Deputy Mayor Mitchell called the meeting to order.

THE HEARINGS SUB-COMMITTEE PRESENTS REPORT 03-019 AND RESPECTFULLY RECOMMENDS:

1. Mr. Jeff Wingard, Social Planning and Research Council, respecting Progress Report on Homelessness in Hamilton (Item 4.2)

   (a) That the Recommendations in the SPRC Progress Report on Homelessness be referred to staff for a report back to Committee; and
(b) That Council re-confirm and re-commit, with all levels of government, to the immediate building of affordable housing in this community.

2. Ms Elaine King respecting replacement of city trees on Aberdeen Avenue (Item 4.3)

That if the City re-instates the tree planting programme, the location of Mapleside Park adjacent to the lot line of 209 Aberdeen Avenue shall be included for consideration in the list of sites for planting.

3. Application to Amend Zoning By-law No. 87-57 and Draft Plan of Subdivision, for the Property Located at 724 Upper Horning Road, Applicant: Almas Properties Ltd. (Ancaster) (PD03097) (Ward 12) (Referred from HSC May 7) (Item 5.1)

(a) That approval be given to Subdivision Application 25T-200214, Almas Properties Ltd. (c/o Shirley Maybrey), owner, to establish a draft plan of subdivision on lands located on 724 Upper Horning Road (Ancaster), as shown on Appendix “A” to Report PD03097, subject to the following conditions:

(i) That this approval apply to the plan of subdivision, located at 724 Upper Horning Road, dated “March 31, 2003”, as red-line revised, shown as Appendix “B” to Report PD03097, prepared by Kenneth Youngs Engineering (2002) Inc., showing twenty-seven (27) lots for single detached dwellings, one (1) block for a Stormwater Management Pond, and two (2) Streets (Street “A” and “B”);

(ii) That the following standard conditions from Appendix “A” of Report PD01184 - Streamlining and Harmonization of Subdivision, Condominium and Part-Lot Control Approvals and Administration Process apply:

   (1) Development Engineering Condition Nos. 5, 8, 13, 14, 15, 17, 24, 25, 27, 28 and 30

   (2) Development Planning Condition Nos. 1 to 9 and 12 to 21

   (3) Hamilton Conservation Authority Condition Nos. 1 and 2

   (4) Hydro One Condition Nos. 1, 2, 3, 4 and 5

   (5) Hamilton Wentworth District School Board Condition Nos. 1 and 2

   (6) Bell Canada Condition No. 1

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(7) Public Health and Community Services Department Condition Nos. 1, 2 and 3

(8) Canada Post Condition No. 1

**Development Engineering**

(iii) That the owner include a certificate on the Final Plan of Subdivision dedicating all lands required for public highways and public walkways within the plan, to the City of Hamilton.

(iv) That the owner agree, in writing, to convey such easements as may be required for utility or drainage purposes to the appropriate authority, by deed, prior to registration of any portion of draft approved plan.

(v) That the owner submit a plan, to the satisfaction of the Manager of Development Engineering, prepared by a qualified professional engineer in accordance with the “Keeping Soils on Construction Sites” Manual, showing the design and location of siltation and erosion control devices on the lands to be developed.

(vi) That the Storm Water Management facility to service this development be designed in such a manner that the slopes for the facility do not exceed a maximum slope of 7:1, 7 horizontal to 1 vertical unit.

(vii) That the owner agrees that no portion of the Final Plan of subdivision shall be registered until a gravity sanitary sewer outlet has been provided to the limit of the draft plan of subdivision, to the satisfaction of the Manager of Development Engineering.

(viia) That the owner shall agree in writing, to include a notice in the Subdivision Agreements and all Purchase and Sale Agreements, advising future home owners that sidewalks will not be provided on Streets “A” and “B”.

**Public Works, Operations and Maintenance Division**

(viii) That the applicant submit driveway details for every lot within the bulb portion of the cul-de-sacs, to the satisfaction of the Director of Capital Planning and Implementation.

**Open Space Development, Design and Construction Division**

(ix) That the owner agrees that undeveloped blocks within the Subdivision Plan, which have been disturbed from their natural state or are difficult to maintain in a controlled state, shall be graded, seeded and maintained by the owner, until construction commences thereon, to the satisfaction of the Director of Capital Planning and Implementation.

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(x) That the Owner agrees that prior to the development of a naturalized storm drainage facility, a Landscape Plan be prepared by a full member, in good standing, of the Ontario Association of Landscape Architects (OALA), to the satisfaction of the Director of Capital Planning and Implementation.

(xi) That the owner agrees to implement a naturalized storm drainage facility in accordance with the approved plans and pay all associated costs, to the satisfaction of the Director of Capital Planning and Implementation.

Development Planning

(xii) That the Owner prepare an Environmental Impact Statement and consult with and address all concerns of the Environmentally Significant Areas Impact Evaluation Group (ESAIEG).

Hydro One

(xiii) That the Owner agrees that the following be included in the Subdivision Agreement:

“The transmission lines abutting this subdivision operate at 500,000, 230,000 or 115, 000 volts. Section 186- Proximity- of the Regulations for Construction Projects in the Occupational Health and Safety Act, require that no object be brought closer than 6 meters (20 feet) to an energized 500 kV conductor. The distance for 230kV conductors is 4.5 meters (15 feet), and for 115kV conductors it is 3 meters (10 feet). It is the proponent’s responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the conductors raise and lower without warning, depending on the electrical demand placed on the line”.

Hamilton Conservation Authority

(xiv) That the applicant prepare and implement a Lot Grading Plan, to the satisfaction of the Hamilton Conservation Authority.

(xv) That the applicant prepare and implement a Landscaping Plan for Block 28, to the satisfaction of the Hamilton Conservation Authority.

(b) That approval be given to Zoning Application ZAC-02-81, Almas Properties Ltd., c/o Shirley Maybrey, owner, for a change in Zoning By-law from Agriculture “A” Zone to Residential “R4” Zone and Public Open Space “O2” Zone, on the lands known as 724 Upper Horning Road, former Town of Ancaster, shown as Block “1” and “2” on the attached Appendix “C” to Report PDO3097, on the following basis:
(i) That Block “1” be rezoned from Agriculture “A” Zone to Single Family Residential “R4” Zone;

(ii) That Block “2” be rezoned from Agriculture “A” Zone to Public Open Space “O2” Zone;

(iii) That the General Manager, Planning and Development Department, be authorized and directed to prepare a By-law, in a form satisfactory to Corporate Counsel, to amend Zoning By-law No. 87-57 for presentation to Council;

(iv) That the amending By-law be added to Schedule “B”, Map 1 of Zoning By-law No. 87-57; and,

(v) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan. That in accordance with Section 7.11 – Interpretation of the Ancaster Official Plan, a Secondary Plan is not required to facilitate this proposal, and that Council deems the proposal to be in conformity with the Official Plan.

4. Report from the Neighbourhood Traffic Safety Committee regarding the Gurnett Neighbourhood (Added Item)

That a safety audit be performed on the Gurnett Neighbourhood delving into all possible means in answering concerns of pedestrian and vehicular traffic and exploring all options with particular focus on the south/west quadrant of the Neighbourhood including Gurnett Drive, Gurnett Gate, Greenguild Avenue, Greencedar Drive, Upper Horning Road, Elodia Court, Nellida Crescent, Susan Drive, Verne Court, Elema Court, Monteagle Court, Adis Avenue, Guildwood Drive, Napoli Court, Omni Court, and Stone Church Road, and the new proposed subdivision.

FOR THE INFORMATION OF COUNCIL:

(a) Declarations of Interest (Item 1)

None
(b) Adoption of Minutes (Item 2.1)

The Minutes of Hearings Sub-Committee Meeting 03-018 held on May 21, 2003 were adopted as presented.

(c) Hamilton Conservation Authority (Item 4.1)

Deputy Mayor Mitchell advised that the Hamilton Conservation Authority would not be presenting today.

(d) Mr. Jeff Wingard, Social Planning and Research Council, respecting Progress Report on Homelessness in Hamilton (Item 4.2)

Mr. Wingard addressed Committee with the aid of a power-point presentation and gave an overview of the 2003 Progress Report on Homelessness in Hamilton and its 26 recommendations.

Mr. Wingard noted that while some progress has been made in this area, homelessness is still a crisis and more long-term solutions are needed. He emphasized that homelessness is not inevitable.

Committee discussed the report and the problem of homelessness.

Mr. Mark Mascarenhas gave an overview of the City’s position, organization and activity in the area of affordable housing. He advised that the City has 14,200 units of affordable housing and noted that many of the housing programmes involve more than one level of government. Mr. Mascarenhas explained that the City’s ratio of affordable housing units to population is comparable to that of Windsor, Ottawa and London.

Committee then discussed the provision of housing and housing rehabilitation by service groups and volunteers, and Councillor Horwath gave details of how the Threshold School of Building operates.

Committee referred the SPRC Report to staff for a report back on the recommendations and also re-affirmed the City’s support for affordable housing.

Deputy Mayor Mitchell thanked the delegation.

(e) Ms Elaine King respecting replacement of city trees on Aberdeen Avenue (Item 4.3)

Ms. King addressed Committee and explained her concerns regarding the removal of trees in the park adjacent to her house, and the placement of
Ms. King provided Committee with a copy of her handouts, which will become part of the public record.

Committee discussed the matter in detail and had additional information supplied by staff. Staff noted that a report on forestry would be coming to Committee shortly.

On a Motion by Councillor Caplan, seconded by Councillor Horwath, Committee agreed to place this location on the list of locations for replacement trees, if the City tree planting programme is re-instituted.

Deputy Mayor Mitchell thanked the delegation.

(f) Application to Amend Zoning By-law No. 87-57 and Draft Plan of Subdivision, for the Property Located at 724 Upper Horning Road, Applicant: Almas Properties Ltd. (Ancaster) (PD03097) (Ward 12) (Referred from HSC May 7) (Item 5.1)

Councillor D’Amico explained that following the tabling of this item at HSC on May 7, 2003, a meeting had been held of the Neighbourhood Safety Sub-Committee to consider the traffic issues. A copy of the Sub-committee report and its recommendations to conduct a safety audit in the Gurnett Neighbourhood was distributed to Committee.

Mr. Ed Fothergill addressed Committee on behalf of the applicant for the subdivision and supported the proposed Safety Audit.

Mr. Vito Sgro, 791 Upper Horning Road, addressed Committee and provided an overview of the traffic concerns in the Gurnett Neighbourhood. He provided an outline of the development history of the area, including an Environmental Assessment prepared for the Region of Hamilton-Wentworth in the 1990’s, and explained that the people he represented could not support the proposed subdivision until the issues of traffic volume, the safety of neighbourhood children, the emergency response timing and parking on Upper Horning had been adequately addressed.

Mr. Sgro continued that older plans of the area showed Susan Drive as a through street and that in, addition to the petition signed by 300 people supporting the opening of Susan Drive, which he had submitted on May 7, 2003, he had another petition signed by a further 70 people, as well as many letters in support of the opening. He requested that the subdivision be tabled until an Environmental Study regarding the opening of Susan Drive could be completed. Mr. Sgro
advised that if he concerns of the neighbours were not addressed, he would appeal the matter to the OMB. Mr. Sgro provided the documents to the Clerk. Mr. Tyler MacLeod addressed Committee and explained that he was not against the subdivision but that there were traffic issues which needed to be addressed, particularly with regard to Susan Drive.

He explained concerns that the neighbourhood had not been contacted since the previous HSC meeting and suggested a further tabling of the item to permit mediation to take place.

Mr. Andre Romano, 12 Susan Drive, addressed Committee and noted that there was now less traffic on Upper Horning than there was before the Linc was built. He said that opening Susan Drive might make the traffic problem in the area worse than it is now.

Councillor D’Amico explained that he had been concerned regarding the traffic situation in the area for a number of years, and had been in contact with the Traffic Department on an on-going basis. He gave an overview of the situation and explained the proposed Traffic Audit, to be done by an outside consultant.

Councillor D’Amico provided the Clerk with a letter from Mr. Frank Filice, 16 Susan Drive, in favour of the subdivision and against the opening of Susan Drive. Councillor D’Amico provided the Clerk with a petition from residents of Susan Drive and Elodia Court in opposition to the opening of Susan Drive.

Committee approved the recommendation from the Neighbourhood Traffic Safety Sub-Committee regarding the Safety Audit.

Committee then approved the staff recommendation, with one additional condition stating that the Subdivision Agreement would include the notice that no sidewalks would be provided on streets A and B, as discussed at Committee on May 7, 2003.

(g) Motions (Item 6)

None

(h) Notices of Motions (Item 7)

None

(i) General Information (Item 8)

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Councillor Braden advised that the City had met recently with the Region of Niagara to discuss potential co-operation in the area of Waste Management.

He noted that he would be bringing a Motion to Council tonight to explore the feasibility of partnering with the Region of Niagara in the Waste Management area.

(j) In-Camera (Item 9)

On a Motion by Councillor Collins, seconded by Councillor Caplan, Committee moved In-Camera to receive advice from Legal counsel at 11:50 a.m.

On a Motion by Councillor Collins, seconded by Councillor Caplan, Committee reconvened in Open Session at 11:25 a.m.

Deputy Mayor Mitchell reported that Committee had met In-Camera to receive advice from legal counsel and that staff had been given direction.

(l) Adjournment (Item 10)

The Hearings Sub-Committee adjourned at 12:05 p.m.

David Mitchell, Deputy Mayor
Chair, Hearings Sub-Committee

Alexandra Rawlings,
Co-ordinator, Hearings Sub-Committee
May 28, 2003