



PLANNING COMMITTEE

MINUTES 16-014

9:30 a.m.

Tuesday, August 9, 2016

Council Chambers

Hamilton City Hall

71 Main Street West

Present:	Councillors B. Johnson (Chair), M. Pearson (1 st Vice-Chair), J. Farr, C. Collins, D. Conley R. Pasuta, M. Green, J. Partridge and D. Skelly.
Absent with regrets:	Councillor A. Johnson (2 nd Vice Chair), City Business
Also Present	Councillors T. Jackson and A. VanderBeek

THE FOLLOWING ITEMS WERE REPORTED FOR THE CONSIDERATION OF COUNCIL:

1. Agriculture and Rural Affairs Advisory Committee Report 16-002 (Item 5.1)

(Pearson/Pasuta)

(a) Letter of Resignation from the Agriculture and Rural Affairs Advisory Committee from Mr. Bill Robins

That the letter from Mr. Bill Robins, attached hereto as Appendix A, respecting his resignation from the Agriculture and Rural Affairs Advisory Committee be received and referred to the Selection Committee.

(b) John Ariens, IBI Group, respecting Facilitating Surplus Farm Residence Severances)

That staff be directed to explore what options are available to address concerns about the cost, length of time and general process used for the approval of Surplus Farm Residence Severances in the City of Hamilton and report back to the Agriculture and Rural Affairs Advisory Committee.

CARRIED

2. Hamilton Municipal Heritage Committee Report 16-006 (Item 5.2)

(Pearson/Partridge)

(a) Inventory and Research Working Group Meeting Notes – May 30, 2016

(i) Addition of 933 Highway Eight, Stoney Creek to the City of Hamilton Register of Property of Cultural Heritage Value or Interest (Item 1)

That the Hamilton Municipal Heritage Committee add 933 Highway Eight, Stoney Creek to the City of Hamilton Register of Property of Cultural Heritage Value or Interest.

(b) Heritage Permit Application HP2016-017, Under Part V of the Ontario Heritage Act, for the Erection of an Accessory Structure at 52 Markland Street, Hamilton (PED16164)

That Heritage Permit Application HP2016-017 be approved for the erection of an accessory structure, on the designated property at 52 Markland Street, Hamilton (Durand-Markland Heritage Conservation District), as shown in Appendix “A” to Report PED16164, subject to the submission and approval of a Minor Variance application and the following Heritage Permit conditions:

- (a) That the final elevations including details of the cladding materials and roofline shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- (b) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit; and,
- (c) That construction and site alterations, in accordance with this approval, shall be completed no later than August 31, 2018. If the construction and site alterations are not completed by August 31, 2018, then this approval expires as of that date, and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

(c) Recommendation to Amend By-law 81-121, a By-law to Designate 493 Dundas Street East, Flamborough Under Part IV of the Ontario Heritage Act (PED16166) (Ward 15)

- (i) That the designation of 493 Dundas Street East, Flamborough shown in Appendix “A” to Report PED16166, as a property of

cultural heritage value pursuant to the provisions of Part IV of the *Ontario Heritage Act*, be approved;

- (ii) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report PED16166, be approved; and
- (iii) That the City Solicitor be directed to take appropriate action to amend City of Hamilton By-law 86-121 designating the property at 493 Dundas Street East under Part IV, Section 29 of the *Ontario Heritage Act*, in accordance with the Notice of Intention to Amend Designation By-law, attached as Appendix “C” to Report PED16166.

(d) Recommendation to Designate 21 Stone Church Road West (Barton Stone United Church), Hamilton Under Part IV of the Ontario Heritage Act (PED16167)

- (i) That the designation of 21 Stone Church Road West (Barton Stone United Church, shown in Appendix “A” to Report PED16167, as a property of cultural heritage value pursuant to the provisions of Part IV of the *Ontario Heritage Act*, be approved;
- (ii) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report PED16167, be approved;
- (iii) That the City Solicitor be directed to take appropriate action to designate 21 Stone Church Road West, Hamilton under Part IV of the *Ontario Heritage Act*, in accordance with the Notice of Intention to Designate, attached as Appendix “C” to Report PED16167; and
- (iv) That the City Solicitor be directed to take appropriate action to withdraw the current Notices of Intention to Designate 21 Stone Church Road West, Hamilton under Part IV of the *Ontario Heritage Act* in accordance with the Notice of Withdrawal, attached as Appendix “D” to Report PED16167.

(e) Parkside Secondary School, 31 Parkside Avenue, Dundas, Ontario

That the Item respecting Parkside Secondary School, 31 Parkside Avenue, Dundas, Ontario be received.

CARRIED

3. AMANDA Improvement Initiatives (PED16156(a)) (City Wide) (Item 5.3)

(Partridge/Green)

- (a) That the single source procurement, pursuant to Procurement Policy #11 – Non-competitive Procurements, for proprietary software purchases and consulting and training services from CSDC Systems Inc. related to the AMANDA 7 upgrade, ProjectDox and Portal II initiatives at the upset limit of \$712,875 be approved;
- (b) That the General Manager, Planning and Economic Development Department (PEDD) be authorized and directed to negotiate, enter into, and execute a Contract, and any ancillary documents required, to give effect thereto with CSDC Systems Inc., to expedite services outlined in Recommendation (a) of Report PED16156(a), in a form satisfactory to the City Solicitor;
- (c) That the use of the Building Stabilization Reserve Account No. 104050 to fund the entire AMANDA Improvements Initiatives project, in the amount of \$962,375, as outlined in Appendix “A” to Report PED16156(a), be approved.

CARRIED

4. York Boulevard Parkade – Financial Overview (PED16172) (Item 5.4)

(Skelly/Pearson)

That Report PED16172 respecting York Boulevard Parkade – Financial Overview be received.

CARRIED

5. Applications to Amend City of Hamilton Zoning By-law No. 05-200 and Zoning By-law No. 6593 and for Approval of a Draft Plan of Subdivision "Multi-Area Employment Lands" for Lands Located at 99 Highland Road West, 1603 Rymal Road East and 665 Pritchard Road (PED16157) (Ward 6) (Item 6.1)

(Green/Skelly)

- (a) That approval be given to Revised Zoning By-law Amendment Application ZAC-14-006, by Multi-Area Development Inc. c/o Aldo DeSantis (Owner), for changes in zoning from the Prestige Business Park (M3, H28) Zone - Holding to the Business Park Support (M4) Zone, Modified, (Blocks 1 and 5); from the Open Space (P4) Zone to the Business Park Support (M4) Zone, Modified (Block 2); from the Open Space (P4) Zone to the Conservation / Hazard Lands (P5) Zone (Block 3); from the Open Space (P4) Zone to the Business Park Support (M4) Zone, Modified (Block 4); and from the Prestige Business Park (M3) Zone to the Business Park Support (M4) Zone, Modified, (Block 6) to permit a range of industrial and

commercial uses and to permit a multi-use corridor including a storm water management facility for lands municipally known as 99 Highland Road West and 665 Pritchard Road (Stoney Creek), as shown on Appendix “A” to Report PED16157, on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED16157, 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, conform with the Places to Grow – Growth Plan and comply with the Urban Hamilton Official Plan;
- (b) That approval be given to Revised Zoning By-law Amendment Application ZAC-14-006, by Multi-Area Development Inc. c/o Aldo DeSantis (Owner), for a Modification to the M-11 (Prestige Industrial) District for lands municipally known as 1603 Rymal Road East (Stoney Creek), as shown on Appendix “A” to Report PED16157, on the following basis:
 - (i) That the draft By-law, attached as Appendix “C” to Report PED16157, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement, conforms with the Places to Grow Plan and complies with the Urban Hamilton Official Plan;
- (c) That approval be given to the Revised Draft Plan of Subdivision Application 25T-201402, by Multi-Area Development Inc, c/o Aldo DeSantis (Owner), to establish a Plan of Subdivision on lands municipally known as 99 Highland Road West (Stoney Creek), as shown on Appendix “A” to Report PED16157, subject to the following conditions:
 - (i) That this approval apply to “Part of Lot 34 – Concession 8”, 25T-201402, prepared by A.J. Clarke and Associates Ltd., and certified by B.J. Clarke O.L.S., dated April 15, 2015 showing two blocks for industrial / commercial development (Blocks 1 and 5); one block for a multi-use corridor containing a storm water management facility (Block 2); a 0.30 m reserve (Block 3); a temporary turnaround (Block 4); a road widening and daylight triangle (Block 6); and one new street (Street “A”), as attached in Appendix “D” to Report PED16157, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions, **as revised**, attached as Appendix “E” to Report PED16157;
 - (ii) That additional lands to the south, municipally known as 665 Pritchard Road and 1603 Rymal Road East, be incorporated into the Draft Plan of Subdivision Application 25T-201402 as two

additional development blocks contingent on a finalized purchase agreement by Multi-Area Development Inc. and, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions, **as revised**, attached as Appendix “E” to Report PED16157;

- (iii) Acknowledgement by the City of Hamilton of its responsibility for cost-sharing with respect to this development for the following items:
 - (1) The City will not cost share with the owner for the stormwater management facility (land and construction) for industrial lands, in accordance with the City’s Development Charge Policy for quality and quantity ponds;
 - (2) The City will cost share for oversizing in accordance with the City’s financial policy;
 - (3) The City will pay for the construction of Street “A” from the west limit of the subdivision to Pritchard Road;
- (iv) That payment of Cash-in-Lieu or dedication of Parkland will be required, pursuant to Section 51 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.

(d) *That the submissions received regarding this matter did not affect the decision.*

CARRIED

6. Application for Amendment to the City of Hamilton Zoning By-law No. 6593 and the City of Stoney Creek Zoning By-law No. 3692-92 for Land Located at 560 Grays Road (Hamilton and Stoney Creek) (PED16158) (Wards 5 and 10) (Item 6.2)

(Pearson/Partridge)

- (a) That approval be given to Zoning By-law Amendment Application ZAC-16-008, by Silvestri Homes, Owner, to remove the portion of the subject lands located within the City of Hamilton Zoning By-law No. 6593 and zoned “AA” (Agricultural) District, as shown on the attached map marked as Appendix “A” to Report PED16158, subject to the following conditions:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED16158, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

- (ii) That the amending By-law, attached as Appendix “B” to Report PED16158, be added to Sheet No. “E90” of the District Maps of City of Hamilton Zoning By-law No. 6593;
- (b) That approval be given to Zoning By-law Amendment Application ZAC-16-008, by Silvestri Homes, Owner, to add the portion of the subject lands located within the City of Hamilton Zoning By-law No. 6593 and zoned “AA” (Agricultural) District, to the City of Stoney Creek Zoning By-law No. 3692-92 (Block 1), and zone said lands Medium Density Residential “RM3” Zone, Modified, and to change the zoning on the remainder of the subject lands in the City of Stoney Creek Zoning By-law No. 3692-92 from the Highway Commercial (Holding) “HC(H)” Zone to the Medium Density Residential “RM3” Zone, Modified (Block 2), to permit the development of a four storey building containing 106 dwelling units on the lands known as 560 Grays Road (Hamilton & Stoney Creek), as shown on the attached map marked as Appendix “A” to Report PED16158, subject to the following conditions:
 - (i) That the draft By-law, attached as Appendix “C” to Report PED16158, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the amending By-law, attached as Appendix “C” to Report PED16158, be added to Map 1 of Schedule “A” of Zoning By-law No. 3692-92;
 - (iii) That the proposed change in zoning is in conformity with the Urban Hamilton Official Plan;
- (c) That the Lakeshore Neighbourhood Plan be amended by redesignating the subject lands from “Highway Commercial” to “Medium Density Residential” upon finalization of the Zoning By-law Amendments as shown on Appendix “B” and Appendix “C” attached to Report PED16158.
- (d) ***That the submissions received regarding this matter affected the decision by supporting the granting of the application.***

CARRIED

7. Applications to Amend the Urban Hamilton Official Plan and the Township of Glanbrook Zoning By-law No. 464 for Lands Located at 2064, 2066, 2068, and 2070 Rymal Road East (Glanbrook) (PED16165) (Ward 11) (Item 6.3)

(B. Johnson/Conley)

- (a) That approval be given to Amended Urban Hamilton Official Plan Amendment Application UHOPA-15-026, by Farmer Al’s Inc. (Owner), to amend Site Specific Policy A of the Rymal Road Secondary Plan permit a Motor Vehicle Service Station, Motor Vehicle Washing Establishment, amongst other uses, and to broaden the range of permitted uses within

the “Local Commercial” designation for the lands located at 2064, 2066, 2068 and 2070 Rymal Road East, as shown on Appendix “A” to Report PED16165, on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED16165, which has been prepared in a form satisfactory to the City Solicitor, be adopted by City Council;
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (PPS) and conforms to the Places to Grow Plan and complies with the policies of Volume 1 of the Urban Hamilton Official Plan (UHOP);
- (b) That approval be given to Amended Town of Glanbrook Zoning By-law Amendment Application ZAC-15-056, by Farmer Al’s Inc. (Owner), for a change in zoning from the Rural Commercial “C6-026” Zone, Modified to the General Commercial “C3-301” Zone, Modified, in order to permit local commercial and office uses, including a Motor Vehicle Service Station and Motor Vehicle Washing Establishment for lands located at 2064, 2066, 2068 and 2070 Rymal Road East, as shown on Appendix “A” to Report PED16165, on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED16165, which has been prepared in a form satisfactory to the City Solicitor, ***as amended to allow the requisite amount of new hydro transformers on the landscape strip and the installation of a visual and acoustical barrier to the satisfaction of the General Manager of Planning***, 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. ____.
- (c) ***That no submissions were submitted by the public.***

CARRIED

8. Proposed Urban Hamilton Official Plan Amendment Application (UHOPA-16-08) and Zoning By-law Amendment Application (ZAR-16-021) for Lands Located at 54 Hatt Street, Dundas (PED16169) (Ward 13) (Item 6.4)

(Collins/Farr)

- (a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-16-08, by Amica (Dundas) Inc., Owner, to amend Area Specific Policy UD-7 to permit a retirement home for 22 residents within a multiple dwelling for lands located at 54 Hatt Street, Dundas, as shown on Appendix “A” to Report PED16169, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED16169, be adopted by City Council.
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014), conforms with the Growth Plan for the Greater Golden Horseshoe (Places to Grow) and complies with the policies of Volume 1 of the Urban Hamilton Official Plan (UHOP).
 - (iii) That the development is considered to be compatible with the existing and planned development in the immediate area and provides for the integration of residential uses including retirement home units within the same building.
- (b) That Zoning By-law Amendment Application ZAR-16-021 by Amica (Dundas) Inc., Owner, for a further modification to the Residential Multiple Dwelling (RM3/S-80) Zone, Modified in order to permit a retirement home for 22 residents within a multiple dwelling for lands located at 54 Hatt Street (Dundas), as shown on Appendix “A” to Report PED16169, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED16169, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (Places to Grow).
 - (iii) That the development is considered to be compatible with the existing and planned development in the immediate area and provides for the integration of residential uses including retirement home units within the same building.
- (c) ***That no submissions were submitted by the public.***

CARRIED

9. Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) (REFERRED from July 5, 2016) (Item 8.2)

(Pearson/Partridge))

- (a) That approval be given to amended Zoning Application ZAC-15-017 by Kaizen Properties and Developments Inc. and 21783868 Ontario Inc., Owners, for changes in zoning from the Agricultural “A-348” Zone, Modified to the Residential “R4-562” Zone, Modified (Block 1); from the

Agricultural "A" Zone to the Residential "R4-562" Zone, Modified (Block 2); from the Agricultural "A-348" Zone, Modified to the Residential "R4-563" Zone, Modified (Block 3); and from the Agricultural "A" Zone to the Residential "R4-563" Zone, Modified (Block 4) for the lands known as 296, 304, and 312 Springbrook Avenue, as shown on Appendix "A" to Report PED16153, on the following basis:

- (i) That the draft By-law, attached as Appendix "B" to Report PED16153, 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 (2014), conform to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), and comply with the Urban Hamilton Official Plan.
- (b) That approval be given to Draft Plan of Subdivision Application 25T-201504 by Kaizen Properties and Developments Inc. and 21783868 Ontario Inc., Owners, to establish a Draft Plan of Subdivision known as the "Springbrook Meadows West Extension", on lands known as 296, 304, and 312 Springbrook Avenue (Ancaster), as shown on Appendix "A" to Report PED16153, subject to the following conditions:
- (i) That this approval apply to the Draft Plan of Subdivision "Springbrook Meadows West Extension", 25T-201504, prepared by Urbex Engineering Limited, and certified by Dan McLaren, O.L.S., dated December 19, 2014, showing a maximum of 42 lots comprised of single detached dwelling lots (two existing and 40 proposed) (Lots 1 – 42), two blocks for 0.30 m reserves (Blocks 43 and 44), and the extension of a public road, shown as "Klein Circle", 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 PED16153, **as amended to delete Condition 2 and insert the following therein:**
2. ***That, prior to registration, the owner shall provide cash-in-lieu at a rate of \$ 590.00 per tree for the 152 native trees to the City in the event that the owner cannot provide for any of the required 152 native trees 285 trees within the development, to the satisfaction of the Director of Planning and Chief Planner. For the 133 non-native trees, the applicant shall prepare and submit an off-site compensation plan to provide for tree planting through the donation of 107 133 trees to a non-governmental organization to the satisfaction of the Director of Planning and Chief Planner.***

- (ii) Acknowledgement by the City of Hamilton of its responsibility for cost-sharing with respect to this development for the following items:
 - (1) the City shall share of the proportionate amount of the actual cost for the design and construction of Springbrook Avenue, including but not limited to, storm and sanitary sewers from the north limits of 296 Springbrook Ave to the south limits of 312 Springbrook Ave, to the Satisfaction of the Senior Director of Growth Management;
 - (2) the City shall share the proportionate amount of the costs of the Traffic Study required for the Garner Road and Springbrook Avenue intersection; and the proportionate share of the necessary Garner Road and Springbrook Avenue intersection improvement costs, based on its proportionate share between Meadowlands Phase 8, Meadowlands Phase 10, and Springbrook Meadows East and West;
 - (3) the City shall share the proportionate amount of the costs for the urbanization of Springbrook Avenue, in accordance with the financial policies for development; and,
 - (4) the City will be participating in the cost of sewers on Springbrook Avenue for the existing residents, in accordance with OMB decision No. 1493.
- (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, prior to the building permit stage. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands at the time of issuance of the Building Permit.

CARRIED

**10. School Crossing Guard Program - Operational Efficiencies (PED15129(a))
(City Wide) (Outstanding Business List Item) (Item 8.3)**

(Farr/Pasuta)

That the five additional school crossing guards hired for the 2015/2016 school year become permanent complement, and that the funding, estimated at \$30,000 annually, be absorbed within the school crossing guard operating budget;

CARRIED

11. Housekeeping Amendment to the Hamilton Adequate Heat By-Law No. 04-091 (PED16162) (City Wide) (Item 8.4)

(Pearson/Conley)

- (a) That the Hamilton Adequate Heat By-Law No. 04-091 be amended to reduce the time when heating is required for residential rental properties

from nine to eight months for the period to commence September 15 to May 15;

- (b) That the draft by-law, attached as Appendix "A" to Report PED16162, which has been prepared in a form satisfactory to the City Solicitor, be enacted.

CARRIED

12. Waive the Application Fee for Site Plan Application DA-09-118 (179, 181, 183 and 188 ½ James Street North, Hamilton) (Item 9.1)

(Farr/Collins)

That the Manager of Development Planning, Heritage and Design be authorized to waive the application fee required for a one year extension to Site Plan Approval for Site Plan Application DA-09-118 (179, 181, 183 and 188 ½ James Street North, Hamilton)

CARRIED

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

REVISED APPENDIX "E" to Report PED16157, Item 6.1 (Copies distributed)

ADDED WRITTEN COMMENTS

- 6.1(i) Fred Losani, Chief Executive Officer, Losani Homes, respecting Applications to Amend City of Hamilton Zoning By-law No. 05-200 and Zoning By-law No. 6593 and for Approval of a Draft Plan of Subdivision "Multi-Area Employment Lands" for Lands Located at 99 Highland Road West, 1603 Rymal Road East and 665 Pritchard Road (PED16157) (Ward 6)
- 6.2(i) Jimmy Dave, 27 Oceanic Drive, Application for Amendment to the City of Hamilton Zoning By-law No. 6593 and the City of Stoney Creek Zoning By-law No. 3692-92 for Land Located at 560 Grays Road (Hamilton and Stoney Creek) (PED16158) (Wards 5 and 10)
- 6.2(ii) Yolanda Hendershot, 9 Knots Landing Court, respecting Application for Amendment to the City of Hamilton Zoning By-law No. 6593 and the City of Stoney Creek Zoning By-law No. 3692-92 for Land Located at 560 Grays Road (Hamilton and Stoney Creek) (PED16158) (Wards 5 and 10)

ITEM DEFERRED TO A FUTURE MEETING:

- 8.1 Urban Hamilton Official Plan Housekeeping Amendment (PED16060)
(City Wide) (TABLED May 31, 2016)

NEW DUE DATES FOR OUTSTANDING BUSINESS LIST:

- 11.1 (a) Items requiring new due dates:

Item "E" - City Initiative to Amend Hamilton Zoning By-law No. 6593 for the Properties Located at 118 to 338 Mountain Brow Boulevard (Hamilton) (PED13101)
Due Date: August 9, 2016
New due date: December 6, 2016

Item "G" - Request to Designate 437 Wilson Street East (Ancaster) Under Part IV of the Ontario Heritage Act (PED12166)
Due Date: August 9, 2016
New due date: December 6, 2016

Item "L" - Hamilton Municipal Heritage Committee Report 14-009 – regarding recommendations to include 206, 208 and 210 King Street East in the Register of Property of Cultural Heritage Value or Interest and to staff's designation work program
Due Date: August 9, 2016
New due date: December 6, 2016

Item "P" Staff to report back on Feasibility of Licensing Cats in Urban area
Due Date: August 9, 2016
New Due date: October 4, 2016

(Pearson/Skelly)

That the agenda for the August 9, 2016 meeting be approved as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Green declared an interest with respect to Item 6.3 as he is the owner of a fitness club.

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

(i) July 5, 2016 (Item 3.1)

(Partridge/Green)

That the Minutes of the July 5, 2016 meeting be approved.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

(Pearson/Pasuta)

That the rules of order be waived in order to approve the following delegation requests to address Committee at today's meeting:

- (i) Suzanne Mammel, Hamilton-Halton Home Builders' Association, respecting the Province's Growth Plan and Greenbelt Legislation. (Item 4.1)
- (ii) John Corbett, Corbett Land Strategies on behalf of the Book Road West Land Owners Group, respecting the Draft Greenbelt Plan and its Potential Impact on the Book Road West Area. (Item 4.3)

CARRIED

The following delegation request was withdrawn:

- (i) Suzanne Mammel, Hamilton-Halton Home Builders' Association, respecting Inclusionary Zoning (Item 4.2).

(e) CONSENT ITEMS (Item 5)

(i) Hamilton Municipal Heritage Committee Report 16-006 (Item 5.2)

Committee approved Items 1 to 4 of the Report and received Item 5.

For disposition of this matter, refer to Item 2.

(f) PUBLIC HEARING (Item 6)

(i) Applications to Amend City of Hamilton Zoning By-law No. 05-200 and Zoning By-law No. 6593 and for Approval of a Draft Plan of Subdivision "Multi-Area Employment Lands" for Lands Located at 99 Highland Road West, 1603 Rymal Road East and 665 Pritchard Road (PED16157) (Ward 6) (Item 6.1)

In accordance with the provisions of the *Planning Act*, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Zoning By-law Amendments 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.

Written Comments

6.1(i) Fred Losani, Chief Executive Officer, Losani Homes

(Green/Skelly)

That the written comments, Item 6.1(i), be received.

CARRIED

(Partridge/Pasuta)

That the staff presentation be waived.

CARRIED

Steve Fraser, of A. J. Clarke and Associates Ltd, representing the owner, was in attendance and he indicated that they are in support of the staff report.

(Partridge/Pasuta)

That the public meeting be closed.

CARRIED

Ward Councillor Jackson was in attendance and spoke in support of the application.

(Green/Skelly)

That the staff recommendations be amended to add that the submissions received did not affect the decision.

Amendment CARRIED

For disposition of this matter refer to Item 5.

- (ii) Application for Amendment to the City of Hamilton Zoning By-law No. 6593 and the City of Stoney Creek Zoning By-law No. 3692-92 for Land Located at 560 Grays Road (Hamilton and Stoney Creek) (PED16158) (Wards 5 and 10) (Item 6.2)**

In accordance with the provisions of the *Planning Act*, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Zoning By-law Amendments the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Written Comments

6.2(i) Jimmy Dave, 27 Oceanic Boulevard

6.2(ii) Yolanda Hendershot, 9 Knots Landing Court

(Pearson/Pasuta)

That the added written comments Items 6.2(i) and 6.2(ii) be received.

CARRIED

Alana Fulford, 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/Skelly)

That the staff presentation be received.

CARRIED

John Ariens of IBI Group representing the applicant addressed Committee with the aid of a PowerPoint presentation. A copy is available for viewing on the City's website.

(Pearson/Skelly)

That the agent's presentation be received.

CARRIED

Speakers

1. Nancy West, 8 Oceanic Drive

Nancy West addressed Committee and her comments included, but were not limited to the following:

- She is acting today as the spokesperson for the 110 members of Lakewood Beach Community Council; 75 of which live in the immediate vicinity;
- They have been blocked by the City and the Ward Councillor from actively participating over the past two years;
- Appendix "E" attached to the report is their submission;
- They support the development as long as safety measures and alternative modes of transportation are implemented – staff have not agreed;
- Even minor sun shelter in the park was not approved;
- They are concerned with the following issues:
 - Drainage towards the new park – water may end up in the pond;
 - Sidewalk implementation – will ditches remain open for drainage problem?
 - Issues with the traffic;
 - How traffic will flow out of the neighbourhood;
 - The proposed widening of Francis and Drake Avenues;
 - The density;
 - The safety of bicyclists and pedestrians.

2. Beverley Corsini 40 Oceanic Drive

Beverley Corsini addressed Committee and her comments included but were not limited to the following:

- They purchased their property in 1984;
- Concerned the proposed development will cause drainage problems on their property.

(Pearson/Conley)

That the delegations be received.

CARRIED

(Pearson/Conley)

That the public meeting be closed.

CARRIED

(Pearson/Partridge)

That the staff recommendations be amended to add that the submissions affected the decision by supporting the granting of the application.

Amendment CARRIED

For disposition of this matter refer to Item 6.

Chair B. Johnson relinquished the Chair to Vice-Chair Pearson prior to consideration of the next Item.

(iii) Applications to Amend the Urban Hamilton Official Plan and the Township of Glanbrook Zoning By-law No. 464 for Lands Located at 2064, 2066, 2068, and 2070 Rymal Road East (Glanbrook) (PED16165) (Ward 11) Item 6.3)

In accordance with the provisions of the *Planning Act*, Vice Chair Pearson 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 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.

No members of the public came forward.

(B. Johnson/Conley)

That the staff presentation be waived.

CARRIED

Valeria Maurizio responded to questions regarding the site plan and some inconsistencies in the report with respect to what are the permitted uses. She also responded to questions regarding the wall and the number of hydro boxes permitted on the property and the reduction in parking in relation to the type of uses being proposed (i.e. billiard hall and fitness club).

John Ariens addressed committee with respect to the site plan and explained the proposed uses. He requested that the applicant be allowed some flexibility regarding the number of hydro transformers being permitted for this development. One may not be enough. He also asked for flexibility respecting the acoustical barrier.

(B. Johnson/Conley)

That the public meeting be closed.

CARRIED

(B. Johnson/Conley)

- (a) That the required number of hydro boxes be allowed on the landscape strip;
- (b) That a visual and acoustical barrier be implemented to the satisfaction of the General Manager of Planning
- (c) That no submissions were submitted by the public.

Amendment CARRIED

For disposition of this matter refer to Item 7.

Chair B. Johnson assumed the Chair.

(iv) Proposed Urban Hamilton Official Plan Amendment Application (UHOPA-16-08) and Zoning By-law Amendment Application (ZAR-16-021) for Lands Located at 54 Hatt Street, Dundas (PED16169) (Ward 13) (Item 6.4)

In accordance with the provisions of the *Planning Act*, Vice Chair Pearson 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 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.

(Skelly/Collins)

That the staff presentation be waived.

CARRIED

Ken Dakin and Richard Liebttag, representing the owner, were in attendance and indicated that they are in support of the report.

For disposition of this matter refer to Item 8.

(g) DELEGATIONS

- (i) Suzanne Mammel, Hamilton-Halton Home Builders' Association, respecting the Province's Growth Plan and Greenbelt Legislation. (Item 4.1)**

(Pearson/Skelly)

That the delegation be permitted to extend her presentation beyond the five minute rule.

CARRIED

Suzanne Mammel addressed Committee with the aid of a PowerPoint presentation and copies of the hand-out were distributed. A copy is available for viewing on the City's website. She indicated that she will be concentrating her presentation on the Province's Growth Plan rather than the Greenbelt issue. Her comments included but were not limited to the following:

- Why are we here today?
- Background;
- What do these terms mean?
- Growth Plan Effects in 2006;
- Proposed Changes for 2016;
- Intensification;
- Proposed Changes for 2016:
- What are we currently building?
- The new look of Hamilton:
- What does 164 P + J/H look like?
- What happens if we don't conform?
- What can be done?
- What will Hamilton look like?

(Pearson/Conley)

That the delegation be received.

CARRIED

(iii) John Corbett, Corbett Land Strategies on behalf of the Book Road West Land Owners Group, respecting the Draft Greenbelt Plan and its Potential Impact on the Book Road West Area. (Item 4.3)

John Corbett addressed Committee with the aid of a PowerPoint presentation and copies of the hand-out were distributed. A copy is available for viewing on the City's website. His comments included but were not limited to the following:

- Goal of Today's Delegation;
- Book Road West Landowner's Group – Land Area;
- Book Road West Landowner's Group - Governance;
- Introduction – Corbett Land Strategies;
- Mistake Made – the Book Road West Lands were not identified as Greenbelt and should not be in the Greenbelt;
- Clear direction was given to staff and Council after fulsome study, reports and discussion;
- Correction needed – If not corrected, this error will lead to major consequences for landowners;
- Summary.

(Partridge/Skelly)

That the delegation be received.

CARRIED

(h) DISCUSSION (Item 8)

(i) Urban Hamilton Official Plan Housekeeping Amendment (PED16060) (City Wide) (TABLED May 31, 2016) (Item 8.1)

This Item was deferred to a future meeting under changes to the agenda.

(ii) Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as "Springbrook Meadows West Extension", for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) (REFERRED from July 5, 2016) (Item 8.2)

(Pearson/Partridge)

That the Special Conditions attached as Appendix "D" to Report PED16153 be amended by deleting and replacing Condition 2 as follows:

2. ~~That, prior to any grading and / or servicing, the owner shall submit a Tree Protection Plan, which shall address Natural Heritage Planning staff concerns outlined in comments dated Dec. 3, 2015, to the satisfaction of the Director of Planning and Chief Planner. Removal of trees is not to occur until this condition has~~

~~been satisfied. A total of 285 trees (representing 1 for 1 replacement) will be required for compensation.~~

2. That, **prior to registration**, the owner shall provide cash-in-lieu at a rate of \$ 590.00 per tree for the 152 native trees to the City in the event that the owner cannot provide for any of the required 152 native trees 285 trees within the development, to the satisfaction of the Director of Planning and Chief Planner. For the 133 non-native trees, the applicant shall prepare and submit an off-site compensation plan to provide for tree planting through the donation of 107 133 trees to a non-governmental organization to the satisfaction of the Director of Planning and Chief Planner.

Amendment CARRIED

For disposition of this matter refer to Item 9.

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

(i) Outstanding Business List (Item 11.1)

(Skelly/Collins)

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

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

Due Date: August 9, 2016

New due date: December 6, 2016

Item "G" - Request to Designate 437 Wilson Street East (Ancaster) Under Part IV of the Ontario Heritage Act (PED12166)

Due Date: August 9, 2016

New Due Date: December 6, 2016

Item "L" - Hamilton Municipal Heritage Committee Report 14-009 – regarding recommendations to include 206, 208 and 210 King Street East in the Register of Property of Cultural Heritage Value or Interest and to staff's designation work program

Due Date: December 6, 2016

Item "P" Staff to report back on Feasibility of Licensing Cats in Urban area

Due Date: August 9, 2016

New Due Date: October 4, 2016

- (b) That the following Items be removed:

Item "R" - Outdoor Entertainment on Restaurant / Bar Patios (PED16155)

(Addressed as Item 10 in Planning Committee Report 16-013)

Item "X" - Staff to report back on possible operational efficiencies with respect to the management of school crossing guard resources before the beginning of the 2016/2017 school year
Due Date: August 9, 2016

CARRIED

(j) ADJOURNMENT (Item 13)

(Farr/Collins)

There being no further business, that the Planning Committee be adjourned at 12:06 p.m.

CARRIED

Respectfully submitted,

Councillor B. Johnson
Chair, Planning Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk