Economic Development and Planning Committee
MINUTES 08-017
Tuesday, September 16, 2008
9:30 am
Webster Room, Hamilton Convention Centre
1 Summer’s Lane
Hamilton

Present:
Chair T. Whitehead

Staff Present:
T. McCabe, General Manager – Planning and Economic Development
A. Zuidema, Legal Division
A. Rawlings, Co-ordinator, City Clerk's Office

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL:

1. Hamilton Community Heritage Fund Loan Program Application for 1059 Highway 8, Stoney Creek (Carpenter House) (PED08189) (Ward 11) (Item 5.1)
(Pearson/Ferguson)
That approval be given to the Hamilton Community Heritage Fund Loan Program Application, for property located at 1059 Highway 8, Stoney Creek (Carpenter House), as shown on Appendix “A” to Report PED08189, subject to the following:

(a) That a loan commitment of $50,000 be approved in accordance with the terms and conditions of the Hamilton Community Heritage Fund Loan Program for retrofitting of new glass windows into existing frames (nine second-storey windows, and two windows in the dining room on the first storey), repair to external woodwork on all elevations, including soffits and fascia, repainting of external woodwork, repair of built-in copper gutter system, and repair of three chimneys.
(b) That the Mayor and Clerk be authorized and directed to execute the loan agreement and security documentation with respect to (a) in a form satisfactory to the City Solicitor.

(c) That the General Manager of the Planning and Economic Development Department be authorized and directed to amend the loan agreement provided that the terms and conditions of the Hamilton Community Heritage Fund Loan Program are maintained.

(d) That the applicant abides by any conditions of the Heritage Permit, as approved by the Director of Planning, as advised by the Heritage Permit Review Subcommittee of the City of Hamilton Municipal Heritage Committee.

(e) That the applicant agrees to enter into a Heritage Conservation Easement Agreement with the City of Hamilton to conserve and protect the real property at 1059 Highway 8, Stoney Creek.

(f) That the City Solicitor be directed to prepare the necessary documents for the Heritage Conservation Easement Agreement between the owner of 1059 Highway 8, Stoney Creek, and the City of Hamilton.

(g) That Report PED08189 be provided to the City of Hamilton Municipal Heritage Committee for information.

   CARRIED

2. Enterprise Zone Municipal Realty Tax Incentive Grant Program – 47 Caroline Street North, EZ04/04 (PED08213) (Ward 2) (Item 5.2)

(Pearson/Ferguson)
That the Enterprise Zone grant, as detailed within Report PED08213, be applied to 47 Caroline Street North, as the redevelopment of the property is complete and the terms and conditions of the program have been satisfied.

   CARRIED

3. Roadway Signing for Tourism (PED08215/PW08104) (City Wide) (Item 5.3)

(Pearson/Ferguson)
That Report PED08215/PW08104, Roadway Signing for Tourism, be received for information.

   CARRIED

4. Appointment By-law under the Building Code Act (PED08216) (City Wide) (Item 5.4)

(Pearson/Ferguson)
That the By-law attached to Report PED08216 to repeal and replace City of Hamilton By-law 07-335, being a By-law to appoint a Chief Building Official, Deputies and Inspectors under Section 3 of the Building Code Act, 1992, be approved.

   CARRIED
5. Ottawa Street Business Improvement Area (B.I.A.) Revised Board of Management (PED07027(b)) (Wards 3 & 4) (Item 5.5)  
(Pearson/Ferguson)  
That the following individual be appointed to the Ottawa Street B.I.A.'s Board of Management:

- Krystyna O'Brien, Home Décor from Before  

  CARRIED

6. Waterdown Business Improvement Area (B.I.A.) Revised Board of Management (PED07127(c)) (Ward 15) (Item 5.6)  
(Pearson/Ferguson)  
That the following individual be appointed to the Waterdown B.I.A.'s Board of Management:

- Dianne Kersten  

  CARRIED

7. Committee of Adjustment Minor Variance Application HM/A-08:53, for the Property Located at 908 King Street East, Hamilton - Supported by the Planning and Economic Development Department But Denied by the Committee of Adjustment (PED08206) (Ward 3) (Item 5.7)  
(Pearson/Ferguson)  
That Report PED08206, respecting Committee of Adjustment Minor Variance Application HM/A-08:53, 908 King Street East, Hamilton, as shown on Appendix “A” to Report PED08206, denied by the Committee of Adjustment but supported by the Planning and Economic Development Department, be received for information.  

  CARRIED

8. Hamilton LACAC (Municipal Heritage Committee) Minutes of July 24, 2008 (Item 5.8(a))  
(Pearson/Ferguson)  
That the Minutes of the Hamilton LACAC (Municipal Heritage Committee) of July 24, 2008 be received for Information.  

  CARRIED

9. Keith M. Beck, respecting proposal that the City create a subsidiary corporation to hold and transact, in its name, City owned employment lands (Item 6.1)  
(Pearson/McHattie)  
That staff be directed to report back on the proposals made by the delegation, respecting the creation of a subsidiary corporation to hold and transact, in its name, City-owned employment lands, and that the report will not include any consideration of brownfield lands, as per the previous direction of Council.  

  CARRIED
10. Application for a Change in Zoning for Lands Located at 547 and 549 Main Street East (Hamilton) (PED08207) (Ward 3) (Item 6.2)  
(Pearson/Duvall)  
That approval be given to Zoning Application ZAC-08-025, by Snifferdog Corporation, Owner, for a change in Zoning from the “H” (Community Shopping and Commercial, etc.) District to the “E/S-1594” (Multiple Dwelling, Lodges, Clubs, etc.) District, Modified, to fulfill a condition of Consent Application HM/B-07:122, for the lands located at 547 and 549 Main Street East (Hamilton), as shown on Appendix “A” to Report PED08207, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED08207, which has been prepared in a form satisfactory to the City Solicitor, not be enacted by City Council until:

i) The owner provides a letter signed by a qualified professional, to the satisfaction of the City’s Manager of Building Engineering and Zoning, confirming that the door on the western side of the 9 unit apartment building is not a required means of ingress and egress in accordance with the Ontario Building Code.

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

CARRIED

11. City Initiative – Housekeeping Amendments to Comprehensive Zoning By-law 05-200, City of Hamilton Zoning By-law 6593, Town of Dundas Zoning By-law No. 3581-86 and Town of Flamborough Zoning By-law No. 90-145-Z (PED08194) (City Wide) (Item 6.4)  
(McHattie/Pearson)  
(a) That approval be given to City Initiative CI-08-I to provide housekeeping amendments to the City’s Comprehensive Zoning By-law, known as Zoning By-law 05-200, former City of Hamilton Zoning By-law 6593, former Town of Dundas Zoning By-law No. 3581-86 and former Town of Flamborough Zoning By-law No. 90-145-Z.

(b) That the attached draft Zoning By-laws, marked as Appendices “A”, “B”, “C” and “D” to Report PED08194, which have been prepared in a form satisfactory to the City Solicitor, and as amended by Committee on September 18, 2008, respecting parking for places of worship, to require 1 parking space per 10m² of gross floor area, be enacted by City Council.

(c) That the attached draft By-law amending the License Code By-law 07-170, marked as Appendix “F” to Report PED08194, prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(d) That item “P” be removed from the Outstanding Business List.  CARRIED
12. **Staging of Development Program (PED08205) (City Wide) (Item 7.1)**  
(McHattie/Clark)  
(a) That the Planning and Economic Development Department be directed to continue to develop Hamilton’s first Staging of Development Program for subdivision approvals/registrations integrated with the annual Budget process.  
(b) That following consultation with other departments, landowners and other stakeholders, staff report back to Committee/Council with the recommended 2009-2011 Staging Plan in December 2008.  
(c) That the Staging of Development Program involve the development of a servicing capacity allocation policy and process.  

CARRIED

13. **Application for a Change in Zoning for Property Located at 69 Autumn Leaf Road (Dundas) (PED08172) (Ward 13) (Item 8.1)**  
(Ferguson/Mitchell)  
That approval be given to Zoning Application ZAC-08-020, (2163397 Ontario Inc.) owner, for a change in zoning from the “C-1” Neighbourhood Commercial Zone, under Dundas Zoning By-law No. 1964, to the Single Detached Residential (R2) Zone in Dundas Zoning By-law 3581-86 to allow for the development of 3 single detached dwellings on separate lots, on lands located at 69 Autumn Leaf Road, as shown on Appendix “A” to Report PED08172, on the following basis:  
(a) That the draft By-law, attached as Appendix “B” to Report PED08172, 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 Town of Dundas Official Plan.  

CARRIED

14. **Report 08-002(a) of the Agriculture & Rural Affairs Advisory Committee, respecting speeding on Hamilton’s rural roadways (Item 8.4)**  
(Mitchell/Duvall)  
(a) That Recommendation 1 of Report 08-002(a) of the Agriculture & Rural Affairs Advisory Committee, respecting speeding on Hamilton’s rural roadways, be forwarded to Public Works staff for a report to Public Works Committee.  
(b) That the Information Section of Report 08-002(a) be received.  

CARRIED
15. Sale of City Lands Known as “0” Nebo Road, Hamilton, Part Lot 48, Registrar’s Compiled Plan 1470 in the Former Township of Glanbrook, now in the City of Hamilton to John Voortman (PED08209) (Ward 11) (Item 12.1) (Ferguson/McHattie)
  (a) That the Offer to Purchase, executed by John Voortman, in Trust, be deferred until February, 2009 when, upon receipt of staff’s report on the Interim Control By-law and the related Consultant’s Study, are presented to Council, and a decision is made on its application to the North Glanbrook Industrial Business Park.

  (b) And further, that staff be authorized and directed to notify the proponent that the irrevocable date be extended in agreement with the City of Hamilton.

  CARRIED

16. Ontario Municipal Board Hearings respecting MC2 Homes, Landmart and Silverwood Homes, North Waterdown Secondary Plan area. (Ward 15) (Item 12.2) (Ferguson/McHattie)
  (a) That the City of Hamilton considers the developments proposed within appeals initiated to the Ontario Municipal Board, including those of Silverwood Homes Limited, Landmart Realty Corp., and MC2 Homes, for lands in Waterdown North to be premature from a traffic capacity perspective;

  (b) And that City staff be directed to investigate potential interim measures for development in Waterdown including, but not limited to, a City initiated Official Plan Amendment to modify the existing staging polices, an interim control by-law and a transportation allocation program, and to report back to Committee thereafter, on the analysis of the options, and to recommend a strategy to address traffic capacity infrastructure constraints

  CARRIED

17. Review of Tools for Regulating Residential Rental Housing (Outstanding Business list, due October 7, 2008) (Item 11.4) (Pearson/McHattie)
  (a) That the report respecting the Review of Tools for Regulating Residential Rental Housing be referred to the Committee of the Whole Meeting of October 14, 2008, for their consideration

  (b) And that the subject Item be removed from the Outstanding Business List

  CARRIED

18. Ontario Municipal Board Hearing respecting 41 Inglewood Drive (Added Item) (Bratina/Ferguson)
  That the City of Hamilton consent to the adjournment of the OMB Hearing respecting 41 Inglewood Drive.

  CARRIED
THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR INFORMATION PURPOSES:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes:

- Legal Services will be in attendance at 12 noon, for the two In-Camera items
- additional delegation request, added as Item 4.3

The Agenda for the September 16, 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 Minutes of the Economic Development and Planning Committee meeting held on September 2, 2008 were approved.

(d) Sheldon Palmer respecting his proposed modifications to the Property Standards regulations for rental properties (Item 4.1)

Committee approved the delegation from Mr. Palmer, to address them at a future meeting.

(e) Gary Boyle, respecting the proposed development at Autumn Leaf Road, Dundas-Item 8.1 on the Agenda (Item 4.2)

Committee agreed to hear from Mr. Boyle today, with regard to Item 8.1.
Economic Development & Planning
Committee

(f) Eddie Choi, respecting the proposed development at Autumn Leaf Road, Dundas-Item 8.1 on the Agenda (Item 4.2)

Committee agreed to hear from Mr. Choi today, with regard to Item 8.1.

(g) Keith M. Beck, respecting proposal that the City create a subsidiary corporation to hold and transact, in its name, City owned employment lands (Item 6.1)

Mr. Beck addressed Committee and read from a prepared statement, which had been printed in the Agenda.

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

Committee determined that the ideas proposed by Mr. Beck should be investigated further.

On a Motion (Pearson/McHattie), Committee directed staff to report back on the matter, while respecting the existing Council position that the City not landbank brownfield lands. Councillors Ferguson, Bratina, and Pasuta were opposed to the Motion.

(h) Application for a Change in Zoning for Lands Located at 547 and 549 Main Street East (Hamilton) (PED08207) (Ward 3) (Item 6.2)

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/McHattie), Committee dispensed with the planner's overview. Melanie Pham was present to assist Committee.
George Zajac, IBI, the applicant’s agent, advised Committee that he supported the staff report.

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

Committee approved the staff recommendation.

(i) Applications for Approval of a Draft Plan of Subdivision, “Glancaster Meadows Extension”, and an Amendment to Glanbrook Zoning By-law No. 464 for Lands Known as 245, 253, 269 and 298 Glancaster Road (Glanbrook) (PED08208) (Ward 11) (Item 6.3)

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 Draft Plan of Subdivision and Zoning By-law are 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 Draft Plan of Subdivision and Zoning By-law are 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.

Chair Whitehead advised that an additional submission had been distributed this morning, from Stephen Winchie.

David Falletta provided an overview of the staff report. He noted that an amendment had been made to the proposed by-law with regard to the lot area for corner lots.

Mr. Falletta explained that concerns had been raised from adjacent owners, including:

- loss of property values
- grading and drainage
- removal of turning circles and restoration of boulevards
- proposed density
- impact of construction on existing homes

Mr. Falletta explained how staff had addressed the issues raised.
Tony Sergi provided additional details on the storm water issues and how all matters must be addressed to the satisfaction of the City, prior to registration of the subdivision. Mr. Sergi explained to Committee the issues that may come about if the approved grading and drainage are altered after the subdivision has been completed. He noted that staff is working on a report which will explore the various options the city may choose, but explained that any such process could be hard to administer.

Angelo Cameracci, Urbex Engineering, addressed Committee in support of the application, and provided an overview of the history of the development in the area. He noted the existence of a small parcel of land, owned by others, which was blocking the extension of Bellstone Lane into Grassy Plain. Mr. Cameracci explained details of the existing and proposed grading and drainage.

Committee discussed the points made by the delegation and noted the difficulties of the land parcel between Bellstone and Grassy Plain.

Staff was directed to work on this item, in order to facilitate an agreement between the two landowners.

John De Simone, 17 Blackburn Lane, addressed Committee, and expressed his concerns, including but not limited to:

- wants the maintenance of 7.5 metre front yard setback for all houses, should not be reduced to 6 metres
- wants confirmation that his driveway will be completely restored when the turning circle and associated works are completed, all at no cost to him
- developer must complete a geotechnical report prior to development to ensure that foundations of his home are not affected by construction
- essential that all these issues are addressed as conditions, prior to any approvals.

Gary Fleming, 48 Bellstone Lane

Mr. Fleming explained that he shared all of the previous speaker’s concerns, and requested that this be recorded. His additional concerns included, but were not limited to the following:

- wish to ensure that following construction of new homes, there will be adequate space for each house to have their own side yard walkway, as well as the required swale
- will houses be two-storey or one-storey like the existing homes.

Hank Ver Spagen, 45 Bellstone Lane, addressed Committee. His concerns included but were not limited to the following:
- concerns that new development would reduce value of existing properties
- concern that new development of higher density than existing development
- concerns respecting drainage in area, problems with sink holes, sump pumps running constantly
- difficulties with existing low water pressure, will new development cause further drop in pressure
- a front yard setback of 6 metres, instead of 7.5 metres will wreck the streetscape and reduce property values
- a home on Block 5 is currently being used as a business.

Rob Tremblay, 16 Blackburn Lane, addressed Committee and expressed his concerns, which included but were not limited to the following:

- concern about amount of water flowing in area, two streams already, how will added development affect the water levels
- impact of development on the existing trees
- what will happen in low area between Glanbrook Meadows and the Glanbrook Meadows Extension
- concerns about final design of subdivision, use of turning circles.

Octavio Furado, 23 Grassyplain, addressed Committee with his concerns, including but not limited to the following:

- he fixes damp basements in the area, there are many already, and thinks there will be more when new development takes place
- serious concerns about drainage in area and how this will be handled.

Dave O'Reilly, 43 Bellstone, addressed Committee with his concerns, including, but not limited to, the following:

- concern that he was not notified of the meeting.

David Falletta confirmed that Mr. O'Reilly was on the circulation list for the application.

- said that as a realtor, he knew that construction of smaller homes would have an adverse effect on the values of the larger existing ones
- all houses which now back onto open space, and for which premium was paid, will be reduced in value
- Bellstone does not need to go through, it if does, it will reduce value of existing homes, as it is better to live on a cul-de-sac.

Staff confirmed that the future use of the vacant land had always been intended and planned as residential.
Tom Hoyt, 8 Blackburn, addressed Committee with his concerns, including, but not limited to, the following:

- disagreed that front yard setbacks of 6 metres, instead of the existing 7.5 metres, could enhance the streetscape or his house
- drainage already a problem, can residents find out ahead of the development exactly what the engineers are doing with the storm water management plan
- existing ground water is very high, washes across road near park.

Nelia Furtado, 23 Grassyplain, addressed Committee with her concerns, including, but not limited to, the following:

- her sump pump runs all year, not just in a wet spring, how will drainage of new development work.

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

Committee discussed the matters raised by the speakers and had further information supplied by staff.

Committee members expressed their desire to have several of the concerns raised by the speakers addressed as special, or enhanced conditions of approval. Committee agreed that the existing residents should be informed about the detailed engineering details and designs.

On a Motion (Mitchell/Pearson), Committee agreed to hear the applicant’s agent for a second time.

Angelo Cameracci added the following points:

- his client would be happy to work further with the neighbours and staff, and to hold another information meeting in the area
- he explained that as the development is on smaller lots, the reduced front yard setback is needed, 7.5 metres cannot be achieved, but “blending” between the 7.5 metre and 6 metre homes will be done
- the applicant does have a ground water consultant studying the area.

Committee continued their discussion and, on a Motion (Mitchell/Pearson), Committee approved the following amendments and additions to the conditions of approval:

(a) that the proposed zoning by-law be revised to include a 360 square metre lot area for corner lots;

(b) that restoration of the existing boulevards and driveways on Blackburn and Bellstone be undertaken
(c) owner to carry out a pre-construction survey, and monitoring during construction

(d) preparation, and implementation of, a hydro-geological study, by the applicant

(e) that the owner agree to hold a neighbourhood information meeting, prior to development, to explain the findings of the hydro-geological study and the engineering design for storm water management.

Committee continued their discussion respecting the matter, and the need to review the finalized conditions.

On a Motion (McHattie/Ferguson), Committee tabled the matter, and directed staff to finalize the details of the amendments, and to circulate the amendments back to Committee for their consideration, and then bring the matter back to the next meeting, for final disposition.

(j) City Initiative – Housekeeping Amendments to Comprehensive Zoning By-law 05-200, City of Hamilton Zoning By-law 6593, Town of Dundas Zoning By-law No. 3581-86 and Town of Flamborough Zoning By-law No. 90-145-Z (PED08194) (City Wide) (Item 6.4)

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.

Shannon Hamilton gave an overview of the staff report.

The Chair noted that there was no outside applicant to address us today, as this is a City Initiative.
John Barcowitch, 79 Ewen Road, addressed Committee. He explained his concerns, as follows:

- existing Christadelphians Church, 80 Ewen Road, has been sold, new owner has applied for a building permit for single family house
- concern that this could become a large, student residence, with serious impacts on the neighbourhood
- will this development be considered under the previous regulations or this currently proposed by-law.

Salco Dautovich, Bosnian Muslim Centre, 202 Barton Street, addressed Committee. He explained his concerns, as follows:

- his community currently working on developing their site, concern that they will not be able to meet the new requirements
- his community does not rent out their prayer space, few parking spaces needed, only a few of members drive to the building, only at Friday Prayers is there any parking issue.

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

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

Staff explained that the permit for 80 Ewen Road was being reviewed under the current zoning regulations. Councillor McHattie advised that he would talk with staff and the applicant on this issue.

Committee noted that the development application by the Bosnian Muslim Association is under review and that there are various avenues that can be explored respecting the parking issues.

Committee then approved an amendment (Mitchell/Clark) to require that the parking regulations respecting places of worship be amended to require 1 parking space per 10m² of gross floor area.

Committee then approved the staff recommendation, as amended.

(k) Staging of Development Program (PED08205) (City Wide) (Item 7.1)

Committee approved the staff recommendation.

Committee did not hear the staff presentation.
(I) **Application for a Change in Zoning for Property Located at 69 Autumn Leaf Road (Dundas) (PED08172) (Ward 13) (Item 8.1)**

Chair Whitehead advised that this matter had been referred back to Committee by Council, August 7, 2008 to allow the applicant to speak.

He noted that the Public Meeting for this matter had been held and concluded on August 5, 2008.

The Chair advised that additional written submissions from the following persons had been distributed today:

- Kevin & Noelle Henry
- Alison Sawatzky
- Kevin Jones
- Bruce and Penny Evenden
- John & Sheila Robertshaw
- Susan & Gary Boyle
- Frank and Maria Dely
- Nick Marusiak
- Luke and Eileen Williams
- Eric Canton
- Audrey Hensen and Rick Hughes
- Julianne Burgess and Hugh Tye
- P. Mark Jolink

Cam Thomas provided an overview of the application.

Robert Cutler, Bousfields, representing the owner of the property at Autumn Leaf, explained the background to the application.

Councillor Powers advised that the next speaker listed on the Agenda, Ann Robertson, 39 Autumn Leaf, had left the meeting due to a prior commitment. Her letter in support of the application would be provided to the Clerk.

Eddie Choi addressed Committee in support of the application. He confirmed how the three previous operators of the store were not able to make a living from the store.

Gary Boyle, 64 Pleasant Avenue, addressed Committee in support of the application, and passed round photos of the site and surroundings.

Councillor Powers, the Ward Councillor, addressed Committee in support of the application and provided details of his canvass of the neighbourhood. He
explained that the vast majority of those who responded favoured the use of the site for residential purposes.

Committee discussed the matter, then approved the staff recommendation.

Councillor McHattie requested that his opposition be recorded.

(m) **Consultation on Minimum Property Standards for the Maintenance of Heritage Attributes of Designated Heritage Properties Under Parts IV and V of the Ontario Heritage Act (PED07239(a)) (City Wide) (Item 8.2)**

Joe Muller provided an overview of the staff report, and provided two handouts to Committee.

Committee asked a number of questions and had further information supplied by staff. Committee discussed the issues raised. Staff confirmed that all 604 owners of heritage buildings had been mailed a letter about the staff proposal and that only one letter of objection had been received.

Committee continued their discussion and agreed that a comparison of the existing Property Standards regulations and the proposed by-law would assist in their review of the matter.

On a Motion (Clark/Bratina), the matter was tabled pending the provision of a chart of differences between the existing Property Standards By-law and the proposed by-law for maintenance of heritage buildings.

Councillor Ferguson requested that his opposition be recorded.

(n) **Process for Property Designation Under Part IV of the Ontario Heritage Act (PED08211) (City Wide) (Item 8.3)**

Due to the lateness of the hour, this item was put over to a future meeting.

(o) **Report 08-002(a) of the Agriculture & Rural Affairs Advisory Committee, respecting speeding on Hamilton’s rural roadways (Item 8.4)**

Councillor Mitchell spoke to the report and on a Motion (Mitchell/Duvall), Item 1 of the Report was referred to Public Works staff for a report to Public Works Committee, and the Information Section was received.
(p) Motions (Item 9)

None

(q) Notices of Motion (Item 10)

(i) Councillor Duvall presented the following Notice of Motion on behalf of Chair Whitehead.

Re-Establishment of the Taxi Reform Sub-Committee

Whereas, Hamilton City Council, on July 10, 2001, approved the formation of a Taxi Reform Sub-Committee to deal with issues relating to municipal amalgamation and proposed reforms to the taxi industry;

And Whereas, based on recommendations of the Taxi Reform Sub-Committee, Hamilton City Council, on May 28, 2003, enacted a harmonized taxicab by-law with many of the provisions coming into effect in 2008 (5 years after the enactment of the by-law);

And Whereas, there are a number of current and emerging issues facing Hamilton’s taxi industry;

Therefore be It Resolved, that the Taxi Reform Sub-Committee be re-established to review the taxicab by-law provisions under current context, and to undertake a review of some of the emerging issues facing Hamilton’s taxicab industry.

(ii) Councillor Duvall presented the following Notice of Motion:

That an Operational Review be conducted of the Development Engineering and Planning Divisions of the Planning and Economic Development Department.

(r) General Information (Item 11)

(i) Parkland dedication fees policy; reduction for non-profit affordable housing and School Boards (Outstanding Business list, due September 16, 2008) (Item 11.1)

Tim McCabe noted that this issue would be coming forward on October 7, 2008, as part of a larger report.
(ii) Ban on hand held phones etc, by taxi drivers (Outstanding Business list, due September 16, 2008) (Item 11.2)

Marty Hazell advised that this item would be coming forward as part of an amendment to the Licensing By-law, in October. Committee directed staff to get confirmation from the Province on whether new Provincial Legislation on this issue was coming forward. Councillor Clark noted that if the Province is intending to control all phone use in cars, municipalities will not need to pass individual by-laws.

(iii) Petition from Taxi Cab Drivers respecting installation of shields in taxi cabs (Outstanding Business list, due September 16, 2008) (Item 11.3)

Marty Hazell advised that he was working with two suppliers on this matter, but had not yet reached a resolution. He added that if resolution on the shields cannot be reached soon, there may be no need to further amend the relevant date in the Licensing By-law.

(iv) Review of Tools for Regulating Residential Rental Housing (Outstanding Business list, due October 7, 2008) (Item 11.4)

Committee agreed that it would be appropriate to send this report to Committee of the Whole, for consideration at the same meeting as a related report from Community Services, respecting Roomers and Boarders.

(v) News from the General Manager (no copy) (Item 11.5)

Mr. McCabe noted that he would be sending out an e-mail with an update on the proposed Education Centre at 100 Main Street West.

He reminded Committee of the up-coming Special Meeting, to consider public input in the planning process, to be held on Monday, September 22, 2008, at 6:00 pm, in the Albion Rooms.

(vi) Other Items (Item 11.6)

-Councillor Mitchell requested that his vote on Item 7.1 be recorded as being in opposition to the staff recommendation. Councillor Duvall also requested that he be recorded as opposed to the item. Committee agreed that as the vote had been taken without any opposition being voiced, that
the Councillors should voice their opposition to the item when it came forward to Council for approval.

- On a Motion (Bratina/Ferguson) Committee waived the rules to permit the introduction of a new item respecting an upcoming Ontario Municipal Board hearing.

Art Zuidema provided an update on the Committee of Adjustment Hearing respecting 41 Inglewood Drive.

Committee passed a Motion on the item (see Item 18).

(s) Private and Confidential (Item 12)

On the following Motion, Committee moved into Closed Session at 12.45 p.m.

That Committee move into Closed Session to consider items pursuant to Section 239 of the Municipal Act, 2001 as follows;

(a) a proposed or pending acquisition or disposition of land by the municipality or local board, and

(b) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, respecting Appeals which are currently before the Ontario Municipal Board, with regard to the Silverwood Homes, MC2 Homes and Landmart.

On a Motion (Ferguson/McHattie), Committee resumed in Open Session at 2:15 pm.

(i) Sale of City Lands Known as “0” Nebo Road, Hamilton, Part Lot 48, Registrar’s Compiled Plan 1470 in the Former Township of Glanbrook, now in the City of Hamilton to John Voortman (PED08209) (Ward 11) (Item 12.1)

The Chair confirmed that Committee had met in Closed Session to consider the subject item.

A Motion was then passed (See Item 15).

(ii) Ontario Municipal Board Hearings respecting MC2 Homes, Landmart and Silverwood Homes, North Waterdown Secondary Plan area (Ward 15) (Item 12.2)
The Chair confirmed that Committee had met in Closed Session to consider the subject item.

A Motion was then passed (See Item 16).

(t) ADJOURNMENT (Item 13)

On a Motion, (Mitchell/Clark) the Economic Development and Planning Committee adjourned at 3:55 p.m.

Respectfully submitted,

Terry Whitehead, Chair
Economic Development and Planning Committee

Alexandra Rawlings, Co-ordinator
Economic Development and Planning Committee
September 16, 2008