



PLANNING COMMITTEE

REPORT 16-016

9:30 a.m.

Tuesday, September 20, 2016

Council Chambers

Hamilton City Hall

71 Main Street West

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

THE PLANNING COMMITTEE PRESENTS REPORT 16-016 AND RESPECTFULLY RECOMMENDS:

- 1. Proposal to Proceed with an OMB Appeal for Minor Variance Application, 975 Beach Boulevard, Hamilton (LS16021/PED16148) (Ward 5) (Referred from the September 6, 2016 meeting) (Item 5.1)**

That the following action, as detailed in Report LS16021/PED16148, respecting the appeal of the City of Hamilton Committee of Adjustment Minor Variance Application HM/A-16:36 (Owner/Applicant: Terri Laan), 975 Beach Boulevard (Hamilton), be approved:

- (a) That the City of Hamilton proceed with the appeal to the Ontario Municipal Board (OMB) against the decision of the Committee of Adjustment to approve Application HM/A-16:36;
- (b) That appropriate Legal Services, Growth Management, and Planning staff be directed to attend the future OMB Hearing in opposition to the decision of the Committee of Adjustment to approve Application HM/A-16:36.

- 2. Committee of Adjustment Consent to Sever Application- HM/B-16:43 and Committee of Adjustment Minor Variance Application - HM/A-16:169, 21 Warrington Street - Conditionally Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment (PED16187) (Ward 5) (Item 5.2)**

That staff be directed to take no action with respect to the Ontario Municipal Board appeals, either in support of the Committee of Adjustment's decision or against the decision, for the following applications:

COUNCIL – September 28, 2016

- (a) Committee of Adjustment Consent to Sever Application – HM/B-16:43 (See Appendix “F” to Report PED16187), for the property known as 21 Warrington Street, Hamilton, as shown on Appendix “A” to Report PED16187, conditionally supported by the Planning and Economic Development Department but denied by the Committee of Adjustment;
 - (b) Committee of Adjustment Minor Variance Application – HM/A 16:169 (See Appendix “G” to Report PED16187), for the property known as 21 Warrington Street, Hamilton, as shown on Appendix “A” to Report PED16187, supported in part for the retained lands only by the Planning and Economic Development Department, but denied by the Committee of Adjustment.
- 3. Application for an Urban Hamilton Official Plan Amendment for Lands Located at 1575 Upper Ottawa Street (Hamilton) (PED16190) (Ward 6) (Item 6.1)**
- (a) That approval be given to Urban Hamilton Official Plan Amendment Application UHOPA-16-009, by GPM (12) GP Inc., Owner, to amend the Urban Hamilton Official Plan (UHOP) in order to establish a Site Specific Policy to permit a range of commercial uses within the "Arterial Commercial" designation, at 1575 Upper Ottawa Street (Hamilton), as shown on Appendix “A” to Report PED16190, on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED16190, be adopted by City Council;
 - (ii) That the proposed Urban Hamilton Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe.
 - (b) That the subject lands be redesignated within the Rymal Neighbourhood Plan from "Restricted Industrial" to "Restricted Commercial";
 - (c) That no submissions were received from the public.
- 4. Proposed Official Plan Amendment and Zoning By-law Amendment for Lands Located at 280 Barton Street West, Hamilton (PED16191) (Ward 1) (Item 6.2)**
- (a) That approval be given to Official Plan Amendment Application OPA-16-06 by WEBB Planning Consultants (c/o James Webb), on behalf of Dawn Victoria Homes Ltd., Owner, for a change in designation on Schedule “M-2” of the West Harbour (Setting Sail) Secondary Plan in the former City of Hamilton Official Plan from “Residential Medium Density 1” to “Local

Commercial” in order to permit a 300 sq m commercial building and from “Residential Medium Density 1” to “Open Space” to recognize the existing open space linkage on the subject lands, and to establish a Special Policy Area to permit the right-of-way width for Barton Street West to be 21 m instead of 25 m for lands located at 280 Barton Street West, Hamilton, as shown on Appendix “A” to Report PED16191, on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED16191, be adopted by City Council.
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014), conforms with the 2006 Growth Plan for the Greater Golden Horseshoe (Places to Grow) and complies with the Hamilton-Wentworth Official Plan.
- (b) That approval be given to Zoning By-law Amendment Application ZAC-16-015, by WEBB Planning Consultants (c/o James Webb), on behalf of Dawn Victoria Homes Ltd., Owner, for a change in zoning from the “L-mr-1” (Planned Development) District and the RT-20/S-1478” (Townhouse-Maisonette) District, Modified to the “G/S-1735” (Neighbourhood Shopping Centre) District, Modified, in order to permit a local commercial development consisting of a new single storey 300 sq m commercial building on the southerly portion of the subject property, for lands located at 280 Barton Street West, as shown on Appendix “A” to Report PED16191, on the following basis:
 - (i) That the draft By-law, as amended, attached as Appendix “A” to Report 16-016, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
 - (ii) That the amending By-law, as amended, attached as Appendix “A” to Report 16-016, be added to District Map No. W11 of Zoning By-law No. 6593.
 - (iii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (PPS), conforms with the Growth Plan for the Greater Golden Horseshoe (Places to Grow), complies with the Hamilton-Wentworth Official Plan, and will comply with the City of Hamilton Official Plan upon finalization of Official Plan Amendment No. ____.
- (c) That approval be given to Zoning By-law Amendment Application ZAC-16-015, by WEBB Planning Consultants (c/o James Webb), on behalf of Dawn Victoria Homes Ltd., Owner, for a change in zoning from the “L-mr-1” (Planned Development) District to the Conservation / Hazard (P5) Zone along the portion of the property north of the commercial development to delineate the top of slope and protect a Linkage feature,

for lands located at 280 Barton Street West, as shown on Appendix “A” to Report PED16191, on the following basis:

- (i) That the draft By-law, attached as Appendix “D” to Report PED16191, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.
 - (ii) That the amending By-law, attached as Appendix “D” to Report PED16191, be added to District Map No. 867 and 868 of Zoning By-law No. 05-200.
 - (iii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (PPS), conforms with the Growth Plan for the Greater Golden Horseshoe (Places to Grow), complies with the Hamilton--Wentworth Official Plan, and will comply with the City of Hamilton Official Plan upon finalization of Official Plan Amendment No. ____.
- (d) That no submissions were received from the public.

5. Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9 (Item 6.3))

- (a) That approval be given to Zoning By-law Amendment Application ZAC-15-050 by 1322285 Ontario Ltd., Paul Silvestri, 1125920 Ontario Ltd., and Edward and Cheryl Babineau, Owners, for changes in zoning from the Neighbourhood Development “ND” Zone to the Single Residential “R3-42” Zone, Modified (Block 1); and from the Single Residential “R1” Zone to the Single Residential “R3-42” Zone, Modified (Block 2) for the lands known as 316 Second Road West, 262 Eringate Court, 2079, 2081, 2083, 2085, and 2095 Rymal Road East, as shown on Appendix “A” to Report PED16181, on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED16181, 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 comply with the Urban Hamilton Official Plan;
- (b) That approval be given to Draft Plan of Subdivision Application 25T-201509 by 1322285 Ontario Ltd., Paul Silvestri, 1125920 Ontario Ltd., and Edward and Cheryl Babineau, Owners, to establish a Draft Plan of Subdivision

known as “Eringate Court”, on lands known as 16 Second Road West, 262 Eringate Court, 2079, 2081, 2083, 2085, and 2095 Rymal Road East (Stoney Creek), as shown on Appendix “A” to Report PED16181, subject to the following conditions:

- (i) That this approval apply to the Draft Plan of Subdivision “Eringate Court”, 25T-201509, prepared by A.T. McLaren Limited, and certified by Dan McLaren, O.L.S., dated September 8, 2015, showing: a maximum of 27 lots for single detached dwelling units (Lots 1 – 27); one block for a road widening (Block 28), and one proposed street, shown as “Eringate 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 PED16181;
- (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 regards to lots 1 – 27 (Single Detached Residential) will require a parkland dedication rate of 5%;

All in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council;

- (c) That upon finalization of the implementing zoning by-law and issuance of draft plan approval, that the Highland Neighbourhood Plan be amended to revise Eringate Court on the Neighbourhood Plan as per Appendix “C” of Report PED16181 by extending the required cul-de-sac and thereby modifying the proposed road network.
- (d) That the submissions received from the public regarding this matter affected the decision by supporting the granting of the application

6. Appeal for Non-decision Regarding Application for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 66 Innovation Drive, Flamborough (PED16182) (Ward 15) (Item 6.4)

- (a) That the appeal of Urban Hamilton Official Plan Amendment Application UHOPA-16-004 by Ramsay Planning Associates Inc. to permit a dance / gymnastics / martial arts studio on a local road within the “Employment Area – Business Park” Designation for the lands located at 66 Innovation Drive, Flamborough, as shown on Appendix “A” to Report PED16182, be OPPOSED on the following basis:

- (i) That the proposed dance / gymnastics / martial arts studio is not considered to be an ancillary use which primarily supports businesses and employees of the Business Park and therefore is contrary to the Provincial Policy Statement (PPS 2014) and the Growth Plan for the Greater Golden Horseshoe, and therefore should not be located within the Employment Area designation;
- (b) That the appeal of Zoning By-law Amendment Application ZAR-16-014 by Ramsay Planning Associates Inc. for a modification to the Prestige Business Park (M3) Zone to permit a dance / gymnastics / martial arts studio as a permitted use, to establish a site specific parking ratio for the proposed use, and to recognize an existing undersized planting strip for the lands located at 66 Innovation Drive, Flamborough, as shown on Appendix "A" to Report PED16182, be OPPOSED on the following basis:
 - (i) That the application does not comply with the Urban Hamilton Official Plan in that the proposed dance / gymnastics / martial arts studio is not an ancillary use which primarily supports the businesses and employees of the Business Park;
 - (ii) That the application does not meet the intent of the Prestige Industrial Park (M3) Zone in the City of Hamilton Zoning By-law No. 05-200;
 - (iii) That the proposed dance / gymnastics / martial arts studio is not considered to be an ancillary use which primarily supports businesses and employees of the Business Park and therefore is contrary to the PPS 2014 and the Growth Plan for the Greater Golden Horseshoe, and therefore should not be located within the Employment Area designation.

7. Site Plan at 219 Dundas Street, Waterdown (Item 9.1)

That the appropriate staff from Planning and Public Works be directed to coordinate with the owner of 219 Dundas Street East, Waterdown, in order to achieve the desired streetscaping and lay-by parking as shown on the conditionally approved site plan for application DA-16-087.

8. Outstanding Business List (Item 11.1)

That the following items be referred to the General Issues Committee:

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

Item “Z” – Staff to report back on discussion with CHH re: feasibility of constructing affordable housing on underutilized City parking lots

FOR THE INFORMATION OF COMMITTEE:

Chair B. Johnson recognized former Councillor Brad Clark who was in the gallery.

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

ADDED DELEGATION REQUESTS

- 4.1 Derek Hofland/Clay McKay, Dancemakerz Inc, Browns Martial Arts, and Waterdown Dancers Inc., 12 Innovation Drive Flamborough respecting Item 6.4 Appeal for Non-decision Regarding Application for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 66 Innovation Drive, Flamborough (PED16182) (For today’s meeting)
- 4.2 Mike Jovanovic, Terrapure Environmental, respecting Item 8.1 regarding Terrapure Stoney Creek Regional Facility Environmental Assessment (EA) – Draft Proposed Terms of Reference (PED16184) wishing to present the company profile for Terrapure Environmental and information on the Stoney Creek Regional Facility. (For today’s meeting.)
- 4.3 Greg Jones, Terrapure Environmental, respecting Item 8.1, to present the business case for the Stoney Creek Regional Facility and benefits to the local economy. (For today’s meeting)
- 4.4 Blair Shoniker, GHD Limited, to provide an overview of the process being followed for the proposed Terrapure Stoney Creek Regional Facility Environmental Assessment. (For today’s meeting)

CHANGE TO RECOMMENDATIONS IN ITEM 6.2

- 6.2 Proposed Official Plan Amendment and Zoning By-law Amendment for Lands Located at 280 Barton Street West, Hamilton (PED16191) (Ward 1)

Staff have noticed a small typo in subsection (b) of the recommendations which will also be reflected in Section 1 of the by-law attached a Appendix C to the report. Copies have been distributed separately.

ADDED WRITTEN COMMENTS

- 6.4(i) George Turi, owner and landlord of 12 Innovation Drive, Flamborough regarding Item 6.4, Appeal for Non-decision Regarding Application for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 66 Innovation Drive, Flamborough (PED16182)

The following added written comments are regarding Item 8.1 respecting Terrapure Stoney Creek Regional Facility Environmental Assessment (EA) – Draft Proposed Terms of Reference (PED16184):

- 8.1(iii) Sherry and Koray Beduk, John and Kelly Kewell, Jessica and Chris Szreier (on behalf of the local area residents)
- 8.1(iv) Ilona Clark, a resident of the Battlefield neighbourhood
- 8.1(v) Akhilesh Chaturvedi, a home owner in the Empire Victory Community
- 8.1(vi) Marcus and Katie Eberhardt, new homeowners living in the Empire Victory Community

Regarding the written comments noted as Item 8.1(ii) on the agenda which is the petition submitted from the residents it has come to our attention that one of the pages was duplicated therefore the actual number of signatures is 210.

- 8.1(ii) Petition with ~~248~~ 210 signatures submitted from the residents and/or future home owners of the Empire Victory/Lush site located between Green Mount Road West and 1st Road West in opposition of Terrapure's proposal to expand the elevation of the Terrapure Stoney Creek site by 4 metres. (The petition is available for viewing in the City Clerk's Office.)

The agenda for the September 20, 2016 meeting was approved as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were none declared.

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

(i) September 6, 2016 (Item 3.1)

The Minutes of the September 6, 2016 meeting were approved.

(d) DELEGATION REQUESTS (Item 4)

The following delegation requests were approved to address Committee at today's meeting:

- (i) Derek Hofland/Clay McKay, Dancemakerz Inc, Browns Martial Arts, and Waterdown Dancers Inc., 12 Innovation Drive Flamborough respecting Item 6.4 Appeal for Non-decision Regarding Application for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 66 Innovation Drive, Flamborough (PED16182) (Added 4.1)
- (ii) Mike Jovanovic, Terrapure Environmental, respecting Item 8.1 regarding Terrapure Stoney Creek Regional Facility Environmental Assessment (EA) – Draft Proposed Terms of Reference (PED16184) wishing to present the company profile for Terrapure Environmental and information on the Stoney Creek Regional Facility. (Added 4.2)
- (iii) Greg Jones, Terrapure Environmental, respecting Item 8.1, to present the business case for the Stoney Creek Regional Facility and benefits to the local economy. (Added 4.3)
- (iv) Blair Shoniker, GHD Limited, to provide an overview of the process being followed for the proposed Terrapure Stoney Creek Regional Facility Environmental Assessment. (Added 4.4)

(e) PUBLIC HEARING (Item 6)

- (i) **Application for an Urban Hamilton Official Plan Amendment for Lands Located at 1575 Upper Ottawa Street (Hamilton) (PED16190) (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 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.

No members of the public came forward.

The public meeting was closed.

The staff presentation was waived.

David Falletta of Bousfields Inc., representing the applicant, was in attendance and indicated that they are in support of the staff recommendation

The staff recommendations was amended by adding the following subsection:

(c) That no submissions from the public were received.

For disposition of this matter refer to Item 3.

(ii) Proposed Official Plan Amendment and Zoning By-law Amendment for Lands Located at 280 Barton Street West, Hamilton (PED16191) (Ward 1) (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 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 public meeting was closed.

Cam Thomas explained the corrections to the staff recommendations and the by-law attached as Appendix "C" to the Report.

James Webb, of WEBB Planning Consultants, representing the applicant, was in attendance and indicated that the applicant is in full support of the staff report.

The staff recommendations were amended by adding the following subsection:

(d) That no submissions from the public were received.

For disposition of this matter refer to Item 4.

(iii) Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) (Item 6.3)

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 Amendment and the 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.

The public meeting was closed.

James Webb, of WEBB Planning Consultants, representing the applicant, was in attendance and the applicant is in full support of the staff report.

The staff recommendations were amended by adding the following subsection:

- (d) That the submissions received from the public regarding this matter affected the decision by supporting the granting of the application.

For disposition of this matter refer to Item 5.

(iv) Appeal for Non-decision Regarding Application for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 66 Innovation Drive, Flamborough (PED16182) (Ward 15) (Item 6.4)

For the benefit of the public and to update the Committee Members, Chair B. Johnson advised that this is not a statutory public meeting under the *Planning Act* and, as the applications have been appealed, the matter is in the hands of the Ontario Municipal Board and Council is not in a position to make a decision regarding the application.

The staff report is recommending opposing the appeal for the applications. The Ward Councillor's motion at the September 9, 2016 Planning Committee meeting was to notify the public and to invite input regarding the proposed development.

Legal staff are in attendance to provide advice regarding the appeal and it is preferable to hear that advice in camera.

Written Comments

6.4(i) George Turi, owner and landlord of 12 Innovation Drive, Flamborough

The written comments added as Item 6.4(i) were received.

Speaker

1. **Derek Hofland/Clay McKay, Dancemakerz Inc, Browns Martial Arts, and Waterdown Dancers Inc., 12 Innovation Drive Flamborough (Added 4.1)**

Clay McKay addressed Committee and read from a prepared statement. Copies were distributed and a copy has been retained for the public record and is available for viewing on the City's website.

He indicated that he was speaking on behalf of Christie McKay-Hofland, owner of Dancemakerz, 12 Innovation Drive, Flamborough, Danielle Grahn of Waterdown Dancers Inc., 40 Mill Street North, Waterdown and Jason Brown of Brown's Martial Arts, 10 Franklin Street, Waterdown. They are in support of the staff Report and opposed to the application because the applicant should be required to follow the same rules as the aforementioned businesses.

The delegation was received.

For disposition of this matter refer to Item 6.

(f) DISCUSSION (Item 8)

- (i) **Terrapure Stoney Creek Regional Facility Environmental Assessment (EA) – Draft Proposed Terms of Reference (PED16184) (Ward 9) (Item 8.1)**

Written Comments

8.1(i) Dave Strecker, Stoney Creek

8.1(ii) Petition with 210 signatures submitted from the residents and/or future home owners of the Empire Victory/Lush site located between Green Mount Road West and 1st Road West in opposition

of Terrapure's proposal to expand the elevation of the Terrapure Stoney Creek site by 4 metres. **(The petition is available for viewing in the City Clerk's Office.)**

- 8.1(iii) Sherry and Koray Beduk, John and Kelly Kewell, Jessica and Chris Szreier (on behalf of the local area residents)
- 8.1(iv) Ilona Clark, a resident of the Battlefield neighbourhood
- 8.1(v) Akhilesh Chaturvedi, a home owner in the Empire Victory Community
- 8.1(vi) Marcus and Katie Eberhardt, new homeowners living in the Empire Victory Community

The written comments, Items 8.1(i) and 8.1(vi) were received.

Eniber Cabrera, Planner, provided an overview of the Report with the aid of a PowerPoint presentation. A copy of the presentation is available for viewing on the City's website. Planning and Public Health staff responded to questions from Committee.

The staff presentation was received.

Speakers

1. Mike Jovanovic, Terrapure Environmental (Added Item 4.2)

Mike Jovanovic addressed Committee with the aid of a PowerPoint presentation. Copies of the hand out were distributed. A copy of the presentation is available for viewing on the City's website. He provided information regarding the following topics:

- Who is Terrapure Environmental?
- Stoney Creek Regional Facility
- 20 Years of operation at this site
- Proposed Reconfiguration

2. Greg Jones, Terrapure Environmental – Stoney Creek Regional Facility – Supporting Local Industry and Economy (Added Item 4.3)

Greg Jones addressed Committee with the aid of a PowerPoint presentation. Copies of the hand out were distributed. He spoke to the following topics:

- Supporting Local Industry/Economy

- Stoney Creek Regional Facility (SCRF) and the Hamilton Steel Industry
- SCRF 7 Major Area Projects
- SCRF & Provincial Growth Initiatives
- Current Economic Benefits of the SCRF – RIAS
- Expanded Economic Benefits of the SCRF – RIAS
- SCRF & the Community

3. Blair Shoniker with GHD Limited, Terrapure Environmental – Stoney Creek Regional Facility – Environmental Assessment Process (Added Item 4.4)

Blair Shoniker, Senior Environment Planner with GHD Limited addressed Committee with the aid of a PowerPoint presentation. Copies of the hand out were distributed. His comments covered the following topics:

- Ontario Environmental Assessment (EA) Process
- Alternative Design Footprints
- Studies During EA
- Terms of Reference Outreach & Communication
- Terms of Reference Meetings
- Anticipated Project Schedule

The presenters responded to questions from the Committee.

The delegations were received.

The following motion was approved:

That Item 8.1 respecting “Terrapure Stoney Creek Regional Facility Environmental Assessment (EA) – Draft Proposed Terms of Reference (PED16184)” be referred to the September 28, 2016 Council meeting:

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

(i) Outstanding Business List (Item 11.1)

(a) The following new due dates were approved:

Item “N” – James Street North Mobility Hub Study (PED14169)
(Wards 1, 2, and 3)
Due Date: September 20, 2016
New Due Date: December 6, 2016

Item "O" - The Feasibility of Establishing a City Animal Adoption Service in Partnership with the HBSPCA
Due Date: September 20, 2016
New Due Date: January 31, 2017

Item "FF" - Request from James Webb, on behalf of 1435576 Ontario Limited, the developer of the Southcote Woodlands Plan of Subdivision respecting the lifting of a one foot reserve request adjacent to Block 118 of the subdivision to permit the development of a single family dwelling be referred to staff for report back
Due Date: September 20, 2016
New Due Date: December 6, 2016

- (b) The following Item will remain on the List pending the outcome of the next Council meeting:

Item "KK" - Notice of Commencement & Public Open House for the Terrapure Stoney Creek Regional Facility, Environmental Assessment referred to GM for a report to the Planning Committee. (Item 8.1 on this agenda)

(h) ADJOURNMENT (Item 13)

There being no further business, the Planning Committee adjourned at 12:32 p.m.

CARRIED

Respectfully submitted,

Councillor B. Johnson
Chair, Planning Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk

Authority: Item
Planning Committee
Report (PED16191)
CM:

Bill No.

CITY OF HAMILTON

BY-LAW NO.

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 280 Barton Street West**

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule C did incorporate, as of January 1st 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as the "The Corporation of the City of Hamilton" and is the successor of the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the *City of Hamilton Act, 1999*, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of the Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which By-law was approved by the Ontario Municipal Board by Order, dated the 7th day of December 1951 (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item ____ of Report 16-____ of the Planning Committee, at its meeting held on the ____ day of _____, 2016, recommended that Zoning By-law 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, upon final approval of Official Plan Amendment No. ____.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No.W-11 of the District maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton) is amended by changing from the "L-mr-1" (Planned Development) District (Block "1") and the "RT-20/S-1478" (Townhouse-Maisonette) District, Modified(Block "2") to the "G/S-1735" (Neighbourhood Shopping Centre) District, Modified on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That the following special provisions shall apply to lands identified as Block "1":
 - (a)That in addition toSection 13(1) of Zoning By-law No. 6593, thefollowing additional use shall be permitted:
 - i) A commercial school
 - (b)That notwithstanding Section 13(1) of Zoning By-law No. 6593, the following uses shall be prohibited:
 - i) Parking spaces, with the exception of required parking for any permitted commercial uses, a public parking lot or a storage garage where all gasoline storage is in underground tanks;
 - ii) A frosted food locker plant;
 - iii) A theatre and,
 - iv) A drive-thru restaurant.
 - (c)That notwithstanding Section 13(1)(vii) of Zoning By-law No. 6593, the following modified uses shall be permitted:
 - i) A restaurant or refreshment room without any dancing or other musical entertainment.
 - (d)That notwithstanding Section 13(3)(i) of Zoning By-law No. 6593, the minimum front yard shall not be less than 0.85m.
 - (e)That notwithstanding Section 13(3)(ii), of Zoning By-law No. 6593,the minimum westerly side yard shall be not be less than 3.0 m.
 - (f) That notwithstanding Section 13(3)(iii)(c), no building or structure shall be located less than 7.0 m from the northerly limits of the "G" District boundary which is also deemed the top of bank .


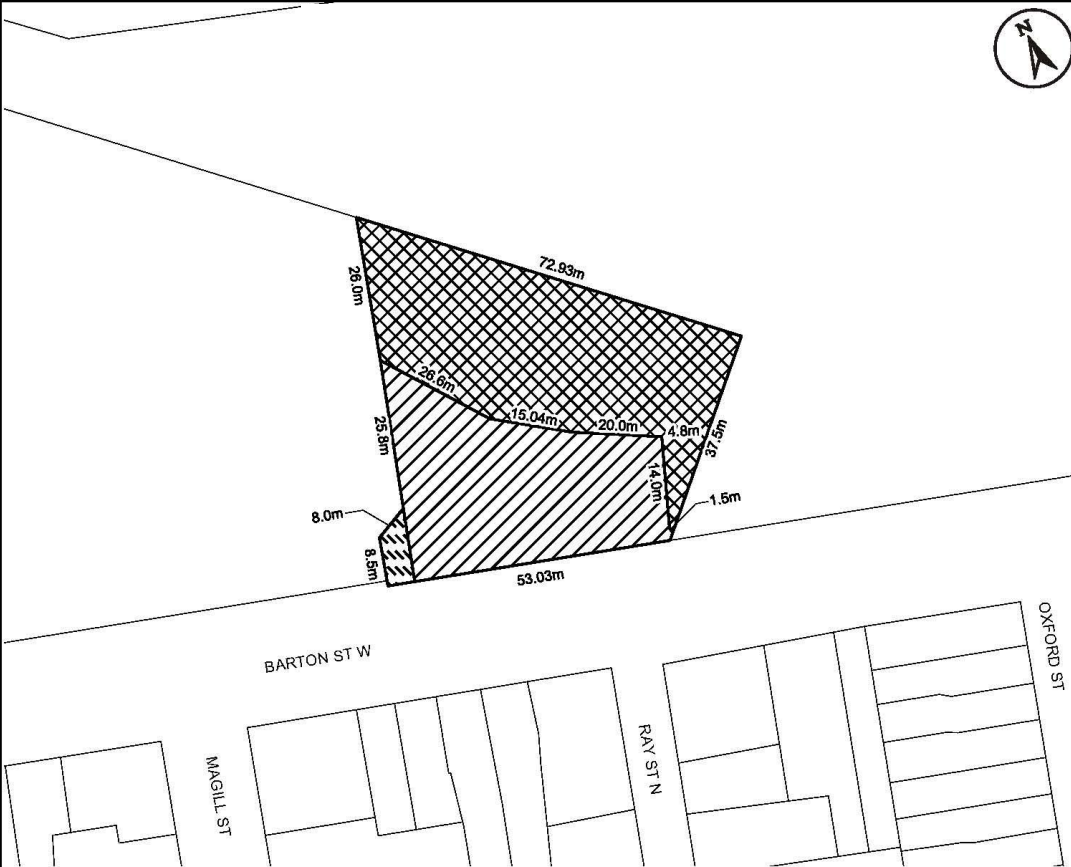




- (g) That notwithstanding Section 18A(7), of Zoning By-law No. 6593, every required parking space other than a parallel parking space shall have dimensions of not less than 2.6 m by 5.5 m.
 - (h) That notwithstanding Section 13(2), of Zoning By-law No. 6593, the minimum height of the ground floor façade for a commercial building shall be 3.5 m.
 - (i) An entrance door for the public to access the commercial units shall be provided along Barton Street West for each commercial unit.
- 3. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" (Neighbourhood Commercial Centre) District provisions, subject to the special requirements referred to in Section 2 and 3.
 - 4. That By-law No. 6593 is amended by adding this by-law to Section 19B as Schedule S-1735.
 - 5. That Sheet No. W-11 of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1735.
 - 6. That the Clerk is hereby authorized and directed to proceed with the giving notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED and ENACTED this day of , 2016.

F. Eisenberger
Mayor

R. Caterini
Clerk

ZAC-16-015
OPA-16-06

			
			
<p>This is Schedule "A" to By-law No. 16-</p> <p>Passed the day of, 2016</p>	<p style="text-align: center;">----- Mayor</p> <p style="text-align: center;">----- Clerk</p>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <h2 style="text-align: center;">Schedule "A"</h2> <p style="text-align: center;">Map Forming Part of By-law No. 16-_____</p> <p style="text-align: center;">to Amend By-law No. 6593</p> </div> <div style="width: 50%;"> <p>Subject Property 280 Barton Street West</p> <div style="margin-bottom: 10px;">  <p>Block 1 - Change from "L-mr-1" (Planned Development) District to the "G/S-1735" (Neighbourhood Shopping Centre) District</p> </div> <div style="margin-bottom: 10px;">  <p>Block 2 - Change from "RT-20/s-1478 (Townhouse-Maisonette) District Modified to the G/S-1735 (Neighbourhood Shopping Centre) District, Modified</p> </div> <div>  <p>Block 3 - Refer to By-law 05-200</p> </div> </div> </div>			
<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAC-16-015/OPA-16-06</p>	<p>Date: Sept. 19, 2016</p>	<p>Planner/Technician: CT/AL</p>
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		 Hamilton	