



## **PLANNING COMMITTEE**

### **MINUTES 14-016**

**9:30 am**

**Tuesday, December 9, 2014**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

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**Present:** Councillors J. Partridge (Chair), B. Johnson (1<sup>st</sup> Vice Chair), M. Pearson (2<sup>nd</sup> Vice-Chair) C. Collins D. Conley, J. Farr, M. Green, A. Johnson, and R. Pasuta

**Also Present:** Councillor L. Ferguson

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

##### **1. Election of Chair and Vice-Chairs**

###### **(B. Johnson/Pearson)**

- (a) That Councillor Judi Partridge be appointed Chair of the Planning Committee for 2015;

**CARRIED**

###### **(Pearson/Collins)**

- (b) That Councillor Brenda Johnson be appointed First Vice Chair of the Planning Committee for 2015;

**CARRIED**

###### **(B. Johnson/A. Johnson)**

- (c) That Councillor Maria Pearson be appointed Second Vice Chair of the Planning Committee for 2015.

**CARRIED**

**2. Hamilton Historical Board 2015 Volunteer Committee Budget Submission (PED14208) (City Wide) (Item 5.2)**

**(Pearson/Green)**

That the Hamilton Historical Board 2015 base Budget submission in the amount of \$14,350.00, attached as Appendix "A" to Report 14-016, be approved and forwarded to the 2015 Budget process General Issues Committee (GIC) for consideration.

**CARRIED**

**3. Proposed Niagara Escarpment Plan Amendment - Endangered Species Act (PED14231) (City Wide) (Item 5.3)**

**(Pearson/Green)**

(a) That the proposed Niagara Escarpment Plan (NEP) Amendment PC 201 13 to add/amend policies relating to the Endangered Species Act (ESA) to the Niagara Escarpment Plan, be supported subject to the general drafting changes proposed by staff, which are shown in Appendix "B" to Report 14-016;

(b) That the City Clerk be directed and authorized to send a copy of the Council Decision and Report PED14231 to the Niagara Escarpment Commission as formal comments on Niagara Escarpment Plan (NEP) Amendment PC 201 13.

**CARRIED**

**4. Hamilton Municipal Heritage Committee Report 14-012 (Item 5.4)**

**(Pearson/Conley)**

**(a) Century Manor, 100 West 5<sup>th</sup> Street, Hamilton**

That staff be directed to correspond with Infrastructure Ontario to request that the City of Hamilton be notified when Century Manor, 100 West 5<sup>th</sup> Street, Hamilton, is for sale.

**(b) Guidelines for Windows in Heritage Properties**

That the Guideline for Windows in Heritage Properties, attached to Report 14-016 as Appendix "C", be approved.

**CARRIED**

**5. Application for a Condominium Conversion for Lands Known as 547 King Street West (Hamilton) (PED14232) (Ward 1) (Item 6.2)**

**(A. Johnson/Green)**

That approval be given to Condominium Conversion Application 25CDM-CONV-14-01, by 547 King Street West (Hamilton) Limited, c/o David Horwood, Owner, to establish a Draft Plan of Condominium for the existing apartment building, consisting of 39 dwelling units, located at 547 King Street West (Hamilton), as shown on the attached map marked as Appendix "A" to Report PED14232, 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 May 7, 2014, showing a total of 39 dwelling units and 33 parking space units, attached as Appendix "B" to Report PED14232;
- (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 and that the owner apply for and receive final approval of a Minor Variance from the Committee of Adjustment to permit 33 parking spaces instead of 39 parking spaces; to permit a front yard setback of 2.9 m instead of 3 m; and, to permit parking space length of 5.5 m instead of 6 m; and, to permit 5.3 m of manoeuvring space instead of 6 m for Condominium Parking Units 26-28, to the satisfaction of the Director of Planning;
  - (ii) That the owner satisfies all conditions, financial or otherwise, of the City of Hamilton;
  - (iii) 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;
  - (iv) That the owner shall include the following warning clauses in all Development Agreements and agree in writing to include in all Offers of Purchase and Sale or Lease/Rental Agreements, to the satisfaction of the Director of Planning:

- (1) "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."
  - (2) "Purchasers/tenants are advised that on-street, overflow parking may not be available and cannot be guaranteed in perpetuity."
  - (3) "Purchasers/tenants are advised that a maximum of eight parking spaces located within or partially within the road allowances are subject to the Commercial Boulevard Agreement program, acknowledges the use of the Municipal Road Allowance for the purpose of establishing parking, however, the Commercial Boulevard Parking Agreement gives the City of Hamilton the ability to alter and/or eliminate these parking spaces at any time, should it become necessary to do so."
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- (v) That the owner shall provide the Manager of Design and Construction 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;
  - (vi) 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;
  - (vii) That the owner shall apply for and receive approval of a Commercial Boulevard Parking Agreement for all existing parking spaces located within or partially within the Municipal Road Allowance to the satisfaction of the Hamilton Municipal Parking System;
  - (viii) That the owner shall provide to Union Gas Limited any necessary easements and/or agreements required by Union Gas Limited for

the provision of gas services to the satisfaction of Union Gas Limited;

- (ix) That Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space;
- (x) That the owner reinstates a sodded boulevard in all areas along Strathcona Avenue South that are not occupied for access driveways or parking spaces that have been approved under the Commercial Boulevard Parking Agreement to the satisfaction of the Director of Planning;
- (xi) That the owner provides evidence that any parking restrictions and associated signage for such parking restrictions that restricts parking based on time-of-year (i.e. no seasonal winter parking) be removed for any parking spaces shown as units on the Draft Plan of Condominium to the satisfaction of the Director of Planning; and,
- (xii) That if required, the owner apply for and receive approval of a Commercial Boulevard Encroachment Agreement to permit the existing placement of any recycling bins within the Strathcona Avenue South road allowance or otherwise submit evidence that such an encroachment is no longer occurring, to the satisfaction of the Manager of Geomatics and Corridor Management, Public Works Department.

**CARRIED**

**6. Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 1098 and 1100 Main Street West (PED14245) (Ward 1) (Item 6.5)**

**(A. Johnson/Farr)**

That approval be given to amended **Zoning Application ZAR-14-005, by Collingwood Cambridge Holding Inc., Owner**, for a change in zoning from the "G/S-1361" (Neighbourhood Shopping Centre, etc.) District, to the "G/S-1708" – 'H', (Neighbourhood Shopping Centre, etc.) District Holding, to facilitate the conversion of an existing office building at 1100 Main Street West to an 11-unit multiple dwelling and to continue to utilize the dwelling at 1098 Main Street West as a single detached dwelling. A Holding Provision will be applied to the lands prohibiting development until conditions are met, on lands located at 1098 and 1100 Main Street West (Hamilton), as shown on Appendix "A" to Report PED14245, on the following basis:

- (a) That the draft By-law, attached as Appendix "B" to Report PED14245, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593;
- (c) That the proposed change in zoning is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow) and the Urban Hamilton Official Plan;
- (d) That the amending By-law apply the following Holding Provision in accordance with Section 36 (1) of the Planning Act, R.S.O., 1990, by introducing the Holding Symbol 'H' as a suffix to the proposed Zoning District. The Holding Provision 'H' shall not be removed until such time as the following condition has been completed to the satisfaction of the Director of Planning:
  - (i) That the owner/applicant applies for and receives Site Plan Approval, including but not limited to, implementing all required noise mitigation measures, to the satisfaction of the Director of Planning.

**CARRIED**

**7. Applications to Amend Glanbrook Zoning By-law No. 464 and for Approval of a Draft Plan of Subdivision, "Kopper Meadow Subdivision Phase IV", for Lands Located at 126 Kellogg Avenue (Glanbrook) (PED14246) (Ward 11) (Item 6.6)**

**(B. Johnson/Pearson)**

- (a) That approval be given to Amended Zoning By-law Amendment Application ZAC-13-010 by 672385 Ontario Inc., c/o: Sam Battaglia, (Owner), for changes in zoning from the Existing Residential "ER" Zone to Residential "R4-263(a)" Zone, Modified (Block 1); from the Residential-Holding "H-R4-263" Zone, Modified to Residential "R4-263(a)" Zone, Modified (Block 2); from the Residential-Holding "H-R4-258" Zone, Modified to Residential "R4-263(a)" Zone, Modified (Block 3); and from the Existing Residential "ER" Zone to Residential "R4-188" Zone, Modified (Block 4); in order to permit the development of 45 single detached lots, in accordance with a proposed Draft Plan of Subdivision, "Kopperfield Meadow Subdivision Phase IV" (25T-201302), for lands located at 126 Kellogg Avenue (Glanbrook), as shown on Appendix "A" to Report PED14246, on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED14246, 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 the Township of Glanbrook Zoning By-law No. 464.
  - (iii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan, and in particular, the North-West Glanbrook Secondary Plan.
- (b) That approval be given to **Amended Draft Plan of Subdivision Application 25T-201302 by 672385 Ontario Inc., c/o: Sam Battaglia, (Owner)**, to establish a draft plan of subdivision known as “Kopper Meadow Subdivision Phase IV”, on lands known as 126 Kellogg Avenue (Glanbrook), as shown on Appendix “A” to Report PED14246, subject to the following conditions:
- (i) That this approval apply to “Kopper Meadow Subdivision Phase IV”, 25T-201302, as red-line revised, prepared by Odan Detech Group, and certified by Dan McLaren, O.L.S., dated November 3, 2014, showing 45 single detached dwelling lots (Lots 1 – 45), one block for future development with adjacent lands (Block 46), a proposed Street “A”, and the extension of Kellogg Avenue, attached as Appendix “C” to Report PED14246, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached to Report 14-016 as Appendix “D”, as amended, by adding the following section 19:
    - 19. That, prior to servicing, the owner/applicant shall provide a construction management plan to the satisfaction of the Senior Director of Growth Management for, but not limited to, the following items:
      - (i) construction truck route(s)
      - (ii) Phasing/construction plan
      - (iii) Street cleaning schedule(s)
      - (iv) Maintenance schedule for Kopperfield Lane
      - (v) Minimize building debris both on and off site
  - (ii) Acknowledgement that there will be no City share for any municipal works associated with this development.
  - (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the Planning Act, and will be calculated in accordance with the City’s Parkland Dedication By-law, and shall

be based on the value of the lands on the day prior to the issuance of the first building permit:

With regards to Lots 1 – 45, inclusive, (Single Detached Residential), a Parkland Dedication ratio of 5% will be required,

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

**Amendment CARRIED  
Main Motion as amended CARRIED**

**8. Housekeeping Amendment to the Hamilton Noise Control By-Law No. 11-285 (PED14253) (City Wide) (Item 6.7)**

**(Green/Farr)**

That the Hamilton Noise Control By-law No. 11-285 be amended to reflect the name change from the former Ivor Wynne Stadium to Tim Horton's Field, and that the Draft By-law attached as Appendix "A" to Report PED14253, which has been prepared in a form satisfactory to the City Solicitor, be enacted.

**CARRIED**

**9. Mediation Service Pilot Program (PED11181(d)) (City Wide) (Item 8.1)**

**(Farr/Pearson)**

That the mediation pilot program with Community Justice Initiatives (CJI) for neighbour disputes be extended City wide for another 12 months on a payment per case basis with an annual cap of \$2,500 to be charged to Account 55801 Dept ID 817005.

**CARRIED**

**10. Establishment of a Specialized By-law Enforcement Unit (PED14254) (City Wide) (Outstanding Business List Item) (Item 8.2)**

**(B. Johnson/Pearson)**

That consideration be given during the 2015 budget process to piloting, for one year, a Specialized By-law Enforcement Unit consisting of a Special Duty Police Officer and a Municipal Law Enforcement Officer which would respond to noise complaints between 9:00 p.m. and 5:00 a.m. Thursdays, Fridays and Saturdays.

**CARRIED**



**FOR THE INFORMATION OF COUNCIL:**

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

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

- (i) A request has been received from the applicant for the sign variance in Item 5.5 that the staff report remain TABLED to the February 3, 2015 meeting in order for him to compile some additional information for his appeal. A copy of the request was distributed.
- (ii) The Public Meeting for Item 6.1 respecting Applications for an Amendment to the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-law No. 3692-92 for lands located at 288 Glover Road (Stoney Creek) (PED14230) (Ward 11) is cancelled and the report is pulled from the agenda because the applicant has withdrawn his applications.
- (iii) The Public Meeting for Item 6.3 respecting Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 893, 897, and 903 West 5th Street (Hamilton) (PED14235) (Ward 8) is cancelled and the report is pulled from the agenda because the applicant is appealing to the OMB for failure of the City to make a decision.
- (iv) Written comments have been received respecting Item 6.4 regarding an Application for Amendment to Flamborough By-law No. 90-145-Z for Lands Located at 250 Concession 4 Road West (Flamborough) (PED14236). Added as Item 6.4(a) are written comments from Debra and Glenn Chappel and added as item 6.4(b) are written comments received from Dan Ruth.

**(Pearson/Farr)**

That Item 6.6 be moved up on the agenda to be considered as the first public meeting.

**CARRIED**

**(Green/A. Johnson)**

That the Agenda for the December 9, 2014 meeting of the Planning Committee be approved, as amended.

**CARRIED**

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

None.

**(c) DELEGATION REQUESTS (Item 4)**

- (i) **Scott Oldam, 1169831 Ontario Limited, 189 York Road, Dundas requesting reconsideration of the fee for removal of the Holding provision placed on the approval of his zoning application for 336-338 King Street West, Dundas. (Item 4.1)**

**(Pasuta/Farr)**

That the delegation request from Scott Oldam, 1169831 Ontario Limited, 189 York Road, Dundas requesting reconsideration of the fee for removal of the Holding provision placed on the approval of his zoning application for 336-338 King Street West, Dundas be approved.

**CARRIED**

**(d) CONSENT ITEMS (Item 5)**

- (i) **Various Advisory Committee Minutes for Information (Item 5.1):**

**(Pearson/Green)**

That the following Minutes of the Hamilton Historical Board be received:

- (a) Hamilton Historical Board Minutes – August 19, 2014  
(b) Hamilton Historical Board Minutes – September 16, 2014

**CARRIED**

- (i) **Sign Variance Application SV-14-002 for the Hamilton Port Authority Lands, Hamilton, Denied by the Director, Planning Division, and Appealed by the Applicant (PED14227)(Ward 5) TABLED September 19, 2014) (Item 5.5)**

**(Collins/Pasuta)**

That Report PED14227, Sign Variance Application SV-14-002 for the Hamilton Port Authority Lands, Hamilton, Denied by the Director, Planning Division, and Appealed by the Applicant, be TABLED to the February 3, 2015 meeting of the Planning Committee.

**CARRIED**

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

- (i) **Applications for an Amendment to the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-law No. 3692-92 for lands located at 288 Glover Road (Stoney Creek) (PED14230) (Ward 11) (Item 6.1)**

This Item was withdrawn from the agenda and the Public Meeting was cancelled as the applicant withdrew his applications.

**(ii) Application for a Condominium Conversion for Lands Known as 547 King Street West (Hamilton) (PED14232) (Ward 1) (Item 6.2)**

In accordance with the provision of the Planning Act, 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 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.

**(A.Johnson/D. Conley)**

That the public meeting respecting Report PED14232, Application for a Condominium Conversion for Lands Known as 547 King Street West (Hamilton), be closed.

**CARRIED**

**(Collins/A.Johnson)**

That the staff presentation respecting Report PED14232 be waived.

**CARRIED**

Matt Johnston of Urban Solutions representing the applicant addressed Committee and indicated that he concurred with the staff report.

For disposition on this Item, refer to Item 5.

**(iii) Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 893, 897, and 903 West 5th Street (Hamilton) (PED14235) (Ward 8) (Item 6.3)**

This Item was withdrawn from the agenda and the Public Meeting was cancelled as the applicant has filed an appeal to the Ontario Municipal Board for the City's failure to make a decision.

**(iv) Application for Amendment to Flamborough By-law No. 90-145-Z for Lands Located at 250 Concession 4 Road West (Flamborough) (PED14236) (Ward 15) (Item 6.4)**

Chair Partridge relinquished the Chair to 1<sup>st</sup> Vice-Chair B. Johnson to speak to this issue.

In accordance with the provision of the Planning Act, 1<sup>st</sup> Vice-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.

**6.4(a) Written comments from Debra and Glenn Chappel (Added Item)**

**(Partridge/Pearson)**

That the written comments from Debra and Glenn Chappel, respecting Application for Amendment to Flamborough By-law No. 90-145-Z for Lands Located at 250 Concession 4 Road West (Flamborough) (PED14236) be received.

**CARRIED**

**6.4(b) Written comments from Dan Ruth (Added Item)**

**(Partridge/Pearson)**

That the written comments from Dan Ruth respecting Application for Amendment to Flamborough By-law No. 90-145-Z for Lands Located at 250 Concession 4 Road West (Flamborough) (PED14236) be received.

**CARRIED**

Edward John, Senior Project Manager, provided an overview of the report with the aid of a PowerPoint Presentation and responded to questions from Committee.

**(Collins/A. Johnson)**

That the staff presentation be received.

**CARRIED**

Kristen Barisdale of GSP Group, the agent for the applicants Landmark Group, provided an overview of the proposal with the aid of a PowerPoint presentation.

Kristen Barisdale responded to questions from Committee and requested that if amendments to the proposal are being proposed the item be referred back.

**(Partridge/Pearson)**

That the presentation by the agent be received.

**CARRIED**

**Speakers**

**1. Diana Kenel and Paul Kenel, 167 Highway 5 West, Dundas, ON L9H 5E2 (business)**

Diana Kenel and Paul Kenel came forward to address committee. They are the owners of Rock Chapel Golf Centre. They also spoke on behalf of Albert Kenel (father-in-law) and Ben Kenel (son) who also live at the same address.

Diana Kenel read from a prepared statement a copy of which was submitted to the Clerk for the public record and has been uploaded onto the City's website.

She indicated that they have serious concerns with respect to the proposal regarding the following:

- The placement of the live stock barn;
- The placement of the manure and compost piles due to concerns with run off.

Diana Kenel responded to questions from Committee.

**(Partridge/Pearson)**

That the delegation from Diana and Paul Kenel respecting Application for Amendment to Flamborough By-law No. 90-145-Z for Lands Located at 250 Concession 4 Road West (Flamborough) be received.

**CARRIED**

**2. Brad Dee, 271 Concession 4 West, Waterdown, Ontario L0R 2H2**

Brad Dee addressed committee and expressed his opposition to the proposal because in his opinion the main focus of the business will be to host wedding receptions which will be disruptive to the area residents.

He responded to questions from Committee

**(Partridge/Pearson)**

That the delegation from Brad Dee respecting Application for Amendment to Flamborough By-law No. 90-145-Z for Lands Located at 250 Concession 4 Road West (Flamborough) be received.

**CARRIED**

**3. Dirk Lammers, 255 Concession West, Flamborough, Ontario L0R 2H2**

Dirk Lammers addressed Committee and expressed concerns with the following:

- The impact the operation will have on his well water supply;
- Dust from the gravel driveway;
- The driving behavior of the guests;
- The number of functions held during the past summer – 3 functions every Saturday.

**(Partridge/Farr)**

That the delegation from Dirk Lammers respecting Application for Amendment to Flamborough By-law No. 90-145-Z for Lands Located at 250 Concession 4 Road West (Flamborough) be received.

**CARRIED**

**(Partridge/Pearson)**

That that the Application for Amendment to Flamborough By-law No. 90-145-Z for Lands Located at 250 Concession 4 Road West (Flamborough) (PED14236) (Ward 15) (Item 6.4) be referred back to staff to allow the Ward Councillor to meet with the applicant to address the concerns expressed by the public speakers and that the public meeting remain open and a Public

Meeting Notice be re-circulated when the item is next on the Planning agenda.

**CARRIED**

- (v) **Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 1098 and 1100 Main Street West (PED14245) (Ward 1) (Item 6.5)**

Chair Partridge assumed the Chair.

In accordance with the provision of the Planning Act, 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.

Daniel Barnett, Planner, provided an overview of the report with the aid of a PowerPoint Presentation and responded to questions from Committee. He responded to questions from Committee.

**(A. Johnson/Pasuta)**

That the staff presentation be received.

**CARRIED**

James Webb of WEBB Planning Consultants, addressed Committee speaking on behalf of the proponent. He explained the project and responded to questions posed by Committee.

**Speakers**

1. **Donna Crockett, 1070 Main Street West, Hamilton (business)**

Donna Crockett addressed Committee expressing her concerns with the lack of parking.

## **2. David Hitchcock – 18 Cline Avenue South**

David Hitchcock addressed Committee and indicated that he supports the application because it would provide student housing however, he expressed concerns for the following:

- Lack of parking
- How to ensure the “warning clause” with respect to parking is adhered to;
- Could not find any information respecting the proponent’s experience with student housing;
- Noise.

### **(B. Johnson/D. Conley)**

That the delegations respecting Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 1098 and 1100 Main Street West (PED14245) (Ward 1) be received.

**CARRIED**

### **(Pearson/Johnson)**

That the public meeting respecting Report PED14245 regarding Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 1098 and 1100 Main Street West, be closed.

**CARRIED**

For disposition on this Item, refer to Item 6.

### **(vi) Applications to Amend Glanbrook Zoning By-law No. 464 and for Approval of a Draft Plan of Subdivision, "Kopper Meadow Subdivision Phase IV", for Lands Located at 126 Kellogg Avenue (Glanbrook) (PED14246) (Ward 11) (Item 6.6)**

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

No public speakers came forward.



**(B. Johnson/Collins)**

That the public meeting respecting Report PED14246 regarding Applications to Amend Glanbrook Zoning By-law No. 464 and for Approval of a Draft Plan of Subdivision, "Kopper Meadow Subdivision Phase IV", for Lands Located at 126 Kellogg Avenue (Glanbrook), be closed.

**CARRIED**

**(Farr/Pasuta)**

That the staff presentation respecting Report PED14246 regarding Applications to Amend Glanbrook Zoning By-law No. 464 and for Approval of a Draft Plan of Subdivision, "Kopper Meadow Subdivision Phase IV", for Lands Located at 126 Kellogg Avenue (Glanbrook) be waived.

**CARRIED**

James Webb spoke on behalf of the applicant and stated that they concurred with Committee's proposed amendments.

**(B. Johnson/Pearson)**

That the staff recommendations be amended by adding the following to Appendix D, as Special Condition No. 19:

19. That, prior to servicing, the owner/applicant shall provide a construction management plan to the satisfaction of the Senior Director of Growth Management for, but not limited to, the following items:
  - (i) construction truck route(s)
  - (ii) Phasing/construction plan
  - (iii) Street cleaning schedule(s)
  - (iv) Maintenance schedule for Kopperfield Lane
  - (v) Minimize building debris both on and off site

**Amendment CARRIED**

For disposition on this Item, refer to Item 7.

**(vii) Housekeeping Amendment to the Hamilton Noise Control By-Law No. 11-285 (PED14253) (City Wide) (Item 6.7)**

Chair J. Partridge asked if there was anyone in attendance wishing to speak to this Item.

No public speakers came forward.

**(Conley/Pearson)**

That the public meeting respecting Housekeeping Amendment to the Hamilton Noise Control By-Law No. 11-285 (PED14253) be closed.

**CARRIED**

For disposition on this Item, refer to Item 8.

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

**(i) Mediation Service Pilot Program (PED11181(d)) (City Wide) (Item 8.1)**

**(Farr/Pearson)**

(a) That the mediation pilot program with Community Justice Initiatives (CJI) for neighbour disputes be extended City wide for another 12 months on a payment per case basis with an annual cap of \$2,500 to be charged to Account 55801 Dept ID 817005;

(b) That staff be directed to report back to Committee within a year or when the funding cap is reached, whichever comes first.

**CARRIED**

For disposition on this Item, refer to Item 9.

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

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

**(Pearson/Collins)**

(a) That the following item be removed from the Outstanding Business List:

Item "L"-Establishment of a Specialized By-law Enforcement Unit

(b) That the following item remain on the Outstanding Business List:

Item "PP" - Sign Variance Application SV-14-002 for the Hamilton Port Authority Lands, Hamilton, Denied by the Director, Planning Division, and Appealed by the Applicant (PED14227)(Ward 5)

(c) That the following new due date be approved:

Item "AA" - Former King George School – Heritage Designation  
Due date: September 16, 2014

Proposed new due date: February 17, 2015

**CARRIED**

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

**(i) Closed Session Minutes – September 19, 2014 (Distributed under separate cover) (Item 12.1)**

**(Green/Conley)**

- (a) That the Closed Session Minutes of the September 19, 2014 meeting be approved;
- (b) That the Closed Session Minutes of the September 19, 2014 meeting remain private and confidential and restricted from public disclosure.

**CARRIED**

**(i) ADJOURNMENT**

**(Green/Conley)**

There being no further business, that the Planning Committee be adjourned at 1:17 p.m.

**CARRIED**

Respectfully submitted,

Councillor J. Partridge  
Chair, Planning Committee

Ida Bedioui  
Legislative Co-ordinator  
Office of the City Clerk