Planning and Economic Development Committee
REPORT 06-006
April 18, 2006
9:30 a.m.
Council Chambers
Hamilton City Hall

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

Also Present: Councillors B. Morelli, A. Samson

Absent: Councillor M. Ferguson – illness

Staff Present: G. Peace, City Manager
L. Coveyduck, General Manager - Planning and Development
T. McCabe, P. Mallard, T. Sergi, K. West, S. Deiaco,
S. Murray, D. Falletta, S. Holiday, P. Moore - Planning and Development
E. Switenky – Traffic
N. Everson, N. Sheehan – Economic Development
T. Redmond - Building
A. Rawlings – City Clerk's Office

THE PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE PRESENTS REPORT 06-006 AND RESPECTFULLY RECOMMENDS:

1. Appointment of Animal Control Officers for the City of Hamilton (PED06117) (City Wide)(Item 5.1)

That the By-law attached to Report PED06117 to amend City of Hamilton By-law No. 01-084 to Appoint Animal Control Officers for the City of Hamilton be approved.

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2. **Demolition Permit – 435 Nebo Road (PED06113) (Ward 6)(Item 5.2)**

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 435 Nebo Road in accordance with By-Law 74-290 pursuant to Section 33 of the Planning Act as amended.

3. **Recommendation to Designate 140 Erie Avenue, Hamilton, Under Part IV of the Ontario Heritage Act (PED06123) (Ward 2)(Item 5.3)**

(a) That the designation of 140 Erie Avenue, as a property of cultural heritage value pursuant to the provisions of Part IV of the Ontario Heritage Act, 1990, be approved.

(b) That the Statement of Cultural Heritage Value and Description of the Heritage Attributes, attached as Appendix A to Report PED06123, be approved.

(c) That the City Solicitor be directed to take appropriate action to designate 140 Erie Avenue, under Part IV of the Ontario Heritage Act, in accordance with the Notice of Intention to Designate, attached as Appendix B to Report PED06123.

4. **Commercial Heritage Improvement and Restoration Program (CHIRP) 2005 (PED06121) (Wards 2 and 12)(Item 5.4)**

(a) That a conditional grant agreement be issued within the terms of the Commercial Heritage Improvement and Restoration Program (CHIRP) for three restoration projects identified in Appendix ‘A’ to Report PED06121.

(b) That the applicants be notified that their property taxes must be paid in full prior to any grant monies being advanced for completed work and that no grant funds will be paid out until the condition is met and, if the property taxes are not paid in full within one year of the date of the Letter of Understanding entered into between the City of Hamilton and the applicant, that the grant offer will be considered void and withdrawn.

(c) That the grant portion for the three projects, in the total amount of $40,480.87, be funded from Capital Project Account 8300408100.

(d) That the Director of Development and Real Estate be authorized and directed to approve increases/decreases to the individual grant amounts approved as long as the overall grant portion for each individual grant does not exceed $20,000 and said grant is in accordance with all program requirements.
(e) That the Director of Development and Real Estate be authorized to approve a maximum extension period of ninety days to the applicants for the completion of the work, over and above the one year period that the applicants are given, which commences the date Council approves the grant.

(f) That staff be authorized and directed to prepare and execute a Letter of Understanding with the applicants, with such Letter of Understanding being in a form satisfactory to the City Solicitor.

5. Application for a Change in Zoning for Lands Located at 1896 8th Concession Road West (Flamborough) (PED06112) (Ward 14)(Item 6.1)

That approval be given to **Zoning Application ZAR-05-123, John and Mary Watson, owner**, for a modification to the Agricultural “A” Zone to add a cemetery as an additional permitted use for the lands located at 1896 8th Concession Road West (Flamborough), as shown on Appendix “A” to Report PED06112, on the following basis:

(a) That the subject lands be rezoned from the Agricultural “A” Zone to a modified Agricultural “A-80” Zone.

(b) That the draft By-law, attached as Appendix “B” to Report PED06112, 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 Official Plan and the Town of Flamborough Official Plan.

6. Application for a Change in Zoning for Lands located at 35 Pine Street (Hamilton) (PED06116) (Ward 1)(Item 6.2)

That approval be given to **Amended Zoning Application ZAR-05-104, Leona Dicenzo, owner**, for a modification to the “D” (Urban Protected Residential – One and Two Family Dwellings, etc.) District to permit a restaurant, not including a restaurant with a liquor license, with a maximum capacity of thirty persons, within the existing building and expansions thereto, for lands located at 35 Pine Street (Hamilton), as shown on the attached map marked as Appendix “A” to Report PED06116, on the following basis:

(a) That the subject lands be rezoned from the “D” (Urban Protected Residential – One and Two Family Dwellings, etc.) District to the “D” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified.
(b) That the Draft By-law, attached as Appendix “B” to Report PED06116, 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 Official Plan and the City of Hamilton Official Plan.

(d) That upon finalization of the implementing By-law, the Kirkendall North Neighbourhood Plan be amended by changing the designation of the subject lands from “Single and Double” Residential to “Commercial & Low Density Residential”.

7. Application for Approval of a Draft Plan of Condominium Conversion for Lands Located at 86 Herkimer Street and 260 Bay Street South, Hamilton (PED06114) (Ward 2)(Item 6.3)

That approval be given to Condominium Conversion Application CDM-CONV-05-04, 1407912 Ontario Inc., (Douglas McKerlie), owner, to establish a Draft Plan of Condominium for twenty-three residential units within the existing buildings located at 86 Herkimer Street and 260 Bay Street South (Hamilton), as shown on the attached map marked as Appendix “A” to Report PED06114, subject to the following conditions:

(a) That this approval apply to the plan prepared by A.T. McLaren Limited, and certified by S.D. McLaren, O.L.S., dated December 8, 2005, attached as Appendix “B” to Report PED06114.

(b) That the following standard conditions from Appendix “B” of Report PD01184 - Streamlining and Harmonization of Subdivision, Condominium and Part-Lot Control Approvals and Administration Process shall apply:

(i) Development Planning and Engineering Conditions - No. 16 and,

1. That the Owner shall submit a report in accordance with Section 9(4) of The Ontario Condominium Act, 1998, prepared and certified by a qualified Registered Professional Engineer or Licensed Architect, to the satisfaction of the Chief Building Official of the City of Hamilton, to confirm the structural and mechanical integrity of the building and any Owner initiated measures required to correct any deficiencies prior to the release of the final plan for registration.

2. That the owner pays all outstanding municipal taxes, to the satisfaction of the Corporate Services Department (Tax Administration/Banking Section).

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(ii) Traffic Engineering and Operations

1. That the applicant/owner enter into an encroachment agreement with the City of Hamilton, to the satisfaction of the Supervisor, Traffic Engineering and Operation Section, Public Works Department.

8. Applications for an Official Plan Amendment and a Change in Zoning for the Property Located at 170 Dewitt Road (Stoney Creek) (PED06115) (Ward 10) (Item 6.4)

(a) That approval be given to the application by **Homes by DeSantis (Grimsby) Inc., owner**, for Official Plan Amendment No. ____, for a change in designation from “General Commercial” to “Medium Density Residential” on Schedule “A1” – Western Development Area Secondary Plan, by redesignating the subject lands from “General Commercial” to “Medium Residential” for the property located at 170 Dewitt Road, in the Westmeria Neighbourhood (Stoney Creek), as shown on Appendix “A” to Report PED06115.

(b) That approval be given to **Zoning Application ZAC-05-130, by Homes by DeSantis (Grimsby) Inc., owner**, for a change in zoning from the General Commercial “GC” Zone to a site-specific Multiple Residential “RM3” Zone, to permit fifty-six townhouse dwellings on the lands located at 170 Dewitt Road (Stoney Creek), as shown on Appendix “A” to Report PED06115, on the following basis:

(i) That the draft By-law, attached as Appendix “D” to Report PED06115, 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 Schedule “A”, Map No. 7, of Zoning By-law No. 3692-92.

(iii) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the Official Plan of the City of Stoney Creek upon finalization of proposed Official Plan Amendment No. ___.

(iv) That upon finalization of the implementing By-law, the Westmeria Neighbourhood Plan be amended to reflect the change in designation from “General Commercial” to “Medium Density Residential”.

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9. Applications for Amendments to the Hamilton-Wentworth Official Plan, the Glanbrook Official Plan and the Glanbrook Zoning By-law, for the Lands Known as 1885 - 1893 Upper James Street (Highway No. 6) (Glanbrook) (PED06119) (Ward 11)(Item 6.5)

(a) That approval be given to **Regional Official Plan Amendment Application ROPA-05-05, KIA of Hamilton, owner**, for Regional Official Plan Amendment No.______, to the Hamilton-Wentworth Official Plan, on the lands municipally known as 1885-1893 Upper James Street (Highway No.6), as shown on Appendix “A” to Report PED06119, on the following basis:

   (i) That Map No. 1, Regional Development Pattern, be amended to add the lands known as 1885-1893 Upper James Street (Highway No.6) to Special Policy Area 4.

   (ii) That Subsection C.3.1.4, “Airport Business Park”, be amended by revising Policy C.3.1.4.5 to include the lands known as 1885-1893 Upper James Street (Highway No.6).

(b) That approval be given to **Official Plan Amendment Application OPA-05-23, KIA of Hamilton, owner**, for Official Plan Amendment No.______, to the Official Plan for the former Township of Glanbrook, on the lands municipally known as 1885-1893 Upper James Street (Highway No.6), as shown on Appendix “A” to Report PED06119, on the following basis:

   (i) That Subsection B.2.4.14 be amended by adding reference to a motor vehicle dealership and motor vehicle repair shop being an additional permitted use on the lands known as 1885-1893 Upper James Street and on appropriate private sewage and storm systems only until such time as municipal sanitary sewers and storm drainage systems are available.

(c) That approval be given to **Zoning Application ZAC-05-121, KIA of Hamilton, owner**, for a change in zoning to Zoning By-law No. 464 for the former Township of Glanbrook, from the Airport Related Commercial “C5-090” Zone to the Airport Related Commercial “C5-211” Zone, in order to add motor vehicle sales and services as an additional permitted use, on the lands municipally known as 1885-1893 Upper James Street (Highway No.6), as shown on Appendix “A” to Report PED06119, on the following basis:

   (i) That the draft By-law, as amended by Committee on April 18, 2006, to remove the requirements for H Holding zone provisions, attached as Appendix “B” to Report PED06119, 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 Schedule “E” of Zoning By-law No. 464.
(iii) That the proposed change in zoning will be in conformity with the Hamilton-Wentworth Official Plan and with the Glanbrook Official Plan upon approval of Regional Official Plan Amendment No. ________ and Official Plan Amendment No. ________.

10. Shipping Container Industry

(a) That the City of Hamilton endorse and support the introduction of the container shipping industry to the Port of Hamilton.

(b) That representatives from the Port Authority be invited to speak to Committee on the progress of introducing this new industry to Hamilton.

11. Application for a Change in Zoning for the Property Located at 709-715 Main Street East and 104 Sherman Avenue South (Hamilton) (PED06068) (Ward 3) (Tabled from March 7, 2006, pending review with Ward Councillor) (Item 8.1)

That approval be given to Zoning Application ZAC-05-91, BRW Management Group Ltd., owner, for a change in zoning from the “H” (Community Shopping and Commercial, etc.) District, to the “E” (Multiple Dwellings, Lodges, Clubs, etc.) District, to permit three existing multiple residential buildings to remain on conditionally approved severed parcels of land, for the property located at 709-715 Main Street East and 104 Sherman Avenue South (Hamilton), as shown on Appendix “A” to Report PED06068, on the following basis:

(a) That the Draft By-law, attached as Appendix “B” to Report PED06068, which has been prepared in a form satisfactory to the City Solicitor be forwarded to City Council for enactment.

(b) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan.
12. City of Hamilton 2014 Commonwealth Games - Post Bid Report (PED06125) (City Wide)(Item 8.2)


b) That Sport Canada be requested to conduct an independent, formal review of the domestic bid process for the 2014 Commonwealth Games.

c) That the 2014 Commonwealth Games Bid Committee, through Tourism Hamilton, be directed to request a meeting with Ontario Minister of Health Promotion to share learning from both the bid and bid de-brief processes.


(a) That the existing Parking Facilities Services Agreement between ParkSmart Inc. and the City of Hamilton not be renewed or otherwise extended beyond October 31, 2006.

(b) That City staff be authorized and directed to take such action as is necessary and/or appropriate to assume and manage the delivery of all municipal parking operations and enforcement in the former Town of Dundas (Ward 13), effective November 1, 2006.

(c) That the one-time Capital cost associated with delivering the municipal parking operations and enforcement services in the former Town of Dundas, estimated to be no more than $275,000, be financed as set out as follows:

(i) Firstly, from the HMPS 2006 Operating surplus, if any;

(ii) Secondly, from the Planning and Economic Development Department’s 2006 Departmental Operating surplus, if any; and,

(iii) That any shortfall be financed from the Unallocated Capital Levy Reserve (108020) with repayment being made to said reserve from the Hamilton Municipal Parking System (HMPS) Operating Budget, commencing in 2007.
14. **Proposed "No Parking" Regulation on the west side of Cross Street, north of Park Street, in front of St. Paul's United Church, Dundas (PED06118/PW06046) (Ward 13)(Item 8.5)**

(a) That a “No Parking Anytime” regulation be implemented on the west side of Cross Street from Park Street to a point 44 metres northerly therefrom.

(b) That the by-law attached as Appendix “A” to Report PED06118/PW06046 to amend the City of Hamilton Parking By-law 01-218 be passed and enacted.

15. **Brownfield Pilot Project Fund (PED06103) (City Wide) (Added Item 8.6)**

(a) That the Grand Connaught Development Group Inc. be approved for funding under the Municipal Acquisition and Partnership Program (MAPP - Brownfield Pilot Project) in the amount of $229,500.

(b) That the $229,500 be charged to Brownfield Capital Account #3620155102 which is funded from the 20% portion of increased assessment Environmental Remediation and Site Enhancement (ERASE) tax rebates.

(c) That this grant be conditional on the Grand Connaught Development Group Inc. securing and placing the Five Diamond Hotel brand in the 112 King Street East property.

**FOR THE INFORMATION OF COUNCIL:**

(a) **Changes to the Agenda**

At the start of the meeting, the Clerk advised of the following changes to the Agenda:

(i) addition of two delegation requests, to address Committee at future meetings (Added as Items 4.2 and 4.3)

(ii) addition of the Brownfield Pilot Project (PED06103), which was referred back from Council on April 12, 2006.

Committee approved the Agenda, as amended.
(b) Declarations of Interest

None

c) Vince Mauceri, ParkSmart Inc., respecting Municipal Parking Operations and Enforcement in the Former Town of Dundas (PED06124) (Ward 13), Item 8.3 on this Agenda

Committee approved the delegation, and agreed that Mr. Mauceri would speak today, on Item 8.3.

d) Angelo Bonitatibus, respecting grading and flooding at SanDiego Court, Ward 8 (Added Item 4.2)

Committee approved the delegation to speak at a future meeting.

e) Alexander Tabakoff, 100 Nellida Crescent, respecting parking and enforcement issues on Nellida Crescent (Added Item 4.3)

Committee approved the delegation to speak at a future meeting.

(f) Recommendation to Designate 140 Erie Avenue, Hamilton, Under Part IV of the Ontario Heritage Act (PED06123) (Ward 2)(Item 5.3)

Councillor Bratina advised Committee that the designation was a positive step in the recognition of the heritage value in this area.

Committee approved the staff recommendation.

(g) Application for a Change in Zoning for Lands Located at 1896 8th Concession Road West (Flamborough) (PED06112) (Ward 14)(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.
Simon Deiaco was present to assist Committee.

Councillor Braden advised that the applicant supported the staff report and there was no opposition in the community.

No members of the public came forward to address Committee on the matter.

Committee approved the staff recommendation.

(h) Application for a Change in Zoning for Lands located at 35 Pine Street (Hamilton) (PED06116) (Ward 1)(Item 6.2)

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.

David Falletta outlined the report to Committee and explained that staff is now recommending that the by-law proceed to Council as staff has confirmed there was no need for a servicing plan.

Leona DiCenzo advised Committee that she was satisfied with the staff recommendation.

No members of the public came forward to address Committee on the matter.

Committee discussed the issue and Councillor McHattie noted that the proposed expansion would bring two new parking spaces to this busy area.

Committee approved the staff recommendation, as amended.

(i) Application for Approval of a Draft Plan of Condominium Conversion for Lands Located at 86 Herkimer Street and 260 Bay Street South, Hamilton (PED06114) (Ward 2)(Item 6.3)

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.

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Shannah Murray outlined the report to Committee.

James Webb, the applicant’s agent, advised Committee 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 report.

(j) Applications for an Official Plan Amendment and a Change in Zoning for the Property Located at 170 Dewitt Road (Stoney Creek) (PED06115) (Ward 10)(Item 6.4)

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.

Kristen West outlined the report to Committee.

Sergio Manchia, Planning and Engineering Initiatives Limited, advised Committee that he was satisfied with the staff recommendation.

Gord Hewitson, 557 Highway 8, addressed Committee and explained his concerns with the proposed development, including traffic safety and density.

Mr. Hewitson explained that he lived to the immediate east of the subject property and had been involved in an accident fifteen years ago, while making a left turn. He noted the frequency of accidents in this location and requested that the proposed access driveway to Highway 8 be removed from the plan and that the other access from Dewitt be widened to address the needs for the site. He explained that if no changes were made, the City would see more accidents and would be paying for a future road widening for the provision of an added lane, in the long term.

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

Committee discussed the matter and had additional information supplied by staff. Matters discussed included the history of the site, the density and design of the proposal, access to the HSR bus stop, the possibility of direct access to Dewitt, and the consideration of solar energy concepts in future designs.
Staff noted that the issues raised would be considered during the required site plan approval process.

Committee approved the staff recommendation.

(k) Applications for Amendments to the Hamilton-Wentworth Official Plan, the Glanbrook Official Plan and the Glanbrook Zoning By-law, for the Lands Known as 1885 - 1893 Upper James Street (Highway No. 6) (Glanbrook) (PED06119) (Ward 11)(Item 6.5)

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.

Paul Moore outlined the report to Committee and explained the reasons for the “H” Holding by-law provision.

Ed Fothergill, the applicant’s agent, advised Committee that he was satisfied with the staff recommendation for the approval of the project but did not agree with the “H” Holding provision on the draft by-law.

Mr. Fothergill explained that the three matters which formed part of the “H” Holding provisions, being the requirement for an archaeological assessment, the MTO approval of an access driveway and the provision of full municipal services before development were not necessary. He noted that his own archaeological assessment had been completed without any findings and that MTO had their own system of providing access to their roadways.

Mr. Fothergill explained that the road would be taken over by the City, in due course, and that granting an access would therefore not be a problem. He said that as municipal services would not be available in the near future, he was requesting approval of private servicing, with the agreement that the property owner would pay his share and hook-up to municipal services, when available. He noted that precedent had already been set for the approval of private servicing, pending the provision of municipal services, that his client was anxious to proceed with the new KIA dealership on the site, and that the imposition of the “H” Holding category would destroy the development proposal.

No members of the public came forward to address Committee on the matter.
Committee discussed the matter and the issues raised in detail, and had further information supplied by staff and by the agent for the applicant. Staff cautioned Committee that the approval of the application without the “H” provisions would be contrary to the policies of the Official Plan regarding private servicing in the urban area, would set a dangerous precedent and that the issuance of a new building permit, based on the use of a holding tank would be contrary to the Ontario Building Code. In addition, staff explained that a further modification to the Official Plan would be required.

Committee explored ways in which a solution to the problem could be achieved. The agent confirmed that his client was willing to enter into agreements regarding paying for his cost of the future servicing and hook-ups.

Committee than approved the staff recommendation, as amended to remove the “H” Holding provisions from the by-law, to add the appropriate “Special Policy Area” for private services into the Official Plan Amendment, and to add conditions requiring the applicant to pay his share of and hook up to, municipal servicing, when available.

Councillor McHattie requested that his opposition be noted.

Staff was given direction to report back on the Twenty Road Pumping Station issue, including the problems involved, the implications of the servicing delays, the number of applications being held up, and the timing of the resolution of the matter.

(I) Cluster Profile Study (Item 7.1)

Neil Everson introduced the Study, and Lauren Millier, from Urban Metrics, gave an overview, with the assistance of a powerpoint presentation.

Ms. Millier noted Committee members had already been provided with full copies of the consultants’ findings. A copy of the powerpoint presentation was distributed to Committee. Ms. Millier explained the results of the Business Survey and the SWOT analysis.

Committee discussed the studies and the points raised and had additional information supplied by the consultant and staff. Issues discussed included the role played by the Red Hill Expressway, negative branding of the City, the role of tax rates, municipal assistance and policies, the role of the Port, railway access for industry, the role of Council, ways to encourage and retain industry and quality of life issues.
Neil Everson explained that the issues in the consultants’ studies would become elements in the Economic Development Division 2007 Work Plan.

Committee received the consultant’s presentation and passed a Motion regarding Council support for a proposed introduction of container shipping to the Port of Hamilton and an invitation to the Port Authority to address Committee on these issues.

Committee agreed that following this presentation, consideration would be given to asking the Federal Government to assist in this new venture.

Staff was directed to find the previous Collier’s Report to Regional Council, to compare its findings with those currently being considered from Urban Metrics, and report back to Committee.

Staff was also directed to report back to Committee on the matters raised in the consultants’ report, and discussed today.

(m) Application for a Change in Zoning for the Property Located at 709-715 Main Street East and 104 Sherman Avenue South (Hamilton) (PED06068) (Ward 3) (Tabled from March 7, 2006, pending review with Ward Councillor) (Item 8.1)

Councillor Merulla advised that since the tabling of this matter on March 7, 2006, discussions had taken place between the Ward Councillor, Councillor Morelli, and the applicants and some of the neighbours. He explained that Councillor Morelli was now satisfied with the approval of the application.

Councillor McHattie added that a pilot initiative, between HSR, the applicants, and Don McLean, from Environment Hamilton, regarding the provision of bus passes would be undertaken for this site.

Councillor McHattie noted that Council would be kept informed of the results, as the pilot programme progressed.

Committee approved the staff recommendation.

(n) City of Hamilton 2014 Commonwealth Games - Post Bid Report (PED06125)(City Wide)(Item 8.2)

David Adames provided an overview of the staff report.
Committee discussed the matter, sharing the concerns expressed by staff about the overall bidding process, its lack of transparency and the lack of proper explanation about the bid process, prior to the City’s submission.

Committee approved the staff recommendation.

(o) Municipal Parking Operations and Enforcement in the Former Town of Dundas (PED06124) (Ward 13)(Item 8.3)

Marty Hazell provided an overview of the staff report and explained the reasons for the recommendation not to review the contract with ParkSmart, and to make the operation of the Downtown Dundas parking area part of the overall Municipal Parking System.

Vince Mauceri, ParkSmart Inc., addressed Committee and provided an overview of the ParkSmart operation, explaining the efficiencies which had been achieved.

Councillor Samson addressed Committee and supported the staff recommendation.

Committee approved the staff recommendation.

(p) Application to Amend an Existing Provisional Certificate of Approval (Waste Transfer/Processing Site) Ministry of Environment Reference #7379-6L8QPW, Waste Services (CA) Inc., Located at 306 Lake Avenue North (Hamilton) (PED06120) (Ward 5)(Item 8.4)

Stan Holiday provided an overview of the staff report. He explained that the conditions of approval being recommended to the MOE, including the provision of doors, the requirement for rodent control and the paving of the driveway, would improve the current situation.

Brian Forestal, from Waste Services Inc., addressed Committee in support of the application. Mr. Forestal confirmed that the conditions proposed by staff were acceptable to his company and would lead to improvements at the facility. He explained that the reason for the application was to permit additional storage on the site.

Committee discussed the matter in detail and had additional information supplied by staff and the applicant.

The following Motion was moved by Councillor Merulla, seconded by Councillor McHattie:
That the Ministry of Environmental Assessment and Approvals Branch of the Ontario Ministry of Environment be advised that the City of Hamilton does NOT SUPPORT the subject application.

If, however, the Ministry approves the application CA-06-01, Waste Services (CA) Inc., applicant, for an Amendment to an existing Provisional Certificate of Approval for an existing waste transfer/processing site to increase allowable waste storage limits from 100 tonnes to 150 tonnes/day, within an existing facility at 306 Lake Avenue North, as shown on Appendix “A” to Report PED06120, the City of Hamilton requests the following to be undertaken:

(a) That the proponent obtains the necessary building permit from the City’s Building and Licensing Division, which is required for modifications to the existing building.

(b) That the amended Provisional Certificate of Approval require the following:

(i) That doors be installed for the Waste Processing and Transfer Building so that the building can be fully enclosed to contain the waste stored on-site at the end of each operating day, to the satisfaction of the Manager of Solid Waste, Public Works Department.

(ii) That the surface of the driveway area between Lake Avenue North and the existing weigh scale be hard surfaced to reduce the possibility of the tracking of material onto the municipal road, to the satisfaction of the Manager of Traffic Engineering & Operations, Public Works Department.

(iii) That the south side of the existing truck access approach be widened to properly accommodate right turning truck movements into the site, to the satisfaction of the Manager of Traffic Engineering & Operations, Public Works Department.

(iv) That the operator of the facility employ a reputable pest control company to service this site and perform a regular inspection of the premises and regular baiting program, to the satisfaction of the Director, Health Protection Branch, Public Health Services.

(c) That the amended Provisional Certificate of Approval requires that a sufficient bond be provided for financial assurance for the removal of any materials left on the site should operations end.

(d) That the amended Provisional Certificate of Approval include a requirement that a Ministry of Environment staff person be identified to the
City as the contact for all issues and complaints regarding the subject property.

(e) That all other conditions and requirements of the Certificate of Approval remain in place.

(f) That a copy of Report PED06120 be forwarded to the Environmental Assessment and Approvals Branch of the Ministry of Environment for their consideration.

(g) That the Environmental Assessment and Approvals Branch of the Ministry of Environment be requested to forward a copy of its final decision respecting the Certificate of Approval to the Clerk, City of Hamilton.

This Motion was lost, on a tie vote.

The staff recommendation was then moved by Councillor Kelly, seconded by Councillor Mitchell as follows:

That the Ministry of Environmental Assessment and Approvals Branch of the Ontario Ministry of Environment be advised that should the Ministry approve the application **CA-06-01, Waste Services (CA) Inc., applicant**, for an Amendment to an existing Provisional Certificate of Approval for an existing waste transfer/processing site to increase allowable waste storage limits from 100 tonnes to 150 tonnes/day, within an existing facility at 306 Lake Avenue North, as shown on Appendix “A” to Report PED06120, the City of Hamilton requests the following to be undertaken:

(a) That the proponent obtains the necessary building permit from the City’s Building and Licensing Division, which is required for modifications to the existing building.

(b) That the amended Provisional Certificate of Approval require the following:

   (i) That doors be installed for the Waste Processing and Transfer Building so that the building can be fully enclosed to contain the waste stored on-site at the end of each operating day, to the satisfaction of the Manager of Solid Waste, Public Works Department.

   (ii) That the surface of the driveway area between Lake Avenue North and the existing weigh scale be hard surfaced to reduce the possibility of the tracking of material onto the municipal road, to the
satisfaction of the Manager of Traffic Engineering & Operations, Public Works Department.

(iii) That the south side of the existing truck access approach be widened to properly accommodate right turning truck movements into the site, to the satisfaction of the Manager of Traffic Engineering & Operations, Public Works Department.

(iv) That the operator of the facility employ a reputable pest control company to service this site and perform a regular inspection of the premises and regular baiting program, to the satisfaction of the Director, Health Protection Branch, Public Health Services.

(c) That the amended Provisional Certificate of Approval requires that a sufficient bond be provided for financial assurance for the removal of any materials left on the site should operations end.

(d) That the amended Provisional Certificate of Approval include a requirement that a Ministry of Environment staff person be identified to the City as the contact for all issues and complaints regarding the subject property.

(e) That all other conditions and requirements of the Certificate of Approval remain in place.

(f) That a copy of Report PED06120 be forwarded to the Environmental Assessment and Approvals Branch of the Ministry of Environment for their consideration.

(g) That the Environmental Assessment and Approvals Branch of the Ministry of Environment be requested to forward a copy of its final decision respecting the Certificate of Approval to the Clerk, City of Hamilton.

This Motion was lost, on a tie vote.

No other Motion was proposed.

(q) Proposed "No Parking" Regulation on the west side of Cross Street, north of Park Street, in front of St. Paul's United Church, Dundas (PED06118/PW06046) (Ward 13)(Item 8.5)

Marty Hazell gave an overview of the staff report.

David Ivey, a representative from St. Paul’s Church, explained to Committee how the parking spaces which were proposed for removal were important to the
church. He suggested waiting for the results of a proposed traffic calming study, before any changes to the existing parking arrangements were made.

Councillor Samson advised that he supported the staff recommendation.

Committee discussed the matter and had additional information provided by staff.

Mr. Hazell explained that his staff was aware of the requirements for parking of weddings and funerals, and that during these events, his staff used discretion in the enforcement of the regulations.

Committee approved the staff recommendation.

(r) Brownfield Pilot Project Fund (PED06103) (City Wide) (Referred from Council of April 12, 2006, Added Item 8.6)

Committee discussed the additional information which had been supplied by staff, with regard to the removal of asbestos in the Connaught.

Committee received the information and the staff memorandum. Committee then approved the original staff recommendation.

(s) Lottery Licence proceeds policy ((From Outstanding Business List, due April 18, 2006 (Item 11.1)

Lee Ann Coveyduck advised Committee that this item would be ready for the Agenda of June 6, 2006.

(t) Environment Canada Guidelines “Framework for Guiding Habitat Rehabilitation for the Great Lakes” (Item 11.2)

Lee Ann Coveyduck advised Committee that this item would be on the Committee Agenda for September 19, 2006.

(u) Adjournment

On a Motion, the Planning and Economic Development Committee adjourned at 1:44 p.m.

Respectfully submitted,

Maria Pearson, Chair

Council – April 26, 2006
Planning & Economic Development Committee

Alexandra Rawlings, Co-ordinator
Planning and Economic Development Committee
April 18, 2006