Present: Councilors R. Pasuta (Chair), J. Farr (2nd Vice Chair), C. Collins, L. Ferguson, B. Johnson, J. Partridge, M. Pearson and T. Whitehead

Absent with Regrets: Councillor B. Clark (1st Vice Chair), personal

Also Present: T. McCabe, General Manager, Planning & Economic Development
M. Hazell, Senior Director, Parking & By-Law Services
T. Sergi, Senior Director, Growth Management
P. Mallard, Director, Planning
J. Spolnik, Director, Building Services
S. Robichaud, Manager, Development Planning
G. MacDonald, Senior Planner
E. John, Senior Planner
J. Caetano, Manager, Customer Service
D. Cuming, Senior Project Manager, Heritage
I. Bedioui, Legislative Assistant, Office of the City Clerk

THE FOLLOWING ITEMS WERE REPORTED FOR THE CONSIDERATION OF COUNCIL:

1. Delegation request respecting the application of fire route signage within the Villages of Glancaster

   (Farr/Ferguson)

   That the following delegation requests be referred to the Emergency and Community Services Committee for appropriate action:

   (a) Ronald Watt, to present a Pilot Project Proposal concerning By-laws that pertain to the application of fire route signage within the Villages of Glancaster. (Added Item 4.1)
(b) Carl Moore, to present a Pilot Project Proposal concerning By-laws that pertain to the application of fire route signage within the Villages of Glancaster. (Added Item 4.2)

(c) Doug Woltz, to present a Pilot Project Proposal concerning By-laws that pertain to the application of fire route signage within the Villages of Glancaster. (Added Item 4.3)

CARRIED

2. Hamilton Municipal Heritage Committee Report 11-001 dated May 19, 2011 (Item 5.1)

(Collins/Ferguson)
(a) Grove Hall, Hickory House, Gateview, Century Manor and surrounding landscape, 100 West 5th Street, Hamilton (L)(R)(D)

That the Hamilton Municipal Heritage Committee send a letter to the Ontario Realty Corporation (ORC) to request information regarding the condition and maintenance of the designated heritage building known as Century Manor and the long term plan for the conservation of the westerly portion of the 100 West 5th Street property.

CARRIED

3. Application for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 50 Murray Street West (Hamilton) (PED11116) (Ward 2) (Item 6.1)

(Ferguson/Pearson)
That approval be given to Zoning Application ZAC-10-048, by Core Urban Inc., Owner, for changes in zoning to Hamilton Zoning By-law No. 6593 from the “D” (Urban Protected Residential - One and Two Family Dwellings, Etc.) District to the “E/S-1639” (Multiple Dwellings, Lodges, Clubs, Etc.) District, in order to permit a 36 unit multiple dwelling within the existing building and a 3-storey addition, for lands located at 50 Murray Street West (Hamilton), as shown on Appendix “A” to Report PED11116, on the following basis:

(a) That the draft By-law, here to attached as Appendix “A”, as amended to allow a maximum building height of 6 storeys or 25 metres and which has been prepared in a form satisfactory to the City Solicitor be enacted, but first be held in abeyance until such time that the owner/applicant submits a signed Record of Site Condition (RSC) to the City of Hamilton and the Ministry of the Environment (MOE). This RSC must be to the satisfaction of the Director of Planning, including an acknowledgement of receipt of the RSC by the MOE, and submission of the City of Hamilton’s current RSC administration fee prior to placing on the Council agenda for enactment.
(b) That the change in zoning conforms to the Hamilton-Wentworth Official Plan and the Hamilton Official Plan;

(c) That upon finalization of the implementing By-law, the subject lands within the Central Neighbourhood Plan be redesignated from “Commercial” to “Medium/High Density Apartments”;

(d) That staff be directed to request the Ontario Municipal Board (OMB) to amend the West Harbour Secondary Plan (“Setting Sail”) to add a site-specific policy area to permit a 36 unit multiple dwelling within the existing building and a 3-storey addition, on lands located at 50 Murray Street West (Hamilton), as shown on Appendix “A” to Report PED11116. CARRIED

4. Application for Approval of a Draft Plan of Subdivision, and Amendments to the Regional Official Plan, the Ancaster Official Plan and Zoning By-law Nos. 87-57 for Lands Located at 1125-1143 Wilson Street West (Ancaster) (PED11102) (Ward 12) (Item 6.2)

(Ferguson/Farr)

(a) That approval be given to Regional Official Plan Amendment Application ROPA-10-002, by Trinity Development Group (Louis Zurini), Owner, for Official Plan Amendment No. to amend the land use designation from “Urban Areas - Business Parks” to “Urban Area”, on lands located at 1125-1143 Wilson Street West (Ancaster), as shown on Appendix “A” to Report PED11102, on the following basis:

(i) That the Draft Regional Official Plan Amendment, attached as Appendix “B” to Report PED11102, be adopted by Council.

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

(b) That approval be given to Ancaster Official Plan Amendment Application OPA-10-012, by Trinity Development Group (Louis Zurini), Owner, for Official Plan Amendment No. to amend the land use designation from “Industrial” to “Commercial”, on lands located at 1125-1143 Wilson Street West (Ancaster), as shown on Appendix “A” to Report PED11102, on the following basis:

(i) That the Draft Official Plan Amendment, attached as Appendix “C” to Report PED11102, be adopted by Council.

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement, and conforms to the Places to Grow Plan.
Plan and will conform to the Regional Official Plan upon approval of ROPA No. ..........................

(c) That approval be given to **Zoning Application ZAC-10-035, by Trinity Development Group (Louis Zurini), Owner**, in order to provide for changes in zoning from the Agricultural “A” Zone to the Holding-Shopping Centre Commercial “H-C2-629” Modified Zone, with a Special Exception and Holding Provision, for Block 1; from the Agricultural “A” Zone to the Holding-Shopping Centre Commercial “H-C2-630” Modified Zone, with a Special Exception and Holding Provision, for Block 2; from the Agricultural “A” Zone to the Holding-Shopping Centre Commercial “H-C2-634” Modified Zone, with a Special Exception and Holding Provision, for Block 3; from the Agricultural “A” Zone to the Holding-Shopping Centre Commercial “H-C2-635” Modified Zone, with a Special Exception and Holding Provision, for Block 4; and from the Agricultural “A” Zone to the Private Open Space “O1-633” Modified Zone, with a Special Exception, for Block 5, as shown on Appendix “A” to Report PED11102, for lands located at 1125-1143 Wilson Street West (Ancaster), on the following basis:

(i) That the draft By-law, attached as Appendix “D” to Report PED11102, 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 Map 5 to Schedule “A” of Zoning By-law No. 87-57.

(iii) That the amending By-law apply the Holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed Zoning for Blocks 1, 2, 3 and 4. The Holding provision will prohibit the development of the subject lands until such time as the following conditions have been satisfied:

(1) The approval and implementation of a Traffic Impact Study, to the satisfaction of the Senior Director of Growth Management and the Manager of Traffic Engineering.

(2) Until such time as the owner/applicant demonstrates how the restrictions concerning water supply, as identified in the Functional Servicing Report, are to be addressed, to the satisfaction of the Senior Director of Growth Management.

(iv) That the proposed changes in zoning will be in conformity with the Town of Ancaster Official Plan upon approval of Official Plan Amendment No. ..........................

(d) That approval be given to **Subdivision Application (25T-201005), as Redlined Revised, by Trinity Development Group (Louis Zurini)**,
Owner, to establish a draft plan of subdivision on the property located at 1125-1143 Wilson Street West (Ancaster), as shown on Appendix “E” to Report PED11102, subject to the following conditions:

(i) That this approval apply to the Draft Plan of Subdivision, 25T201005, prepared by IBI Group, and certified by B.J. Clarke, O.L.S., dated July 23, 2010, as Red Lined Revised, showing 4 Blocks for Commercial Development (Blocks 1-3 and Block 10), 4 Blocks for Future Development (Blocks 4-7), 2 Blocks for Road Widenings (Blocks 8 and 9), and the extension of Portia Drive (Street “A”), subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the special conditions attached as Appendix “G” to Report PED11102, and the following:

(ii) Acknowledgement that there will be a financial contribution by the City for external stormwater management facilities, including land cost, as per the Development Charges By-law and Background Study.

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 plan. The calculation of Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of each building permit;

all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council.

(e) That approval be given to Urban Hamilton Official Plan No. to add a Site-Specific Policy UAC-x to Volume 3, Chapter C - Urban Site-Specific Policies (Ancaster), respecting lands located at 1125 -1143, Wilson Street West, to permit the development of the subject lands for limited commercial uses.

(i) That Draft Urban Hamilton Official Plan Amendment No. attached as Appendix “H” to Report PED11102, be adopted by City Council.

(ii) That Draft Urban Hamilton Official Plan Amendment No. is consistent with the Provincial Policy Statement.

(iii) That the By-law of adoption for the Urban Hamilton Official Plan Amendment No. referenced in Recommendation (e)(i) above, be held in abeyance until such time as the Urban Hamilton Official Plan comes into full force and effect.
(f) That staff ensure that the Ward Councillor be involved with the Site Plan process.

CARRIED

5. **Increase to Fees under the Building By-law (PED11121) (City Wide) (Item 6.3)**

(Ferguson/Whitehead)

(a) That the By-law to amend City of Hamilton By-law No. 08-161, the Building By-law, hereto attached as Appendix “B” as amended with a revised 1.8% increase in permit fees, together with the proposed new fee categories, be enacted;

(b) That the fees prescribed in Schedule “A” of the amending By-law, hereto attached as Appendix “B”, be included in the User Fees and Charges By-law, replacing the fees listed under the heading “Classes of Permits and Fees New Construction and Additions Building Classifications per the Building Code”.

CARRIED

**FOR THE INFORMATION OF COUNCIL:**

The Chair called upon Tim McCabe who indicated that this was the last Planning Committee meeting for Mr. David Cuming and acknowledged his contributions during his tenure with the City. Paul Mallard welcomed back Anita Fabac, a former staff member who has recently returned to the City of Hamilton.

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

The Clerk advised of the following changes to the agenda:

(i) **ADDED DELEGATION REQUESTS**

4.1 Ronald Watt, to present a Pilot Project Proposal concerning By-laws that pertain to the application of fire route signage within the Villages of Glancaster. (For a future meeting - copy distributed)

4.2 Carl Moore, to present a Pilot Project Proposal concerning By-laws that pertain to the application of fire route signage within the Villages of Glancaster. (For a future meeting - copy distributed)

4.3 Doug Woltz, to present a Pilot Project Proposal concerning By-laws that pertain to the application of fire route signage within the Villages of Glancaster. (For a future meeting - copy distributed)
(ii) Added written submission 6.1.1 from James Webb, Webb Planning Consultants Inc., respecting Item 6.1 requesting a small increase to the building height. Copies have been distributed.

(iii) Added speaker to Item 6.1, Doctor Elizabeth McLuhan, Executive Director of the Workers’ Art & Heritage Centre.

(iv) Added speaker to Item 6.2, Mr. Dennis Wood of Wood Bull LLP, 65 Queen Street West, Suite 1400, Toronto.

(v) Added written submission 6.2.1 from Canadian Tire Real Estate Limited respecting Item 6.2.

(vi) Added written submission 6.2.2 from Mr. Shirish Patel, 1185 Wilson Street West respecting Item 6.2.

(vii) Added written submission 6.3.1 from Mr. Doug Robbins respecting Item 6.3, regarding the proposed fee increase for Building permits. Copies have been distributed.

(viii) Item 8.2 regarding Sign Variance Application SV-11-001 for the Property Known as 356-358 Main Street West, Hamilton - Denied by the Director, Planning Division, has been removed from the agenda as the applicant has advised that he will not be appealing the decision.

(Farr/Pearson)
That the Agenda for the June 21, 2011 meeting of the Planning Committee be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 3)

(i) June 7, 2011 (Item 3.1)

(Johnson/Pearson)
That the Minutes of the June 7, 2011 Planning Committee meeting be approved, as presented.

CARRIED

(d) DELEGATION REQUESTS

Committee referred the added delegation requests to the Emergency and Community Services Committee as outlined in Item 1 of this Report.
DELEGATIONS, PUBLIC HEARINGS AND ITEMS REFERRED FROM PREVIOUS MEETINGS (Item 6)

(i) Application for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 50 Murray Street West (Hamilton) (PED11116) (Ward 2) (Item 6.1)

6.1.1 Written submission from James Webb, WEBB Planning Consultants Inc., 244 James Street South, Hamilton

((Farr/Johnson)
That the written submission from James Webb be received. CARRIED

Greg MacDonald, Senior Planner provided an overview of the report with the aid of a PowerPoint presentation. His comments included but were not limited to the following:

- Map of location showing subject lands;
- The application involves the conversion of a former school currently used by Mission Services for the delivery of various public programs;
- Will change the zoning from “D” to a modified “E” in order to permit a 36 unit multiple dwelling within the existing building and within a three storey addition to the top;
- One storey parking garage and surface parking will provide a total of 39 parking spaces;
- The existing large trees will be retained;
- The footprint of the existing building will not be enlarged as the proposed addition will be at the top of the building;
- The entire front of the school is being maintained with a light glass addition on the top;
- Various views of the area - the surrounding institutional buildings, social club and residential buildings;
- Specific matters pertaining to engineering servicing, storm water management, the final approval of the elevation of the garage, noise mitigation, etc. are addressed in conditions of approval for site plan control;
- This is an adaptive re-use of a property on the City’s inventory of properties of heritage interest and the Hamilton Municipal Heritage Committee has approved the heritage assessment except for further review needed regarding the elevation of the parking garage which will be addressed through site plan control;
- In conclusion, the application has merit and can be supported as it is consistent with the Provincial Policy, the Hamilton-Wentworth Official Plan, and Hamilton Official Plan and it provides for an adaptive reuse of a property of architectural and/or historical interest and is an example of appropriately scaled intensification in
a transit supported density and compatible with existing and planned development in the area;

- The implementing by-law contains site specific provisions and will be held in abeyance until the applicant submits the requisite Record of Site Condition;
- The Clerk has been informed of the request from the applicant to increase the maximum building height which is a technicality because the building height is calculated from grade and the request will not impact the height;
- Staff support this minor amendment to increase the height to 25 metres.

Staff responded to questions from Committee which included but were not limited to the following:

- Is the location of this development outside the area of concern of the Canadian National (CN) Railway?
- How could this affect CN’s appeal to the OMB regarding Setting Sail?
- Parking concerns;
- Does staff support the applicant’s request for the height modification?

(Collins/Johnson)
That the staff presentation be received.

CARRIED

James Webb, of Webb Planning Consultants Inc., agent for the applicant/owner addressed Committee and thanked staff for their work on this application. His comments included, but were not limited to, the following:

- The principals of the development company and the project architect are in attendance;
- Are in full support of the staff report;
- Three key points which show that this is good planning – preservation of heritage, intensification and ensuring matters of public health and safety are recognized, implemented, and protected;
- Good balancing of provincial policies and local planning issues;
- The scale of the building conforms with the neighbourhood;
- Location is in close proximity to downtown;
- Contribution of additional housing in downtown area;
- Very much transit supported;
- Walkable project;
- Proximity to west harbour;
- Site condition – by-law will be held in abeyance;
- The Record of Site Condition has been filed;
Extensive dialogue with CN has taken place;
Is requesting Committee approve the by-law with the requested modification to increase the building height.

Committee asked the following question:

- Will the owner consider including Presto Passes in the condo fees?

(Johnson/Pearson)
That the presentation by James Webb be received.
CARRIED

Doctor Elizabeth McLuen of the Workers Arts and Heritage Centre, 51 Stuart Street, addressed Committee. She read from a prepared statement, a copy of which was submitted to the Clerk for the record. Her comments included but were not limited to the following:

- The Workers Arts and Heritage Centre received only yesterday the reports regarding the heritage impact of the zoning change at 50 Murray Street West;
- The Centre does not oppose the development;
- It is the Centre’s fiduciary responsibility to protect its own building – the Hamilton Custom House;
- The Centre requests that a process and means to measure the effects of construction/vibration be established before, during and after it begins;
- The Centre believes it should be involved.

Committee’s questions included but were not limited to the following:

- Was the Public Notice process, as per the Planning Act, followed by staff?
- Is there public consultation mandated under the Ontario Heritage Act?
- What requirements does the developer need to follow?
- Could the postal strike impact the delivery of the notices?

(Whitehead/Farr)
That staff be directed to meet with Doctor Elizabeth McLuhan regarding her concerns about the possible impact that the construction of this project may have on the Hamilton Custom House.
CARRIED

(Ferguson/Pearson)
That subsection (a) of the staff recommendation be amended by adding the words “as amended to allow a maximum building height of 6 storeys or 25 metres and” after the words “Report PED11116”.
Amendment CARRIED
Main Motion as amended CARRIED
Application for Approval of a Draft Plan of Subdivision, and Amendments to the Regional Official Plan, the Ancaster Official Plan and Zoning By-law Nos. 87-57 for Lands Located at 1125-1143 Wilson Street West (Ancaster) (PED11102) (Ward 12) (Item 6.2) (Item 6.2)

6.2.1 Added written submission from Canadian Tire Real Estate Limited respecting Item 6.2.

(Ferguson/Partridge)
That the written submission from Canadian Tire Real Estate be received. CARRIED

6.2.2 Added written submission from Mr. Shirish Patel, 1185 Wilson Street West respecting Item 6.2.

(Ferguson/Partridge)
That the written submission from Mr. Shirish Patel be received. CARRIED

Edward John provided an overview of the report with the aid of a PowerPoint presentation. His comments included but were not limited to the following:

- Purpose is to approve a Regional Official Plan Amendment, local Official Plan Amendment, change in zoning and a draft plan of subdivision in order to permit the subdivision of lands for commercial development containing 4 commercial blocks, 4 future development blocks and Street “A” as an extension to the existing Portia Drive;
- The subject lands are comprised of 33.7 hectares within an area of Ancaster known as Duff’s Corners;
- A portion of the lands will be developed and a portion will remain undeveloped;
- The proposal is consistent with the resolution of the Committee of the Whole dated June 23, 2008 and confirmed by Council on June 25, 2008 to remove the lands from the City’s employment lands study and employment land bank;
- Provided slides of topographical map and various views (north, south, east and west) of the subject lands;
- The development will comprise single-tenant and multi-tenant buildings;
- Restrictions will be placed on the range and scale of general retail uses in order to comply with the arterial commercial designation;
- The amending zoning by-law will contain a holding provision to prohibit the development until staff have approved an updated Traffic Impact Study and updated Functional Servicing Report;
The application was pre-circulated to 55 property owners within 120 metres of the subject property;
As a result, two letters from adjacent land owners were received;
The letter from the owner of a motel located at 1185 Wilson Street raised concerns about storm water management and future zoning of the adjacent property;
Staff have met with the owner regarding his concerns;
The letter received from the owner of 1172 Wilson Street requested that the proposed development not detrimentally affect the full turn entrance/exit to their site;
Staff will ensure that sufficient regard is made to maintaining safe access and development potential to all adjacent lands;
There will be a cost sharing with the developer of up to 50% of the cost of construction of the roundabout;
The proposal has merit and can be supported because it is consistent with the Provincial Policy Statement, conforms with Places to Grow Plan, and generally implements the plan for commercial re-development as identified in the Ministerial Approved New Urban Hamilton Official Plan and complies with the Commercial Policies of the Ancaster Official Plan.

Questions from Committee included but were not limited to the following:

- What is the cost of the roundabout and why would we construct a roundabout when a traffic light is cheaper?
- What retail uses will be permitted?
- Will there be a phased in approach to the development?
- What is the zoning of the surrounding properties?
- What will happen to the narrow strip of land which is part of Block 1?
- Were the subject lands originally identified as employment lands?
- What would be the development charges if the new rate is approved?
- How many jobs are estimated to be created by this development?
- What are the storm water management facilities?
- What are the set backs for the Environmentally Significant Areas (ESA’s)?

(Pearson/Partridge)
That the staff presentation be received.

CARRIED

Sergio Manchia and Matt Johnston of IBI Group, agent for the applicant/owner were in attendance. Sergio Manchia addressed Committee with the aid of a PowerPoint presentation and his comments included, but were not limited to, the following:

- He is representing Trinity Developments;
This report represents a year and half of work and he would like to thank staff;
It is in keeping with the 2008 resolution of Council to permit the conversion of employment lands;
300,000 of square feet plus of development;
Represents a $37 Million investment by Trinity Developments;
They, together with two other developers, have achieved a shovel ready project hopefully ready in the fall;
Site is approximately 33.7 hectares only 11.2 hectares is being used for commercial; the remaining will be used for ESA including buffers;
The Province has approved the Urban Official Plan;
The OP is before the OMB which is a key criteria for moving forward faster;
Provided a break down of what they are proposing;
Will include an extension to two municipal roads – Portia and McClune;
Supporting documents to the application:
  • Survey plan
  • Official and zoning amendments
  • Planning justification report
  • Environmental impact report
  • Transportation Impact Studies;
  • Archaeological assess
  • Urban design brief
The application is almost a private/public partnership;
Trinity Developments will cover the cost of the infrastructure facilities (storm water ponds);
The roundabout is a gate feature – slows down traffic;
The by-law is structured to address various concerns;
The project will provide the City with $5 million of development charges;
Will create 250 construction jobs;
$6M for infrastructure;
There are some concerns received from outside sources;
Competition enters planning arguments.

(Ferguson/Farr)
That the presentation by Sergio Manchia of IBI be received.  
CARRIED

Mr. Dennis Wood of Wood Bull LLP addressed Committee and provided a written hand out which was distributed.

It was noted that he provided his contact information to the Clerk for the record.
He indicated that his is representing his client, Calloway Real Estate Investment Trust Inc. His comments included but were not limited to the following:

- His client did not participate as appropriate staff only became aware of the application last week;
- The City’s notification must have gotten lost somewhere in the Calloway system;
- His client owns the property located at 1051 Garner Road West in close proximity to the subject lands;
- The lands that are being considered are designated as arterial commercial in the urban official plan;
- This application permits a retail use that goes far beyond what is permitted in a arterial use;
- He referred to page 19 where Policy 4.8 which outlines the intent of the Arterial Commercial designation is quoted;
- The LOWES proposal fits in with the development but the other proposed general commercial uses do not;
- The fact that the general commercial uses make up less than 50% of the development does not make the project satisfy the intent of the Arterial Commercial Designation;
- Also a Market Study is absent;
- He has never seen a major project of this nature go forward without a market study;
- His client is concerned that policies are not being applied;
- His client is concerned with the effect of what is proposed;
- The Traffic Report has not been completed enough;
- Land still needs to be acquired;
- The project is not shovel ready;
- This is not an arterial designation with some additional uses;
- This is a major centre being pulled through on the coat tails of the LOWES.

Committee’s discussions included but were not limited to the following:

- What is the connection between Calloway and Smart Centres?
- Why wasn’t a Market Study requested?
- Was Smart Centres at Centennial Parkway required to do a Market Study?
- Technically is a Market Study required for this location?
- the Arterial Designation;
- It is Council’s decision to remove the lands in question from the employment lands bank;
- The phased-in approach used at the Centennial Parkway development;
- Are staff confident that process has been followed;
- Would the abutting property owners be required to go through the same process?
- Will trucks be able to negotiate the roundabout?
- The set backs for the ESA – are they sufficient?

(Johnson/Ferguson)
That the delegation by Mr. Wood of Wood Bull be received.  
CARRIED

Committee requested that staff provide information on the criteria for selecting roundabouts over signal lights, if there is a budget for this and an explanation of why in one case, a smaller roundabout costs the same as a larger roundabout.

(Ferguson/Johnson)
There being no further speakers, that the public meeting be closed.  
CARRIED

(Ferguson/Johnson)
That the staff recommendation be amended by adding a subsection (f) as follows:

“(f) That staff ensure that the Ward Councillor be involved with the Site Plan process.”

Amendment CARRIED
Main Motion as amended CARRIED

(iii) Increase to Fees under the Building By-law (PED11121) (City Wide)  
(Item 6.3)

6.3.1 Added written submission from Mr. Doug Robbins respecting Item 6.3, regarding the proposed fee increase for Building permits.

(Partridge/Farr)
That the written submission from Mr. Doug Robbins be received.  
CARRIED

There was no one from the public in attendance speaking to this issue.

Committee dispensed with the staff presentation respecting Increase to Fees under the Building By-law (PED11121).

Staff requested an amendment to the recommendation to decrease the proposed fee increase to 1.8%.
John Spolnik and Jorge Caetano provided a verbal overview of the report and an explanation for the change in fee increase.

(Ferguson/Whitehead)
That subsection (a) of the staff recommendation be amended by inserting the words “as amended with a revised 1.8% increase in permit fees, together with the proposed new fee categories” before the words “be enacted” to read as follows:

“(a) That the By-law to amend City of Hamilton By-law 08-161, the Building By-law, as amended with a revised 1.8% increase in permit fees, together with the proposed new fee categories, be enacted;”

Amendment CARRIED
Main Motion as amended CARRIED

(f) Locke Street Paid Parking Hours (PED11105) (Ward 1) (Outstanding Business List Item) (TABLED from the June 7, 2011 meeting.) (Item 6.4)

(Collins/Partridge)
That Report PED11105 respecting Locke Street Paid Parking Hours remain TABLED until the next meeting.

CARRIED

(g) GENERAL INFORMATION (Item 11)

(i) Outstanding Business List

(Pearson/Whitehead)
That the due date of the following Item be amended as indicated:

(a) Item “T”, Costs of outside counsel for OMB in 2010, projected costs for 2011
   Current Due Date: June 21, 2011
   Proposed New Due Date: September 7, 2011

   CARRIED

(ii) News from the General Manager (Item 11.1)

Tim McCabe advised that five or six Animal Services staff successfully completed the police bike training course and will be inspecting trails and park areas of concern for violations such as dogs off their leash. Staff are preparing a comprehensive animal control by-law that will be presented to the September 20, 2011 Planning Committee meeting.
Committee requested an update regarding the status of the Lister Block and the current vacancy in the Tourism Division.

(h) PRIVATE AND CONFIDENTIAL (Item 12)

(i) Ontario Municipal Board Pre-Hearing and Hearing for Appeals to Official Plan Amendment (H) 128 and Zoning By-law 05-073 (Setting Sail: Secondary Plan for West Harbour) – PL050408 (Distributed under separate cover.) (Item 12.1)

(Johnson/Pearson/)
That Committee move into Closed Session at 12:45 p.m. to consider one item which is before the OMB pursuant to Section 8.1(e) of the City’s Procedural By-law and Section 239 of the Ontario Municipal Act as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals affecting the City, with respect to Ontario Municipal Board Pre-Hearing and Hearing for Appeals to Official Plan Amendment (H) 128 and Zoning By-law 05-073 (Setting Sail: Secondary Plan for West Harbour).

CARRIED

(Pearson/Partridge)
That Committee reconvene in Open Session at 2:13 p.m.

CARRIED

Direction was given to staff in Closed Session with nothing to report in Open Session.

(i) ADJOURNMENT (Item 13)

(Pearson/Ferguson)
There being no further business, the Planning Committee adjourned at 2:40 p.m.

CARRIED

Respectfully submitted,

Councillor R. Pasuta
Chair, Planning Committee

Ida Bedioui
Legislative Assistant
Office of the City Clerk
June 21, 2011