



PLANNING COMMITTEE MINUTES 15-018

9:30 am

Tuesday, November 17, 2015

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent with regrets: Councillor R. Pasuta, personal

Also Present Councillors L. Ferguson and T. Whitehead

THE FOLLOWING ITEMS WERE REPORTED FOR THE CONSIDERATION OF COUNCIL:

- 1. Applications to Amend the Town of Ancaster Official Plan and Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 153 Wilson Street West (Ancaster) (PED15172) (Ward 12) (Item 6.1)**

(Farr/Green)

- (a) That approval be given to Ancaster Official Plan Amendment Application OPA-14-018, by Garth Trails Limited, Owner, to amend Site Specific Policy - Area C, of the Ancaster Wilson Street Secondary Plan to permit a multiple dwelling with a maximum density of 161 units per hectare, where the height of the multiple dwelling shall have no more than three storeys entirely above grade at the front façade, and no more than four storeys entirely above grade at the rear, for lands located at 153 Wilson Street West (Ancaster), as shown on Appendix "A" to Report PED15172, on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED15172, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That staff be directed to settle the appeal of the Ancaster Wilson Street Secondary Plan based on the draft wording for a future Urban Hamilton Official Plan Amendment attached as Appendix "F"

to Report PED15172, which is consistent with the intent of the Ancaster Wilson Street Secondary Plan Official Plan Amendment, as approved by the Director of Planning and Chief Planner, and the City Solicitor.

- (b) That approval be given to Amended Zoning By-law Amendment Application ZAC-13-014 by Garth Trails Limited, Owner, for a change in zoning from the Residential "R4-637" Zone, Modified to the Residential Multiple "RM6-665" Zone, Modified, in order to permit the development of a three-storey multiple residential building with 76 residential units and associated underground and surface parking areas, for lands located at 153 Wilson Street West (Ancaster), as shown on Appendix "A" to Report PED15172, on the following basis:
 - (i) That the draft By-law, attached as Appendix "C" to Report PED15172, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the amending By-law be added to Map 1 of Schedule "B" of the Town of Ancaster Zoning By-law No. 87-57.
- (c) ***That the current owner, or any future owner of 153 Wilson Street West, Ancaster, and the Board of Directors of 173 Wilson Street West, Ancaster, agree to the following:***
 - (i) ***The owner of 153 Wilson Street West, at their own expense, plant a minimum of 23 trees, 6 metres high, on the east and south perimeter property of 173 Wilson Street West to create a landscape buffer between the two adjacent properties,***
 - (ii) ***Prior to the planting of the trees, the owners of 153 Wilson St. West and the Board of Directors of 173 Wilson St. West agree in writing to the species of trees and the location of the species to be planted in the perimeter landscape buffer,***
 - (iii) ***That the trees have a minimum 2 year warranty,***
 - (iv) ***That the trees be planted by June 30th, 2016.***
- (d) ***That the external surface parking lot be constructed with impressed concrete in a flagstone pattern with a dark grey pigment or approved equal.***

***Amendment CARRIED
Main Motion as Amended CARRIED***

2. Application for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 71 Main Street and 10 Baldwin Street (Dundas) (PED15175) (Ward 13) (Item 6.2)

(Farr/Pearson)

(a) That amended Urban Hamilton Official Plan Amendment Application UHOPA-14-009, by Centurion (Dundas) Holdings Limited (Owner), to permit the establishment of a nine storey, 72 unit multiple dwelling located at 71 Main Street (Dundas) and 10 Baldwin Street, as shown in Appendix "A" to Report PED15175, be APPROVED on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED15175, be adopted by City Council.

(b) That amended Zoning By-law Amendment Application ZAC-14-025 by Centurion (Dundas) Holdings Limited (Owner), for a change in zoning from the Central Area Commercial (C.A.C/S-91) Zone, Modified and the Low Density Residential (R3) Zone to the Medium to High Density Multiple Dwelling - Holding (H-RM3/S-_) Zone, Modified, and for a modification to the Low Density Residential (R3) Zone, for the lands known as 71 Main Street (Dundas) and 10 Baldwin Street, as shown on Appendix "C" to Report PED15175, be APPROVED on the following basis:

(i) That the draft By-law, attached as Appendix "C" to Report PED15175, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2014), conform to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), and will comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No.___.

CARRIED

3. Proposed Urban Hamilton Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 120 Vineberg Drive, Hamilton (PED15179) (Ward 7) (Item 6.3)

(Pearson/Collins)

(a) That approval be given to Urban Hamilton Official Plan Amendment Application UHOPA-15-023 by Chappel South Developments Limited, to permit block townhouse units with a minimum density of 29.0 units per net residential hectare within the Neighbourhoods Designation, as shown on Appendix "A" to Report PED15179, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED15179, be adopted by City Council.

- (b) That approval be given to Amended Zoning By-law Amendment Application ZAC-14-022, by Chappel South Developments Limited, to amend City of Hamilton Zoning By-law No. 6593 for lands located at 120 Vineberg Drive, Hamilton, from the “AA” (Agricultural) District to the “R-4” (Small Lot Single Family Dwelling) District (Block 1), from the “AA” (Agricultural) District to the “C” (Urban Protected Residential, etc.) District (Blocks 2 and 5), from the “AA” (Agricultural) District to the “RT-30/S-1728” (Street-Townhouse) District, Modified (Block 3), and from the “AA” (Agricultural) District to the “R-4-‘H’/S-1728” (Small Lot Single Family Dwellings - Holding) District, Modified (Block 4) as shown on the Draft By-law, attached as Appendix “C” to Report PED15179, and furthermore that the Amending By-law, attached as Appendix “C” to Report PED15179, be approved on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED15179, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (PPS), conform to the Places to Grow – Growth Plan, and upon finalization of Official Plan Amendment No. 40 will comply with the Urban Hamilton Official Plan (UHOP).
- (c) That approval be given to Draft Plan of Subdivision 25T-201404, by Chappel South Developments Limited, to establish a Draft Plan of Subdivision known as “Chappel Estates South”, on lands located at 120 Vineberg Drive, Hamilton, as shown on Appendix “A” to Report PED15179, subject to the following conditions:
- (i) That this approval apply to the Draft Plan of Subdivision, 25T-201404, prepared by Urbex Engineering Ltd., and certified by S. D. McLaren, O.L.S., dated May 27, 2014, attached as Appendix “D”, consisting of 42 lots for 42 single-detached dwellings (Lots 1-42, inclusive), 14 blocks for future residential purposes (Blocks 43-56, inclusive) (note that Block 43 on Appendix “D” is intended to form a single-detached dwelling lot on Crescent “A”, but will form part of the temporary turning circle until such time that Phase 2 on Appendix “F” is approved. Accordingly, Block 43 will not immediately be used for residential purposes), three blocks for a future roadway (temporary turning circle) (Blocks 57-59, inclusive), four blocks for the purposes of a 0.3 m reserve (Blocks 60-63, inclusive), and one block for future townhouse purposes (Block 64), subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the special conditions attached as Appendix “E”, **as amended**, to Report PED15179;

- (ii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the *Planning Act*, prior to the issuance of each Building Permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of each building permit.

With regard to Block 64 (Block Townhouse), a parkland dedication, at a ratio of 0.6 ha per 300 dwelling units, will be required.

Additionally, Lots 1-42 (Single Family Detached Residential) will require a parkland dedication ratio of 5%.

- (iii) Acknowledgement that there will be a City share for installation of a 400mm diameter watermain on the Vineberg Drive extension, in accordance with the Financial Policies for Development.
- (d) That the Chappel East Neighbourhood Plan be amended to change the designation of a portion of the subject lands (Block 64 on Appendix "D") from "Single and Double" to "Attached Housing".

CARRIED

4. Applications for a Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 275 Springbrook Avenue, Ancaster (PED15181) (Ward 12) (Item 6.4)

(Pearson/Conley)

- (a) That approval be given to Zoning Application ZAC-13-054, by Scarlett Homes (Ancaster) Ltd., to amend Ancaster Zoning By-law No. 87-57 for lands located at 275 Springbrook Avenue, Ancaster, from the Agricultural "A" Zone to the Residential "R4-548" Zone, Modified (Block 1) and the Residential-Holding "H-R4-663" Zone, Modified (Block 2) in order to permit 16 lots for single detached dwellings on the subject lands, as shown on Appendix "A" to Report PED15181, on the following basis:
 - (i) That the draft By-law, attached as Appendix "B" to Report PED15181, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (PPS), conform with the Places to Grow – Growth Plan, and complies with the Urban Hamilton Official Plan (UHOP).
- (b) That approval be given to Draft Plan of Subdivision 25T-201307 by Scarlett Homes (Ancaster) Ltd., to establish a Draft Plan of Subdivision known as "Star Meadows", on lands located at 275 Springbrook Avenue, Ancaster, as shown on Appendix "A" to Report PED15181, subject to the following conditions:

- (i) That this approval apply to the Draft Plan of Subdivision, 25T-201307, prepared by John Chun, Scarlett Homes (Ancaster) Ltd., and certified by S.D. McLaren, O.L.S., dated December 11, 2013, attached as Appendix "C", consisting of 16 lots for single detached dwellings (Lots 1-16) and a new municipal road shown as "Chambers Court", subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the special conditions attached as Appendix "D" to Report PED15181;
- (ii) Acknowledgement by the City of Hamilton that there will be a City share for the east west portion of Springbrook Avenue. The City Share will be 50% of the actual cost of construction of the road; and,
- (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 each building permit;

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

CARRIED

5. Lay-By Parking Needs at Upper Paradise Road and Stone Church Road West (PED06340(b)) (Ward 8) (Outstanding Business List Item) (Item 8.1)

(Conley/Pearson)

That Report PED06340(b) respecting Lay-By Parking Needs at Upper Paradise Road and Stone Church Road West be received and referred to the General Manager of Public Works to address the parking requirements.

CARRIED

6. Update on Request for Information - Downtown Parking Structure (PED15183) (Ward 2) (Item 8.2)

(Farr/Collins)

- (a) That staff be authorized to enter into negotiations with the following three proponents regarding a potential joint agreement to secure additional public parking in the Downtown:

- (i) A. Desantis Developments
- (ii) Vrancor
- (iii) Collins Corporation / MHC

CARRIED

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

ADDED WRITTEN COMMENTS

- 6.1(i) Tom and Jennifer McBarron, 134 Rembrandt Court, Ancaster respecting Applications to Amend the Town of Ancaster Official Plan and Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 153 Wilson Street West (Ancaster) (PED15172).
- 6.1(ii) Wm. D. Dobson, 11 – 173 Wilson Street West, Ancaster respecting Applications to Amend the Town of Ancaster Official Plan and Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 153 Wilson Street West (Ancaster) (PED15172).
- 6.1(iii) Anne Morrison, 307 – 125 Wilson Street West, Ancaster respecting Applications to Amend the Town of Ancaster Official Plan and Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 153 Wilson Street West (Ancaster) (PED15172)
- 6.1(iv) John & Lillian Babcock, 21 – 173 Wilson Street West, Ancaster respecting Applications to Amend the Town of Ancaster Official Plan and Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 153 Wilson Street West (Ancaster) (PED15172)
- 6.2(i) Yvonne Garry, 15 Dundas Street, Dundas on behalf of the Dundas Preservation Group respecting Application for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 71 Main Street and 10 Baldwin Street (Dundas) (PED15175)
- 6.2(ii) Warren Beacham and Ann Gillespie, Co-Chairs of the Dundas Valley Tree Keepers (DVTK) respecting Application for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 71 Main Street and 10 Baldwin Street (Dundas) (PED15175)
- 6.2(iii) David Bruins, 7 Baldwin Street, Dundas, respecting Application for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 71 Main Street and 10 Baldwin Street (Dundas) (PED15175)
- 6.2(iv) Tanya Jenkins, on behalf of 75 Main Street, Dundas, respecting Application for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 71 Main Street and 10 Baldwin Street (Dundas) (PED15175)

AMENDED APPENDIX

Appendix "E" to Report PED15179 which is Item 6.3 on the agenda respecting Proposed Urban Hamilton Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 120 Vineberg Drive, Hamilton (PED15179) (Ward 7) has been amended and copies have been distributed.

(Conley/Pearson)

That the Agenda for the November 17, 2015 meeting of the Planning Committee be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING (Item 3)

(i) November 3, 2015 Meeting (Item 3.1)

(B. Johnson/Collins)

That the Minutes of the November 3, 2015 meeting be approved.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

(A. Johnson/Pearson)

That the following delegation requests be approved for a future meeting:

- (i) Dr. Tom Nugent, 9 Grandview Avenue, Stoney Creek, to address Committee when the staff report respecting the City's submission to the Province regarding proposed changes to the Greenbelt is on the agenda (Item 4.1)
- (ii) Ed Fothergill, Fothergill Planning & Development Inc., on behalf of Mr. and Mrs. Bartel, 623 Shaver Road, to address Committee when the staff report respecting the City's submission to the Province regarding proposed changes to the Greenbelt is on the agenda. (Item 4.2)

CARRIED

(e) DELEGATIONS/PUBLIC HEARING (Item 6)

(i) Applications to Amend the Town of Ancaster Official Plan and Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 153 Wilson Street West (Ancaster) (PED15172) (Ward 12) (Item 6.1)

In accordance with the provisions of the *Planning Act*, Chair 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 makes a decision regarding the 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.

Written Comments

- 6.1(i) Tom and Jennifer McBarron, 134 Rembrandt Court, Ancaster
- 6.1(ii) Wm. D. Dobson, 11 – 173 Wilson Street West, Ancaster
- 6.1(iii) Anne Morrison, 307 – 125 Wilson Street West, Ancaster
- 6.1(iv) John & Lillian Babcock, 21 – 173 Wilson Street West, Ancaster

(A. Johnson/Green)

That the written comments be received.

CARRIED

Alvin Chan, Planner, provided an overview of the report with the aid of a PowerPoint presentation. A copy is available for viewing on the City's website.

(Farr/Green)

That the staff presentation be received.

CARRIED

Brenda Khes of GSP Group, agent for the applicant addressed Committee with the aid of a PowerPoint presentation. A copy is available for viewing on the City's website.

(Farr/Green)

That the agent's presentation be received.

CARRIED

Speakers

1. Bob Shelley, Member of the Board of the Condo Corp of 173 Wilson Street

Bob Shelley addressed Committee and indicated that he is a resident of Wilson Woods and a director of the Condominium Corporation.

They have been negotiating with the owners of 153 Wilson for some time and are now proposing an agreement to allow the developers to install a portion of the landscaping on the 173 Wilson Street property to address the privacy issue.

2. Silvio Piva, 150 Wilson Street West

Silvio Piva addressed Committee and stated that he agrees the proposed development looks fantastic but is concerned with traffic and getting in and out of his driveway which is across the street. The driveway of the proposed development is directly in front of their entrance and requested that it be moved further down to the next corner.

3. Anne Morrison, 125 Wilson Street West

Anne Morrison read from her letter a copy of which was added to the agenda as Item 6.1(iii). She opposes the proposal because it will spoil the view and peaceful enjoyment and add to the traffic problems.

4. Gina Szpirglas, 77 Governors Road, #403

Gina Szpirglas addressed Committee and indicated that she is speaking on behalf of her daughter who lives on Valridge Drive in Ancaster and who already has a difficult time travelling along Wilson Street because of the traffic volume. This development will add to the traffic problems.

(Pearson/Conley)

That the delegations be received.

CARRIED

(B. Johnson/Farr)

That the public meeting be closed.

CARRIED

Ward Councillor Ferguson spoke to the issue and proposed the following amendments.

(Farr/Collins)

That the following conditions be added as subsections (c) and (d):

- (c) That the current owner, or any future owner of 153 Wilson Street West, Ancaster, and the Board of Directors of 173 Wilson Street West, Ancaster, agree to the following:
 - (i) The owner of 153 Wilson Street West, at their own expense, plant a minimum of 23 trees, 6 metres high, on the east and south perimeter property of 173 Wilson Street West to create a landscape buffer between the two adjacent properties,
 - (ii) Prior to the planting of the trees, the owners of 153 Wilson St. West and the Board of Directors of 173 Wilson St. West agree in writing to the species of trees and the location of the species to be planted in the perimeter landscape buffer,
 - (iii) That the trees have a minimum 2 year warranty,
 - (iv) That the trees be planted by June 30th, 2016.
- (d) That the external surface parking lot be constructed with impressed concrete in a flagstone pattern with a dark grey pigment or approved equal.

Amendment CARRIED

For disposition of this matter refer to Item 1.

(ii) Application for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 71 Main Street and 10 Baldwin Street (Dundas) (PED15175) (Ward 13) (Item 6.2)

In accordance with the provisions of the *Planning Act*, Chair 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 makes a decision regarding the Official Plan and Zoning By-law amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Written Comments

- 6.2(i) Yvonne Garry, 15 Dundas Street, Dundas on behalf of the Dundas Preservation Group

6.2(ii) Warren Beacham and Ann Gillespie, Co-Chairs, Dundas Valley Tree Keepers

6.2(iii) David Bruins, 7 Baldwin Street, Dundas

6.2(iv) Tanya Jenkins, on behalf of 75 Main Street, Dundas

(Pearson/B. Johnson)

That the written comments be received.

CARRIED

Gerry Tchisler, Planner, provided an overview of the report with the aid of a PowerPoint presentation. A copy is available for viewing on the City's website.

(Pearson/A. Johnson)

That the staff presentation be received.

CARRIED

Sergio Manchia of UrbanSolutions, agent for the applicant addressed Committee with the aid of a PowerPoint presentation and provided an overview of the proposal.

David Premi, the architect for the project also addressed Committee and explained the design was selected for compatibility.

David Horwood, of Effort Trust, spoke regarding the parking issue, the demand for this type of development in Dundas, and the justification for building.

(Conley/B. Johnson)

That the agent's presentation be received.

CARRIED

Registered Speakers

1. Laura and Gregor Lawson, 1 Baldwin Street, Dundas

Laura Lawson addressed Committee with the aid of a PowerPoint presentation. A copy is available for viewing on the City's website. She does not support the proposal for the following reasons:

- Not compatible with the buildings in the area;
- The proposed building will be almost double the height of the existing buildings;

- The population density in Dundas already exceeds the density in other downtown nodes and exceeds the intensification goals for downtown Hamilton.

Gregor Lawson addressed Committee and indicated that there is insufficient parking in the area. The parking study does not accurately reflect the parking patterns. This is a high traffic area and parking is already a problem. There are typos and errors all through the parking study. In his opinion the report contains inaccurate numbers, it is not comprehensive and it does not include a study of traffic patterns. This is not a transit friendly area. The staff recommendations are based on a parking study report that is inaccurate.

2. Justin Lewis, 12 Baldwin Street, Dundas

Justin Lewis addressed Committee and handed out a 29 page comprehensive report to the Committee which outlines the various reasons why he does not support this project. A copy of the report has been submitted for the public record. Some of the reasons he stated included but were not limited to the following:

- The Planning Report only looks at intensification;
- It ignores the *Places to Grow Act*;
- The proposal is to use a historic and protected garden as a parking lot;
- The proposed building will block sunlight and is on a flood plain;
- Air quality will be affected due to generators and underground parking;
- Is not compatible with the neighbourhood;
- Noise pollution;
- Wind will be an issue due to tunneling effect;
- Insufficient parking;
- Privacy issues;
- Light pollution;
- Snow accumulation.

Justin Lewis also indicated that there was not enough notice given by the City and notices were mailed to wrong addresses. All the area residents, not only those living within 120 metres of the property, should be consulted. There was only a two week notice for the public meeting. The Planning process must be changed to increase public involvement. He hasn't had enough time to read the entire report

He submitted a petition with 711 signatures against this proposal which is available for viewing in the City Clerk's Office.

3. Peggy Lewis, 12 Baldwin Street Dundas

Peggy Lewis addressed Committee and her comments included but were not limited to the following:

- Over intensification;
- Going to end up with little boxes (units);
- Has to be accessible for wheel chairs, how to accommodate;
- Too many changes required to the by-laws and minor variances – should have been denied at the start without wasting so much money;
- Stinks of greed;
- Does not protect the environment or the health of the residents;
- Will affect the sunlight;
- Noise issues;
- Parking will be near property line of neighbouring residents;
- The narrow access lane will be blocked;
- Extremely high traffic area;
- There is no visitor parking at the existing Centurian building;
- The reality is the local bus service is not good;
- Suspects that the owners intend to eventually demolish the house on 10 Baldwin Street.

4. Bill Hilsome, 353 Park Street West, Dundas

Bill Hilsome addressed Committee and his comments included but were not limited to the following:

- 75% of this project requires some form of amendment or variance;
- Why exceed the height of the existing buildings – because of economics and profit;
- In order to develop the UHOP standard there was much effort and cost – at infancy it is already being amended;
- To support this project is for the interest of the developer – developer vs. the integrity of UHOP.

5. Greg Lawson, 16 Baldwin Street, Dundas

Greg Lawson addressed Committee with the aid of a PowerPoint presentation. A copy has been uploaded onto the City's website.

He is against the proposal and agrees with all the previous speakers. He added the following comments:

- He read the description of the Urban Design 5 (UD5) policy;
- The UD5 policy applies to 10 Baldwin Street;
- The applicant does not reference UD5;

- The planners do reference the UD5 policy in their report;
- The proposal does not meet the policy of UD5 as it would convert the backyard into parking lot;
- Concerns with height, parking, lack of green space, shadow and privacy issues.
- It proposed development is too big.

6. Arthur Samson, 6-30 Osler Street, Dundas (former Ward Councillor)

Arthur Samson addressed Committee. He lives one block away and never received a notice. Found out about this meeting in the Dundas Star. He expressed concerns with the following:

- Building is too high at 9 storeys;
- Lack of Parking.

7. Phyllis Kraemer, President, Downtown Dundas BIA

Phyllis Kraemer addressed Committee and her comments included but were not limited to the following:

- As President of the BIA, she represents 110 business people in Downtown Dundas;
- Parking is a big concern;
- Blessed with many parking lots in the downtown, but they have a parking problem;
- Used a Wintario grant to work with the Town of Dundas to develop parking lots in downtown;
- The largest lot has 94 spots;
- Only one lot has any space left for permanent parking;
- Not enough transit;
- 90 spots required only 58 being provided;
- Math doesn't make sense;
- Size of development doesn't fit.

8. Lisa Anderson, Downtown Dundas BIA Co-ordinator

Lisa Anderson addressed Committee and advised that at their meeting this morning, the BIA expressed the following concerns:

- Concern for any other infilling that may happen in the area;
- Parking;
- Asked that Committee ensure the developer comply with the existing by-law of 1.25 parking spots per unit.

9. Bob Simpson of the Independent Order of Odd Fellows, 63 Main Street, Dundas

Bob Simpson addressed Committee. He referred to his letter which is printed in the agenda. He expressed the following concerns:

- It appears that the new building will abut the south wall of the Lodge's building which -
 - may cause damage to the foundation during construction;
 - may impede access during a fire and affect the property fire insurance premiums;
- Traffic;
- Parking;
- Fencing;
- Appearance of their building will suffer;
- Won't fit in with heritage buildings.

10. Gina Szpirglas, 77 Governor's Road

- Personal and emotional attachment to Dundas – has been her home for 40 years;
- Fortunate to live in Dundas;
- Is this a condo or rental;
- Lack of parking;
- Most residents drive;
- Public transit doesn't cut it;
- Parking study undertaken for only four days in December;
- Dundas is historical;
- 1804 Richard Hatt building – is historical and needs rehabilitating.

11. Donna Nunan, 4 York Street, Dundas

Donna Noonan addressed Committee and advised that she is speaking on behalf of Harold Pope who lives at 30 Baldwin Street in a Co-Op and had to leave the meeting. The residents of the Co-op are concerned with parking. She stated that there are traffic jams in town and the area is already intensified.

(B. Johnson/Pearson)

That the delegations be received.

CARRIED

(Collins/Farr)

That the public meeting be closed.

CARRIED

Staff responded to questions.

Committee submitted a copy of an e-mail which they received from Ward Councillor VanderBeek to the Committee Clerk and the Chair asked that it be made part of the public record. A copy is available for viewing on the City's website.

(B. Johnson/A. Johnson)

That the application Be Denied as it does not conform to Urban Design 5 (UD5) with respect to height, density, parking and lack of commercial.

This motion was **DEFEATED**.

For disposition of this matter refer to Item 2.

(iii) Proposed Urban Hamilton Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 120 Vineberg Drive, Hamilton (PED15179) (Ward 7) (Item 6.3)

In accordance with the provisions of the *Planning Act*, Chair 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 makes a decision regarding the Official Plan and Zoning By-law amendment and Draft Plan of Subdivision, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No members of the public came forward.

Madeleine Giroux, Planner, explained the amendments to the conditions for the Draft Plan of Sub-Division approval as outlined in the amended Appendix "E". Additional conditions were added at the request of TransCanada Pipeline.

(Pearson/Collins)

That the staff presentation be waived.

CARRIED

(Conley/Farr)

That the public meeting be closed.

CARRIED

Ward Councillor Whitehead spoke in support of this item.

For disposition of this matter refer to Item 3.

(iv) **Applications for a Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 275 Springbrook Avenue, Ancaster (PED15181) (Ward 12) (Item 6.4)**

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

No members of the public came forward.

(Pearson/Conley)

That the staff presentation be received.

CARRIED

(Collins/Farr)

That the public meeting be closed.

CARRIED

For disposition of this matter refer to Item 4.

(f) **PRESENTATIONS (Item 7)**

(i) **Pool Enclosure By-law (PED13126(b)) (City Wide) (Item 7.1)**

Jorge Caetano provided an overview of the report with the aid of a PowerPoint presentation. A copy has been uploaded onto the City's website.

He responded to questions from Committee.

(Pearson/A. Johnson)

That the staff presentation be received.

CARRIED

Councillor Pearson submitted to the Committee Clerk, a copy of an e-mail which was forwarded to City Councillors by the Lakewood Beach Community Council regarding this matter. A copy is available for viewing on the City's website.

(Collins/Farr)

That Report PED13126(b) respecting Pool Enclosure By-law be referred back to staff to investigate the use of aerial photography and an expanded

public consultation and bring the findings back to the January 12, 2016 Planning Committee meeting.

CARRIED

(g) DISCUSSION (Item 8)

(i) Lay-By Parking Needs at Upper Paradise Road and Stone Church Road West (PED06340(b)) (Ward 8) (Outstanding Business List Item) (Item 8.1)

After some discussion, and at the request of Ward Councillor Whitehead, Committee received the report and referred it to the GM of Public Works to address the parking concerns.

For disposition of this matter refer to Item 5.

(ii) Update on Request for Information - Downtown Parking Structure (PED15183) (Ward 2) (Item 8.2)

Committee approved the staff report including subsection (b):

(Farr/Collins)

(b) That staff be directed to report back to the Planning Committee with the results of the negotiations referenced in recommendation (a) of Report PED15183.

CARRIED

For further disposition of this matter refer to Item 6.

(h) NOTICES OF MOTIONS (Item 10)

Councillor B.Johnson introduced the following Notice of Motion:

Re: Crossing Guards for St. Matthew School, Binbrook (Added Item)

WHEREAS, there are two (2) schools within the Binbrook Village situated near roundabouts;

WHEREAS, Bellmoore School has two (2) crossing guards deployed at their roundabout;

WHEREAS, St. Matthew School does not have crossing guards;

WHEREAS, the Councillor's office has had repeated requests from the St. Matthew School community, including staff, for a safe crossing for their children at the roundabout;

THEREFORE BE IT RESOLVED:

That two (2) crossing guards be deployed at the St. Matthew School roundabout to provide the same safe crossing as those at the Bellmoore School roundabout.

(i) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Outstanding Business List (Item 11.1)

(Pearson/Conley

(a) That the following new due dates be approved:

Item "C" - Proposed Permanent Closure and Sale of a Portion of the Road Allowance of Limeridge Road

Due Date: November 17, 2015

Proposed New Due Date: February 2, 2016

Item "F" - By-law to Regulate Parking on Boulevards and Front and Side Yard (PED13042)

Due Date: November 17, 2015

Proposed New Due Date: January 12, 2016

Item "H" - Parked Facing the Wrong Way (PED13109) (City Wide)

Due Date: November 17, 2015

Proposed New Due Date: January 12, 2016

Item "I" - (OMB) Decision re: 121 Augusta Street, staff to report back with a comprehensive review of RCF's in the context of the Prov. Policy, as it relates to special needs, and the Human Rights Code.

Due Date: November 17, 2015

Proposed New Due Date: March 22, 2016

Item "Q" – Staff to undertake consultation and report back regarding the requirement in Schedule 25 of the Licensing By-law that a taxicab owner hold a valid taxicab driver's licence only if he or she drives a taxicab.

Due Date: December 1, 2015

Proposed New Due Date: March 22, 2016

Item "Y" -Feasibility of Establishing a City Animal Adoption Service in Partnership with the SPCA.

Due date: January 12, 2016

Proposed New Due Date: April 19, 2016

Item "Z" -Feasibility of Licensing Cats in the Urban Area.

Due date: January 12, 2016

Proposed New Due Date: April 19, 2016

(b) That the following Item be removed:

~~Item "L" - Pool Enclosure By-law (PED13126(a)) (City Wide) (Item 7.1 on this agenda)~~ Report referred back.

Item "R" - Lay-by Parking Needs at Upper Paradise Road and Stone Church (Item 8.1 on this agenda)

CARRIED

(j) ADJOURNMENT (Item 13)

(Conley/Pearson)

There being no further business, that the Planning Committee be adjourned at 4:27 p.m.

CARRIED

Respectfully submitted,

Councillor J. Partridge
Chair, Planning Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk