

# CITY OF HAMILTON MOTION

Planning Committee Date: September 6, 2016

MOVED BY COUNCILLOR J. PARTRIDGE.....

SECONDED BY COUNCILLOR.....

**Re: Appeal to the Ontario Municipal Board (OMB) on the City of Hamilton's Refusal or Neglect to Adopt and Amendment the Urban Hamilton Official Plan and Zoning By-law No. 05-200 for Lands Located at 66 Innovation Drive, Flamborough (Ward 15)**

**WHEREAS** applications have been made by 1592797 Ontario Limited, (the "Applicant") to add a site-specific policy to Volume 3 of the Urban Hamilton Official Plan (UHOP) to permit ancillary uses (a recreation / fitness centre) and to amend the Prestige Business Park (M3) Zone of Zoning By-law No. 05-200 to permit a recreation and fitness centre as a permitted use, to establish parking requirements for a recreation / fitness use; and to recognize an existing legal non-conforming landscape strip of 3.0 m for lands located at 66 Innovation Drive, Flamborough;

**WHEREAS**, the Applicant appealed the City of Hamilton's refusal or neglect to approve the Application;

**WHEREAS**, neighbouring residents have identified concerns regarding overflow parking and the resulting inability for delivery trucks to access the adjacent business but have not had the opportunity to make submissions to City Council regarding their concerns; and

**WHEREAS** City Council desires to receive the input of the public regarding the Application;

**THEREFORE BE IT RESOLVED:**

- (a) That staff be directed to prepare a report regarding the Applicant's appeal to the City's Planning Committee at its meeting of September 20<sup>th</sup>, 2016;
- (b) That staff be directed to advise all property owners within 120m of the subject lands of the September 20<sup>th</sup>, 2016 date of Planning Committee's consideration of the appeal of the Application so that members of the public have the opportunity to appear as a delegation before the Planning Committee regarding the proposed development;
- (c) That staff be directed to report back on how to revise Council's current policy respecting OMB appeals for non-decision to ensure the public has the opportunity to provide input.