Present: Chair M. Pearson  
Vice Chairs Councillors: B. Bratina, L. Ferguson  
Councillors: S. Duvall, D. Mitchell, R. Pasuta, and Whitehead

Absent with Regrets: Councillors B. Clark and B. McHattie

Staff Present: T. McCabe, General Manager – Planning and Economic Development  
P. Mallard, T. Sergi, B. Janssen, J. Hickey-Evans, S. Cellini,  
C. Newbold – Planning and Development  
M. Kovacevic - Legal  
A. Rawlings, Co-ordinator, I. Bedioui - City Clerk’s Office

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised that there were no changes to the agenda, however, she noted that additional correspondence was received after the close of day yesterday, as follows. These will be entered into the public record and copies will be distributed to Committee members and staff:

IBI Group:  
Re: 310-380 Francis Avenue  
Re: Lots 3 and 4, Concession 1, Stoney Creek  
Re: N/W Corner White Church Road & Hampton Brook Way, Mount Hope  
Re: Lime Kiln  
Re: 440 Victoria Avenue North  
Re: condo conversion of rental housing units

Julianne Burgess respecting infill development

Nick Kopelaar

Bill Curren – Hamilton-Burlington Society of Architects

Council – June 29, 2009
(Ferguson/Mitchell)
That the Agenda for the June 16, 2009, meeting of the Economic Development & Planning Committee be approved, as presented.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 3)

None

(d) Proposed Urban Hamilton Official Plan (City Wide) (PED09164) (Item 6.1)

Chair Pearson introduced the subject of the meeting – a special Public Meeting, the third of three, to consider public input into the new Urban Official Plan. She outlined the process for the Public Meetings.

Chair Pearson advised the meeting of the following, in accordance with the provisions of the Planning Act,

a) 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 the approval authority gives or refuses to give approval to the Official Plan or the Official Plan 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.

b) 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 the approval authority gives or refuses to give approval to the Official Plan or the Official Plan Amendments 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.

(e) Staff presentations respecting the proposed Hamilton Official Plan (Item 6.1.1)

Bill Janssen addressed Committee and briefly outlined the changes in Provincial Legislation, including the new Planning and Green Belt Acts, and Places to Grow...
Policy, which need to be reflected in the new Official Plan. He also outlined what targets the City must meet as set out by the Province. Based on this direction, the plan was prepared in a phased-in approach. Bill Janssen also outlined the numerous public consultations undertaken to date.

Joanne Hickey-Evans provided further details on key elements of the plan. She acknowledged that the Official Plan was a corporate effort and she recognized the hard work and dedication of the team involved in the project.

Joanne Hickey Evans made a PowerPoint presentation which included but was not limited to the following topics:

- The Official Plan Format
- The Goal of the Official Plan
- The Urban structure map indicating the various nodes and corridors
- Land Use Designations
- Neighbourhoods
- Commercial and mixed use
- Employment areas
- Industrial areas
- Residential intensification
- Transportation
- Natural Heritage System
- Health, Safety and Energy
- Volume 2 – existing secondary plans
- Volume 3 – area and site specific policies
- Summary of issues
  - the major issues from the public consultations and changes made by staff as a result
  - the processes that will continue – there will be changes to the plan as we move forward.
- The next steps – final target – the Comprehensive Zoning By-law.

(f) Public delegations respecting the proposed Hamilton Official Plan (Item 6.1.2)

The Chair advised that additional communications had been received from the following, and copies distributed:

Ken Daken, Land Use Planning Consultant

Hans Jensen, 222 Greencedar Drive, Hamilton

Council – June 29, 2009
Metropolitan Consulting Inc.
Re: Paletta International – Highbury Meadows Parcel, sw of Upper Centennial Pkwy and Highland Rd., Stoney Creek
and
Re: Paletta International Ltd. – 1061 Garner Road East, Ancaster
and
Re: Parkside Hills Inc. and Silverwood Homes

George Zajac, IBI Group
Re: Tobyn Park Homes – 390 Highland Road West
and
Re: Landmart Homes

Tim Hortons, Oakville, ON L6K 2Y1
Dr. Tom Nugent, 9 Grandview Avenue

Anthony Cappucinello

(Mitchell/Pasuta)
That the additional communications be received.

CARRIED

Chair Pearson advised that the following persons had registered as Speakers for the meeting and that these people would be heard first, followed by speakers from the floor:

Peter Turkstra
Carl Turkstra
Doctor Nugent
Maria Gatzios, 20 Road Owners
Mark Chamberlain and Don May on behalf of the Hamilton Jobs Prosperity Collaborative (JPC)
Charlie Mattina, Beasley Neighbourhood
Ken Dakin, representing First Dundas Leasing Limited
Joanna Champman
Hans Jensen
Gary Santucci
Peter Turkstra addressed Committee with regard to the matter. His points included, but were not limited to the following:

- Regarding the Turkstra location at 1050 Upper Wellington, their head office and lumber yard;
- He is the President of Turkstra lumber;
- There is a thriving community nearby;
- There are 40 people employed on Upper Wellington;
- Provides a very valuable resource;
- It is traditional lumber yard – with delivery;
- Last year he expressed disapproval with the change of the zoning from “employment land” to a non-employment use;
- wanted confirmation in writing that the change would not affect the business;
- the operators reserve their right to appeal to the OMB;
- the proposed change could affect the future sale of their property;
- the zoning should be specific to each property, the properties should not be lumped together;
- Requested that “building or contracting supply establishment” be included in the description of uses in the OP and that any future development not be tied in with the neighbouring operations of Day and Campbell and Mr. Kelly;
- will submit a letter to the Clerk.

Carl Turkstra addressed Committee with regard to the matter. He read from a prepared statement and provided a copy to the Clerk. His points included, but were not limited to the following:

- He is the Chairman of Turkstra Lumber;
- He is speaking in regard to the Waterdown Yard;
- Turkstra Limber is an important Hamilton resource;
- The company is a good corporate citizen;
- Not a nuisance use i.e. no noise, pollution, odour;
- The problem is that their operation is not recognized as a permitted use in the Official Plan;
- Requested that “building or contracting supply establishment” be included in the description of uses in the Official Plan.

Dr. Tom Nugent addressed Committee with regard to the matter. His points included, but were not limited to the following:

- interested in the Hamilton growth plan;
- basically he is very appreciative of the work of the Planning staff;
one exception in the plan that needs improvement – the Twenty Road area has not been dealt with fairly;
- it is a strategic location and a main trunk line to sewers is scheduled for the area;
- It is an area that has the potential to expand into an urban centre;
- realizes that the Province has put constraints on the City;
- the Twenty Road area has equal potential as the Elfrida area and asked that both should be dealt with equally (either targeted for development or not);
- requested that Council unanimously present this proposal to the Province by identifying the Twenty Road area for future urban expansion;
- Council’s request would have more weight than if he appeals this on his own.

Susan Rogers, Counsel for the Twenty Road East landowners addressed Committee with regard to the matter. Her points included, but were not limited to the following:

- the landowners on Twenty Road East have been active in the Urban and Rural Officials Plans and she is representing them regarding their appeal on the Rural Official Plan;
- She advised that there are fundamental flaws in the analysis of the GRIDS process;
- She indicated that Maria Gatzios, the Planner retained by the landowners, and the next speaker, has made a previous deputation before this Committee;
- Clients have attended meetings and submitted numerous written submissions
- Seems their submissions have fallen on deaf ears;
- She believes that the staff responses are not sufficient;
- The issue is the identification of a future urban expansion area, which contradicts Provincial policies;
- Failure of staff to note Upper James as a node in the Official Plan document.

Maria Gatzios, a Planner representing the Twenty Road East Landowners addressed Committee with regard to the matter. Her points included, but were not limited to the following:

- Spoke in November at the Open House;
- Landowners are interested in protecting their development rights;
- At this time, there is no justification for expansion of the urban boundary and therefore, there should be no lands identified for this purpose;
- The Ministry has determined that Elfrida should not be a special policy area;
- To carry this Elfrida Special Policy area forward is to prejudice a future process;
- Do not predetermine which area will be the urban expansion area;
- The Province mandates a special process;
- When expansion is needed, the appropriate study will identify the appropriate area or areas for the expansion;
• She also noted the lack of a node at Upper James and Rymal Road and indicated that this area is worthy of identification as a node.

Tim Dobbie addressed Committee on behalf of Mark Chamberlain, of the Hamilton Jobs Prosperity Collaborative (JPC), as he was unable to attend. His points included, but were not limited to the following:

• The focus of the Jobs Prosperity Collaborative is jobs;
• He made a slide presentation and a copy was distributed;
• The Collaborative endorses the New City Official Plan;
• When Hamilton has a current Official Plan, this will attract jobs;
• It is an important legal document and will bring certainty and predictability;
• The Jobs Prosperity Collaborative has engaged a planner – Don May;
• The Official Plan is an important step towards making Hamilton a good place to be.

Don May, on behalf of the Hamilton Jobs Prosperity Collaborative (JPC), addressed Committee with regard to the matter. His points included, but were not limited to the following:

• The Official Plan has two functions – public expenditure and planning framework for land use;
• Affects public works – new infrastructure and maintaining existing infrastructure;
• This will be the urban structure plan for the next 20 years;
• The next step is the zoning by-law which will also be important;
• Business requires an initial response to their proposal;
• There are 2 goals – need to pre-zone employment and business properties and need to create a partnership between the private and public sectors;
• basically there should be an approved site for any type of business in Hamilton;
• shovel ready lands are required;
• a public and private collaborative is required;
• future steps – more work on integrated intermodal transportation plan, working collaboratives and healthy environment and recreation activities;
• in addition to the Official Plan and Zoning By-law, the City requires sufficient staff to deal with zoning issues and an efficient application process;
• He noted that there have been improvements already made in this regard.

Isabelle Sardella, of the Beasley Neighbourhood Association, addressed Committee with regard to the matter. Her points included, but were not limited to the following:

• The Beasley Neighbourhood is one of the City’s most challenged neighbourhoods;
• Four workshops have been held with the assistance of Kyle Slote, from the University of Waterloo, whom she introduced as the next speaker.

Kyle Slote, from the University of Waterloo School of Architecture, representing the Beasley Neighbourhood Association, addressed Committee with regard to the matter and made a PowerPoint presentation and copies of his prepared statement were distributed. His points included, but were not limited to the following:

• Held workshops to determine what the neighbourhood needs;
• Showed map of Beasley;
• the amenities in the area show a large concentration of services for the needy;
• the presence of these services perpetuate the need as well as being reflective of the need;
• the built fabric of Beasley shows there is great potential for intensification to fill in “holes” and that would be beneficial of the neighbourhood;
• always was a working class neighbourhood;
• positive outcome of workshop – connections – social, environmental and economic parameters;
• the residents wanted more recreational opportunities;
• the residents wanted more community based businesses;
• the residents view the park and community centre as a chance for recreational outlet and were concerned with preserving them;
• want more pedestrian friendly streets and more transit options and the potential for light rail;
• the neighbourhood has the potential to become a model sustainable neighbourhood;
• The Beasley Neighbourhood Association endorses the overall goals of the Official Plan.

Ken Dakin, representing First Dundas Leasing Limited was not in attendance.

Joanna Chapman addressed Committee with regard to the matter. Copies of her letter were distributed. Her points included, but were not limited to the following:

• The Official Plan does not carry forward the Town of Dundas’s Open green space designation for 201 King Street East, Dundas;
• has some concerns with the process;
• a broad brush approach across the city is not beneficial, need to include the different needs and characters of the former area municipalities;
• the plan should be much easier for ordinary people to understand;
• should be responsive to community needs and not developers’ needs;
the details are impossible to compare with what currently exists in the former municipalities, requested simple charts to highlight differences;
the Official Plan seems to favour developers and does not protect open green space.

Hans Jensen addressed Committee with regard to the matter. He provided a handout which was distributed. His points included, but were not limited to the following:

- He is from the recycling generation;
- The consumer generation is fighting him;
- Wood burning pollutes more than cars;
- People are starving;
- We need to cut down forests to produce food;
- The future belongs to trains and ships, not cars;
- The city should purchase the homes with flooded basements and convert the properties to industrial land;
- Special Interest Groups of people make demands but do not indicate how much the demands will cost taxpayers;
- We are used to cheap imports, but these will not be available forever – we should have our own industrial land to produce goods;
- We need industrial growth;
- Global warming is finished – it is a 100 year cycle, it is now getting colder.

Gary Santucci owner of the The Pearl Company addressed Committee with regard to the matter. He made a PowerPoint presentation. Barbara Milne, co owner assisted with the presentation. Their points included, but were not limited to the following:

- The possibilities are looking great for the arts and culture sector with the new Official Plan;
- Hamilton’s Pearl Company, located at 16 Steven Street, is their place of business and their home;
- Explained what the Pearl Company is and the various awards they have received;
- Operate art gallery, music festivals; the TLC project – after school and weekend project for neighbourhood children and teens;
- The zoning of their property threatens their existence;
- Have been dealing with Planning staff, looking at a change of zoning;
- They are facing an onerous and costly zoning application process;
- They have been charged with an unlawful use of the premises;
- They intend to defend themselves;
- The City needs to find a way to encourage the reuse of vacant properties;
- They are looking for a policy for an adaptive reuse of older buildings;
• They request that the definitions be expanded to include private entrepreneurs, i.e. publicly owned and privately owned cultural facilities;
• The Official Plan could accommodate and recognize all the uses on their property.

Lawrence Kaempffer addressed Committee with regard to the matter. His points included, but were not limited to the following:

• Lives in Dundas and works in Hamilton;
• Lives on a residential property that abuts a commercial property;
• Attended one of the public meetings;
• Saw confusing diagrams of commercial uses abutting his property;
• Some of the proposed changes to the commercial property abutting his residence could affect him;
• The reference documents include the OP of the former Town of Dundas;
• However, not clear what the changes are;
• Would be clearer if staff would provide a one page comparison of what is in existence now and what the new proposed changes are and why they are being recommended;
• The details are not clear.

Dr. Lynda Lukasik of Environment Hamilton addressed Committee with regard to the matter. Her points included, but were not limited to the following:

• Residential intensification targets should allow for and encourage a higher target;
• The section of urban boundary expansion should be removed, i.e. Airport lands and Elfrida;
• Employment growth district – requirements for expansion have not been met;
• Concerns with conversions of employment lands;
• Brown fields sites should be #1 priority of economic growth;
• Failure to recognize conversion to condominium;
• Council policy should be to purchase surplus school lands, then have full public consultation to ensure future use;
• Air quality targets should be based on 1990 emission levels;
• Will submit written comments to the Clerk.

Joe Minor of Environment Hamilton addressed Committee with regard to the matter. His points included, but were not limited to the following:

• He asked when the final draft is forwarded to the Province will it be shared with the public and will he be able to provide further input to the Province at that time? – Staff explained the process;
• His concerns: climate change and peak oil;
• The Environment is affecting the economy;
• We need to deal with the underlying issues;
• The Official Plan is an extremely large document and difficult for lay people to understand;
• Concern that the Plan is prepared in two halves, the urban official plan and the rural official plan;
• future urban boundary expansions are identified;
• the City should protect prime agricultural land;
• we will need that land to grow food;
• the Official Plan should be used to resolve areas that are under contention – it lists four industrial business parks;
• Opposes the proposed change in designation of four industrial areas to commercial;
• this will likely be challenged at the OMB;
• this appears to be an arbitrary and unsupported change;
• the proposed air quality targets do not match the current Provincial government and previous Federal targets; they should actually meet and exceed the Provincial and Federal targets;
• brownfield targets are not aggressive enough;
• pursue brownfield development rather than greenfield development;
• affordable housing targets are good;
• better ability to convert rental units to condos;
• he agrees with Dr. Lukasik’s statements;
• should include a policy of no net increase in pavement – i.e. include a provision to convert pavement to green space to offset road expansions;
• pavement is bad for the community;
• the airport – no qualification to noise abatement on the OP statement that the airport operate 24 hours, 7 days a week;
• residents cannot sleep;
• pedestrian access is not ambitious enough;
• do not micromanage properties;
• also do no change existing restrictions without advertised public meetings;
• supported Joanna Chapman’s request respecting the proposed Dundas storage facility; the town of Dundas parkland dedication should be maintained.

Peter Hutton representing the Hamilton Transit User Group and Promoters of Light Rail addressed Committee with regard to the matter. His points included, but were not limited to the following:

• The concept of introducing a light rail has an integral relationship with the Official Plan as the roads that may have light rail need to be identified;
• Promotion of Pedestrian and child friendly neighbourhoods;
Concerned with long intervals between bus transfers which is not user friendly.

Bill Baxter representing Sylvestri Group. His points included, but were not limited to the following:

- The Twenty Road lands should have been included in the urban boundary expansion;
- The Elfrida Growth node is being included for future urban boundary expansion;
- We object to these draft official plan policies;
- They are not consistent with Provincial approach to take a comprehensive review when an expansion is required;
- Doesn’t provide for fair and reasonable growth options;
- We are not opposed to the urban boundary expansion in the Elfrida area, but need fairness;
- Provided copy of his prepared statement to the Clerk.

Steven Barber representing a group that purchased the Gibson Street School on Barton Street addressed Committee with regard to the matter. His points included, but were not limited to the following:

- With respect to the airport, he supports any policy to expand the airport even though he can hear the airplanes where he lives;
- He is supportive of Hamilton’s efforts to attract business;
- His project involves a brownfield site;
- Requests that staff re evaluate what they put in the Official Plan and adopt what Gary Santucci proposed with respect to encouraging the reuse of existing sites when it is beneficial to the community;
- Support redevelopers and adaptive reusers as usually they cannot absorb the costs;
- Waive fees where appropriate when the community’s needs are met.

Chair Pearson asked if there were further persons who wished to address Committee.

No further speakers came forward.

Chair Pearson thanked staff for the tremendous amount of work which they completed and she then thanked the residents who made submissions and the presenters at all three meetings.

(Whitehead/Mitchell)
That the presentations be received. 

CARRIED
(g) Motions (Item 9)

None.

(h) Notices of Motion (Item 10)

None.

(i) General Information (Item 11)

Tim MacCabe indicated that he will try to provide the staff report summarizing the public meetings to the Committee members by this Friday in order that they can review it over the weekend prior to Monday’s meeting.

Staff responded to various questions posed by the Committee with respect to what the staff report will include, the process of the Plan following Council approval, and the consultation with Aboriginal groups.

(j) Private and Confidential (Item 12)

None.

(k) ADJOURNMENT (Item 13)

Councillor Pearson advised that the Public Meetings respecting the new Urban Official Plan had now been completed. She noted that Committee would meet again on June 22, and, if needed, on June 23, 2009, to deliberate on the new Urban Official Plan.

Chair Pearson confirmed that all were welcome to attend the meetings to listen to the discussion, but that there would be no further delegations from the public.

(Mitchell/Pasuta)

There being no further business, that the Economic Development and Planning Committee be adjourned at 4:45 p.m.

CARRIED

Council – June 29, 2009
Respectfully submitted,

Maria Pearson, Chair
Economic Development and Planning Committee

Alexandra Rawlings, Co-ordinator
Economic Development and Planning Committee
June 16, 2009