



## **PLANNING COMMITTEE**

### **REPORT 17-001**

**9:30 a.m.**

**Tuesday, January 17, 2017**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

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

**Absent with regrets** Councillor R. Pasuta, Personal

**Also present:** Councillors S. Merulla, T. Jackson and T. Whitehead

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### **THE PLANNING COMMITTEE PRESENTS REPORT 17-001 AND RESPECTFULLY RECOMMENDS:**

**1. E-Donations System – Animal Services (PED17003) (City Wide) (Item 5.2)**

That the opportunity for on-line donations from the City of Hamilton's Animal Services web page, in support of animal care at the Shelter located at 247 Dartnall Road be approved, and that any donations received be directed to Animal Services Donations – Account No. 22039.

**2. User Fees for Animal Services (PED15132(a)) (City Wide) (Outstanding Business List Item) (Item 5.3)**

That the 2016 User Fee for Animal Services – Animal Assistance Fee, approved by Council on a one-year trial basis on September 23, 2015 in adopting Item 9(a)(v) of Planning Committee Report 15-014, be approved as a permanent fee, as included in the User Fees and Charges By-law.

**3. James Street North Mobility Hub Study Implementation Update (PED17012) (Wards 1, 2 and 3) (Outstanding Business List Item) (Item 5.4)**

That Report PED17012 respecting James Street North Mobility Hub Study Implementation Update (PED17012) (Wards 1, 2 and 3) be received.

**4. Hamilton Municipal Heritage Committee Report 16-010, December 15, 2016 (Item 8.1)**

**(a) Inventory and Research Working Group Meeting Notes – October 24, 2016 (Item 5.1)**

- (i) That staff proceed with the designation of 262 MacNab Street North, Hamilton, as recommended in the Cultural Heritage Assessment; and
- (ii) That the Inventory and Research Working Group Meeting Notes of October 24, 2016, be received.

**(b) Heritage Permit Application HP2016-028, under Part IV of the Ontario Heritage Act, for the Demolition of the Buildings at 24 and 28 King Street East, Hamilton (PED16193(a)) (Ward 2) (Item 8.1)**

That Heritage Permit Application HP2016-028, for the demolition of buildings at 24 and 28 King Street East, Hamilton, be approved subject to the following conditions:

- (i) That a Documentation and Salvage Report in accordance with the City's Official Plan Policy B.3.4.5.5 be submitted to the satisfaction of the Director of Planning and Chief Planner, prior to the issuance of a Building Permit for demolition;
- (ii) That any recommendations from the Documentation and Salvage Report submitted to the satisfaction of the Director of Planning and Chief Planner, be implemented to the satisfaction of the Director of Planning and Chief Planner, prior to the issuance of any Occupancy Permit;
- (iii) That the applicant apply for and receive final Site Plan Approval for the redevelopment of the subject lands, and that the applicant post any required securities to ensure that redevelopment of the subject lands occurs prior to any demolition, all to the satisfaction of the Director of Planning and Chief Planner;

- (iv) That should a Building Permit for the proposed demolition, in accordance with this approval, not be obtained and acted upon by January 31, 2020, then this approval expires as of that date and no demolition shall be undertaken without a new approval issued by the City of Hamilton;
  - (v) That the proposed demolition, in accordance with this approval, shall be completed no later than January 31, 2021. If the demolition is not completed by January 31, 2021, then this approval expires as of that date and no demolition shall be undertaken without a new approval issued by the City of Hamilton;
  - (vi) That the Director of Planning and Chief Planner be authorized to approve a request to extend the dates noted in conditions (iv) and (v) of this approval, if that request is submitted prior to the expiry and if progress is being made; and
  - (vii) That HP2016-028 for 24-28 King Street East, be revised to require that the site plan application provide for the comprehensive and integrated redevelopment of 18-22 King Street East and 24-28 King Street East to the satisfaction of the Director of Planning.
- (c) **Heritage Permit Application HP2016-027, under Part IV of the Ontario Heritage Act, for Façade Retention and Penthouse Addition of 18 - 22 King Street East, Hamilton (PED16194(a)) (Ward 2) (Item 8.2)**

That Heritage Permit application HP2016-027, for façade retention and penthouse addition to 18-22 King Street East, be approved subject to the following conditions:

- (a) That a Conservation Plan in accordance with Appendix “F” to Report PED16194(a) be submitted as part of a complete Site Plan Control application and for review and advice from the Hamilton Municipal Heritage Committee, to the satisfaction and approval of the Director of Planning and Chief Planner prior to the issuance of any Building Permit for demolition or new construction;
- (b) That the recommendations from the Conservation Plan submitted to the satisfaction of the Director of Planning and Chief Planner, be implemented to the satisfaction of the Director of Planning and Chief Planner, prior to the issuance of an Occupancy Permit;
- (c) That an addendum to the Cultural Heritage Impact Assessment completed by the applicant’s heritage consultants, be submitted to identify what remains of the original storefronts and provide recommendations for the final storefront designs for review and advice from the Hamilton Municipal Heritage Committee and to the

satisfaction and approval of the Director of Planning and Chief Planner prior to the issuance of any Building Permit for demolition or new construction;

- (d) That the recommendations from the report on the storefronts be implemented to the satisfaction and approval of the Director of Planning and Chief Planner prior to the issuance of any Building Permit for demolition or the new construction;
- (e) That the following conditions with respect to cost estimates and a Letter of Credit shall be satisfied prior to submission of an application for a Building Permit for removal of portions of the building:
  - (i) The applicant shall provide cost estimates for 100% of the total cost of securing, protecting and stabilizing the retained portions, the cost of monitoring and security for a period of three years and the total cost of restoration and protective enclosure of the retained Designated portions. Such cost estimates shall be in a form satisfactory to the Director of Planning and Chief Planner.
  - (ii) The applicant shall provide a Letter of Credit to the Director of Planning and Chief Planner for 100% of the total estimated cost as per (i) in a form satisfactory to the City's Finance Department (Development Officer, Budget, Taxation and Policy) to be held by the City as security for securing, protecting, stabilizing, monitoring and restoring the retained portions as required by this Heritage Permit:
    - 1. The Letter of Credit shall be kept in force, whether or not the ownership of 18-22 King Street East changes at any time, until the completion of the required restoration of the retained portions and the erection of a permanent structure to enclose the rear of the retained portions and / or to otherwise attach the retained portions to a new building in conformity with the approved design and requirements.
    - 2. The Letter of Credit may be reduced in accordance with the City's Letter of Credit Policy.
    - 3. If the Letter of Credit is about to expire without renewal thereof and any part of securing, protecting, stabilizing, monitoring or restoring the retained portions has not been completed in conformity with their approved designs, the City may draw all of the

Letter of Credit funds and hold them as security to guarantee completion unless the City's Finance Department (Development Officer, Budget, Taxation and Policy) is provided with a renewal of the Letter of Credit forthwith.

4. In the event that the Owner fails to complete, to the satisfaction of the Director of Planning and Chief Planner, the required securing, protecting, stabilizing, monitoring or restoring of the retained portions and the erection of a permanent structure to enclose the rear of the retained portions and / or attach to a new building in conformity with its approved design within the time required, then the City, in addition to any other remedies that the City may have, may exercise its authority under section 446 of the Municipal Act to have its employees, agents or contractors enter 18-22 King Street East to complete any one or more of these requirements. The cost of completion of securing, protecting, stabilizing, monitoring or restoring the retained portions shall be paid in full by the Owner from the Letter of Credit. In the event that there is a surplus, the City shall pay the surplus to the Owner upon completion of the requirement(s). In the event that there is a deficit, the City may further exercise its authority under section 446 of the Municipal Act including but not limited to adding the deficit to the tax roll and collecting it in the same manner as property taxes.
- (f) 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 any application for a Building Permit and / or the commencement of any alterations;
  - (g) That should a Building Permit for the proposed alterations, in accordance with this approval, not be obtained and acted upon by January 31, 2020, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton;
  - (h) That the proposed alterations, in accordance with this approval, shall be completed no later than January 31, 2021. If the alterations are not completed by January 31, 2021, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton; and,

- (i) That the Director of Planning and Chief Planner be authorized to approve a request to extend the dates noted in conditions (g) and (h) of this approval, if that request is submitted prior to the expiry and if progress is being made.

**(d) Memorandum dated December 15, 2016 respecting a Building Permit to Demolish 43-51 King Street East, Hamilton (Former Kresge Building) (Added Item 11.2)**

That the Memorandum dated December 15, 2016 respecting a Building Permit to Demolish 43-51 King Street East, Hamilton (Former Kresge Building), be received.

**5. Application for a Condominium Conversion for Lands Located at 515 Queen Victoria Drive (Hamilton) (PED17006) (Ward 6) (Item 6.2)**

- (a) That approval be given to Condominium Conversion Application 25CDM-CONV-16-01, by First Rock Properties Ltd., Owner, to establish a Draft Plan of Condominium (Standard) for the existing townhouse blocks, consisting of 68 dwelling units, located at 515 Queen Victoria Drive (Hamilton), as shown on the attached map marked as Appendix “A” to Report PED17006, subject to the following:
  - (i) That this approval for Draft Plan of Condominium (Standard) application 25CDM-CONV-16-01 applies to the plan, prepared by Barich Grenkie Surveying Ltd., certified by Edward J. Grenkie, O.L.S., dated July 12, 2016, showing a total of 68 dwelling units, attached as Appendix “B” to Report PED17006;
  - (ii) That the conditions of Draft Plan of Condominium Approval attached as Appendix “C” to Report PED17006 be approved;
- (b) That the written submissions received from the condominium residents regarding this matter supported the approval of the application.

**6. Application for Zoning By-law Amendment for Lands Located at 775-779 Upper Wentworth Street, Hamilton (PED17007) (Ward 7) (Item 6.3)**

- (a) That approval be given to Amended Zoning Application ZAR-16-052, by 1169990 Ontario Inc. Owner, for a further modification to the “HH/S-1348” & “HH/S-1348a” (Restricted Community Shopping and Commercial) District, Modified to permit additional uses within the existing commercial plaza on lands located at 775-779 Upper Wentworth Street (Hamilton), as shown on Appendix “A” to Report PED17007, on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED17007, 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 (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), and complies with the Urban Hamilton Official Plan;
- (b) That there were no submissions received from the public regarding this matter.

**7. Proposed Zoning By-law Amendment Application for Lands Located at 10 Dennis Avenue, Flamborough (PED17009) (Ward 15) (Item 6.4)**

- (a) That Zoning By-law Amendment Application ZAC-16-050 by Habitat for Humanity (Owner), for a change in zoning from the Urban Residential (Single Detached) “R1-35” Zone, Modified, to the Medium Density Residential “R6-45” Zone, Modified, to permit three street townhouse dwellings on lands located at 10 Dennis Avenue, Flamborough, as shown on Appendix “A” to Report PED17009, be approved on the following basis:
- (i) That the draft By-law, attached as Appendix “B” to Report PED17009, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the lands referred to in the draft By-law, attached as Appendix “B” to Report PED17009, be added to Schedule A-30 of Zoning By-law No. 90-145-Z;
  - (iii) That the proposed change in Zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe, and complies with the Urban Hamilton Official Plan;
- (b) That there were no submissions received from the public regarding this matter.

**8. Applications for an Amendment to the Urban Hamilton Official Plan and to the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 50 Covington Street, Hamilton (PED17002) (Ward 5) (Item 6.5)**

- (a) That approval be given to Urban Hamilton Official Plan Amendment Application UHOPA-16-029, by Inderjit Dhugga, Owner, to amend the

Urban Hamilton Official Plan (UHOP) in order to establish a site specific policy to permit a Motor Vehicle Repair Garage within the Employment Area – Business Park Designation, for lands located at 50 Covington Street, as shown on Appendix “A” to Report PED17002, on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED17002, be adopted by City Council; and,
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow).
- (b) That approval be given to Amended Zoning By-law Amendment Application ZAR-16-005 by Inderjit Dhugga, Owner, for a modification in zoning from the General Business Park (M2) Zone to the General Business Park (M2, 478) Zone, modified to permit a Motor Vehicle Repair Garage for lands located at 50 Covington Street, Hamilton, as shown on *Appendix “A” to Report PED17002, on the following basis:*
- (i) That the draft By-law, attached as Appendix “C” to Report PED17002, 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 (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe; and,
  - (iii) That this By-law will be in conformity with the Urban Hamilton Official Plan, upon approval of Urban Hamilton Official Plan Amendment No. XX.
- (c) That there were no submissions received from the public regarding this matter

**9. Digitization of Microfiche Records (PED17013) (City Wide) (Item 7.1)**

That Report PED17013 respecting Digitization of Microfiche Records, be received.

**10. Business Licensing Fee Review (PD01104(k))(City Wide) (Item 8.2)**

That as a result of the findings of the Business Licensing Fee Review, no action be taken with respect to increasing Business Licensing fees in years four and five of the five-year cost recovery phase-in strategy for Business License Fees as



adopted by Council on January 23, 2013 in approving Item 9 of Planning Committee Report 13-001.

**11. Staff's Work Program for 1014 King Street West (Westdale Theatre) (Item 9.1)**

WHEREAS, 1014 King Street West, Hamilton (Westdale Theatre) is currently on staff's designation work plan identified as a priority for 2018; and,

WHEREAS, 1014 King Street West, Hamilton (Westdale Theatre) is currently for sale accelerating concerns for the property's future;

THEREFORE BE IT RESOLVED:

That the Cultural Heritage Assessment work for the purposes of considering designation under the *Ontario Heritage Act* for 1014 King Street West (Westdale Theatre), be assigned an immediate priority and be added to staff's work program for completion in Q2 2017, to be funded from the Ward 1 Area Rating Funds.

**12. Changes Requested to Draft Plan of Subdivision Conditions, Zoning By-law Amendments, or Official Plan Amendments Received within Five Days of Planning Committee Meetings (Item 9.2)**

WHEREAS, current Council policy requires that draft plan of subdivision conditions be acknowledged by the agent prior to finalization of a staff recommendation and that if there are disagreements on conditions, these are reflected in the staff report;

WHEREAS, the *Planning Act* requires that draft Official Plan and Zoning By-law Amendments be made available to the public for review in order to enable the public to understand the proposal that is being considered by Council;

WHEREAS, the best practice by Planning staff requires that all Zoning By-law and Official Plan Amendments be "signed off" by the agent before the staff report is advanced for review;

WHEREAS, there have been recent incidents of changes to draft plan of subdivision conditions, Zoning-By-law and Official Plan Amendments on the floor of Planning Committee; and

WHEREAS, time is required by Planning staff and other Departments and stakeholders to adequately review proposed changes in order to make a recommendation;

THEREFORE BE IT RESOLVED:

That any changes requested to draft plan of subdivision conditions, Zoning By-law Amendments or Official Plan Amendments , excluding administrative errors made by staff , within 5 days of Planning Committee be moved to the next Planning Committee meeting where the *Planning Act* requirements of giving public notice can be met and to give Planning staff and other applicable Departments and stakeholders time to review the request.

**13. The Disposition of Municipal Lands Located at 278 Wilson Street East, Hamilton (Ward 3) for the Purpose of Affordable Housing in Perpetuity (Added Item 10.1)**

WHEREAS, the Municipal Act requires municipalities to enact a by-law pursuant to and in accordance with the requirements of the Act, to establish procedures for the sale of real property owned by the municipality;

WHEREAS, before selling any land the Council of the City of Hamilton shall, by by-law or resolution, declare the lands to be surplus;

WHEREAS, before selling any land the Council of the City of Hamilton shall give notice to the public of the intended sale of real properties; and

WHEREAS, the City of Hamilton has circulated 278 Wilson Street East to declare the property surplus;

THEREFORE BE IT RESOLVED:

- (a) That the Real Estate Section be directed to prepare an Offer of Purchase for the sale of 278 Wilson Street East in the City of Hamilton, to the Hamilton Community Land Trust in partnership with Habitat for Humanity and other community stakeholders and partners, subject to any easements, on an as is basis for a nominal fee of \$2.00;
- (b) That the City Solicitor is directed to complete the real estate transaction on the terms and conditions set out herein.

**14. Settlement of OMB Appeal (OMB Case Number PL140601) by 549367 Ontario Ltd. Regarding the Fruitland-Winona Secondary Plan and Purchase of Land for a Community Park (PED17014 / LS17004) (Ward 11) (Item 12.2)**

That the recommendations contained in Report PED17014 / LS17004 respecting Settlement of OMB Appeal (OMB Case Number PL140601) by 549367 Ontario Ltd. Regarding the Fruitland-Winona Secondary Plan and Purchase of Land for a Community Park be approved and remain confidential until Council approval.

**FOR INFORMATION:**

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

The Committee Clerk advised of the following changes:

**1. ADDED DELEGATION REQUESTS:**

- 4.5 Patricia Baker, respecting the Gore Park heritage and its implications for the City as a whole. (Item 8.1) (For today's meeting.)
- 4.6 Dennis Baker of the Durand Neighbourhood Association, respecting the proposal to demolish the buildings at 18- 28 King Street East and substitute some facades. (Item 8.1) (For today's meeting.)
- 4.7 Joachim Brouwer of Gibson-Landsdale Planning Team, to read a letter endorsed by GALA planning team supporting the preservation of the buildings at 18- 28 King Street East. (Item 8.1) (For today's meeting.)
- 4.8 Diane Gower Dent, Heritage Hamilton Foundation, to suggest reasons why Gore Park Heritage Buildings should be preserved not demolished. (Item 8.1) (For today's meeting.)
- 4.9 Robert Zeidler, to encourage Council to protect 18-22, 24 & 28 King Street East from demolition. (Item 8.1) (For today's meeting.)
- 4.10 Karl Andrus, Co-Chair of the Stinson Community Association to oppose the complete or partial demolition of the buildings at 18 – 28 King Street East. (Item 8.1) (For today's meeting.)
- 4.11 Catherine Nasmith, Architectural Conservancy Ontario regarding 18 – 28 King Street East. (Item 8.1) (For today's meeting.)
- 4.12 Michael William Biljetina. Architect, City of Hamilton, regarding Gore Buildings, 18 – 28 King Street East, to not allow demolition. (Item 8.1) (For today's meeting.)
- 4.13 Sean Burak, Downtown Bike Hounds, respecting the Gore Park buildings slated for designation or demolition. (Item 8.1) (For today's meeting.)
- 4.14 Barbara Murray, Architectural Conservancy Ontario Hamilton Region Branch respecting the Gore Park buildings slated for designation or demolition. (Item 8.1) (For today's meeting.)
- 4.15 Ned Nolan, Friends of the Gore, respecting the Gore Park buildings slated for designation or demolition. (Item 8.1) (For today's meeting.)

- 4.16 Suzanne Mammel, Hamilton Halton Home Builders Association, respecting Item 9.2, Changes Requested to Draft Plan of Subdivision Conditions, Zoning By-law Amendments, or Official Plan Amendments Received within Five Days of Planning Committee Meetings. (For today's meeting.)

**2. ADDED WRITTEN COMMENTS:**

- 6.6(ii) Heather Ireland, Watershed Planner, Niagara Peninsula Conservation Authority respecting Entertainment on Outdoor Commercial Patios – Amendments to the Zoning By-laws and Noise By-law (PED16155(a)) (City Wide)
- 6.6(iii) Sandra Kovacs, respecting Entertainment on Outdoor Commercial Patios – Amendments to the Zoning By-laws and Noise By-law (PED16155(a)) (City Wide)
- 6.6(iv) Mark Castel, Professional Corporation, representing Mrs. Rose Arnold, owner of 22 Thorpe Street Dundas respecting Entertainment on Outdoor Commercial Patios – Amendments to the Zoning By-laws and Noise By-law (PED16155(a)) (City Wide)
- 6.6(v) Keven Piper, President, Harbour West Neighbours, Board member: North End Neighbours, respecting Entertainment on Outdoor Commercial Patios – Amendments to the Zoning By-laws and Noise By-law (PED16155(a)) (City Wide)
- 8.1(xxiv) Janis Topp, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East
- 8.1(xxv) Taida Hambleton, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East
- 8.1(xxvi) Beasley Neighbourhood Association, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East
- 8.1(xxvii) Viv Saunders, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East

- 8.1(xxviii) Jesse Anderson, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East
- 8.1(xxix) Frances Murray, President, Durand Neighbourhood Association, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East
- 8.1(xxx) Andrew Antoszek, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East
- 8.1(xxxi) C. Grant Head, member of the board of directors, Heritage Hamilton Foundation, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East
- 8.1(xxxii) Ryan McGreal, Editor, Raise the Hammer, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East
- 8.1(xxxiii) Joseph Couture, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East
- 8.1(xxxiv) Oana Sirb, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East
- 8.1(xxxv) James Cardwell, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East
- 8.1(xxxvi) Anita Thomas, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East
- 8.1(xxxvii) Alex Robinson, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East

- 8.1(xxxviii) Phyllis Lambert, Founding Director Emeritus, Canadian Centre for Architecture, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East
- 8.1(xxxix) Chris Hilbrecht, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East
- 8.1(xl) Brenda Ginn, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East
- 8.1(xli) Amy Batchelor and Jessica Scott, Corktown NA Co-Chairs, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East
- 8.1(xlii) Adriana Romkes, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East
- 8.1(xliii) Rob Fiedler, respecting Item 8.1 regarding Heritage Permit Applications HP2016-02 and HP2016-028 for the properties located at 18- 28 King Street East

**3. TYPOGRAPHICAL ERROR:**

The Ward number indicated for the following Item should be 11 and not 9:

- 12.2 Settlement of OMB Appeal (OMB Case Number PL140601) by 549367 Ontario Ltd. Regarding the Fruitland-Winona Secondary Plan and Purchase of Land for a Community Park (PED17014 / LS17004) (Ward ~~9~~ 11)

The agenda for the January 17, 2017 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) December 6, 2016 (Item 3.1)**

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

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

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

- 4.1 Carol Priamo, Beasley Neighbourhood Association, respecting the historic buildings located at 18 – 28 King Street East. (Item 8.1) (For today's meeting.)
- 4.2 David Premi, Architect, DPAI Architecture respecting the proposed development at 18 – 28 King Street East and the related heritage issues. (Item 8.1) (For today's meeting.)
- 4.3 Tim Bullock, Simpson Wigle Law LLP respecting the heritage issues of the buildings located at 18 – 28 King Street East. (Item 8.1) (For today's meeting.)
- 4.4 Patrick Rose, to request that the buildings located at 18 – 28 King Street East be saved from demolition. (Item 8.1) (For today's meeting.)
- 4.5 Patricia Baker, respecting the Gore Park heritage and its implications for the City as a whole. (Item 8.1) (For today's meeting.)
- 4.6 Dennis Baker of the Durand Neighbourhood Association, respecting the proposal to demolish the buildings at 18- 28 King Street East and substitute some facades. (Item 8.1) (For today's meeting.)
- 4.7 Joachim Brouwer of Gibson-Landsdale Planning Team, to read a letter endorsed by GALA planning team supporting the preservation of the buildings at 18- 28 King Street East. (Item 8.1) (For today's meeting.)
- 4.8 Diane Gower Dent, Heritage Hamilton Foundation, to suggest reasons why Gore Park Heritage Buildings should be preserved not demolished. (Item 8.1) (For today's meeting.)
- 4.9 Robert Zeidler, to encourage Council to protect 18-22, 24 & 28 King Street East from demolition. (Item 8.1) (For today's meeting.)
- 4.10 Karl Andrus, Co-Chair of the Stinson Community Association to oppose the complete or partial demolition of the buildings at 18 – 28 King Street East. (Item 8.1) (For today's meeting.)

- 4.11 Catherine Nasmith, Architectural Conservancy Ontario regarding 18 – 28 King Street East. (Item 8.1) (For today's meeting.)
- 4.12 Michael William Biljetina. Architect, City of Hamilton, regarding Gore Buildings, 18 – 28 King Street East, to not allow demolition. (Item 8.1) (For today's meeting.)
- 4.13 Sean Burak, Downtown Bike Hounds, respecting the Gore Park buildings slated for designation or demolition. (Item 8.1) (For today's meeting.)
- 4.14 Barbara Murray, Architectural Conservancy Ontario Hamilton Region Branch respecting the Gore Park buildings slated for designation or demolition. (Item 8.1) (For today's meeting.)
- 4.15 Ned Nolan, Friends of the Gore, respecting the Gore Park buildings slated for designation or demolition. (Item 8.1) (For today's meeting.)
- 4.16 Suzanne Mammel, Hamilton Halton Home Builders Association, respecting Item 9.2, Changes Requested to Draft Plan of Subdivision Conditions, Zoning By-law Amendments, or Official Plan Amendments Received within Five Days of Planning Committee Meetings. (For today's meeting.)

The order of the agenda was amended so that Item 8.1 respecting Hamilton Municipal Heritage Committee Report 16-010, December 15, 2016 was considered after the Consent Items.

**(e) CONSENT ITEMS (Item 5)**

- (i) Agriculture and Rural Affairs Advisory Committee Minutes 16-003, December 12, 2016 (Item 5.1)**

The December 12, 2016 Minutes of the Agriculture and Rural Affairs Advisory Committee were received.

**(f) DISCUSSION**

- (i) Hamilton Municipal Heritage Committee Report 16-010, December 15, 2016 (Item 8.1)**

Chelsey Tyers addressed Committee with the aid of a PowerPoint presentation and provided background information regarding the Gore Buildings. A copy of the presentation is available for viewing on the City's website.

The staff presentation was received.



**Written Comments**

8.1(i)	Terra Merritt
8.1(ii)	Herman Turkstra
8.1(iii)	Shannon Kyles
8.1(iv)	Ron Ballentine
8.1(v)	James Scarfone
8.1(vi)	Wesley Jamieson
8.1(vii)	Ed Kotanen
8.1(viii)	Anne Haberl
8.1(ix)	Evelyn Wilkie and Richard Moll
8.1(x)	Catherine Gibbon and Graham Petrie
8.1(xi)	Carolyn Kinsley
8.1(xii)	Ned Nolan, Friends of the Gore
8.1(xiii)	Central Neighbourhood Association
8.1(xiv)	Karen Smith
8.1(xv)	Robert A. Brosius
8.1(xvi)	Bob Berberick
8.1(xvii)	Dr. Philip Van Huizen, McMaster University
8.1(xviii)	Michael William Biljetina
8.1(xix)	Robert Iszkula
8.1(xx)	Julian Foreman
8.1(xxi)	Friends of the Gore
8.1(xxii)	Dr. Lynda Lukasik, Executive Director, Environment Hamilton
8.1(xxiii)	Teresa Feduszczyk
8.1(xxiv)	Janis Topp
8.1(xxv)	Taida Hambleton
8.1(xxvi)	Beasley Neighbourhood Association
8.1(xxvii)	Viv Saunders
8.1(xxviii)	Jesse Anderson
8.1(xxix)	Frances Murray, President, Durand Neighbourhood Association,
8.1(xxx)	Andrew Antoszek
8.1(xxxi)	C. Grant Head, member of the board of directors, Heritage Hamilton Foundation
8.1(xxxii)	Ryan McGreal, Editor, Raise the Hammer
8.1(xxxiii)	Joseph Couture
8.1(xxxiv)	Oana Sirb
8.1(xxxv)	James Cardwell
8.1(xxxvi)	Anita Thomas
8.1(xxxvii)	Alex Robinson

- 8.1(xxxviii) Phyllis Lambert, Founding Director Emeritus, Canadian Centre for Architecture
- 8.1(xxxix) Chris Hilbrecht
- 8.1(xl) Brenda Ginn
- 8.1(xli) Amy Batchelor and Jessica Scott, Corktown NA Co-Chairs,
- 8.1(xlii) Adriana Romkes
- 8.1(xliii) Rob Fiedler

The written submissions, Items 8.1(i) to 8.1(xliii), were received.

Dr. Lynda Lukasik was approved as an additional delegation.

**Delegations:**

**1. Carol Priamo, Beasley Neighbourhood Association (Item 4.1)**

Carol Priamo addressed Committee with the aid of a PowerPoint presentation. A copy has been retained for the public record and is available for viewing on the City's website. She spoke in opposition of the demolition of the buildings.

**2. Patrick Rose (Item 4.4)**

Patrick Rose was not in attendance.

**3. Patricia Baker (Item 4.5)**

Patricia Baker 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. She spoke in opposition to the demolition of the buildings.

**4. Dennis Baker of the Durand Neighbourhood Association (Item 4.6)**

Dennis Baker, a member of the Durand Neighbourhood Association, 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 spoke in opposition to the demolition of the buildings.

**5. Joachim Brouwer of Gibson-Landsdale Planning Team (Item 4.7)**

Joachim Brouwer of Gibson-Landsdale Planning Team read a letter from the Gibson-Landsdale Planning Team. Copies were

distributed and a copy has been retained for the public record and is available for viewing on the City's website. He spoke in opposition to the demolition of the buildings.

**6. Diane Gower Dent, Heritage Hamilton Foundation (Item 4.8)**

Diane Dent, of the Heritage Hamilton Foundation read from a prepared statement and she submitted copies for distribution. A copy has been retained for the public record and is available for viewing on the City's website. Diane Dent also submitted brochures of GORE Park which were distributed. She spoke in opposition to the demolition of the buildings.

**7. Robert Zeidler (Item 4.9)**

Robert Zeidler read from a prepared statement. A copy has been retained for the public record and is available for viewing on the City's website. He spoke in opposition to the demolition of the buildings.

**8. Karl Andrus, Co-Chair of the Stinson Community (Item 4.10)**

Karl Andrus, read from a prepared statement. A copy has been retained for the public record and is available for viewing on the City's website. He spoke in opposition to the demolition of the buildings.

**9. Catherine Nasmith, Architectural Conservancy Ontario (Item 4.11)**

Catherine Nasmith, 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. She spoke in opposition to the demolition of the buildings.

**10. Michael William Biljetina, Architect (Item 4.12)**

Michael William Biljetina, addressed Committee and read from a prepared statement which included a series of photographic images. Copies were distributed and a copy has been retained for the public record and is available for viewing on the City's website. He spoke in opposition to the demolition of the buildings.

**11. Sean Burak, Downtown Bike Hounds (Item 4.13)**

Sean Burak, addressed Committee with the aid of a PowerPoint presentation. He is the owner of Downtown Bike Hounds. He spoke in opposition to the demolition of the buildings.

**12. Barbara Murray, Architectural Conservancy Ontario Hamilton Region Branch (Item 4.14)**

Barbara Murray, addressed Committee with the aid of a PowerPoint presentation. Copies of the hand-out were distributed and a copy has been retained for the official record and is available for viewing on the City's website. She spoke in opposition to the demolition of the buildings.

**13 Dr. Lynda Lukasik (Added)**

Dr. Lukasik addressed Committee and she spoke in opposition to the demolition of the buildings.

**14. Ned Nolan, Friends of the Gore (Item 4.15)**

Ned Nolan, addressed Committee and he spoke in opposition to the demolition of the Gore buildings.

**15. David Premi, Architect, DPAI Architecture (Item 4.2)**

David Premi, addressed Committee with the aid of a PowerPoint presentation on behalf of the developer. He spoke in support of the proposal.

**16. Tim Bullock, Simpson Wigle Law LLP (Item 4.3)**

Tim Bullock, addressed Committee on behalf of the developer. He spoke in support of the demolition of the buildings.

The delegations were received.

Item 2 of Hamilton Municipal Heritage Committee Report 16-010 respecting Heritage Permit Application HP2016-028, under Part IV of the Ontario Heritage Act, for the Demolition of the Buildings at 24 and 28 King Street East, Hamilton (PED16193(a)) (Ward 2) was deleted and replaced with the following therein:

That Heritage Permit Application HP2016-028, for the demolition of buildings at 24 and 28 King Street East, Hamilton, be approved subject to the following conditions:

- (a) That a Documentation and Salvage Report in accordance with the City's Official Plan Policy B.3.4.5.5 be submitted to the satisfaction of the Director of Planning and Chief Planner, prior to the issuance of a Building Permit for demolition;
- (b) That any recommendations from the Documentation and Salvage Report submitted to the satisfaction of the Director of Planning and Chief Planner,

be implemented to the satisfaction of the Director of Planning and Chief Planner, prior to the issuance of any Occupancy Permit;

- (c) That the applicant apply for and receive final Site Plan Approval for the redevelopment of the subject lands, and that the applicant post any required securities to ensure that redevelopment of the subject lands occurs prior to any demolition, all to the satisfaction of the Director of Planning and Chief Planner
- (d) That should a Building Permit for the proposed demolition, in accordance with this approval, not be obtained and acted upon by January 31, 2020, then this approval expires as of that date and no demolition shall be undertaken without a new approval issued by the City of Hamilton;
- (e) That the proposed demolition, in accordance with this approval, shall be completed no later than January 31, 2021. If the demolition is not completed by January 31, 2021, then this approval expires as of that date and no demolition shall be undertaken without a new approval issued by the City of Hamilton; and,
- (f) That the Director of Planning and Chief Planner be authorized to approve a request to extend the dates noted in conditions (d) and (e) of this approval, if that request is submitted prior to the expiry and if progress is being made.
- (g) That HP2016-028 for 24-28 King Street East, be revised to require that the site plan application provide for the comprehensive and integrated redevelopment of 18-22 King Street East and 24-28 King Street East to the satisfaction of the Director of Planning.

Councillors A. Johnson, B. Johnson and M. Green indicated that they wished to be recorded as OPPOSED to this Item.

For disposition of this matter refer to Item 4.

**(g) PUBLIC HEARING (Item 6)**

- (i) Lydia Greenly, Hamilton, to request an amendment to the City of Hamilton Licensing By-law No. 07-170 adult services regulations. (Approved November 15, 2016.) (Item 6.1)**

Lydia Greenly addressed Committee with the aid of a PowerPoint presentation. Copies of the hand-out were distributed and a copy was retained for the public record. The presentation is available for viewing on the City's website.

Lydia Greenly stated that burlesque dancers are different from strippers and requested that the definitions regarding adult services in the City of Hamilton Licensing By-law be amended.

The delegation was received.

Staff were directed to report back on the feasibility of amending Hamilton Licensing By-law No. 07-170, including comparators across the country, to clearly define adult services in relation to the distinction between strip clubs and other performances, including but not limited to burlesque.

Councillor Conley indicated that he wished to be recorded as OPPOSED to this Item.

**(ii) Application for a Condominium Conversion for Lands Located at 515 Queen Victoria Drive (Hamilton) (PED17006) (Ward 6) (Item 6.2)**

In accordance with the provisions of the *Planning Act*, 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 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 member of the public came forward.

The staff presentation was waived.

Vipul Acharya of Durisol Building Systems, representing the owner, was in attendance.

The public meeting was closed.

Ward Councillor Jackson was in attendance and spoke in support of this application and of the builder, Vipul Acharya.

The staff recommendations were amended by adding the following subsection (b) and re-lettering the balance of the subsections accordingly:

- (b) That the written submissions received from the condominium residents regarding this matter supported the approval of the application.

For disposition of this matter refer to Item 5.

**(iii) Application for Zoning By-law Amendment for Lands Located at 775-779 Upper Wentworth Street, Hamilton (PED17007) (Ward 7) (Item 6.3)**

In accordance with the provisions of the *Planning Act*, 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 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 member of the public came forward.

Rob McDowell, the owner, and his representatives Victoria Coates and Matt Johnston from UrbanSolutions were in attendance. Victoria Coates advised they are in support of the staff recommendations.

The public meeting was closed.

The staff presentation was waived.

The staff recommendations were amended by adding the following subsection (b) and by re-lettering the balance of the subsections accordingly:

- (b) That there were no submissions received from the public regarding this matter.

For disposition of this matter refer to Item 6.

**(iv) Proposed Zoning By-law Amendment Application for Lands Located at 10 Dennis Avenue, Flamborough (PED17009) (Ward 15) (Item 6.4)**

In accordance with the provisions of the *Planning Act*, 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 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 member of the public came forward.

The staff presentation was waived.

John Ariens and Mike Crough, both of IBI Group Inc., and the owner Jim Vuckovic, were in attendance and advised that they are in support of the staff report.

The public meeting was closed.

The staff recommendations were amended by adding the following subsection (b) and re-lettering the balance of the sub-sections accordingly:

- (b) That there were no submissions received from the public regarding this matter.

For disposition of this matter refer to Item 7

**(v) Applications for an Amendment to the Urban Hamilton Official Plan and to the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 50 Covington Street, Hamilton (PED17002) (Ward 5) (Item 6.5)**

In accordance with the provisions of the *Planning Act*, 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 member of the public came forward.

The staff presentation was waived.

Mario Perrotta of New Millennium Tire was in attendance should Committee have any questions.

The public meeting was closed.



The staff recommendations were amended by adding the following subsection (c):

- (c) That there were no submissions received from the public regarding this application.

For disposition of this matter refer to Item 8.

**(vi) Entertainment on Outdoor Commercial Patios – Amendments to the Zoning By-laws and Noise By-law (PED16155(a)) (City Wide) (Item 6.6)**

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

**Written Comments**

6.6(i) Katie Jane Harris, Environmental Planner, Conservation Halton

6.6(ii) Heather Ireland, Watershed Planner, Niagara Peninsula Conservation Authority

6.6(iii) Sandra Kovacs

6.6(iv) Mark Castel, Professional Corporation, representing Mrs. Rose Arnold, owner of 22 Thorpe Street

6.6(v) Keven Piper, President, Harbour West Neighbours, Board member: North End Neighbours

The written comments were received.

Joanne Hickey Evans addressed Committee with the aid of a PowerPoint presentation and spoke to the Zoning By-law component. She noted a correction to an address referenced in Schedule "A16" to the Zoning By-law 05-200 which should be 1430 Second Road West instead of 185 Golf Club Road.

Robert Ustrzycki also addressed Committee with the aid of a PowerPoint presentation and spoke to the Noise By-law component. He advised of a typographical error on page one of the proposed Noise by-law. The word “Site” should be changed to “Floor” in Item 2 (b).

A copy of their presentation is available for viewing on the City’s website.

**Speakers**

**1. Carol Hoblyn, 600 John St North, Hamilton**

Carol Hoblyn addressed Committee and explained why she does not support these by-laws and does not believe that there has been sufficient public notice.

**2. Sandra Kovacs, 85 Napier Street, Hamilton**

Sandra Kovacs addressed Committee and read from a prepared statement. A copy was submitted for the public record. She lives two blocks away from Hess Village and her major concerns are the loud music and the excessive alcohol consumption.

The delegations were received

The public meeting was closed.

Report PED16155(a) entitled “Entertainment on Outdoor Commercial Patios – Amendments to the Zoning By-laws and Noise By-law” was TABLED in order to allow staff to consult with the Councillors and make the amendments identified during the discussion of this Item at Committee and, if deemed necessary, to hold another public meeting possibly in a different format.

**(h) PRESENTATIONS (Item 7)**

**(i) Digitization of Microfiche Records (PED17013) (City Wide) (Item 7.1)**

The staff presentation was waived.

For disposition of this matter refer to Item 9.

**(i) MOTIONS**

**(i) Changes Requested to Draft Plan of Subdivision Conditions, Zoning By-law Amendments, or Official Plan Amendments Received within Five Days of Planning Committee Meetings (Item 9.2)**

**Delegation**

**1. Suzanne Mammel, Hamilton-Halton Home Builders Association (HHHBA) (4.1)**

Suzanne Mammel was in attendance but had to leave the meeting prior to this Item being considered. She submitted written comments which were distributed to the Committee expressing her concerns with this motion. A copy has been retained for the public record and is available for viewing on the City's website.

The written comments from Suzanne Mammel of the Hamilton-Halton Home Builders Association were received.

For disposition of this matter refer to Item 12.

**(j) NOTICES OF MOTIONS**

Councillor Green introduced the following notice of motion:

**(i) The Disposition of Municipal Lands Located at 278 Wilson Street East, Hamilton (Ward 3) for the Purpose of Affordable Housing in Perpetuity (Added Item 10.1)**

WHEREAS, the Municipal Act requires municipalities to enact a by-law pursuant to and in accordance with the requirements of the Act, to establish procedures for the sale of real property owned by the municipality;

WHEREAS, before selling any land the Council of the City of Hamilton shall, by by-law or resolution, declare the lands to be surplus;

WHEREAS, before selling any land the Council of the City of Hamilton shall give notice to the public of the intended sale of real properties; and

WHEREAS, the City of Hamilton has circulated 278 Wilson Street East to declare the property surplus;

THEREFORE BE IT RESOLVED:

- (a) That the Real Estate Section be directed to prepare an Offer of Purchase for the sale of 278 Wilson Street East in the City of Hamilton, to the Hamilton Community Land Trust in partnership with Habitat for Humanity and other community stakeholders and partners, subject to any easements on an as is basis, for a nominal fee of \$2.00;
- (b) That the City Solicitor be directed to complete the real estate transaction on the terms and conditions set out herein.

The rules of order were waived to allow the introduction of a motion regarding the disposition of Municipal lands located at 278 Wilson Street East, Hamilton (Ward 3) for the purpose of affordable housing in perpetuity.

For disposition of this matter refer to Item 13.

Councillor Farr introduced the following notice of motion:

**(ii) Criteria and Evidence Required to Warrant a Licensing Tribunal  
(Added Item 10.2)**

As it relates to bars, restaurants and night clubs; that the appropriate staff be requested to report back to the Planning Committee on the criteria expected and the evidence required to warrant a Licensing Tribunal in the City of Hamilton.

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

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

- (a) The following new due dates were approved:

Item "P" - That staff report back on the feasibility of including licensing as part of the Administrative Penalty System as part of annual review of APS.

Due Date: January 17, 2017

Proposed New Due Date: May 16, 2017

Item "W" - Staff to report back on effectiveness of Design Review Panel

Due Date: January 17, 2017

Proposed New Due Date: February 14, 2017

- (b) That the following Items were removed:

Item "M" James Street North Mobility Hub Study (PED14169) (Wards 1, 2, and 3) (Item 5.4 on this agenda.)

Item "T" - Staff to report back after a one year pilot for Animal Services user fees (Item 5.3 on this agenda)

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

Committee approved the following without moving into Closed Session:

**(i) Private and Confidential Minutes of the December 6, 2016 Meeting (Item 12.1)**

- (a) The Private and Confidential Minutes of the December 6, 2016 meeting were approved;
- (b) The Private and Confidential Minutes of the December 6, 2016 meeting are to remain private and confidential and restricted from public disclosure.

Committee moved into Closed Session at 3:50 p.m. respecting Item 12.2, entitled Settlement of OMB Appeal (OMB Case Number PL140601) by 549367 Ontario Ltd. Regarding the Fruitland-Winona Secondary Plan and Purchase of Land for a Community Park (PED17014 / LS17004) (Ward 11), as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Committee reconvened in Open Session at 4:00 p.m.

**12.2 Settlement of OMB Appeal (OMB Case Number PL140601) by 549367 Ontario Ltd. Regarding the Fruitland-Winona Secondary Plan and Purchase of Land for a Community Park (PED17014 / LS17004) (Ward 11)**

For disposition of this matter refer to Item 14.

**(m) ADJOURNMENT (Item 13)**

**(Skelly/A. Johnson)**

There being no further business, the Planning Committee was adjourned at 4:11 p.m.

**CARRIED**

Respectfully submitted,

Councillor M. Pearson  
Chair, Planning Committee

Ida Bedioui  
Legislative Co-ordinator  
Office of the City Clerk