Present: Councillors J. Partridge (Chair), B. Johnson (1st Vice Chair), M. Pearson (2nd Vice-Chair) C. Collins D. Conley, J. Farr, M. Green, A. Johnson, and R. Pasuta

Also Present: Councillor L. Ferguson

THE PLANNING COMMITTEE PRESENTS REPORT 14-016 AND RESPECTFULLY RECOMMENDS:

1. Election of Chair and Vice-Chairs

   (a) That Councillor Judi Partridge be appointed Chair of the Planning Committee for 2015;

   (b) That Councillor Brenda Johnson be appointed First Vice Chair of the Planning Committee for 2015;

   (c) That Councillor Maria Pearson be appointed Second Vice Chair of the Planning Committee for 2015.

2. Hamilton Historical Board 2015 Volunteer Committee Budget Submission (PED14208) (City Wide) (Item 5.2)

   That the Hamilton Historical Board 2015 base Budget submission in the amount of $14,350.00, attached as Appendix “A” to Report 14-016, be approved and forwarded to the 2015 Budget process General Issues Committee (GIC) for consideration.
3. Proposed Niagara Escarpment Plan Amendment - Endangered Species Act (PED14231) (City Wide) (Item 5.3)

   (a) That the proposed Niagara Escarpment Plan (NEP) Amendment PC 201 13 to add/amend policies relating to the Endangered Species Act (ESA) to the Niagara Escarpment Plan, be supported subject to the general drafting changes proposed by staff, which are shown in Appendix “B” to Report 14-016;

   (b) That the City Clerk be directed and authorized to send a copy of the Council Decision and Report PED14231 to the Niagara Escarpment Commission as formal comments on Niagara Escarpment Plan (NEP) Amendment PC 201 13.

4. Hamilton Municipal Heritage Committee Report 14-012 (Item 5.4)

   (a) Century Manor, 100 West 5th Street, Hamilton

       That staff be directed to correspond with Infrastructure Ontario to request that the City of Hamilton be notified when Century Manor, 100 West 5th Street, Hamilton, is for sale.

   (b) Guidelines for Windows in Heritage Properties


5. Application for a Condominium Conversion for Lands Known as 547 King Street West (Hamilton) (PED14232) (Ward 1) (Item 6.2)

   That approval be given to Condominium Conversion Application 25CDM-CONV-14-01, by 547 King Street West (Hamilton) Limited, c/o David Horwood, Owner, to establish a Draft Plan of Condominium for the existing apartment building, consisting of 39 dwelling units, located at 547 King Street West (Hamilton), as shown on the attached map marked as Appendix “A” to Report PED14232, subject to the following:

   (a) That this approval apply to the plan, prepared by A.T. McLaren Limited and certified by S.D. McLaren, O.L.S., dated May 7, 2014, showing a total of 39 dwelling units and 33 parking space units, attached as Appendix “B” to Report PED14232;
(b) That the following conditions shall apply to the Draft Plan of Condominium approval:

(i) That the Final Plan of Condominium comply with all applicable provisions of Hamilton Zoning By-law No. 6593 and that the owner apply for and receive final approval of a Minor Variance from the Committee of Adjustment to permit 33 parking spaces instead of 39 parking spaces; to permit a front yard setback of 2.9 m instead of 3 m; and, to permit parking space length of 5.5 m instead of 6 m; and, to permit 5.3 m of manoeuvring space instead of 6 m for Condominium Parking Units 26-28, to the satisfaction of the Director of Planning;

(ii) That the owner satisfies all conditions, financial or otherwise, of the City of Hamilton;

(iii) That the owner shall submit a report, in accordance with Section 9 (4) of the Condominium Act, 1998, prepared and certified by a qualified Registered Professional Engineer or Licensed Architect, to the satisfaction of the Chief Building Official of the City of Hamilton, to confirm the structural and mechanical integrity of the building and any owner initiated measures required to correct any deficiencies prior to the release of the final plan for registration;

(iv) That the owner shall include the following warning clauses in all Development Agreements and agree in writing to include in all Offers of Purchase and Sale or Lease/Rental Agreements, to the satisfaction of the Director of Planning:

(1) “Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels may exceed the Municipality’s and the Ministry of the Environment’s noise criteria.”

(2) “Purchasers/tenants are advised that on-street, overflow parking may not be available and cannot be guaranteed in perpetuity.”

(3) “Purchasers/tenants are advised that a maximum of eight parking spaces located within or partially within the road allowances are subject to the Commercial Boulevard Agreement program, acknowledges the use of the Municipal Road Allowance for the purpose of establishing parking, however, the Commercial Boulevard Parking Agreement gives the City of Hamilton the ability to alter and/or eliminate...
these parking spaces at any time, should it become necessary to do so.”

(v) That the owner shall provide the Manager of Design and Construction with evidence that satisfactory arrangements, financial and otherwise, have been made with a telecommunication services provider, approved by the Canadian Radio and Telecommunication Commission (CRTC), that adequate telecommunication service will be provided to the condominium, including 9-1-1 emergency calling service that identifies, at a minimum, the caller’s name and location information;

(vi) The owner shall agree in the Agreement, in words satisfactory to Bell Canada, to grant Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the owner/developer shall be responsible for the relocation of such facilities or easements;

(vii) That the owner shall apply for and receive approval of a Commercial Boulevard Parking Agreement for all existing parking spaces located within or partially within the Municipal Road Allowance to the satisfaction of the Hamilton Municipal Parking System;

(viii) That the owner shall provide to Union Gas Limited any necessary easements and/or agreements required by Union Gas Limited for the provision of gas services to the satisfaction of Union Gas Limited;

(ix) That Canada Post’s multi-unit policy, which requires that the owner/developer provide the centralized mail facility at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space;

(x) That the owner reinstates a sodded boulevard in all areas along Strathcona Avenue South that are not occupied for access driveways or parking spaces that have been approved under the Commercial Boulevard Parking Agreement to the satisfaction of the Director of Planning;

(xi) That the owner provides evidence that any parking restrictions and associated signage for such parking restrictions that restricts parking based on time-of-year (i.e. no seasonal winter parking) be
removed for any parking spaces shown as units on the Draft Plan of Condominium to the satisfaction of the Director of Planning; and,

(xii) That if required, the owner apply for and receive approval of a Commercial Boulevard Encroachment Agreement to permit the existing placement of any recycling bins within the Strathcona Avenue South road allowance or otherwise submit evidence that such an encroachment is no longer occurring, to the satisfaction of the Manager of Geomatics and Corridor Management, Public Works Department.

6. **Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 1098 and 1100 Main Street West (PED14245) (Ward 1) (Item 6.5)**

That approval be given to amended **Zoning Application ZAR-14-005, by Collingwood Cambridge Holding Inc., Owner**, for a change in zoning from the “G/S-1361” (Neighbourhood Shopping Centre, etc.) District, to the “G/S-1708” – ‘H’, (Neighbourhood Shopping Centre, etc.) District Holding, to facilitate the conversion of an existing office building at 1100 Main Street West to an 11-unit multiple dwelling and to continue to utilize the dwelling at 1098 Main Street West as a single detached dwelling. A Holding Provision will be applied to the lands prohibiting development until conditions are met, on lands located at 1098 and 1100 Main Street West (Hamilton), as shown on Appendix “A” to Report PED14245, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED14245, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593;

(c) That the proposed change in zoning is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow) and the Urban Hamilton Official Plan;

(d) That the amending By-law apply the following Holding Provision in accordance with Section 36 (1) of the Planning Act, R.S.O., 1990, by introducing the Holding Symbol ‘H’ as a suffix to the proposed Zoning District. The Holding Provision ‘H’ shall not be removed until such time as the following condition has been completed to the satisfaction of the Director of Planning:
(i) That the owner/applicant applies for and receives Site Plan Approval, including but not limited to, implementing all required noise mitigation measures, to the satisfaction of the Director of Planning.

7. Applications to Amend Glanbrook Zoning By-law No. 464 and for Approval of a Draft Plan of Subdivision, "Kopper Meadow Subdivision Phase IV", for Lands Located at 126 Kellogg Avenue (Glanbrook) (PED14246) (Ward 11) (Item 6.6)

(a) That approval be given to Amended Zoning By-law Amendment Application ZAC-13-010 by 672385 Ontario Inc., c/o: Sam Battaglia, (Owner), for changes in zoning from the Existing Residential "ER" Zone to Residential "R4-263(a)" Zone, Modified (Block 1); from the Residential-Holding "H-R4-263" Zone, Modified to Residential "R4-263(a)" Zone, Modified (Block 2); from the Residential-Holding "H-R4-258" Zone, Modified to Residential "R4-263(a)" Zone, Modified (Block 3); and from the Existing Residential "ER" Zone to Residential "R4-188" Zone, Modified (Block 4); in order to permit the development of 45 single detached lots, in accordance with a proposed Draft Plan of Subdivision, "Kopperfield Meadow Subdivision Phase IV" (25T-201302), for lands located at 126 Kellogg Avenue (Glanbrook), as shown on Appendix “A” to Report PED14246, on the following basis:

(i) That the draft By-law, attached as Appendix “B” to Report PED14246, 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 “E” of the Township of Glanbrook Zoning By-law No. 464.

(iii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan, and in particular, the North-West Glanbrook Secondary Plan.

(b) That approval be given to Amended Draft Plan of Subdivision Application 25T-201302 by 672385 Ontario Inc., c/o: Sam Battaglia, (Owner), to establish a draft plan of subdivision known as “Kopper Meadow Subdivision Phase IV”, on lands known as 126 Kellogg Avenue (Glanbrook), as shown on Appendix “A” to Report PED14246, subject to the following conditions:

(i) That this approval apply to “Kopper Meadow Subdivision Phase IV”, 25T-201302, as red-line revised, prepared by Odan Detech Group, and certified by Dan McLaren, O.L.S., dated November 3, 2014,
showing 45 single detached dwelling lots (Lots 1 – 45), one block for future development with adjacent lands (Block 46), a proposed Street “A”, and the extension of Kellogg Avenue, attached as Appendix “C” to Report PED14246, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached to Report 14-016 as Appendix “D”, as amended, by adding the following section 19:

19. That, prior to servicing, the owner/applicant shall provide a construction management plan to the satisfaction of the Senior Director of Growth Management for, but not limited to, the following items:

(i) construction truck route(s)
(ii) Phasing/construction plan
(iii) Street cleaning schedule(s)
(iv) Maintenance schedule for Kopperfield Lane
(v) Minimize building debris both on and off site

(ii) Acknowledgement that there will be no City share for any municipal works associated with this development.

(iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the Planning Act, and will be calculated in accordance with the City’s Parkland Dedication By-law, and shall be based on the value of the lands on the day prior to the issuance of the first building permit:

With regards to Lots 1 – 45, inclusive, (Single Detached Residential), a Parkland Dedication ratio of 5% will be required, all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council.

8. Housekeeping Amendment to the Hamilton Noise Control By-Law No. 11-285 (PED14253) (City Wide) (Item 6.7)

That the Hamilton Noise Control By-law No. 11-285 be amended to reflect the name change from the former Ivor Wynne Stadium to Tim Horton’s Field, and that the Draft By-law attached as Appendix “A” to Report PED14253, which has been prepared in a form satisfactory to the City Solicitor, be enacted.
9. **Mediation Service Pilot Program (PED11181(d)) (City Wide) (Item 8.1)**

That the mediation pilot program with Community Justice Initiatives (CJI) for neighbour disputes be extended City wide for another 12 months on a payment per case basis with an annual cap of $2,500 to be charged to Account 55801 Dept ID 817005.

10. **Establishment of a Specialized By-law Enforcement Unit (PED14254) (City Wide) (Outstanding Business List Item) (Item 8.2)**

That consideration be given during the 2015 budget process to piloting, for one year, a Specialized By-law Enforcement Unit consisting of a Special Duty Police Officer and a Municipal Law Enforcement Officer which would respond to noise complaints between 9:00 p.m. and 5:00 a.m. Thursdays, Fridays and Saturdays.

**FOR THE INFORMATION OF COUNCIL:**

(a) **CHANGES TO THE AGENDA (Item 1)**

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

(i) A request has been received from the applicant for the sign variance in Item 5.5 that the staff report remain TABLED to the February 3, 2015 meeting in order for him to compile some additional information for his appeal. A copy of the request was distributed.

(ii) The Public Meeting for Item 6.1 respecting Applications for an Amendment to the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-law No. 3692-92 for lands located at 288 Glover Road (Stoney Creek) (PED14230) (Ward 11) is cancelled and the report is pulled from the agenda because the applicant has withdrawn his applications.

(iii) The Public Meeting for Item 6.3 respecting Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 893, 897, and 903 West 5th Street (Hamilton) (PED14235) (Ward 8) is cancelled and the report is pulled from the agenda because the applicant is appealing to the OMB for failure of the City to make a decision.

(iv) Written comments have been received respecting Item 6.4 regarding an Application for Amendment to Flamborough By-law No. 90-145-Z for Lands Located at 250 Concession 4 Road West (Flamborough)
(PED14236). Added as Item 6.4(a) are written comments from Debra and Glenn Chappel and added as item 6.4(b) are written comments received from Dan Ruth.

Committee also changed the order by moving Item 6.6 up in the agenda.

The Agenda for the December 9, 2014 meeting of the Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) DELEGAION REQUESTS (Item 4)

(i) Scott Oldam, 1169831 Ontario Limited, 189 York Road, Dundas requesting reconsideration of the fee for removal of the Holding provision placed on the approval of his zoning application for 336-338 King Street West, Dundas. (Item 4.1)

The delegation request from Scott Oldam, 1169831 Ontario Limited, 189 York Road, Dundas requesting reconsideration of the fee for removal of the Holding provision placed on the approval of his zoning application for 336-338 King Street West, Dundas was approved.

(d) CONSENT ITEMS (Item 5)

(i) Various Advisory Committee Minutes for Information (Item 5.1):

The following Minutes of the Hamilton Historical Board were received:

(a) Hamilton Historical Board Minutes – August 19, 2014
(b) Hamilton Historical Board Minutes – September 16, 2014

(i) Sign Variance Application SV-14-002 for the Hamilton Port Authority Lands, Hamilton, Denied by the Director, Planning Division, and Appealed by the Applicant (PED14227)(Ward 5) TABLED September 19, 2014) (Item 5.5)

Report PED14227, Sign Variance Application SV-14-002 for the Hamilton Port Authority Lands, Hamilton, Denied by the Director, Planning Division, and Appealed by the Applicant, was TABLED to the February 3, 2015 meeting of the Planning Committee.
(e) PUBLIC HEARINGS AND DELEGATIONS (Item 6)

(i) Applications for an Amendment to the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-law No. 3692-92 for lands located at 288 Glover Road (Stoney Creek) (PED14230) (Ward 11) (Item 6.1)

This Item was withdrawn from the agenda and the Public Meeting was cancelled as the applicant withdrew his applications.

(ii) Application for a Condominium Conversion for Lands Known as 547 King Street West (Hamilton) (PED14232) (Ward 1) (Item 6.2)

In accordance with the provision of the Planning Act, Chair J. Partridge 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 proposed condominium conversion, 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.

The public meeting respecting Report PED14232, Application for a Condominium Conversion for Lands Known as 547 King Street West (Hamilton), was closed.

The staff presentation respecting Report PED14232 was waived.

Matt Johnston of Urban Solutions representing the applicant addressed Committee and indicated that he concurred with the staff report.

For disposition on this Item, refer to Item 5.

(iii) Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 893, 897, and 903 West 5th Street (Hamilton) (PED14235) (Ward 8) (Item 6.3)

This Item was withdrawn from the agenda and the Public Meeting was cancelled as the applicant has filed an appeal to the Ontario Municipal Board for the City’s failure to make a decision.
Chair Partridge relinquished the Chair to 1st Vice-Chair B. Johnson to speak to this issue.

In accordance with the provision of the Planning Act, 1st Vice-Chair B. Johnson 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 proposed 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.

6.4(a) Written comments from Debra and Glenn Chappel (Added Item)

The written comments from Debra and Glenn Chappel, respecting Application for Amendment to Flamborough By-law No. 90-145-Z for Lands Located at 250 Concession 4 Road West (Flamborough) (PED14236) were received.

6.4(b) Written comments from Dan Ruth (Added Item)

The written comments from Dan Ruth respecting Application for Amendment to Flamborough By-law No. 90-145-Z for Lands Located at 250 Concession 4 Road West (Flamborough) (PED14236) were received.

Edward John, Senior Project Manager, provided an overview of the report with the aid of a PowerPoint Presentation and responded to questions from Committee.

The staff presentation was received.

Kristen Barisdale of GSP Group, the agent for the applicants Landmark Group, provided an overview of the proposal with the aid of a PowerPoint presentation.

Kristen Barisdale responded to questions from Committee and requested that if amendments to the proposal are being proposed the item be referred back.

Council – December 17, 2014
The presentation by the agent was received.

Speakers

1. **Diana Kenel and Paul Kenel, 167 Highway 5 West, Dundas, ON L9H 5E2 (business)**

Diana Kenel and Paul Kenel came forward to address committee. They are the owners of Rock Chapel Golf Centre. They also spoke on behalf of Albert Kenel (father-in-law) and Ben Kenel (son) who also live at the same address.

Diana Kenel read from a prepared statement a copy of which was submitted to the Clerk for the public record and has been uploaded onto the City’s website.

She indicated that they have serious concerns with respect to the proposal regarding the following:

- The placement of the live stock barn;
- The placement of the manure and compost piles due to concerns with run off.

Diana Kenel responded to questions from Committee.

Committee received the delegation from Diana and Paul Kenel respecting Application for Amendment to Flamborough By-law No. 90-145-Z for Lands Located at 250 Concession 4 Road West (Flamborough).

2. **Brad Dee, 271 Concession 4 West, Waterdown, Ontario L0R 2H2**

Brad Dee addressed committee and expressed his opposition to the proposal because in his opinion the main focus of the business will be to host wedding receptions which will be disruptive to the area residents.

He responded to questions from Committee

Committee received the delegation from Brad Dee respecting Application for Amendment to Flamborough By-law No. 90-145-Z for Lands Located at 250 Concession 4 Road West (Flamborough).
2.  Dirk Lammers, 255 Concession West, Flamborough, Ontario L0R 2H2

Dirk Lammers addressed Committee and expressed concerns with the following:

- The impact the operation will have on his well water supply;
- Dust from the gravel driveway;
- The driving behavior of the guests;
- The number of functions held during the past summer – 3 functions every Saturday.

Committee received the delegation from Dirk Lammers respecting Application for Amendment to Flamborough By-law No. 90-145-Z for Lands Located at 250 Concession 4 Road West (Flamborough).

Committee directed that the Application for Amendment to Flamborough By-law No. 90-145-Z for Lands Located at 250 Concession 4 Road West (Flamborough) (PED14236) (Ward 15) (Item 6.4) be referred back to staff to allow the Ward Councillor to meet with the applicant to address the concerns expressed by the public speakers and that the public meeting remain open and a Public Meeting Notice be re-circulated when the item is next on the Planning agenda.

(v)  Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 1098 and 1100 Main Street West (PED14245) (Ward 1) (Item 6.5)

Chair Partridge assumed the Chair.

In accordance with the provision of the Planning Act, Chair J. Partridge 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 proposed 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.
Daniel Barnett, Planner, provided an overview of the report with the aid of a PowerPoint Presentation and responded to questions from Committee. He responded to questions from Committee.

Committee received the staff presentation.

James Webb of WEBB, addressed Committee speaking on behalf of the proponent. He explained the project and responded to questions posed by Committee.

Speakers

1. Donna Crockett, 1070 Main Street West, Hamilton (business)

   Donna Crockett addressed Committee expressing her concerns with the lack of parking.

2. David Hitchcock – 18 Cline Avenue South

   David Hitchcock addressed Committee and indicated that he supports the application because it would provide student housing however, he expressed concerns for the following:
   
   - Lack of parking
   - How to ensure the “warning clause” with respect to parking is adhered to;
   - Could not find any information respecting the proponent’s experience with student housing;
   - Noise.

Committee received the delegations respecting Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 1098 and 1100 Main Street West (PED14245) (Ward 1)

The public meeting respecting Report PED14245 regarding Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 1098 and 1100 Main Street West, was closed.

For disposition on this Item, refer to Item 6.
(vi) **Applications to Amend Glanbrook Zoning By-law No. 464 and for Approval of a Draft Plan of Subdivision, "Kopper Meadow Subdivision Phase IV", for Lands Located at 126 Kellogg Avenue (Glanbrook) (PED14246) (Ward 11) (Item 6.6)**

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

No public speakers came forward.

The public meeting respecting Report PED14246 regarding Applications to Amend Glanbrook Zoning By-law No. 464 and for Approval of a Draft Plan of Subdivision, "Kopper Meadow Subdivision Phase IV", for Lands Located at 126 Kellogg Avenue (Glanbrook), was closed.

The staff presentation respecting Report PED14246 regarding Applications to Amend Glanbrook Zoning By-law No. 464 and for Approval of a Draft Plan of Subdivision, "Kopper Meadow Subdivision Phase IV", for Lands Located at 126 Kellogg Avenue (Glanbrook) was waived.

Jim Webb spoke on behalf of the applicant and stated that they concurred with Committee’s proposed amendments.

The staff recommendations were amended by adding the following to Appendix D, as Special Condition No. 19:

19. That, prior to servicing, the owner/applicant shall provide a construction management plan to the satisfaction of the Senior Director of Growth Management for, but not limited to, the following items:

   (i) construction truck route(s)
   (ii) Phasing/construction plan
   (iii) Street cleaning schedule(s)
   (iv) Maintenance schedule for Kopperfield Lane
   (v) Minimize building debris both on and off site
(vii) **Housekeeping Amendment to the Hamilton Noise Control By-Law No. 11-285 (PED14253) (City Wide) (Item 6.7)**

Chair J. Partridge asked if there was anyone in attendance wishing to speak to this Item.

No public speakers came forward.

The public meeting respecting Housekeeping Amendment to the Hamilton Noise Control By-Law No. 11-285 (PED14253) was closed.

For disposition on this Item, refer to Item 8.

(f) **DISCUSSION ITEMS (Item 8)**

(i) **Mediation Service Pilot Program (PED11181(d)) (City Wide) (Item 8.1)**

Committee approved the following amendment with respect to this Item:

(a) That the mediation pilot program with Community Justice Initiatives (CJI) for neighbour disputes be extended City wide for another 12 months on a payment per case basis with an annual cap of $2,500 to be charged to Account 55801 Dept ID 817005;

(b) That staff be directed to report back to Committee within a year or when the funding cap is reached, whichever comes first.

For disposition on this Item, refer to Item 9.

(g) **GENERAL INFORMATION AND OTHER BUSINESS (Item 11)**

(i) **Outstanding Business List Amendments (Item 11.1)**

(a) The following item was removed from the Outstanding Business List:

Item “L”-Establishment of a Specialized By-law Enforcement Unit

(b) The following item will remain on the Outstanding Business List:
Item “PP” - Sign Variance Application SV-14-002 for the Hamilton Port Authority Lands, Hamilton, Denied by the Director, Planning Division, and Appealed by the Applicant (PED14227)(Ward 5)

(c) The following new due date was approved:

Item “AA” - Former King George School – Heritage Designation
Due date: September 16, 2014
Proposed new due date: February 17, 2015

(h) PRIVATE AND CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – September 19, 2014 (Distributed under separate cover) (Item 12.1)

(a) The Closed Session Minutes of the September 19, 2014 meeting were approved;

(b) That the Closed Session Minutes of the September 19, 2014 meeting are to remain private and confidential and restricted from public disclosure.

(i) ADJOURNMENT

There being no further business, the Planning Committee adjourned at 1:17 p.m.

Respectfully submitted,

Councillor J. Partridge
Chair, Planning Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk
CITY OF
HAMILTON
2015
VOLUNTEER COMMITTEES
BUDGET SUBMISSION

Hamilton Historical Board
PART A: General Information

VOLUNTEER COMMITTEE MEMBERS:

<table>
<thead>
<tr>
<th>Name</th>
<th>Role</th>
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<tbody>
<tr>
<td>Dr. Mary Anderson</td>
<td>Robert D. Hamilton, Chair</td>
</tr>
<tr>
<td>Christine Lei</td>
<td>Robin McKee, Vice Chair</td>
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<tr>
<td>Carolyn McCann</td>
<td>Robert Williamson</td>
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<tr>
<td>Susanne Noordyk</td>
<td>Pat Saunders</td>
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<td>John Nixon</td>
<td>Rev. Kevin McLeod</td>
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<tr>
<td>Councillor Russ Powers</td>
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MANDATE:

The mandate of the Hamilton Historical Board is to advise City Council on heritage matters and to promote the awareness and appreciation of Hamilton’s heritage and history.
PART B: Strategic Planning

STRATEGIC OBJECTIVES:

1. To advise and make recommendations, to City Council through the Planning Committee, on matters pertaining to the evaluation, acquisition, development, operation, maintenance and disposition of City museums, their grounds, structures and collections. The provincial Ministry of Culture requires a separate board to oversee the operation of Museums in order to meet qualifications to receive operating grants.
2. To advise and make recommendations, to City Council through the Planning Committee, on matters concerning all of the communities that comprise Hamilton’s prehistoric and historic heritage. To promote public appreciation of the history and heritage of all of the communities that comprises Hamilton.
3. To commemorate and celebrate events, individuals, structures and properties of enduring historical significance and interest in the city.
4. To foster special projects designed to further public awareness of and enjoyment in the prehistoric and historic heritage of Hamilton and its people.
5. To promote broader understanding of the underlying principles and the necessity of heritage conservation by initiating and encouraging special projects.
6. To encourage the collection, protection and preservation of Hamilton’s heritage in all forms.
7. To liaise with other public and private groups and agencies in order to formulate coordinated responses concerning heritage issues and to operate joint programs.
8. To facilitate the appreciation of Hamilton’s history and heritage among the young people in the community.

How they will be achieved:

1. Advise on distribution of public funds to the heritage organizations through the City of Hamilton Community Partnership Program.
3. Advise Council on achievements by individuals and organization that conserve and/or promote Hamilton heritage.
4. Act as an informal liaison between heritage organizations and institutions.
5. Heritage Plaquing.
6. Special events and promotions.
7. Oversee development of Hamilton Civic Museums.
8. Monitor grounds use for Historic Parks.

Who will benefit:

Audience
1. Council
2. Local heritage community, heritage organizations and institutions
3. Primary & Secondary Schools of Hamilton
4. Citizens of Hamilton

Client Benefits/Impacts
1. Enriching the quality of life for the people of Hamilton through promotion of our collective heritage.
2. Recognition of excellence in local heritage conservation and promotion.
3. Advocacy body for heritage related issues.
4. Improved access to the local history.

All citizens of Hamilton will benefit from the role of the Hamilton Historical Board.
ALIGNMENT WITH CORPORATE GOALS:

<table>
<thead>
<tr>
<th>Strategic Commitments</th>
<th>Council Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) A City of Growth and Opportunity</td>
<td></td>
</tr>
<tr>
<td>2) A Great City in Which to Live</td>
<td>X</td>
</tr>
<tr>
<td>3) A Healthy, Safe and Green City</td>
<td></td>
</tr>
<tr>
<td>4) A City Where People Come First</td>
<td>X</td>
</tr>
<tr>
<td>5) A City that Spends Wisely and Invests Strategically</td>
<td>X</td>
</tr>
<tr>
<td>6) A City of Choice for High Performance Public Servants</td>
<td></td>
</tr>
</tbody>
</table>

PART C: Budget Request

INCIDENTAL COSTS:

<table>
<thead>
<tr>
<th>Incidental Costs</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Refreshments for Committee Meetings</td>
<td>$1300.00</td>
</tr>
<tr>
<td>Parking for Committee Meetings</td>
<td>$700.00</td>
</tr>
<tr>
<td>Supplies, mailings, printing, etc.</td>
<td>$500.00</td>
</tr>
<tr>
<td><strong>Sub Total</strong></td>
<td><strong>$2500.00</strong></td>
</tr>
</tbody>
</table>

SPECIAL EVENT/PROJECT COSTS:

<table>
<thead>
<tr>
<th>Special Event/Project Costs</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>HHB Publication: HistoriCITY (3 issues @ ~2500ea)</td>
<td>$6500.00</td>
</tr>
<tr>
<td>Maintenance, Updating of HHB Website</td>
<td>$500.00</td>
</tr>
<tr>
<td>Educational Outreach</td>
<td>$500.00</td>
</tr>
<tr>
<td>Annual Heritage Day / Event Program / Promotion</td>
<td>$1500.00</td>
</tr>
<tr>
<td>2014 Year-long Heritage Celebration Event</td>
<td>$750.00</td>
</tr>
<tr>
<td>George Hamilton Day Event</td>
<td>$1100.00</td>
</tr>
<tr>
<td>Heritage Awards Program (Bailey, Secondary Student)</td>
<td>$1000.00</td>
</tr>
<tr>
<td><strong>TOTAL COSTS</strong></td>
<td><strong>$14,350.00</strong></td>
</tr>
</tbody>
</table>

TOTAL 2015 BUDGET REQUEST (net of reserve funding) $14,350.00

PREVIOUS YEAR (2014) APPROVED BUDGET (2014 Request $16,710.00) $16,710.00
CERTIFICATION:

Please note that this document is a request for a Budget from the City of Hamilton Operating budget. The submission of this document does not guarantee the requested budget amount. Please have a representative sign and date the document below.

Representative’s Name: Rob Hamilton – Chair, HHB

Signature:____________________________________________________________________

Date:____________________________________________________________________
Changes Recommended by City of Hamilton Staff to the Niagara Escarpment Plan Amendment PC 201 13 on the Endangered Species Act.

1. The Amendment should clearly identify which species it is regulating (i.e. endangered, threatened, special concern, provincially rare and extirpated).

2. Policy 2.8.1 c) relates to creating new lots. Policies 2.8.1 c) iii) and iv) should be placed in a separate policy from 2.8.1 c) as they do not relate to lot creation. These policies would be clearer if they were separated into a new policy which states, “Notwithstanding 2.8.1 c), providing no new building lot is created, a severance may be permitted…”

3. Policy 2.8.1c) iii) states that the creation of new lots within all or part of habitat of threatened or endangered species is permitted “for the purpose of enlarging existing lots”. Staff recommend that this exemption be removed.

4. Policy 2.8.2 b) should be revised to exclude references to specific species at risk (e.g. Bobolink, Barn Swallow, Butternut, Chimney Swift) since the Endangered Species Act could change and species could be added or removed over time, which would require an amendment.

5. Policy 2.8.4, relating to fish habitat should be revised to clarify the policy, as it is not clear which policies apply to endangered, threatened, special concern, rare, or extirpated fish species.

6. In Part 1.5 (1) a) ii), the habitat of endangered, threatened, special concern, and rare species has been included. Further clarification is required on why extirpated species have been excluded from this list. If extirpated species are to be included in the amendment, staff recommend that they be consistently referenced in the policies.

7. Part 3.1.2 refers to “Significant Wildlife Habitat”, so this term should be defined in the Glossary.
Appendix C to Item 4(b) of Planning Report 14-016
GUIDELINES ON CONSERVING ORIGINAL WINDOWS IN HERITAGE BUILDINGS
Date: November 2014
Written by: Hamilton Municipal Heritage Committee (HMHC)
Policy and Design Subcommittee

Summary:
Our community recognizes the tragedy when heritage buildings are demolished but we sometimes fail to realize that there is a risk in losing even more by attrition; i.e. once the porch is changed, the interior remodelled, and the siding, windows and doors are replaced; is it really a heritage building any more?

Heritage windows are the eyes of a building and the jewel like qualities of original glass, speaks to the hand-crafted quality that is lost in the crisp lines of modern mass produced window units, often clad in metal or vinyl.

The Hamilton Municipal Heritage Committee (HMHC) encourages the retention, repair and thermal upgrade of original windows in heritage buildings.

Windows help define the character of buildings. Their appearance, placement, materials and design details all tell us something about the building they are a part of. If the original windows of a heritage building are changed or replaced, some of this character is lost.

Frequently Asked Questions:
If you are thinking of replacing your heritage windows; here’s what you need to know!

1. Why is it important to retain and repair original heritage windows?
   There are a number of reasons why it is important to retain and repair original windows:
   - Good heritage conservation practice entails returning a building to good health and maintaining a much of the original fabric as possible in order to conserve its sense of age and authenticity;
   - Windows clearly define the character, style and architectural period through such details as moulding profiles and glazing pattern;
   - A program of window repair and upgrade is often cheaper than total replacement.

2. What are the benefits of repairing windows heritage windows
   Repairing and upgrading existing windows, instead of replacing them, has environmental, social and economic benefits:
   - It can increase the monetary value of the house;
   - It can save energy and money over the long run;
   - It can conserve the heritage value of the house;
   - It can add to the value of the neighbourhood.
Many modern replacement windows will show signs of failure within 10 years and require total replacement in 15-20 years.

More energy and time will be spent replacing a modern window that maintaining an existing heritage window.

6. **What are the environmental impacts?**

   - Restoring and repairing existing windows is the environmentally responsible choice. It conserves the materials used in the original windows and avoids the unnecessary fabrication and transportation of new materials. It also means that repairable windows aren't sent to landfills.
   - Wood windows are usually made from old-growth wood, which is more durable and stable than wood today. The hardware used in older windows also tends to be sturdier than its modern counterpart, and can stand up to repair and restoration work.
   - Repairing and restoring existing windows – instead of replacing the with windows manufactured in some other location – supports local workers and craftsmen. Work that is done locally also helps local contractors learn restoration skills.
   - It is better to reuse existing materials. The processing of materials such as aluminum and vinyl have harmful effects on the environment.

7. **When is it appropriate to replace original windows?**

   The replacement of original windows in heritage buildings is only justifiable typically for the following reasons:
   - The original windows have previously been replaced with units that detract from the heritage character of the building;
   - The original windows are so severely deteriorated that, even if they were repaired, very little original fabric would remain.

8. **If window replacement is justifiable (i.e. sometimes on less significant facades such as the rear), what should be considered?**

   - They should be custom made to replace the originals;
   - Unique features such as material, moulding profiles, muntin bar sizes and the joinery should be matched precisely.

9. **Who are the experts?**

   Learn as much as you can about your heritage windows:
   - Contact a City of Hamilton Cultural Heritage Planner
GUIDELINES ON CONSERVING ORIGINAL WINDOWS IN HERITAGE BUILDINGS

Date: November 2014
Written by: Hamilton Municipal Heritage Committee (HMHC)
Policy and Design Subcommittee

- The Hamilton Community Heritage Fund (HCHF) provides interest-free loans to a maximum of $50,000 for restoration of heritage attributes on properties designated under the Ontario Heritage Act.

Making the Right Choice in 4 Easy Steps

1. Contact an expert such as a heritage consultant or window expert...BEWARE the sales person.
2. Assess the existing condition of your heritage windows.
3. Assess the problems (ex. Air leakage, water leakage, condensation build-up, aesthetics, etc.).
4. Assess the solutions...sometimes it’s as easy as applying a bead of caulking!

For more advice or to discuss your project in more detail, please contact:

**Alissa Golden, MCIP, RPP**
Cultural Heritage Planner
Development Planning, Heritage and Design
Planning and Economic Development Department
City of Hamilton
71 Main Street West, 5th Floor
Hamilton ON L8P 4Y5
T. 905.546.2424 x1214
F. 905.546.4202
E. alissa.golden@hamilton.ca
www.hamilton.ca/heritageplanning
**Special Conditions for REVISED Draft Plan of Subdivision Approval for “Kopperfield Meadow Ph. IV”**

1. **That, prior to construction**, the Owner apply for and obtain a permit under the NPCA’s Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (O. Reg. 155/06), to the satisfaction of the Niagara Peninsula Conservation Authority.

2. That the Owner covenants and agrees to provide the Senior Director of Growth Management with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation and activation of Community Mail Boxes (CMB) in locations satisfactory to the City of Hamilton.

3. **That, prior to registration**, the Owner/Developer shall prepare a Landscape Plan, prepared by a Certified Landscape Architect, showing the placement of compensation trees for any tree removals completed in accordance with the Tree Management/Tree Preservation Enhancement Plan of Section 5.10 of the Standard Form Subdivision Agreement, to the satisfaction of the Director of Planning.

4. **That, prior to preliminary grading**, the Owner covenants and agrees that removal of any vegetation on the subject lands is to occur outside of the breeding bird season, being May 1st to July 31st. However, in the event that vegetation removal is proposed during the restricted breeding period, the owner/applicant shall have a qualified biologist conduct a nest search of the vegetated area with City of Hamilton Natural Heritage Planning staff, prior to any work commencing. Accordingly, removal may occur if it is determined that active nests are not present in proximity to the removal area, to the satisfaction of the Director of Planning.

5. **That, prior to registration**, the Owner/Developer shall include the following warning clause(s) in the subdivision agreement and in all offers of purchase and sale agreements:

   a) Purchasers/tenants are advised that sound levels due to increasing road and air traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels may exceed the Municipality’s and the Ministry of Environment’s noise criteria.

   b) Purchasers/tenants are advised that home/business mail delivery will be from a designated Centralized Mail Box.

   c) Purchasers/tenants are advised that the developers/owners shall be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
d) Purchasers/tenants are advised that this property is eligible for weekly collection of Garbage, Recycling, Organics, and Leaf and Yard Waste through the City of Hamilton subject to compliance with specifications indicated by the Public Works Department and subject to compliance with the City’s Solid Waste Management By-law 09-067.

(e) Purchasers/tenants of Lots 11 to 13, inclusive and Lot 43, are advised that no accessory buildings and/or structures, including above or inground swimming pools, shall be permitted within the rear yard.

to the satisfaction of the Director of Planning.

6. That, prior to servicing, the Owner shall submit a detailed sump pump design to include a secondary relief/overflow on surface. The pump design shall consider the weeping tile inflow based on the groundwater and severe wet weather conditions, to the satisfaction of the Senior Director of Growth Management.

7. That, prior to servicing, the Owner shall include in the engineering design and cost schedules, provision for the reconstruction of Kopperfield Lane, including the south curb and gutter, from the west limit of Lot 1 to the east limit of Lot 6, to the satisfaction of the Senior Director of Growth Management.

8. Those, prior to registration, the Owner pay its proportionate share for the development of Kopperfield Lane from the west limit of Lot 1 to east limit of Lot 6, to the satisfaction of the Senior Director of Growth Management.

9. That, prior to servicing, the Owner shall provide a driveway location/on-street parking plan showing the following:

   i) the location of driveways based on the premise of achieving on-street parking for 40% of the total dwelling units;

   ii) driveway ramps and curb openings for all lots;

   iii) the pairing of driveways;

   iv) where lots in the subdivision abut a park entrance or a public walkway; and,

   v) the location of transit pads, community mailbox pads, and fire hydrants, where the location has been determined by the appropriate authorities,

to the satisfaction of the Senior Director of Growth Management.

10. That, prior to servicing, the Owner shall submit a Hydrogeological report to the City, prepared by a qualified professional, to assess impacts, identify any significant recharge and discharge zone(s), and provide recommendations to mitigate the groundwater impacts during any construction within the
subdivision, including but not limited to house construction, and to undertake the works as recommended including monitoring. The report shall also provide a groundwater contingency plan to ensure that an appropriate mitigation strategy is available to be implemented in the case whereof:

i) an aquifer is breached during excavation;
ii) groundwater is encountered during any construction within the subdivision, including but not limited to house construction;
iii) sump pumps are found to be continuously running; and,
iv) water supply and sewage disposal systems and any surface and groundwater related infrastructure are negatively impacted,

to the satisfaction of the Senior Director of Growth Management.

11. That, prior to preliminary grading, the Owner shall submit a revised Functional Servicing Report to address upstream stormwater conveyance on Twenty Road and through the subject lands and downstream channel conveyance capacity, to the satisfaction of the Senior Director of Growth Management.

12. That, prior to servicing, the Owner shall include in the engineering design and cost schedules, appropriate fencing along the rear of Lot 26 through Lot 45, inclusive, backing onto the Twenty Road residences, to the satisfaction of the Senior Director of Growth Management.

13. That, prior to servicing, the Owner shall include in the engineering design and cost schedules, provision to install municipal sidewalks, in accordance with the current City of Hamilton Policy, to the satisfaction of the Senior Director of Growth Management.

14. That, prior to servicing, the Owner prepare an updated Water Servicing Study demonstrating how residential and fire flows demands will be accommodated based on field information and hydraulic modeling in order to support the application based on the revised draft plan. The report shall focus on the following issues:

- Tabularize the expected occupancy;
- Generate water demand estimation related to close nodes;
- Calculate needed fire flow (via FUS, 1999);
- Provide Water Quality Plan to address phasing of the development (i.e. watermain looping/flushing required for interim periods); and,
- Utilize some 200mm watermains in proposed watermain layout especially for the extensions of existing watermains;

to the satisfaction of the Senior Director of Growth Management.

15. That, prior to servicing, the Owner shall include in the engineering design drawings and cost schedules, provision to remove the existing temporary turning circles at Kellogg Avenue, to the satisfaction of the Senior Director of Growth Management.
16. That, prior to preliminary grading, the Owner covenant and agrees that the subject development cannot proceed until the Owner submits the necessary transfer deeds and reference plans to the City Legal Services for the conveyance of a minimum of 6m easement over the following properties, in order to accommodate a drainage outlet for external lands:

   a. Along the rear of the existing properties known as 9826, 9832, 9844, 9848, 9854 and 9862 Twenty Road West; and,
   b. Between Lots 34 and 35.

   to the satisfaction of the Senior Director of Growth Management.

17. That, prior to preliminary grading, the Owner agrees to establish a minimum side yard on a lot where an emergency spillway/overland flow route shall be located or where back-to-front drainage is proposed, with a minimum 2.0m side yard separation between buildings, which shall be provided and maintained between buildings along one common lot line, in accordance with the approved final engineering plans, to the satisfaction of the Senior Director of Growth Management.

18. That, prior to preliminary grading, the Owner covenant and agrees that the subject development cannot proceed until the Owner submits the necessary transfer deeds and reference plans to the City Legal Services for the conveyance of a minimum of 4.5m easement over the following properties, in order to accommodate a drainage outlet for external lands:

   a. Within the west sideyard of the existing properties known as 9862 Twenty Road West.

19. That, prior to servicing, the owner/applicant shall provide a construction management plan to the satisfaction of the Senior Director of Growth Management for, but not limited to, the following items:

   (i) construction truck route(s)
   (ii) Phasing/construction plan
   (iii) Street cleaning schedule(s)
   (iv) Maintenance schedule for Kopperfield Lane
   (v) Minimize building debris both on and off site