Present: Chair M. Pearson
Vice Chairs, Councillors: B. Bratina, L. Ferguson,
Councillors: B. Clark, S. Duvall, B. McHattie, D. Mitchell, R. Pasuta,
T. Whitehead, T. Jackson

Staff Present: T. McCabe, General Manager – Planning and Economic
Development
P. Mallard, T. Sergi, B. Janssen, J. Spolnik, M. Hazell, N. Everson,
D. Falletta, J. Caetano, M. Sergi, D. Stevens, T. Lee,
J. Hickey-Evans, S. Robichaud, D. Adames, N. Schleehan,
B. Farkas – Planning and Economic Development Department
A. Rawlings, Co-ordinator - City Clerk's Office

THE ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE PRESENTS
REPORT 09-011 AND RESPECTFULLY RECOMMENDS:

1. Main Street Housing Loan and Grant Program - 255 West Avenue North
(PED09114) (Ward 3) (Item 5.1)

(a) That a loan commitment totalling $200,000 for the conversion of a community
centre to a twenty-seven (27) unit multiple dwelling at 255 West Avenue North
within the Barton Village B.I.A., be approved in accordance with the terms and
conditions of the Main Street Housing Loan and Grant Program.

(b) That Council agree to allow the Federal and Provincial financial contribution for
255 West Avenue North under Canada-Ontario Affordable Housing Program –
Rental Component to be secured in a priority position to the City’s mortgage and
that the City’s position, as a consequence be secured as a third mortgage.

(c) That a grant commitment at an upset limit of $5,000 for professional fees related
to the development of the residential units at 255 West Avenue North, be

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approved in accordance with the terms and conditions of the Main Street Housing Loan and Grant Program.

(d) That the Mayor and City Clerk be authorized and directed to execute the loan agreement and security documentation with respect to sub-sections (a) and (b) above in a form satisfactory to the City Solicitor.

(e) That the General Manager of the Planning and Economic Development Department be authorized and directed to amend the loan agreement as required provided that the terms and conditions of the Main Street Housing Loan and Grant Program as approved by City Council are maintained.

(f) That a condition of the loan and grant commitment for the project listed in sub-sections (a) and (c) above be that the project be 60% complete by December 31, 2009 or the loan and grant commitment will be cancelled.

2. Hamilton Heritage Property Grant Program 255 West Avenue North, (West Avenue School) (PED09134) (Ward 3) (Item 5.2)

(a) That a grant commitment totalling $150,000.00 for the replacement of windows; re-pointing and cleaning of the exterior façade; roofing and restoration of broken slate tiles; reconfiguring and restoring the entranceway; and, restoring the cupola, dormers, cornice and eaves at 255 West Avenue North, be approved in accordance with the terms and conditions of the Hamilton Heritage Property Grant Program.

(b) That staff be authorized and directed to prepare and execute the Letter of Understanding with the applicant with respect to sub-section (a) above, with such Letter of Understanding being in a form satisfactory to the City Solicitor.

(c) That the total grant in the amount of $150,000.00 be charged to Dept. ID 58201-815025 with funding coming from the Main Street Program Reserve (102048).

(d) That a condition of the grant commitment for the work identified in (a) above be that all building and planning requirements, including a heritage permit, be obtained and work be undertaken in full compliance with the permits for the work or the grant will be cancelled by the Director of the Downtown and Community Renewal Division.

(e) That the Director of Downtown and Community Renewal be authorized and directed to approve a maximum extension period of one (1) year to the applicant for the completion of the works, over and above the two (2) year period the applicant is given that commences the date Council approves the grant.
3. Commercial Property Improvement Grant Program (C.P.I.G.) Applications (PED09140) (Wards 1, 2, 3, 4, 12, 15) (Item 5.3)

(a) That the applications recommended for approval and identified within Appendix ‘A’ to Report PED09140 be approved for funding according to the terms and conditions of the Commercial Property Improvement Grant Program (C.P.I.G.).

(b) That applicants of properties with outstanding taxes be notified that a condition of the grant is 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 (1) year of the date of the Letter of Understanding entered into between the City of Hamilton and the applicant, that the grant will be considered void.

(c) That the grant portion to fund the applications identified in Appendix ‘A’ to Report PED09140 in the total amount of $192,095.30 be funded from Commercial Property Improvement Grant (C.P.I.G.) Project ID# 8200903610.

(d) That unallocated grant monies identified in recommendation (c) above that result from taxes not being paid or applicants not proceeding with the renovation of their properties be transferred to the Commercial Property Improvement Grant (C.P.I.G.) Reserve to be utilized for future loan and grant programs administered by the Downtown and Community Renewal Division for Hamilton’s Business Improvement Areas.

(e) That the Director of Downtown and Community Renewal, Planning and Economic Development Department, be authorized and directed to approve increases/decreases to the individual grant amounts approved as long as the overall grant portion referenced in recommendation (c) above is not exceeded and said grant is in accordance with the Program rules.

(f) That the Director of Downtown and Community Renewal, Planning and Economic Development Department, be authorized to approve a maximum extension period of one (1) year to applicants for the completion of works, over and above the one (1) year period applicants are given that commences the date Council approves their grant.

(g) That staff be authorized and directed to prepare and execute Letters of Understanding with Council-approved applicants, with such Letters of Understanding being in a form satisfactory to the City Solicitor.
4. **Demolition Permit – 1078 Garth Street (PED09133) (Ward 8) (Item 5.4)**

That the Director of Building Services be authorized and directed to issue a demolition permit for 1078 Garth Street in accordance with By-Law 08-226 pursuant to Section 33 of *The Planning Act*, as amended, subject to the following conditions:

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

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

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

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

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

5. **Proactive Enforcement of Traffic By-law 01-215 Respecting Trucks Utilizing Non-Truck Routes (PED09141) (City Wide) (Item 5.5)**

(a) That no further action be taken respecting the establishment of a joint enforcement program whereby City By-Law Enforcement Officers would assist Hamilton Police Officers in the enforcement of heavy vehicles using non-truck routes.

(b) That any specific concerns regarding a need for enforcement of heavy vehicles on non-truck routes, or general concerns about a possible service level deficiency in enforcement of moving violations be forwarded to the Hamilton Police Service.

(c) That the item respecting proactive enforcement of Traffic By-law 01-215, respecting trucks utilizing non-truck routes city-wide, but markedly on rural routes be identified as completed and removed from the Economic Development and Planning Committee Outstanding Business List.
6. Hamilton Downtown Residential Loan Program – 80 King William Street (RL03/05) (PED08297(a)) (Item 5.6)

That Report PED08297(a), Hamilton Downtown Residential Loan Program – 80 King William Street (RL03/05), be received for information.

7. Westdale Village Business Improvement Area (B.I.A.) Board of Management Resignation (PED007010(c)) (Item 5.7)

That Report PED007010(c), Westdale Village Business Improvement Area (B.I.A.) Board of Management Resignation, be received for information.

8. Application for a Change in Zoning for the Lands Located at 1396 Seaton Road (Flamborough) (PED09135) (Ward 14) (Item 6.2)

That approval be given to Zoning Application ZAR-09-005, by Glenn Jarvie (Jarvie & Company Inc.) Owner, for a change in zoning from the Agricultural “A” Zone to the Agricultural “A-87” Zone, Modified, in order to prohibit the construction of a new single detached dwelling on the lands located at 1396 Seaton Road, as shown on Appendix “A” to Report PED09135, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED09135, 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 Flamborough Official Plan.

9. Application to Amend Hamilton Zoning By-law No. 05-200 for the Property Located at 69 Sanders Boulevard (Hamilton) (PED09136) (Ward 1) (Item 6.4)

That approval be given to Zoning Application ZAR-08-074, by 69 Sanders Boulevard Limited, Owner, for a change in zoning from the Community Institutional (I2) Zone to the Community Institutional (I2) Zone, with a Special Exception and a Holding Provision, to permit the conversion of the existing school to a lodging house for a maximum of 50 residents, on lands located at 69 Sanders Boulevard (Hamilton), as shown in Appendix “A” to Report PED09136 on the following basis:

(a) That the amending By-law apply the Holding Provisions of Section 36 (1) of the Planning Act, R.S.O., 1990 to the subject lands, as shown as Appendix “A”, by introducing the Holding symbol (H) as a suffix to the proposed Zone. The
Holding provision will prohibit the development of the subject property until such time:

(i) That the owner/applicant submits a signed Record of Site Condition (RSC) to the City of Hamilton and the Ministry of the Environment (MOE). The RSC must be to the satisfaction of the City of Hamilton, including an acknowledgement of receipt of the RSC by the MOE, and submission of the City of Hamilton’s current RSC administration fee.

City Council may remove the (H) symbol, and thereby give effect to the Community Institutional (I2, C20) Zone by enactment of an amending By-law once the condition is satisfied.

(b) That the Draft By-law, attached as Appendix “B” to Report PED09136, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

(c) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan, the City of Hamilton Official Plan, and the Ainslie Wood Westdale Secondary Plan.

10. Changes to Fees under the Building By-law (PED09131) (City Wide) (Item 6.5)

(a) That the By-law attached to Report PED09131 as Appendix “A” to amend City of Hamilton By-law 08-161, being a By-law prescribing fees for building permit applications and related matters, be enacted.

(b) That the fees prescribed in the By-law attached to Report PED09131 as Appendix "A" be included as an amendment to the 2009 User Fees and Charges By-law.

(c) Prior to any increases above the recommended 5% and 10% included in this report that the Director of Building Services be directed to retain an independent consultant to review both the staffing levels and the current permit fees to determine if the fees and staffing levels are appropriate in order to ensure that activities performed by the Building Services Division under the Building Code Act are fully cost-recovered and whether any adjustments in staffing or fees are required.

(d) That upon completion of the review, identified in recommendation (c) above, the consultant’s Report be presented to the Economic Development and Planning Committee together with any recommendations on staffing and/or fee adjustments.
(e) Subject to the Economic Development and Planning Committee holding a Public Meeting as required by the Building Code Act, that permit fees be adjusted in January of every year in order to reflect inflationary/cost of living increases.

11. Economic Development and Real Estate 2008 Highlights (PED09139) (City Wide) (Item 7.1)

That Report PED09139 respecting Economic Development and Real Estate 2008 Highlights be received for information.

12. Tourism Hamilton 2008 Annual Report (PED09138) (City Wide) (Item 7.2)

That Report PED09138 respecting “Tourism Hamilton 2008 Annual Report”, including Tourism Hamilton’s 2008-2010 Strategic Plan Year 1 results, attached as Appendix “A” to Report PED09138, be received for information.

13. Status of Land Negotiations for the North Glanbrook Industrial Business Park (NGIBP) (PED08083(b)) (City Wide)

a) That Report PED08083(b) respecting the Status of Land Negotiations for the North Glanbrook Industrial Business Park (NGIBP) be received

b) That Report PED08083(b) respecting the Status of Land Negotiations for the North Glanbrook Industrial Business Park (NGIBP) remain a confidential document and not be released as a public document.

14. Acquisition of Albion-Wil Bar, 150 Pritchard Road from the Hamilton-Wentworth District School Board, Hamilton (PED09137 / PW09046) (Ward 6) Item 12.2)

(a) That the Real Estate Section of the Economic Development and Real Estate Division of the Planning and Economic Development Department be authorized and directed to proceed with a bona-fide Offer to the Hamilton-Wentworth District School Board for those lands being composed of part of Lot 1, Concession 7 comprising an area of 2.19 hectares (5.43 acres) more or less, known municipally as 150 Pritchard Road, Hamilton as shown on Appendix “C” to Report PED09137 / PW09046 attached.
(b) That the purchase price and financing for the lands be subject to the conditions as contained in the Analysis/Rationale Section of Report PED09137 / PW09046 remain confidential at this time, until final disposition by Council.

(c) That the Mayor and Clerk be authorized and directed to execute all necessary documents in a form satisfactory to the City Solicitor.

(d) That Report PED09137 / PW09046 respecting Acquisition of Albion-Wil Bar, 150 Pritchard Road, Hamilton, from the Hamilton-Wentworth District School Board, remain a confidential document and not be released as a public document

15. Ontario Municipal Board Hearing respecting Waterdown Bay Limited, 392 Dundas Street East, Waterdown, (Ward 15) (Item 12.3)

That the City of Hamilton enter into Minutes of Settlement with the City of Burlington to resolve current Ontario Municipal Board litigation respecting lands in South Waterdown.

FOR THE INFORMATION OF COMMITTEE:

2008 POLICE SERVICES BOARD PARTNERSHIP AWARD-RECOGNITION OF ANTHONY CHRISTISON (ADDED ITEM)

Prior to the regular business of Committee, Chair Pearson recognised Anthony Christison, a member of City staff, who has recently been presented with the 2008 Police Services Partnership Award.

Anthony Christison came forward and Marty Hazell provided the details of the award, and how Tony helped the Police with the recovery of stolen vehicles.

Everyone present joined in applause to congratulate Tony on his achievement.

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes to the agenda:

- one further Closed Session Item, added as Item 12.3, respecting a matter in Waterdown relating to an OMB Hearing.
The agenda for the May 19, 2009, meeting of the Economic Development & Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 3)

The Minutes of the May 5, 2009 Economic Development and Planning Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

Judy Lee, 22 Como Place, Hamilton, representing South Central Hamilton Mountain Neighbourhood Association, respecting request that the City purchases Ryckman’s Park to be used for parkland (Item 4.1)

Committee agreed to her request on June 2, 2009, when the staff report will be considered.

(e) Bruce Panagapko, 64 Cheever Street, Hamilton, respecting proposal for a mini cab service using a 4 wheeled bicycle. (Delegation Approved April 21, 2009) (Item 6.1)

Mr. Panagapko was not present at the start of the meeting. Chair Pearson asked again later in the meeting, if Mr. Panagapko was present. He was not present to address Committee.

(f) Application for a Change in Zoning for the Lands Located at 1396 Seaton Road (Flamborough) (PED09135) (Ward 14) (Item 6.2)

Chair Pearson 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.

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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.

Danielle Stevens was present to assist Committee and gave an overview of the matter, with the help of a powerpoint presentation.

Committee asked a number of questions, focusing on the fact that the subject application represents the consolidation of non-contiguous properties, one of which is not in the City of Hamilton, and whether the application conforms with the Green Belt and other Provincial policies.

Staff confirmed that the application is in conformity with the relevant Provincial policies.

The applicant, Glenn Jarvie, advised that he was satisfied with the staff recommendation. Mr. Jarvie explained that his family had farmed the subject property on a rental basis, for many years, and had recently purchased the land. He explained that his wife and her brother currently farmed the land and that, although the two farms are not adjacent, they are within a few minutes driving distance, and that the same farm equipment is used on both. Mr. Jarvie added that although their other farm is not within the City of Hamilton, the properties are very close to each other.

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

No members of the public came forward to address Committee.

Committee approved the staff recommendation. Councillor Pasuta requested his opposition be noted.

(g) Application for a Zoning By-law Amendment for Lands Located at 955 Regional Road 97 (Flamborough) (PED09132) (Ward 14) (Item 6.3)

Chair Pearson 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.

Chair Pearson noted that an additional communication, from Ed Fothergill, respecting this matter, had been distributed this morning.

David Falletta was present to assist Committee and gave an overview of the matter, with the help of a powerpoint presentation. He explained that staff is recommending refusal of the application as the applicant has not provided evidence that the use is legal non-conforming, and the use is not permitted by Provincial policy or by the Regional or Local Official Plans.

The applicant’s agent, Ed Fothergill, advised that he was not satisfied with the staff recommendation for refusal. He provided information respecting the operation of the site and referenced the letter which had been submitted this morning, respecting the continued use of the site for many years.

In response to questions from the Committee, Mr Fothergill confirmed that he was requesting a deferral of the item, to permit further discussions with staff, including the consideration of alternative sites for the business. Mr. Fothergill said that the use serves predominately a rural customer base, and could be considered to be in conformity with the Green Belt Plan.

Hugh Sprague, 11 Taywood Court, Dundas, addressed Committee with regard to the proposal. His points included, but were not limited to the following;

- his family farmed in area opposite subject property – retains a lot near the business
- previously, Coverdale farm was used for agriculture plus small trucking operation, leading to severance of westerly 20 acres in 1980’s, that portion used as trucking operation, balance for agriculture
- After severance, Coverdales moved a trucking operation, 25 trucks onto easterly farm portion of the original site
- trucking operation has been a problem in the area for a number of years, complaints made but City response very slow
- City losing significant assessment from business, as land still assessed agriculture
- Unfair for other trucking companies who are properly assessed, pay significant taxes, are properly zoned
- In favour of staff report, important to deny request, discourage this type of application, need for tax equity and level playing field for business.

John McIlwraith, 1001 Highway 97, addressed Committee. His points included, but were not limited to the following;

- Lives and farms immediately west of subject site, been there since 1973, also farms on nearby rented land
- Trucks are noisy, often start engines 4:00 – 4:30 am, contrary to Noise By-law
- Topsoil business not a long-term use on property, only since they moved off the topsoil to create large, graveled parking lot for the trucks
- Land in question could be put back to farming use

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

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

Councillor Whitehead, seconded by Councillor Mitchell, moved that the application be approved. Councillor Whitehead considered that the subject site is legal non-conforming and that there is a need to keep the existing jobs.

Staff cautioned that if the Committee recommendation is for approval, it is essential that additional wording be included respecting Council’s deeming the site to be in accord with the relevant Provincial policies.

Committee continued the discussion and considered the advantages and disadvantages of referring the matter back to staff, with direction, as requested by the agent.

Staff noted that should the application be approved, there could be an appeal, and that the Ministry of Municipal Affairs and Housing might become involved.

Committee continued their discussion on the potential referral.

Councillor Whitehead asked whether his Motion to approve the application could be referred to staff.

Councillor Mitchell withdrew his support, as the seconder, for the Motion to approve the application.

Councillor Whitehead then withdrew his Motion to approve the application.

On a Motion (Ferguson/Clark), Committee referred the matter back to staff, with direction for staff and the applicant to meet further, to consider the applicant’s
Councillor Bratina requested that staff be permitted to provide an update on the Thomas Building. On a Motion (Bratina/Ferguson), Committee agreed to hear the staff update.

John Spolnik gave an overview of the work on the Thomas Building, on James Street North, including the removal of the steel siding and the stabilization of the structure. He confirmed that the owner had received the required Heritage Permit and Building Permit. Mr. McCabe advised that there is no final use confirmed for the building at this time.

(h) Application to Amend Hamilton Zoning By-law No. 05-200 for the Property Located at 69 Sanders Boulevard (Hamilton) (PED09136) (Ward 1) (Item 6.4)

Chair Pearson 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.

Chair Pearson advised that additional letters had been distributed from Ainslie Wood Westdale Community Association; Leonard and Kathy Ippolito, 11 Westbourne Road; Reverend John Smith, St George’s Church, Emerson Street; Maryon Bryner; and Landtek Limited.

Timothy Lee gave an overview of the matter, with the help of a powerpoint presentation.

The applicant’s agent, George Zajac, of IBI Group, and the owner, Adam Ellis, advised that they were satisfied with the staff recommendation, and spoke in support of the application. Their points included, but were not limited to, the following:
- design of building modified after public open house with neighbours
- building will now be accessed from Main Street and not Sanders Blvd., no entry to building or site from Sanders side, all parking between building and Main, entry to building from Main Street side
- building will have 24 hour security on-site, peer-monitoring and paid security at weekends, to be well managed and secure
- no alcohol in common areas, students sign lease which includes code of conduct
- shuttle service to be operated on weekends, in conjunction with student residence on former CNIB site
- working on possibility of security patrols beyond site
- site will be fenced on both east and west sides
- parking provided is in excess of number needed, don’t think parking will be an issue, bike storage to be provided, site near Mac, right on a bus route.

Staff added that proposed building is in accord with strategy to get students into purpose built rental facilities, application represents an adaptive re-use of an existing building, formerly used for educational purposes.

Marlene Castura, 21 West Park Avenue, addressed Committee with regard to the proposal. Her points included, but were not limited to the following;

- concerned about use of building for student rental
- building has Sanders address, fronts Sanders, won’t become a building on Main Street just by changing the address, students will still use Sanders to access building, will still park on Sanders
- proposal not in accord with Secondary Plan, need balance in the area, this will make situation worse
- if approved, will be precedent setting, will encourage further lodging home uses in area, further penetration of student accommodation into residential streets
- approval will deteriorate hope of restoring neighbourhood
- area used to have harmony, balance of residents and students, over last 10 years balance has changed, now many streets contain predominantly student houses
- some students cause problems – shouting late at night, vandalism, residents need to call police.

Lavinia Welsh, 42 Kipling Road, representing the AWWCA, addressed Committee with regard to the proposal. Her points included, but were not limited to the following;

- letter submitted at start of meeting contains AWWCA’s concerns and their difficult but reluctant approval of application
- thanked applicants for their responses to concerns expressed at previous meeting, for change in entrance/orientation of building; added parking, and proposed management strategy for building
- noted that AWWCA still cautious on proposal
- AWWCA still concerned that area lacks balance, as stated in letter.

Ursula Walker, 19 West Park Avenue, addressed Committee with regard to the proposal. Her points included, but were not limited to the following:

- bad balance in area, too many young people in area already
- difficulties of noise, cars racing on Sanders, adverse impacts of students
- will add to parking pressures on Sanders.

Tom Perrie, 98 Binkley, addressed Committee with regard to the proposal. His points included, but were not limited to the following:

- balance lacking in area, need to promote balance for area
- his family resident in area many years, now surrounded by “student houses”. Student houses contain 6-8 students, have no hierarchy, no internal control as in standard family situation
- higher occupancy of so many houses has significant financial implications
- bad behaviour increasing – damage to his and other cars, students use sticks to hit cars on the street as they walk by, property damage, and police reluctant to respond
- subject property is on Sanders, building is close to Sanders, not on Main Street, and students will still wish to enter site from Sanders
- questioned way Triple Bottom Line addressed in report, pointed out that this would produce further negative financial and environmental impacts on Westdale
- has not seen any improvement since CNIB site building constructed, McMaster intake is very large
- hopes that the area does not become a student ghetto, as in Kingston or Philadelphia
- has asked McMaster to impose academic sanctions on students who severely misbehave, they have refused.

Paul Faure, 6 Daleview Court, addressed Committee with regard to the proposal. His points included, but were not limited to the following:

- professor at Mac, students are his livelihood
- can students sub-let in summer, any restrictions on this?
- Can area infrastructure handle increased sewage from increased occupancy
- Buses do go into Mac campus
- If no liquor allowed in building, students will go elsewhere to drink
- Sanders is main road to Mac, this residence will increase noise, traffic, street racing on street
- Requested owner to consider alternative uses, eg. High end B&B for visiting professors.

The applicant responded that all leases are 12 months. Residential Tenancies Act required that sub-lets be allowed, he will have all sub-lets sign agreements with the code of conduct included.

Councillor McHattie noted that all buses except B-Line go into campus; work in area on sewers is CSO retention tank and not related to individual applications; has also talked to Roger Trull, at Mac, respecting accommodation for visiting professors, to no avail, although the Off-Campus Housing Office has agreed this is an issue.

Committee discussed the issue in detail.

Councillor McHattie noted the following points:
- difficulties of lack of balance in area
- cumulative impact of student population on area is significant
- need to seek a balance
- 56% of houses in the area are occupied by students
- purpose built student housing such as CNIB site and proposed Ewen Road site are the way to go, particularly as these two are not in standard residential neighbourhoods
- proposal has good management strategy, good idea for shuttle.

Councillor McHattie concluded that he cannot support proposal.

Councillor Whitehead noted he would welcome this type of development in Mohawk College area.

Councillor Clark noted tough decision, licensing just for students unlikely although likely that licensing for rental properties could be done. In favour of managed student housing.

Councillor Ferguson noted Mac a success but this has serious consequences for surrounding neighbourhoods, feels real empathy for neighbours, suggested invitation to Police, Bill Stewart to address Committee on the issue of policing in Westdale.

Committee approved the staff recommendation. Councillors McHattie and Pasuta requested their opposition be noted.
Committee then passed the following Motion:

(Ferguson/McHattie)
That Superintendents Bill Stewart and Ken Bond be invited to address Committee on the matter of appropriate student control in student areas including those around McMaster University and Mohawk College.

Committee approved the staff recommendation as amended.

(i) **Changes to Fees under the Building By-law (PED09131) (City Wide) (Item 6.5)**

Chair Pearson advised that this was a Public Meeting pursuant to the Building Code Act, to hear public input into the proposed changes to fees under the Building By-law and that the meeting had been advertised in the Spectator.

Jorge Caetano, Manager of Customer Service, gave an overview of the proposal with the aid of a powerpoint presentation. He explained that fees had not been increased between 2001 and 2008, and that it was recommended that fees be considered for increase each year, from now on. Mr. Caetano explained that the City had lost significant revenue over these years, and that the fees collected had not covered staff costs. He noted that the shortfall had been covered by using reserves.

Steve Spicer, HHHBA, addressed Committee in opposition to the fee increases. He provided a copy of the HHHBA written comments for all members. Mr. Spicer suggested a freeze on fees for this year.

Committee discussed the matter and had further information supplied by staff. Mr. Caetano explained that a consultant would be hired to do an in-depth review of the staff costs associated with the fees, and that much more detailed information respecting this matter was now available.

Committee approved the staff recommendation.

(j) **Economic Development and Real Estate 2008 Highlights (PED09139) (City Wide) (Item 7.1)**

Neil Everson gave an overview of the staff report and with the aid of a powerpoint presentation.

Committee thanked Mr. Everson and his staff for all their work.

Committee received the report.
(k) **Tourism Hamilton 2008 Annual Report (PED09138) (City Wide) (Item 7.2)**

David Adames gave an overview of the matter, with the help of a powerpoint presentation. He distributed copies of “Experience Hamilton”, the Tourism Hamilton 2009/2010 Tourist Guide.

Committee thanked Mr. Adames and his staff for all their hard work.

Committee received the report.

(l) **Motions (Item 9)**

None.

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

None.

(n) **General Information (Item 11)**

(i) **Update on Sign By-law Enforcement (no copy) (Item 11.1)**

Marty Hazell provided an update on the item, and explained various changes to enforcement policies and procedures which were resulting in better compliance with a pro-active, team approach.

Mr. Hazell confirmed that the Sign By-law and its operation since approval would be considered at a special afternoon session of Committee on September 22, 2009. He agreed to consider the possibility that all mobile signs approved by the City display visible identification of approval.

(ii) **Carlson Street Temporary turnaround-request for reduction in radius (from Outstanding Business List, due May 19, 2009) (Item 11.2)**

Tony Sergi provided an update on the item.

By Motion (Duvall/Mitchell), Committee approved a new date of September 22, 2009.
(iii) **Letter from Barbara Hall, Chief Commissioner, Ontario Human Rights Commission respecting Rental housing licensing by-law (from Outstanding Business List, due May 5, 2009) (Item 11.3)**

Marty Hazell confirmed that the staff report had now been completed, and would be presented on June 16, 2009.

Committee approved the new date.

(iv) **News from the General Manager (Item 11.4)**

Tim McCabe advised that Joanne Hickey-Evans was present to give an update on the upcoming Official Plan meetings in June.

Ms. Hickey-Evans noted the following:

- on May 22, 2009, advertisements for the Special Official Plan Public Meetings would be published in The Spectator, Community newspapers, Free Press, would be available in all libraries and on City website
- May 22, 2009, all Councillors will receive updated Official Plan text and maps, which will become Appendix B to staff report
- June 10, 11, 16, 2009 are Special Public Meetings, all of which will have a staff overview at the start
- June 22, 23, 2009, Committee will deliberate on Official Plan and the public input received
- June 29, 2009, Special Council to approve Official Plan, then will be forwarded to Province.

Ms. Hickey-Evans agreed to send an email to all Councillors, advising of this timetable.

Mr. McCabe advised that last week, City received a $15,000 fine for building without permit on 28 Victoria; pleased that Courts are now responding well to these issues.

Mr. McCabe noted that Item ‘S’ on Outstanding Business List, the proposed Operational Review, had been discussed with City Manager. Agreement that synergies between Planning and Public Works should be reviewed before an Operational Review carried out, and so this request being made today to delay the due date for the Review.

On a Motion (Mitchell/McHattie), Committee agreed to postpone the date for completion of the Operational Review until June, 2010.
Mady Developments

Councillor Mitchell noted a successful meeting held by developer in Stoney Creek City Hall on May 6, 2009. He noted that Public Meeting for this item would be on June 2, 2009, also in Stoney Creek City Hall and suggested that meeting be held at a fixed time, possibly 2:00 pm.

Committee discussed the timing of the meeting and whether it was possible to specify a particular time.

Councillor Duvall asked what is policy for upkeep on lots which are subdivided but do not sell/do not get built on.

Staff responded that this is a problem in a slow economy, but such lots are covered by Property Standards By-law, and are the responsibility of the developer.

Private and Confidential (Item 12)

(i) Status of Land Negotiations for the North Glanbrook Industrial Business Park (NGIBP) (PED08083(b)) (City Wide)(Item 12.1)

(ii) Acquisition of Albion-Wil Bar, 150 Pritchard Road from the Hamilton-Wentworth District School Board, Hamilton (PED09137 / PW09046) (Ward 6) Item 12.2

(iii) Ontario Municipal Board Hearing respecting Waterdown Bay Limited, 392 Dundas Street East, Waterdown, (Ward 15) (Item 12.3)

At 1.10pm, Committee then passed the following Motion with regard to Items 12.1, 12.2 and 12.3:

That Committee move into Closed Session to consider 2 items pursuant to Section 239 of the Municipal Act, 2001 and Item 8.1(c) of the City’s Procedural By-law as the subject matters pertain to proposed or pending acquisition or disposition of land for municipal or local board purposes, and one item respecting litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, respecting an Appeal which before the Ontario Municipal Board, with regard to 392 Dundas Street East, Waterdown, Waterdown Bay Limited.
At 2.10pm, Committee resumed in Open Session, and passed Motions respecting all three items.

(p) **ADJOURNMENT (Item 13)**

There being no further business, the Economic Development and Planning Committee adjourned at 4:20 p.m.

Respectfully submitted,

Maria Pearson, Chair  
Economic Development and Planning Committee

Alexandra Rawlings, Co-ordinator  
Economic Development and Planning Committee  
May 19, 2009