The Economic Development and Planning Committee
REPORT 08-009
Tuesday, May 20, 2008
9:30 a.m.
Albion Room, Hamilton Convention Centre
1 Summer’s Lane
Hamilton

Present:
Chair T. Whitehead
Mayor F. Eisenberger
1st Vice Chair M. Pearson
2nd Vice Chair L. Ferguson

Staff Present:
T. McCabe, General Manager – Planning and Development
B. Janssen, P. Mallard, T. Sergi, J. Thompson,
T. Horzelenberg, C. Thomas, G. Macdonald, P. De Iulio,
H. Donnison, M. Hazell, D. Cuming, B. Montgomery, R. Lee
– Planning and Economic Development
T. McKenna - Public Works
A. Zuidema - Legal
A. Rawlings – Co-ordinator, City Clerk’s Office

The Economic Development and Planning Committee Presents
Report 08-009 and Respectfully Recommends:

1. Locke Street Business Improvement Area (B.I.A.) Revised Board of
   Management (PED07125(a)) (Ward 1) (Item 5.1)

That the following individual be appointed to the Locke Street B.I.A.'s Board of
Management:

Heather Coward

Council – May 28, 2008
2. License Agreement - Binbrook Agricultural Society - Binbrook Memorial Hall and City Parkland - Highway 56, former Township of Binbrook, now in the City of Hamilton (PED08116) (Ward 11) (Item 5.2)

(a) That certain premises identified as Parcel “A” on Appendix “A”, attached to Report PED08116, commonly known as the Binbrook Memorial Hall, be licensed to the Binbrook Agricultural Society for the purpose of conducting business meetings, once weekly, for a term of five (5) years from January 1, 2008 to December 31, 2012.

(b) That a portion of the Blackheath Binbrook Lion’s Park, owned by the City, be licensed to the Binbrook Agricultural Society for a period of three days per annum for the purpose of facilitating the Binbrook Agricultural Fair in the years 2008 through to 2012; this parkland is identified as Parcel “B” on Appendix “A”, attached to Report PED08116.

(c) That certain premises identified as Parcel “C” on Appendix “A”, attached to Report PED08116, be licensed to the Binbrook Agricultural Society for the purpose of parking vehicles for a term of five (5) years from January 1, 2008 to December 31, 2012.

(d) That the Real Estate Section of the Economic Development and Real Estate Division of the Planning and Economic Development Department, be authorized and directed to license the subject lands, in accordance with the “Procedural By-law for the Sale of Land”, being By-Law 04-299.

3. Appointment of Municipal Law Enforcement Officers under By-law No. 07-243 (City Wide) (PED08129) (Item 5.3)

That By-law No. 07-243, respecting the addition/replacement of staff members being appointed as Municipal Law Enforcement Officers, pursuant to Section 15(1) of the Police Services Act, R.S.O. 1990, Chapter P.15, and included as entries on Schedule “A” to said by-law, be amended and enacted in the form attached as Appendix “A” to Report PED08129.

4. Hamilton LACAC (Municipal Heritage Committee) Report 08-003 (Item 5.5)

(a) Gore Park, Hamilton

That appropriate staff be informed that the Hamilton LACAC (Municipal Heritage Committee) has requested that Gore park and/or the area surrounding Gore Park be considered for designation, and therefore be directed to recognize the conservation of this heritage property as a key
guiding principle in any future plans, developments or alterations for this area.

(b) 46-52 James Street North

That Heritage staff be directed to prepare a cultural assessment of 46-52 James Street North and present recommendations to the Hamilton LACAC (Municipal Heritage Committee).

(c) Book House, 167 Book Road East, Ancaster

That in the event that the preservation, in situ, of the Book House, 167 Book Road East, Ancaster is not possible, the relocation of the historic building to an appropriate location be supported subject to the completion of a cultural heritage assessment, the designation of the building under Part IV of the Ontario Heritage Act, and the restoration of the building,

5. Agricultural and Rural Affairs Advisory Committee November 29, 2007 (Item 5.6(a))

That the Minutes of the Agricultural and Rural Affairs Advisory Committee, November 29, 2007, be received.

6. Hamilton LACAC (Municipal Heritage Committee) March 27, 2008 (Item 5.6(b))

That the Minutes of the Hamilton LACAC (Municipal Heritage Committee), March 27, 2008, be received.

7. Application to Amend the Hamilton Zoning By-law for Property Located at 1046 Upper Paradise Road (PED08090) (Ward 8) (Item 6.1)

That approval be given to Zoning Application ZAR-08-002, Farzad Karambaksh Owner, for a change in zoning from the “AA” (Agricultural) District, the “D/S-1405” (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified, and the “D/S-1405a” District, Modified, to the “D” (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified, to permit the existing single detached dwelling to remain on the retained portion, and to permit a semi-detached dwelling to be constructed on the severed portion of lands, located at 1046 Upper Paradise Road, as shown on Appendix “A” to Report PED08090, on the following basis:

(a) That the Draft By-law, attached as Appendix “B” to Report PED08090, which has been prepared in a form satisfactory to the City Solicitor, and as amended by
Committee respecting the rear yard setback for the existing dwelling being changed to 4.9 metres, be enacted by Council.

(b) That the proposed change in zoning conforms to the City of Hamilton Official Plan and the Hamilton-Wentworth Official Plan.

8. Application for a Further Modification in Zoning for the Property Located at 346 Park Street West (Dundas) (PED08111) (Ward 13) (Item 6.2)

That approval be given to Zoning Application ZAR-08-019, by 1333644 Ontario Inc. (Mike Valvasori), Owner, for a Temporary Use By-law to permit Firefighting Services as a temporary use within the existing building for a maximum period of two years, on the property located at 346 Park Street West (Dundas), as shown on Appendix “A” to Report PED08111, on the following basis:

(a) That the Medium Density Multiple Dwelling “H-RM2/S-105” Zone provisions applicable to the subject lands be amended in accordance with Section 39 of the Planning Act, R.S.O. 1990, to add firefighting services as a temporary use for a maximum period of two years.

(b) That the draft By-law, attached as Appendix “B” to Report PED08111, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(c) That the amending By-law be added to Schedule “B” of Zoning By-law No. 3581-86.

(d) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and the Dundas Official Plan.

9. Corporate Air Quality & Climate Change Strategic Plan (PED06336(a)) (City Wide) (Item 7.1)

(a) That the Corporate Air Quality and Climate Change Strategic Plan and its recommendations attached as Appendix A to Report PED06336(a) be adopted.

(b) That the Planning and Economic Development Department work with other City Departments and community partners to:

i) Undertake a greenhouse gas emissions inventory to identify strategic opportunities for emission reductions and measure the results of Corporate actions, and cost of these opportunities and refer the matter to the 2009 Budget process.

Council – May 28, 2008
ii) Undertake a community greenhouse gas emissions inventory to identify strategic opportunities for emission reductions and measure the results of community actions.

(c) That the City of Hamilton join the Alliance for Resilient Cities (ARC) to inform and develop City actions in adapting to climate change.

10. 2007 Clean Air Hamilton Progress Report (PED08130) (City Wide) (Item 7.2)

That Report PED08130 respecting the Clean Air Hamilton 2007 Progress report be received for information.

11. Committee of Adjustment - Appeal of Decisions (PED08124) (City Wide) (Item 8.1)

That Report PED08124, Committee of Adjustment – Appeal of Decisions, be received for information.

12. Enhanced Veteran Parking Exemption Program and Ontario Veteran License Plates (PED06157(a)) (City Wide) – Referred from Council on February 15, 2007 (Item 8.2)

(a) That staff be authorized and directed to develop, implement and administer an enhanced parking exemption program respecting Ontario veteran license plate holders residing in Hamilton who Honourably served in World War II or in Korea during the Korean War as a member of the Canadian Armed Forces or as a member of an allied force or in the Merchant Navy or Ferry Command.

(b) That, in accordance with recommendation (a), the subject enhanced parking exemption program shall provide that a single, vehicle specific permit (hereinafter referred to as a “Veteran’s Parking Permit”) may be issued by the City’s Parking and By-law Services Division, on an annually renewable basis, respecting a vehicle registered to any veteran (hereafter referred to as an “eligible veteran”) maintaining a principal residence in Hamilton, who meets the Armed Forces service criteria set out in recommendation (a), who is the holder of a valid Ontario driver’s licence and who has obtained and affixed to a vehicle registered and insured in their name an Ontario veteran licence plate.

(c) That the existing parking regulations under the Municipal Parking Facilities By-law, being By-law No. 01-216, as amended, and the On-Street Parking By-law, being By-law No. 01-218, as amended, be further amended such that:
A vehicle registered to an eligible veteran, to which an Ontario veteran license plate is affixed and upon which is properly displayed a Veteran’s Parking Exemption permit issued by the Parking and By-law Services Division, is exempted from the parking fee requirements in all municipal parking facilities and at all on-street parking meters on any day during which such parking fee requirements would normally be in force and effect, and;

Notwithstanding the display of a Veteran’s Parking Permit, all other parking and stopping regulations, including on-street meter time limit regulations, shall continue to remain in force and effect respecting any vehicle displaying said permit, and;

Each Veteran’s Parking Permit remains the property of the City and as such may be suspended or revoked in cases of abuse or habitual misuse of the Permit (such as counterfeiting or transferring the subject permit to a vehicle respecting which the permit had not been issued), and;

Eligible veterans are entitled to apply for or renew their permits for the balance of their lives, and;

Eligibility with respect to the service requirements set out in recommendations (a) and (b) shall be deemed to have been satisfied upon the presentation to the Director of Parking and By-law Services the applicant’s valid Ontario driver’s licence, a bona fide copy of the applicant’s service record, proof of issuance of an Ontario veteran license plate to the applicant, proof of vehicle registration and vehicle insurance in the name of the applicant and proof of the applicant’s residency, and;

On November 11th of each year, any vehicle exhibiting an Ontario veteran license plate, regardless of whether or not said vehicle displays a “Veteran’s Parking Permit”, shall be exempted from the parking fee requirements in all municipal parking facilities and at all on-street parking meters.

That authority be delegated to the Director of Parking and By-law Services and his successor or designate to execute such agreements and otherwise take such actions and do such things as may be necessary or appropriate to implement and administer the above recommended program.

That a By-law, in the form of Appendix “A” as attached to Report No. PED06157(b), to amend By-law No. 01-216 and By-law No. 01-218, accordingly, be passed and enacted.

That the foregoing recommendations, if approved by the Committee and Council, be communicated to the Royal Canadian Legion, Ontario Provincial Command,
the Hamilton Police Service and the Hamilton Association of Business Improvement Areas.

(g) That the Outstanding Business Item F, entitled “License Plates for Veterans who served in World War II or in [the] Korean War”, referred by Council on February 15, 2007, be deleted from the listing.

13. Amendments to the City of Hamilton Licensing Code By-Law No. 07-170 (PED08117) (City Wide) (Item 8.3)

(a) That the technical and housekeeping changes to the City of Hamilton Licensing By-law No. 07-170, detailed in the proposed amending By-law attached as Appendix ‘A’ to Report PED08117, be approved;

(b) That the proposed amending By-law attached as Appendix ‘A’ to Report PED08117, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

14. Petition from Residents of Elena Court (PED08095) (Ward 8) - Referred from Council on December 12, 2007 (Item 8.4)

(a) That Report PED08095, respecting a petition from residents of Elena Court concerned with the condition of the vacant property on Elena Court, be received for information.

(b) That the item regarding 21 Elena Court, referred from Council on December 12, 2007, be identified as completed and removed from the Economic Development and Planning Committee’s Outstanding Business List.

15. North Waterdown Secondary Plan OPA 109-Silverwood Homes (12.1)

(a) That City Council direct staff to attend the Ontario Municipal Board Hearing to oppose a site specific appeal by Silverwood Homes Limited of the Waterdown North Secondary Plan, as well as Draft Plan of Subdivision application No. 25T200621 and Zoning By-law Amendment application No. ZAC-07-039, for lands located at 111 Parkside Drive, in the former Town of Flamborough, since these proposals are inconsistent with the Council approved Waterdown North Secondary Plan; and,

(b) That City Council consider Zoning By-law Amendment application No. ZAC-07-039 and Draft Plan of Subdivision application No.25T200621 as filed and appealed to the Ontario Municipal Board by Silverwood Homes Limited for lands located at 111 Parkside Drive, in the former Town of Flamborough, as premature,
since the proposals are both inconsistent with the Council Approved Waterdown North Secondary Plan and are premature given the existing road capacity in the Waterdown/Burlington area.

16. Flying J, 1640 South Service Road, Stoney Creek (Item 12.2)

That City Council supports, subject to appropriate stormwater conditions to be identified by the Director of Development Engineering, before the Ontario Municipal Board, a Flying J Travel Plaza, for lands located on the South Service Road, East of Fifty Road, in the former City of Stoney Creek, as reflected in an Official Plan Amendment and site specific Zoning By-law prepared by Planning staff.

17. Waterdown Bay Ltd (Item 12.3)

That City Council support a 250 unit Draft Plan of Subdivision (Phase 1a – 25T200513) and Zoning By-law Amendment (ZAC-05-066) for lands located at 392 Dundas Street East, in the former Town of Flamborough before the Ontario Municipal Board and that staff continue to negotiate with the Parties to the Hearing and report back to Economic Development and Planning Committee in June with respect to a site specific Zoning By-law and Draft Plan of Subdivision Conditions as prepared by Planning staff.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes:

Item 5.4 - Hamilton Downtown Residential Loan Program – Transfer of Loan 118 Market Street, Hamilton is being be pulled from the Agenda today and will be placed on the next Agenda, June 3, 2008

The Agenda for the May 20, 2008, meeting of the Economic Development & Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None at the start of the meeting.

When Item 8.1 was under discussion, Councillor Mitchell declared an interest as his severance application was mentioned in the report.
(c) APPROVAL OF MINUTES (Item 3)

The May 9, 2008 Minutes of the Economic Development and Planning Committee meeting were approved, as presented.

(d) Hamilton Downtown Residential Loan Program – Transfer of Loan 118 Market Street, Hamilton (PED08132/FCS08039) (Ward 2) (Item 5.4)

The Chair confirmed that the subject application had been pulled from the Agenda, and would be considered on June 3, 2008.

(e) Application to Amend the Hamilton Zoning By-law for Property Located at 1046 Upper Paradise Road (PED08090) (Ward 8) (Item 6.1)

A Public Meeting was held.

Chair Whitehead 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 Zoning By-law is passed, 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 Zoning By-law is passed, 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.

On a Motion (Pearson/Ferguson), Committee agreed to forgo the staff presentation.

Cam Thomas explained that there was a minor change to one of the by-law conditions, respecting the rear yard setback of the existing house.

Farzad Karambasch, the applicant, advised that he was satisfied with the staff recommendation.

No members of the public came forward to address Committee on the matter.
Committee approved the staff recommendation, as amended.

(f) Application for a Further Modification in Zoning for the Property Located at 346 Park Street West (Dundas) (PED08111) (Ward 13) (Item 6.2)

A Public Meeting was held.

Chair Whitehead 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 Zoning By-law is passed, 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 Zoning By-law is passed, 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.

Trevor Horzelenberg outlined the report to Committee with aid of a powerpoint presentation. He explained the proposal was a temporary use of the former hydro building, to house the Dundas Fire Station, while their building was being renovated. Mr. Horzelenberg provided details of the proposed temporary use, said that 1 letter and 2 phone calls had been received as a result of the public circulation, and noted that the matter had been reviewed by the Dundas Community Council on April 16, 2008. In addition, he explained that the Fire Department was also planning a community liaison group, and an open day, to introduce their activities to the neighbourhood.

The applicant was not present to address Committee.

Tim Dexter, 5 Brock Street North, Dundas, addressed Committee and expressed his concerns respecting the proposal. Mr. Dexter noted that he owned property on Brock Street. He explained that he and a group of neighbours had previously opposed the light industrial re-zoning for the subject site, four years ago. At that time, there had been two sites under re-zoning application, one for residential and the second for light industrial, on the subject site. Mr. Dexter noted that the residents had wanted a residential zoning on both properties, and had submitted a petition to that effect. However, the building owner had agreed that the subject building would be used as a display centre for the townhouse units to be built on the second site, would clean up the building, and that it would eventually be used
as residential. The neighbours had agreed with this proposal and had therefore not opposed the zoning of the subject site as Holding-Medium Density Residential. Mr. Dexter expressed his concern that the owner had not cleaned up the building, and disappointment that the site was now proposed for a fire station use.

Chief Cunliffe addressed Committee and confirmed that the Fire Department needed a temporary home, while their existing site is being renovated. In response to questions from Councillor Ferguson, he said that the Department was expecting their existing building to be ready within approximately a year, well within the two year temporary use by-law time frame.

Committee discussed the application and staff agreed to discuss the clean-up of the building with the owners.

Committee approved the staff recommendation.

(g) Applications for Approval of a Draft Plan of Subdivision, and Amendments to the Ancaster Official Plan and Zoning By-law No. 87-57, for Lands Located at 625 Garner Road East (Ancaster) (PED08123) (Ward 12) (Item 6.3)

A Public Meeting was held.

Chair Whitehead 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 Amendment and the draft plan of subdivision and before the Zoning By-law is passed, 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 amendment and draft plan of subdivision and before the Zoning By-law is passed, 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 outlined the report to Committee and explained a minor change to the proposed conditions of subdivision approval, a copy of which had been
distributed this morning. The change is to amend condition 24 in Appendix F, respecting the time frame in which the parkette within the subdivision is to be completed.

Mr. Macdonald provided an overview of the proposed development, with the aid of a powerpoint presentation, highlighting details of the road pattern, lot sizes on Kitty Murray Lane, the innovative design of the townhouses fronting on Garner, and proposed traffic calming on Roelfson Drive. He noted that the applicant would be requesting some further changes to the townhouse zoning, respecting increased density and encroachments, and that the townhouse block would be subject to site plan approval.

Tanya McKenna from Public Works provided further details regarding the traffic evaluation of the plan and the surrounding roads. She confirmed that there was presently no need for a traffic signal at Garner Road and Kitty Murray Lane, although there could be a need for a light or a roundabout in future, and that the Fire Department had been consulted on this issue. Ms. McKenna noted that the environmental assessment for Garner Road is expected to be completed in late 2008 or early 2009.

In response from questions from Councillor Ferguson, staff provided the following information:
- staff will discuss the preservation of one or more artifacts from the existing Fairground site, to be displayed in the future park. Staff was provided with Committee’s direction to do this.
- The location of Canada Post superboxes will be made known to future homeowners.
- The traffic assessment for the site has indicated that there is presently no need for a signalized intersection at Garner Road and Kitty Murray Lane.
- The developer will design and build the park, fully intends to complete park prior to occupancy, but cannot guarantee this.

James Webb, the agent, addressed Committee and provided an overview of the proposed development. He highlighted a number of issues, including:
- Mattamy has a wide lot approach, for a better streetscape, a better internal house layout and smaller backyard.
- Mattamy intends to get park built and operational early in process of development of subdivision, but cannot guarantee it will be in place before occupancy.
- Mattamy wish to build some larger lots, 13.1 metres, along Kitty Murray Lane, to provide better compatibility.
- Mattamy is requesting an increase in density for the townhouse block, to permit 85% coverage with 15% landscaping, 2 metre encroachment for the front porches, and 0.7 metre encroachment of the stairs.
- Their traffic study shows that lights at Garner and Kitty Murray are not warranted.
Committee discussed the matter in detail and had additional information supplied by the agent and by staff.

Committee members expressed the following concerns;
- applicant’s last minute request for increased coverage, reduced landscaping and encroachments for the townhouse block
- whether the intersection of Garner and Kitty Murray should be signalized now, or whether the decision should wait until the Garner Road EA is complete; could a roundabout be a viable alternative; is EMS satisfied with an unsignalized intersection; was a commitment made to the residents for the installation of a traffic light.
- Timing of the park completion.

Aaron Wisson, Mattamy Homes, addressed Committee and provided further details about the timing of the park completion. He agreed that Mattamy would be satisfied with an amended condition to require completion within 12 months of registration of the subdivision.

Martin van Oosten, 467 Kitty Murray Lane, addressed Committee and explained his concerns, which included the following;
- speed of cars on Kitty Murray Lane, need for traffic calming
- reduced visibility for traffic on Kitty Murray Lane, due to a crest on the road
- need for signalized intersection at Kitty Murray and Garner to allow safe traffic movements and to allow safe passage of EMS vehicles
- need to integrate proposed development to existing community by opening further road connections.

Chair Whitehead thanked the presenter and suggested he discuss the traffic issues further with Public Works staff.

Brad Mandryk, 67 Stonehenge Drive, Ancaster, addressed Committee and explained he was speaking on behalf of several residents. His concerns included;
- increase in traffic, speed of traffic
- could Moreland be extended later to Southcote?
- Need to consider traffic calming, could speed humps be used?

Morris Coombs, 68 Stonehenge Drive, Ancaster, addressed Committee and expressed his concerns which included the following;
- problems with roundabouts and their safety, prefers 4-way stops
- people parking on Kitty Murray, and other roads, especially in the winter, reducing visibility
- traffic speeds too high, need better police presence.
On a Motion (Ferguson/Pearson), the following amendment was approved:

That condition 24, in Appendix A, be amended, such that the park shall be completed within 12 months of the registration of the subdivision.

Committee then continued their discussion of signalizing the intersection of Garner Road and Kitty Murray Lane, including the need, the potential costs and who should pay.

On a Motion (Pearson/Ferguson), Committee agreed to hear James Webb, the applicant's agent, for a second time.

Mr. Webb advised that his traffic study has confirmed that installation of signals at Kitty Murray and Garner is not warranted, and thus any installation is not Mattamy's responsibility.

Tony Sergi explained that Development Charges pays for warranted signals in their ultimate location, but not for unwarranted ones. He noted that this intersection is well below the warranted level.

On a Motion (Ferguson/McHattie), Committee approved the following amendment;

That a traffic signal be installed at the intersection of Kitty Murray Lane and Garner Road.

Councillors Pearson and Whitehead requested that their opposition be recorded.

Councillor Ferguson requested that staff discuss the matter further with the developer and report back thereafter.

On a Motion (Duvall/Clark), the entire matter was referred back to staff for a report on the developer's new request respecting the townhouse block, and other relevant issues.

Chair Whitehead requested his opposition be noted in the record.

(h) Corporate Air Quality & Climate Change Strategic Plan (PED06336(a)) (City Wide) (Item 7.1)

Brian Montgomery addressed Committee and gave an overview of the report, with the aid of a powerpoint presentation. A copy of the presentation was provided to Committee members.
Committee discussed the presentation, and reviewed the costs involved, and agreed upon a friendly amendment, respecting a future referral to the 2009 Budget process.

Councillor Mitchell requested that, in future, any handouts to Committee should be double-sided to save paper.

(i) 2007 Clean Air Hamilton Progress Report (PED08130) (City Wide) (Item 7.2)

Dr. Brian McCarry, Chair of Clean Air Hamilton, addressed Committee and gave an overview of his report with the aid of a powerpoint presentation. Copies of the report and the presentation were distributed to all Committee members.

Dr. McCarry highlighted the following issues;
- air quality is a major public health issue
- particulate material is a serious health issue, but is one where we have local control
- 50% of Hamilton pollution comes from north-eastern USA
- climate change and air quality are inextricably linked

Dr. McCarry explained that Clean Air Hamilton is included on the City’s website, and the site will be upgraded soon. He thanked the City for their financial contribution. Dr. McCarry explained how the money is leveraged, mainly by partnering with other agencies, to produce an even greater benefit.

Councillor Clark asked about the group’s annual report and financial statements. Committee than gave staff direction to bring forward annual reports, including financial statements.

Committee then discussed the presentation and had further information supplied by staff. Staff noted that the co-ordination of the City’s new street sweepers with the areas of high construction was problematic, but that the matter would be raised again at a future HHHBA Liaison meeting.

Committee received the presentation and the Chair thanked Dr. McCarry and his group for their work.

(j) Committee of Adjustment - Appeal of Decisions (PED08124) (City Wide) (Item 8.1)

Councillor Mitchell noted a conflict of interest respecting this report.

Ray Lee was present to assist Committee with the report.
Committee received the staff report.

(k) **Enhanced Veteran Parking Exemption Program and Ontario Veteran License Plates (PED06157a) (City Wide) – Referred from Council on February 15, 2007 (Item 8.2)**

Marty Hazell was present to assist Committee with the report.

Committee approved the staff recommendations.

(l) **Amendments to the City of Hamilton Licensing Code By-Law No. 07-170 (PED08117) (City Wide) (Item 8.3)**

Marty Hazell was present to assist Committee.

He explained that the changes were minor in nature and did not affect the intent of the by-law.

Councillor Clark asked questions related to bath houses.

Mr. Hazell responded that there were no changes in the by-law respecting bath houses, and that these would not be taken out of the licensing by-law, until they had been dealt with through the zoning process.

Committee approved the staff recommendation.

(m) **Petition from Residents of Elena Court (PED08095) (Ward 8) - Referred from Council on December 12, 2007 (Item 8.4)**

Marty Hazell was present to assist Committee.

Committee approved the staff recommendation.

(n) **Motions (Item 9)**

None.

(o) **Notices of Motion (Item 10)**

None

Council – May 28, 2008
(p) General Information (Item 11)

(i) Urban Braille for New Site Plans- Advisory Committee for Persons with Disabilities Report (No copy) (From Outstanding Business List, due date May 20, 2008 (Item 11.1)

David Cuming advised that a meeting on the matter had been arranged with the ACPD Committee to take place in July. He expected to report back to Committee in October, 2008.

(ii) Proliferation of liquor licences in Westdale area (No copy) (From Outstanding Business List, due date May 20, 2008 (Item 11.2)

Paul Mallard noted that staff is making progress on the issue and will report back in early Fall.

(iii) City of Ottawa, respecting safer Communities and Neighbourhoods Legislation (No copy) (From Outstanding Business List, due date May 20, 2008 (Item 11.3)

Marty Hazell advised that an opinion had been received from Legal, and that staff would be bringing a report to Committee.

(iv) News from the General Manager (no copy) (Item 11.4)

Tim McCabe advised that Thai Memories, on King William Street, had re-opened today.

(v) Pawnbrokers (added item)

Councillor Clark raised the issue of the issuance of proper tickets by pawnbrokers, such that tracking of articles could take place.

Committee directed staff to report back on the issue of pawnbrokers using proper pawn tickets, with serialized numbers, from a book.

(q) North Waterdown Secondary Plan OPA 109 - Silverwood Homes - OMB Appeal (Item 12.1)

Flying J, 33-37 Fifty Church Road, Stoney Creek- OMB Appeal (Item12.2)
Waterdown Bay, Dundas Street, Waterdown-OMB Appeal (Item 12.3)

On a Motion (Ferguson/Clark), Committee moved into Closed Session, at 1:00 p.m., to consider 3 matters pursuant to Section 239 of the Municipal Act, 2001, respecting the following:

(a) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, respecting the Silverwood Homes, Flying J, and Waterdown Bay Appeals to the Ontario Municipal Board.

At 1:25 p.m., on a Motion (Clark/Mitchell), Committee reconvened in Open Session.

Committee then passed a Motion on each of the three items.

(r) ADJOURNMENT (Item 13)

On a Motion, the Economic Development and Planning Committee adjourned at 3:05 p.m.

Respectfully submitted,

Terry Whitehead, Chair
Economic Development and Planning Committee

Alexandra Rawlings, Co-ordinator
Economic Development and Planning Committee
May 20, 2008