THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:

1. Delegation Request from Christeen Urquhart, respecting alternate uses for the Rheem Building (Item 4.2)

   (Ferguson/Farr)

   That the delegation request, submitted by Christeen Urquhart, respecting alternate uses for the Rheem Building, be referred to the Public Works
Committee and that the delegation be contacted and updated on the contract for demolition of the Rheem Building (128 Barton St. W).

CARRIED

2. Delegation Request from David Stephens, respecting the relocation of Brian Timmis Stadium (Item 4.3)

(Pearson/Johnson)
That the delegation request, submitted by David Stephens, respecting the relocation of Brian Timmis Stadium, be referred to the General Issues Committee.

CARRIED

3. Request to Include 1262 Highway 8 (Stoney Creek) in the Register of Property of Cultural Heritage Value Under Part IV of the Ontario Heritage Act (PED11184) (Ward 11) (Item 5.1)

(Clark/Johnson)
(a) That 1262 Highway 8 (Stoney Creek) be included in the Register of Property of Cultural Heritage Value or Interest, following consultation with the Hamilton Municipal Heritage Committee, as per the provisions of the Ontario Heritage Act and Recommendation (b) to Report PED11184, and that staff makes appropriate amendments to the Register of Property of Cultural Heritage Value or Interest;

(b) That a copy of Report PED11184 be forwarded to the Hamilton Municipal Heritage Committee for information and consultation, prior to the Council approved inclusion of 1262 Highway 8 (Stoney Creek) in the Register of Property of Cultural Heritage Value or Interest;

(c) That a copy of Report PED11184 be forwarded to the owner of 1262 Highway 8 (Stoney Creek) for information.

CARRIED

4. Contract for Animal Services in Glanbrook (PED11190) (City Wide) (Item 8.3)

(Johnson/Whitehead)
That Report PED11190, respecting, Contract for Animal Services in Glanbrook, be received.

CARRIED
5. Demolition of 411 Wilson Street East, Hamilton (PED11191) (Ward 3) (Item 5.3)

(Clark/Ferguson)
That the information report respecting, Demolition of 411 Wilson Street East, Hamilton (PED11191) (Ward 3), be received.

CARRIED

6. Application for Amendments to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 649 Upper James Street (Hamilton) (PED11185) (Ward 7) (Item 6.2)

(Pearson/Collins)
That approval be given to Zoning Application ZAR-11-041, by 1794698 Ontario Inc., Owner, for a further modification to the “H/S-1409a” (Community Shopping and Commercial, etc.) District, Modified, to additionally permit a restaurant use in the existing commercial building, on the lands located at 649 Upper James Street (Hamilton), as shown on Appendix “A” to Report PED11185, on the following basis:

(a) That the draft By-law, attached as Appendix “C” to Report PED11185, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(b) That the proposal is consistent with the Provincial Policy Statement and conforms to the Places to Grow Plan;

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

CARRIED

7. Application for a Zoning By-law Amendment on Lands Located at 1285 Upper Ottawa Street (Hamilton) (PED11159) (Ward 6) (Item 6.3)

(Farr/Pearson)
That approval be given to Zoning Amendment Application ZAC-11-032, by C & H Properties Inc., c/o Gerald Williams, Owner, for a change in zoning from the “M-13” (Prestige Industrial District to the “G-1/S-1650” (Designed Shopping Centre) District, Modified, with a Special Exception, to permit the development of a drug store and commercial retail building, for a combined total of 2,295 square metres of gross floor area, for lands located at 1285 Upper Ottawa Street (Hamilton), as shown on Appendix “A” to Report PED11159, on the following basis:
(a) That the draft By-law, attached as Appendix “B” to Report PED11159, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(b) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan, the City of Hamilton Official Plan, and the Trenholme Neighbourhood Plan.

CARRIED

8. Downtown and Community Renewal Community Improvement Plan and Project Area Review (PED11188) (Wards 1, 2, 3, 4, 6, 7, 8, 9, 11, 12, 13 and 15) (Item 6.4)

(Clark/Pearson)
(a) That the Downtown and Community Renewal Community Improvement Project Area be amended as set out in Report PED11188 and that the implementing by-law attached as Appendix “A” to Report PED11188, be enacted;

(b) That subject to the approval of recommendation (a), the Downtown and Community Renewal Community Improvement Plan be amended as set out in Report PED11188 and that the implementing by-law attached as Appendix “B” to Report PED11188 be enacted;

(c) That subject to the approval of Recommendation (b), Appendix “C” to Report PED11188 respecting the revised Program Description and Terms for the Hamilton Downtown Multi-Residential Property Investment Program, be approved and appended to the Downtown and Community Renewal Community Improvement Plan;

(d) That subject to the approval of recommendation (b), Appendix “D” to Report PED11188 respecting the revised Program Description and Terms for the Hamilton Downtown Property Improvement Grant Program, be approved and appended to the Downtown and Community Renewal Community Improvement Plan;

(e) That subject to the approval of recommendation (b), Appendix “E” to Report PED11188 respecting the revised Program Description and Terms for the Commercial Property Improvement Grant Program, be approved and appended to the Downtown and Community Renewal Community Improvement Plan;

(f) That subject to the approval of recommendation (b), Appendix “F” to Report PED11188 respecting the revised Program Description and Terms
for the Commercial Corridor Housing Loan and Grant Program, be approved and appended to the Downtown and Community Renewal Community Improvement Plan;

(g) That subject to the approval of recommendation (b), Appendix “G” to Report PED11188 respecting the revised Program Description and Terms for the Hamilton Heritage Property Grant Program, be approved and appended to the Downtown and Community Renewal Community Improvement Plan;

(h) That subject to the approval of recommendation (b), Appendix “H” to Report PED11188 respecting the revised Program Description and Terms for the Hamilton Downtown Office Tenancy Assistance Program, be approved and appended to the Downtown and Community Renewal Community Improvement Plan;

(i) That subject to the approval of recommendation (b), Appendix “I” to Report PED11188 respecting the Program Description and Terms for the Gore Building Improvement Grant Program, approved by Council on October 12, 2011, be appended to the Downtown and Community Renewal Community Improvement Plan;

(j) That subject to the approval of recommendation (b), Appendix “J” to Report PED11188 respecting the Program Description and Terms for the Hamilton Downtown Commercial Façade Property Improvement Grant Program, approved by Council on October 12, 2011, be appended to the Downtown and Community Renewal Community Improvement Plan;

(k) That subject to the approval of recommendations (i) and (j), the amendment to By-law 10-052 as amended, which delegates authority of certain loans and grants to the General Manager, Planning and Economic Development attached as Appendix ‘K’ to Report PED11188 be approved.

(l) That subject to the approval of recommendation (d), the Mayor and City Clerk be authorized and directed to execute Amended Agreements with respect to the Hamilton Downtown Property Improvement Grant Program, in a form satisfactory to the City Solicitor, as may be required to allow existing applicants to receive 75% of the annual grant where assessment appeals have been filed;

(m) That subject to the approval of recommendation (a), staff of the Urban Renewal Section and Finance and Corporate Services report back to the General Issues Committee on the financial implications of extending the Downtown development charge exemption area to the expanded boundary of the Downtown Hamilton Community Improvement Project Area, and to projects involving the adaptive reuse of designated heritage
properties. In the subsequent report per recommendation (m) staff will present to Council options regarding amendments to the existing Development Charge By-laws with regards to extending the Downtown Development Charge exemption area;

(n) That staff be directed to collaborate with former municipalities’ BIA’s, and in the absence of the BIA, the Glenbrook Chamber of Commerce, to look at the possibility of future expansions of this project in the former municipalities’ downtowns;

(o) That staff be directed to investigate adding Piers 5, 6, 7 and 8 as part of an expanded community improvement area.

CARRIED

9. Correspondence from the REALTORS® Association of Hamilton-Burlington

(Ferguson/Pearson)
That the written submission from the REALTORS® Association of Hamilton-Burlington, respecting, Report PED11159, Application for a Zoning By-law Amendment on Lands Located at 1285 Upper Ottawa Street (Hamilton), be received.

CARRIED

10. Housekeeping Amendments to Comprehensive Zoning By-law 05-200, Official Plan Amendments to Clarify Employment Area Policies on Ancillary Uses, Modify General Commercial Official Plan Designation and Zoning on 5365 Twenty Road East to Also Permit Manufacturing; and, Modify the Prestige Business Park (M3) Zone on a Property Located at the South-West Corner of Twenty Road East and Glover Road, Related to Setbacks and Parking (PED11199) (City Wide) (Item 6.5)

(Whitehead/Collins)
(a) That approval be given to City Initiative CI-11-C to provide housekeeping amendments to the City’s Comprehensive Zoning By-law known as Zoning By-law 05-200.

(i) That the attached draft Zoning By-law, marked as Appendix “A” to Report PED11199, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(b) That approval be given to Official Plan Amendment No.____ of the former Town of Ancaster Official Plan; Official Plan Amendment No.____ of the former Town of Dundas Official Plan; Official Plan Amendment No. ____ of the former Town of Flamborough Official Plan; Official Plan Amendment
No. ___ of the former Township of Glanbrook Official Plan, and, Official Plan Amendment No. ___ of the former City of Stoney Creek Official Plan, (City Initiative 11-D), attached as Appendix “B” to Report PED11199, to amend the Industrial/Business Park ancillary use policies in each of these Official Plans;

(c) That approval be given to Official Plan Amendment No. ___ to the former Township of Glanbrook, (City Initiative 11-E), attached as Appendix “C” to Report PED11199, to allow for a special policy allowing limited manufacturing uses on lands located at 5365 Twenty Road East;

(d) That approval be given to Official Plan Amendment No. ___ to the Urban Hamilton Official Plan, (City Initiative 11-D), attached as Appendix “D” to Report PED11199, to amend the Employment Area ancillary use policies;

(e) That approval be given to Official Plan Amendment No. ___ to the Urban Hamilton Official Plan, (City Initiative 11-E), attached as Appendix “E” to Report PED11199, to allow for limited manufacturing uses on lands located at 5366 Twenty Road East;

(f) That the by-laws of adoption for the Urban Hamilton Official Plan, as set out in recommendations (d) and (e) above, be held in abeyance until such time as the Urban Hamilton Official Plan is in effect;

(g) That approval be given to City Initiative CI-11-E for a change in zoning from General Commercial “C3-116” and “C3-117” Zone to General Commercial “C3-271” Zone, in the Township of Glanbrook Zoning By-law No. 464, to permit manufacturing as an additional use, with prohibited manufacturing uses, on lands located at 5365 Twenty Road East (Glanbrook), as shown on Appendix “F” to Report PED11199, on the following basis:

(i) That the draft By-laws, attached as Appendix “F” to Report PED11199, which have been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the Official Plan for the Township of Glanbrook, upon finalization of Official Plan Amendment No. ____.

(h) That approval be given to City Initiative CI-11-F for a change in zoning from Prestige Business Park (M3) Zone to Prestige Business Park with a Special Exception (M3, 49) Zone, in the City of Hamilton Zoning By-law No. 05-200, to permit a reduction in the maximum building setback, on lands located at the south-west Corner of Twenty Road East and Glover...
Road (Glanbrook), as shown on Appendix “G” to Report PED11199, on the following basis:

(i) That the draft By-laws, attached as Appendix “G” to Report PED11199, which have been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the proposed changes in zoning are in conformity with the former Hamilton-Wentworth and the Township of Glanbrook Official Plans.

CARRIED

11. Correspondence from Patti Turnbull respecting, Report PED11199, Housekeeping Amendments

(Johnson/Farr)
That the correspondence by Patti Turnbull respecting, Report PED11199, Housekeeping Amendments, be received.

CARRIED

12. Correspondence from Dawn Ludwig respecting, Report PED11199, Housekeeping Amendments

(Pearson/Whitehead)
That the correspondence by Dawn Ludwig respecting, Report PED11199, Housekeeping Amendments, be received.

CARRIED

13. Petition request to the City of Hamilton and Maple Leaf Foods requesting a Cul de Sac north of 580 Glover Road, respecting Report PED11199, Housekeeping Amendments

(Johnson/Partridge)
That the Petition requesting for the installation of a cul de sac north of 580 Glover Road, respecting, Report PED11199, Housekeeping Amendments, be received and referred to the GM of Public Works for a report to the Public Works Committee.

CARRIED
14. Correspondence from Matt Johnston of IBI Group representing the owners of 899 Nebo Road, respecting, Report PED11199, Housekeeping Amendments

(Pearson/Whitehead)
That the correspondence by Matt Johnston respecting, Report PED11199, Housekeeping Amendments, be received.

CARRIED

15. Application for Amendments to the Hamilton-Wentworth Official Plan and Town of Flamborough Zoning By-law No. 90-145-Z, for Lands Located at 522 Highway No. 6; 5, 6, 11 and 28 Clappison Avenue; 4, 10, 24, 30, 36 and 50 Horseshoe Crescent; and 95 Dundas Street East (Flamborough) (PED11194) (Ward 15) (Item 6.6)

(Partridge/Collins)
(a) That approval be given to Regional Official Plan Amendment Application ROPA-11-001, by The Krpan Group, Applicant, for Official Plan Amendment No. __, to modify Site-Specific Policy Area 7 to permit a grocery store on lands located at 522 Highway No. 6; 5, 6, 11 and 28 Clappison Avenue; 4, 10, 24, 30, 36 and 50 Horseshoe Crescent; and 95 Dundas Street East (Flamborough), as shown on Appendix “A” to Report PED11194, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED11194, be adopted by City Council; and,

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement, and conforms with the Places to Grow Plan.

(b) That approval be given to Amended Zoning Application ZAC-11-021, by The Krpan Group, Applicant, for a further modification to the Prestige Industrial “M1-12” Zone, to permit a grocery store and remove the maximum gross floor area provision for any individual retail outlet and all retail uses, on lands located at 522 Highway No. 6; 5, 6, 11 and 28 Clappison Avenue; 4, 10, 24, 30, 36 and 50 Horseshoe Crescent; and 95 Dundas Street East (Flamborough), as shown on Appendix “A” to Report PED11194, on the following basis:

(i) That the draft By-law, attached as Appendix “C” to Report PED11194, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
(ii) That the proposed change in zoning will be in conformity with the Hamilton-Wentworth Official Plan upon finalization of Official Plan Amendment No. [number], and is in conformity with the Official Plan for the Town of Flamborough.

CARRIED


(Ferguson/Pearson)
That Report PED11182, Strathcona Secondary Plan: Background Report, be received.

CARRIED

17. Report 11-008 – Hamilton Municipal Heritage Committee Minutes (Item 8.1)

(Pearson/Collins)
That the minutes of the 11-008 Hamilton Municipal Heritage Committee Minutes, be received.

CARRIED

18. Tow Truck Licensing (PED09019(c)) (City Wide) (Item 8.2)

(Whitehead/Johnson)
   a) That staff be directed to prepare a comprehensive by-law amendment to the City’s Licensing By-Law 07-170 to include provisions for the licensing of tow trucks and tow truck drivers;

   b) That recommendation a) above be subject to the approval of an additional 0.60 FTE (on a full cost recovery basis) for enforcement and administrative support to the licensing of tow trucks and tow truck drivers;

   c) That roadside assistance providers not be included as a licensing category.

CARRIED

19. Pre-Christmas Free Parking Strategy (Item 10.1)

(Collins/Whitehead)
Therefore, be it resolved that the Pre-Christmas Free Parking Strategy, approved by City Council on June 25, 2003, be amended as follows; That on-street parking be free at all times from November 24, 2011 to December 24, 2011 and
limited to two (2) hours in duration for the Waterdown Business Improvement Area.

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 Dean Collett, respecting Hess Village Paid Duty Program

4.2 Delegation Request from Christeen Urquhart, respecting alternate uses for the Rheem Building

4.3 Delegation Request from David Stephens, respecting the relocation of Brian Timmis Stadium

PUBLIC HEARINGS AND DELEGATIONS

6.5 Housekeeping Amendments to Comprehensive Zoning By-law 05-200, Official Plan Amendments to Clarify Employment Area Policies on Ancillary Uses, Modify General Commercial Official Plan Designation and Zoning on 5365 Twenty Road East to Also Permit Manufacturing; and, Modify the Prestige Business Park (M3) Zone on a Property Located at the South-West Corner of Twenty Road East and Glover Road, Related to Setbacks and Parking (PED11199) (City Wide)

Registered public speakers:

(ii) Dawn Ludwig
(iii) Matt Johnston – IBI Group

(Collins/Pearson)
That the Agenda for the November 8, 2011 meeting of the Planning Committee be approved, as amended.

CARRIED
(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) APPROVAL OF MINUTES (Item 3)

(Partridge/Whitehead)
That the Minutes of the October 18, 2011 Planning Committee meeting be approved.
CARRIED

(d) DELEGATION REQUESTS (Item 4)

(i) Delegation Request from Dean Collett, respecting Hess Village Paid Duty Program (Item 4.1)

(Pearson/Collins)
That the delegation request, submitted by Dean Collett, respecting Hess Village Paid Duty Program, be approved.
CARRIED

(e) CONSENT ITEMS (Item 5)

(i) Demolition Report – 1354 Upper Sherman Avenue (PED11186) (Ward 7) (Item 5.2)

Councillor Duvall spoke to the demolition and the concerns about the current zoning application.

(Whitehead/Clark)
That the consideration of the demolition application be deferred until the zoning application is approved.
CARRIED
(f) PUBLIC HEARINGS AND DELEGATIONS (Item 6)

(i) Delegation by Lawrence Pearce, respecting by-law enforcement for Recreational Vehicle (RV) parking in residential neighbourhoods (Item 6.1)

(Ferguson/Pearson)
That the delegation by Lawrence Pearce, respecting by-law enforcement for Recreational Vehicle (RV) parking in residential neighbourhoods, be deferred.

CARRIED

(ii) Application for Amendments to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 649 Upper James Street (Hamilton) (PED11185) (Ward 7) (Item 6.2)

In accordance with the provision of the Planning Act, Chair R. Pasuta advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the Zoning By-law amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

(Pearson/Ferguson)
That the staff presentation respecting, Report PED11185, Application for Amendments to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 649 Upper James Street (Hamilton), be waived.

CARRIED

(Partridge/Collins)
That the public meeting respecting, Report PED11185, Application for Amendments to the City of Hamilton Zoning By-law No. 6593 for Lands Located at 649 Upper James Street (Hamilton), be closed.

CARRIED

For disposition on this Item, refer to item 6.
(iii) Application for a Zoning By-law Amendment on Lands Located at 1285 Upper Ottawa Street (Hamilton) (PED11159) (Ward 6) (Item 6.3)

In accordance with the provision of the Planning Act, Chair R. Pasuta advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the Zoning By-law amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

(1) Joe Muto, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation. A copy of this presentation has been included in the official record.

(Collins/Partridge)
That the staff presentation respecting, Report PED11159, Application for a Zoning By-law Amendment on Lands Located at 1285 Upper Ottawa Street (Hamilton), be received.

CARRIED

(2) Claudio Balbinot, Planning Consultant, addressed the Committee with the aid of a PowerPoint presentation. Mr. Muto provided a summary of the report with additional information on how the application applies to current plans of the City and that there is enhanced streetscape to support urban design.

(Partridge/Johnson)
That the applicant’s presentation respecting, Report PED11159, Application for a Zoning By-law Amendment on Lands Located at 1285 Upper Ottawa Street (Hamilton), be received.

CARRIED

Public Speaker
(3) Dave Cooper – 1660 North Service Road East, Oakville, ON L6H 7G3
Mr. Cooper is representing a property located at 1070 Stonechurch Road East. Concerns related to urban design policy for the City’s Urban Official Plan. The building does not meet the policy of having buildings as close to the road as possible. Also the concern that the parking and driveway be separate.
(Clark/Farr)
That the public presentation respecting, Report PED11159, Application for a Zoning By-law Amendment on Lands Located at 1285 Upper Ottawa Street (Hamilton), be received.

CARRIED

(Clark/Ferguson)
That the public meeting respecting, Report PED11159, Application for a Zoning By-law Amendment on Lands Located at 1285 Upper Ottawa Street (Hamilton), be closed.

CARRIED

For disposition on this Item, refer to item 7.

(iv) Downtown and Community Renewal Community Improvement Plan and Project Area Review (PED11188) (Wards 1, 2, 3, 4, 6, 7, 8, 9, 11, 12, 13 and 15) (Item 6.4)

(1) Correspondence from the REALTORS® Association of Hamilton-Burlington

In accordance with the provision of the Planning Act, Chair R. Pasuta advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the Zoning By-law amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

(Clark/Partridge)
That the public meeting respecting, Report PED11188, Downtown and Community Renewal Community Improvement Plan and Project Area Review, be closed.

CARRIED

(1) Hazel Millsome, Co-ordinator, Urban Renewal Incentives, Alan Waterfield, Senior Planner, and Glen Norton, Manager, Urban Renewal, addressed the Committee with the aid of a PowerPoint presentation. A copy of this presentation has been included in the official record.
(Collins/Partridge)
That the staff presentation respecting, Report PED11188, Downtown and Community Renewal Community Improvement Plan and Project Area Review, be received.

CARRIED

(Johnson/Partridge)
(n) That staff be directed to collaborate with former municipalities’ BIA’s, and in the absence of the BIA, the Glenbrook Chamber of Commerce, to look at the possibility of future expansions of this project in the former municipalities’ downtowns;

Amendment CARRIED

(Collins/Farr)
o That staff be directed to investigate adding Piers 5, 6, 7 and 8 as part of an expanded community improvement area.

Amendment CARRIED

(Johnson/Pearson)
That the written submission from the REALTORS® Association of Hamilton-Burlington, respecting, Report PED11159, Application for a Zoning By-law Amendment on Lands Located at 1285 Upper Ottawa Street (Hamilton), be received.

CARRIED

For disposition on this Item, refer to item 8.

(v) Housekeeping Amendments to Comprehensive Zoning By-law 05-200, Official Plan Amendments to Clarify Employment Area Policies on Ancillary Uses, Modify General Commercial Official Plan Designation and Zoning on 5365 Twenty Road East to Also Permit Manufacturing; and, Modify the Prestige Business Park (M3) Zone on a Property Located at the South-West Corner of Twenty Road East and Glover Road, Related to Setbacks and Parking (PED11199) (City Wide) (Item 6.5)

In accordance with the provision of the Planning Act, Vice Chair B. Clark advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the Zoning By-law amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of
an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

(1) Al Fletcher, Manager, addressed the Committee and provided a summary of the report with additional information regarding zoning and aesthetics opportunities associated with the Maple Leaf plant. Also, this report addresses the definition of manufacturing of medical clinics.

(Johnson/Pearson)
That the staff presentation respecting, Report PED11199, Housekeeping Amendments to Comprehensive Zoning By-law 05-200, Official Plan Amendments, Twenty Road East and Glover Road, Related to Setbacks and Parking, be received.

CARRIED

Public Speakers
(2) Patti Turnbull – 495 Trinity Church Road, L0R 1P0

Ms. Turnbull is representing a number of residents of Trinity Church Road who live across from the Red Hill Business Park. Ms. Turnbull addressed the Committee and provided the Committee with correspondence containing the highlights of her presentation. A copy of the correspondence has been included in the official record.

That the delegation gave consent to the Ward Councillor to share the letter with the appropriate parties.

(3) Dawn Ludwig - 580 Glover Road, L0R 1P0

Dawn Ludwig addressed the Committee. Ms. Ludwig addressed the Committee and provided the Committee with correspondence containing the highlights of her presentation. A copy of the correspondence has been included in the official record.

Ms. Ludwig presented the Committee with a petition for the installation of a cul de sac north of 580 Glover Road signed by 52 Glover Road residents and a representative of Maple Leaf.

(4) Matt Johnston – 360 James Street N., L8L 1H5

Mr. Johnston of IBI Group representing the owners of 899 Nebo Road. Mr. Johnston addressed the Committee and provided the Committee with correspondence containing the highlights of his presentation. A copy of the correspondence has been included in the official record.
Steven Fraser, Planner, A.J. Clarke and Associates addressed the Committee. Mr. Fraser indicated that he did not have enough time to review the implications of the report on his clients land holdings and was appearing in order to preserve his right to appeal.

(Collins/Partridge)
That the public presentations respecting, Report PED11199, Housekeeping Amendments, be received.

CARRIED

(Pearson/Collins)
That the public meeting respecting, Report PED11199, Housekeeping Amendments, be closed.

CARRIED

For disposition on this Item, refer to item 10.

(vi) Application for Amendments to the Hamilton-Wentworth Official Plan and Town of Flamborough Zoning By-law No. 90-145-Z, for Lands Located at 522 Highway No. 6; 5, 6, 11 and 28 Clappison Avenue; 4, 10, 24, 30, 36 and 50 Horseshoe Crescent; and 95 Dundas Street East (Flamborough) (PED11194) (Ward 15) (Item 6.6)

In accordance with the provision of the Planning Act, Vice-Chair B. Clark advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the Zoning By-law amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

(1) Kate Mihalijevic, Manager, addressed the Committee with the aid of a PowerPoint presentation. A copy of this presentation has been included in the official record.

(Collins/Farr)
That the staff presentation respecting, Report PED11194, Application for Amendments to the Hamilton-Wentworth Official Plan and Town of
Flamborough for Lands Located at 522; and 50 Horseshoe Crescent; and 95 Dundas Street East (Flamborough), be received.

CARRIED

(2) Ed Fothergillls, on behalf of the applicant, addressed the Committee and expressed his support for the application as it coincides with the City’s plans and downtown area.

(Pearson/Partridge)
That the applicant’s verbal presentation respecting, Report PED11194, Application for Amendments to the Hamilton-Wentworth Official Plan and Town of Flamborough for Lands Located at 522; and 50 Horseshoe Crescent; and 95 Dundas Street East (Flamborough), be received.

CARRIED

(Whitehead/Partridge)
That the public meeting respecting, Report PED11194, Application for Amendments to the Hamilton-Wentworth Official Plan and Town of Flamborough for Lands Located at 522; and 50 Horseshoe Crescent; and 95 Dundas Street East (Flamborough), be closed.

CARRIED

For disposition on this Item, refer to item 15.

(g) PRESENTATIONS (Item 7)

(i) Strathcona Secondary Plan: Background Report (PED11182) (Ward 1) (Item 7.1)

(Pearson/Collins)
That the staff presentation respecting, Report PED11182, Strathcona Secondary Plan: Background Report, be waived.

CARRIED

Councillor McHattie expressed his support for this item.

For disposition on this Item, refer to item 16.
(h) DISCUSSION ITEMS (Item 8)

(i) Tow Truck Licensing (PED09019(c)) (City Wide) (Item 8.2) (Outstanding Business List Item)

Vice Chair Clark confirmed with staff that the recommendations of Report PED09019(c), are for staff to write a by-law and to bring it back, at a future date, for the consideration of the Planning Committee.

Glyn Wide commented that this by-law will come back to the Committee as a robust by-law that will address a number of concerns. Staff indicated that this report is expected to come back in the first quarter of 2012 where there will be a public meeting related to the proposed by-law.

(Pearson/Whitehead)
That the staff presentation respecting, Report PED09019(c), Tow Truck Licensing, be received.

CARRIED

For disposition on this Item, refer to item 18.

(ii) Contract for Animal Services in Glanbrook (PED11190) (City Wide) (Item 8.3)

Councillor Johnson expressed concerns over the report and if this was a sustainable budgetary decision. Councillor Johnson provided an overview of the concerns expressed by constituents. Councillor Johnson brought copies of a petition with 415 signatures, a partial petition with 18 signatures and 44 letters. Councillor Johnson expressed her interest in bringing forward a Notice of Motion related to this issue to the next meeting of Council.

(Pearson/Johnson)
Letters and petitions concerning the recognition of the difference between urban and rural animal control needs. These letters and petitions support a specialized service that requires 24-hour 7-day a week care that can be best addressed by contracting out.

CARRIED

For disposition on this item, refer to item 4.
(i) MOTIONS (Item 9)

(i) Cell Phone Towers (Item 9.1)

That staff report back on our ability to ban the use of lattice towers for cell phone towers.

(Ferguson/Collins)
That the Motion respecting, Cell Phone Towers, be approved.

CARRIED

(j) NOTICES OF MOTION (Item 10.1)

Councillor Collins introduced the following Notice of Motion on behalf of Councillor Partridge

(i) Pre-Christmas Free Parking Strategy (Item 10.1)

Whereas the Waterdown Business Improvement Area has submitted a request to participate in the Christmas Free Parking Program and due to staff changes in the BIA the request was received two weeks late; and

Whereas the request is considered minor in nature, and staff support the request.

Therefore, be it resolved that the Pre-Christmas Free Parking Strategy, approved by City Council on June 25, 2003, be amended as follows; That on-street parking be free at all times from November 24, 2011 to December 24, 2011 and limited to two (2) hours in duration for the Waterdown Business Improvement Area.

(Collins/Whitehead)
That the rules be waived in order to allow the Notice of Motion respecting, Pre-Christmas Free Parking Strategy, to be brought forward as a Motion at today’s meeting.

CARRIED

For disposition on this Item, refer to item 19.
(k) GENERAL INFORMATION AND OTHER BUSINESS (Item 11)

(i) Demolition Permit – 245 Catherine Street North, Hamilton (PED11136) (Ward 2) (Verbal Update) (Item 11.1)

Glyn Wide updated committee that all of the hazardous materials have been managed on the site at 245 Catherine Street North, Hamilton.

(Farr/Collins)
That the verbal update respecting, Demolition Permit – 245 Catherine Street North, be received and that no further updates be required.

CARRIED

(ii) Outstanding Business List Amendments (Item 11.2)

Items requiring revised Due Dates

(Collins/Whitehead)
That the due dates of the following outstanding business list Items be amended as outlined below:

(a) Item M: Proposed policy on release of names of owners whose dogs attack others
   Current Due Date: November 8, 2011
   New Due Date: November 22, 2011

(b) Item O: Licensing of Motels
   Current Due Date: November 8, 2011
   New Due Date: March 2012

(c) Item T: ACPD Proposed Reforms to Taxi Licensing By-law
   Current Due Date: November 8, 2011
   New Due Date: February 2012

(d) Item U: 1620 Upper Wentworth and 401 Rymal Road East, application by Schlegel Villages
   Current Due Date: November 8, 2011
   New Due Date: February 2012

CARRIED

Items requiring removal

(Collins/Farr)
That item “V”, Demolition Permit – 245 Catherine Street North, be removed from the Outstanding Business List.
(iii) News from the General Manager (Item 11.3)

Mr. McCabe updated the Committee on the Growth Management Operational Review Sub-Committee scheduled for the new year, the Business Plan update going to the General Issues Committee, and the next Planning Committee’s closed session updates on rural and urban official plans with respect to appeals and OMB proceedings.

(I) ADJOURNMENT

(Pearson/Collins)
That, there being no further business, the Planning Committee be adjourned at 3:10 p.m.

CARRIED

Respectfully submitted,

Councillor R. Pasuta
Chair, Planning Committee

Vanessa Robicheau
Legislative Assistant
Office of the City Clerk
November 8, 2011