THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:

1. Hamilton Historical Board Minutes (Item 5.1)
   (Johnson/Pearson)
   That the Hamilton Historical Board minutes from June 18, 2013 and August 20, 2013 be approved.
   
   CARRIED

2. Request to Designate 378 Main Street East (Hamilton) (Cathedral School) Under Part IV of the Ontario Heritage Act (PED13168) (Ward 3) (Item 5.2)
   (Collins/Pearson)
   (a) That Council direct staff to carry out a Cultural Heritage Assessment of 378 Main Street East (Hamilton) (Cathedral School), to determine whether the property is of cultural heritage value and worthy of designation under Part IV of the Ontario Heritage Act;
   
   (b) That if 378 Main Street East (Hamilton) (Cathedral School) is determined to be of cultural heritage value or interest, a Statement of Cultural Heritage Value and Description of Heritage Attributes be prepared by staff for Council's consideration for designation under Part IV of the Ontario Heritage Act;
(c) That the Cultural Heritage Assessment work be assigned a medium priority, and be added to staff’s workplan for completion in 2016, as per Appendix “G” to Report PED13168;

(d) That Council include 378 Main Street East (Hamilton) (Cathedral School) in the Municipal Register of Property of Cultural Heritage Value or Interest, following consultation with the Municipal Heritage Committee, as per the provisions of the Ontario Heritage Act and Recommendation (e) to Report PED13168, and that staff make appropriate amendments to the Register of Property of Cultural Heritage Value or Interest;

(e) That Report PED13168 be forwarded to the Hamilton Municipal Heritage Committee for information and consultation, prior to the Council-approved inclusion of 378 Main Street East (Hamilton) in the Municipal Register of Property of Cultural Heritage Value or Interest;

(f) That Report PED13168 be forwarded to the owner of 378 Main Street East (Hamilton) for information.

CARRIED

3. 2013-2014 Adjustments to School Crossing Guard Locations (PED13170) (Wards 1, 2, 3, 4, 6, 8, 9, 11 and 12) (Item 5.3)

(Ferguson/Pearson)
(a) That the revised list of school crossing guard locations resulting from school closures, re-openings and lunch program changes in Wards 1, 2, 3, 4, 6, 8, 9, 11 and 12, as attached in Appendix “A” to Report PED13170, 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 any proposed changes by the Hamilton-Wentworth District School Board and the Hamilton-Wentworth Catholic School Board for the 2014/2015 school year.

CARRIED

4. Taxi Industry Insurance Concerns (PED10063(g)) (City Wide) (Item 8.1)

(Collins/Whitehead)
(a) That Report PED10063(g), Taxi Industry Insurance Concerns, be received;
(b) That, as an interim measure, the taxi meter rate be increased to a $3.90 Initial Pick Up Rate for the first part of the 71.4 meters or part thereof, and reduce the Each Kilometre Rate to $1.80 (or revising the “for each additional 72.1 metres or part thereof $0.13”) to offset the costs of rising insurance rates.

CARRIED

5. Application for Amendment to Zoning By-law No. 05-200 for Lands Located at 211 Pritchard Road (Formerly 134 Mud Street) (Hamilton) (PED13155) (Ward 6) (Item 6.2)

(Johnson/Pearson)

(a) That approval be given to Official Plan Amendment Application OPA-13-____, by Vicano Developments Inc., Owner, for Amendment No. ____ to the Urban Hamilton Official Plan, for changes in designations on “Schedule E - Urban Structure”, from “Neighbourhoods” to “Employment Areas”, on “Schedule E-1, Urban Land Use Designations”, from “Arterial Commercial” to “Business Park”, and on “Urban-Site Specific Key Map” as “Site-Specific Policy UHE-X”, in order to permit various employment uses, including office uses, on the lands located at 211 Pritchard Road West (formerly 134 Mud Street) (Hamilton), as shown on Appendix “A” to Report PED13155, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED13155, be adopted by City Council;

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe.

(b) That approval be given to Zoning Application ZAC-13-009, by Vicano Developments, Owners, by adding lands to Hamilton Zoning By-law No. 05-200 under the Business Park Support (M4, 454) Zone, with a Special Exception, as shown on Appendix “A” to Report PED13155, for the property located at 211 Pritchard Road (formerly 134 Mud Street) (Hamilton), on the following basis:

(i) That the draft By-law, attached as Appendix “B” to Report PED13155, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the amending By-law be added to Schedule “A”, Map No. 1452, of Zoning By-law No. 05-200.

CARRIED
6. Proposed Zoning By-law Amendment Affecting Lands Located at 16 and 22 King Street East (Dundas) (PED13164) (Ward 13) (Item 6.3)

(Pearson/Whitehead)

That Zoning Application ZAC-12-017, by Mai Souffian, Owner, for a change in zoning from the Central Area Commercial “CAC/S-91” Zone, Modified, with a Special Exception, to the Central Area Commercial “CAC/S-126-H” Zone, Holding, Modified, with a Special Exception, on lands located at 16 and 22 King Street East (Dundas), as shown on Appendix “A” to Report PED13164, be approved, on the following basis:

(a) That the Draft By-law, attached as Appendix “B” to Report PED13164, 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 Schedule “A” of Zoning By-law No. 3581-86;

(c) That the proposed change in Zoning is in conformity with the Urban Hamilton Official Plan.

CARRIED

7. Rural Hamilton Official Plan Amendment: New Policies and Minor Revisions (Wards 9, 11, 12, 13, 14, and 15) (PED13165) (Item 6.4)

(Ferguson/Collins)

(a) That draft Official Plan Amendment No. 5 to the Rural Hamilton Official Plan, attached as Appendix “A” to Report PED13165, be adopted by Council;

(b) That Appendix A to Report PED13165 be amended on page 94 of 159 by adding a new section d. to Policy C.5.4.1 as follows:

\[\text{d) Notwithstanding Policy C.5.4.1 c), a storm water management pond for the development of the Ancaster Industrial Park shall be permitted on the lands located at the south west corner of Highway 2 and Trinity Road (Ancaster Fairgrounds).}\]

(c) That Appendix A to Report PED13165 be amended on page 5 of 159 by adding the following new section b) and renumbering the current subsection b) to c) accordingly:

\[\text{b) That Section C.2.7 – Natural Heritage System - Linkages of Chapter C – City Wide Systems and Designations be amended as follows:}\]
i) Deleting Policy C.2.7.2; and,

ii) In policy C.2.7.6 deleting everything after the first sentence, and replacing with the words

“in accordance with Section F.3.2.2.”

(d) That Appendix A to Report PED13165 be amended on page 84 of 159 by deleting from policy C.4.6.2 the words “, as shown on Appendix B – Major Transportation Facilities and Routes”.

CARRIED as amended

8. City of Hamilton Comprehensive Zoning By-law: Proposed Rural Zones and Public Consultation (PED13167) (Wards 9, 11, 12, 13, 14, and 15) (Item 8.2)

(Partridge/Pasuta)
(a) That the Draft Rural Zones and definitions, attached as Appendix “A” to Report PED13167, be received;

(b) That staff be authorized to commence public consultation for these Draft Zones and definitions, including circulation to property owners and the holding of Public Information Centres in the Rural Area.

CARRIED

9. Update on Next Stage of Hamilton’s Comprehensive Zoning By-law - Commercial and Mixed-Use Zones (Urban Area) (Wards 1 to 13 and 15) (PED10001(a)) (Item 8.3)

(Whitehead/Pearson)
That Report PED10001(a) Update on Next Stage of Hamilton’s Comprehensive Zoning By-law - Commercial and Mixed-Use Zones (Urban Area) (Wards 1 to 13 and 15), be received.

CARRIED

10. Next Stage of Hamilton’s Comprehensive Zoning By-law – Residential Zones (Urban Area) (Wards 1 to 13 and 15) (PED13172) (Item 8.4)

(Partridge/Ferguson)
That Report PED13172, Next Stage of Hamilton’s Comprehensive Zoning By-law – Residential Zones (Urban Area) (Wards 1 to 13 and 15), be received.

CARRIED
11. Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Paletta International Corporation and by Twenty Road East Landowners and Legal Direction (LS13032) (City Wide) (Item 12.1)

(Collins/Whitehead)

(a) That Report LS13032 remain confidential, but that Appendices “A”, “B”, “C” and “D”, or those portions of the Appendices as approved, be made public in the event that recommendations contained in Appendices “A”, “B”, “C” and “D” are agreed to as the position of the City in respect of those matters set out in those Appendices;

(b) That the amendments and modifications described in the recommendations contained in Appendices “A”, “B” and “C” to Report LS13032 be approved as the basis of a settlement of those portions of Paletta International Corporation’s appeal and of Twenty Road East Landowner’s appeal of the Urban Hamilton Official Plan as identified in these Appendices;

(c) That staff be directed to advise the OMB that the City of Hamilton, Paletta International Corporation and Twenty Road East Landowners have settled a portion of Paletta International Corporation’s appeal and of Twenty Road Group’s appeal of the Urban Hamilton Official Plan on the basis of the recommendations contained in Appendices “A”, “B” and “C” to this report;

(d) That staff be directed to advise the OMB that the amendments and modifications contained in Appendices “A”, “B” and “C” to this report should be included in the Urban Hamilton Official Plan;

(e) That staff be directed to file notices of appeal from the non-decision by the Ministry of Municipal Affairs and Housing with respect to the Urban Hamilton Official Plan in regards to those matters contained in Appendix “D” to this report.

CARRIED

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

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

1. DELEGATION REQUESTS
4.1 Delegation from George McCarter – Pearson Dunn Insurance, respecting Item 8.1, Taxi Industry Insurance Concerns (PED10063(g)) (City Wide)

2. PUBLIC HEARINGS AND DELEGATIONS

6.3 Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 16 and 22 King Street East (Dundas) (PED13164) (Ward 13)

(i) Correspondence from Mary Lawrence

6.4 Rural Hamilton Official Plan Amendment: New Policies and Minor Revisions (Wards 9, 11, 12, 13, 14, and 15) (PED13165)

(i) Correspondence from Metropolitan Consulting (on behalf of Silverwood Homes Inc. and Parkside Hills Inc.)
(ii) Correspondence from MHBC Planning, Urban Design & Landscape Architecture (on behalf of Lafarge Canada Inc.)
(iii) Correspondence from Holcim

12. PRIVATE AND CONFIDENTIAL

12.1 Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Paletta International Corporation and by Twenty Road East Landowners and Legal Direction (LS13032) (City Wide)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 10-053, 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 City, and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(Collins/Pearson)
That the Agenda for the October 15, 2013 meeting of the Planning Committee be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Ferguson declared an interest in item 8.1, Taxi Industry Insurance Concerns (PED10063(g)) (City Wide), and in item 6.1(a), Delegation from Harry Harrington respecting pre-paid taxi fares, as he has business interest in the taxi industry.
(c) APPROVAL OF MINUTES (Item 3)

(i) October 1, 2013

(Johnson/Pasuta)
That the Minutes of the October 1, 2013 Planning Committee meeting be approved.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

(i) Delegation from George McCarter – Pearson Dunn Insurance, respecting Item 8.1, Taxi Industry Insurance Concerns (PED10063(g)) (City Wide) (Item 4.1)

(Collins/Pearson)
(a) That the delegation request from George McCarter – Pearson Dunn Insurance, respecting Item 8.1, Taxi Industry Insurance Concerns, be approved;

(b) That item 8.1, Taxi Industry Insurance Concerns (PED10063(g)) (City Wide), be moved forward on the agenda to be heard as item 6.1(b).

CARRIED

(e) PUBLIC HEARINGS AND DELEGATIONS (Item 6)

(i) Delegation from Sergio Manchia respecting Dawson Avenue private drainage matter (Item 6.1)

(Pearson/Pasuta)
That the delegation request from Sergio Manchia respecting Dawson Avenue private drainage matter be tabled until a resolution has been reached.

CARRIED

(ii) Delegation from Harry Harrington respecting pre-paid taxi fares (Item 6.1(a))

Mr. Harrington spoke to pre-paid meter fares for taxi drivers in order to avoid confrontation when pre-payment is requested.
(Collins/Pearson)
That the delegation request from Mr. Harrington respecting pre-paid taxi fares be received.

CARRIED

(iii) Delegation from George McCarter – Pearson Dunn Insurance, respecting Item 8.1, Taxi Industry Insurance Concerns (PED10063(g)) (City Wide) (Item 6.1(b))

George McCarter, President of Pearson Dunn Insurance, spoke to taxi insurance concerns with the aid of speaking notes. A copy of the speaking notes has been included in the public record.

(Pearson/Whitehead)
That the delegation from George McCarter President of Pearson Dunn Insurance, respecting Item 8.1, Taxi Industry Insurance Concerns, be received.

CARRIED

(iv) Application for Amendment to Zoning By-law No. 05-200 for Lands Located at 211 Pritchard Road (Formerly 134 Mud Street) (Hamilton) (PED13155) (Ward 6) (Item 6.2)

In accordance with the provision of the Planning Act, Chair J. Farr 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 amendments, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

(Johnson/Pearson)
That the public meeting, respecting Report PED13155, Application for Amendment to Zoning By-law No. 05-200 for Lands Located at 211 Pritchard Road (Formerly 134 Mud Street) (Hamilton), be closed.

CARRIED
(Johnson/Pearson)
That the staff presentation, respecting Report PED13155, Application for Amendment to Zoning By-law No. 05-200 for Lands Located at 211 Pritchard Road (Formerly 134 Mud Street) (Hamilton), be waived.
CARRIED

For disposition on this Item, refer to item 5.

(v) Proposed Zoning By-law Amendment Affecting Lands Located at 16 and 22 King Street East (Dundas) (PED13164) (Ward 13) (Item 6.3)

(i) Correspondence from Mary Lawrence

In accordance with the provision of the Planning Act, Chair J. Farr 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 amendments, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Edward John, Senior Project Manager, 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.

(Ferguson/Pearson)
That the staff presentation respecting report PED13164, Proposed Zoning By-law Amendment Affecting Lands Located at 16 and 22 King Street East (Dundas), be received.
CARRIED

Public Speakers

1. Janice Jacobs – 206-23 Main Street, Hamilton, ON L9H 2P7

   Ms. Jacobs expressed that the proposed development may not fit the character of the neighbourhood but is not opposed to increased density. She also expressed concerns respecting ventilation systems, trees/greenery and parking issues.

2. Aline Brown – 607-23 Main Street, Hamilton, ON L9H 2P7
Ms. Brown expressed concerns with set-backs, the height of the building, parking and trees/greenery.

3. Peter Hutton – 403-23 Main Street, Hamilton, ON L9H 2P7

Mr. Hutton expressed concerns with parking and height of the building.

4. Linda Howes – 11 ½ King Street East, Hamilton, ON L9H 1B7

Ms. Howe expressed concerns with parking and traffic.

(Pearson/Whitehead)
That the public presentations respecting report PED13164, Proposed Zoning By-law Amendment Affecting Lands Located at 16 and 22 King Street East (Dundas), be received.

CARRIED

(Ferguson/Pearson)
That the public meeting respecting report PED13164, Proposed Zoning By-law Amendment Affecting Lands Located at 16 and 22 King Street East (Dundas), be closed.

CARRIED

(Clark/Pearson)
That the correspondence respecting report PED13164, Proposed Zoning By-law Amendment Affecting Lands Located at 16 and 22 King Street East (Dundas), be received.

CARRIED

Joe Lakatos, the agent on behalf of the applicant, provided an overview of the application.

(Pearson/Whitehead)
That the agent’s presentation respecting report PED13164, Proposed Zoning By-law Amendment Affecting Lands Located at 16 and 22 King Street East (Dundas), be received.

CARRIED

The main motion CARRIED, on the following vote:


Total: 7
For disposition on this Item, refer to item 6.

(vi) Rural Hamilton Official Plan Amendment: New Policies and Minor Revisions (Wards 9, 11, 12, 13, 14, and 15) (PED13165) (Item 6.4)

(i) Correspondence from Metropolitan Consulting (on behalf of Silverwood Homes Inc. and Parkside Hills Inc.)
(ii) Correspondence from MHBC Planning, Urban Design & Landscape Architecture (on behalf of Lafarge Canada Inc.)
(iii) Correspondence from Holcim

In accordance with the provision of the Planning Act, Chair J. Farr 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 Official Plan 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.

Kirstin Maxwell, Policy and Program Specialist, 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.

(Ferguson/Collins)
That the staff presentation respecting report PED13165, Rural Hamilton Official Plan Amendment: New Policies and Minor Revisions (Wards 9, 11, 12, 13, 14, and 15), be received.

CARRIED

(Ferguson/Collins)
That the correspondence respecting Report PED13165, Rural Hamilton Official Plan Amendment: New Policies and Minor Revisions (Wards 9, 11, 12, 13, 14, and 15), be received.

CARRIED
(Pearson/Clark)
That the public meeting respecting Report PED13165, Rural Hamilton Official Plan Amendment: New Policies and Minor Revisions (Wards 9, 11, 12, 13, 14, and 15), be closed.

CARRIED

(Ferguson/Pasuta)
That Report PED13165 Rural Hamilton Official Plan Amendment: New Policies and Minor Revisions, be amended by adding a new section (b) to read as follows:

(b) That Appendix A to Report PED13165 be amended on page 94 of 159 by adding a new section d. to Policy C.5.4.1 as follows:

d) Notwithstanding Policy C.5.4.1 c), a storm water management pond for the development of the Ancaster Industrial Park shall be permitted on the lands located at the south west corner of Highway 2 and Trinity Road (Ancaster Fairgrounds).

Amendment CARRIED

(Pearson/Collins)
That Report PED13165 Rural Hamilton Official Plan Amendment: New Policies and Minor Revisions, be amended by adding a new sections (c) and (d) to read as follows:

(c) That Appendix A to Report PED13165 be amended on page 5 of 159 by adding the following new section b. and renumbering the current sub-section b. to c. accordingly:

b. That Section C.2.7 – Natural Heritage System - Linkages of Chapter C – City Wide Systems and Designations be amended as follows:

i) Deleting Policy C.2.7.2; and,

ii) In policy C.2.7.6 deleting everything after the first sentence, and replacing with the words

“in accordance with Section F.3.2.2.”

(d) That Appendix A to Report PED13165 be amended on page 84 of 159 by deleting from policy C.4.6.2 the words “, as shown on Appendix B – Major Transportation Facilities and Routes”.

Amendment CARRIED
For disposition on this Item, refer to item 7.

(f) MOTIONS (Item 9)

(i) Police Services Animal By-law

(Ferguson/Clark)

That staff report back on the Police Services Animal By-law.

CARRIED

(g) NOTICES OF MOTION (Item 10)

Councillor Ferguson introduced the following Notice of Motion:

(i) Police Services Animal By-law

That staff report back on the Police Services Animal By-law.

(Ferguson/Clark)

That the rules be waived in order to allow for the introduction of a motion respecting Police Services Animal By-law

CARRIED

(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 I: “Binbrook Heights Addition”, on Lands Located at 139 Fall Fair Way (Glanbrook)

   Current Date: October 15, 2013
   New Date: November 19, 2013

(bb) Item S: By-law to Regulate Parking on Boulevards and Front and Side Yard (PED13042)

   Current Date: October 15, 2013
   New Date: Q1 2014

(cc) Item T: Binbrook Sanitary and Stormwater Systems Performance (PED12182(a)/PW13016)

   Current Date: October 15, 2013
New Date: November 19, 2013

(dd) Item V: Municipal Costs for Appeals to the Ontario Municipal Board for Municipal Decision on Mineral Aggregate Resource Developments
Current Date: October 15, 2013
New Date: December 3, 2013

(ee) Item Y: Synergies between infrastructure Development and New School Openings (Added Item 10.1 & 9.2)
Current Date: October 15, 2013
New Date: December 3, 2013

CARRIED

(Collins/Pearson)
That the following items be removed from the Outstanding Business List:

(aa) Item DD: Application for an Amendment to City of Hamilton Zoning By-law No. 05-200 for Lands Located at 22 - 24 Emerald Street South (Hamilton) (PED13119) (Ward 3)

(bb) Item U: Taxi Industry Concerns

(cc) Item CC: Delegation from Jagtar Singh Chahal respecting challenges in the taxi industry

CARRIED

(ii) News from the General Manager (Item 11.2)
The General Manager expressed his gratitude with respect to the work that Planning Committee and planning staff have completed together while he has been with the City.

(i) PRIVATE AND CONFIDENTIAL (Item 12)

(i) Urban Hamilton Official Plan Proposed Settlement of Part of Appeal by Paletta International Corporation and by Twenty Road East Landowners and Legal Direction (LS13032) (City Wide) (Item 12.1)

For disposition on this Item, refer to item 11.
(j) **ADJOURNMENT**

(Pearson/Whitehead)
That, there being no further business, the Planning Committee adjourn at 2:52 p.m.

**CARRIED**

Respectfully submitted,

Councillor J. Farr  
Chair, Planning Committee

Vanessa Robicheau  
Legislative Coordinator  
Office of the City Clerk