THE PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE PRESENTS REPORT 05-019 AND RESPECTFULLY RECOMMENDS:

1. Declaration of Surplus Property and Sale of Part of Municipal Car Park No. 8, (East of 283 King Street East, Hamilton) Part 2, on Draft Plan BA-784 (PED05118) (Ward 2) (Item 5.1)

(a) That the subject land, a 0.6 metre (1.968 foot) strip along the westerly limit of Municipal Car Park (MCP) No. 8, north of King Street East, having an approximate total area of 18.424 square metres (198.329 square feet), more or less, municipally identified as part of 289, 293 and 297 King Street East and 12
Jarvis Street, in the Beasley Neighbourhood, legally described as Part 2 on Draft Plan BA-784, (as shown on Appendix “B” to Report PED05118), in the City of Hamilton, be declared surplus to the requirements of the City of Hamilton in accordance with the “Procedural By-law for the Sale of Land”, being By-law No. 04-299.

(b) That the Real Estate Section of the 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 No. 04-299.

(c) That the net proceeds of the sale be deposited in the Parking System Capital Reserve Account No. 108021.

2. Proposal to Issue a Request for Information (RFI) - Joint Venture Agreement for the Development of a Parking Structure in the Downtown Hamilton Community Improvement Project Area (DHCIPA) (PED05105) (Wards 1, 2 & 3) (Item 5.2)

a) That Report PED05105 respecting the proposal to issue a Request for Information (RFI) – Joint Venture Agreement for the Development of a Parking Structure in the Downtown Hamilton Community Improvement Project Area (DHCIPA) be received for information.

b) That staff of the Hamilton Municipal Parking System (HMPS) be authorized to issue a Request for Information (RFI) to gauge the level of interest from the private sector to participate with the HMPS in the development of a parking structure.

c) That staff report the results of the Request for Information (RFI) at a future meeting of the Planning and Economic Development Committee.

d) And that HSR be requested to comment on the relationship between transit use and the availability of parking Downtown, and that their comments be included in the staff report to Committee.

3. Application to Amend the Dundas Sign By-law, 40 Cootes Drive (Dundas) (PED05110) (Ward 13) (Item 5.3)

That approval be given to **Sign Variance Application SV-05-02, Enterprise Rent-A-Car Inc., Applicant**, for lands located at 40 Cootes Drive, (former Town of Dundas) to permit a ground sign, with the height of the sign to exceed the main facade of the building to a maximum height of 4.57 metres, to permit a reduced setback of 0.15
metres to the leading edge of the sign from the front property line, and to permit a reduced setback of 0.76 metres to the base of the sign from the side property line (as set out in Report PED05110).

4. **Enterprise Zone Municipal Realty Tax Incentive Grant Program – Application EZ05/01, 112 King Street East (PED05111) (Ward 2) (Item 5.4)**

That Application EZ05/01 for the proposed restoration, conversion and adaptive re-use of 80,000 square feet to residential condominium units and 160,000 square feet to a five star hotel and office space in the building known as the Royal Connaught, be approved as an eligible project under the “Enterprise Zone Municipal Realty Tax Incentive Grant Program”.

5. **Enterprise Zone Municipal Realty Tax Incentive Grant Program – Application EZ05/02, 207-211 James Street South and 4-14 Forest Avenue (PED05112) (Ward 2) (Item 5.5)**

That Application EZ05/02 for the proposed restoration of 25 residential rental and commercial units at 207, 209, 211 James Street South, 4, 8, and 14 Forest Avenue, be approved as an eligible project under the “Enterprise Zone Municipal Realty Tax Incentive Grant Program”.

6. **Demolition Permit – 305 Grays Road (PED05115) (Ward 5) (Item 5.6)**

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 305 Grays Road in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.

7. **Surplus School Lands, Hamilton-Wentworth Catholic District School Board, 12 Ambrose Avenue, Hamilton (PED05121) (Ward 5) (Item 5.7)**

That the Real Estate Section of the Development and Real Estate Division be authorized and directed to advise the Hamilton-Wentworth District School Board that the City of Hamilton has no interest in acquiring the lands composed of Lot 30 on Registered Plan M-3, save and except Part 1 on Plan 62R-1522, municipally known as 12 Ambrose Avenue, Hamilton, as shown on Appendix “A” to Report PED05121.
8. Application for a Change in Zoning for Lands Located South of the Lincoln M. Alexander Parkway and West of West 5th Street (Hamilton) (PED05114) (Ward 8) (Item 6.1)

That approval be given to Zoning Application ZAC-05-56, 1419690 Ontario Inc., (Ward Campbell), owner, for a change in zoning from “DE” (Low Density Multiple Dwellings) District, Modified, to “R-4” (Small Lot Single Family Dwelling) District, Modified (Blocks 1 to 3) to permit the development of 12 interlink single detached dwelling units and from “DE” (Low Density Multiple Dwellings) District, Modified to “R-4” (Small Lot Single Family Dwelling) District, Modified (Block 4) to permit the development of 18 small lot single detached dwellings, for lands located south of the Lincoln M. Alexander Parkway and west of West 5th Street (Hamilton), as shown on Appendix “A” to Report PED05114, on the following basis:

(a) That Blocks 1, 2 and 3 be rezoned from “DE” (Low Density Multiple Dwellings) District, Modified, to “R-4” (Small Lot Single Family Dwelling) District, Modified.

(b) That Block 4 be rezoned from “DE” (Low Density Multiple Dwellings) District, Modified, to “R-4” (Small Lot Single Family Dwelling) District, Modified.

(c) That the Draft By-law, attached as Appendix “D” to Report PED05114, which has been prepared in a form satisfactory to Corporate Counsel, and as amended by Committee on September 20, 2005 with regard to minimum rear yard depth and landscaped open space areas, be enacted by City Council.

(d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

9. Applications for a Draft Plan of Subdivision Known as “Paradise Green” and for a Change in Zoning for Lands Located on Part of Lot 21, Concession 8, Municipally Known as 87 Edgehill Drive (Hamilton) (PED05116) (Ward 8) (Item 6.2)

(a) That approval be given to Subdivision Application 25T200503, Winzen Ancaster Homes Phase II Limited, owner, to establish a draft plan of subdivision on lands described as Part of Lot 21, Concession 8, municipally known as 87 Edgehill Drive (Hamilton), comprising 6.79 hectares (16.78 acres), as shown on Appendix “B” to Report PED05116, subject to the execution of a City standard form Subdivision Agreement, including the conditions contained in Appendix “C” to Report PED05116 and the following:

(i) Acknowledgement by the City of Hamilton that funds have been allocated, in accordance with the Development Charges By-law, for cost-sharing for the stormwater management facility; and,
(ii) That payment of Cash-in-Lieu of Parkland will be required for the development prior to the issuance of each building permit for the lots within the plan. The calculation of the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of the building permit;

all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council.

(b) That approval be given to Zoning Application ZAC-05-33, Winzen Ancaster Homes Phase II Limited, owner, for a change in zoning from the “AA” (Agricultural) District to “D” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified (Block “1”) to permit 20 single family dwellings upon additional land assembly, from the “AA” (Agricultural) District to “C” (Urban Protected Residential, etc.) District, Modified (Block “2”) to permit 50 single family dwellings with additional land assembly, and from “AA” (Agricultural) District to “A” (Conservation, Open Space, Park & Recreation) District (Block “3”) to permit the development of a stormwater management pond and open space/conservation uses on lands described as Part of Lot 21, Concession 8, municipally known as 87 Edgehill Drive (Hamilton), as shown on Appendix “A” to Report PED05116, subject to the following:

(i) That Block “1” be rezoned from “AA” (Agricultural) District to “D” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified.

(ii) That Block “2” be rezoned from “AA” (Agricultural) District to “C” (Urban Protected Residential, etc.) District, Modified.

(iii) That Block “3” be rezoned from “AA” (Agricultural) District to “A” (Conservation, Open Space, Park & Recreation) District.

(iv) That the draft By-law, attached as Appendix “D” to Report PED05116, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council.

(v) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan and the Ancaster Official Plan.

(c) That upon finalization of the implementing By-law, the Falkirk West Neighbourhood Plan be amended to reflect the change in designation from “Innovative Housing” to “Single and Double” Residential, and to revise the road network to add a cul-de-sac shown as Street ‘C’ on Appendix “B” to Report PED05116.
10. **Clean Up of 1759 Safari Road (PED05113) (Ward 14) (Item 8.1)**

   a) That staff be authorized and directed to pay Power Property Services $42,800 for performing the work of removing rubbish and debris from 1759 Safari Road pursuant to the Property Standards Order, which became final and binding September 30, 2004.

   b) That staff further be authorized and directed to exceed the amount outlined in sub-section (a) above by 10%, in order to respond to any additional unforeseen changes in the property’s condition.

   c) That charges for the clean up of 1759 Safari Road, as outlined in sub-sections (a) and (b) above, be added to the property’s Tax Roll 30171053200.

   d) That the lowest bidder, Power Property Services be awarded the contract to remove rubbish and debris from 1759 Safari Road.

   e) That Public Health staff be directed to test wells within the vicinity of the subject site as soon as possible and report back to Committee regarding any recommended remedial action required.

11. **Motion Requesting Province of Ontario to Review Property Standards Regulations (Added Item)**

   That the City of Hamilton request, through the offices of the Mayor, that the Province of Ontario move expeditiously to review and strengthen the regulations regarding property standards issues, in order to address the serious problems being encountered on a daily basis by municipalities, in their attempts to enforce the current regulations.

12. **Summary Report of Real Estate Activity for the City of Hamilton and Approval of Real Estate Staffing Changes in the Development and Real Estate Division (PED05117) (City Wide) (Item 8.2)**

   (a) That Report PED05117, summarizing the Development and Real Estate Division’s real estate activities for 2001-2005, be received, for information.

   (b) That the following staff positions in the Real Estate Division be approved as follows:

      (i) Temporary Administrative Assistant to Permanent Administrative Assistant.

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(ii) Two Temporary Property Officers to One Permanent Property Co-ordinator.

(iii) Temporary Senior Planner to permanent Senior Planner – Real Estate position.

(c) That the Part-time Property Co-ordinator position for property leases be extended for a further 18 months.

(d) That the Administrative Assistant, Property Co-ordinator, extension of the part-time Property Co-ordinator and 75% of the cost for the Senior Planner be self-funded through monies received from the sale of properties from the Property Purchase and Sales Capital Account; and 25% of the cost for the Senior Planner-Real Estate be funded from the Development Fee Stabilization Reserve.

13. **John C. Munro Hamilton International Airport - Updated Noise Exposure Forecasts (PED05119) (Ward 11 & 12) (Item 8.3)**

(a) That the City of Hamilton request Transport Canada to assist City staff and their agents to update the John C. Munro Hamilton International Airport Noise Exposure Forecasts/Projections and related contours.

(b) That $45,000, representing the City of Hamilton’s 50% share of the total cost of revising and updating the John C. Munro Hamilton International Airport Noise Exposure Forecasts/Projections and related contours, be funded from the City’s Development Charge Studies Reserve #110324.

(c) That the General Manager of Planning and Economic Development Department retain the services of a consultant to update the Noise Exposure Forecasts/Projections and related contours in accordance with the City of Hamilton Purchasing Policy.

14. **Applications to Amend the Ancaster Official Plan and Zoning By-law No. 87-57, for Lands Located at 125-139 Wilson Street West (Ancaster) (PED05074) (Ward 12) (Added Item)**

(a) That approval be given to **amended Official Plan Amendment application, OPA-05-01 by 1622141 Ontario Limited (Helmuth Strobel) owner, for land located at 125-139 Wilson Street West (Ancaster), as shown on Appendix “A” to Report PED05074, for a change in designation on Schedule “B”, Land Use – Urban Area of the Town of Ancaster Official Plan, from “Institutional” to “Residential” and to add a special policy to permit 4 occupied stories entirely above the grade level.**
(b) That approval be given to amended Zoning By-law Amendment application ZAC-05-03, 1622141 Ontario Limited, (Helmuth Strobel), owner, for a change in zoning for lands located at 125-139 Wilson Street West, from the Institutional “I” Zone to the Modified Residential Multiple “RM6-530” Zone, to permit a 59 unit, 4 storey apartment building, as shown on Appendix “A” to Report PED05074, on the following basis:

(i) That the zoning of the subject lands be changed from the Institutional “I” Zone to the Modified Residential Multiple “RM6-530” Zone.

(ii) That the attached Draft By-law, shown as Appendix “B” to Report PED05074, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council.

(iii) That the proposed change in zoning will be in conformity with the Town of Ancaster Official Plan upon approval of the proposed Official Plan Amendment.

15. Proposed policy for school boards to include naturalized areas in all new school sites (Outstanding Business Item C) (No Copy) (Item 11.2)

That the item regarding the inclusion of naturalized areas in all new school sites be removed from the Outstanding Business List, as the matter is now addressed through the Site Plan Approval process.

16. Enforcement of Truck Routes (Added Item)

That a meeting be held with the Police Services Board to be attended by Chair Whitehead, Councillor B. Bratina and Councillor D. Mitchell, to review the issue of truck routes, including, but not limited to, the abuse and enforcement of these routes and the formulation of a new co-operative enforcement strategy between the Police and City staff.
FOR THE INFORMATION OF COUNCIL:

(a) Changes to the Agenda

The Clerk advised of the following changes to the agenda.

(i) Item 8.5 Provision of Schools in new areas is postponed until a Committee meeting in October, at the request of Councillor McCarthy, as the speakers are unable to attend today.

(ii) The staff report regarding 125-139 Wilson Street, Ancaster, tabled at the Committee meeting of September 6, 2005, is being added to the agenda at the request of Councillor Ferguson.

Committee approved the amendments to the Agenda.

(b) Declarations of Interest

None

(c) Chair

During the course of the meeting, Chair Whitehead relinquished the Chair on several occasions to First Vice Chair Pearson in order to join in the debate and to request additional information from staff and the public.

(d) Proposal to Issue a Request for Information (RFI) - Joint Venture Agreement for the Development of a Parking Structure in the Downtown Hamilton Community Improvement Project Area (DHCIPA) (PED05105) (Wards 1, 2 & 3) (Item 5.2)

Committee raised a number of questions and additional information was provided by staff. Committee approved the staff recommendation with one amendment.

(e) Application to Amend the Dundas Sign By-law, 40 Cootes Drive (Dundas) (PED05110) (Ward 13) (Item 5.3)

Committee raised a number of concerns regarding the approval of a variance when a new Comprehensive Sign By-law is being prepared. Committee approved the staff recommendation.

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(f) Application for a Change in Zoning for Lands Located South of the Lincoln M. Alexander Parkway and West of West 5th Street (Hamilton) (PED05114) (Ward 8) (Item 6.1)

A Public Meeting was held.

Chair Whitehead 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.

Heather Travis outlined some minor changes to the proposed by-law, with regard to minimum rear yard depths and the provision of landscaped open space areas.

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

The applicant’s agent, Sarah Robinson, Starward Developments, advised that she supported the staff recommendation.

Committee approved the staff recommendation.

(g) Applications for a Draft Plan of Subdivision Known as “Paradise Green” and for a Change in Zoning for Lands Located on Part of Lot 21, Concession 8, Municipally Known as 87 Edgehill Drive (Hamilton) (PED05116) (Ward 8) (Item 6.2)

A Public Meeting was held.

Chair Whitehead 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.

Heather Travis outlined the report to Committee.

The applicant’s agent, Leo Buiten huis, Westlake, advised that he was satisfied with the staff recommendation.

No members of the public came forward to address Committee.

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

Councillor McHattie thanked staff for the inclusion in their presentation of an air photo of the site.
Chair Whitehead raised a number of questions about the lack of maintenance on the site, including the existence of standing water and the number of weeds, both of which were a nuisance to the neighbours. The applicant agreed to address these issues.

Committee approved the staff recommendation

(h) **Clean Up of 1759 Safari Road (PED05113) (Ward 14) (Item 8.1)**

Tom Redmond provided an overview of the staff report.

Committee discussed the matter in detail and noted the problems and delays encountered when using the existing Provincial regulations on property standards, the possible contamination of neighbouring wells, and the need for safety of persons involved in the proposed cleanup.

Staff provided additional information regarding the matter.

Committee approved the staff recommendation and then passed a Motion requesting the Provincial government to review and strengthen their property standards regulations.

(i) **Summary Report of Real Estate Activity for the City of Hamilton and Approval of Real Estate Staffing Changes in the Development and Real Estate Division (PED05117) (City Wide) (Item 8.2)**

Tim McCabe provided an overview of the report and noted that Hamilton is considered to be on the leading edge, with the inclusion of the real estate section in the Planning function.

Committee congratulated Mr. McCabe and his staff for their excellent work.

Committee approved the staff recommendation.

(j) **John C. Munro Hamilton International Airport - Updated Noise Exposure Forecasts (PED05119) (Ward 11 & 12) (Item 8.3)**

Guy Paparella provided an overview of the report.

Committee asked a number of questions regarding noise complaints and how these are addressed.
Councillor Ferguson noted that noise complaints had decreased and that the Committee set up to address these matters now only met semi-annually.

Mr. Paparella explained that the Study should be ready within 6-8 months, in time for use in the aerotropolis proposal.

Mr. Coveyduck added that a staff report on GRIDS should be ready for presentation to Committee in October.

Committee approved the staff recommendation.

(k) Impact of storm sewer water from the new Fifty Point Subdivision to on the existing properties in Lochside Drive area (Verbal update directed by Committee on September 6, 2005) (Item 8.4)

Tony Sergi provided a verbal update and advised that Planning and Public Works staff had held a meeting with residents, at which a number of issues had been addressed. He advised that the written report should come to Committee for the second meeting in October.

Committee received the staff update.

(l) Applications to Amend the Ancaster Official Plan and Zoning By-law No. 87-57, for Lands Located at 125-139 Wilson Street West (Ancaster) (PED05074) (Ward 12) (Added Item)

Councillor Ferguson advised that discussions had been held between the parties concerned.

Councillor Mitchell expressed concerns about the proposed height of the building and the way height is calculated in the by-law.

Tim McCabe explained that height calculations can be done in different ways and that this application had been assessed according to the Ancaster Zoning By-law regulations.

He noted that alternative ways of calculating height of buildings would be brought to Committee for review, prior to a new regulation being included in the new Comprehensive Zoning By-law.

Committee approved the original staff recommendation.

Councillors Ferguson and Mitchell requested their opposition be recorded.
(m) **Provision of Schools to Keep Pace with New Developments (PD03136a) (City Wide) (Item 8.5)**

Chair Whitehead confirmed that this report would be discussed in October.

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

None

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

None

(p) **Graffiti By-Law (Outstanding Business Item A) (No Copy) (Item 11.1)**

Judy Downey provided an update on the progress of this item and that meetings had taken place with various parties.

Mayor Di Ianni noted that his office was now involved in the matter, and that this was a major subject which needed a broad plan.

(q) **Proposed policy for school boards to include naturalised areas in all new school sites (Outstanding Business Item C) (No Copy) (Item 11.2)**

Paul Mallard explained that this matter is now being addressed in the Site Plan Approval process for new schools.

By Motion, Committee removed the item from the Outstanding Business List.

(r) **Amendment to the Second Hand Goods By-law (Outstanding Business Item L) (No copy) (Item 11.3)**

Judy Downey gave a verbal update on the progress of this matter.

Committee confirmed that they wanted to receive a written report on this matter.
Tom Redmond provided an update on this item.

Councillor Ferguson noted that it would be discussed at the next School Board Relations Committee.

Councillor Mitchell requested that Henry Dekker be invited to that meeting. It was agreed that the draft staff report would be circulated to Planning and Economic Development Committee members ahead of the School Board Relations Committee meeting, and that the final staff report would come to PED in November.

Staff advised that this report would be coming to Committee on October 4, 2005.

On a Motion, Committee moved In-Camera to consider this matter. On a Motion, Committee reconvened in Open Session.

Chair Whitehead advised that staff had been given direction at the closed session.

Committee then discussed the enforcement of truck routes, and passed a Motion regarding further action on these.
(v) **Adjournment**

The Planning and Economic Development Committee adjourned at 11:58 a.m.

Respectfully submitted,

Terry Whitehead, Chair  
Planning & Economic Development Committee

Alexandra Rawlings, Co-ordinator  
Planning and Economic Development Committee  
September 20, 2005