



PLANNING COMMITTEE

REPORT 14-002

9:30 am

Tuesday, February 4, 2014

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors B. Johnson (Chair), J. Partridge (1st Vice Chair), C. Collins (2nd Vice Chair), J. Farr, B. Clark, R. Pasuta, L. Ferguson, M. Pearson and T. Whitehead

THE PLANNING COMMITTEE PRESENTS REPORT 14-002 AND RESPECTFULLY RECOMMENDS:

1. Hamilton Historical Board Minutes – December 17, 2013 (Item 5.1)

That the Hamilton Historical Board Minutes – December 17, 2013, be received.

2. Mediation Update (PED11181(c)) (City Wide) (Item 5.2)

That report PED11181(c), Mediation Update, be received.

3. Application for Approval of a Draft Plan of Condominium (Common Elements), by 162215 Ontario Inc. (Branthaven 2000 Inc.), for Lands Known as 45 Royal Winter Drive, Binbrook (Glanbrook) (PED14020) (Ward 11) (Item 6.1)

That approval be given to Draft Plan of Condominium Application 25CDM-201306, by 162215 Ontario Inc. (Branthaven 2000 Inc.), Owner, to establish a Draft Plan of Condominium (Common Elements Condominium) to create a condominium road, visitor parking areas, landscaped areas, and open space, for 43 freehold townhouse dwellings, on lands located at 45 Royal Winter Drive,

Binbrook (Glanbrook), as shown on Appendix "A" to Report PED14020, subject to the following conditions:

- (a) That this approval shall apply to the plan, prepared by A.T. McLaren Limited, and certified by S. D. McLaren, dated March 27, 2013, showing a common element road, visitor parking areas, landscaped areas, and open space, attached as Appendix "B" to Report PED14020;
- (b) That the Final Plan of Condominium shall comply with all of the applicable provisions of Zoning By-law No. 464, as amended by By-law No. 07-217 and Minor Variance applications GL/A-12:219 and GL/A-13:12;
- (c) That the final plan of condominium shall comply, in all respects, with the approved Site Plan (DA-12-174), to the satisfaction of the Director of Planning;
- (d) That the owner shall receive final approval of Part Lot Control Application PLC-13-032, including the enactment and registration on title of the Part Lot Control Exemption By-law, to the satisfaction of the Director of Planning;
- (e) That the owner shall enter into a Development Agreement to ensure that the tenure of each of the proposed freehold townhouse dwellings having frontage on the condominium road has legal interest, in common, to the Common Elements Condominium, to the satisfaction of the City Solicitor;
- (f) That the owner shall include the following warning clauses in the Development Agreement and all Purchase and Sale Agreements, and any rental or lease agreements required for occupancy:
 - (i) "Purchasers/tenants are advised that the City of Hamilton will not be providing maintenance or snow removal service for the private condominium road."
 - (ii) "Purchasers/tenants are advised that garages are provided for the purpose of parking a vehicle. It is the responsibility of the owner/tenant to ensure that their parking needs (including those of visitors) can be accommodated on site. On-street, over flow parking may not be available and cannot be guaranteed in perpetuity."
- (g) That the owner shall agree to include in all offers of purchase and sale, a statement that advises the purchaser:

- (i) That the home/business mail delivery will be from a designated Centralized Mail Box;
 - (ii) That the developers/owners will be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations, prior to the closing of any home sales.
- (h) That the owner shall agree to:
- (i) Work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations, which may be utilized by Canada Post, until the curbs, boulevards, and sidewalks are in place in the remainder of the subdivision;
 - (ii) Install a concrete pad in accordance with the requirements of, and in locations to be approved by the Senior Director of Growth Management and Canada Post, to facilitate the placement of Community Mail Boxes;
 - (iii) Identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase;
 - (iv) Determine the location of all centralized mail receiving facilities in co-operation with the Senior Director of Growth Management and Canada Post, and to indicate the location of centralized mail facilities on appropriate maps, information boards, and plans. Maps are also to be prominently displayed in the sales office(s), showing specific Centralized Mail Facility locations.
- (i) 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 service 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;
- (j) That the owner/developer shall provide to Union Gas Limited, the necessary easements and/or agreements required by Union Gas Limited for the provision of gas services for this project, in a form satisfactory to Union Gas Limited;
- (k) That, prior to the registration of the final plan, the owner shall provide the Senior Director of Growth Management with a copy of the Condominium Declaration Document to ensure that the owner is committed to establish

a drainage easement, in favour of the Condominium Corporation, over the front and rear yards of the units within the plan of condominium; and,

- (l) That the owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton.

4. Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 769 Stone Church Road West (PED14019) (Ward 8) (Item 6.2)

That approval be given to Zoning Application ZAR-13-037, by Giuseppa Puma, Owner, for a change in zoning from the “AA” (Agricultural) District to the “C” (Urban Protected Residential, etc.) District, to facilitate the severance of a lot for the creation of one additional single detached residential lot, on lands located at 769 Stone Church Road West (Hamilton), as shown on Appendix “A” to Report PED14019, on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED14019, 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 (PPS), and conforms to Places to Grow and the Urban Hamilton Official Plan (UHOP).

5. Proposed Zoning By-law Amendment Affecting Lands Located at 336 and 338 King Street West (Dundas) (PED14027) (Ward 13) (Item 6.3)

That Amended Zoning By-law Amendment Application ZAC-12-043, by 1169831 ONTARIO Limited, Owner, for a change in zoning from the Single Detached Residential “R2” Zone and the Single Detached Residential “R2/S-3” Zone, Modified, with a Special Exception, to the Holding - Medium to High Density Multiple Dwelling “H-RM3/S-127” Zone, Modified, with a Special Exception, on lands located at 336 and 338 King Street West (Dundas), as shown on Appendix “A” to Report PED14027, be approved, on the following basis:

- (a) That the Draft By-law, attached as Appendix “B” to Report PED14027, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;

- (b) That the amending By-law be added to Schedule “A” of Zoning By-law No. 3581-86; and,
- (c) That the proposed change in Zoning is in conformity with the Urban Hamilton Official Plan (UHOP).

6. West Harbour Waterfront Recreation Master Plan Official Plan Amendment and Zoning By-law Amendment, Bayfront Park and Piers 4 to 7 (Hamilton) (PED14012) (Ward 2) (Item 6.5)

- (a) That draft Official Plan Amendment (OPA) No. [REDACTED] to the City of Hamilton Official Plan, attached as Appendix “A” to Report PED14012, to implement the Hamilton West Harbour Recreation Master Plan, be adopted by Council.
- (b) That Zoning By-law No. 6593 be amended to include a change in zoning from the “F-1/S-838a” (Waterfront Recreational) District to the “F-1/S-1641” - ‘H’ (Waterfront Recreational - Holding) District, Modified (Block “1”), and the “F-1/S-1642” - ‘H’ (Waterfront Recreational - Holding) District, Modified (Block “2”), and from the “F-4/S-838a (Waterfront Services) District to the “F-1/S-1641” – ‘H’ (Waterfront Recreational - Holding) District, Modified (Block “3”), in order to implement permitted uses and special zoning provisions for the proposed “Waterfront Commercial” designation, for lands located on the north side of Guise Street West, east of MacNab Street North, and west of Hughson Street North (Hamilton), as shown on Appendix “B” to Report PED14012, on the following basis:
 - (i) That the draft By-law, attached as Appendix “C” to Report PED14012, which has been prepared in a form satisfactory to the City Solicitor, be approved and forwarded to Council for approval.
 - (ii) The changes in zoning will be in conformity with the City of Hamilton Official Plan upon finalization of the OPA No. [REDACTED].

7. Hamilton Municipal Heritage Report 14-001 (Item 8.1)

Award Nominations for the Hamilton Municipal Heritage Committee 2013 Awards (Item 7.1)

- (a) That the following properties be awarded a 2013 Hamilton Municipal Heritage Committee *Heritage Recognition Award* (attached as Appendix “A” to Hamilton Municipal Heritage Report 14-001):

- (i) 328 James St. North, Hamilton
 - (ii) 10 King Street West, Dundas (The Carnegie Gallery)
 - (iii) 95 King Street, Hamilton (Arts Centre and Lofts)
 - (iv) 314 Wilson Street, Ancaster (Tisdale House)
 - (v) 30 South Street West, Dundas (Osler House)
 - (vi) 179 Mary Street, Hamilton
 - (vii) 65 Murray Street West, Hamilton
 - (viii) 13 King Street West, Dundas (Modella Ladies Wear)
 - (ix) 17 King Street West, Dundas (Terraware Environmental and Hemp Co.)
 - (x) 19 King Street West, Dundas (Heirlooms Bridal)
 - (xi) 126 Catharine Street North, Hamilton (The SEEDWORKS Urban Offices)
 - (xii) 25 John Street North, Hamilton (The Blue Grotto Restaurant/Capri Ristorante Italiano)
 - (xiii) 933 Highway 8, Stoney Creek (Brigadier Smith House/Ravenscraig Manor)
 - (xiv) 723 Rymal Road West, Hamilton
- (b) That the following individual receive the 2013 Hamilton Municipal Heritage Committee *Heritage Advocate Award* (attached as Appendix “A” to Hamilton Municipal Heritage Report 14-001):
- (i) Jeff Feswick, Historia Building Restoration Inc.
- (c) That the following organization receive the 2013 Hamilton Municipal Heritage Committee *Heritage Landscape Award* (attached as Appendix “A” to Hamilton Municipal Heritage Report 14-001):
- (i) City Of Hamilton, Battlefield Park, 77 King Street West, Stoney Creek
- (d) That the following organization receive the 2013 Hamilton Municipal Heritage Committee *Heritage Developer Award* (attached as Appendix “A” to Hamilton Municipal Heritage Report 14-001):
- (i) Core Urban Inc., Witton Lofts, 50 Murray Street West, Hamilton

8. Applications to Amend the Urban Hamilton Official Plan, Zoning By-law No. 464, Zoning By-law No. 05-200, and for Approval of a Draft Plan of Subdivision, "Fairgrounds West", for Lands Located at 3450 Binbrook Road (Glanbrook) (PED14003) (Ward 11) (tabled from January 14, 2014) (Item 8.4)

- (a) That approval be given to Amended Official Plan Amendment (OPA) Application OPA-06-020, by Losani Homes (1998) Ltd., c/o Fred Losani, (Owner), for OPA No. [REDACTED], for changes in designation from: "Parkette" to "Low Density Residential 2e"; "Low Density Residential 2h" to "Low Density Residential 2e"; "Low Density Residential 2e" to "Low Density Residential 2h" and as Special Policy Area "[REDACTED]"; "Local Commercial" to "Low Density Residential 2h" and as Special Policy Area "[REDACTED]"; "Parkette" to "Low Density Residential 2h" and as Special Policy Area "[REDACTED]"; "Low Density Residential 2e" to "Natural Open Space"; "Parkette" to "Natural Open Space"; and, "Low Density Residential 2e" to "Utility (SWM)", on Map B.5.1-1 - Binbrook Village Secondary Plan - Land Use Plan in the Urban Hamilton Official Plan (UHOP), and, that the "Open Space Linkages" be removed from Map B.5.1-2 - Binbrook Village - Open Space Linkages, on the lands known as 3450 Binbrook Road (Glanbrook), as shown on Appendix "A" to Report PED14003, on the following basis:
- (i) That the draft OPA, attached as Appendix "B" to Report PED14003, be adopted by Council.
- (ii) That the proposed OPA is consistent with the Provincial Policy Statement (PPS), and conforms to the Places to Grow Plan.
- (b) That approval be given to Amended Zoning Amendment Application ZAC-06-074, by Losani Homes (1998) Ltd., c/o Fred Losani, (Owner), for changes in zoning from the Restricted Agricultural "A2" Zone to the: Single Residential "R4-279" Zone (Block 1); Residential Multiple "RM2-274" Zone (Block 2); Residential Multiple "RM3-223" Zone (Block 3); Residential "R4-222" Zone (Blocks 4 and 5); and, for changes in zoning for lands to be added to City of Hamilton Zoning By-law No. 05-200 by zoning Blocks 6 and 7 as Conservation/Hazard Lands (P5) Zone, for lands known as 3450 Binbrook Road (Glanbrook), as shown on Appendix "A" to Report PED14003, on the following basis:
- (i) That the draft By-laws, attached as Appendices "C" and "D" to Report PED14003, which have 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 "H" of the Township of Glanbrook Zoning By-law No. 464.

- (iii) That the proposed changes in zoning will be in conformity with the UHOP upon approval of OPA No. [REDACTED].
- (c) That approval be given to Amended Draft Plan of Subdivision Application 25T-200614, by Losani Homes (1998) Ltd., c/o Fred Losani, (Owner),, to establish a draft plan of subdivision known as "Fairgrounds West", on lands known as 3450 Binbrook Road (Glanbrook), as shown on Appendix "A" to Report PED14003, subject to the following conditions:
- (i) That this approval apply to "Fairgrounds West", 25T-200614, as red-line revised, prepared by Losani Homes, and certified by S.D. McLaren, O.L.S., dated July 29, 2013, showing 164 single detached dwelling lots (Lots 1-164), 12 blocks for a maximum of 74 street townhouse units (Blocks 165-176), 3 blocks for future development with adjacent lands (Blocks 177-179), 1 block for Natural Open Space Purposes (Block 180), 1 block for a Stormwater Management Pond (Block 181), and 4 blocks for 0.30 m. reserves (Blocks 182-185), and 7 proposed streets (Streets A-G), attached as Appendix "E" to Report PED14003, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix "F" to Report PED14003.
 - (ii) Acknowledgement by the City of Hamilton of its responsibility for cost-sharing with respect to this development for the following item:
 - a) The oversizing of watermains on Pumpkin Pass and storm sewers on Kinsman Drive, will be in accordance with the City's Financial Policies.
 - (iii) 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. The calculation for the 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, with the exception of Townhouse Blocks 178; and, 168-176, inclusive, to which payment shall be based on the value of the land on the day prior to the issuance of the first building permit for each said Block.
 - (aa) With regard to Block 178 (Block Townhouse), a parkland dedication, at a ratio of 1 ha. per 300 dwelling units, will be required.

- (bb) Furthermore, regarding Blocks 168-176, inclusive, (Street Townhouse), a parkland dedication, at a ratio of 0.6 ha. per 300 dwelling units, will be required.
- (cc) Finally, Lots 1-164, inclusive, and Blocks 177 and 179, (Single Detached Residential), will require a parkland dedication ratio of 5%.
- (dd) All in accordance with the Financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council.
- (iv) That the Final Plan of Subdivision conform with all the applicable provisions of the final approved UHOP Amendment No. [REDACTED], and comply with the provisions of Glanbrook Zoning By-law No. 464, as amended.

9. Sign Variance Application SV-12-008 for the Property Known as 442 Millen Road (Stoney Creek), Denied by the Director, Planning Division, and Appealed by the Applicant (PED14023) (Ward 10) (Item 8.2)

Whereas Hamilton Sign By-law No. 10-197 permits a maximum 50% of the sign face to be a readograph or electronic display, that the Appeal of Sign Variance Application SV-12-008, by Calitor Group Ltd., to convert the existing sign structure with 100% electronic message display, for the property located at 442 Millen Road (Stoney Creek), as shown on Appendix "A" to Report PED14023, be approved.

10. Comments on Application for a Licence under the Aggregate Resources Act by Lafarge Canada Inc. - Dundas South Quarry Extension, Part of Lots 7, 8, and 9, Concession 3, Flamborough (PED14024) (Ward 14) (Item 8.3)

- (a) That the City of Hamilton advise the Ministry of Natural Resources (MNR) that it objects to the Licence Application under the Aggregate Resources Act, by Lafarge Canada Inc. - Dundas South Quarry Extension, proposed for Part of Lots 7, 8, and 9, Concession 3, Flamborough, being municipal addresses 582, 626, 632, 634 and 638 Brock Road, 790, 798, 822, 826 and 832 Concession 4 West, and 520, 526, 532, 536, 540, 542, 546, 550, 554, 559, 564, 565, 568, 580 and 588 Moxley Road, as shown on Appendix "A" to Report PED14024, on the following basis:
 - (i) Consideration of the application is premature at this time as the proposed extractive land use is not a permitted use under the Rural

Hamilton Official Plan (RHOP) or the Town of Flamborough Zoning By-law;

- (ii) Review of the submitted Official Plan Amendment and Zoning By-law Amendment applications have not been completed by the City or relevant commenting agencies, or considered by Council;
 - (iii) The City and the Combined Aggregate Review Team (CART) have not completed peer reviews of the various component studies submitted by the proponent;
 - (iv) It would be premature for the Ministry of Natural Resources to finalize the Aggregate Licence requirements until detailed site requirements, as identified through the review of the required Official Plan Amendment and Zoning By-law Amendment applications and submitted technical studies, have been provided by the City to be considered for incorporation as conditions to the Licence, if granted by the MNR; and,
 - (v) That Hydrogeology, Noise, Vibration, Blasting, Dust, and impacts to Natural Heritage have initially been identified as areas of concern to the City.
- (b) That a copy of Report PED14024, being the City of Hamilton's formal comments, be forwarded and filed with the Guelph District Office of the Ministry of Natural Resources and Lafarge Canada Inc. (c/o MHBC Planning), as required under the Aggregate Resources Act for a Licence.

FOR THE INFORMATION OF COUNCIL:

(a) CEREMONIAL ACTIVITIES (Item A)

Hamilton Historical Board Annual Presentation to Planning Committee

Rob Hamilton, Chair of the Hamilton Historical Board, presented on the annual Hamilton Historical Board update with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The presentation from Rob Hamilton, Chair of the Hamilton Historical Board, respecting the annual Hamilton Historical Board update, was received.

(b) CHANGES TO THE AGENDA (Item 1)

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

PUBLIC HEARINGS AND DELEGATIONS

- 6.4 Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1670 Garth Street (Hamilton) (PED14017) (Ward 8)
- (ii) Correspondence from Nancy Quinn – Owen Quinn, MCIP
 - (iii) Correspondence from Barbara Anne Welch
 - (iv) Correspondence from Jean and John Parkinson
- 6.5 West Harbour Waterfront Recreation Master Plan Official Plan Amendment and Zoning By-law Amendment, Bayfront Park and Piers 4 to 7 (Hamilton) (PED14012) (Ward 2)
- (i) Correspondence from Sheri Selway – North End Neighbours
 - (ii) Correspondence from Wener Plessl – Hamilton Waterfront Trust
 - (iii) Correspondence from Hamilton Bay Sailing Club 2014 Executive

The Agenda for the February 4, 2014 meeting of the Planning Committee was approved, as amended.

(c) DECLARATIONS OF INTEREST (Item 2)

None.

(d) APPROVAL OF MINUTES (Item 3)

(i) January 14, 2014

The Minutes of the January 14, 2014 Planning Committee meeting were approved.

(e) DELEGATION REQUESTS (Item 4)

- (i) Delegation Request from Steve Featherstone respecting amendments to the Responsible Animal Ownership By-law (Item 4.1)**

The delegation request from Steve Featherstone respecting amendments to the Responsible Animal Ownership By-law, was referred to staff for a future meeting.

(ii) Delegation Request from Paul Goulet respecting amendments to the Responsible Animal Ownership By-law (Item 4.2)

The delegation request from Paul Goulet respecting amendments to the Responsible Animal Ownership By-law, was referred to staff for a future meeting.

(iii) Delegation Request Fernando Puga respecting item 8.4 Applications to Amend the Urban Hamilton Official Plan, Zoning By-law No. 464, Zoning By-law No. 05-200, and for Approval of a Draft Plan of Subdivision, "Fairgrounds West", for Lands Located at 3450 Binbrook Road (Glanbrook) (PED14003) (Ward 11) and 7.2 Binbrook Sanitary and Stormwater Systems Performance (PED12182(b)) (Ward 11) (Item 4.3)

The delegation request from Fernando Puga respecting item 8.4 Applications to Amend the Urban Hamilton Official Plan, Zoning By-law No. 464, Zoning By-law No. 05-200, and for Approval of a Draft Plan of Subdivision, "Fairgrounds West", for Lands Located at 3450 Binbrook Road (Glanbrook) (PED14003) (Ward 11) and 7.1 Binbrook Sanitary and Stormwater Systems Performance (PED12182(b)) (Ward 11), was approved.

(f) PUBLIC HEARINGS AND DELEGATIONS (Item 6)

(i) Application for Approval of a Draft Plan of Condominium (Common Elements), by 162215 Ontario Inc. (Branthaven 2000 Inc.), for Lands Known as 45 Royal Winter Drive, Binbrook (Glanbrook) (PED14020) (Ward 11) (Item 6.1)

In accordance with the provision of the Planning Act, 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 draft plan of condominium, 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 PED14020, Application for Approval of a Draft Plan of Condominium (Common Elements), by 162215 Ontario Inc. (Branthaven 2000 Inc.), for Lands Known as 45 Royal Winter Drive, Binbrook (Glanbrook), was closed.

The staff presentation respecting Report PED14020, Application for Approval of a Draft Plan of Condominium (Common Elements), by 162215 Ontario Inc. (Branthaven 2000 Inc.), for Lands Known as 45 Royal Winter Drive, Binbrook (Glanbrook), was waived.

For disposition on this Item, refer to item 3.

(ii) Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 769 Stone Church Road West (PED14019) (Ward 8) (Item 6.2)

In accordance with the provision of the Planning Act, 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 zoning by-law, 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 PED14019, Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 769 Stone Church Road West, was closed.

The staff presentation respecting Report PED14019, Application for Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 769 Stone Church Road West, was waived.

For disposition on this Item, refer to item 4.

(iii) **Proposed Zoning By-law Amendment Affecting Lands Located at 336 and 338 King Street West (Dundas) (PED14027) (Ward 13) (Item 6.3)**

In accordance with the provision of the Planning Act, 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 zoning by-law, 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.

Tim Lee, Planner, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting Report PED14027, Proposed Zoning By-law Amendment Affecting Lands Located at 336 and 338 King Street West (Dundas), was received.

John Ariens, on behalf of the applicant, provided an overview of the development with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record. He also spoke to two possible amendments.

The agent's presentation respecting Report PED14027, Proposed Zoning By-law Amendment Affecting Lands Located at 336 and 338 King Street West (Dundas), was received.

Public Speakers

1. Kevin Archibald – 47 James St., Dundas, ON L9H 2J5

Mr. Archibald expressed concern with the character of the building, parking and size.

2. Bill Hilson – 353 Park St. W., Dundas, ON L9H 1Z3

Mr. Hilson expressed concerns with respect to the building's size, privacy, density, parking and how the elements of the building do not fit.

3. Brent Anderson – 342 King St. W., Dundas, ON L9H 1W7

Mr. Anderson expressed concerns with the traffic and parking.

4. Verna Walker – 240 King St. W., Dundas, ON L9H 1W7

Ms. Walker expressed concerns with the building being commercial and shadowing on her lot as well as her basement.

5. Andy Hayrnick – 8 Brock St., Dundas, ON L9G 2R7

Mr. Hayrnick expressed concern with the building development.

The public presentations respecting Report PED14027, Proposed Zoning By-law Amendment Affecting Lands Located at 336 and 338 King Street West (Dundas), was received.

The public meeting respecting Report PED14027, Proposed Zoning By-law Amendment Affecting Lands Located at 336 and 338 King Street West (Dundas), was closed.

Councillor Pearson read aloud an e-mail from Councillor Powers expressing his support of the application based on new agreements.

For disposition on this Item, refer to item 5.

(iv) Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1670 Garth Street (Hamilton) (PED14017) (Ward 8) (Item 6.4)

- (i) Correspondence from Donald Wainman
- (ii) Correspondence from Nancy Quinn – Owen Quinn, MCIP
- (iii) Correspondence from Barbara Anne Welch
- (iv) Correspondence from Jean and John Parkinson

In accordance with the provision of the Planning Act, 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 official plan amendment and zoning by-law, 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.

Greg Macdonald, Senior Planner, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting Report PED14017, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1670 Garth Street (Hamilton), was received.

John Ariens, on behalf of the applicant, provided an overview of the development with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

Paul Valery, the applicant, came forward to answer questions about the development.

The agent's presentation respecting Report PED14017, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1670 Garth Street (Hamilton), was received.

Public Speakers

1. Vern Nelligan – 33 Father Hitter Terr., Hamilton, ON L9B 2S4

Mr. Nelligan expressed concerns with respect to the height, traffic and density.

The petition to oppose the application for 1670 Garth Street in Hamilton, containing 76 names, was received.

2. Joseph Rocchi – 85 Szollosy Cir., Hamilton, ON L9B 1T8

Mr. Rocchi expressed concerns with traffic patterns, density, height, and environmental impacts

3. Bill Haartman – 20 Szollosy Cir., Hamilton, ON L9B 1T8

Mr. Haartman expressed concerns with respect to privacy.

The public presentations respecting Report PED14017, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1670 Garth Street (Hamilton), were received.

The public meeting respecting Report PED14017, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1670 Garth Street (Hamilton), was closed.

The correspondence respecting Report PED14017, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1670 Garth Street (Hamilton), was received.

Report PED14017, Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1670 Garth Street (Hamilton), was tabled to the February 18, 2014 meeting of the Planning Committee for an update on traffic and an amendment to the recommendations for 10 storeys.

(v) West Harbour Waterfront Recreation Master Plan Official Plan Amendment and Zoning By-law Amendment, Bayfront Park and Piers 4 to 7 (Hamilton) (PED14012) (Ward 2) (Item 6.5)

- (i) Correspondence from Sheri Selway – North End Neighbours
- (ii) Correspondence from Wener Plessl – Hamilton Waterfront Trust
- (iii) Correspondence from Hamilton Bay Sailing Club 2014 Executive

In accordance with the provision of the Planning Act, 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 official plan amendment and zoning by-law, 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.

Alissa Mahood, Senior Planner, and Greg Macdonald, Senior Planner, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting Report PED14012, West Harbour Waterfront Recreation Master Plan Official Plan Amendment and Zoning By-law Amendment, Bayfront Park and Piers 4 to 7 (Hamilton), was received.

The correspondence respecting Report PED14012, West Harbour Waterfront Recreation Master Plan Official Plan Amendment and

Zoning By-law Amendment, Bayfront Park and Piers 4 to 7 (Hamilton), was received.

Public Speakers

1. Thom Davies – 79 Burlington St., Hamilton, ON L8L 1G9

Mr. Davies, an elected member of North End Neighbours, and expressed concerns with respect to density and the changes to the neighbourhood.

2. Dave Stephens – 188 Simcoe St. E., Hamilton, ON L8L 3P1

Mr. Stephens expressed concerns with respect to the change in neighbourhood characteristics and advised that the neighbourhood does not want a casino in the area.

3. Dwayne Cline – 21 Murray St. W., Hamilton, ON L8L 1B1

Rev. Cline supports having the north end developed but recognizes the problems with parking and traffic and that there needs to be a better plan in place for those who are residents and struggling in the area.

4. Chris Pearson – 154 Ferne St. E., Hamilton, ON L8L 3T3

Mr. Pearson expressed that he is in support of the plan but wishes that the neighbourhood be included in the process.

5. Bryan Ritskes – 79 Burlington St., Hamilton, ON L8L 1G9

Mr. Ritskes expressed concerns with respect to the marina.

The public presentations respecting Report PED14012, West Harbour Waterfront Recreation Master Plan Official Plan Amendment and Zoning By-law Amendment, Bayfront Park and Piers 4 to 7 (Hamilton), were received.

The public meeting respecting Report PED14012, West Harbour Waterfront Recreation Master Plan Official Plan Amendment and Zoning By-law Amendment, Bayfront Park and Piers 4 to 7 (Hamilton), was closed.

For disposition on this Item, refer to item 6.

(g) PRESENTATIONS (Item 7)

(i) Binbrook Sanitary and Stormwater Systems Performance (PED12182(b)) (Ward 11) (Item 7.1)

Sally Yong-Lee, Manager, Infrastructure Planning, and Ron Scheckenberger, AMEC, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

James Webb, on behalf of Fernando Puga, expressed the relation to item 8.4.

The staff presentation respecting Report PED12182(b), Binbrook Sanitary and Stormwater Systems Performance, was received.

Item 8.4, (iii) Applications to Amend the Urban Hamilton Official Plan, Zoning By-law No. 464, Zoning By-law No. 05-200, and for Approval of a Draft Plan of Subdivision, "Fairgrounds West", for Lands Located at 3450 Binbrook Road (Glanbrook) (PED14003) (Ward 11) (tabled from January 14, 2014), was moved forward on the agenda.

(h) DISCUSSION ITEMS (Item 8)

(i) Applications to Amend the Urban Hamilton Official Plan, Zoning By-law No. 464, Zoning By-law No. 05-200, and for Approval of a Draft Plan of Subdivision, "Fairgrounds West", for Lands Located at 3450 Binbrook Road (Glanbrook) (PED14003) (Ward 11) (tabled from January 14, 2014) (Item 8.4)

Alvin Chan, Planner, advised that the applicant has met the requirements as discussed at the January 14, 2014 meeting of the Planning Committee.

For disposition on this Item, refer to item 8.

(i) **MOTIONS (Item 9)**

(i) **Traffic Management and Land Use Strategy for the Waterdown Village Core area (Item 9.1)**

Whereas the OMB has approved residential development within the Waterdown Urban Area on the basis of planned new East West and North South Corridor roads and network improvements;

And Whereas development is proceeding in advance of the planned roads and network improvements;

And Whereas the Waterdown Community is experiencing an increased level of traffic congestion and infiltration within the Waterdown Village Core;

Therefore be it resolved;

That staff from Planning and Economic Development Department, Public Works and Legal Services be directed to investigate and report back to the March 18 Planning Committee with respect to options and a recommendation regarding a traffic management and land use strategy for the Waterdown Village Core area.

(ii) **Transfer of Artifacts (Item 9.2)**

Whereas the existing collection of artifacts related to the Red Hill Valley project be transferred to the Joint Stewardship Board who will act as trustees of the materials;

And whereas the artifacts related to the project be catalogued and inventoried; and appropriately conserved in a Joint Stewardship Board approved facility;

And whereas the cost associated with the exercise be funded from the Ward 5 Area Rating Account;

Therefore be it resolved;

That staff prepare a report that investigates the possibility of retaining and conserving other archaeological City of Hamilton artifacts from publically owned properties and projects.

(j) GENERAL INFORMATION AND OTHER BUSINESS (Item 11)

(i) Outstanding Business List Amendments (Item 11.1)

The following Outstanding Business List due dates were revised:

- (aa) Item S: Synergies between infrastructure Development and New School Openings
Current Date: February 4, 2014
New Date: February 18, 2014
- (bb) Item Z: Police Services Animal By-law
Current Date: February 4, 2014
New Date: June 17, 2014
- (cc) Item BB: PED13099(a), Fruitland-Winona Secondary Plan and Official Plan Amendment
Current Date: February 4, 2014
New Date: April 15, 2014

The following items were removed from the Outstanding Business List:

- (aa) Item FF: Applications to Amend the Urban Hamilton Official Plan, Zoning By-law No. 464, Zoning By-law No. 05-200, and for Approval of a Draft Plan of Subdivision, "Fairgrounds West", for Lands Located at 3450 Binbrook Road (Glanbrook) PED14003
- (bb) Item O: Binbrook (139 Fall Fair Way) Sanitary and StormwaterSystemsPerformance (PED12182(a) /PW13016)
- (cc) Item F: 38 Strachan St. W/344 Bay St. N

(k) PRIVATE AND CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – January 14, 2014 (Item 12.1)

The Closed Session Minutes of January 14, 2014 were approved as presented and are to remain confidential.

(I) ADJOURNMENT

There being no further business, the Planning Committee adjourned at 5:29 p.m.

Respectfully submitted,

Councillor B. Johnson
Chair, Planning Committee

Vanessa Robicheau
Legislative Coordinator
Office of the City Clerk