Planning and Economic Development Committee
MINUTES 06-012
June 26, 2006
7:00 p.m.
Council Chambers
Hamilton City Hall

Present:   Chair M. Pearson
1st Vice-Chair D. Mitchell
2nd Vice-Chair B. Bratina,
Councillors D. Braden, B. Kelly, B. McHattie, S. Merulla,
T. Whitehead,

Also Present: Councillors:  M. McCarthy

Absent:   Councillor M. Ferguson – illness
Councillor B. Kelly – City Business

Staff Present: L. Coveyduck, General Manager - Planning and Economic
Development
T. McCabe, P. Mason, M. Sergi, C. Plosz, K. Maxwell -
Planning and Development
A. Rawlings – City Clerk's Office

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR INFORMATION:

(a) Changes to the Agenda

The Clerk advised of the following changes to the Agenda:

- revisions to the Official Plan policies and to one schedule, prepared by staff
  and distributed tonight.

- five additional written submissions, received today have been distributed to
  Committee, from:

  - Susanne Brooks and Robert Columbo
  - Amy Nilsson
  - Dan Williams

Council – June 28, 2006
Committee approved the Agenda, as amended.

(b) Declarations of Interest

Councillor Braden noted that the Official Plan documents contained a reference to Pleasantview, where he had a conflict, as his wife owned property in the area. He noted that should discussion of this area arise, he would refrain from the discussion, and requested that any vote taken should be addressed in separate sections, so that he could refrain from voting on any issue regarding Pleasantview.

(c) Official Plan Amendments and New Official Plan - Rural Hamilton (PED06207) (City Wide) (Item 6.1)

A Public Meeting was held.

Chair Pearson advised the meeting that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Meeting.

Michelle Sergi outlined the report to Committee with the aid of a powerpoint presentation.

Ms. Sergi gave an overview of the process used to develop new rural Official Plan, and thanked the public and various groups for their invaluable input and assistance. In particular, she thanked the Agricultural and Rural Affairs Committee for their assistance.

Ms. Sergi explained the significant Provincial context including the Greenbelt Plan, the Niagara Escarpment Plan and Parkway Belt Plans, and how this had changed during the process of the review. She noted in particular that the Ministry of Natural Resources mapping of aggregate areas is out-of-date, and that the MNR has been requested to update this information. In the meantime, the policies in the Plan propose interim measures in the form of Minimum Distance Separation requirements for rural settlements from aggregate areas.
Ms. Sergi highlighted a number of changes in the policies, including some of the boundaries of Rural Settlement Areas. She also explained some minor text amendments which had been made to the Official Plan Amendment document.

Paul Mason then provided an overview of the approvals process which would be used for the new Official Plan. Following Council approval, the document would be submitted to the Minister of Municipal Affairs for his evaluation. This stage may take 180 days whereafter the Minister issues his decision, which is appealable by Council or by individuals.

Councillor Mitchell questioned whether the document Council submits to the Ministry may include our LEAR findings, greenbelt and tender fruit concerns.

Councillor Whitehead agreed that this could be Hamilton’s opportunity.

Mr. Mason responded that Ministry staff has already confirmed that their previous decisions will not change. Mr. Mason added that staff is now working on a report containing all the contentious areas regarding the greenbelt, as directed and that the consideration of this report would be a better time to deliver Council’s message.

Chair Pearson explained that Committee would hear first from the people who have asked to be placed on the Speakers’ List. Following that, Committee would hear from any other speaker from the audience. She reminded the meeting that the City’s Procedural By-law permits a maximum of 5 minutes per speaker.

The following members of the public addressed Committee on the matter:

1. Brian Mills

   Mr. Mills addressed Committee briefly regarding issues in Winona. He requested that his five minutes be given to Brenda Johnson.

   On a Motion by Councillor Mitchell, seconded by Councillor Whitehead, Committee agreed to Mr. Mills’ request.

2. Norm Labreche

   Mr. Labreche addressed Committee briefly and noted that the notation of Winona as a “blob” in the document was incorrect, as in previous applications and in the GRIDS documents.
Mr. Labreche requested that the balance of his five minutes be given to Georgina Beattie.

On a Motion by Councillor Mitchell, seconded by Councillor Whitehead, Committee agreed with the request of Mr. Labreche.

3. Georgina Beattie

Ms. Beattie addressed Committee and expressed her opinion and concerns regarding the proposed Rural Official Plan Policies, particularly as these related to Winona. These included, but were not limited to;

- Winona should not be identified as a “blob” but should have a proper boundary, as shown in the Stoney Creek Official Plan, OMB decisions and Niagara Escarpment Plan, as well as NEC documents
- concern that Public Notice for this meeting did not include mention of changes to the Regional Official Plan.

Paul Mason gave an overview of the Winona “blob”, and explained that staff had respected the most recent City Council decision regarding the use of the “blob” notation as used in the Regional Official Plan. Mr. Mason noted that any change in this could place the City in a position of involvement in an up-coming OMB hearing. However, when the Board renders its decision, staff will act accordingly.

The Clerk was given direction to check the most recent Council position on this issue, to ascertain whether a re-consideration may be required to allow any changes.

Mr. Mason added that Council could ask the Minister to defer any decision on the “blob” until the upcoming Hearing has resolved the issue. This would allow rectification of the boundary to proceed without another amendment.

4. Brenda Johnson

Ms. Johnson addressed Committee and expressed her opinion and concerns regarding the proposed Rural Official Plan Policies, particularly as these related to the Winona area. These included, but were not limited to;

- concerns about the Winona “blob”, said 1994 OMB decision led to approval of Stoney Creek Official Plan, with a proper Winona boundary. This boundary confirmed by NEC and should be used in new City document. Important to change this now and end confusion.
5. Graham Flint, FORCE

Mr. Flint addressed Committee and expressed his opinion and concerns regarding the proposed Rural Official Plan Policies, particularly as these related to aggregate policies. These included, but were not limited to;

- pleased that new Plan supports agricultural uses and activities

- concern that MNR mapping outdated, has serious implications for large areas of rural Hamilton. In favour of interim setbacks from mineral operations.

- concern that rural policies going ahead without benefit of City policies on source water protection, transportation policies and “community”. Noted that new Plan not really better than old Plan.

- concern that community involvement in process had been rushed, with insufficient time for public involved to properly digest and comment at the various stages. Nevertheless, thanked staff.

Mr. Mason explained that further discussions would be needed with MNR, to define project and roles and then money would be recommended as part of 2007 budget.

Mr. Mason agreed that the timelines for public input were short but that there was good public dialogue and involvement.

Ms. Coveyduck noted that the Urban Official Plan process would be more measured, as the Provincial policies were now in place.

6. Angelo Camerracci

Mr. Camerracci was not present to address Committee.

7. Amy Nilsson

Ms. Nilsson addressed Committee and expressed her opinion and concerns regarding the proposed Rural Official Plan Policies, particularly as these related to the proposed Library in Lynden.

Ms. Nilsson had provided a copy of her presentation ahead of the meeting, and this had been distributed to members of Council.

Her comments included, but were not limited to:
- opposition to expansion of Rural Settlement Area to allow for a Library site and potential community meeting room

- Lynden has a number of buildings where community meets, no need for any additional meeting rooms

- concern that Lynden does not need a new Library, population not growing, as evidenced by school closure. Former school could be a potential site for a community facility, no need to expand settlement area

- community not consulted on proposed Library site, site will have an adverse impact on adjacent homes, expansion to settlement area not justified

Committee discussed the issue, and was advised that the Settlement boundary expansion proposed was for the Library facility alone, to replace the existing Library, would not include any land for residential development and that adequate servicing capability was available. The land had been donated and a public process had been followed, pursuant to the Master Plan for review of local libraries.

8. Nicolette Horne, MHBC Planning

Nicolette Horne addressed Committee and expressed her opinion and concerns regarding the proposed Rural Official Plan Policies, particularly as these related to a property in Kirkwall. These included, but were not limited to;

- proposed expansion minor expansion of six lots to the west of Settlement Area was in an area of poor agricultural land, could accommodate small part of expected population growth in Hamilton area

- would “round out” existing settlement area as far as existing church manse and her client would be willing to convey part of a natural heritage feature, Beverly Swamp, to appropriate Conservation Authority

Staff advised that proposal did not meet criteria for expansion of Rural Settlement Areas, that Kirkwall already included potential residential development lots, and that no justification existed for an expansion.

9. Suzanne Brookes was not present to address Committee.

Chair Pearson advised that a written submission had been received, and would be included as part of the public record.
10. Ann Bassett was not present to address Committee.

Chair Pearson advised that her written submission had been received and would be included as part of the public record.

11. Dan Williams was not present to address Committee.

Chair Pearson noted that a written submission had been received and would become part of the public record.

12. Roy Shuker, Chair of Agricultural and Rural Affairs Advisory Committee

Mr. Shuker addressed Committee and expressed his opinion regarding the proposed Rural Official Plan Policies, These included, but were not limited to;

- support for the new Plan, particularly the goals, as they supported the agricultural activities in the rural area, thanked staff for their work.

- need for home industries to be agriculturally related and where these industries became too large, they should be relocated to other areas, whether Rural Settlements or Urban Areas

- requested that Council accept the new Plan.

In response to questions from Committee members, Mr. Shuker explained there were in excess of 1000 working farms in the rural part of Hamilton, with approximately 1500 farm operators, for a total of 4000 people who are farm-related and 40,000 people who are not farm-related.

Councillor Braden noted at this point that he wished to be recorded as a member of the public, with the need to speak on rural items.

The Clerk was directed to record this matter.
13. James Webb

Mr. Webb addressed Committee and expressed his opinion and concerns regarding the proposed Rural Official Plan Policies, particularly as these related to a property near Greensville. These included, but were not limited to;

- need to consider a minor adjustment to the north-east corner of Greensville, to a 17 acre property between Moxley and Brock Roads, owned by Wando Corporation.

- area could be a contiguous expansion to an existing commercial industrial area, adjacent to LaFarge Quarry. Area not good farmland, compatible with adjacent land uses, consistent with Places to Grow

- suggested deferral of final Greensville Settlement Area boundary, pending completion of servicing study recently commenced by Public Works.

Staff advised Committee existing servicing problems in Greensville, current development freeze, recent and costly City assumption of small communal well system.

14. James Webb

Mr. Webb addressed Committee and expressed his opinion and concerns regarding the proposed Rural Official Plan Policies, particularly as these related to a property owned by the Catholic Youth Organization, Nebo Road.

These included, but were not limited to;

- organization wants a day camp and a caretaker’s residence on Lake Watenko. Problem is no road access, although a closed road allowance exists.

Committee noted that while the policies would permit both the use and a caretaker’s residence, problem of road access and inequities regarding provision of road to City by a local farmer.

15. Tom Nugent

Dr. Nugent addressed Committee and expressed his opinion and concerns regarding the proposed Rural Official Plan Policies.

- Dr. Nugent expressed his concerns about the need for the future development of the Twenty Road/Demyk lands near the airport, and why these should go ahead in the near future.
Mr. Mason explained that these lands were being reviewed through the GRIDS process and that GRIDS would be handled separately through a comprehensive amendment.

No other members of the public came forward to address Committee.

On a Motion, Committee agreed to continue beyond the 10:00 pm curfew.

Chair Pearson advised that the Public Meeting portion of tonight’s Agenda was now concluded.

Committee than discussed the issues raised by the public, and had additional clarification supplied by staff. Committee agreed that it would be appropriate to refer the questions raised back to staff, for a more detailed response.

On a Motion by Councillor Whitehead, seconded by Councillor McHattie, Committee approved the following:

That Report PED06207 be received and that staff be directed to review the following matters, as discussed at the Meeting on June 26, 2006, and to report back to Committee at the first meeting in September;

- to research the previous Council position on the Winona Urban Boundary matter, and provide appropriate information regarding the potential need for and implications of a reconsideration of the matter,

- to consider the potential for rounding off the rural Settlement Area of Kirkwall, to include the Walker property and the existing church manse, both to the west of the settlement,

- to consider the potential for rounding out the Greensville Rural Settlement Area by approximately 17 acres, between Brock and Moxley Roads, for commercial/industrial uses and to defer consideration of this area, pending the outcome of the on-going Public Works servicing study.

- to consider deferral of the relevant parts of the SCUBE plan area

- to consider further the status of the Twenty Road area

- and to consider further the questions raised by Councillor McCarthy, including MNR mapping and differences between the existing Flamborough Official Plan Policies and those in the proposed Official Plan.
(d) Adjournment  
(Braden/Bratina)  
On a Motion, Committee adjourned at 10:45 p.m.

Respectfully submitted,

Maria Pearson, Chair  
Planning & Economic Development Committee

Alexandra Rawlings, Co-ordinator  
Planning and Economic Development Committee  
June 26, 2006