to Report PED14161, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
 - (ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No.
- (c) That approval be given to **City Initiative 14-E**, for a general text amendment to Town of Ancaster Zoning By-law 87-57, to define community garden and urban farm, to permit these uses, either as ancillary or as a principle uses, in residential, institutional, and commercial and mixed use zones and to establish appropriate regulations, on the following basis:
 - (i) That the Draft By-law, attached as Appendix “C” to Report PED14161, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
 - (ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No.
- (d) That approval be given to **City Initiative 14-E**, for a general text amendment to Town of Dundas Zoning By-law 3581-86, to define community garden and urban farm, to permit these uses, either as ancillary or as a principle uses, in residential, institutional, and commercial and mixed use zones and to establish appropriate regulations, on the following basis:
 - (i) That the Draft By-law, attached as Appendix “D” to Report PED14161, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
 - (ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No.

- (e) That approval be given to **City Initiative 14-E**, for a general text amendment to Town of Flamborough Zoning By-law 90-145-Z, to define community garden and urban farm, to permit these uses, either as ancillary or as a principle uses, in residential, institutional, and commercial and mixed use zones and to establish appropriate regulations, on the following basis:
 - (i) That the Draft By-law, attached as Appendix “E” to Report PED14161, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
 - (ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No.

- (f) That approval be given to **City Initiative 14-E**, for a general text amendment to Township of Glanbrook Zoning By-law No. 464, to define community garden and urban farm, to permit these uses, either as ancillary or as a principle uses, in residential, institutional, and commercial and mixed use zones and to establish appropriate regulations, on the following basis:
 - (i) That the Draft By-law, attached as Appendix “F” to Report PED14161, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
 - (ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No.

- (g) That approval be given to **City Initiative 14-E**, for a general text amendment to City of Hamilton Zoning By-law No. 6593, to define community garden and urban farm, to permit these uses, either as ancillary or as a principle uses, in residential, institutional, and commercial and mixed use zones and to establish appropriate regulations, on the following basis:
 - (i) That the Draft By-law, attached as Appendix “G” to Report PED14161, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
 - (ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No.

- (h) That approval be given to **City Initiative 14-E**, for a general text amendment to City of Stoney Creek Zoning By-law No. 3692-92, to define community garden and urban farm, to permit these uses, either as ancillary or as a principle uses, in residential, institutional, and commercial and mixed use zones and to establish appropriate regulations, on the following basis:
 - (i) That the Draft By-law, attached as Appendix “H” to Report PED14161, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
 - (ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No.
- (i) That the definition of Urban Farms be amended to include grains.

10. Application for an Amendment to City of Hamilton Zoning By-law No. 05-200 for the lands located at 55 Queenston Road (former City Motor Hotel Site), (Hamilton) (PED14186) (Ward 4) (Item 6.3)

- (a) That approval be given to **City Initiative CI-13-F, by The City of Hamilton, Owner**, for a change in zoning from the Community Shopping and Commercial “H” District, to the Downtown Mixed Use (D3, 461, H54) Zone, to permit an eight-storey residential building and a six-storey mixed use building, in Zoning By-law No. 05-200 for the lands located at 55 Queenston Road, Hamilton, as shown on Appendix “A”, on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED14186, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
 - (ii) That the change in zoning conforms to the Urban Hamilton Official Plan.
- (b) That staff be authorized to include the subject lands in the implementation of the Commercial and Mixed Use Zoning for Zoning By-law 05-200;
- (c) That upon finalization of the implementing Zoning By-law, the approved Normanhurst Neighbourhood Plan be amended to change the designation from “Commercial” to “Mixed Use”.

11. **Application for Approval of a Draft Plan of Subdivision known as “Nebo Trail”, on Lands Located at 6075 Twenty Road East, Glanbrook (PED14192) (Ward 11) (Item 6.4)**

That approval be given to **revised Draft Plan of Subdivision Application 25T-201207 by Movengo Corporation**, Owner, to establish a draft plan of subdivision known as “Nebo Trail”, on lands located at 6075 Twenty Road East (Glanbrook), as shown on Appendix “A” to Report PED14192, subject to the following conditions:

- (a) That this approval apply to “Nebo Trail”, 25T-201207, prepared by IBI Group, and certified by S.D. McLaren, O.L.S., dated December 13, 2012, attached as Appendix “D”, as revised July 2, 2014, showing five blocks (Blocks 1 – 5) for industrial purposes, two blocks for road widening purposes (Blocks 6 and 7), two blocks for a 0.3 m (1 ft) reserve (Blocks 8 and 9), and one new municipal street (Street ‘A’) attached as Appendix “B” to Report PED14192, subject to the owner entering into a standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix “C” to Report PED14192;
- (b) Acknowledgement that there will be no City share for any municipal works associated with this development, in accordance with the financial policies for development, as approved by Council;
- (c) That Payment of Cash-in-Lieu of Parkland will not be required for the development prior to the issuance of each building permit for the lots within the plan.
- (d) That Appendix “C” to Report PED14192, Application for Approval of a Draft Plan of Subdivision known as “Nebo Trail”, on Lands Located at 6075 Twenty Road East, Glanbrook, be amended by deleting Condition #9 and replacing it with the revised Condition #9, as follows:
 9. That, ***prior to preliminary grading***, the Owner prepares a stormwater management plan for the property to the satisfaction of the Hamilton Conservation Authority and the City of Hamilton, Senior Director of Growth Management. The stormwater management plan shall demonstrate how existing conditions (flow rates) are being maintained with development.

12. Application for Amendments to the Urban Hamilton Official Plan and Township of Glanbrook Zoning By-law No. 464 for Lands Located at Block 114 of Registered Plan 62M-1181 (Glanbrook) (PED14200) (Item 6.5)

- (a) That approval be given to Urban Hamilton Official Plan Amendment Application UHOPA-14-011, by Multi-Area Developments Inc., Owner, for Official Plan Amendment No.____, to amend portions of Map B.5.2-1, Rymal Road Secondary Plan Land Use Plan, from “Local Commercial” to “Local Commercial, Site Specific Policy – Area __” on the land located at Block 114 of Registered Plan 62M-1181 (as shown on Appendix “D” to Report PED14200), and to update the Rymal Road Secondary Plan policies to reflect Official Plan Amendment No. 67:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED14200, be adopted by City Council.
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe.
- (b) That approval be given to Glanbrook Zoning By-law Amendment Application ZAC-14-026, by Multi-Area Developments Inc., Owner, for a further modification to the Neighbourhood Commercial “C1-173” Zone, Modified, to permit additional uses, on lands known as Block 114 of Registered Plan 62M-1181 (as shown on Appendix “D” to Report PED14200), on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED14200, 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 “J”, of Zoning By-law No. 464.
 - (iii) That the proposed zoning change is in conformity with the Urban Hamilton Official Plan upon finalization of Official Plan Amendment No.____.

13. Application for an Amendment to the City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 267, 275 – 283 and 293 Upper Centennial Parkway (Stoney Creek) (PED14195) (Ward 9) (Item 6.6)

- (a) That approval be given to amended, Zoning Application ZAC-13-042 by 919 Upper Paradise Rd. Inc., Owner, for changes in zoning from the Neighbourhood Development “ND” Zone, Highway Commercial “HC” Zone and Highway Commercial “HC-6” Zone, Modified to the Highway

Commercial (Holding) “HC-6 (H)” Zone, Modified, for lands located at 267, 275 – 283 and 293 Upper Centennial Parkway (Stoney Creek), as shown on Appendix “A” to Report PED14195, on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED14195, 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. 11 of Zoning By-law No. 3692-92;
 - (iii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan;
- (b) That approval be given to amend the Nash Neighbourhood Plan by designating the subject lands from “Low Density Residential” to “General Commercial” to recognize the proposed commercial plaza.

14. Application for Amendment to the Urban Hamilton Official Plan and for Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 257 Park Street South (PED14196) (Ward 2) (Item 6.7)

- (a) That approval be given to Urban Hamilton Official Plan Amendment Application OPA-14-010 by David Kozar, (Owner), to establish a Site Specific Policy Area, in order to permit the development of street townhouses at a maximum net residential density of 65 units per hectare, for lands located at 257 Park Street South (Hamilton), as shown on Appendix “A” to Report PED14196, on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED14196, be adopted by City Council.
- (b) That approval be given to Zoning Application ZAR-13-032, by David Kozar, (Owner), for a change in zoning from the “DE-3” (Multiple Dwelling) District to the “RT-30/S-1714” (Street-Townhouse) District, Modified, to permit a three-unit street townhouse development, on lands located at 257 Park Street South (Hamilton), as shown on Appendix “A” to Report PED14196, on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED14196, 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 Section 19B of Zoning By-law No. 6593.

- (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe.
 - (iv) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan upon finalization of Official Plan Amendment No. [REDACTED].
 - (v) That upon finalization of the implementing By-law, the Durand Neighbourhood Plan be amended to re-designate the lands "Attached Housing" and permit a density of 26 units per acre (65 units per hectare) for the lands located at 257 Park Street South.
- (c) That Appendix "C" to Report PED14196, Application for Amendment to the Urban Hamilton Official Plan and for Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 257 Park Street South, be amended to reduce the building footprint and ensure a required larger rear and southerly side yard.

15. Application for a Condominium Conversion for Lands Known as 46 Arkledun Avenue (Hamilton) (PED14189) (Ward 2) (Item 6.8)

That approval be given to **Condominium Conversion Application CDM-CONV-12-03, by 46 Arkledun Avenue (Hamilton) Limited, Owner**, as amended by staff, to establish a Draft Plan of Condominium for the existing apartment building, consisting of 72 dwelling units and associated parking spaces, located at 46 Arkledun Avenue (Hamilton), as shown on the attached map marked as Appendix "A" to Report PED14189, subject to the following:

- (a) That this approval apply to the plan, prepared by A.T. McLaren Limited and certified by S.D. McLaren, O.L.S., dated September 26, 2012, as red-lined revised, attached as Appendix "B" to Report PED14189; and,
- (b) That the following conditions shall apply to the Draft Plan of Condominium approval:
 - (i) That the Final Plan of Condominium comply with all applicable provisions of Hamilton Zoning By-law No. 6593;
 - (ii) That the owner applies for and receives a building permit for one additional dwelling unit beyond the currently recognized 71 dwelling units;

- (iii) That the owner satisfies all conditions, financial or otherwise, of the City of Hamilton;
- (iv) That the owner shall submit a report, in accordance with Section 9 (4) of The Condominium Act, 1998, prepared and certified by a qualified Registered Professional Engineer or Licensed Architect, to the satisfaction of the Chief Building Official of the City of Hamilton, to confirm the structural and mechanical integrity of the building and any owner initiated measures required to correct any deficiencies prior to the release of the final plan for registration;
- (v) That the owner shall include the following warning clause in all Development Agreements and Offers of Purchase and Sale or Lease/Rental Agreements:
 - (a) Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels may exceed the Municipality's and the Ministry of the Environment's noise criteria; and,
 - (b) Purchaser/tenants are advised that parking in the surrounding neighbourhood is highly restricted and on-street parking permits and time limit exemption permits are not available for multi-tenant buildings;
- (vi) That the owner shall provide the Manager of Design and Construction, Growth Management Division, with evidence that there is a centralized mail facility within a common indoor or sheltered space;
- (vii) That the owner shall provide the Manager of Design and Construction, Growth Management Division, with evidence that satisfactory arrangements, financial and otherwise, have been made with a telecommunication services provider, approved by the Canadian Radio and Telecommunication Commission (CRTC), that adequate telecommunication service will be provided to the condominium, including 9-1-1 emergency calling service that identifies, at a minimum, the caller's name and location information; and,
- (viii) The owner shall agree in the Agreement, in words satisfactory to Bell Canada, to grant Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the

owner/developer shall be responsible for the relocation of such facilities or easements.

16. Applications for Official Plan and Zoning By-law Amendments for Lands Located at 1955 Upper James Street (Glanbrook) (PED14210) (Ward 11) (Item 6.9)

- (a) That approval be given to **Amended Official Plan Application UHOPA-13-020 by P.J. Daly Contracting Limited, Owner**, as further amended by staff, for Amendment No. ____ to the Urban Hamilton Official Plan, in order to permit a place of worship on lands known as 1955 Upper James Street (Glanbrook), as shown on Appendix “A” to Report PED14210, on the following basis:
- (i) That the draft OPA, attached as Appendix “B” to Report PED14210, be adopted by Council; and,
 - (ii) That the proposed OPA is consistent with the Provincial Policy Statement (PPS) and conforms to the Growth Plan for the Greater Golden Horseshoe.
- (b) That approval be given to **Amended Zoning Application ZAR-13-056 by P.J. Daly Contracting Limited, Owner**, as further amended by staff, for a further modification to the Airport-Related Commercial “C5-053” Zone, Modified, to the Airport-Related Commercial (Holding) “H-C5-053(A)” Zone, Modified, in order to permit a place of worship, on lands known as 1955 Upper James Street (Glanbrook), as shown on Appendix “A” to Report PED14210, on the following basis:
- (i) That the Draft By-law, attached as Appendix “C” to Report PED14210, 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 “E” of Zoning By-law No. 464;
 - (iii) That the proposed change in zoning will be in conformity with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. ____.
- (c) That the application, as amended by the applicant to permit development on private waste water services, be approved;

- (d) That staff be directed to negotiate with the applicant an implementing By-law and agreement, to ensure the public interest with respect to the provision of sewers is protected (ie. cost sharing, timing and hook-up).

17. Applications for an Amendment to the Urban Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for lands located at 406 Pritchard Road (Hamilton) (PED14170) (Item 6.10)

- (a) That approval be given to **Urban Hamilton Official Plan Amendment Application OPA-13-010, by Effort Trust Realty, Owner**, for Amendment No. 33 to the Urban Hamilton Official Plan, for changes in designations on “Schedule B – Natural Heritage System” and “Schedule B-6 - Detailed Natural Heritage Features – Local Natural Area Environmentally Significant Areas”, to remove “Core Areas” and “Local Natural Area Environmentally Significant Areas” designations, and add “Site-Specific Policy UHE-5”, in order to permit a community centre, including a place of worship, on the lands located at 406 Pritchard Road (Hamilton), on the following basis:
 - (i) That the draft Official Plan Amendment, be adopted by City Council;
- (b) That approval be given to amended **Zoning Application ZAC-13-041, by Effort Trust Realty, Owners**, by changing the zoning in the Hamilton Zoning By-law No. 05-200 from the Prestige Business Park (M3) Zone to the Prestige Business Park (M3, 465) Zone, Modified (Block 1); from the Prestige Business Park (M3) Zone, to the Prestige Business Park (M3, 465, H55) (Holding) Zone, Modified (Block 2); and, from the Conservation/Hazard (P5) Zone to the Prestige Business Park (M3, 465, H55) (Holding) Zone, Modified Block (3); for the property located at 406 Pritchard Road (Hamilton), on the following basis:
 - (i) That the draft By-law, 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 Nos. 1500 and 1501, of Zoning By-law No. 05-200.

18. Revised Hamilton Municipal Heritage Committee Report 14-009(a) (Item 8.1)

- (a) That the properties listed in Schedule 1 of Appendix “A” attached to the Hamilton Municipal Heritage Committee Report 14-009(a) be included in the Register of Property of Cultural Heritage Value or Interest as non-designated properties;

- (b) That staff be directed to add the properties listed in Schedule 2 of Appendix "A" attached to the Hamilton Municipal Heritage Committee Report 14-009(a) to the staff's work program for designation;
- (c) That Schedule 3 of Appendix "A" attached to the Hamilton Municipal Heritage Committee Report 14-009(a) be approved as amended to include the Candidates for Designation;
- (d) That staff be directed to prepare a Capital Budget Submission to be brought forward in the 2015 Budget Deliberations to address the work program for designation, as per Schedule 3 of Appendix "A" attached to the Municipal Heritage Committee Report 14-009(a);
- (e) That the recommendations regarding 206, 208 and 210 King Street East be removed from Schedule 1, Schedule 2 and Schedule 3 of Appendix "A" attached to Hamilton Municipal Heritage Committee Report 14-009(a);
- (f) That the recommendations to include 206, 208 and 210 King Street East in the Register of Property of Cultural Heritage Value or Interest be referred to staff for further consultation with the property owner and the appropriate Councillors prior to reporting back to Planning Committee;
- (g) That the recommendations to add 206-210 King Street East to staff's designation work program be referred to staff for further consultation with the property owner and the appropriate Councillors prior to reporting back to Planning Committee.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

- 1. ADDED DELEGATION REQUESTS
 - 4.1 Delegation from Lakewood Beach Community Council respecting item 5.7, 560 Gray's Road
 - 4.2 Delegation Request from Catherine Hughes and Celeste Licorish respecting item 6.2 CI-14-E Community Gardens and Urban Farms

2. DISCUSSION ITEMS

- 8.1 Revised Hamilton Municipal Heritage Committee Report 14-009(a) (referred from the September 3, 2014 Planning Committee meeting)

3. MOTIONS

- 9.1 REMOVED FROM THE AGENDA: Hamilton Municipal Heritage Committee Report 14-009 (referred from the September 3, 2014 Planning Committee meeting) (see item 8.1)

The Agenda for the September 16, 2014 meeting of the Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) APPROVAL OF MINUTES (Item 3)

(i) September 3, 2014

The Minutes of the September 3, 2014 Planning Committee meeting were approved.

(d) DELEGATION REQUESTS (Item 4)

(i) Delegation from Viv Saunders, Lakewood Beach Community Council, respecting item 5.7, 560 Gray's Road (Item 4.1)

The delegation from Viv Saunders, Lakewood Beach Community Council, respecting item 5.7, 560 Gray's Road, was approved.

(ii) Delegation Request from Catherine Hughes and Celeste Licorish respecting item 6.2 CI-14-E Community Gardens and Urban Farms (Item 4.2)

The delegation from Catherine Hughes and Celeste Licorish respecting item 6.2 CI-14-E Community Gardens and Urban Farms, was approved.

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

- (i) **Committee of Adjustment Minor Variance Application - DN/A-14:50 (93 Head Street, Dundas) - Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment (PED14168) (Item 5.3)**

The recommendations contained in Report PED14168, Committee of Adjustment Minor Variance Application - DN/A-14:50 (93 Head Street, Dundas) - Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment, were amended by adding a new recommendation (b) to read as follows:

- (b) That Legal Services not be sent to the Ontario Municipal Board, either in support of the Committee's decision, or against the decision.

For disposition on this Item, refer to item 3.

- (ii) **Street Name Housekeeping Amendments (Thornwood Drive, Portion of Claudette Gate, Portion of Chedmac Drive, Portion of Highway 5 West, Portion of Highbury Drive, Portion of Ipswich Road) (Ancaster, Flamborough, Hamilton, Stoney Creek) (PED14201) (Wards 4, 8, 9, 12 and 14) (Item 5.5)**

Chair B. Johnson advised those in attendance that they may speak to this item.

No public speakers came forward.

For disposition on this Item, refer to item 5.

- (iii) **Appeals to the Ontario Municipal Board on the City of Hamilton's Refusal or Neglect to Adopt Amendments to the City of Hamilton Official Plan and Zoning By-law No. 6593; and the City of Stoney Creek Official Plan and Zoning By-law No. 3692-92, for Lands Located at 560 Grays Road (Hamilton and Stoney Creek) (PED14223) (Wards 5 and 10) (Item 5.7)**

Viv Saunders requested that the Lakewood Beach Community Council be added as party status to this Ontario Municipal Board hearing.

The presentation was received.

Staff advised that this request should be put forward through the Ontario Municipal Board.

For disposition on this Item, refer to item 7.

(f) PUBLIC HEARINGS AND DELEGATIONS (Item 6)

(i) Application for an Amendment to Zoning By-law 05-200 for Lands Located at 950 and 956 South Service Road, Stoney Creek (Ward 11) (PED14180) (Item 6.1)

In accordance with the provision of the Planning Act, Vice-Chair J. Partridge 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 proposed 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 staff presentation respecting Report PED14180, Application for an Amendment to Zoning By-law 05-200 for Lands Located at 950 and 956 South Service Road, Stoney Creek, was waived.

The public meeting respecting Report PED14180, Application for an Amendment to Zoning By-law 05-200 for Lands Located at 950 and 956 South Service Road, Stoney Creek, was closed.

For disposition on this Item, refer to item 8.

(ii) City Initiative 14-E - Official Plan and Zoning By-law Changes for Urban Agriculture (Community Gardens and Urban Farms) in the Urban Area (PED14161) (Wards 1 to 13, 15) (Item 6.2)

(aa) Correspondence from Kimberly McKibbon

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

proposed official plan and zoning by-law amendments, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Joanne Hickey-Evans, Manager, Planning Policy and Zoning By-Law Reform, 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 presentation was received.

Public Speakers:

1. Catherine Hughes – 27 Fairholt Rd. N., Hamilton, ON L8M 2S9

Ms. Hughes, The Downstairs Kitchen, provided an overview of her support with the aid of speaking notes. A copy of her speaking notes has been included in the public record.

2. Greg Dawson – 13 James St., Dundas, ON L9H 2J4

Mr. Dawson provided examples of his experience with community gardens.

3. Victor Veri - 971 Highway No. 6, RR #2, Flamborough, ON L8N 2Z7

Mr. Veri provided an overview of his objections.

4. Bill Wilcox – 504 Upper Sherman Ave., Hamilton, ON L8V 3L8

Mr. Wilcox expressed concerns with the restrictions of urban farms in brownfields.

The presentations were received.

The correspondence respecting Report PED14161, City Initiative 14-E - Official Plan and Zoning By-law Changes for Urban Agriculture (Community Gardens and Urban Farms) in the Urban Area, was received.

The public meeting respecting Report PED14161, City Initiative 14-E - Official Plan and Zoning By-law Changes for Urban Agriculture (Community Gardens and Urban Farms) in the Urban Area, was closed.

The recommendations contained in Report PED14161, City Initiative 14-E - Official Plan and Zoning By-law Changes for Urban Agriculture (Community Gardens and Urban Farms) in the Urban Area, was amended by adding a new sub-section (i), to read as follows:

(i) That the definition of Urban Farms be amended to include grains.

For disposition on this Item, refer to item 9.

(iii) Application for an Amendment to City of Hamilton Zoning By-law No. 05-200 for the lands located at 55 Queenston Road (former City Motor Hotel Site), (Hamilton) (PED14186) (Ward 4) (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 proposed 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.

Shannon McKie, 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 presentation was received.

Public Speaker:

1. Victor Veri - 971 Highway No. 6, RR #2, Flamborough, ON L8N 2Z7

Mr. Veri provided an overview of his objections as to how the City obtained the property.

The presentation was received.

The public meeting respecting Report PED14186, Application for an Amendment to City of Hamilton Zoning By-law No. 05-200 for the lands located at 55 Queenston Road (former City Motor Hotel Site), (Hamilton), was closed.

For disposition on this Item, refer to item 10.

(iv) Application for Approval of a Draft Plan of Subdivision known as “Nebo Trail”, on Lands Located at 6075 Twenty Road East, Glanbrook (PED14192) (Ward 11) (Item 6.4)

In accordance with the provision of the Planning Act, 2nd Vice-Chair C. Collins 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 proposed 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.

Robert Clackett, 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 presentation was received.

Public Speaker:

1. Sandra Leja – 6044 Twenty Rd. E., Hamilton, ON L0R 1P0

Ms. Leja expressed concerns on behalf of herself and residents at 6058 and 6074 Twenty Rd. E., the concerns were related to heavy industrial, noise pollution, ground water, intersection reconstruction, road extensions and site plan.

The presentation was received.

Matt Johnston, IBI Group, 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 presentation was received.

The public meeting respecting Report PED14192, Application for Approval of a Draft Plan of Subdivision known as “Nebo Trail”, on Lands Located at 6075 Twenty Road East, Glanbrook, was closed.

Appendix “C” to Report PED14192, Application for Approval of a Draft Plan of Subdivision known as “Nebo Trail”, on Lands Located at 6075 Twenty Road East, Glanbrook, was amended by deleting Condition #9 and replacing it with the revised Condition #9, as follows:

9. That, ***prior to preliminary grading***, the Owner prepares a stormwater management plan for the property to the satisfaction of the Hamilton Conservation Authority and the City of Hamilton, Senior Director of Growth Management. The stormwater management plan shall demonstrate how existing conditions (flow rates) are being maintained with development.

For disposition on this Item, refer to item 11.

(v) **Application for Amendments to the Urban Hamilton Official Plan and Township of Glanbrook Zoning By-law No. 464 for Lands Located at Block 114 of Registered Plan 62M-1181 (Glanbrook) (PED14200) (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 proposed official plan and zoning by-law amendments, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

The staff presentation respecting Report PED14200, Application for Amendments to the Urban Hamilton Official Plan and Township of Glanbrook Zoning By-law No. 464 for Lands Located at Block 114 of Registered Plan 62M-1181 (Glanbrook), was waived.

The public meeting respecting Report PED14200, Application for Amendments to the Urban Hamilton Official Plan and Township of

Glanbrook Zoning By-law No. 464 for Lands Located at Block 114 of Registered Plan 62M-1181 (Glanbrook), was closed.

For disposition on this Item, refer to item 12.

(vi) Application for an Amendment to the City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 267, 275 – 283 and 293 Upper Centennial Parkway (Stoney Creek) (PED14195) (Ward 9) (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 proposed 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 staff presentation respecting Report PED14195, Application for an Amendment to the City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 267, 275 – 283 and 293 Upper Centennial Parkway (Stoney Creek), was waived.

The public meeting respecting Report PED14195, Application for an Amendment to the City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 267, 275 – 283 and 293 Upper Centennial Parkway (Stoney Creek), was closed.

For disposition on this Item, refer to item 13.

(vii) Application for Amendment to the Urban Hamilton Official Plan and for Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 257 Park Street South (PED14196) (Ward 2) (Item 6.7)

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 proposed official plan and zoning by-law amendments, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

The staff presentation respecting Report PED14196, Application for Amendment to the Urban Hamilton Official Plan and for Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 257 Park Street South, was waived.

The public meeting respecting Report PED14196, Application for Amendment to the Urban Hamilton Official Plan and for Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 257 Park Street South, was closed.

Appendix "C" to Report PED14196, Application for Amendment to the Urban Hamilton Official Plan and for Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 257 Park Street South, was amended to reduce the building footprint and ensure a required larger rear and southerly side yard.

For disposition on this Item, refer to item 14.

(viii) Application for a Condominium Conversion for Lands Known as 46 Arkledun Avenue (Hamilton) (PED14189) (Ward 2) (Item 6.8)

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 proposed condominium conversion, 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 staff presentation respecting Report PED14189, Application for a Condominium Conversion for Lands Known as 46 Arkledun Avenue (Hamilton), was waived.

The public meeting respecting Report PED14189, Application for a Condominium Conversion for Lands Known as 46 Arkledun Avenue (Hamilton), was closed.

For disposition on this Item, refer to item 15.

(ix) Applications for Official Plan and Zoning By-law Amendments for Lands Located at 1955 Upper James Street (Glanbrook) (PED14210) (Ward 11) (Item 6.9)

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

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 presentation was received.

Sergio Manchia, IBI Group, provided an overview of the report with concerns for the holding by-law.

The presentation was received.

Public Speakers:

1. Kathy Tedesco – 1947 Upper James St., Hamilton, ON L9B 1K8

Ms. Tedesco expressed concerns with parking and traffic.

The presentation was received.

The public meeting respecting Report PED14210, Applications for Official Plan and Zoning By-law Amendments for Lands Located at 1955 Upper James Street (Glanbrook), was closed.

The recommendations contained in Report PED14210, Applications for Official Plan and Zoning By-law Amendments for Lands Located at 1955 Upper James Street (Glanbrook), were amended by adding new sub-sections (c) and (d), to read as follows:

- (c) That the application, as amended by the applicant to permit development on private waste water services, be approved;
- (d) That staff be directed to negotiate with the applicant an implementing By-law and agreement, to ensure the public interest with respect to the provision of sewers is protected (ie. cost sharing, timing and hook-up).

For disposition on this Item, refer to item 16.

(x) Applications for an Amendment to the Urban Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for lands located at 406 Pritchard Road (Hamilton) (PED14170) (Item 6.10)

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 proposed official plan and zoning by-law amendments, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

The staff presentation respecting Report PED14170, Applications for an Amendment to the Urban Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for lands located at 406 Pritchard Road (Hamilton), was waived.

The public meeting respecting Report PED14170, Applications for an Amendment to the Urban Hamilton Official Plan and the City of

Hamilton Zoning By-law No. 05-200 for lands located at 406 Pritchard Road (Hamilton), was closed.

Sergio Manchia, IBI Group, provided an overview of the report and reasons for reconsideration with the aid of a PowerPoint Presentation. A copy of the presentation has been included in the public record.

The presentation was received.

The recommendations contained in Report PED14170, Applications for an Amendment to the Urban Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for lands located at 406 Pritchard Road (Hamilton), were deleted and replaced with the following recommendations:

- (a) That approval be given to **Urban Hamilton Official Plan Amendment Application OPA-13-010, by Effort Trust Realty, Owner**, for Amendment No. 33 to the Urban Hamilton Official Plan, for changes in designations on “Schedule B – Natural Heritage System” and “Schedule B-6 - Detailed Natural Heritage Features – Local Natural Area Environmentally Significant Areas”, to remove “Core Areas” and “Local Natural Area Environmentally Significant Areas” designations, and add “Site-Specific Policy UHE-5”, in order to permit a community centre, including a place of worship, on the lands located at 406 Pritchard Road (Hamilton), on the following basis:
 - (i) That the draft Official Plan Amendment, be adopted by City Council;

- (b) That approval be given to amended **Zoning Application ZAC-13-041, by Effort Trust Realty, Owners**, by changing the zoning in the Hamilton Zoning By-law No. 05-200 from the Prestige Business Park (M3) Zone to the Prestige Business Park (M3, 465) Zone, Modified (Block 1); from the Prestige Business Park (M3) Zone, to the Prestige Business Park (M3, 465, H55) (Holding) Zone, Modified (Block 2); and, from the Conservation/Hazard (P5) Zone to the Prestige Business Park (M3, 465, H55) (Holding) Zone, Modified Block (3); for the property located at 406 Pritchard Road (Hamilton), on the following basis:
 - (i) That the draft By-law, 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 Nos. 1500 and 1501, of Zoning By-law No. 05-200.

For disposition on this Item, refer to item 17.

(g) DISCUSSION ITEMS (Item 8)

**(i) Revised Hamilton Municipal Heritage Committee Report 14-009(a)
(Item 8.1)**

The recommendations to Hamilton Municipal Heritage Committee Report 14-009(a), were amended by adding sub-sections (e), (f) and (g), as follows:

- (e) That the recommendations regarding 206, 208 and 210 King Street East be removed from Schedule 1, Schedule 2 and Schedule 3 of Appendix "A" attached to Hamilton Municipal Heritage Committee Report 14-009(a);
- (f) That the recommendations to include 206, 208 and 210 King Street East in the Register of Property of Cultural Heritage Value or Interest be referred to staff for further consultation with the property owner and the appropriate Councillors prior to reporting back to Planning Committee;
- (g) That the recommendations to add 206-210 King Street East to staff's designation work program be referred to staff for further consultation with the property owner and the appropriate Councillors prior to reporting back to Planning Committee.

For disposition on this Item, refer to item 18.

(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 E: City of Hamilton Revised Sidewalk Policy for New Development (PED12234) (City Wide)
Current Due Date: August 12, 2014
New Due Date: TBD

- (bb) Item M: Synergies between infrastructure Development and New School Openings
Current Due Date: August 12, 2014
New Due Date: TBD
- (cc) Item O: Establishment of a Specialized By-law Enforcement Unit (PED13108) (City Wide)
Current Due Date: August 12, 2014
New Due Date: TBD
- (dd) Item MM: Proposal to Proceed with an OMB Appeal for Minor Variance Application, 55 Rymal Road East, Hamilton (PED14108) (Ward 7)
Current Due Date: August 12, 2014
New Due Date: TBD
- (ee) Item EE: Dundas Community Council Request for an Impact Study of the Proposed Closure of Parkside High School
Current Date: September 16, 2014
Proposed Date: TBD
- (ff) Item Z: Milkweed and Dog Strangling Vine (EBR Registry Number 012-1204)
Current Date: September 16, 2014
Proposed Date: TBD
- (gg) Item S: Request to Designate 437 Wilson Street East (Ancaster) Under Part IV of the Ontario Heritage Act (PED12166)
Current Date: September 16, 2014
Proposed Date: TBD
- (hh) Item N: City Initiative to Amend Hamilton Zoning By-law No. 6593 for the Properties Located at 118 to 338 Mountain Brow Boulevard (Hamilton) (PED13101)
Current Date: September 16, 2014
Proposed Date: TBD
- (ii) D: Proposed Permanent Closure and Sale of a Portion of the Road Allowance of Limeridge Rd
Current Date: September 16, 2014
Proposed Date: TBD

The following items were removed from the Outstanding Business List:

- (aa) Item G: Development of an Urban Woodland Conservation By-law (August 12, 2014 Planning Committee)
 - (bb) Item K: Fifty Road (August 12, 2014 Planning Committee)
 - (cc) Item W: The Nebo Group (2006) Seeking Official Plan and Zoning Amendments (September 3, 2014 Planning Committee)
 - (dd) Item X: Application for Approval of Waste Disposal Sites Amend ECA No. A130407 Hamilton – MOE Reference 9153-9CXXQH (September 3, 2014 Planning Committee)
 - (ee) Item TT: Capital Projects' Status as of June 30, 2014 (PED14163) (City Wide) (Item 5.5) (September 3, 2014 Planning Committee)
 - (ff) Item OO: Application for Amendment to City of Hamilton Zoning By-law No. 6593 and Vacant Land Condominium for Lands Located at 1187-1201 Upper James Street (Hamilton) (PED14137) (Ward 7) (August 12, 2014 Planning Committee)
 - (gg) Item WW: Hamilton Municipal Heritage Committee Report 14-009
 - (hh) Item NN: Delegated Authority to Consent to Heritage Permits Under the Ontario Heritage Act
 - (ii) Item GG: Correspondence from the Township of Muskoka Lakes respecting a resolution to request the Ministry of Government Services to correct errors in the Land Titles Electronic Registry System
 - (jj) Item DD: HMHC Report - 170 Longwood Rd North
 - (kk) Item TT: Capital Projects' Status as of June 30, 2014 (PED14163) (City Wide) (Item 5.5)
- (i) PRIVATE AND CONFIDENTIAL (Item 12)**
- (i) Closed Session Minutes – September 3, 2014**
 - (a) The Closed Session Minutes of the September 3, 2014 meeting of the Planning Committee were approved, as presented.

- (b) The Closed Session Minutes of the September 3, 2014 meeting of the Planning Committee, are to remain confidential and restricted from public disclosure.

(j) ADJOURNMENT

There being no further business, the Planning Committee adjourned at 1:40 p.m.

Respectfully submitted,

Councillor B. Johnson
Chair, Planning Committee

Vanessa Robicheau
Legislative Coordinator
Office of the City Clerk