



PLANNING COMMITTEE

MINUTES 18-005

9:30 a.m.

Tuesday, April 3, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent with Regrets: Councillor B. Johnson, illness

Also Present: Mayor F. Eisenberger and Councillor T. Jackson

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

- 1. Committee of Adjustment Minor Variance Application – GL/A-17:368, 2301 Kirk Road, Glanbrook – Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment (Ward 11) (PED18070 (Item 5.1))**

(Conley/Green)

That Council take no action with respect to the Ontario Municipal Board, either in support of the Committee's decision or against the decision for Committee of Adjustment Minor Variance Application – GL/A-17:368 (see Appendix "C" to Report PED18070), for the property known as 2301 Kirk Road, Glanbrook, as shown on Appendix "A" to Report PED18070, supported by the Planning and Economic Development Department but denied by the Committee of Adjustment.

CARRIED

- 2. Expanding Administrative Penalty System (APS) to include the Parks By-law 01-219 (PED18071) (City Wide) (Item 5.2)**

(Partridge/Pasuta)

That the Administrative Penalty By-law 17-225 (APS) be amended to include By-law 01-219 being a By-law to Manage and Regulate Municipal Parks (Parks By-

law) by adding Table 12 to Schedule A, in accordance with the amending by-law attached as Appendix "A" to Report PED18071 which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

CARRIED

3. Hamilton Municipal Heritage Committee Report 18-003 (Item 5.3)

(Pearson/Conley)

(a) Recommendation to Include the Maintenance Covers Located in front of 201 Robert Street and 10 Mulberry Street, Hamilton, in the City of Hamilton's Register of Property of Cultural Heritage Value or Interest (Ward 2) (PED18067)

- (i) That the maintenance cover located in front of 201 Robert Street, Hamilton, as shown in Appendices "A" and "B" to Report PED18067, be included in the City of Hamilton's Register of Property of Cultural Heritage Value or Interest.
- (ii) That the maintenance cover located in front of 10 Mulberry Street, Hamilton, as shown in Appendices "C" and "D" to Report PED18067, be included in the City of Hamilton's Register of Property of Cultural Heritage Value or Interest.

(b) Education Working Group's List of Heritage Nominations 2018 (Added Item 8.2)

That the following Nominations for the Heritage Recognition Awards be approved:

(i) Property Recognition Awards Nominations:

- 1. 6 Forest Avenue, Hamilton, Rastrick House (Quarrington House)
- 2. 2844 Governor's Road, Ancaster
- 3. Medical Arts Centre, 4 Yonge Street, Hamilton
- 4. 76 Mill Street N., Waterdown, (The Slater House)
- 5. 25 Mill St. N., Waterdown (Brown Financial Security, former East Flamborough Town Hall)
- 6. 23 Lake Ave. S., Stoney Creek, Church of the Redeemer
- 7. 262 McNab Street N., Hamilton, ("Painted Lady")

(ii) Education in Heritage Award Nominations:

- 1. Donna Reid for the Hamilton Store and Graham Crawford

2. Brian Henley, Historian and Author
3. Nathan Tidridge, Historian and Author

(iii) Making Heritage Accessible Award Nominations:

1. Waterdown Memorial Hall, 317 Dundas St. East, Waterdown
2. Binbrook Soldiers' Memorial Hall, 2600 Hamilton Regional Rd. 56, Binbrook

(iv) Heritage Group/Society Award Nominations:

1. Friends of the Gore
2. Restoration Team for 992 King St. E at St. Clair (also 2 St. Clair Avenue) (Inventoried) Date of Construction 1920– Owners Amanda and Mike Herman, Julia and Doug Veenstra, Bill McTaggart – This community group bought the building, an eyesore in their community and have restored it over the past two years.
3. Waterdown Mill Street Heritage District Committee

(v) Heritage Landscape Award Nominations:

1. 1468 Hamilton Regional Road 8, Stoney Creek, Puddicombe Farms, Winery & Cider
2. Shaver Family Cemetery (Repair of stone walls), Shaver Family & Restoration Company

(vi) Adaptive Reuse of a Heritage Property Award Nominations:

1. 7-11 Brock Street, Hamilton (Conversion from Industrial commercial to Residential)

(vii) Heritage Property Developer Award Nominations:

1. Ralph Naccarato for purchase and restoration of multiple heritage properties, including 5 Mill Street S., Waterdown (Old Weeks Hardware) and 49 Main St. N. (McGregor House).
2. Don Husack, Dawn Victoria Homes - Owner/builder/developer, for the purchase and restoration of multiple heritage properties including 297 Dundas St. E., Waterdown (White Tea House or Crocker House)

CARRIED

4. Application to Amend the City of Hamilton Zoning By-law No. 6593, for Lands Located at 1011 Fennell Avenue East (Hamilton) (Ward 6) (PED18069) (Item 6.4)

(Partridge/Pearson)

(a) That Zoning By-law Amendment Application ZAC-16-063, (Dr. A. Cattafi, Owner), for a modification to the “C” (Urban Protected Residential, Etc.) District, to permit limited commercial uses, being a business or professional person’s office; a photographer’s or artist studio, but not including motion picture studio, and personal services uses within the existing single detached dwelling on lands located at 1011 Fennell Avenue East (Hamilton), as shown on Appendix “A” to Report PED18069, be APPROVED, on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED18069, 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 (PPS) and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow); and,
- (iii) That the proposed change in zoning complies with the Urban Hamilton Official Plan.

(b) *That there were no public submissions received regarding this matter.*

Main Motion, as Amended, CARRIED

5. Application for Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 412 Aberdeen Avenue, Hamilton (Ward 1) (PED18072) (Item 6.5)

(Collins/Pearson)

(a) That Amended Zoning By-law Amendment Application ZAR-17-040 by Mario Neves and Susana Da Silva, Owners, for a further modification to the “D” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, to legalize an existing illegal triplex within the existing building, for lands located at 412 Aberdeen Avenue, Hamilton, as shown on Appendix “A” to Report PED18072, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED18072, 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 PED18072, be added to District Map No. W14 of Zoning By-law No. 6593;
- (iii) That the amending By-law apply the Holding Provision of section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed zoning;

The Holding Provision “D/S-1758-‘H’” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Holding, Modified, be removed conditional upon:

- (1.) The Owner apply for a Building Permit to legalize the two dormer additions and internal renovations to create three dwelling units, to the satisfaction of the City’s Chief Building Official.
 - (2.) The Owner undertake a noise study
 - (3.) The Owner submits and receives approval of an updated wastewater generation assessment, to the satisfaction of the Senior Director, Growth Management.
- (iv) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017), and complies with the Urban Hamilton Official Plan;
- (b) That upon finalization of the amending By-law, that the Kirkendall North Neighbourhood Plan be amended to re-designate the subject lands from "Single and Double" to “Low Density Apartment”;
 - (c) ***That there were no public submissions received regarding this matter.***

Main Motion, as Amended, CARRIED

6. Proposed Official Plan Amendment and Amendment to Hamilton Zoning By-law No. 05-200 to rezone Industrial Zones for the Port Lands, Certain Remnant Industrial Zoned Lands, and Institutional and Open Space Zones, and Amendment to Hamilton Zoning By-law No. 6593 to delete Harbour Zones (Wards 2, 3, 4 and 5) (PED18064) (Item 6.6)

(Collins/Green)

- (a) That approval be given to Official Plan Amendment (UHOPA) No. XX to the Urban Hamilton Official Plan (UHOPA) to amend the Employment

Area – Shipping and Navigation Designation policies in Volume 1, on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix “A” to Report PED18064, be adopted by Council; and,
 - (ii) That the proposed Official Plan Amendment (OPA) No. XX is consistent with the Provincial Policy Statement (PPS) 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe 2017.
- (b) That approval be given to amended City Initiative CI-18-B for portions of the Urban Area, to add two new Industrial Zones to Hamilton Zoning By-law No. 05-200 for lands around Hamilton Harbour; introduce parking provisions related to Marine Service; amend definitions associated with the new Industrial Zones; amend the administrative section of the By-law to implement the new Industrial Zones; and add a Holding Provision requiring studies to permit certain industrial uses for lands located in the former municipality of Hamilton on the following basis:
- (i) That the Draft By-law, attached as Appendix “B” to Report PED18064, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
 - (ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan (UHOP) upon approval of Official Plan Amendment (OPA) No. __.
- (c) That approval be given to amended City Initiative CI-18-B to incorporate the following lands located in and around Hamilton Harbour, as shown in Appendices “D1” and “D2” from Hamilton Zoning By-law No. 6593 and into Hamilton Zoning By-law No. 05-200:
- (i) That lands located at 440 Victoria Avenue North be rezoned from the “K” (Heavy Industry, etc.) District to Light Industrial (M6) Zone with a Special Exception;
 - (ii) That Windemere Basin be rezoned from the “L-s” (Planned Development Special Study) District to Conservation/Hazard Land (P5) Zone, and the northerly lands that surround Windemere Basin be rezoned from “A/S-1450a” (Conservation Open Space Park and Recreation) District to Open Space (P4) Zone, with a Special Exception;
 - (iii) That the Draft By-law, attached as Appendix “C” to Report PED18064, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,

- (iv) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP).
- (d) That approval be given to amended City Initiative CI-18-B to delete the “F-2” (Open Space Harbour) District and “F-2A” (Harbour) District from Hamilton Zoning By-law No. 6593 for Hamilton Harbour (water) on the following basis:
 - (i) That the Draft By-law, attached as Appendix “D” to Report PED18064 which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
 - (ii) The proposed changes in zoning is in conformity with the Urban Hamilton Official Plan (UHOP).
- (e) ***That there were no public submissions received regarding this matter.***

Main Motion, as Amended, CARRIED

7. Community Energy Plan Terms of Reference (City Wide) (PED18057) (Item 8.1)

(Collins/Pearson)

- (a) That the City of Hamilton Community Energy Plan (CEP) Terms of Reference, attached as Appendix “A” to Report PED18057, be **approved**;
- (b) That staff be directed to undertake a process to develop a Community Energy Plan in accordance with the Community Energy Plan (CEP) Terms of Reference as set out in Appendix “A” to Report PED18057;
- (c) That staff be directed and authorized to prepare a Request for Proposal (RFP) to retain a consultant to prepare the Community Energy Plan (CEP);
- (d) That staff be authorized to submit an application to the Federation of Canadian Municipalities’ Green Municipal Fund or the Province of Ontario’s Municipal Energy Plan Program to obtain additional funding sources for the project;
- (e) That should the City be successful in an application for funding, from the Federation of Canadian Municipalities’ Green Municipal Fund and/or the Province of Ontario’s Municipal Energy Plan Program, the Mayor and Clerk be authorized and directed to execute the Agreement together with any ancillary documentation, in a form satisfactory to the City Solicitor.

Main Motion, as Amended, CARRIED

8. Ontario Municipal Board Appeals to Zoning By-law Amendments 17-095 and 17-096 and Draft Plan of Subdivision Approval for lands located at Pier 8, 65 Guise Street East (LS18013) (Ward 2) (Item 12.1)

(Skelly/Conley)

That Report LS18013 respecting Ontario Municipal Board Appeals to Zoning By-law Amendments 17-095 and 17-096 and Draft Plan of Subdivision Approval for lands located at Pier 8, 65 Guise Street East be received and remain private and confidential and restricted from public disclosure.

CARRIED

FOR INFORMATION:

(a) APPROVAL OF THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

1. ADDED WRITTEN COMMENTS

6.6(a) Written comments from Ian Hamilton, President and CEO of the Hamilton Port Authority requesting deferral of Item 6.6. which is the Proposed Official Plan Amendment and Amendment to Hamilton Zoning By-law No. 05-200 to rezone Industrial Zones for the Port Lands, Certain Remnant Industrial Zoned Lands, and Open Space Zones, and Amendment to Hamilton Zoning By-law No. 6593 to delete Harbour Zones (Wards 3, 4 and 5) (PED18064) (copy attached)

2. CHANGE TO REPORT TITLE OF ITEM 7.1 AND REMOVAL FROM AGENDA

- For the record, the correct title of Item 7. 1 is: *Bill 139, Building Better Communities and Conserving Watersheds Act, 2017* and the new Local Planning Appeal Tribunal (LS16027(d)) (City Wide)
- And as Council referred this report on March 28, 2018 to the General Issues Committee, it is removed from the agenda.

3. UPDATES TO THE OUTSTANDING BUSINESS LIST

11.1 Outstanding Business List

- (a) Items requiring new due dates:

Item “Q” – That staff report back on any past resolutions or ongoing engagement between the HMHC and the property owners’ surrounding the Gore and how these resolutions or ongoing dialogues may be affected as a result of proceeding with a Heritage Conservation District and the merits of a Heritage Conservation District

Due date: April 3, 2018, 2018

New due date: September 4, 2018

Item “R” – That staff report back with legislative options and alternatives to the regulation of driving schools in Hamilton that seeks to address the practice areas utilized by driving schools and individual driving instructors, and that the information contained in the report include, but not be limited to, legislation adopted by neighbouring municipalities who have adopted driving school rules and regulations.

Due date: April 3, 2018

New due date: May 15, 2018

Item “T” – Staff to report back on Class 4 Noise receptor status for Downtown Secondary Plan and/or broader city-wide policy.

Due date: April 3, 2018

New due date: April 17, 2018

4. MISSING REPORT NUMBER

Private and Confidential Item 12.1 respecting Ontario Municipal Board Appeals to Zoning By-law Amendments 17-095 and 17-096 and Draft Plan of Subdivision Approval for lands located at Pier 8, 65 Guise Street East (Ward 2) is missing a report number on the printed agenda. The number is LS18013.

(Skelly/Farr)

That the agenda for the April 3, 2018 meeting be approved as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

There were none declared.

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

(i) March 20, 2018 (Item 3.1)

(Skelly/Partridge)

That the Minutes of the March 20, 2018 meeting be approved.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

(Skelly/Green)

That the following delegation requests be approved to address Committee at a future meeting when the related staff report is on the agenda:

- 4.1 Joe Pyziak, 1771 Acadia Drive, Hamilton to speak to the staff report regarding Sonoma Homes Zoning By-laws for 1518 Upper Sherman Avenue
- 4.2 Paul Busnello, 126 Cartier Crescent, Hamilton to speak to the staff report regarding Sonoma Homes Zoning By-laws for 1518 Upper Sherman Avenue
- 4.3 Helen McKenzie, 91 Cartier Crescent, Hamilton to speak to the staff report regarding Sonoma Homes Zoning By-laws for 1518 Upper Sherman Avenue
- 4.4 Patricia A. Kay, 39 Halo Street, Hamilton to speak to the staff report regarding Sonoma Homes Zoning By-laws for 1518 Upper Sherman Avenue

CARRIED

(e) DELEGATIONS/PUBLIC HEARING (Item 6)

- (i) Bill Johnston, First Unitarian Church of Hamilton, Affordable Housing Sub-Committee to support waiving the fees for applications for affordable housing projects and also to request that first priority be given to the processing of such applications. (Approved March 20, 2018) (No copy) (Item 6.1)**

Bill Johnston addressed Committee. Copies of a hand-out were distributed and are available for viewing on the City's website. He summarized the content of the hand-out.

(Green/Partridge)

That the delegation by Bill Johnston be received and referred to staff for consideration in preparing their report regarding the waiving of fees for the applications for affordable housing projects including the feasibility and costing.

CARRIED

- (ii) **Aaron Murphy, respecting issues with Municipal Law Enforcement procedures regarding his complaint of mould in his residence. (Approved March 20, 2018.) (No copy) (Item 6.2)**

Aaron Murphy addressed Committee and expressed concerns with the procedures followed by Municipal Law Enforcement and Public Health staff in response to his complaint of mould in the rental property where he is residing. He provided a summary of his experience regarding this matter. He requested that staff be given the resources needed to effectively deal with these complaints.

(Skelly/Green)

That the delegation by Aaron Murphy be received.

CARRIED

- (iii) **Christina Sousa, requesting support for changing the by-law to allow for backyard hens in Hamilton. (Approved March 20, 2018) (Item 6.3)**

Christine Sousa addressed Committee with the aid of a PowerPoint presentation and several hand outs were provided. Copies of the presentation and the hand outs were included in the agenda and are available for viewing on the City's website. She requested that backyard hens (but not roosters) be allowed in Hamilton and she outlined the benefits.

(Farr/Pearson)

That the delegation by Christine Sousa be received.

CARRIED

(Farr/Skelly)

WHEREAS; since a 2012 Backyard Hens report to Council, it appears that all of Hamilton's neighboring communities now allow backyard hens;

WHEREAS; since 2012 Backyard Hens report to Council, ticks have become a major health concern in the City of Hamilton;

WHEREAS; it is suggested that chicken poop out nitrogen-rich fertilizer which may be composted with yard waste;

WHEREAS; backyard hens address the issue of food security; and

WHEREAS; a chicken makes a great pet;

THEREFORE, BE IT RESOLVED:

- (a) That the appropriate staff be requested to provide the Planning Committee with an update related to their 2012 Backyard Hens Report;
- (b) That the staff update include an analysis of previously identified issues that included, but are not limited to, health, odor, nuisance, etc.
- (c) That by-laws respecting the permissions of backyard hens in all neighboring municipalities be considered in the staff report.

DEFEATED

(Farr/Green)

WHEREAS; since a 2012 Backyard Hens report to Council, it appears that all of Hamilton's neighboring communities now allow backyard hens;

WHEREAS; since 2012 Backyard Hens report to Council, ticks have become a major health concern in the City of Hamilton;

WHEREAS; it is suggested that chicken poop out nitrogen-rich fertilizer which may be composted with yard waste;

WHEREAS; backyard hens address the issue of food security; and

WHEREAS; a chicken makes a great pet;

THEREFORE, BE IT RESOLVED:

- (a) That the appropriate staff be requested to provide PED Committee with an update related to their 2012 Backyard Hens Report;
- (b) That the staff update include an analysis of previously identified issues that included, but are not limited to, health, odor, nuisance, etc.
- (c) That by-laws respecting the permissions of backyard hens in all neighboring municipalities be considered in the staff report;
- (d) That the report be considered in informing a potential pilot for Wards 1, 2 and 3.

DEFEATED

(iv) Application to Amend the City of Hamilton Zoning By-law No. 6593, for Lands Located at 1011 Fennell Avenue East (Hamilton) (Ward 6) (PED18069) (Item 6.4)

In accordance with the provisions of the *Planning Act*, Chair A. 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, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal (formerly 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 Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

No members of the public came forward.

(Skelly/Collins)

That the public meeting be closed.

CARRIED

Dr. A. Cattafi, the owner, was in attendance and indicated that he is in support of the staff report.

(Pearson/Skelly)

That the staff presentation be waived.

CARRIED

Ward Councilor T. Jackson was in attendance and indicated that he is in support of the proposal

(Partridge/Pearson)

That the recommendations be amended by adding the following subsection (b) and re-lettering the balance accordingly:

(b) *That there were no public submissions received regarding this matter.*

Amendment CARRIED

For disposition of this matter refer to Item 4.

(v) **Application for Amendment to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 412 Aberdeen Avenue, Hamilton (Ward 1) (PED18072 (Item 6.5))**

In accordance with the provisions of the *Planning Act*, Chair A. 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, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

No members of the public came forward,

(Conley/Pasuta)

That the public meeting be closed

(Pearson/Partridge)

That the staff presentation be waived.

CARRIED

Mario Neves and Susana Da Silva, the owners, were in attendance and indicated that they are in support of the staff report.

(Collins/Pearson)

That the recommendations be amended by adding the following subsection (c):

(c) *That there were no public submissions received regarding this matter.*

Amendment CARRIED

For disposition of this matter refer to Item 5.

(vi) **Proposed Official Plan Amendment and Amendment to Hamilton Zoning By-law No. 05-200 to rezone Industrial Zones for the Port Lands, Certain Remnant Industrial Zoned Lands, and Institutional and Open Space Zones, and Amendment to Hamilton Zoning By-law No. 6593 to delete Harbour Zones (Wards 2, 3, 4 and 5) (PED18064) (Item 6.6)**

In accordance with the provisions of the *Planning Act*, Chair A. 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 Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Added Written Comments

6.6(a) Written comments from Ian Hamilton, President and CEO of the Hamilton Port Authority requesting deferral of Item 6.6

(Collins/Pearson)

That the added written comments Item 6.6(a) be received.

CARRIED

No members of the public came forward.

(Conley/Pasuta)

That the public meeting be closed.

CARRIED

Timothy Lee addressed Committee with the aid of a PowerPoint presentation and provided an overview of the Report. A copy of the presentation is available for viewing on the City's website.

(Eisenberger/Conley)

That the staff Report be TABLED until the May 1, 2018 Planning Committee meeting in order to permit consultation between the Port Authority and City staff and to allow any interested parties to submit delegation requests to address Committee at the meeting.

DEFEATED

(Collins/Green)

That the recommendations be amended by adding the following subsection (e):

(e) That there were no public submissions received regarding this matter.

Amendment CARRIED

For disposition of this matter refer to Item 6.

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

- (i) ***Bill 139, Building Better Communities and Conserving Watersheds Act, 2017 and the new Local Planning Appeal Tribunal (LS16027(d)) (CITY WIDE) (To be distributed) (Item 7.1)***

This Item was removed under changes to the agenda.

(g) **DISCUSSION ITEMS (Item 8)**

- (i) **Community Energy Plan Terms of Reference (City Wide) (PED18057) (Item 8.1)**

(Collins/Pearson)

That subsection (a) of the recommendations be amended by deleting the words “received for information” and inserting the word “approved” therein to read as follows:

- (a) That the City of Hamilton Community Energy Plan (CEP) Terms of Reference, attached as Appendix “A” to Report PED18057, be ~~received for information~~ **approved**;

Amendment CARRIED

For disposition of this matter refer to Item 7.

(h) **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 “Q” – That staff report back on any past resolutions or ongoing engagement between the HMHC and the property owners’ surrounding the Gore and how these resolutions or ongoing dialogues may be affected as a result of proceeding with a Heritage Conservation District and the merits of a Heritage Conservation District

Due date: April 3, 2018, 2018

New due date: September 4, 2018

Item “R” – That staff report back with legislative options and alternatives to the regulation of driving schools in Hamilton that seeks to address the practice areas utilized by driving schools and individual driving instructors, and that the information contained in the report include, but not be limited to, legislation adopted by

neighbouring municipalities who have adopted driving school rules and regulations.

Due date: April 3, 2018

New due date: May 15, 2018

Item "T" – Staff to report back on Class 4 Noise receptor status for Downtown Secondary Plan and/or broader city-wide policy.

Due date: April 3, 2018

New due date: April 17, 2018

Item "Y" - That staff consult with the Feds and the Prov and review and report back on the revisions to the Economic Development Strategy, Official Plan Policies and Zoning Regulations with respect to medical & recreational marijuana (cannabis) production, distribution and sales and staff review the appropriate standards for recreational marijuana, using the current standards for medical marijuana as a guideline, and report back to the Planning Committee

Due date: April 3, 2018

New due date: June 19, 2018

- (b) That the following Item be identified as complete and be removed:

Item "G" – Report back with Terms of Reference for Community Energy Plan (i.e. renewable such as solar energy)
(Item 8.1 on this agenda)

CARRIED

(Farr/Partridge)

That staff be directed to list the Downtown Secondary Plan report as the last Item on the April 17, 2018 Planning Committee Agenda.

CARRIED

(i) PRIVATE AND CONFIDENTIAL

12.1 Ontario Municipal Board Appeals to Zoning By-law Amendments 17-095 and 17-096 and Draft Plan of Subdivision Approval for lands located at Pier 8, 65 Guise Street East (LS18013) (Ward 2)

(Collins/Pearson)

That Committee move into Closed Session at 12:20 p.m. to discuss Item 12.1 pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) of the Municipal Act, 2001, as amended, 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.

CARRIED

Committee reconvened in Open Session at 1:40 p.m.

Direction was given to staff in Closed Session with nothing to report in Open Session.

For further disposition of this matter, refer to Item 8.

(j) ADJOURNMENT (Item 13)

(Pearson/Pasuta)

That, there being no further business, the Planning Committee be adjourned at 1:46 p.m.

CARRIED

Respectfully submitted,

Councillor A. Johnson
Chair, Planning Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk