



PLANNING COMMITTEE

MINUTES 12-016

9:30 am

Tuesday, October 16, 2012

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent with Regrets: Councillor R. Pasuta – personal

Also Present: Councillor B. Morelli

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:

1. Kiosk Pilot Program (PED05172(j)) (Wards 1, 2 and 13) (Item 5.1)

(Pearson/Collins)

That report PED05172(j), Kiosk Pilot Program, be received.

CARRIED

2. Resolutions from the Town of East Gwillimbury and the Town of Halton Hills Respecting the Need for Provincial Guidelines and Regulations to Govern the Quality of Fill Imported to a Receiving Site (PED12184) (City Wide) (Item 5.2)

(Farr/Johnson)

(a) That the City of Hamilton supports the resolutions passed by the Councils of the Town of East Gwillimbury and the Town of Halton Hills (attached as Appendices "A", "B", and "C" to Report PED12184) regarding the need for Provincial guidelines and regulations to govern the quality of fill imported to a receiving site;

- (b) That this endorsement be forwarded to the Council of the Town of East Gwillimbury, the Council of the Town of Halton Hills and the Ministry of the Environment (MOE);
- (c) That the Ministry of the Environment (MOE) be requested to establish guidelines, regulations and a Provincially regulated approvals process to govern the quality of fill imported to a receiving site;

CARRIED

3. Heritage Permit Application HP2012-047 Under Part V of the Ontario Heritage Act for Erection of a New Single Detached Residence and Detached Garage at 912 Beach Boulevard (Hamilton) (PED12185) (Ward 5) (Item 5.3)

(Pearson/Johnson)

That Heritage Permit Application HP2012-047 be approved for erection of a new single detached residence and detached garage at 912 Beach Boulevard (Hamilton Beach Heritage Conservation District) (Hamilton), subject to the following conditions:

- (a) That as many existing trees as possible shall be retained, and/or that one to three new trees of a minimum caliper of 55 mm, 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;
- (b) 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 the Manager of Development Planning, prior to any grading or tree removals;
- (c) That the design and materials for the proposed porch, frieze board and trim, and the doors and windows on the front and side elevations shall be submitted, to the satisfaction and approval of Heritage Planning staff, prior to submission as part of any application for a Building Permit;
- (d) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of Heritage Planning staff, prior to submission as part of any application for a Building Permit;
- (e) That construction and site alterations, in accordance with this approval, shall be completed no later than September 30, 2014. If the construction and site alterations are not completed by September 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

4. Heritage Permit Application HP2012-045 Under Part V of the Ontario Heritage Act for Demolition of an Existing Garage and Erection of a New Garage at 115 Mill Street North (Waterdown) (PED12190) (Ward 15) (Item 5.4)

(Pearson/Johnson)

That Heritage Permit Application HP2012-045 be approved for the demolition of an existing garage and erection of a new garage at 115 Mill Street North (Mill Street Heritage Conservation District) (Waterdown), subject to the following conditions:

- (a) That the replacement retaining wall shall be a natural stone wall constructed of materials of an appropriate scale, and that the details for the wall shall be submitted, to the satisfaction and approval of Planning staff, prior to any alteration of the existing retaining wall;
- (b) That any minor changes to the 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;
- (c) That construction and site alterations, in accordance with this approval, shall be completed no later than September 30, 2014. If the alteration is not completed by September 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

5. Adjustments to School Crossing Guard Locations (PED12194) (Wards 1, 3, 4, 6, 8, 9, 11 and 15) (Item 5.5)

(Pearson/Johnson)

- a) That the revised list of school crossing guard locations resulting from school closures, re-openings and lunch program changes in Wards 1, 3, 4, 6, 8, 9, 11 and 15, as outlined in Appendix "A" attached to Report PED12194, be approved;
- b) That staff be authorized and directed to consult with the affected Ward Councillors and to use delegated authority for adding and/or removing school crossing guards prior to City Council approval for the proposed

changes by the Hamilton-Wentworth District School Board and the Hamilton-Wentworth Catholic School Board for the 2012/2013 school year.

CARRIED

6. Pre-Christmas Free Parking Strategy – King Street West Business Improvement Area (B.I.A.) (PED12197) (Ward 2) (Item 5.6)

(Pearson/Johnson)

That the annual Pre-Christmas Free Parking Program, approved by City Council on June 25, 2003, be amended to remove the two hour, free on-street parking at all times from November 24 to December 24 annually from the King Street West Business Improvement Area (B.I.A.).

CARRIED

7. Application for a Change in Zoning for Lands Located on Blackburn Lane and Grassyplain Drive (Glanbrook) (PED12181) (Ward 11) (Item 6.2)

(Johnson/Pearson)

That approval be given to Amended Zoning Application ZAR-12-016, by 1312733 Ontario Inc., Owner, for changes in zoning from the Deferred Development “DD” Zone, the Residential “R4-246” Zone, and the Existing Residential “ER” Zone to the Residential “R4-246” Zone and the Residential “R3-158” Zone, to permit the future creation of 4 lots for single detached dwellings, for lands located on Blackburn Lane and Grassyplain Drive (Glanbrook), known as Blocks 110, 111, and Part of Block 112 - Plan 62M-932, and Block 55 - Plan 62M-1163, as shown on Appendix “A” to Report PED12181, on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED12181, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the amending By-law be added to Schedule “E” of Zoning By-law No. 464;
- (c) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan and the Township of Glanbrook Official Plan.

CARRIED

8. Applications for Approval of a Draft Plan of Subdivision, "Oasis - Phase 2", and Draft Plan of Condominium, for Lands Located at 845 and 857 North Service Road (Stoney Creek) (PED12183) (Ward 11) (Item 6.3)

(Johnson/Pearson)

(a) That approval be given to Amended Draft Plan of Subdivision Application 25T-201103, by Homes By DeSantis (Meadows) Inc., c/o Gabe DeSantis, (Owner), to establish a draft plan of subdivision known as "Oasis - Phase 2", on lands located at 845 and 857 North Service Road (Stoney Creek), as shown on Appendix "A" to Report PED12183, subject to the following conditions:

- (i) That this approval apply to "Oasis - Phase 2", 25T-201103, prepared by IBI Group, and certified by Geoff Aldworth, O.L.S., dated September 5, 2012, showing 20 lots for street townhouses (Lots 1-20), 28 lots for freehold townhouses fronting on a private (condominium) road (Lots 21-48), 1 block for the condominium road and other common elements (Block 49), and 1 block for road widening purposes (Block 50), attached as Appendix "B" to Report PED12183, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix "C" to Report PED12183;
- (ii) Acknowledgement that there will be no City share for any municipal works associated with this development;
- (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the Planning Act, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the land on the day prior to the issuance of the first building permit for each said Lot or Block;

A parkland dedication, at a ratio of 0.6 ha per 300 dwelling units, will be required.

- (iv) That the Final Plan of Subdivision complies with all the applicable provisions of the final approved Official Plan Amendment No. 169 to the City of Stoney Creek Official Plan, and to the provisions of Zoning By-law No. 12-183 of the Stoney Creek Zoning By-law No. 3692-92.

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

(b) That approval be given to Amended Draft Plan of Condominium Application 25CDM-201105, by Homes By DeSantis (Meadows) Inc., c/o

Gabe DeSantis, (Owner), to establish a draft plan of condominium (Common Elements Condominium) to create a condominium road, sidewalks, visitor parking areas, and landscaped areas with an enhanced noise barrier, in conjunction with 28 freehold street townhouse lots, on a portion of the lands located at 845 and 857 North Service Road (Stoney Creek), as shown on Appendix "A" to Report PED12183, subject to the following conditions:

- (i) That this approval apply to the plan prepared by IBI Group, and certified by G. Aldworth, O.L.S., dated September 5, 2012, showing the common elements (Block 49), attached as Appendix "D" to Report PED12183;
- (ii) That the Final Plan of Condominium complies with all the applicable provisions of the final approved Official Plan Amendment No. 169 to the City of Stoney Creek Official Plan, and to the provisions of Zoning By-law No. 12-183 to Stoney Creek Zoning By-law No. 3692-92;
- (iii) That the owner receives final approval and registers Draft Plan of Subdivision 25T-201103, to the satisfaction of the Director of Planning;
- (iv) That the owner enters into a Development Agreement to ensure that the tenure of each of the proposed 28 freehold lots have legal interest, in common, to the Common Elements Condominium, to the satisfaction of the City Solicitor;
- (v) That the owner includes the following warning clause in the Development Agreement, all Purchase and Sale Agreements, and any rental or lease agreements required for occupancy:
 - (aa) "Purchasers are advised that the City of Hamilton will not be providing maintenance or snow removal service for the private condominium road or sidewalk."
- (vi) That the owner provides the Senior Director of Growth Management with evidence that satisfactory arrangements, financial or otherwise, have been made with a telecommunication service provider, approved by the Canadian Radio and Telecommunication Commission (CRTC), that adequate telecommunication service will be provided to the condominium, including 9-1-1 emergency calling service that identifies, at a minimum, the caller's name and location information;

- (vii) That the owner/developer provide to Union Gas Limited the necessary easements and/or agreements required by Union Gas Limited for provisions of gas services for this project, in a form satisfactory to Union Gas Limited;
- (viii) That the owner satisfies any conditions, financial or otherwise, of the City of Hamilton.

CARRIED

9. Application for an Amendment to Stoney Creek Zoning By-law No. 3692-92 for the Property Located at 455 Jones Road (Stoney Creek) (PED12169) (Ward 11) (Item 8.1)

(Johnson/ Pearson)

Whereas the applicant for the proposed development ZAC-11-022 for the property known as 455 Jones Rd., Stoney Creek, wishes to move forward with 6 single family homes,

And whereas the applicant is planning a noise wall which has raised some concern with the adjacent neighbours;

And whereas landscaping will be a key component to blending this new development with the existing residential development;

And whereas the location of the entrance for this proposed development is in close proximity to the north service road and has raised the concern for traffic and safety issues;

Therefore be it resolved, That the following conditions be required through the site plan approval process, for application ZAC-11-022, Application for an Amendment to Stoney Creek Zoning By-law No. 3692-92 for the Property Located at 455 Jones Road (Stoney Creek) (PED12169) (Ward 11):

- (a) The noise wall and landscaping concerns are to be considered in consultation with the residents and the Ward Councillor;
- (b) A traffic study will be completed by the applicant and approved by City Staff.

CARRIED

10. Accessible Taxicab Licensing (PED10063(e)) (City Wide) (Item 8.2)

(Collins/Johnson)

- (a) That, in addition to issuing three standard taxicab plates in 2012, 2013 and 2014, as required by Schedule 25 of By-law 07-170, the following be approved:
- (i) in 2013, 16 accessible taxicab plates be issued first to individuals on the taxicab priority list and, secondly, if any accessible taxicab licences remain, to members of the public; and,
 - (ii) in 2014, if any accessible taxicab licences remain from 2013, and if the taxicab to population ratio in Schedule 25 of By-law 07-170 continues to warrant the issuance of additional plates, accessible taxicab plates be issued up to the deficiency of the shortfall, first to individuals on the taxicab priority list then to members of the public,
- (b) That staff be directed to prepare a Request For Proposals (RFP) to hire a consultant, to be funded from the Tax Stabilization Reserve (110046) not to exceed \$100,000, to conduct a review of the taxicab industry in Hamilton, including stakeholder consultation and recommended options on:
- (i) complying with the Accessibility for Ontarians with Disabilities Act, 2005 and its regulations;
 - (ii) issuing taxicab plates in 2015, and subsequent years when the current requirement under Schedule 25 of Licensing By-law 07-170 to issue three plates per year expires;
 - (iii) taxi trip rates.
- (c) That a by-law amendment to Licensing By-law 07-170, including Schedule 25, be prepared, in a form satisfactory to the City Solicitor, and enacted by Council to:
- (i) implement recommendations (a) and (b) above;
 - (ii) update the reference to the Provincial regulation setting accessible vehicle standards to Regulation 629 of the Revised Regulations of Ontario, 1990 (Vehicles for the Transportation of Physically Disabled Persons) made under the Highway Traffic Act.

CARRIED

11. Agricultural & Rural Affairs Advisory Committee Report 12-002 (Item 8.3)

(Johnson/Partridge)

(a) Request for an increase in Agriculture and Rural Affairs Advisory Committee Grants Funding.

Whereas the amount of funds available for rural grants has stayed the same for six years;

Therefore be it resolved, That the Agricultural and Rural Affairs – rural grants funding be increased by \$5,000 for a total funding envelop of \$20,000, and that this request be forwarded on to the 2013 budget deliberations.

(b) Additional grass cut in the rural area (no copy) (Item 6.4)

That the Agricultural and Rural Affairs Advisory Committee supports a third grass cutting in the rural areas.

CARRIED

12. OPA, ZBA and Draft Plan on Subdivisions – OMB Appeals (1125-1143 Wilson Street West, Ancaster) (LS12017) (Item 12.1)

(Ferguson/Partridge)

(a) That Report LS12017, OPA, ZBA and Draft Plan on Subdivisions – OMB Appeals (1125-1143 Wilson Street West, Ancaster), remain confidential;

(b) That the City of Hamilton continue with its motion for leave to appeal to Divisional Court from the Ontario Municipal Board Decision issued September 12, 2012, OMB File No. PL110766, and take all appropriate steps in pursuing an appeal thereafter should leave be granted, and

(c) That the City of Hamilton continue with its application to the Ontario Municipal Board pursuant to section 43 of the Ontario Municipal Board Act for a review of the Ontario Municipal Board Decision issued September 12, 2012, OMB File No. PL110766.

CARRIED

13. Appeals to the Ontario Municipal Board on the City of Hamilton's Refusal or Neglect to Adopt Amendments to the City of Stoney Creek Official Plan and Zoning By-law and Approve a Draft Plan of Subdivision Known as "Foothills of Winona – Phase 2" for Lands Located at 339 and 347 Fifty Road and 1317 and 1329 Barton Street (Stoney Creek) (LS12034) (Item 12.2)

(Johnson/Partridge)

- (a) That Report LS12034, Appeals to the Ontario Municipal Board on the City of Hamilton's Refusal or Neglect to Adopt Amendments to the City of Stoney Creek Official Plan and Zoning By-law and Approve a Draft Plan of Subdivision Known as "Foothills of Winona – Phase 2" for Lands Located at 339 and 347 Fifty road and 1317 and 1329 Barton Street (Stoney Creek), remain confidential.
- (b) That Official Plan Amendment Application OPA-11-005, by 1800615 Ontario Inc. (A. DiCenzo and S. Manchia), Owner, for a change in designation on Schedule "A" of the City of Stoney Creek Official Plan from "Special Policy Area F" to "Medium Density Residential", in order to permit the development of 16 single detached dwellings, 12 semi-detached dwellings, 174 street townhouse units, and 3 blocks for multiple residential development, be denied on the following basis:
 - (i) That the application is premature as the applicant has failed to address outstanding issues related to servicing, stormwater management and traffic through the submission of revised studies to address these issues.
 - (ii) The application does not meet the intent of the City of Stoney Creek Official Plan regarding servicing and traffic impacts.
 - (iii) The application does not fulfill the requirements of OMB Decision/Order No. 1202 which states that the owner shall undertake a water, wastewater and stormwater analysis to the satisfaction of the City prior to the development of Parcel A.
- (c) That Amended Zoning Application ZAC-11-042, by 1800615 Ontario Inc. (A. DiCenzo and S. Manchia), Owner, for changes in zoning from the Agricultural Specialty "AS" Zone to a Residential "R5" Zone, Modified, with a Special Exception (Blocks 1 to 4, 6, 7, and 1317 Barton Street), the Multiple Residential "RM2" Zone, Modified, with a Special Exception (Blocks 8 to 15), and the Multiple Residential "RM3" Zone, Modified, with a Special Exception (Block 16 to 18), be denied on the following basis:
 - (i) That the application is premature as the applicant has failed to address outstanding issues related to servicing, stormwater

management and traffic through the submission of revised studies to address these issues.

- (ii) The application does not meet the intent of the City of Stoney Creek Official Plan regarding servicing and traffic impacts.
 - (iii) The application does not fulfill the requirements of OMB Decision/Order No. 1202 which states that the owner shall undertake a water, wastewater and stormwater analysis to the satisfaction of the City prior to the development of Parcel A.
- (d) That Amended Draft Plan of Subdivision Application 25T-201107, by 1800615 Ontario Inc (A. DiCenzo and S. Manchia), Owner, to establish a draft plan of subdivision known as "Foothills of Winona, Phase 2", on lands located at 339 & 347 Fifty Road and 1329 Barton Street, in the former City of Stoney Creek, as shown on Appendix "B", be denied on the following basis:
- (i) That the application is premature as the applicant has failed to address outstanding issues related to servicing, stormwater management and traffic through the submission of revised studies to address these issues.
 - (ii) The application does not meet the intent of the City of Stoney Creek Official Plan regarding servicing and traffic impacts.
 - (iii) The application does not fulfill the requirements of OMB Decision/Order No. 1202 which states that the owner shall undertake a water, wastewater and stormwater analysis to the satisfaction of the City prior to the development of Parcel A.

CARRIED

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

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

DELEGATION REQUESTS

- 4.1 Delegation request from Abacu Mendoza respecting property grading, erosion and maintenance (for a future meeting)

- 4.2 Delegation request from the Advisory Committee for Persons with Disabilities respecting Item 8.2, Accessible Taxicab Licensing (PED10063(e)) (for today's meeting)

PRIVATE AND CONFIDENTIAL

- 12.1 OPA, ZBA and Draft Plan on Subdivisions – OMB Appeals (1125-1143 Wilson Street West, Ancaster) (LS12017) (Delivered under separate cover)
- 12.2 Appeals to the Ontario Municipal Board on the City of Hamilton's Refusal or Neglect to Adopt Amendments to the City of Stoney Creek Official Plan and Zoning By-law and Approve a Draft Plan of Subdivision Known as "Foothills of Winona – Phase 2" for Lands Located at 339 and 347 Fifty road and 1317 and 1329 Barton Street (Stoney Creek) (LS12034) (Delivered under separate cover)

(Pearson/Collins)

That the Agenda for the October 16, 2012 meeting of the Planning Committee be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Ferguson declared a conflict of interest for Item 8.2, Accessible Taxicab Licensing (PED10063(e)) (City Wide), as his family is involved in the taxicab business.

(c) APPROVAL OF MINUTES (Item 3)

(i) October 6, 2012

(Collins/Johnson)

That the Minutes of the October 6, 2012 Planning Committee meeting be approved.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

- (i) Delegation request from Abacu Mendoza respecting property grading, erosion and maintenance (for a future meeting) (Item 4.1)**

(Johnson/Pearson)

That the delegation request from Abacu Mendoza respecting property grading, erosion and maintenance, be approved for a future meeting.

CARRIED

- (ii) **Delegation request from the Advisory Committee for Persons with Disabilities respecting Item 8.2, Accessible Taxicab Licensing (PED10063(e)) (for today's meeting) (Item 4.2)**

(Partridge/Johnson)

That the delegation request from the Advisory Committee for Persons with Disabilities respecting Item 8.2, Accessible Taxicab Licensing (PED10063(e)), be approved for today's meeting.

CARRIED

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

- (i) **Resolutions from the Town of East Gwillimbury and the Town of Halton Hills Respecting the Need for Provincial Guidelines and Regulations to Govern the Quality of Fill Imported to a Receiving Site (PED12184) (City Wide) (Item 5.2)**

(Pearson/Johnson)

- (a) That the City of Hamilton supports the resolutions passed by the Councils of the Town of East Gwillimbury and the Town of Halton Hills (attached as Appendices "A", "B", and "C" to Report PED12184) regarding the need for Provincial guidelines and regulations to govern the quality of fill imported to a receiving site;
- (b) That this endorsement be forwarded to the Council of the Town of East Gwillimbury, the Council of the Town of Halton Hills and the Ministry of the Environment (MOE);
- (c) That the Ministry of the Environment (MOE) be requested to establish guidelines, regulations and a Provincially regulated approvals process to govern the quality of fill imported to a receiving site;

CARRIED

(Johnson/Collins)

That the decision respecting Report PED12184, Resolutions from the Town of East Gwillimbury and the Town of Halton Hills Respecting the

Need for Provincial Guidelines and Regulations to Govern the Quality of Fill Imported to a Receiving Site, be reconsidered.

CARRIED

(Ferguson/Partridge)

That Report PED12184, Resolutions from the Town of East Gwillimbury and the Town of Halton Hills Respecting the Need for Provincial Guidelines and Regulations to Govern the Quality of Fill Imported to a Receiving Site, be amended in sub-section (d), by adding the words, "the first quarter of" before the words, "2013".

Amendment CARRIED

(Partridge/Johnson)

That Report PED12184, Resolutions from the Town of East Gwillimbury and the Town of Halton Hills Respecting the Need for Provincial Guidelines and Regulations to Govern the Quality of Fill Imported to a Receiving Site, be amended by adding a new sub-section (e), as follows:

- (e) That berms be part of a comprehensive staff review for appropriate amendments to the site alternation by-laws to come back in the first quarter of 2013.

Amendment CARRIED

(Farr/Johnson)

That the Planning and Economic Development Department be directed to report back in the first quarter of 2013 with appropriate amendments to the Site Alteration By-law to govern the quality and quantity of imported fill to a receiving site.

CARRIED

For disposition on this Item, refer to item 2.

(f) PUBLIC HEARINGS AND DELEGATIONS (Item 6)

(i) Delegation Request from Mike Whaling respecting an illegal business (Item 6.1)

Mr. Whaling presented various concerns related to illegal businesses within his area where he operates a legal business. Mr. Whaling encouraged the City to proactively stop illegal businesses in the City.

(Johnson/Pearson)

That staff include, in their report, history of charges laid regarding illegal businesses.

CARRIED

(Pearson/Partridge)

That the delegation from Mike Whaling respecting an illegal business, be received.

CARRIED

(ii) Application for a Change in Zoning for Lands Located on Blackburn Lane and Grassyplain Drive (Glanbrook) (PED12181) (Ward 11) (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 change in zoning, 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/Johnson)

That the public meeting respecting, Report PED12181, Application for a Change in Zoning for Lands Located on Blackburn Lane and Grassyplain Drive (Glanbrook), be closed.

CARRIED

(Pearson/Johnson)

That the staff presentation respecting, Report PED12181, Application for a Change in Zoning for Lands Located on Blackburn Lane and Grassyplain Drive (Glanbrook), be waived.

CARRIED

For disposition on this Item, refer to item 7.

(iii) Applications for Approval of a Draft Plan of Subdivision, "Oasis - Phase 2", and Draft Plan of Condominium, for Lands Located at 845 and 857 North Service Road (Stoney Creek) (PED12183) (Ward 11) (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 the draft plan of subdivision, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

(Johnson/Pearson)

That the public meeting respecting, Report PED12183, Applications for Approval of a Draft Plan of Subdivision, "Oasis - Phase 2", and Draft Plan of Condominium, for Lands Located at 845 and 857 North Service Road (Stoney Creek), be closed.

CARRIED

(Pearson/Johnson)

That the staff presentation respecting, Report PED12183, Applications for Approval of a Draft Plan of Subdivision, "Oasis - Phase 2", and Draft Plan of Condominium, for Lands Located at 845 and 857 North Service Road (Stoney Creek), be waived.

CARRIED

For disposition on this Item, refer to item 8.

(g) DISCUSSION ITEMS (Item 8)

(i) Accessible Taxicab Licensing (PED10063(e)) (City Wide) (Item 8.2)

Robert Thompson, on behalf of the Advisory Committee for Persons with Disabilities (ACPD), indicated that the ACPD supports the staff recommendations and recommends a target for accessible taxis and a strategy be developed to educate the public on the reforms.

(Collins/Partridge)

That the delegation request from Robert Thompson, respecting Report PED10063(e), Accessible Taxicab Licensing, be received.

CARRIED

(Collins/Johnson)

That Report PED10063(e), Accessible Taxicab Licensing, be amended by deleting sub-section (b) in its entirety.

The amendment **CARRIED** on the following standing recorded vote:

Yeas: B. Clark, C. Collins J. Partridge, B. Johnson
Total: 4
Nays: J. Farr, T. Whitehead, M. Pearson
Total: 3
Absent: R. Pasuta
Total: 1

The main motion, as amended, **CARRIED** on the following standing recorded vote:

Yeas: B. Clark, C. Collins J. Partridge, B. Johnson
Total: 4
Nays: J. Farr, T. Whitehead, M. Pearson
Total: 3
Absent: R. Pasuta
Total: 1

For disposition on this Item, refer to item 10.

(h) GENERAL INFORMATION AND OTHER BUSINESS (Item 11)

(i) Outstanding Business List Amendments (Item 11.1)

That the following Outstanding Business List due dates be revised:

(Pearson/Partridge)

(aa) Item D: Dutch Mill Country Market, Millgrove Side Road
Current Due Date: October 2, 2012
Proposed Due Date: November 20, 2012

(bb) Item E: Sidewalk Policy
Current Due Date: October 16, 2012
Proposed Due Date: December 4, 2012

(cc) Item H: Presentation from Tesfaye Gebrezghi, P. Eng., from the Ministry of the Environment respecting the Certificate of Approvals Process
Current Due Date: October 16, 2012
Proposed Due Date: December 4, 2012

CARRIED

(Ferguson/Pearson)

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

- (aa) Item M: East Gwillimbury Resolution on Brownfield Redevelopment (5.2)
- (bb) Item O: Provincial Regulations Regarding Commercial Fill Operations (5.2)

CARRIED

(ii) News from the General Manager (Item 11.2)

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

(i) PRIVATE AND CONFIDENTIAL (Item 12)

- (i) OPA, ZBA and Draft Plan on Subdivisions – OMB Appeals (1125-1143 Wilson Street West, Ancaster) (LS12017) (Item 12.1)**

For disposition on this Item, refer to item 12.

- (ii) Appeals to the Ontario Municipal Board on the City of Hamilton's Refusal or Neglect to Adopt Amendments to the City of Stoney Creek Official Plan and Zoning By-law and Approve a Draft Plan of Subdivision Known as "Foothills of Winona – Phase 2" for Lands Located at 339 and 347 Fifty road and 1317 and 1329 Barton Street (Stoney Creek) (LS12034) (Item 12.2)**

For disposition on this Item, refer to item 13.

(j) ADJOURNMENT

(Ferguson/Pearson)

There being no further business, the Planning Committee adjourned at 11:51 a.m.

CARRIED

Respectfully submitted,

Councillor B. Clark
Chair, Planning Committee

Vanessa Robicheau
Legislative Coordinator
Office of the City Clerk