Planning and Economic Development Committee
REPORT 05-026
November 15, 2005
9:30 a.m.
Council Chambers
Hamilton City Hall

Present: Chair T. Whitehead
1st Vice-Chair M. Pearson
2nd Vice-Chair D. Mitchell
Councillors: B. Bratina, M. Ferguson, B. Kelly, S. Merulla,
B. McHattie

Also Present: Councillor A. Samson

Staff Present: G. Peace – City Manager
T. McCabe, Acting General Manager - Planning and
Development
P. Mallard, J. Morgante, P. Moore, O. Quinn, S. Murray,
C. Thomas, R. Walters, M. Johnston, G. Norman – Planning
and Development
T. Redmond, J. Downey – Building
A. Rawlings – City Clerk’s Office

THE PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE PRESENTS
REPORT 05-026 AND RESPECTFULLY RECOMMENDS:

1. Correspondence from the City of Mississauga Respecting Bill 169, the
Transportation Statute Law Amendment Act, 2005 (PED05157) (City Wide)
(Item 5.1)

(a) That the City of Mississauga Resolution 0083-2005 respecting Bill 169 amending
Section 176(3) of the Highway Traffic Act, RSO 1990 as it relates to School
Crossing Guards and vehicles approaching School Crossing Guards displaying
signs, be endorsed, and that the Ministry of Transportation and the Ontario
Traffic Conference be so advised.

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(b) That outstanding item number “GG”, entitled “Safety of Crossing Guards due to changes in Bill 169, Transportation Statute Law Amendment Act”, be identified as completed and removed from the Outstanding Business List of the Planning and Economic Development Committee.

2. **2006 Ancaster Village Core Advisory Committee Budget Submission (PED05162) (Ward 12) (Item 5.2)**

(a) That the budget submission from the Ancaster Village Core Advisory Committee be received.

(b) That the budget submission and requested funding be referred to the 2006 budget process.

3. **Commercial Heritage Improvement and Restoration Program (CHIRP) (CHIRP2005-001) Matching Grant to Re-Shingle the Roof of 548 Old Dundas Road (Ancaster Old Mill), Ancaster, in the City of Hamilton (PED05174) (Ward 12) (Item 5.3)**

That a matching grant to re-shingle a roof under the Commercial Heritage Improvement and Restoration Program (CHIRP2005-001), in the amount of twenty-thousand dollars ($20,000.00) to Hillcrest Dairy Limited, registered owner of 548 Old Dundas Road (attached as Appendix “A” to Report PED05174), Hamilton, be approved.

4. **Information Report: City of Hamilton Committee of Adjustment (Urban) Denial of Consent/Land Severance Application HM/B-05:103 (Duc Le & Annie Lan-Anh Le, Owners), 88 Forsyth Avenue North - Supported by the Planning and Economic Development Department (PED05176) (Hamilton) (Ward 1) (Item 5.4)**

(a) That Report PED05176 respecting the City of Hamilton Committee of Adjustment (Urban) Consent/Land Severance Application HM/B-05:103 (Duc Le & Annie Lan-Anh Le, Owners), 88 Forsyth Avenue North, former City of Hamilton, as shown on Appendix “A” to Report PED05176, denied by the Committee of Adjustment but supported by the Planning and Economic Development Department, be received.

(b) That Council instruct Legal Services to attend the Ontario Municipal Board Hearing, in support of the Committee of Adjustment decision, and retain outside professional(s).
5. **Application for a Modification in Zoning for the Property Located at 640 Queenston Road (Hamilton) (PED05168) (Ward 5) (Item 6.1)**

That approval be given to **Zoning Application ZAR-05-83, First Capital (Stoney Creek) Corporation, owner**, for a modification to the “G1” (Designed Shopping Centre) District, to permit an animal hospital/veterinarian practice, for the property located at 640 Queenston Road (Hamilton), as shown on Appendix “A” to Report PED05168, on the following basis:

(a) That the Draft By-law, attached as Appendix “B” to Report PED05168, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council.

(b) That the amending By-law be added to Section 13A of Zoning By-law No. 6593 as Schedule S-1537, and that the subject lands on Zoning District Map E-95 be noted as S-1537.

(c) That the proposed modification in zoning is in conformity with the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan.

6. **Application to Amend City of Hamilton Zoning By-law No. 6593 for Lands Located at 80 Bancroft Street (Hamilton) (PED05166) (Ward 5) (Item 6.2)**

That approval be given to **Zoning Application ZAR-05-71, by 836685 Ontario Inc, (George Farnham) Owner**, for a modification to the “KK” (Restricted Heavy Industrial) District, to allow offices as an additional permitted use, for the lands located at 80 Bancroft Street (Hamilton), as shown on Appendix “A” to Report PED05166, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED05166, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council.

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1536, and that the subject lands on Zoning District Map E-103 be noted as S-1536.

(c) That the proposed change in zoning conforms to the Hamilton-Wentworth Official Plan, and the City of Hamilton Official Plan.
7. Applications for an Official Plan Amendment and Change in Zoning for the Properties Located at 50 and 52 Fraser Road, and Part of 57 Argyle Avenue (Hamilton) (PED05159) (Ward 4) (Item 6.3)

(a) That approval be given to **Official Plan Amendment Application OPA-05-12 by 1146620 Ontario Ltd. c/o John Raffay, owner**, for lands located at 50 and 52 Fraser Road, and part of 57 Argyle Avenue, (Hamilton), as shown on Appendix “A” to Report PED05159, for a change in designation on Schedule “A” – Land Use Concept Plan, of the City of Hamilton Official Plan, from “Residential” to “Commercial”.

(b) That approval be given to **amended Zoning Application ZAC-05-72, by 1146620 Ontario Ltd. c/o John Raffay, owner**, for a change to Zoning By-law No. 6593, from the “D” (Urban Protected Residential - One and Two Family Dwellings, Etc.) District, to the “H” (Community Shopping and Commercial, Etc.) District, to permit the expansion of the existing banquet hall at 1162 Barton Street East and to provide on-site parking, for lands located at 50 and 52 Fraser Road, and part of 57 Argyle Avenue; and a modification to the “D” (Urban Protected Residential - One and Two Family Dwellings, Etc.) District for the lands located at 57 Argyle Avenue; as shown on Appendix “A” to Report PED05159, on the following basis:

(i) That the draft By-law, attached as Appendix “D” to Report PED05159, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council.

(ii) That the proposed change in zoning conforms to the Hamilton-Wentworth Official Plan, and will conform to the Hamilton Official Plan upon finalization of proposed Official Plan Amendment No.____.

(c) That upon finalization of Official Plan No.____ and the implementing Zoning By-law, the approved Crown Point East Neighbourhood Plan be amended to change the designation of the subject lands from “Residential - Single and Double” to “Commercial”.

8. Applications for a Draft Plan of Subdivision and to Change the Zoning on the Lands Known as 1350 and 1354 Upper Wellington Street, Hamilton (PED05169) (Ward 7) (Item 6.4)

(a) That approval be given to **amended Subdivision Application 25T-200408, 712176 Ontario Ltd., (Joe Di Cienzo), owner**, to establish a draft plan of subdivision on lands located within Part of Lot 13, Concession 7 (Hamilton), municipally known as 1350 and 1354 Upper Wellington Street, as shown on
Appendix “B” to Report PED05169, subject to the execution of a City Standard form Subdivision Agreement, including the conditions contained in Appendix “D” to Report PED05169, with the exception of Condition 19, and the following:

(i) Acknowledgement that there will be no City share for any municipal works related to this development; and,

(ii) 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 for the lots within the draft plan. The payment will be based on the value of the lands on the day prior to the day of the issuance of the building permit; and,

(iii) That a temporary 10 metre turning circle be provided at the end of street “B”, entirely within the proposed road allowance and that Condition 15 of Appendix “D” be revised accordingly:

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 Zoning Application ZAC-04-48, 712176 Ontario Ltd., (Joe Di Cienzo), owner, for a change in zoning from the “AA” (Agricultural) District to the “C” (Urban Protected Residential etc.) District, on lands located within Part of Lot 13, Concession 7 (Hamilton), municipally known as 1350 and 1354 Upper Wellington Street, as shown on Appendix “A” to Report PED05169, in order to permit the use of the subject lands for 19 single detached residential dwellings and future single detached residential dwellings on 2 Blocks, on the following basis:

(i) That the subject lands be rezoned from the “AA” (Agricultural) District to the “C” (Urban Protected Residential etc.) District.

(ii) That the draft By-law, attached as Appendix “C” to Report PED05169, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council.

(iii) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan.
9. **Application for Approval of a Revised Draft Approved Plan of Subdivision, “Seabreeze” (formerly “Trillium Estates”), and Change in Zoning for 45 Seabreeze Crescent (Stoney Creek) (PED05160) (Ward 11) (Item 6.5)**

(a) That approval be given to **Subdivision Application 25T-200015(R), by 1528148 Ontario Inc. c/o Antonio Silvestri, owner**, to revise the draft plan of subdivision known as “Seabreeze” (formerly “Trillium Estates”), as redline revised, on lands located at 45 Seabreeze Crescent (Stoney Creek), as shown on Appendix “E” to Report PED05160; subject to the execution of a City standard form Subdivision Agreement, including the deletion and replacement of Condition (1) with the following:

“(1) That this approval apply to “Seabreeze”, dated June 14, 2005, prepared by A.J. Clarke and Associates Ltd., showing ten lots (Lots 1 to 10) for single detached dwellings, one block (Block 11) for innovative housing, and two blocks (Blocks 12 to 13) for 0.3 metre reserve purposes.”

(b) That approval be given to **Official Plan Amendment Application OPA-05-10 by 1528148 Ontario Inc., c/o Antonio Silvestri, owner**, for lands located at 45 Seabreeze Crescent, (Stoney Creek), as shown on Appendix “B” to Report PED05160, for a change in designation on Schedule “A4” – Secondary Plan Urban Lakeshore Area, from “Low Density Residential” to “Medium Density Residential”.

(c) That approval be given to **Zoning Application ZAC-05-61, by 1528148 Ontario Ltd. (c/o Antonio Silvestri), owner**, for a change in zoning from the Single Residential “R3” Zone to the Single Residential “R3-26” Zone (Block “1”); the Neighbourhood Development “ND” Zone to the Single Residential “R4-15” Zone (Block “2”); the Single Residential (Holding) “R3-19(H)” Zone to the Single Residential “R4-16” Zone (Block “3”); the Neighbourhood Development “ND” Zone to the Multiple Residential “RM3-28” Zone (Block “4”); the Single Residential “R3” Zone to the Multiple Residential “RM3-28” Zone (Block “5”); and the Single Residential (Holding) “R3-19(H)” Zone to the Multiple Residential “RM3-28” Zone (Block “6”), for the lands located at 45 Seabreeze Crescent (Stoney Creek), as shown on Appendix “A” to Report PED05160, on the following basis:

(i) That Block “1” be rezoned from the Single Residential “R3” Zone to the site-specific Single Residential “R3-26” Zone.

(ii) That Block “2” be rezoned from the Neighbourhood Development “ND” Zone to the site-specific Single Residential “R4-15” Zone.

(iii) That Block “3” be rezoned from the Single Residential (Holding) “R3-19(H)” Zone to the site-specific Single Residential “R4-16” Zone.
(iv) That Block “4” be rezoned from the Neighbourhood Development “ND” Zone to the site-specific Multiple Residential “RM3-28” Zone.

(v) That Block “5” be rezoned from the Single Residential Development “R3” Zone to the site-specific Multiple Residential “RM3-28” Zone.

(vi) That Block “6” be rezoned from the Single Residential (Holding) “R3-19(H)” Zone to the site-specific Multiple Residential “RM3-28” Zone.

(d) That the attached draft By-law, included as Appendix “C” to Report PED05160, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council.

(e) That the amending By-law be added to Schedule “A”, Map No. 3 of Zoning By-law No. 3692-92;

(f) That the proposed change in zoning and revised draft plan of subdivision are in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the Official Plan of the City of Stoney Creek upon finalization of proposed Official Plan Amendment No.____.

(g) That upon finalization of Official Plan No.____ and the implementing Zoning By-law, the approved Trillium Neighbourhood Plan be amended to change a portion of the existing “Low Density Residential” designation to the “Medium Density Residential” designation (Appendix “E” - Block 11).

10. Application for a Modification in Zoning for Lands Located at 937 Centre Road (Flamborough) (PED05167) (Ward 15) (Item 6.6)

That approval be given to Zoning Application ZAR-05-79, 1582873 Ontario Ltd. (Trevor Babott), owner, for a change in zoning from the Settlement Commercial “SC” Zone to the Settlement Commercial “SC-17” Zone, Modified, to permit an automobile leasing business within the existing building and an associated outdoor vehicle display area (maximum 25 vehicles), as an additional permitted use, for lands located at 937 Centre Road, as shown on Appendix "A" to Report PED05167, on the following basis:

(a) That the subject lands be rezoned from the Settlement Commercial “SC” Zone to the Settlement Commercial “SC-17” Zone, Modified.

(b) That the draft By-law, attached as Appendix “B” to Report PED05167, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council.

(c) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and the Town of Flamborough Official Plan.

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11. Application to Amend Ancaster Zoning By-law No. 87-57 to Permit 12 Condominium Single Detached Dwellings for Lands Located at 195-201 Wilson Street West (Ancaster) (PED05175) (Ward 12) (Item 6.7)

That approval be given to amended Zoning By-law Amendment application ZAC-03-95, Fernando Recchia and Ludwig and Dianne Dermeier, owners, for a change in zoning, from the Residential “R2” Zone to the Residential Holding “R2-541-H” Zone, Modified, to permit 12 condominium single detached dwellings, for lands located at 195 and 201 Wilson Street West, as shown on Appendix “A” to Report PED05175, on the following basis:

(a) That the zoning of the subject lands be changed from the Residential “R2” Zone to the Residential Holding “R2-541-H” Zone, Modified.

(b) That the Draft By-law, attached as Appendix “B” to Report PED05175, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council.

(c) That the amending By-law shall apply the Holding Provisions of Section 36(1) of the Planning Act, as amended, to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed Residential “R2-541” Zone, Modified. The Holding Provision will prohibit the use of the subject lands as permitted by the “R2-541” Zone until such time that:

(i) The applicant has submitted an archaeological assessment which has been granted final approval by the Ministry of Culture.

(d) That upon satisfying the conditions of the ‘H’ symbol, the General Manager, Planning and Economic Development Department, be authorized and directed to give the prescribed notice in accordance with the provisions of the Planning Act and to prepare a By-law, in a form satisfactory to the Corporate Counsel, to remove the ‘H’ symbol for presentation to City Council.

(e) That the proposed change in zoning is in conformity with the Town of Ancaster Official Plan and the Hamilton-Wentworth Official Plan.

12. Applications for Approval of a Draft Plan of Subdivision and Zoning By-law Amendment by 998153 Ontario Inc. (G. Schuit) for Lands Located at 114 Pleasant Avenue (Dundas) (PED05144) (Ward 13) (Item 6.7)

(a) That approval be given to amended Subdivision Application 25T200508, 998153 Ontario Inc. (G. Schuit), owner, to establish a draft plan of subdivision on lands located at 114 Pleasant Avenue, comprising eight lots for single-detached dwellings, one block for a condominium development comprising
nineteen single-detached dwellings on a private road and one block for a
neighbourhood park, as shown on Appendix "C", as amended, to Report PED05144, subject to the execution of a City standard form Subdivision Agreement, including the conditions contained in Appendix “D” to Report PED05144 and the following:

(i) Acknowledgement that there will be no City share for any municipal works related to this development;

all in accordance with the Financial Policies for Development, as approved by Council.

(b) That the following two conditions be added to the conditions contained in Appendix “D” to Report PED05144:

(i) That the owner agrees that the final plan of subdivision shall not be registered until an adequate sanitary sewer outlet has been provided. In addition, the owner shall be responsible for all costs of upgrading existing sewers to increase capacity required for servicing the proposed draft plan; and,

(ii) That the owner agree in writing to provide an unconditional irrevocable letter of credit in favour of the City for a maximum of three years to be drawn upon by the City if deemed necessary for the construction of a sidewalk on the west side of King’s Gate from Pleasant Avenue to Turnbull Road to the satisfaction of the Manager, Development Engineering.

(c) That approval be given to the amended Zoning Application ZAC-05-50, 998153 Ontario Inc. (G. Schuit), owner, for changes in zoning from the “PPS” (Public and Private Service) Zone to the “R2/S-106” (Single Detached Residential) Zone to permit a maximum of nineteen single-detached dwelling units on Block “1”, and from the “PPS” (Public and Private Service) Zone to the “R2” (Single-Detached Residential) Zone to permit eight single detached dwelling units on individual lots on Block “2”, and from the “PPS” (Public and Private Service) Zone to the “PR1” (Park and Recreation) Zone to permit a neighbourhood park on Block “3”, on lands located at 114 Pleasant Avenue, Dundas, as shown on Appendix “A”, as amended, to Report PED05144, on the following basis:

(i) That Block “1” be rezoned from the “PPS” (Public and Private Service) Zone to the “R2/S-106” (Single Detached Residential) Zone.

(ii) That Block “2” be rezoned from the “PPS” (Public and Private Service) Zone to the “R2” (Single Detached Residential) Zone.
(iii) That Block “3” be rezoned from the “PPS” (Public and Private Service) Zone to the “PR1” (Park and Recreation) Zone.

(iv) That the draft By-law, attached as Appendix “E”, as amended, to Report PED05144, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council.

(v) That the proposed changes in zoning are in conformity with the Dundas Official Plan and the Hamilton-Wentworth Official Plan.

(d) That the existing “No Parking” designation along the north side of Turnbull Road adjacent to the subject lands be maintained. Any revisions to the “No Parking” designation will be based on residential complaints for the need to provide on-street parking and a site investigation by City staff to ensure that on-street parking can be accommodated along this section of road, all to the satisfaction of the Hamilton Municipal Parking System.

FOR THE INFORMATION OF COUNCIL:

(a) Changes to the Agenda

At the start of the meeting, the Clerk advised of the following additions to the Agenda:

Four additional delegation requests, which have been added as Items 4.2, 4.3, 4.4 and 4.5.

Committee approved the amendments to the Agenda, as amended.

(b) Declarations of Interest

Councillor Ferguson declared an interest in Item 5.3, as he is related to the applicant.

(c) Chair

During the course of the meeting, Chair Whitehead relinquished the Chair on several occasions to First Vice Chair Pearson in order to join in the debate and to request additional information from staff and the public.
(d) M. Fratric, 162 Coker Road, respecting request for municipal water connection, outside the Urban Boundary (Item 4.1)

Committee discussed the matter and staff noted that while requests for water connections to properties outside the Urban Boundary had been approved by the former Region, there had only been one which had been approved in the recent past. That approval had related to an industrial application, and had been approved through an Official Plan and Zoning by-law amendment process. On a Motion by Councillor Pearson, seconded by Councillor Mitchell, Committee approved the following Motion;

That the delegation request by the Fratric family, to address Committee regarding their request for a water hook-up outside the Urban Boundary, be received, as the proposal conflicts with City policy and that the matter be referred to the Public Health Department, with direction that staff meet on site with the Fratrics, to discuss the use and operation of cisterns and other appropriate measures.

(e) Request to address Committee from Graham Flint, FORCE, respecting the staff up-date on the proposed Lowndes Quarry, on the Agenda for December 6, 2005 (Added Item 4.2)

Committee approved the request.

(f) Request to address Committee, if required, from Allen Leibel, Goodmans, respecting the staff up-date on the proposed Lowndes Quarry, on the Agenda for December 6, 05 (Added Item 4.3)

Committee approved the request.

(g) Request to address Committee by Janet Hillen respecting funded space for the Beasley Community Centre (Added Item 4.4)

Committee approved the request.

(h) Request to address Committee by Sergio Manchia respecting the noise wall at the draft plan of subdivision, Southampton Phase 2

Committee approved the request.
(i) Commercial Heritage Improvement and Restoration Program (CHIRP) (CHIRP2005-001) Matching Grant to Re-Shingle the Roof of 548 Old Dundas Road (Ancaster Old Mill), Ancaster, in the City of Hamilton (PED05174) (Ward 12) (Item 5.3)

Committee asked for further information regarding the CHIRP programme and staff advised that the programme applied to all designated commercial and industrial buildings, on a matching grant basis.

Mr. McCabe noted that he would follow up on the reasons the existing not failed so rapidly.

Committee approved the staff recommendation.

(j) Information Report: City of Hamilton Committee of Adjustment (Urban) Denial of Consent/Land Severance Application HM/B-05:103 (Duc Le & Annie Lan-Anh Le, Owners), 88 Forsyth Avenue North - Supported by the Planning and Economic Development Department (PED05176) (Hamilton) (Ward 1) (Item 5.4)

Councillor McHattie spoke to the item and supported the Committee of Adjustment decision to refuse the severance. He explained that student housing is a major issue around McMaster and Mohawk and that the erosion of family housing is now a serious problem. Councillor McHattie noted that staff had supported the severance application.

Committee approved Option 1 from the staff report, to hire outside consultants to represent the City at the upcoming OMB Hearing.

(k) Application for a Modification in Zoning for the Property Located at 640 Queenston Road (Hamilton) (PED05168) (Ward 5) (Item 6.1)

A Public Meeting was held.

Chair Whitehead advised the meeting that as per the Planning Act, the Ontario Municipal board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Meeting.

Shannah Murray was present to assist Committee with the application.

No members of the public came forward to address Committee.

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The applicant’s agent, Linda Simpson, noted here support for the staff recommendation.

Committee approved the staff recommendation.

(I) Application to Amend City of Hamilton Zoning By-law No. 6593 for Lands Located at 80 Bancroft Street (Hamilton) (PED05166) (Ward 5)(Item 6.2)

A Public Meeting was held.

Chair Whitehead advised the meeting that as per the Planning Act, the Ontario Municipal board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Meeting.

Matt Johnston was present to assist Committee with the application.

No members of the public came forward to address Committee on the matter.

The applicant, Dominic Marini, advised that he was in support of the staff recommendation.

Committee approved the staff recommendation.

(m) Applications for an Official Plan Amendment and Change in Zoning for the Properties Located at 50 and 52 Fraser Road, and Part of 57 Argyle Avenue (Hamilton) (PED05159) (Ward 4) (Item 6.3)

A Public Meeting was held.

Chair Whitehead advised the meeting that as per the Planning Act, the Ontario Municipal board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Meeting.

Joe Muto outlined the report to Committee.

Kelly Laird, 63 Argyle Avenue, addressed Committee and expressed her concerns. She noted the parking problems in the neighbourhood, due to the inadequate parking provided at the Olympia Banquet Centre and the nearby Legion. Ms. Laird then explained the problems with the garbage storage arrangements at Olympia, particularly in the summer, when the garbage smell
makes outdoor enjoyment of the adjacent residential lots impossible. She requested that food garbage not be stored on site.

Committee considered ways in which the concerns expressed could be addressed, including asking Olympia and the Legion to include in their advertising that parking is available at Centre Mall.

Mr. Muto explained that the matters of fencing and garbage storage will be addressed during the site plan approval stage, but that requesting details in the applicant's advertising was beyond the scope of the planning legislation.

The applicant noted his support for the staff recommendation. He agreed that he had heard the concerns regarding the parking and would take the message back to Olympia.

Committee approved the staff recommendation.

Applications for a Draft Plan of Subdivision and to Change the Zoning on the Lands Known as 1350 and 1354 Upper Wellington Street, Hamilton (PED05169) (Ward 7) (Item 6.4)

A Public Meeting was held.

Chair Whitehead advised the meeting that as per the Planning Act, the Ontario Municipal board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Meeting.

Paul Moore outlined the report to Committee.

No members of the public came forward to address Committee on the matter.

Sergio Manchia, the applicant’s agent, addressed Committee and explained that while he supported the staff recommendation, he was requesting that the conditions regarding the temporary turning circle be changed. He explained that the imposition of delay in the development of the three lots affected by the proposed temporary turning circle represented a serious hardship to the developer of this small subdivision. Mr. Manchia requested that a smaller turning circle, within the road allowance, be approved.

Committee discussed the request and had additional information supplied by staff.
Councillor Kelly noted that the subject area was now developing first and that it was unlikely that the “temporary turning circle” would be there for long before the street was extended.

Staff noted there was no need to revisit the policy regarding temporary turning circles.

Committee approved an amendment to permit the temporary turning circle proposed by the applicant, to delete Condition 17 of Appendix D and to revise Condition 15. Committee approved the recommendation as amended.

Application for Approval of a Revised Draft Approved Plan of Subdivision, “Seabreeze” (formerly “Trillium Estates”), and Change in Zoning for 45 Seabreeze Crescent (Stoney Creek) (PED05160) (Ward 11) (Item 6.5)

A Public Meeting was held.

Chair Whitehead advised the meeting that as per the Planning Act, the Ontario Municipal board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Meeting.

Joe Muto was present to assist Committee with the report.

No members of the public came forward to address Committee on the application.

John Neyedli, 34 Seabreeze, addressed Committee and explained his concerns about the increase in density and the fact that the road allowance at the end of McNeilly has turned into a “hang-out” and that the area is unsightly. He asked whether the City had considered the approach taken by the City of Burlington, where there are small parks adjacent to the lake, called “Windows on the Lake”.

Councillor Mitchell suggested this idea be referred to staff for a report back. Staff advised that the City of Stoney Creek Official Plan designated road allowances that ended at the lake as Open Space.

The applicant’s agent, Steve Fraser, addressed Committee in support of the staff recommendation.

Councillor Mitchell requested that the issues of storm drainage along McNeilly and through the unopened road allowance be addressed, that the mailbox site at the corner of Seabreeze and McNeilly be checked for maintenance issues and that the staff report back on the “Windows to the Lake” concept.
Mr. Muto explained that storm water issues will be addressed as part of the subdivision.

Committee approved the staff recommendation.

(p) Application for a Modification in Zoning for Lands Located at 937 Centre Road (Flamborough) (PED05167) (Ward 15) (Item 6.6)

A Public Meeting was held.

Chair Whitehead advised the meeting that as per the Planning Act, the Ontario Municipal board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Meeting.

Owen Quinn outlined the report to Committee.

No members of the public came forward to address Committee on the matter.

The applicant, Trevor Babott, confirmed that he was satisfied with the staff recommendation.

Committee approved the staff recommendation.

(q) Application to Amend Ancaster Zoning By-law No. 87-57 to Permit 12 Condominium Single Detached Dwellings for Lands Located at 195-201 Wilson Street West (Ancaster) (PED05175) (Ward 12) (Item 6.7)

A Public Meeting was held.

Chair Whitehead advised the meeting that as per the Planning Act, the Ontario Municipal board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Meeting.

Cam Thomas outlined the report to Committee and explained that the proposal had been through several revisions, resulting in a reduction in overall density.

Ron Slade addressed Committee in support of the application, explaining that the developer had worked with the immediate neighbours and that the results were satisfactory.

Greg Poole, the applicant’s agent, expressed his satisfaction with the process and the staff recommendation.

Committee approved the staff recommendation.
Applications for Approval of a Draft Plan of Subdivision and Zoning By-law Amendment by 998153 Ontario Inc. (G. Schuit) for Lands Located at 114 Pleasant Avenue (Dundas) (PED05144) (Ward 13) (Item 6.7)

Robert Walters outlined the Information Report to Committee and explained how the matters raised by Committee at the Public Meeting had been considered. He noted that a meeting had been held with the developer to review matters but that the developer had not agreed to any changes to the plan. Mr. Walters advised that the developer was now intending to appeal to the Ontario Municipal Board, as the applications had not been dealt with by Council within the time lines stated in the Planning Act.

He explained that following consideration of the items raised at the Public Meeting, staff’s position on the recommendation for approval remained largely unchanged. However, he noted that an additional condition regarding servicing was being recommended.

Committee discussed the matter in detail and had further information supplied by staff.

Councillor Samson expressed his thanks to Committee for holding the Public Meeting in Dundas but noted his disappointment with the planning process and the developer’s decision to appeal. Councillor Samson considered that a neighbourhood park was required in this area, to replace the greenspace lost when the school was closed, and that there should be a parkland dedication as part of the approval of the development.

He noted that the density of houses fronting Turnbull should be reduced, there should be a sidewalk on King’s Gate and that the drainage issues must be addressed.

Committee agreed that revisions to the recommendation, as put forward by Councillor Samson, were required.

Committee approved the staff recommendation, as amended.

Notices of Motion (Item 10)

None
(t) General Information

(a) Sign By-law Review (From Outstanding Business List, due November 15, 2005, no copy)

Tom Redmond advised that this report would be on the Agenda for December 6, 2005.

(b) M and M Tables (From Outstanding Business List, due November 15, 2005, no copy)

Gavin Norman provided an update on how this matter was progressing.

Committee confirmed that staff should bring forward a report when the matter was finalized and that Councillor Bruckler should be informed of the date of the meeting.

(c) By-law for Registry of group homes (From Outstanding Business List, due November 15, 2005, no copy)

Committee confirmed that staff should bring forward a report on this matter and that Councillor Bruckler should be informed of the date of the meeting.

(d) Amendment to the Second Hand Goods By-law (From Outstanding Business List, due November 1, 2005, no copy)

Judy Downey advised that a staff report would be on the December 6, 2005 Agenda.

(e) Business Ambassador Programme (From Outstanding Business List, due November 15, 2005, no copy)

It was noted that this report will be brought to Committee on December 6, 2005.

(f) Clean up of CNR lands (From Outstanding Business List, due November 15, 2005, no copy)

Tom Redmond provided background information.

Committee requested that a report addressing the issues raised on August 2, 2005 be brought forward to the December 6, 2005 Meeting.

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None

Adjournment

On a Motion, the Planning and Economic Development Committee adjourned at 12:20 p.m.

Respectfully submitted,

Terry Whitehead, Chair
Planning & Economic Development Committee

Alexandra Rawlings, Co-ordinator
Planning and Economic Development Committee
November 15, 2005