



PLANNING COMMITTEE

REPORT 15-019

9:30 am

Tuesday, December 1, 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, A. Johnson and R. Pasuta

THE PLANNING COMMITTEE PRESENTS REPORT 15-019 AND RESPECTFULLY RECOMMENDS:

- 1. Confirmation of Chair and 1st Vice-Chair and Appointment of 2nd Vice-Chair for 2016**
 - (a) That Councillor Brenda Johnson be appointed Chair of the Planning Committee for 2016;
 - (b) That Councillor Maria Pearson be appointed 1st Vice-Chair of the Planning Committee for 2016;
 - (c) That Councillor A. Johnson be appointed 2nd Vice-Chair of the Planning Committee for 2016.

- 2. Mediation Service Pilot Program (PED11181(e)) (City Wide) (Outstanding Business List Item) (Item 5.1)**

That the Mediation Service Pilot Program for neighbour disputes be made a permanent program.

3. 547 King Street East, Hamilton (PED15178) (Ward 3) Outstanding Business List (Item 5.2)

That Report PED15178 respecting 547 King Street East, Hamilton be received.

4. Interim Continuance of former Hamilton Historical Board Volunteer Advisory Committee Budget (PED15193) (City Wide) (Item 5.3)

(a) That the budget of \$14,340, provided annually to the former Hamilton Historical Board (VCHMHB – 300323) be used to continue implementing annual heritage presentation programs from past years pending Council direction.

(b) That the former Hamilton Historical Board budget of \$14,340 be transferred to the Tourism and Culture base budget to continue implementing heritage presentation programs, pending Council approval of a long term strategy for heritage presentation projects developed through public consultation.

5. 2015-2016 Adjustments to School Crossing Guard Locations (PED15204) (Wards 1, 3, 4, 6, 7, 8, 10 and 11) (Item 5.4)

(a) That one (1) crossing guard be deployed at the St. Matthew School round-a-bout to provide the same safe crossing as those at the Bellmore School round-a-bout and added to Appendix "A" as referenced in sub-section (b);

(b) That the revised list of school crossing guard locations resulting from school closures, openings, lunch program changes, school boundary and walking pattern changes in Wards 1,3,4,6,7,8,10 and 11 attached as Appendix "A" to Report 15-019, be approved;

(c) That staff be authorized and directed to consult with the affected Ward Councillors and to use delegated authority for adding and/or removing school crossing guards prior to City Council approval for any proposed changes by the Hamilton-Wentworth District School Board and the Hamilton-Wentworth Catholic School Board for the 2016/2017 school year.

6. Hearing Officer Appointment By-law for Administrative Penalty System (PED14120(b)) (City Wide) (Item 5.5)

That the Hearing Officer By-law, being a by-law to appoint Hearing Officers in accordance with the Administrative Penalty By-law No.15-138, attached as

Appendix "A" to Report PED14120(b), which has been prepared in a form satisfactory to the City Solicitor, be approved.

7. Application for a Condominium Conversion for Lands Known as 275 King Street West (Hamilton) (PED15174) (Ward 2). (Item 6.1)

That approval be given to Condominium Conversion Application 25CDM-CONV-15-01, by Hess Village Real Estate Corporation, Owner, to establish a Draft Plan of Condominium for the existing apartment building, consisting of 29 dwelling units, located at 275 King Street West (Hamilton), as shown on the attached map marked as Appendix "A" to Report PED15174, subject to the following:

- (a) That this approval for Draft Plan of Condominium application 25CDM-CONV-15-01 applies to the red-lined plan, prepared by A.J. Clarke and Associates certified by B.J. Clarke, O.L.S., dated April 15, 2014, showing a total of 29 dwelling units, attached as Appendix "B" to Report PED15174;
- (b) That the conditions of Draft Plan of Condominium Approval attached as Appendix "C" to Report PED15174 be approved.

8. Application for Approval of Draft Plan of Condominium (Common Element), by A. J. Clarke and Associates, on behalf of A. DeSantis Developments Ltd., for Lands Located at 15 Kingsborough Drive and 24-40 Kingsborough Drive (Glanbrook) (Ward 11) (PED15203) (Item 6.3)

That approval be given to Draft Plan of Condominium Application 25CDM-201513, by A.J. Clarke and Associates (c/o Stephen Fraser), Agent, on behalf of A. DeSantis Developments Ltd. (c/o Anthony DeSantis), Owner, to establish a Draft Plan of Condominium (Common Element) to create a condominium road network, sidewalks, and 44 visitor parking spaces within seven parking areas, on lands located at 15 Kingsborough Drive and 24-40 Kingsborough Drive (Glanbrook), as shown on Appendix "A", **as amended**, to Report PED15203, subject to the following conditions:

- (a) That the approval for Draft Plan of Condominium (Common Element) Application 25CDM-201513 applies to the plan prepared by A. J. Clarke and Associates, certified by B. J. Clarke, dated September 23, 2015, and consisting of a condominium road network, sidewalks, and 44 visitor parking spaces within seven parking are as attached as Appendix "B" to Report PED15203;
- (b) That the conditions of Draft Plan of Condominium Approval provided as Appendix "C" to Report PED15203 be approved.

9. **Amendment to the Rural Hamilton Official Plan, and Modifications and Corrections to Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, Town of Flamborough Zoning By-law No. 90-145-Z, Township of Glanbrook Zoning By-law No. 464, City of Hamilton Zoning By-law No. 6593, City of Stoney Creek Zoning By-law No. 3692-92 and Hamilton Zoning By-law No. 05-200 (PED15028(a)) (City Wide) (Item 6.4)**
- (a) That approval be given to Official Plan Amendment (OPA) No. _____ to the Rural Hamilton Official Plan (RHOP) (CI-15-H) to establish a Site Specific Area for the lands at 917 Centre Road located within the Flamborough Centre Rural Settlement Area Plan to permit a warehouse (self-storage) and to amend an existing Site Specific Area for the lands at 432 Highland Road East to allow for the expansion of an existing agricultural facility, on the following basis:
- (i) That the draft Official Plan Amendment (OPA), attached as Appendix "A" to Report PED15028(a), be adopted by Council; and,
- (ii) That the proposed Official Plan Amendment (OPA) is consistent with the Provincial Policy Statement (PPS) 2014, and conforms to the Greenbelt Plan.
- (b) That approval be given to City Initiative CI-15-H for modifications and updates to Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, Town of Flamborough Zoning By-law No. 90-145-Z, Township of Glanbrook Zoning By-law No. 464, City of Hamilton Zoning By-law No. 6593, City of Stoney Creek Zoning By-law No. 3692-92 and Hamilton Zoning By-law No. 05-200, on the following basis:
- (i) That the attached draft By-laws, marked as Appendices "B" to "H" to Report PED15028(a), which have been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
- (ii) That the changes proposed to the By-laws, in Appendices "B" to "H" to Report PED15028(a), are minor in nature and that any changes made after holding a public meeting on December 1, 2015, that Council determines that no further notice is required prior to the passing of the proposed By-law, pursuant to Section (34)17 of the *Planning Act*.
10. **Increase to Permit Fees under the Building By-law (PED15191) (City Wide) (Item 7.1)**
- (a) That the By-law, attached as Appendix "A" to Report PED15191 to amend City of Hamilton By-law No. 15-058, the Building By-law, be enacted; and,

- (b) That the fees prescribed in the By-law, attached as Appendix "A" to Report PED15191, be included in the User Fees and Charges By-law, replacing the fees listed under the heading "Classes of Permits and Fees New Construction and Additions Building Classifications per the Building Code".

11. Natural Areas Acquisition Fund Strategy Implementation Guidelines (PED09007(b)) (City Wide) (Item 8.1)

- (a) That Appendix "A" to Report PED09007(b) respecting the Natural Areas Acquisition Fund Strategy Implementation Guidelines be approved;
- (b) That the funding for the Natural Areas Acquisition Fund Strategy be referred to the 2016 Budget process; and,
- (c) That staff be directed to enter into a Natural Areas Land Acquisition Funding Agreement with each Conservation Organization, and that the Mayor and City Clerk be authorized to execute such Agreements in a form and content generally in the form as attached in Appendix "H", and that is acceptable to the City Solicitor and the General Manager of Planning and Economic Development or his/her designate and which are consistent with the Natural Areas Acquisition Fund Strategy and Natural Areas Acquisition Fund Strategy Implementation Guidelines.

12. Hamilton Municipal Heritage Committee Report 15-011 (Added Item 8.2)

- (a) **Heritage Permit Application HP2015-039 to Demolish 1 St. James Place, Hamilton, under Section 34 of the *Ontario Heritage Act* (PED15200) (Ward 2) (Item 8.2)**
 - (i) That Heritage Permit Application HP2015-039 to demolish the building located at 1 St. James Place, Hamilton, under Section 34 of the *Ontario Heritage Act*, attached hereto as Appendix "A" to report 15-011, be refused;
 - (ii) That appropriate notice of the Council decision be served on the owner of 1 St. James Place, Hamilton, and the Ontario Heritage Trust, as required under Section 34 of the *Ontario Heritage Act*.

13. Agriculture and Rural Affairs Advisory Committee Report 15-003 (Added 8.3).

(a) City of Hamilton Building Division respecting the Issues of Building Permits for Agricultural Buildings (Item 8.1)

That staff be directed to investigate if the City of Hamilton has the authority to require applicants to include a Farm Business Registration Number when they are applying for a building permit to construct a Farm Building (following the definition set out in the *Ontario Building Code*); and report to the Agriculture and Rural Affairs Committee.

14. Road Widening - 1324 Rymal Road East (Item 9.2)

That staff be directed to waive the requirement for a road widening for 1324 Rymal Road East (Site Plan Application DA-14-119).

15. 50 Greenhill Avenue, Hamilton (PED15198) (Ward 5) (Item 12.1)

That Report PED15198 respecting 50 Greenhill Avenue, Hamilton be received and remain confidential and restricted from public disclosure.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

ADDED DELEGATION REQUESTS

The following delegation requests are 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 (For future meeting.):

- 4.9 Lynda Lukasik, Environment Hamilton
- 4.10 Michael Curley, 131 Ridge Road, Stoney Creek
- 4.11 Michael Crough and John Ariens of IBI Group
- 4.12 Tony/Sam Spadafora, 3 Switzer Crescent, Binbrook

- 4.13 John B. Corbett, Corbett Land Strategies, on behalf of 324, 354, 364 and 372 Garner Road
- 4.14 Sarah Knoll and/or Glenn Scheels, GSP Group Inc., on behalf of property at the Northwest corner of Barton Street and Fifty Road, Stoney Creek
- 4.15 Carlo Silvestri, 445 Crerar Drive, Hamilton, regarding the addition of their 69 acres property on Trinity Church Road to lands identified as Area 4 – North Twenty Mile Creek
- 4.16 Susan Yazdani, 1407-33 Robinson Street, Hamilton, respecting urban sprawl and the Greenbelt
- 4.20 Nancy Frieday, Wellings Planning Consultants Inc., Burlington

The following delegation requests are to address Committee at today's meeting to speak to added Item 8.2, Hamilton Municipal Heritage Committee report particularly respecting 1 St. James Place.

- 4.17 Victor Veri, 971 Highway 6 North, Hamilton (Copy attached)
- 4.18 David Sa, Saco Insurance Brokers, 600 Main Street East, Hamilton (Copy attached)
- 4.19 Wayne Belcourt, Peto McCallum Limited, 45 Burford Road, Hamilton (Copy attached)

ADDED WRITTEN COMMENTS

- 6.2(i) Changbao Shen, Andy Cheng, James Li and Doudou Liu, 98 Sussex Street, Hamilton respecting Application for Urban Hamilton Official Plan amendment for 71, 75 and 77 Leland Street, Hamilton
- 6.2(ii) Changbao Shen, Polly Si, and Trang Pong, 114 Emerson Street, Hamilton respecting Application for Urban Hamilton Official Plan amendment for 71, 75 and 77 Leland Street, Hamilton
- 6.2(iii) Mark Coakley, Yarmouth Court, Hamilton, respecting Application for Urban Hamilton Official Plan amendment for 71, 75 and 77 Leland Street, Hamilton
- 6.2(iv) Vinnie Walsh, 42 Kipling Road, Hamilton
- 6.2(v) Alan Norgate, 304 Whitney Ave, Hamilton (letter transcribed by Tordis Coakley)

- 6.2(vi) Dr. Jay Parlar, President, Ainslie Wood/Westdale Community Association of Resident Homeowners Inc.
- 6.2(vii) Ira Rosen, President, Ainslie Wood/Westdale Community Association of Resident Homeowners Inc.

AMENDED APPENDIX "A" TO ITEM 6.3

- 6.3 Appendix "A" to Report PED15203 respecting Application for Approval of Draft Plan of Condominium (Common Element), by A. J. Clarke and Associates, on behalf of A. DeSantis Developments Ltd., for Lands Located at 15 Kingsborough Drive and 24-40 Kingsborough Drive (Glanbrook) (Ward 11) is replaced with the attached copy.

ADDED DISCUSSION ITEMS

- 8.2 Hamilton Municipal Heritage Committee Report 15-011
- 8.2(i) Request from Graeme Tosh, owner to defer consideration of Item 2 regarding the request to remove 2251 Rymal Road East from the Register of Property of Cultural Heritage Value or Interest.
- 8.3 Agriculture and Rural Affairs Advisory Committee Report 15-003.

ADDED NOTICE OF MOTION

- 10.1 Road Widening - 1324 Rymal Road East

The Agenda for the December 1, 2015 meeting of the Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None.

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

(i) November 17, 2015 Meeting (Item 3.1)

The Minutes of the November 17, 2015 meeting were approved.

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

The following delegation requests were approved for a future meeting:

- 4.1 Don MacLean, 68 – 151 Gateshead Crescent, 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.
- 4.2 Dave Braun, Braun Nursery Limited, 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.
- 4.3 Dale Smith, Airport Road, Mount Hope, 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.
- 4.4 Drew Spoelstra, Guyatt Road, Binbrook, 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.
- 4.5 Jamie Bethune, Twenty Road, Mount Hope, 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.
- 4.6 Roy Shuker, Ridge Road, 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.
- 4.7 Clint Burrows, Guyatt Road, Binbrook 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.
- 4.8 Mike Whaling, Airport Mini Storage, Mount Hope, to follow-up from previous meetings regarding illegal business in the Mount Hope, Binbrook, Ancaster area that is still growing.
- 4.9 Lynda Lukasik, Environment Hamilton 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.
- 4.10 Michael Curley, 131 Ridge Road, 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.
- 4.11 Michael Crough and John Ariens of IBI Group 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.

- 4.12 Tony/Sam Spadafora, 3 Switzer Crescent, Binbrook 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.
- 4.13 John B. Corbett, Corbett Land Strategies, on behalf of 324, 354, 364 and 372 Garner 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.
- 4.14 Sarah Knoll and/or Glenn Scheels, GSP Group Inc., on behalf of property at the Northwest corner of Barton Street and Fifty Road, Stoney Creek
- 4.15 Carlo Silvestri, 445 Crerar Drive, Hamilton, regarding the addition of their 69 acres property on Trinity Church Road to lands identified as Area 4 – North Twenty Mile Creek
- 4.16 Susan Yazdani, 1407-33 Robinson Street, Hamilton, respecting urban sprawl and the Greenbelt
- 4.20 Nancy Frieday, Wellings Planning Consultants Inc., Burlington

The following delegation requests were approved to address Committee at today's meeting respecting 1 St. James Street (which is on the Hamilton Municipal Heritage Committee Report, Added Item 8.2):

- 4.17 Victor Veri, 971 Highway 6 North, Hamilton
- 4.18 David Sa, Saco Insurance Brokers, 600 Main Street East, Hamilton
- 4.19 Wayne Belcourt, Peto McCallum Limited, 45 Burford Road, Hamilton

(e) CONSENT ITEMS (Item 5)

(i) 2015-2016 Adjustments to School Crossing Guard Locations (PED15204) (Wards 1, 3, 4, 6, 7, 8, 10 and 11) (Item 5.4)

Report PED15204 respecting "2015 -2016 Adjustments to School Crossing Guard Locations (Wards 1, 3, 4, 6, 7, 8, 10 and 11)" was amended by adding the following as sub-section (a) and the balance of the sub-sections be renumbered accordingly:

- (a) That one (1) crossing guard be deployed at the St. Matthew School round-a-bout to provide the same safe crossing as those at the

Bellmore School round-a-bout and be added to Appendix "A" as referenced in sub-section (a);

to read as follows:

- (a) That one (1) crossing guard be deployed at the St. Matthew School round-a-bout to provide the same safe crossing as those at the Bellmore School round-a-bout and be added to Appendix "A" as referenced in sub-section (b);
- (b) That the revised list of school crossing guard locations resulting from school closures, openings, lunch program changes, school boundary and walking pattern changes in Wards 1, 3, 4, 6, 7, 8, 10 and 11, attached as Appendix "A" to Report PED15204, be approved, as amended;
- (c) That staff be authorized and directed to consult with the affected Ward Councillors and to use delegated authority for adding and/or removing school crossing guards prior to City Council approval for any proposed changes by the Hamilton-Wentworth District School Board and the Hamilton-Wentworth Catholic District School Board for the 2016/2017 school year.

For disposition of this matter refer to Item 5.

(f) DELEGATIONS/PUBLIC HEARING (Item 6)

(i) Application for a Condominium Conversion for Lands Known as 275 King Street West (Hamilton) (PED15174) (Ward 2). (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 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 one came forward.

The staff presentation be waived.

Fran Franz Kloibhofer of A.J. Clarke and Associates Ltd, agent for the applicant, was in attendance and responded to questions from Committee.

The public meeting was closed.

For disposition of this matter refer to Item 7.

(ii) Application for an Urban Hamilton Official Plan Amendment for Lands Located at 71, 75 and 77 Leland Street (Hamilton) (PED15201) (Ward 1) (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 Urban Hamilton Official Plan 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) Changbao Shen, Andy Cheng, James Li and Doudou Liu, 98 Sussex Street, Hamilton
- 6.2(ii) Changbao Shen, Polly Si, and Trang Pong, 114 Emerson Street, Hamilton
- 6.2(iii) Mark Coakley, Yarmouth Court, Hamilton
- 6.2(iv) Vinnie Walsh, 42 Kipling Road, Hamilton
- 6.2(v) Alan Norgate, 304 Whitney Ave, Hamilton (letter transcribed by Tordis Coakley)
- 6.2(vi) Dr. Jay Parlar, President, Ainslie Wood/Westdale Community Association of Resident Homeowners Inc.
- 6.2(vii) Ira Rosen, President, Ainslie Wood/Westdale Community Association of Resident Homeowners Inc.

The written comments added as Items 6.2(i) to 6.2(vii) were received. Heather Travis, Senior 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.

The staff presentation was received.

Chris Pidgeon of GSP Group, agent for the applicant, was in attendance to assist Committee.

Registered Speakers

1. Jean Wessel, 2 Glenmount Avenue

Jean Wessel addressed Committee and her comments included but were not limited to the following:

- She supports increased density but prefers apartment buildings rather than houses divided into dwelling units;
- Will there be a superintendent on the premises?
- Over 50 cars a day park on the property;
- Once the building is completed there will be less traffic;
- She asked for assurance that that any excess parking spots will not be rented out

2. Mary Kiss, 51 Yarmouth Avenue

Mary Kiss addressed Committee and indicated that she is a member of the Ainslie Wood Community Association and she is speaking as their representative. The Association is not in favour of this proposal and the reasons she stated include but are not limited to the following:

- When housing is marketed it should not be made to a specific group as per the Human Rights Code;
- By admission of the builder this building is marketed to students;
- Opposed to amending the Urban Hamilton Official Plan to allow high density;
- Density and encroachment to neighbouring houses are issues;
- Recently proposed housing includes:
 - the West Village building on Main Street West which will provide lodging for 500 students;
 - A 10 storey building at 17 Union Road will provide housing for 700 students;
 - McMaster University will build accommodations for 500 students on its own property;
- There is enough student housing in the area;
- A large percentage of single family homes in the area have been converted to student housing;
- This provides stress on the neighbourhoods and dense traffic, parking problems which have not been addressed;

- Homeowners in the area pay high taxes and don't receive adequate services;
- The City focuses only on student housing;
- Needs a more holistic approach;
- There's no need for additional student housing;
- The area lacks green space and there is no adequate play area for children.

3. Tordis Coakley, 23 Lower Horning Road

Tordis Coakley addressed Committee and indicated that Mary Kiss covered all of her concerns and she supports her comments.

4 Allan Norgate, 304 Whitney Avenue

Allan Norgate questions whether the existing sewer system can take the stress of the high student density in the area. He is also concerned with the lack of parkland. In his opinion a density study is required concerning the integrity of the infrastructure and the lack of services in the area.

5. Carol Risidore, 106 Ward Avenue

Carol Risidore addressed Committee stating that she has lived in her home for 30 years and her comments included but were not limited to the following:

- Their property backs onto the rail trail;
- This proposal gives no consideration to residents whose properties backs onto rail trail;
- Approving this development will encourage more development;
- Her family as had to endure loud parties, students walking along rail trail late at night;
- She has to keep her back windows shut;
- Recently there was a rape on the rail trail;
- There's no medical centre, no public school, no public parks;
- Many absentee landlords;
- Her grandchildren can't play in her back yard;
- There's no privacy;
- There's been no public consultation;
- She'd rather see a public park or parking lot.

6. Robert Risidore, 106 Ward Avenue

Robert Risidore addressed Committee and asked when is enough, enough? His comments included but were not limited to the following:

- They have dealt with monster homes;
- 8 to 12 people living in one home – paying the same amount of taxes;
- This used to be a good place to live;
- Last time a single family moved in was about 30 years ago.

Chris Pidgeon of GSP Group, the agent for the applicant, addressed Committee.

He confirmed that there will be a 24 hour superintendant on the premises and any surplus parking spaces will not be rented out. He indicated that this application has been caught in a time warp. There is a prehearing conference at the Ontario Municipal Board for non decision and he would like to work with Councillor A. Johnson for a settlement of the appeal.

The delegations were received.

The public meeting was closed.

Report PED15201 respecting Application for an Urban Hamilton Official Plan Amendment for Lands Located at 71, 75 and 77 Leland Street (Hamilton) was TABLED until the February 16, 2016 Planning Committee meeting to allow for further consultation between the Ward Councillor, the developer, the community and Planning staff.

(iii) Application for Approval of Draft Plan of Condominium (Common Element), by A. J. Clarke and Associates, on behalf of A. DeSantis Developments Ltd., for Lands Located at 15 Kingsborough Drive and 24-40 Kingsborough Drive (Glanbrook) (Ward 11) (PED15203) (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 Draft Plan of Condominium, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No members of the public came forward.

The staff presentation was waived.

Stephen Fraser of A. J. Clarke and Associates, agent for the applicant, was in attendance to assist Committee.

The public meeting was closed.

For disposition of this matter refer to Item 8.

- (iv) **Amendment to the Rural Hamilton Official Plan, and Modifications and Corrections to Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, Town of Flamborough Zoning By-law No. 90-145-Z, Township of Glanbrook Zoning By-law No. 464, City of Hamilton Zoning By-law No. 6593, City of Stoney Creek Zoning By-law No. 3692-92 and Hamilton Zoning By-law No. 05-200 (PED15028(a)) (City Wide) (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 Rural Hamilton 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 members of the public came forward.

The staff presentation was waived.

Staff responded to questions.

The public meeting was closed.

For disposition of the matter above refer to Item 9.

(g) PUBLIC NOTICE (Item 7)

(i) Increase to Permit Fees under the Building By-law (PED15191) (City Wide) (Item 7.1)

The Committee Clerk advised that there are no registered speakers.

No members of the public came forward to speak to this issue.

Jorge Caetano, Manager of Plan Examination, responded to questions from Committee.

For disposition of this matter refer to Item 10.

(h) DISCUSSION (Item 8)

(i) Natural Areas Acquisition Fund Strategy Implementation Guidelines (PED09007(b)) (City Wide) (Item 8.1)

Staff responded to questions and a discussion ensued.

Staff was directed to report back with information regarding the Memorandum of Understanding as it relates to the Hamilton Port Authority, the Hamilton Conservation Authority and the City of Hamilton regarding the Sherman Inlet.

For disposition of the matter above, refer to Item 11.

(ii) Hamilton Municipal Heritage Committee Report 15-011 (Added 8.2)

(a) Heritage Permit Application HP2015-039 to Demolish 1 St. James Place, Hamilton, under Section 34 of the *Ontario Heritage Act* (PED15200) (Ward 2)

Alissa Golden provided a brief verbal summary of the background regarding Item 1 of the Hamilton Municipal Heritage Committee Report respecting 1 St. James Place.

Speakers

1. Victor Veri, 971 Highway 6 North, Hamilton (Added Item 4.

Victor Veri read from a prepared statement and copies were distributed and a copy is available for viewing on the City's website.

He outlined 35 reasons for demolishing the building related to the deterioration.

2. David Sa, Saco Insurance Brokers, 600 Main Street East, Hamilton (Added Item 4.

David Sa addressed Committee and indicated that he is an Insurance Broker. He sold this property to Mr. Veri, and arranged the insurance on the property. The property was not designated at the time and since then they discovered structural issues and the existence of mould. The insurance company will not insure the property as it is deemed uninsurable due to its condition.

3. Wayne Belcourt, Peto McCallum Limited, 45 Burford Road, Hamilton

Wayne Belcourt advised that he is an engineering consultant for Peto McCallum Limited, an engineering firm. His comments included but were not limited to the following:

- Victor Veri purchased the property in April 2014;
- He applied to demolish the porch and the garage;
- The City fast tracked the designation of the property and did not follow the normal procedures;
- The permit to demolish was denied based on the neighbours' complaints;
- The designation was approved without assessing the property;
- The house was built in 1935 as an experimental building;
- The builder obtained a patent for the design;
- He saw the flaws and did not build another one;
- A similar house was built at 19 Inglewood in 1936 with concrete not stucco (which was responsible for the mould);

- Mould testing results were ignored by the Hamilton Municipal Heritage Committee – the report was not even submitted to the Heritage Committee;
- The Committee Members thought the designation existed prior to the purchase – not true;
- The mould cannot be addressed;
- The building cannot be sold, repaired, rented, lived in or demolished;
- The cost to abate the mould would be at least \$700,000;
- All heritage attributes would be eliminated through the process;
- The City needs to listen to the facts;
- These are unrealistic conditions.

The delegations were received.

For disposition of this matter refer to Item 12.

- (b) **Request to Remove 2251 Rymal Road East (Former Elfrida Church) from the Register of Property of Cultural Heritage Value or Interest and from the Workplan for Designation (PED15173) (Ward 9)**

Written Comments

- 8.2(i) Request from Graeme Tosh, owner to defer consideration of Item 2 regarding the request to remove 2251 Rymal Road East from the Register of Property of Cultural Heritage Value or Interest.

The request from Graeme Tosh was approved and Item 2 of Hamilton Municipal Heritage Committee Report 15-011, respecting Request to Remove 2251 Rymal Road East (Former Elfrida Church) from the Register of Property of Cultural Heritage Value or Interest and from the Workplan for Designation (PED15173), was deferred until the January 12, 2016 Planning Committee meeting.

(iii) **Agriculture and Rural Affairs Advisory Committee Report 15-003 (Added 8.3).**

(b) **Greenbelt Boundary Review Boundary Review (Item 2)**

Item 2 of Agriculture and Rural Affairs Committee Report 15-003 respecting Greenbelt Boundary Review Boundary Review, was referred to the December 3, 2015 Special Planning Committee Meeting regarding the Greenbelt Review.

For further disposition of this matter refer to Item 13.

(i) **MOTIONS (Item 9)**

(i) **Crossing Guards for St. Matthew School, Binbrook (Item 9.1)**

Councillor B. Johnson withdrew her motion respecting Crossing Guards for St. Matthew School, Binbrook as her concerns were addressed by the amendment to Item 5.

(ii) **Investigate Feasibility of Utilizing Underperforming Parking Lots for the Construction of New Affordable Housing (Added Item)**

(a) The appropriate staff was directed to meet with CityHousing Hamilton (CHH) staff and CHH Board representatives to discuss opportunities related to utilizing underperforming City of Hamilton parking lots as a means to support the construction of new affordable housing units; and,

(b) Staff was directed to report back to Committee detailing the result of the investigation and conversation, including but not limited to, the planning and financial implications.

(j) **NOTICES OF MOTIONS (Item 10)**

Councillor M. Pearson introduced the following Notice of Motion:

(i) **Road Widening - 1324 Rymal Road East (Added 10.1)**

WHEREAS, the Planning Act and the Urban Hamilton Official Plan states that the City shall reserve or obtain road widenings for rights-of-way as described in Schedule C-2 – Future Road Widenings through Site Plan Approval;

WHEREAS, a Site Plan Application (DA-14-119) has been submitted for 1324 Rymal Road East for the approval of a new industrial administrative office building;

WHEREAS a road widening dedication of approximately 2 metres has been identified for Dartnall Road through DA-14-119; and

WHEREAS the owner of 1324 Rymal Road East has requested that the road widening dedication be deferred until the road widening is needed;

THEREFORE BE IT RESOLVED:

That staff be directed to waive the requirement for a road widening for 1324 Rymal Road East (Site Plan Application DA-14-119).

The rules of order were waived to introduce a motion regarding Road Widening - 1324 Rymal Road East.

For disposition of this matter refer to Item 14.

Councillor C. Collins introduced the following Notice of Motion:

- (ii) Investigate Feasibility of Utilizing Underperforming Parking Lots for the Construction of New Affordable Housing (Added Item)**
 - (a) That the appropriate staff meet with CityHousing Hamilton (CHH) staff and CHH Board representatives to discuss opportunities related to utilizing underperforming City of Hamilton parking lots as a means to support the construction of new affordable housing units;
 - (b) That staff report back to Committee detailing the result of the investigation and conversation, including but not limited to the planning and financial implications.

The rules of order were waived in order to introduce a motion respecting Investigate Feasibility of Utilizing Underperforming Parking Lots for the Construction of New Affordable Housing.

For disposition of this matter refer to Information Item (i)(ii).

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

(i) Outstanding Business List (Item 11.1)

(a) The following new due dates were approved:

Item "D" - City of Hamilton Revised Sidewalk Policy for New Development (PED12234) (City Wide)

Due Date: December 1, 2015

Proposed New Due Date: March 1, 2016

Item "G" – City Initiative to Amend Zoning By-law No. 6593 for the Properties located at 118 to 338 Mountain Brow Boulevard, Hamilton (PED13101)

Due Date: December 1, 2015

Proposed New Due Date: August 9, 2016

Item "K" – Request to designate 437 Wilson St. E (Ancaster) Under Part IV of the Ontario Heritage Act (PED12166)

Due Date: December 1, 2015

Proposed New Due Date: August 9, 2016

Item "Q" – HMHC Report 14-009 – recommendations to include 206, 208 and 210 King Street East in the Registry of Property of Cultural Heritage Value or interest and the staff's work plan be referred to staff for consultation with the property owner and appropriate Councillors.

Due Date: December 1, 2015

Proposed New Due Date: April 19, 2016

Item "BB" - Investigate and report back on how other major cities address outdoor entertainment on restaurant/bar patios in waterfront areas adjacent to residential neighbourhoods

Due Date: December 1, 2015

Proposed New Due Date: February 2, 2015

(b) The following Items were removed:

Item "U" – Mediation Service Pilot Program (PED11181(d)) (Item 5.1 on this agenda.)

Item "GG" – Potential acquisition of 1.48 acres parcel of land located at 50 Greenhill Avenue with potential funding options including Parkland Dedication Credits (Item 12.1 on this agenda)

Item "OO" – Correspondence from R. N. Donnell & Company Ltd, requesting an exemption from Parkland Dedication Fees for 547 King St. E (Item 5.2 on this agenda)

(j) PRIVATE AND CONFIDENTIAL (Item 12)

(i) 50 Greenhill Avenue, Hamilton (PED15198) (Ward 5) (Outstanding Business List Item) (Item 12.1.)

Committee did not move into closed session regarding this report.

For disposition of this matter refer to Item 15.

(k) ADJOURNMENT (Item 13)

There being no further business, the Planning Committee adjourned at 11:34 a.m.

Respectfully submitted,

Councillor J. Partridge
Chair, Planning Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk

AMENDED - 2015 - 2016 Changes to School Crossing Guard Locations

Ward	Intersection Type	Work Hours	Crossing Location	Status	Comments	Schools Serviced	School Contact Date
1	All way	1.65	Rifle Range & Whitney	Removal	School Closure	Prince Philip	Jun-15
3	Signal	1.65	King & Maple	Lunch Removal	Nutritional Break Replaces Lunch	Memorial	Nov-14
3	Through	1.65	King St & Lottridge	Lunch Removal	Nutritional Break Replaces Lunch	Prince of Wales	Sep-15
3	Signal	1.65	Cannon & Sanford	Lunch Removal	Nutritional Break Replaces Lunch	Cathy Wever	Sep-15
4	Mid Block	1.65	Woodward at Woodward School	Removal	School Closure	Woodward School	Jun-15
4	Mid Block	1.65	Brampton & Dunn	Removal	School Closure	Woodward School	Jun-15
6	Through	1.65	Upper Gage & Brucedale	Addition	Temporary Posting until traffic control device is installed	Highview School	Sep-15
7	All way	2.75	East 26th & Queensdale	Removal	School Closure	Eastmount	Jun-15
7	Through	2.75	East 19th & Inverness	Addition	Children from Eastmount attending GL Armstrong	GL Armstrong	Sep-15
7	Full Signal	1.65	Stonechurch & Upper Ottawa	Removal	No Children crossing	CB Stirling & Blessed Kateri	Sep-15
8	All way	1.65	Guildwood & Upper Horning	Removal	No Children Crossing	Gordon Price	Feb-15
10	Through	1.65	Green Forest & King	Lunch Removal	Nutritional Break Replaces Lunch	St Francis Xavier	Oct-14
11	Through	1.65	Barton St & St Gabriel School	Addition	New School	St Gabriel School	Sep-15
11	Roundabout	1.65	Bradley & Windwood	Addition	Changes in Walking Patterns	St. Matthew School	Sep-15