Economic Development and Planning Committee
REPORT 08-002
January 15, 2008
9:30 a.m.
Albion Room, Hamilton Convention Centre
1 Summer’s Lane
Hamilton

Present: Chair T. Whitehead
1st Vice Chair M. Pearson
Mayor Eisenberger
Councillors: B. Bratina, B. Clark, S. Duvall, L. Ferguson,
B. McHattie, D. Mitchell and R. Pasuta

Staff Present: T. McCabe, General Manager – Planning and Development
B. Janssen, D. Cuming, P. Mallard, R. Lee, M. Hazell,
T. Sergi, G. Paparella, T. Horzelensberg, J. Spolnik,
C. Plosz, L. Brooks, G. Macdonald, M. Lemstra, C. Thomas,
N. Everson, C. Reid – Planning and Economic Development
A. Zuidema - Legal
A. Rawlings – City Clerk’s Office

THE ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE PRESENTS
REPORT 08-002 AND RESPECTFULLY RECOMMENDS:

1. Election of Second Vice Chair (Item A)

That Councillor Lloyd Ferguson be appointed Second Vice-Chair for 2008 of the
Economic Development and Planning Committee.

2. Demolition Permit – 163 Strachan Street East (PED08002) (Ward 2) (Item 5.1)

That the Acting Director of Building Services be authorized and directed to issue a
demolition permit for 163 Strachan Street East in accordance with By-Law 74-290
pursuant to Section 33 of The Planning Act as amended, subject to the following
conditions:

(a) That the applicant has applied for and received a building permit for a replacement building on this property;

(b) That the said building permit specifies that the replacement building be erected within two years of the demolition of the existing building on this property;

(c) That the said building permit for the replacement building specifies if such replacement building is not erected within the said two year time limit, that the City be paid the sum of $20,000;

(d) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions (including the directions to the City Clerk outlined in sub-section (e)) in a form satisfactory to the Acting Director of Building Services and to the City Solicitor; and,

(e) That if the said replacement building is not erected as required, the City Clerk be authorized to add the said sum, until payment thereof, as a lien or charge upon the property until paid.

3. Demolition Permit – 336-338 Victoria Avenue North (PED08003) (Ward 3) (Item 5.2)

That the Acting Director of Building Services be authorized and directed to issue a demolition permit for 336-338 Victoria Avenue North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.

4. Contractual Parking Enforcement Services for 2008-2012 (PED08004) (City Wide) (Item 5.3)

That the Director of Parking and By-Law Services and/or designate be authorized and directed to execute an agreement with the Canadian Corps of Commissionaires (Hamilton) and any additional documents, in a form satisfactory to the City Solicitor, for the provision of parking enforcement services for 2008 through 2011, with 2012 as an option year at the City’s discretion, in accordance with Billing Rates shown in Appendix “A” to Report PED08004.

5. Ontario Realty Corporation Surplus Land – Project 7795 - Located at North Service Road and Millen Road, Described as Part of Lot 18, BFC, shown as Part 1 on Plan 62R15551 in the Former City of Stoney Creek, now in the City of Hamilton (PED08006) (Ward 10) (Item 5.4)

(a) 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 advise the Ontario Realty Corporation that the City of Hamilton has no interest in acquiring their land located at North Service Road and Millen Road, legally described as Part of Lot 18, BFC, in the former City of Stoney Creek, now in the City of Hamilton, more particularly described as Part 1 on Plan 62R15551, as shown on Appendix “A” to Report PED08006.

(b) 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 advise the Ontario Realty Corporation of the City of Hamilton requirements to the development of the site as contained in the “Relevant Consultation” Section of Report PED08006.

6. Declaration of Surplus Property of City Owned Lands Described as Part of Lot 45 Plan 327, Municipally Known as 216 Burlington Street East (PED08013) (Ward 2) (Item 5.5)

(a) That the subject lands municipally known as 216 Burlington Street East, being composed of Parts 1 & 2 on Plan 62R-17882, registered as Part of Lot 45 on Plan 327, City of Hamilton, subject to a right of way over Part 2 on Plan 62R-17882, comprising an approximate area of 372 square metres (4,004 square feet), attached as Appendix “A” to Report PED08013, be declared surplus to the requirements of the City of Hamilton, in accordance with Procedural By-law for the Sale of Land, being By-law 04-299.

(b) 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 sell the subject lands, at fair market value, in accordance with the “Procedural By-law for the Sale of Land”, being By-Law 04-299.

7. Economic Impact Analysis Flamboro Downs Horse Racing (PED08014) (City Wide) (Item 5.6)

(a) That Report PED08014 respecting Economic Impact Analysis Flamboro Downs Horse Racing, be received for information.

(b) That letters be sent to the Great Canadian Gaming Company, the Ontario Racing Commission, the Ontario Harness Horse Association, the Minister of Agriculture and Food, and the Minister of Government Services, requesting that there be no further reduction in Race Days at Flamboro Downs.
8. **City Wide Secondary Plan Review (PED08017) (City Wide) (Item 5.7)**

   That Report PED08017 respecting City Wide Secondary Plan Review, be received for information.

9. **Letter from West Grey Centre, respecting amendments to Section 36(8) of the Building Code Act (PED08024) (City Wide) (Item 5.8)**

   (a) That the City of Hamilton support the attached resolution marked as Appendix A to Report PED08024, being resolution No. 295-07 of the Municipality of West Grey requesting the Province of Ontario to amend subsection 36(8) of the Ontario Building Code Act, 1992, permitting legal proceedings to commence two years from the date of discovery of a Building Code Act violation.

   (b) That the City of Hamilton forward a letter to the Minister of Municipal Affairs, Buildings and Development Branch with copies to the Ontario Building Officials Association (OBOA) and to the Association of Municipalities of Ontario (AMO), noting the support of Resolution 295-07 of the Corporation of the Municipality of West Grey.

   (c) That Item V from the Economic Development and Planning Committee’s Outstanding Business List be removed.

10. **Licence of the City Lands Known as Part of 700 Woodward Avenue, Hamilton (Licensor) to the Ontario Realty Corporation, Acting as Agent on Behalf of Her Majesty The Queen in Right of Ontario as Represented by the Minister of Public Infrastructure Renewal (Licensee) (PED08025) (Ward 4) (Item 5.9)**

    (a) That a License Agreement between the City of Hamilton (Licensor) and the Ontario Realty Corporation (ORC), acting as agent on behalf of Her Majesty The Queen in Right of Ontario as represented by the Minister of Public Infrastructure Renewal (Licensee), for the City owned lands known as Part of 700 Woodward Avenue, Hamilton, (as shown on Appendix “A” to Report PED08025), comprising an area of approximately .567 hectares (1.4 acres), be approved and completed;

    (b) That the term of the Licence commence on September 1, 2005 and terminate on August 31, 2010 and that upon six (6) months written notice to the Licensor the Licensee shall be entitled to extend the term for a further five (5) years with the same terms and conditions of this Licence, the initial five (5) year term and the five (5) year extension effectively makes this a ten (10) year License Agreement. There shall be no further right of extension beyond the extension of term noted above;
(c) That the Licensee utilizes the subject lands for the current use as a meteorological tower and monitoring station and for no other purpose without the written consent of the Licensor;

(d) That the Licensor and Licensee may cancel this agreement with no penalty upon six (6) months written notice to the other party;

(e) That the Licensee shall pay the annual rent of $500.00 to the Licensor on the first day of September during each and every year of the term of the Licence. The Licensee certifies that the subject lands are licensed for the use of the Crown in Right of Ontario and therefore, not subject to the Goods and Services Tax. The annual Licence fee to be credited to Account #HAMTN 46110-514330.

(f) That the Mayor and City Clerk be authorized and directed to execute the License Agreement in a form satisfactory to Corporate Counsel.

11. Licence of the City Lands Known as Part of 501 Barton Street East, (Woodland Park) Hamilton (Licensor) to the Ontario Realty Corporation (ORC), Acting as Agent on Behalf of Her Majesty The Queen in Right of Ontario as Represented by the Minister of Public Infrastructure Renewal (Licensee) (PED08026) (Ward 3) (Item 5.10)

(a) That a License Agreement between the City of Hamilton (Licensor) and the Ontario Realty Corporation (ORC), acting as agent on behalf of Her Majesty The Queen in Right of Ontario as represented by the Minister of Public Infrastructure Renewal (Licensee), for the City owned lands known as Part of 501 Barton Street East, (Woodland Park) Hamilton (as shown on Appendix “A” to Report PED08026), comprising an area of approximately 533 square feet, be approved and completed;

(b) That the term of the Licence commence on September 1, 2005 and terminate on August 31, 2010 and that upon six (6) months written notice to the Licensor the Licensee shall be entitled to extend the term for a further five (5) years with the same terms and conditions of this Licence, the initial five (5) year term and the five (5) year extension effectively makes this a ten (10) year License Agreement. There shall be no further right of extension beyond the extension of term noted above;

(c) That the Licensee utilizes the subject lands for the current use as an Air Pollution Monitoring Station and related installations and for no other purpose without the written consent of the Licensor;

(d) That the Licensor and Licensee may cancel this agreement with no penalty upon six (6) months written notice to the other party;
(e) That the Licensee shall pay the annual rent of $500.00 to the Licensor on the first
day of September during each and every year of the term of the Licence. The
Licensee certifies that the subject lands are licensed for the use of the Crown in
Right of Ontario and therefore, not subject to the Goods and Services Tax. The
annual Licence fee to be credited to Account No. 46000-444005.

(f) That the Mayor and City Clerk be authorized and directed to execute the Licence
Agreement in a form satisfactory to Corporate Counsel.

12. Response from Hamilton Police Services respecting “thumper cars” – For
   Information only (Item 5.11)

That the response from Hamilton Police Services respecting “thumper cars” be
received.

13. Hamilton LACAC (Municipal Heritage Committee) October 25, 2007 (Item
    5.12a)

That the Minutes of the Hamilton LACAC (Municipal Heritage Committee)
meeting of October 25, 2007 be received.

14. Hamilton LACAC (Municipal Heritage Committee) November 22, 2007 (Item
    5.12b)

That the Minutes of the Hamilton LACAC (Municipal Heritage Committee)
meeting of November 22, 2007 be received.

15. Agricultural and Rural Affairs Advisory Committee April 26, 2007 (Item
    5.12c)

That the Minutes of the Agricultural and Rural Affairs Advisory Committee
meeting of April 26, 2007 be received.

16. Agricultural and Rural Affairs Advisory Committee June 28, 2007 (Item
    5.12d)

That the Minutes of the Agricultural and Rural Affairs Advisory Committee
meeting of June 28, 2007 be received.

17. Agricultural and Rural Affairs Advisory Committee August 23, 2007 (Item
    5.12e)
That the Minutes of the Agricultural and Rural Affairs Advisory Committee meeting of August 23, 2007 be received.

18. **Application to Amend Township of Glanbrook Zoning By-law No. 464 for Lands Located at 1121 Hendershot Road (Glanbrook) (PED08001) (Ward 11) (Item 6.2)**

That approval be given to Zoning Application ZAC-07-068, by Richard Lewis, Agent for P & L Livestock Limited, Owner, for a change in zoning from the General Agricultural “A1” Zone to a modified General Agricultural “A1-233” Zone in order to prohibit residential uses and the use of existing barns for livestock, for a portion of the lands located at 1121 Hendershot Road (Glanbrook), as shown on Appendix “A” to Report PED08001, on the following basis:

(a) That the subject lands be rezoned from the General Agricultural “A1” Zone to the General Agricultural “A1-233” Zone.

(b) That the draft By-law, attached as Appendix “B” to Report PED08001, 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 “C”, of Zoning By-law No. 464.

(d) That the proposed change in zoning conforms to the Hamilton-Wentworth Official Plan and the Township of Glanbrook Official Plan.

19. **Application for a Modification in Zoning for Lands Located at 186 Ferguson Avenue North and 201 Robert Street (Hamilton) (PED08010) (Ward 1) (Item 6.3)**

That approval be given to Zoning Application ZAR-07-051, 1201159 Ontario Limited, owner, for a further modification to the “H-‘H’/S-1569” (Community Shopping and Commercial etc. – Holding) District, Modified, to allow for drive through facilities, in addition to the existing range of permitted uses for the lands located at 186 Ferguson Avenue North and 201 Robert Street, Hamilton, as shown on Appendix “A” to Report PED08010, on the following basis:

(a) That the subject lands be rezoned from the “H-‘H’/S-1569” Community Shopping and Commercial etc. – Holding) District, Modified, to the “H-‘H’/S-1569a” (Community Shopping and Commercial etc. – Holding) District, Modified.
(b) That the Draft By-law, attached as Appendix “B” to Report PED08010, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(c) That the proposed change in zoning is in conformity with the Hamilton-Wentworth and City of Hamilton Official Plans.

20. Application for a Modification in Zoning for Lands Located at 287 Locke Street South (Hamilton) (PED08007) (Ward 1) (Item 6.4)

That approval be given to Zoning Application ZAR-07-056, David Church and Associates, owner, for a further modification to the existing “D/S-1052a” (Urban Protected Residential One and Two Family Dwellings, etc.) District, Modified, to permit the expansion of the existing commercial/residential building, located at 287 Locke Street South, (Hamilton), as shown on Appendix “A” to Report PED08007, on the following basis:

(a) That the subject lands be rezoned from the “D/S-1052a” (Urban Protected Residential One and Two Family Dwellings, etc.) District, Modified, to the “D/S-1052b” (Urban Protected Residential One and Two Family Dwellings etc.) District, Modified.

(b) That the Draft By-law, attached as Appendix “B” to Report PED08007, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(c) That the proposed change in zoning is in conformity with the Hamilton-Wentworth and City of Hamilton Official Plans.

21. City Initiative for a Change in Zoning for Lands Located at 11 and 18 Britannia Avenue (Hamilton) (PED08018) (Ward 4) (Item 6.5)

That approval be given to City Initiative CI-07-O, City of Hamilton, Owner, for a change in zoning from the “G-3” (Public Parking Lots) District to the “G-3/S-1587” (Public Parking Lots) District, Modified, to permit an open-air market (farmers market) on lands located at 11 and 18 Britannia Avenue (Hamilton), as shown on Appendix “A” to Report PED08018, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED08018, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
(b) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan.

22. Applications to Amend the Ancaster Official Plan and Zoning By-law No. 87-57, for Lands Located at 149 Stonehenge Drive (Ancaster) (PED08005) (Ward 12) (Item 6.6)

(a) That approval be given to **Official Plan Amendment Application, OPA-06-30 by Stonehenge Development Limited owner**, to amend Schedule ‘A’, Land Use – Urban Area Plan from “Institutional” to “Residential” and “Open Space”, and Map “1”, Meadowlands Neighbourhood III Secondary Plan from “Institutional” to “Low Density Residential 1” and “Natural Open Space”, of the Town of Ancaster Official Plan, for lands located at 149 Stonehenge Drive (Ancaster), as shown on Schedule “B” and Map 1 to Appendix “B” of Report PED08005, on the following basis:

(i) That the Draft Official Plan Amendment, attached as Appendix “B” to Report PED08005, be adopted by Council.

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement and conforms to the Hamilton-Wentworth Official Plan.

(b) That approval be given to **Zoning By-law Amendment Application ZAC-06-30, by Stonehenge Development Limited owner**, for changes in zoning from the Institutional “I” Zone to the Modified Residential Multiple “RM4-567” Zone and the Conservation Hazard Land “P5” Zone, to permit single detached dwellings on a condominium road for lands located at 149 Stonehenge Drive, shown as Schedule “A” of Appendices “C” and “D” respectively to Report PED08005, on the following basis:

(i) That the draft By-law, attached as Appendix “C” to Report PED08005, as amended by Committee January 15, 2008, respecting lot frontages on Stonehenge, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(ii) That the amending By-law be added to Map 1 to Schedule “B” of Zoning By-law No. 87-57.

(iii) That the draft By-law, attached as Appendix “D” to Report PED08005, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
(iv) That the amending By-law be added to Schedule “A”, Map No. 1284 of Zoning By-law No. 05-200.

(v) That the proposed changes in zoning will be in conformity with the Town of Ancaster Official Plan upon approval of Official Plan Amendment No. __

23. Hamilton Creative City Initiative Phase I Report (PED08027) (City Wide) (Item 5.11)

(a) That Report PED08027 respecting Hamilton Creative City Initiative Phase I Report, be received for information;

(b) That Report PED08027 be forwarded to the General Manager of Community Services for consideration as part of the foundation for the upcoming Cultural Plan process for the City, with a request that steps be taken to ensure that there be no duplication of information gathering respecting those matters already covered by the subject report;

(c) That Report PED08027 be forwarded to Richard Florida, with a respectful request that he read the report, and provide comments back to the City, without fee.

24. Cootes to Escarpment Conservation and Land Management Strategy (Hamilton, Dundas and Flamborough) (PED08009) (Wards 1, 13 & 15) (Item 8.1)

(a) That Report PED08009, respecting the “Cootes to Escarpment Conservation and Land Management Strategy”, be received for information.

(b) That staff’s continued participation in the “Cootes to Escarpment Conservation and Land Management Strategy” be endorsed.

25. Shovel Ready Industrial Lands Initiative Update (PED08028) (City Wide) (Item 8.4)

That Report PED08028 respecting Shovel Ready Industrial Lands Initiative Update, be received for information.

26. Hamilton’s Redevelopment Prioritization Strategy and Recommended Application of Province’s $3 Million Brownfields Contribution (PED08015) (City Wide) (Item 8.5)
(a) That staff be authorized and directed to issue a Request for Proposal to retain a consultant to develop a model (including evaluative criteria) to assess and rank potential brownfield redevelopment opportunities in the City of Hamilton based on municipal best practices and the brownfield redevelopment objectives of the City.

(b) That the consultant be required to identify a minimum of 30 strategic redevelopment sites employing the evaluation model and create a comprehensive property information inventory and potential redevelopment options for each of the 30 sites.

(c) That the consultant identify and prioritize those properties most likely to develop and having the greatest redevelopment value to the City whereby the full capital grant of $3 million received from the Province of Ontario in April 2007 may be utilized to expedite their redevelopment, subject to Council approval of the consultants report and site selection.

(d) That the cost of the consultant shall not exceed $150,000 to be funded from Reserve Account No. 112004 (Brownfields Program Reserve).

27. Appointment of a new member to the Ancaster Village Core Committee
   (Item 9.2)

That Sue Davidson be appointed as a citizen member to the Ancaster Village Core Advisory Committee, for a term commencing immediately, and ending with this term of Council, or until such time as a new Committee is appointed thereafter.

28. 15 Church Street, Ancaster – Appeal by owner of Council’s failure to make a decision on his applications to amend the Official Plan and Zoning By-law
   (Item 12.1)

That City staff be authorized and directed to attend the Ontario Municipal Board Hearing for 15 Church Street in Ancaster commencing February 13, 2008, to oppose the Official Plan and Rezoning appeals by the property owner which propose to permit a commercial use on the subject lands.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes:
Two items referred from Council on January 8, 2007

- Minimum Property Standards for the Maintenance of Heritage Attributes of Designated Properties – added as Item 8.6
- Letter from Adi Irani, President, Hamilton-Halton Homebuilders Association, respecting membership on Economic Development Advisory Committee – Added as Item 8.7

The Agenda for the January 15, 2008, meeting of the Economic Development & Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) APPROVAL OF MINUTES (Item 3)

The December 4, 2007 Minutes of the Economic Development and Planning Committee meeting were approved, as presented

(d) Election of Second Vice-Chair (Item A)

Chair Whitehead requested nominations for the position of Second Vice-Chair. On a Motion (Mitchell/Pearson), Councillor Lloyd Ferguson was nominated. Councillor Duvall nominated Councillor Clark, but Councillor Clark declined to be nominated. Chair Whitehead closed the nominations.

Chair Whitehead then declared Councillor Lloyd Ferguson as the Second Vice-Chair for 2008.

(e) Scott Snider respecting property owned by Paletta International at Second Road East/Ridge Road (Item 4.1)

Committee discussed the request from Mr. Snider to address Committee today, and the need to then consider the matter in Closed Session.

A Motion by Councillor Mitchell, seconded by Councillor Pearson, to hear Mr. Snider today was lost.
On a Motion (Ferguson/Bratina), Committee agreed to hear Mr. Snider on February 5, 2008, and to invite a representative of the NEC to attend the meeting.

(f) Demolition Permit – 336-338 Victoria Avenue North (PED08003) (Ward 3) (Item 5.2)

Committee discussed the subject application. Staff provided background to the application and advised that a building permit could only be required for a residential dwelling, and that it was likely that the property would be assembled with others for a future, non-residential use.

On a Motion (Mitchell/Pearson), Committee agreed to hear from the applicant's agent, Victor Veri.

Mr. Veri addressed Committee and provided information respecting the matter.

Committee approved the staff recommendation

(g) Economic Impact Analysis Flamboro Downs Horse Racing (PED08014) (City Wide) (Item 5.6)

Councillor Pasuta addressed the issue and noted that a provincial review panel had been struck in 2007. He proposed that, due to the importance of the matter to the rural economy, that letters should be sent to the various bodies concerned, requesting no further reductions in race days.

Committee approved the revised Motion.

(h) City Wide Secondary Plan Review (PED08017) (City Wide) (Item 5.7)

Committee discussed the report, and staff provided further information. Staff were requested to send mapping respecting the Secondary Plans identified in the report to the members of Committee. Staff confirmed that the new Official Plan should be ready to present to Committee in Spring 2009.

Committee received the staff report.
Barbara Milne, respecting waiving of planning application fees for 16 Steven Street (Delegation approved by Committee December 4, 2007) (Item 6.1)

Barbara Milne and Gary Santucci addressed Committee regarding this issue. Additional handouts were provided to the Committee. Mr. Santucci provided additional background to the establishment of the Pearl Company, and the difficulties experienced with lending institutions. He explained the positive benefits of the enterprise, for the immediate area and for the Arts Community as a whole.

Committee discussed the matter in detail and had additional information supplied by staff. Staff explained the current situation regarding the property, the precedent which would be set by waiving application fees and the possibility that the required zoning application might not be supportable.

On a Motion (Pearson/Bratina), Committee received the delegation and agreed that Councillors McHattie, Bratina, and Morelli, together with the applicants and staff, would discuss ways of addressing the issues respecting the matter, and report back to Committee thereafter.

Application to Amend Township of Glanbrook Zoning By-law No. 464 for Lands Located at 1121 Hendershot Road (Glanbrook) (PED08001) (Ward 11) (Item 6.2)

A Public Meeting was held.

Chair Whitehead advised the meeting of the following, in accordance with the requirements 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.

Melanie Lemstra outlined the report to Committee.
Richard Lewis, the applicant’s agent, advised that he is satisfied with the staff recommendation.

No members of the public came forward to address Committee.

Committee discussed the matter and asked various questions of staff.

Staff explained that the relevant Provincial policies are now addressing the fact that farming operations are changing, and that the subject rezoning concerns the consolidation of farming operations. The conditions of the rezoning prohibit the construction of further houses on the property, and this approach has been used successfully with previous applications.

Committee approved the staff recommendation.

(k) **Application for a Modification in Zoning for Lands Located at 186 Ferguson Avenue North and 201 Robert Street (Hamilton) (PED08010) (Ward 1) (Item 6.3)**

A Public Meeting was held.

Chair Whitehead noted that an added submission from TDL had been distributed this morning.

Chair Whitehead advised the meeting of the following, in accordance with the requirements 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.

Laurielle Brooks outlined the report to Committee and explained how the subject application was in conformity with a previous OMB Order, respecting the settlement of the Setting Sail plan.
Staff explained that the policies of the Setting Sail plan had prohibited drive-throughs from the entire area, leading to an appeal from TDL. The issue had been settled by permitting drive-throughs in specific areas of the plan, along arterial roads.

James Webb, planner for the applicant, addressed Committee in favour of the application, and explained that it is the redevelopment of a large brownfield site, and that the comments in the TDL letter could be addressed at the Site Plan stage.

No members of the public came forward to address Committee.

Committee discussed the application. Councillor Bratina provided additional background respecting the site and its surroundings, noting that the Hamilton General Hospital is expanding and the area is generally improving. Committee approved the staff recommendation. Councillor McHattie requested that his opposition be recorded.

(l) Application for a Modification in Zoning for Lands Located at 287 Locke Street South (Hamilton) (PED08007) (Ward 1) (Item 6.4)

A Public Meeting was held.

Chair Whitehead advised the meeting of the following, in accordance with the requirements 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.

Laurielle Brooks was present to assist Committee.

The applicant's agent, David Church, advised Committee that he supported the staff recommendation.

No members of the public came forward to address Committee.

Committee approved the staff recommendation.

(m) City Initiative for a Change in Zoning for Lands Located at 11 and 18 Britannia Avenue (Hamilton) (PED08018) (Ward 4) (Item 6.5)

A Public Meeting was held.

Chair Whitehead noted that an additional submission had been received from John Douglas, 3 Britannia Avenue.

Chair Whitehead advised the meeting of the following, in accordance with the requirements 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 and provided details of the proposed relocation of the farmers’ market from Centre Mall to Ottawa Street, and explained that the rezoning is a City Initiative.

He noted that the required Licence Agreement was still pending, but that the terms had been agreed.

Mary Robinson, a farmer, from Flamborough, with a stall at the Centre Mall Farmers’ Market, addressed Committee in strong support of the relocation of the market to Ottawa Street. She noted the importance of the continuation of the market, to consumers and to the farmers who sell their produce there.

Patty Despinic, Executive Director of the Ottawa Street BIA, addressed Committee in favour of the application. Ms. Despinic explained that the market had requested the support of the BIA, and that the BIA had been happy to assist.
She noted that the BIA would provide management for the new Ottawa Street Farmers’ Market.

Sarah Meagens was not present to addressed Committee.

Seeta Narne, 1201-1215 Cannon Street, addressed Committee and requested that the City look into the re-opening of the parking lots near her property, to provide parking for her tenants and their customers.

Staff responded that they would meet with the speaker to discuss the re-opening of one of the closed lots, explaining that the subject lot had been closed due to lack of demand, but that this could be re-assessed.

Shannon Paletta, 966 Garth Street, addressed Committee on behalf of several market vendors in favour of the application and explained her strong support, as a consumer, for the continuation of the market.

Ms. Paletta explained that she and her family had been customers of the Centre Mall market for many years and that she wished to continue this tradition at the new Ottawa Street location.

Committee discussed the application and directed traffic staff to review the traffic and pedestrian safety issues raised respecting Britannia Avenue, including the use of speed bumps, line painting and erection of additional signage.

Mayor Eisenberger congratulated everyone involved in the process of the relocation of the market, including Ossington, the Mall operators, who had provided resources to assist the process. He noted his long association with the market, originally as a vendor, and expressed his satisfaction that the market was being successfully relocated.

Councillor Pasuta noted that he had been involved as a member of the market re-location Committee and that the process had been very positive.

Chair Whitehead noted the positive involvement of the Ward Councillor, Councillor Merulla, and his efforts in getting the process of the market re-location started.

Committee approved the staff recommendation.

Applications to Amend the Ancaster Official Plan and Zoning By-law No. 87-57, for Lands Located at 149 Stonehenge Drive (Ancaster) (PED08005) (Ward 12) (Item 6.6)

A Public Meeting was held.
Chair Whitehead advised the meeting of the following, in accordance with the requirements of 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.

Cam Thomas was present to assist Committee.

Staff explained that there was a minor mapping change to Schedule C, and that this would be amended before the by-law was presented to Council.

Sarah Knoll, Starward Homes, advised Committee that she was in support of the staff recommendation.

No members of the public came forward to address Committee.

Committee discussed the application.

Councillor Ferguson noted that tree preservation had been an issue but that an agreement that fewer trees would be removed had now been reached. He requested that all possible efforts be made to preserve a large walnut tree. Councillor Ferguson noted that the applicant had offered to install a hedge to shield three properties where concerns had been raised respecting headlight intrusion, if the owners of the three properties in question requested this.

Councillor McHattie requested clarification respecting the width of the buffer adjacent to the ESA. Staff explained that the buffer had been fixed at 10 metres, following detailed discussions with the Conservation Authority and City planning staff. Councillor McHattie agreed to discuss the buffer issue with staff, after the meeting.

Committee approved the staff recommendation, with the amendment to Schedule C, as noted by staff.

(o) Applications for Approval of a Draft Plan of Subdivision, "Ardleigh Heights", and for a Change in Zoning for the Property Located at Part of Lot 8, Concession 7 (North Side of Stone Church Road East Between Upper Sherman Avenue and Rambo Street) (Hamilton) (PED08016) (Ward 7) (Item 6.7)

A Public Meeting was held.

Chair Whitehead advised the meeting of the following, in accordance with the requirements 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 draft
plan of subdivision, or passes 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.

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 in respect of the proposed plan of subdivision before the
approval authority gives or refuses to give approval to the draft plan of
subdivision, or passes the zoning by-law, 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 the history of
the site. He noted that the site had originally been purchased for a library, in
1992, but due to a change in the library location, the site had been rezoned for
housing and sold in 2005.

Mr. Macdonald noted that several letters had been received from area residents,
expressing concerns including increased density, tree preservation and traffic
and safety issues. He explained that the proposed rezoning would allow two lots
beyond the number approved in 2005, and noted that this density already existed
in the neighbourhood.

Committee asked staff questions including:
- the number and size of lots
- intensification and the GRIDS process
- compliance or conformity with Provincial policy statements
- why the zoning was not changed to R4 in 2005.

Staff explained that conformity with Provincial Policy Statements is essential in
making recommendations on all applications, that intensification opportunities are
a factor in the consideration of all residential applications, and that the rezoning
in 2005 was in order to place a residential zoning on the property, pending the
receipt of an application and its detailed review. In addition, Mr. McCabe noted
that the introduction of the new Official Plan would include further policies on
intensification.

James Webb, planner for the applicant, addressed Committee in support of the
application. He explained the need for intensification in residential areas and
noted that a large number of items needed to be weighed and considered before
any recommendation is made on any application, including compatibility with existing development.

John Thomas, a neighbour, addressed Committee and explained that while he had agreed with the original plan, showing 13 lots, adding a further two was unacceptable and would devalue the properties on Ardleigh.

Rob McConnell, 586 Rexford, noted his concerns about the intensification of the area, the potential of increased traffic cutting through to Stone Church and the potential danger to children and other pedestrians.

Laura Rogers, 586 Rexford, addressed Committee and explained that when she had purchased her property in November, 2007, she was advised that the subject area would be developed as a cul-de-sac. She noted her opposition as well as the opposition of all her neighbours, to the through street and to the intensification.

Ms. Rogers noted concerns about traffic using the new street as a shortcut to Lime Ridge Mall, the dangers to pedestrians and to increased traffic congestion, and advised that she preferred the cul-de-sac proposal, which would address the neighbours’ issues.

Robert Meunier, 574 Rexford, addressed Committee and explained his concerns about the proposal. These included, but were not limited to;

- already have 7 access points to Randall Neighbourhood, all of which designed to handle in/out traffic, but this proposed road has not been similarly designed to reduce the number of access driveways, and so problems would result.
- Concern about on-street parking/congestion/pedestrian safety
- Future use of new street as shortcut for traffic, and difficulties as new street is narrower than other access streets
- Intensification would cause further problems.

Mr. Meunier submitted a copy of his remarks for the public record.

Committee members discussed the issue in detail, and had additional information supplied by staff. Staff advised that the new street had always been envisaged as connecting through to Stone Church.

On a Motion (Ferguson/Duvall), Committee declared that the Public Meeting had been concluded and deferred consideration of the application to the next regular meeting of February 5, 2008, with direction that the Ward Councillor would meet with the applicant, neighbours and staff, to review the issues raised and try to reach an acceptable compromise.
Hamilton Creative City Initiative Phase I Report (PED08027) (City Wide) (Item 5.11)

Jeremy Freiberger addressed Committee in support of the subject report, which his group had commissioned. He outlined some of the highlights in the report and noted that nothing of this kind had been undertaken in Hamilton before, and that the methodology had been based on similar reports done for various other North American and UK cities. Mr. Freiberger explained that the creative arts community forms an important and increasing part of the economy of Hamilton, providing numerous jobs, as well as attracting capital and tourists to the City. He suggested that the report form part of the foundation for the City’s cultural process and review, and requested that the cultural cluster be linked with the Economic Development area, rather than recreation or land-use, in future City reports and when the issues are being discussed.

Sonjia Macdonald addressed Committee and explained some of the methodology of the report.

Committee discussed the report and presentation and passed a Motion that the report should be forwarded to the Culture Section of Community Services, and that a copy also be sent to Richard Florida.

15 Church Street, Ancaster (Item 12.1)

On a Motion (Pearson/Ferguson), Committee moved into Closed Session, at 12:55 pm, pursuant to Section 8.1, Sub-section (e) of the City’s Procedural By-law 03-301, and Section 239 of the Ontario Municipal Act, to consider a matter relating to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and labour negotiations.

On a Motion (Ferguson/McHattie), Committee resumed in Open Session at 1:30 pm.

Committee then passed a Motion respecting the item.

Cootes to Escarpment Conservation and Land Management Strategy (Hamilton, Dundas and Flamborough) (PED08009) (Wards 1, 13 & 15) (Item 8.1)

Cathy Plosz was present to assist Committee.

Committee approved the staff recommendation.

Application for a Certificate of Approval (Waste Disposal / Processing / Transfer Station) Ministry of Environment Reference 4713-72FJAD, 217, 221 and 223 Lottridge Street and 103 Clinton Street (PED08012) (Ward 3) (Item 8.2)

By Motion (Mitchell/McHattie), Committee agreed to hear from the applicant’s agent.

Tony Pingue, the agent for the applicant, addressed Committee and provided an overview of the proposal. He confirmed that the neighbourhood had been circulated with details of the application and gave an overview of the types of material proposed to be handled at the subject property.

Mr. Pingue explained that the waste is received from building sites and is non-putrescible, but the application has been made to allow for the possibility that some other types of garbage may inadvertently get thrown into the company’s containers. He noted that this does happen and he had taken advice from other operators in the industry on the wording used in the application form. Mr. Pingue noted that he had contacted Councillor Morelli about the application but that Councillor Morelli had not indicated support or opposition for the application.

Committee discussed the application. Councillor Clark noted that he could not support another application for a waste transfer station, and expressed concerns about the numbers of this type of application which were coming forward.

Stan Holiday was asked to give a short overview of the proposal.

Councillor McHattie proposed that Committee receive a presentation on the overall waste transfer industry in the City. Tim McCabe said Committee had previously requested this, and that staff could bring an update to a future meeting.

On a Motion (Clark/Pearson), consideration of the application was deferred to the February 5, 2008 meeting, to allow input from the Ward Councillor. Staff was also directed to communicate the Committee’s position on the matter to the MOE, with a request that any issuance of a certificate of approval should be held until the City has finalized its comments.

Outstanding Business Item K: Review of Timing of Decisions for Applications Considered at Public Meetings (PED08029) (City Wide) (Item 8.3)
Councillor Clark noted that there were two relevant items on the Outstanding Business List, one to review the timing of decisions and the second to hold a public meeting to obtain input from the public on how planning public meetings should be conducted.

Committee then approved the following:

(McHattie/Clark)
(a) That staff report PED08029, and the previous staff report PED03105 be referred to a special evening meeting of the Economic Development and Planning Committee, to seek public input on the planning process used for public meetings pursuant to the Planning Act;

(b) That staff be authorized and directed to arrange the meeting, following the conclusion of the 2008 Budget process, and to place appropriate advertising in local newspapers and on the City website.

(u) Shovel Ready Industrial Lands Initiative Update (PED08028) (City Wide) (Item 8.4)

Guy Paparella provided an overview of the report, with the aid of a powerpoint presentation.

Mr. Paparella highlighted the fact that Hamilton has only 285 acres of shovel-ready land, while a City of this size should have a significantly higher amount. He explained that it was vital that the City move forward with a strategy to bring more land into this position over the next two years.

Committee discussed the issues and had further information supplied by staff.

Committee received the staff report and thanked Mr. Paparella and Mr. McCabe for their work on this important matter.

(v) Hamilton's Redevelopment Prioritization Strategy and Recommended Application of Province's $3 Million Brownfields Contribution (PED08015) (City Wide) (Item 8.5)

Carolynn Reid provided an overview of the staff report. Tim McCabe explained that the Historical Land Use Study is now being completed and will be presented to Committee on March 18, 2008. This data will be provided to the consultant, and the proposed study will then take 6-9 months to complete, and will identify the best sites to move forward with.
Ms. Reid explained that the Federal government is now working with FCM respecting brownfield sites and thus there may be further brownfields initiatives coming forward.

Tim McCabe confirmed that there was no deadline for the City to spend the $3 million received from the Province for brownfields and that staff is keeping the Province aware of our progress. He added that there may be additional money forthcoming in future, but that it is not a matter of applying for a formal grant.

Committee approved the staff report.

(w) **Minimum Property standards for the Maintenance of Heritage Attributes of Designated Properties (Item 8.6) (Referred from Council on January 9, 2008)**

The Clerk confirmed that the Motion passed by Council on January 9, 2008, together with the staff report considered in September, 2007, had been distributed to Committee this morning.

Committee decided that the matter should be placed on their Agenda for consideration on February 5, 2008.

(x) **Correspondence from Adi Irani (Item 8.7) (referred from Council on January 9, 2008)**

On a Motion, Committee referred the letter to the Hamilton Civic Coalition, for their consideration.

(y) **Review of Potential for a Hamilton Natural Areas Protection Fund (Item 9.1)**

Councillor McHattie provided background information to his Motion.

(McHattie/Pearson)

Whereas, other municipalities such as Halton, Niagara and York have established municipal natural areas protection funds, and;

Whereas, there is an on-going need to protect natural areas such as wetlands and forests that provide important ecosystem services to Hamilton such as water storage and filtration, carbon storage, air purification, and biodiversity protection, and

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Whereas, the establishment of a natural areas protection fund may provide the City with an opportunity to leverage funds from non-governmental organizations such as the Nature Conservancy of Canada.

Now Therefore Staff be directed to research different municipal models for establishment of a Hamilton Natural Areas Protection Fund and report back to the Economic Development and Planning Committee.

CARRIED

(z) Appointment of a new member to the Ancaster Village Core Committee (Item 9.2)

Councillor Duvall introduced the matter, as Councillor Ferguson had been required to leave for another meeting, and the Motion was passed.

(aa) Proposed extension of Downtown Hamilton CIP area (Item 9.3)

Councillor McHattie spoke to his Motion.

(McHattie/Duvall)
Whereas the Hamilton Downtown Community Improvement Plans (CIP) have been very successful in attracting development to the downtown precinct, and;

Whereas, currently both sides of James Street are covered by the Hamilton Downtown CIP program, and

Whereas, a good planning argument can be made to encourage development on both sides of all streets covered in the Hamilton Downtown CIP boundary, namely Queen, Hunter, Cannon, and Victoria;

That staff be directed to review expanding the Hamilton Downtown CIP boundary to include both sides of the boundary streets, namely Queen, Hunter, Cannon, and Victoria, and to report back to Committee thereafter

CARRIED

(bb) Notice of Motion (Item 10)

None

(cc) News from the General Manager (Item 11.1)
Tim McCabe updated Committee on several items.

Mr. McCabe noted that following the discussion at COW, he had attended and made a presentation at the Hamilton-Wentworth School Board, where he had encouraged the Board to consider a much larger area and concept for the future development of their site. He noted that the Board was appreciative of the City's input, and that discussions would continue.

Mr. McCabe updated Committee respecting the new positions in Economic Development and the filling of the remaining three Manager positions in Planning. He advised that the Building Services Operations Review has now been completed.

(dd) ADJOURNMENT (Item 13)

There being no further business, 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
January 15, 2008