



## **PLANNING COMMITTEE**

### **MINUTES 12-006**

**Tuesday, April 17, 2012**

**9:30 am**

**Council Chambers**

**City Hall**

**71 Main Street West**

**Hamilton, Ontario**

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**Present:** Councillors B. Clark (Chair), J. Farr (1<sup>st</sup> Vice Chair), B. Johnson (2<sup>nd</sup> Vice Chair), C. Collins, L. Ferguson, J. Partridge, R. Pasuta, M. Pearson and T. Whitehead

**Also Present:** Councillor T. Jackson  
Councillor B. McHattie  
T. McCabe, GM, Planning & Economic Development  
M. Hazell, Senior Director, Parking & By-Law Services  
T. Sergi, Senior Director, Growth Management  
P. Mallard, Director, Planning  
B. Janssen, Director, Strategic Services  
G. Wide, Manager, Enforcement  
S. Robichaud, Manager, Development Planning  
V. Robicheau, Office of the City Clerk

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#### **THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:**

- 1. Heritage Permit Application HP2012-010 Under Part V of the Ontario Heritage Act for Erection of Structures at 870 Beach Boulevard (Hamilton) (PED12061) (Ward 5) (Item 5.1)**

**(Pearson/Collins)**

That Heritage Permit Application HP2012-010 be approved for the erection of a new single detached residence, and attached garage, on the designated property at 870 Beach Boulevard (Hamilton Beach Heritage Conservation District)

(Hamilton), as shown on Appendix "A" to Report PED12061, subject to the following conditions:

- (a) That the front and side façades of the new house shall be pre-finished wood or engineered wood cladding;
- (b) That final elevation drawings showing the material, composition, brand, style, model, colour, and/or any other descriptive attributes for the proposed construction materials, including the building cladding, trim, roofing, windows, doors, porch columns and railings, soffits and eaves, shall be submitted to the satisfaction and approval of Planning staff, prior to submission as part of any application for a Building Permit;
- (c) That as many existing trees as possible shall be retained, and/or that one to three new trees of a minimum caliper of 55mm and of a species consistent with the City of Hamilton's Tree Species and Recommended Use Index shall be planted within one year of occupancy of the new dwelling;
- (d) That a plan depicting the removed, retained, and new trees, including the caliper size, locations, and species shall be submitted, to the satisfaction and approval of Planning staff, prior to any grading or tree removals;
- (e) That the dimensions, design, and materials for any new fencing and gates shall be submitted, to the satisfaction and approval of Planning staff, prior to installation;
- (f) That any minor changes to the site plan or building plans and elevations following approval shall be submitted, to the satisfaction and approval of Planning staff, prior to submission as part of any application for a Building Permit;
- (g) That construction and site alterations, in accordance with this approval, shall be completed no later than April 30, 2014. If the construction and site alterations are not completed by April 30, 2014, then this approval expires as of that date, and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

**CARRIED**

**2. Contractual Parking Enforcement Services for 2013-2014 (PED12066) (City Wide) (Item 5.2)**

**(Pearson/Collins)**

- (a) That the Senior Director of Parking and By-law Services and/or designate be authorized and directed to execute an agreement with the Canadian

Corps of Commissionaires (Hamilton) and any additional documents, in a form satisfactory to the City Solicitor, for the provision of parking enforcement services for 2013 through 2014, in accordance with Billing Rates shown in Appendix "A" to Report PED12066;

- (b) That the Senior Director of Parking and By-law Services and/or designate be authorized and directed to initiate the negotiation process in accordance with the Single Source policy as defined in Purchasing Procedure #11, Section 4.11 (2) (c) for the years 2015 through 2019 with 2020 as an option year at the City's discretion.

**CARRIED**

**3. Application for Amendments to the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 515 Hamilton Drive (Ancaster) (PED12064) (Ward 12) (Item 6.1)**

**(Ferguson/Collins)**

That approval be given to Zoning By-law Amendment Application ZAR-11-072, John MacDonald, Owner, for changes in Zoning from the Agricultural "A-216" Zone, Modified, to the Residential "R1" Zone (Block 1), Residential "R1-640" Zone, Modified, with a Special Exception (Block 2), and Residential "R1-641" Zone, Modified, with a Special Exception (Block 3), to permit two single detached dwellings, on lands located at 515 Hamilton Drive (Ancaster), as shown on Appendix "A" to Report PED12064, on the following basis:

- (a) That the draft By-law, attached as Appendix "B" to Report PED12064, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
- (b) That the amending By-law be added to Map 1 of Schedule "B" of Zoning By-law No. 87-57;
- (c) That the proposed changes in zoning are consistent with the Provincial Policy Statement, conform to the Places to Grow Growth Plan and Hamilton-Wentworth Official Plan, and comply with the Town of Ancaster Official Plan.

**CARRIED**

**4. Appeal of Sign Variance Application SV-11-008 for the Property Located at 1000 Upper James Street (Hamilton) - Denied by the Director, Planning Division (PED12057) (Ward 8) (Item 6.3)**

**(Whitehead/Pearson)**

- (a) That the Appeal of Sign Variance Application SV-11-008, Albanese Branding (c/o Judy Boswell), Applicant, for the variance to the Hamilton Sign By-law (10-197) to allow for the installation of an 'electric message display' board on the existing ground sign, be approved;
- (b) That the Appeal of Sign Variance Application SV-11-008, Albanese Branding (c/o Judy Boswell), Applicant, for the variance to the Hamilton Sign By-law (10-197) to allow for a ground sign without displaying the municipal address of the subject property with the numerals having a minimum height of 15 cm, be denied;
- (c) That the Appeal of Sign Variance Application SV-11-008, Albanese Branding (c/o Judy Boswell), Applicant, for the variance to the Hamilton Sign By-law (10-197) to reduce the setback of a ground sign to all property lines from 7.9 metres to 1 metre; increase the maximum height of the ground sign from 7.5 metres to 10.6 metres; be deemed not required as the existing sign structure is grandfathered.

**CARRIED**

**5. City Wide Corridor Planning Principles and Design Guidelines (City Wide) (Outstanding Business List Item) (PED11125(a)) (Item 7.1)**

**(Farr/Whitehead)**

- (a) That the City Wide Corridor Planning Principles and Design Guidelines, attached as Appendix "A" to Report PED11125(a), be adopted and approved for use during the development review process and other land use planning and infrastructure/public realm initiatives;
- (b) That the General Manager, Planning and Economic Development be authorized to amend the City Wide Corridor Planning Principles and Design Guidelines attached as Appendix "A" to Report PED11125(a) on an on-going basis, as technical initiatives and standards are completed or revised, and other design criteria developed;
- (c) That the item "B-Line Nodes and Corridors Land Use Planning Study and Mid-Rise Development" be identified as complete and removed from the Planning Committee's Outstanding Business List.

**CARRIED**

**6. Main, King, Queenston (B-Line) Corridor Land Use Strategy (Wards 1, 2, 3, 4, 5, 9) (PED12063) (Item 7.2)**

**(Farr/Pearson)**

- (a) That Option 2 Focused Reurbanization, as outlined within the Main King Queenston (B-Line) Corridor Strategy Study, Phase 1 – Corridor Options (March 2012), attached as Appendix A to Report PED12063, be approved as the preferred option for further work and action referenced in recommendation (b) below;
- (b) That the General Manager, Planning and Economic Development be directed to prepare a Corridor Strategy and Implementation Plan based on Option 2 Focused Reurbanization, and report back to the Planning Committee with the recommended strategy and plan as part of a public meeting under the Planning Act, and to undertake further public consultation prior to the scheduling of such public meeting;
- (c) That page 35 of Appendix A of Report PED12063, Main, King, Queenston (B-Line) Corridor Land Use Strategy (Wards 1, 2, 3, 4, 5, 9), be amended by changing the designation from Mid-Rise Reurbanization to Small Scale Reurbanization, for the three properties fronting Queenston Road, adjacent to the rear of residential properties fronting onto Oakland Drive, and for the properties fronting Centennial Parkway North, adjacent to the rear of residential properties fronting onto Gainsborough Road.

**CARRIED**

**7. Liquor License Application Review Update (PED09127(f)) (City Wide) (Item 8.3)**

**(Whitehead/Collins)**

- a) That Council ask the Alcohol and Gaming Commission of Ontario to not issue liquor licences in the City of Hamilton without first allowing the City an opportunity to undertake a formal review process to determine what conditions, if any, are required to protect the public interest;
- b) That a copy of Report PED09127(f), respecting Liquor Licence Application Review Update, be forwarded to the Alcohol and Gaming Commission of Ontario, with the request set out in recommendation a);
- c) That a comprehensive Liquor Licence Application Review Process be approved subject to the approval of items (i), (ii), (iii), and (iv) below:
  - i) That the Liquor Licence Application Review Assessment Tool, contained in Report PED09127(e), attached as Appendix “A” to Report PED09127(f), be approved for use in assessing the City’s

position with respect to all new liquor licence applications and extensions;

- ii) That, notwithstanding the findings of the Liquor Licence Application Review Assessment Tool, if, in the opinion of the affected Ward Councillor, an application or extension is not in the public interest, the Councillor may seek City Council direction before providing municipal consent to the Alcohol and Gaming Commission of Ontario;
- iii) That a temporary full-time equivalent staff person be hired to administer the recommended liquor license application review process, for approximately two years and that the cost (estimated at \$175,000) be financed from the parking reserve #108021;
- iv) That a \$160.16 fee be approved for persons seeking municipal consent for new liquor licence applications and extensions, and added to the City's User Fee and Charges By-Law;
- d) That Council again request that the Alcohol and Gaming Commission of Ontario, notify the City of Hamilton of potential licence transfers and be afforded an opportunity to comment on such transfers similar to the existing process for new liquor licence applications.
- e) That the item respecting Liquor Licence Application Review Update be identified as complete and be removed from the Planning Committee's Outstanding Business List.

**CARRIED**

**8. City of Hamilton Street Naming, Renaming, and Addressing Guidelines and Policies (PED12060) (City Wide) (Item 8.4)**

**(Pearson/Collins)**

That Information Report PED12060, City of Hamilton Street Naming, Renaming, and Addressing Guidelines and Policies (PED12060) (City Wide), be received.

**CARRIED**

**9. Proposed Settlement of Remaining Appeal to Severance Policies in the City of Hamilton Rural Official Plan by Paletta International Corporation and P&L Livestock Limited (“Paletta”) (LS12010) (distributed under separate cover) (Item 12.1)**

**(Whitehead/Partidge)**

- (a) That the proposed settlement of the remaining appeal to Severance Policies in the City of Hamilton Rural Official Plan by Paletta International Corporation & P&L Livestock, attached as Appendix “A” to Report LS12010, be approved;
- (b) That, upon Council approval of the proposed settlement between the City of Hamilton and Paletta International Corporation & P&L Livestock respecting their remaining appeal of Severance Policies in the City of Hamilton Rural Official Plan, Appendix “A” to Report LS12010 be released as a public document;
- (c) That Report LS12010 remain confidential and not be released as a public document.

**CARRIED**

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**FOR THE INFORMATION OF COMMITTEE:**

**(a) CHANGES TO THE AGENDA**

The Committee Clerk advised of the following changes to the Agenda:

**DELEGATION REQUESTS**

- 4.2 Delegation Request from Ed Fothergill, Fothergill Planning and Development Inc., respecting agenda Item 6.2, Report PED12062, Revisions to Comprehensive Zoning By-law 05-200, to Modify General Commercial “C3-116” and “C3-117” Zone and add Site Specific General Commercial “C3-275” Zone to the Glanbrook Zoning By-law No. 464
- 4.3 Delegation Request from Victor Veri, respecting agenda Item 6.2, Report PED12062, Revisions to Comprehensive Zoning By-law 05-200, to Modify General Commercial “C3-116” and “C3-117” Zone and add Site Specific General Commercial “C3-275” Zone to the Glanbrook Zoning By-law No. 464

- 4.4 Delegation Request from Kim Foster respecting agenda Item 8.2, Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road Report
- 4.5 Delegation Request from Mary Kiss on behalf of the Concerned Ainslie Wood Neighbourhood Residents' Association respecting agenda Item 8.2, Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road Report
- 4.6 Delegation Request from Chris Pidgeon respecting agenda Item 8.2, Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road Report (to register Chris Pidgeon and Jamie Crich)
- 4.7 Delegation Request from Daniel Rodrigues, of the Ontario Restaurant Hotel & Motel Association, respecting agenda Item 8.3, Report PED09127(f), Liquor License Application Review Update
- 4.8 Delegation Request from Rae Pemberton, respecting agenda Item 9.1, 38 Strachan Street West/ 344 Bay Street North, Hamilton
- 4.9 Delegation Request from Jason Velenosi, The Grease Guy, respecting proposed revisions to the City's By-law that addresses Trap Grease Removal / Pumping within the City of Hamilton to be Performed Only by a Licensed Tradesman (to attend at a future meeting)

#### DISCUSSION ITEMS

- 8.2 Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton) (PED09103(b)) (Ward 1)
  - (i) Correspondence from Jay Parlar, President, Ainslie Wood/Westdale Community Association

#### PRIVATE & CONFIDENTIAL

- 12.1 Proposed Settlement of Remaining Appeal to Severance Polices in the City of Hamilton Rural Official Plan by Paletta International



Corporation and P&L Livestock Limited ("Paletta") (LS12010)  
(*distributed under separate cover*)

**(Collins/Pearson)**

That the Agenda for the April 17, 2012 meeting of the Planning Committee be approved, as amended.

**CARRIED**

**(b) DECLARATIONS OF INTEREST**

None.

**(c) APPROVAL OF MINUTES**

**(i) April 3, 2012**

**(Farr/Pearson)**

That the Minutes of the April 3, 2012 Planning Committee meeting be approved.

**CARRIED**

**(d) DELEGATION REQUESTS**

**(i) Delegation Request from Renee Wetselaar, respecting Pocket Housing Business Plan by the Affordable Housing Flagship (Item 4.1)**

**(Pearson/Farr)**

That the delegation request from Renee Wetselaar, respecting Pocket Housing Business Plan by the Affordable Housing Flagship, be approved for a future meeting.

**CARRIED**

**(ii) Delegation Request from Ed Fothergill, Fothergill Planning and Development Inc., respecting agenda Item 6.2, Report PED12062, Revisions to Comprehensive Zoning By-law 05-200, to Modify General Commercial "C3-116" and "C3-117" Zone and add Site Specific General Commercial "C3-275" Zone to the Glanbrook Zoning By-law No. 464 (Item 4.2)**

**(Pasuta/Johnson)**

That the delegation request from Ed Fothergill, respecting Report PED12062, Revisions to Comprehensive Zoning By-law 05-200, to Modify General Commercial "C3-116" and "C3-117" Zone and add Site Specific General Commercial "C3-275" Zone to the Glanbrook Zoning By-law No. 464, be approved for today's meeting.

**CARRIED**

- (iii) **Delegation Request from Victor Veri, respecting agenda Item 6.2, Report PED12062, Revisions to Comprehensive Zoning By-law 05-200, to Modify General Commercial "C3-116" and "C3-117" Zone and add Site Specific General Commercial "C3-275" Zone to the Glanbrook Zoning By-law No. 464 (Item 4.3)**

**(Pearson/Johnson)**

That the delegation request from Victor Veri, respecting Report PED12062, Revisions to Comprehensive Zoning By-law 05-200, to Modify General Commercial "C3-116" and "C3-117" Zone and add Site Specific General Commercial "C3-275" Zone to the Glanbrook Zoning By-law No. 464, be approved for today's meeting.

**CARRIED**

- (iv) **Delegation Request from Kim Foster respecting agenda Item 8.2, Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road Report (Item 4.4)**

**(Johnson/Pearson)**

That the delegation request from Kim Foster, respecting Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road Report, be approved for today's meeting.

**CARRIED**

- (v) **Delegation Request from Mary Kiss on behalf of the Concerned Ainslie Wood Neighbourhood Residents' Association respecting agenda Item 8.2, Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road Report (Item 4.5)**

Kim Foster advised the Chair that Mary Kiss will be unable to attend the meeting today. Mr. Foster will provide the Planning Committee with Ms. Kiss' handout for distribution.

- (vi) **Delegation Request from Chris Pidgeon respecting agenda Item 8.2, Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road Report (to register Chris Pidgeon and Jamie Crich) (Item 4.6)**

**(Pasuta/Pearson)**

That the delegation request from Chris Pidgeon and Jamie Crich, respecting Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road Report, be approved for today's meeting.

**CARRIED**

- (vii) **Delegation Request from Daniel Rodrigues, of the Ontario Restaurant Hotel & Motel Association, respecting agenda Item 8.3, Report PED09127(f), Liquor License Application Review Update (Item 4.7)**

**(Collins/Pearson)**

That the delegation request from Daniel Rodrigues, respecting Report PED09127(f), Liquor License Application Review Update, be approved for today's meeting.

**CARRIED**

- (viii) **Delegation Request from Rae Pemberton, respecting agenda Item 9.1, 38 Strachan Street West/ 344 Bay Street North, Hamilton (Item 4.8)**

**(Farr/Johnson)**

That the delegation request from Rae Pemberton, respecting 38 Strachan Street West/ 344 Bay Street North, Hamilton, be approved for today's meeting.

**CARRIED**

- (ix) **Delegation Request from Jason Velenosi, The Grease Guy, respecting proposed revisions to the City's By-law that addresses Trap Grease Removal / Pumping within the City of Hamilton to be Performed Only by a Licensed Tradesman (to attend at a future meeting) (Item 4.9)**

**(Ferguson/Whitehead)**

That the delegation request from Jason Velenosi, respecting proposed revisions to the City's By-law that addresses Trap Grease Removal /

Pumping within the City of Hamilton to be Performed Only by a Licensed Tradesman, be referred to the Public Works Committee.

**CARRIED**

**(e) PUBLIC HEARINGS AND DELEGATIONS**

**(i) Application for Amendments to the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 515 Hamilton Drive (Ancaster) (PED12064) (Ward 12) (Item 6.1)**

In accordance with the provision of the Planning Act, Chair B. Clark 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 approves 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 public speakers came forward.

**(Pearson/Whitehead)**

That the public meeting respecting, Report PED12064, Application for Amendments to the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 515 Hamilton Drive (Ancaster), be closed.

**CARRIED**

**(Ferguson/Whitehead)**

That the staff presentation respecting, Report PED12064, Application for Amendments to the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 515 Hamilton Drive (Ancaster), be waived.

**CARRIED**

For disposition on this Item, refer to item 3.

**(ii) Revisions to Comprehensive Zoning By-law 05-200, to Modify General Commercial "C3-116" and "C3-117" Zone and add Site Specific General Commercial "C3-275" Zone to the Glanbrook Zoning By-law No. 464 (PED12062) (City Wide) (Item 6.2)**

In accordance with the provision of the Planning Act, Chair B. Clark 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 approves 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.

Al Fletcher provided an overview of the report. A copy of the PowerPoint presentation has been included in the public record.

**(Farr/Collins)**

That the staff presentation respecting Report PED12062, Revisions to Comprehensive Zoning By-law 05-200, to Modify General Commercial "C3-116" and "C3-117" Zone and add Site Specific General Commercial "C3-275" Zone to the Glanbrook Zoning By-law No. 464, be received.

**CARRIED**

**Registered Speakers:**

- (1) Ed Fothergill – 62 Daffodil Crescent, Hamilton, ON L9K 1E1

Mr. Fothergill spoke to the hotel use permissions currently in the by-law that may be detrimental.

**(Whitehead/Pasuta)**

That the presentation respecting Report PED12062, Revisions to Comprehensive Zoning By-law 05-200, to Modify General Commercial "C3-116" and "C3-117" Zone and add Site Specific General Commercial "C3-275" Zone to the Glanbrook Zoning By-law No. 464, be received.

**CARRIED**

- (2) Victor Veri – 971 Highway 6 N, Flamborough, On L8N 2Z7

Mr. Veri spoke to the businesses within the area and that he believes that the initiative can be better balanced to help the City.

**(Whitehead/Partridge)**

That the presentation respecting Report PED12062, Revisions to Comprehensive Zoning By-law 05-200, to Modify General Commercial "C3-116" and "C3-117" Zone and add Site Specific General Commercial "C3-275" Zone to the Glanbrook Zoning By-law No. 464, be received.

**CARRIED**

**(Pearson/Whitehead)**

That the public meeting respecting Report PED12062, Revisions to Comprehensive Zoning By-law 05-200, to Modify General Commercial "C3-116" and "C3-117" Zone and add Site Specific General Commercial "C3-275" Zone to the Glanbrook Zoning By-law No. 464, be closed.

**CARRIED**

Oh behalf of Councillor Jackson, Councillor Whitehead introduced the following amendment:

**(Whitehead/Partridge)**

That staff be directed to amend the zoning bylaw to create a special exemption to permit the continued use of a hotel on the property known as 230 Anchor Rd.

**CARRIED**

**(Partridge/Pasuta)**

That the M3 zoned lands owned by Flamborough Power Centre Inc. and Clappison Five Six Properties Inc. be exempt from the provisions of City initiative C1-12-D.

**CARRIED**

**(Ferguson/Johnson)**

That the area on the south side of Wilson between Tradewind and Trinity be exempt from the provisions of City initiative C1-12-D.

**CARRIED**

**(Pearson/Whitehead)**

That Report PED12062, Revisions to Comprehensive Zoning By-law 05-200, to Modify General Commercial "C3-116" and "C3-117" Zone and add Site Specific General Commercial "C3-275" Zone to the Glanbrook Zoning By-law No. 464, be tabled for staff to engage in discussion with the Ministry of the Environment.

**CARRIED**

**(iii) Appeal of Sign Variance Application SV-11-008 for the Property Located at 1000 Upper James Street (Hamilton) - Denied by the Director, Planning Division (PED12057) (Ward 8) (Item 6.3)**

In accordance with the provision of the Planning Act, Chair B. Clark 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 approves or denies the sign variance, 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 public speakers came forward.

**(Pearson/Whitehead)**

That the public meeting respecting, Report PED12057, Appeal of Sign Variance Application SV-11-008 for the Property Located at 1000 Upper James Street (Hamilton) - Denied by the Director, Planning Division, be closed.

**CARRIED**

Timothy Lee provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

**(Collins/Whitehead)**

That the staff presentation respecting Report PED12057, Appeal of Sign Variance Application SV-11-008 for the Property Located at 1000 Upper James Street (Hamilton) - Denied by the Director, Planning Division, be received.

**CARRIED**

The main motion CARRIED on the following vote:

Yea:	Farr, Pasuta, Partridge, Collins, Johnson, Pearson, Whitehead
Total:	7
Nay:	Clark
Total:	1
Absent:	Ferguson
Total:	1

For disposition on this Item, refer to item 4.

**(f) PRESENTATIONS**

**(i) City Wide Corridor Planning Principles and Design Guidelines (City Wide) (Outstanding Business List Item) (PED11125(a)) (Item 7.1)**

Ken Coit provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

Committee members discussed the impact of the Corridor Planning Principals on affordable housing and asked questions about the extent of the public consultation process. Committee members clarified that the guidelines would not see the City involved in expropriations, instead using holding provisions on properties to be used at the time of sale.

**(Farr/Whitehead)**

That the staff presentation respecting Report PED11125(a) City Wide Corridor Planning Principles and Design Guidelines, be received.

**CARRIED**

For disposition on this Item, refer to item 5.

**(ii) Main, King, Queenston (B-Line) Corridor Land Use Strategy (Wards 1, 2, 3, 4, 5, 9) (PED12063) (Item 7.2)**

Christine Lee-Morrison provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

**(Collins/Johnson)**

That a new item (c) be added to the recommendations contained in Report PED12063, Main, King, Queenston (B-Line) Corridor Land Use Strategy (Wards 1, 2, 3, 4, 5, 9), as follows:

- (c) That page 35 of Appendix A of Report PED12063, Main, King, Queenston (B-Line) Corridor Land Use Strategy (Wards 1, 2, 3, 4, 5, 9), be amended by changing the designation from Mid-Rise Reurbanization to Small Scale Reurbanization, for the three properties fronting Queenston Road, adjacent to the rear of residential properties fronting onto Oakland Drive, and for the properties fronting Centennial Parkway North, adjacent to the rear of residential properties fronting onto Gainsborough Road.

**CARRIED**

**(Farr/Pearson)**

That the presentation respecting Report PED12063, Main, King, Queenston (B-Line) Corridor Land Use Strategy (Wards 1, 2, 3, 4, 5, 9), be received.

**CARRIED**

For disposition on this Item, refer to item 6.



**(g) DISCUSSION ITEMS**

**(i) Housekeeping Amendments to Comprehensive Zoning By-law 05-200 (PED12015(a)) (City Wide) (Item 8.1)**

Al Fletcher provided an overview of his meetings with the delegations after this item came before committee on January 31, 2012. Mr. Fletcher updated the Committee on the changes to the previous report.

Registered Speakers:

- (1) Wayne Clayton – 332 McNeilly Rd., Stoney Creek, ON L8E 5H4

Mr. Clayton addressed the issue of item 9 and 10 will be separated while the remaining item deferred from this.

**(Pearson/Johnson)**

That the presentation respecting, Report PED12015(a), Housekeeping Amendments to Comprehensive Zoning By-law 05-200 (City Wide), be received.

**CARRIED**

**(Johnson/Pearson)**

That Report PED12015(a), Housekeeping Amendments to Comprehensive Zoning By-law 05-200 (City Wide), be tabled for further consultation between Ward Councillors and Tim McCabe, Marty Hazel and Al Fletcher for a report back to the Planning Committee on May 15.

**CARRIED**

**(ii) Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton) (PED09103(b)) (Ward 1) (Item 8.2)**

Edward John provided a brief overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

**(Collins/Partridge)**

That the staff presentation respecting, Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton), be received.

**CARRIED**

(i) **Correspondence from Jay Parlar, President, Ainslie Wood/Westdale Community Association**

**(Johnson/Whitehead)**

That the correspondence from Jay Parlar, President, Ainslie Wood/Westdale Community Association respecting, Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton), be received.

**CARRIED**

**Registered Speakers:**

- (1) John Ariens – Suite 200, East Wing, 360 James Street North, Hamilton ON L8L 1H5

Mr. Ariens addressed the Committee with the aid of a letter. A copy of the letter has been included in the public record.

**(Farr/Whitehead)**

That the presentation respecting, Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton), be received.

**CARRIED**

- (2) Kim Foster – 96 Ewen Road, Hamilton, ON L8S 3C5

Mr. Foster expressed concerns and stated that the commercial and businesses in the area are not compatible with 17 Ewen Rd.

**(Whitehead/Farr)**

That the presentation respecting, Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton), be received.

**CARRIED**

**(Whitehead/Johnson)**

That the letter from Ms. Kiss, as presented by Mr. Foster, respecting Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton), be received.

**CARRIED**

- (3) Chris Pidgeon and Jamie Crich – 201-72 Victoria Street South, Kitchener, ON N2G 4Y9

Mr. Pidgeon presented with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

**(Partridge/Whitehead)**

That the presentation respecting, Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton), be received.

**CARRIED**

**(Collins/Johnson)**

That report PED09103, Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton), be lifted from the table.

**CARRIED**

**(Pearson/Johnson)**

That Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton), be tabled to item 12.2 of the in camera section of today's agenda to allow for legal consultation.

**CARRIED**

**(iii) Liquor License Application Review Update (PED09127(f)) (City Wide) (Item 8.3)**

Marty Hazel provided an overview of the changes and requested that staffing be rearranged since staff have moved around

**(Collins/Farr)**

That the staff presentation respecting Report PED09127(f), Liquor License Application Review Update, be received.

**CARRIED**

**(i) Correspondence from Ilya Pinassi**

**(Partridge/Farr)**

That the correspondence from Ilya Pinassi, respecting Report PED09127(f), Liquor License Application Review Update, be received.

**CARRIED**

**Registered Speaker:**

**(1) Daniel Rodrigues**

Mr. Rodrigues presented with the aid of a letter. A copy of the letter has been included in the public record.

**(Whitehead/Pearson)**

That the presentation respecting Report PED09127(f), Liquor License Application Review Update, be received.

**CARRIED**

**(Collins/Partridge)**

That Section (c) (iii) of the recommendations contained in Report PED09127(f), Liquor License Application Review Update, be amended deleted and replaced with the following:

- (c) (iii) That a temporary full-time equivalent staff person be hired to administer the recommended liquor license application review process, for approximately two years and that the cost (estimated at \$175,000) be financed from the parking reserve #108021.

**CARRIED**

For disposition on this Item, refer to item 7.

**(h) MOTIONS**

Councillor Farr withdrew the following motion:

**(i) 38 Strachan Street West/ 344 Bay Street North (Item 9.1)**

Whereas the Official Plan of the former City of Hamilton Official Plan designates the subject land "Residential";

Whereas Setting Sail: Secondary Plan for the West Harbour, approved by Council, designates the subject land as "Low Density Residential";

Whereas Setting Sail: Secondary Plan for the West Harbour was appealed to the Ontario Municipal none of the appeals focused on the subject land;

Whereas the Official Plan of the former City of Hamilton Official Plan and the Setting Sail: Secondary Plan for the West Harbour contemplate residential land use;

Whereas Zoning By-law O5-200 zones the subject land "Neighbourhood Park (P1) Zone" to recognize the existing Parkette;

Whereas prior to the disposition of city owned land municipally known as 38 Strachan Street West and 344 Bay Street North, in the City of Hamilton, the lands must be declared surplus to the needs of the City of Hamilton in accordance with the City's Procedural By-law for the Sale of Lands, being By-law No. 04-299;

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

- a) That the lands municipally known as 38 Strachan Street West and 344 Bay Street North, in the City of Hamilton be declared surplus to the requirements of the City of Hamilton in accordance with the "Procedural By-law for the Sale of Land", being By-law No. 04-299;
- b) That the Development Planning Section of the Planning Division of the Planning and Economic Development Department be authorized and directed to initiate a site specific zoning amendment for those lands municipally known as 38 Strachan Street West and 344 Bay Street North, in the City of Hamilton for residential purposes.
- c) That upon completion of a) and b) above, that in the event the City of Hamilton Planning and Economic Development Department include a design review committee (in part made up of area residents) in the design stage of the development process for these lands.

**(i) GENERAL INFORMATION AND OTHER BUSINESS**

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

**(Pearson/Whitehead)**

That the following items be amended to include the new due dates:

- (A) Item S: Cell Phone Towers (Motion)  
New Due Date: May 1, 2012

- (B) Item W: Request the province to Establish a process to govern the quality of Fill Imported to a Receiving Site  
New Due Date: June 19, 2012

**CARRIED**

**(Whitehead/Partridge)**

That the following items be deleted from the Outstanding Business List:

- (A) Item N: B-Line Nodes and Corridors Land Use Planning Study and Mid-Rise Development
- (B) Item U: Liquor Licence Application Review Update
- (C) Item C: Planning and Development Engineering Division Operational Review (now Growth Management Division)

**CARRIED**

**(ii) News from the General Manager**

The General Manager provided updates of several current initiatives within the department.

**(j) PRIVATE AND CONFIDENTIAL**

**(Whitehead/Partridge)**

That Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton), be lifted from the tabled at this time to allow for legal consultation in camera.

**CARRIED**

At 4:00 p.m., Committee moved into Closed Session to consider several confidential matters pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law and Section 239, Sub-sections (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, the receiving of advice that is subject to solicitor-client privilege including communications necessary for that purpose.

**(Pearson/ Whitehead)**

That the Planning Committee reconvene in Open Session at 4:25 p.m.

**CARRIED**

- (i) **Proposed Settlement of Remaining Appeal to Severance Polices in the City of Hamilton Rural Official Plan by Paletta International Corporation and P&L Livestock Limited (“Paletta”) (LS12010) (distributed under separate cover) (Item 12.1)**

For disposition on this Item, refer to item 7.

- (ii) **Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton) (PED09103(b)) (Item 12.2)**

**(Johnson/Pearson)**

That report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton), be tabled for further consultation with legal staff.

**CARRIED**

**(k) ADJOURNMENT**

**(PartridgeJohnson/)**

That, there being no further business, the Planning Committee be adjourned at 4:30 p.m.

**CARRIED**

Respectfully submitted,

Councillor B. Clark  
Chair, Planning Committee

Vanessa Robicheau  
Legislative Coordinator  
Office of the City Clerk  
April 17, 2012