Planning and Economic Development Committee
REPORT 05-020
October 4, 2005
9:30 a.m.
Council Chambers
Hamilton City Hall

Present: Chair T. Whitehead
Mayor Di Ianni
1st Vice-Chair M. Pearson,

Councillors: B. Bratina, M. Ferguson, B. Kelly, S. Merulla

Absent with Regrets: Councillor D. Mitchell, B. McHattie – Personal Business

Also Present: Councillors: P. Bruckler, B. Morelli, A. Samson, C. Collins

Staff Present: L. Coveyduck, General Manager, Planning and Development
T. McCabe, T. Sergi, R. Walters, P. Mallard, S. Murray,
B. Farkas, P. Moore, O. Quinn - Planning and Development
T. Redmond – Building
R. Marini, H. Milsome – Downtown Renewal
N. Everson, G. Paparella - Economic Development
P. Buckle, M. Hazell - Parking
A. Rawlings – City Clerk’s Office

THE PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE PRESENTS
REPORT 05-020 AND RESPECTFULLY RECOMMENDS:

1. Administrative Amendment to the Former City of Stoney Creek Official Plan
   (PED05057(a)) (Ward 9) (Item 5.1)

   (a) That approval be given to the application for Official Plan Amendment No. ___ to
   amend the former City of Stoney Creek Official Plan, to redesignate the most
   northerly portion of lands municipally known as 272 First Road West, as shown
   on Schedules “A” - General Land Use Plan and, “A3”- Secondary Plan West
   Mountain Planning District, Heritage Green Section, attached as Appendix “A” to

   Council –October 12, 2005
Report PED05057(a), so as to correctly identify the actual size of the lands originally intended for redesignation in OPA 117.

(b) That the General Manager, Planning and Economic Development Department, be hereby authorized and directed to prepare the requisite by-law to amend the Official Plan, in a form satisfactory to Corporate Counsel for presentation to Council.

2. **Heritage Permit Application (HP2005-016) Under Part IV of the Ontario Heritage Act to Permit Alterations and Additions to a Designated Property at 129 York Road, Dundas (PED05138) (Ward 13) (Item 5.3)**

That Heritage Permit (HP2005-016) be approved for the construction of additions and the replacement of windows to a detached residence at 129 York Road, Dundas, in accordance with the submitted drawings (as annotated) accompanying the permit application (see attached as Appendix A to Report PED05138).

3. **Main West Business Improvement Area (B.I.A.) Revised Board of Management (PED05120) (Ward 1) (Item 5.4)**

That the following individuals be appointed to the Main West B.I.A.’s Board of Management:

Tonya Gifford, Royal Bank, 65 Locke Street South
Vladimir Khayutin, Bax Security Systems, 461 Main Street West

4. **Demolition Permit – 209 Wellington Street North (PED05129) (Ward 2) (Item 5.5)**

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for the building located at 209 Wellington Street North, in accordance with Demolition Control By-Law 74-290 pursuant to the demolition control provisions of Section 33 of The Planning Act, as amended, subject to the following conditions:

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

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

(d) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions (including the directions to the City Clerk outlined in sub-section (e)) in a form satisfactory to the Director of Building and Licensing and to the Director of Legal Services and Corporate Counsel; 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. Demolition Permit – 61 Robins Avenue (PED05130) (Ward 4) (Item 5.6)

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 61 Robins Avenue in accordance with By-Law 74-290 pursuant to the demolition control provisions of Section 33 of The Planning Act, as amended, subject to the following conditions:

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

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

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

(d) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions (including the directions to the City Clerk outlined in sub-section (e)) in a form satisfactory to the Director of Building and Licensing and to the Director of Legal Services and Corporate Counsel; 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.
6. Demolition Permit – 81 Harmony Avenue (PED05131) (Ward 4) (Item 5.7)

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 81 Harmony Avenue in accordance with By-Law 74-290 pursuant to the demolition control provisions of Section 33 of The Planning Act, as amended, subject to the following conditions:

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

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

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

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

7. Demolition Permit – 175 Kensington Avenue North (PED05132) (Ward 3) (Item 5.8)

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 175 Kensington Avenue North in accordance with By-Law 74-290 pursuant to the demolition control provisions of Section 33 of The Planning Act, as amended, subject to the following conditions:

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

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

(c) That the said building permit for the replacement building specifies if such replacement building is not erected within the said two year time limit, that the City be paid the sum of $20,000;
(d) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions (including the directions to the City Clerk outlined in sub-section (e)) in a form satisfactory to the Director of Building and Licensing and to the Director of Legal Services and Corporate Counsel; 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.

8. Demolition Permit – 208 Gage Avenue North (PED05133) (Ward 3) (Item 5.9)

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 208 Gage Avenue North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.

9. Demolition Permit – 204 Gage Avenue North (PED05134) (Ward 3) (Item 5.10)

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 204 Gage Avenue North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.

10. Declaration of Surplus Property Located at the Rear of 46 Milkyway Drive, Hamilton (PED05135) (Ward 6) (Item 5.11)

(a) That the lands to the south of 46 Milkyway Drive, Hamilton, in the Trenholme Neighbourhood, legally described as Part of Part 1, on Plan 62R-14080, having an area of 107 square metres (0.026 acres), more or less, as shown on Appendices “A” and “B” to Report PED05135, attached herewith, 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, be authorized and directed to sell the subject lands to the abutting neighbour to the north, municipally known as 46 Milkyway Drive, 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 contributed to the Reserve for Property Purchases (Account 47702-3560150200).
11. Licensing & Property Standards Operational Review Sub-committee Report 05-001 (Item 5.12)

(a) Appointment of Licensing and Property Standards Operational Review Sub-Committee Chair (Item 8.1)

That Councillor S. Merulla be appointed as Chair of the Licensing and Property Standards Operational Review Sub-Committee.

(b) Appointment of Licensing and Property Standards Operational Review Sub-Committee Vice Chair (Item 8.2)

That Councillor T. Jackson be appointed as Vice Chair of the Licensing and Property Standards Operational Review Sub-Committee.

(c) Licensing and Property Standards Operational Review Sub-Committee Terms of Reference (Item 8.3)

That the Building and Licensing Division Operational Review Sub-Committee Terms of Reference, attached hereto as Appendix “A”, be approved.

(d) Standards & Licensing Section Operational Review – Terms of Reference (CM05029) (City Wide) (Item 8.4)

That the Terms of Reference for the operational review of the Building and Licensing Division of the Planning and Economic Development Department, attached hereto as Appendix “B”, be approved.

(e) Renaming of the Licensing and Property Standards Operational Review Sub-Committee (Item 9.1)

That the Licensing and Property Standards Operational Review Sub-Committee be renamed the Building and Licensing Division Operational Review Sub-Committee to reflect the proper name of the Division, to maintain consistency in our records, and to encompass Property Standards, Licensing, Building Permits and Animal Control functions.
(f) Additional Staff Resources

That the City Manager be requested to obtain the necessary resources required to complete the Building and Licensing Division Operational Review by September 2006.

(g) Additional Staff Resources – Funding

That staff be directed to identify an appropriate source of funding to cover the costs of additional staff resources to complete the Building and Licensing Division Operational Review by September 2006.

12. Application for a Change in Zoning for Lands Located at 894 Golf Links Road (Ancaster) (PED05123) (Ward 12) (Item 6.1)

That approval be given to amended Zoning Application ZAC-05-57, Elona and Gunther Schneider, owners, for a change in zoning from the Agricultural “A” Zone to the Residential Multiple “RM4” Zone, Modified (Block 1) to recognize the existing single detached dwelling and to permit block townhouse dwellings, and to the Residential Multiple “RM4” Zone, Modified, (Block 2) to permit either block townhouse dwellings or single detached dwellings for lands located at 894 Golf Links Road, as shown on Appendix “A” to Report PED05123 on the following basis:

(a) That the zoning of Block “1” be changed from the Agricultural “A” Zone to the Multiple Residential “RM4-534” Zone.

(b) That the zoning of Block “2” be changed from the Agricultural “A” Zone to the Residential Multiple “RM4-535” Zone.

(c) That the draft By-law, attached as Appendix “B” to Report PED05123, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council.

(d) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan and the Ancaster Official Plan.
13. **Application for a Change in Zoning for the Property Located at 480 Jones Road (Stoney Creek) (PED05124) (Ward 11) (Item 6.2)**

That approval be given to **Zoning Application ZAR-05-68, Lucio Falasca, owner**, for a change in zoning from the Rural Residential “RR” Zone to the Single Residential “R4-14” Zone, to permit the development of a single detached dwelling for the lands known municipally as 480 Jones Road (Stoney Creek), as shown on Appendix “A” to Report PED05124, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED05124, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council.

(b) That the amending By-law be added to Schedule “A”, Map No. 2, of Zoning By-law No. 3692-92.

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

14. **Applications to Amend the Ancaster Official Plan and Zoning By-law No. 87-57, 134 Wilson Street East (Ancaster) (PED05126) (Ward 12) (Item 6.3)**

(a) That approval be given to **Official Plan Application OPA-05-07, by Dr. Michael Mogavero, owner**, to add a site-specific policy to the Ancaster Official Plan to permit an animal hospital with no outside runs and a dwelling unit within the existing building, for lands located at 134 Wilson Street East (former Town of Ancaster), as shown on Appendix “A” to Report PED05126.

(b) That approval be given to **Zoning Application ZAC-05-52, by Dr. Michael Mogavero, owner**, for a modification to the “ER” (Existing Residential) Zone to permit an animal hospital with no outside runs and a dwelling unit within the existing building, for lands located at 134 Wilson Street East (former Town of Ancaster), as shown on Appendix “A” to Report PED05126, on the following basis:

That the subject lands be rezoned from the Existing Residential “ER” Zone to the Existing Residential “ER-536” Zone.

That the Draft By-law, attached as Appendix “B” to Report PED05126, and as amended, with regard to the elimination of the requirement for a loading space, by Committee on October 4, 2005, which has been prepared in a form satisfactory to Corporate Counsel, not be forwarded to City Council for enactment until such
time as the applicant has received approval of a site plan control application, to the satisfaction of the Manager, Development Planning.

That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the Ancaster Official Plan upon the approval of OPA No. ____.

15. Parking Issues in Downtown Hamilton (PED05019/SPH05038) (Wards 1, 2 & 3) – Referred from Planning and Economic Development Committee on August 3, 2004 and City Council on January 26, 2005 (Item 7.1)

(a) That the following recommendations be forwarded to the 2006 Budget process:

(i) That consideration be given to allocating $200,000 to the Public Health and Community Services Department Budget to allow for the interim financing of the York Boulevard Parkade “one-hour free parking” program, as a Cultural Services initiative, until such time as a market analysis respecting the Hamilton Farmers’ Market, being undertaken by the Cultural Services Section, has been completed.

(ii) That, contingent upon the allocation of funds as proposed in sub-section (a)(i), above, “no charge” parking on Saturdays at all on-street parking meters within the Downtown Hamilton Community Improvement Plan area be implemented as a Hamilton Municipal Parking System initiative.

(iii) That, contingent upon the allocation of funds as proposed in sub-section (a)(i), above, and the approval of sub-section (a)(ii), above, Hamilton Municipal Parking System staff be authorized and directed to consult with the various Downtown Hamilton Community Improvement Plan area stakeholders to develop a marketing strategy respecting the “free on-street parking on Saturdays” initiative.

(iv) That, contingent upon the allocation of funds as proposed in sub-section (a)(i), above, and the approval of sub-section (a)(ii), above, a by-law in the form attached hereto as Appendix “A” to Report PED05019/SPH05038, be passed and enacted upon the completion of the 2006 Budget process.

(b) That the outstanding item entitled “Parking Report from the Market Stallholders’ Association”, referred to staff from the Planning and Economic Development Committee on August 3, 2004, be identified as completed and removed from the Outstanding Business List of the subject Committee.

(c) That the outstanding item entitled “Parking and Transportation Issues in Downtown Hamilton”, referred to staff from Council on January 26, 2005, be
identified as completed and removed from the Outstanding Business List of the Planning and Economic Development Committee.


a) That an advancement in the amount of $10,000 to the International Village B.I.A. be approved;

b) That interest at the rate of 4.75% be charged on the $10,000 advancement;

c) That 100% of the advancement, plus interest charged, be deducted from the first payment to the International Village B.I.A. for its 2006 budget; and,

d) That the advancement be recorded as a balance sheet adjustment on the 2005 year end books.

17. **John C. Munro Hamilton International Airport - Federal Zoning Regulations (PED05137) (City Wide) (Item 8.2)**

(a) That the City of Hamilton request Transport Canada to revise and update the John C. Munro Hamilton International Airport Zoning Regulations.

(b) That the City of Hamilton request Public Works and Government Services Canada to provide their services with respect to revising and updating the John C. Munro Hamilton International Airport Zoning Regulations.

(c) That $129,000, representing the City of Hamilton’s 50% share of the total cost of revising and updating the John C. Munro Hamilton International Airport Zoning Regulations, be funded from the City’s Development Charge Studies Reserve #110324.

18. **Aeropark Industrial Lands – Extension to the Commencement and Completion of Construction Dates (PED05136) (Ward 11 and City Wide) (Item 12.1)**

That the Offer to Purchase the lands known as Part of Lot 5, Concession 3, Township of Glanford designated as Pt. 1, 62R-12209 and Pts. 7, 13, 19, 20, 25, 26 & 27, 62R-12459, municipally known as 2530 Highway No. 6, formerly in the Town of Glanbrook, now in the City of Hamilton, duly executed by the Purchaser,
Orlick Industries Limited, on April 12, 2000 and approved by Regional Council on December 21, 1999, Item 1 of Report 8-99 of the Economic Development and Tourism Committee, be amended as follows:

a) That Clause 8.7 – the commencement of construction date be extended from September 2, 2005 to May 2, 2006.

b) That Clause 8.8 – the completion of construction date be extended from September 30, 2006 to May 30, 2007.

And that the balance of the report remain confidential

19. Demolition Permit – 130 Newlands Avenue (PED05150) (Ward 4)(Added Item)

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 130 Newlands Avenue in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.

20. Removal of Items from the Outstanding Business List

THAT the following three items be removed from the Outstanding Business List,

(a) Item H - Starlings congregating in neighbourhoods, as staff have provided a verbal update on the matter.

(b) Item M - Strategy to attract Factory Outlet stores outside the Downtown Hamilton area, within the old former City and adjacent to the main highways, as this has been addressed.

(c) Item U - Flamboro Downs teletheatre request, as a staff report was received by Committee of the Whole on June 24, 2005

FOR THE INFORMATION OF COUNCIL:

(a) Changes to the Agenda

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

(i) Additional In-Camera item regarding the acquisition or disposition of lands (verbal update from staff)
(ii) Additional delegation request, from Sylvia Opl, to be added as Item 4.1.

Later in the meeting, Committee approved the addition of the following new report:

(iii) Demolition Permit – 130 Newlands Avenue (PED05150) (Ward 4).

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) Request for delegation from Sylvia Opl, respecting the spaying or neutering of domestic pets (Added Item 4.1)

Committee approved the delegation request.

(e) Administrative Amendment to the Former City of Stoney Creek Official Plan (PED05057(a)) (Ward 9) (Item 5.1)

Following a question from Councillor Bruckler, Lee Ann Coveyduck confirmed that the amendment related to lands owned by Paletta.

(f) Delegation of Council Consent to Staff for Alterations to Designated Property Under the Ontario Heritage Act (PED05096) (City Wide) (Item 5.2)

Committee discussed this item and, on a Motion by Councillor Pearson, seconded by Councillor Kelly, the item was referred back to Hamilton LACAC (Municipal Heritage Committee) for further review.

Council – October 12, 2005
(g) Demolition Permit – 61 Robins Avenue (PED05130) (Ward 4) (Item 5.6)

Committee discussed the matter and approved staff’s alternate recommendation, requiring the submission of a building permit application.

(h) Demolition Permit – 81 Harmony Avenue (PED05131) (Ward 4) (Item 5.7)

Committee discussed the matter and approved staff’s alternate recommendation, requiring the submission of a building permit application.

(i) Demolition Permit – 175 Kensington Avenue North (PED05132) (Ward 3) (Item 5.8)

Committee discussed the matter and approved staff’s alternate recommendation, requiring the submission of a building permit application.

(j) Application for a Change in Zoning for Lands Located at 894 Golf Links Road (Ancaster) (PED05123) (Ward 12) (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.

Paul Moore outlined the report to Committee.

Fred Brown, 36 Londonderry Drive, addressed Committee and expressed his concerns, particularly regarding the driveways being directly in front of his lot. He proposed that the single detached dwellings fronting onto Golf Links Road should be included in the townhouse development and that the new development should have access to Golf Links as well as Londonderry.

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

Ed Fothergill, Fothergill Planning and Development, the applicant’s agent, addressed Committee in favour of the proposal and explained that the proposed road pattern had been approved in the Neighbourhood Plan.

Committee discussed the matter.

Councillor Ferguson requested that a tree preservation plan be a requirement of the approval and staff agreed to make this change.

Council – October 12, 2005
Committee approved the staff report.

(k) Application for a Change in Zoning for the Property Located at 480 Jones Road (Stoney Creek) (PED05124) (Ward 11) (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.

Shannah Murray was present to assist Committee with the report.

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

The agent for the applicant advised that he supported the staff recommendation.

Committee approved the staff report.

(l) Applications to Amend the Ancaster Official Plan and Zoning By-law No. 87-57, 134 Wilson Street East (Ancaster) (PED05126) (Ward 12) (Item 6.3)

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.

Owen Quinn outlined the report to Committee, and noted a revision to the draft by-law, to eliminate the requirement for a loading space. He explained how the concerns raised by residents, regarding traffic, noise, change in the residential character of the neighbourhood, tree preservation and signage had been addressed. Mr. Quinn explained that the business would be located in the existing residential unit, that noise would be limited as there were no outside runs, that any signage would need to comply with the Ancaster Sign By-law and that Traffic staff has indicated that there are no traffic issues with the proposal.

James McKeon, 138 Wilson Street, addressed Committee and explained his concerns, including, but not limited to, drainage and fencing.
Staff explained that the issues raised would be addressed at the Site Plan Approval stage. Councillor Ferguson asked Mr. McKeon to put his concerns in an e-mail to staff, to ensure that they can be properly addressed.

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

Joe Lakatos, the applicant’s agent, advised that he was satisfied with the staff recommendation.

Councillor Morelli advised Committee that the applicant had made a similar application in his Ward, and that the approval of the veterinary clinic had not resulted in any noise or other problems for the neighbourhood.

Committee approved the staff recommendation.

(m) Parking Issues in Downtown Hamilton (PED05019/SPH05038) (Wards 1, 2 & 3) – Referred from Planning and Economic Development Committee on August 3, 2004 and City Council on January 26, 2005 (Item 7.1)

Marty Hazell and Paul Buckle provided an overview of the report with the aid of a powerpoint presentation.

Staff explained that their recommendation regarding “free parking” is the first step in a detailed process which includes a detailed market analysis of the whole issue and consideration of the proposals within the 2006 Budget process.

Ron Marini confirmed that the market analysis should be ready in Spring 2006.

Committee discussed the matter in detail and had additional information supplied by staff. During the discussion, members commended staff for their work on the item and for their excellent report.

Chair Whitehead relinquished the Chair to Councillor Pearson.

Councillor Whitehead expressed some concerns about supporting “free parking” which would benefit one area of the City.

Councillor Bratina noted that there is a Council responsibility to support and maintain the market and that market stallholders need assurances about free parking, pending completion of the study.

Mayor Di Ianni agreed with the comments made by Councillor Bratina.
Councillor Kelly noted that it was important to do the market study to get the full picture, and that Committee should move forward on the stuff recommendation, while being sensitive to the needs of the other BIAs.

Committee approved the staff recommendation.

Councillor Whitehead requested that his opposition to subsection (b) be recorded.

Councillor Whitehead resumed the Chair.

(n) International Village Business Improvement Area (B.I.A.) Proposed Advancement of 2006 Monies (PED05128) (Wards 2 & 3) (Item 8.1)

Hazel Milsome provided an overview of the staff report.

Committee approved the staff recommendation.

(o) John C. Munro Hamilton International Airport - Federal Zoning Regulations (PED05137) (City Wide) (Item 8.2)

Guy Paparella provided an overview of the report and explained that the process would take approximately two years, and that the cost will be split 50/50 with TradePort.

Committee discussed the matter and approved the staff report.

(p) General Information

Councillor Collins requested an update regarding the Calgary Animal Control Plan. Ms. Coveyduck agreed to provide an update at the next Committee meeting.

Chair Whitehead requested an update on the licensing of student residences, around McMaster University and Mohawk College. Ms. Coveyduck agreed to set up a meeting with Councillor Whitehead and Councillor McHattie, to review the progress which has been made in this area.
(q) **Private and Confidential**

On a Motion, Committee moved In-Camera to consider two matters relating to proposed or pending acquisition or disposition of land by the municipality.

On a Motion, Committee resumed in Open Session.

Committee then approved a Motion regarding the first matter.

Chair Whitehead explained that staff had been given verbal direction regarding the second matter.

(r) **Adjournment**

The Planning and Economic Development Committee adjourned at 11:59 a.m.

Respectfully submitted,

Terry Whitehead, Chair
Planning & Economic Development Committee

Alexandra Rawlings, Co-ordinator
Planning and Economic Development Committee
October 4, 2005
BUILDING AND LICENSING DIVISION
OPERATIONAL REVIEW SUB-COMMITTEE

TERMS OF REFERENCE

Introduction:

The Building and Licensing Operational Review Sub-Committee was established by Council at its meeting held on August 10, 2005.

Objectives:

To oversee the Operational Review of the Building and Licensing Division of the Planning and Economic Development Department, and make recommendations to the Planning and Economic Development Committee respecting the findings of the Internal Audit Section.

Membership:

Committee membership is comprised of five (5) members of Council. The appointed Building and Licensing Division Operational Review Sub-Committee members are:

- Councillor B. Morelli
- Councillor C. Collins
- Councillor T. Jackson
- Councillor B. McHattie
- Councillor S. Merulla

Meetings:

Meetings shall be held at the call of the Chair, as required.

Chair and Vice Chair:

The Chair and Vice Chair are selected from the appointed members of Council. They are as follows:

- Chair – Councillor S. Merulla
- Vice Chair – Councillor T. Jackson

Secretariat:

Legislative services shall be provided by the City of Hamilton Clerk’s Division.
Voting and Attendance:

For purposes of voting, majority means more than half of the Sub-Committee members present and voting.

A quorum for the purposes of voting shall be 50% plus one (1) of the Sub-Committee members. In the case of the Licensing and Property Standards Operational Review Sub-Committee, quorum will be three (3).
BACKGROUND
At its July 13, 2005 meeting, Council carried a motion that the City Manager be directed to initiate an internal operational review of the Licensing and Property Standards Division. This review was assigned to the City’s Audit Services Division.

On August 10, 2005, Council adopted a resolution to establish a Licensing and Property Standards Operational Review Sub-committee, to report to the Planning and Economic Development Committee and that the Sub-committee be comprised of five (5) members of Council as follows: Councillors Morelli, Collins, Jackson, McHattie and Merulla. The sub-committee will:

- confirm the Terms of Reference for the review;
- be informed of the status of the review through scheduled progress meetings; and
- review and comment on the draft reports for presentation to the Planning and Economic Development Committee.

INTRODUCTION
The Building and Licensing Division of the Planning and Economic Development Department offers a series of complex and varied services including regulation, licensing, investigation and inspection and enforcement and prosecution under several by-laws and Acts. Given the significant extent of the Division’s operations, it is proposed that the review be divided into four phases.

**Phase 1:** Covers the areas of licence issuance and enforcement. Licences include: Mobile (taxi, towing, limousine, etc.), Establishment (restaurants, personal services, public garages, public halls, etc.), Trade (contractors and masters) and Lotteries.

To begin immediately
Expected completion – December 2005

**Phase 2:** Encompasses inspection and enforcement over all other standards and by-laws governing property, noise, long grass and weeds, heat and zoning by-laws.

To begin after the completion of Phase 1 upon approval of Sub-committee
Expected completion – beginning of April 2006.

**Phase 3:** Comprises the building permit functions.

**Phase 4:** Includes the animal control function.
To be included in the 2006 Internal Audit work plan for approval by Council.

All phases are to be completed by September 2006.
FINANCIAL AND OPERATIONAL INFORMATION
The 2005 gross operating expenditures for the areas covered under Phases 1 & 2 of the operational review as noted above are $2.67 million with collections of approximately $2.43 million.

The Standards and Licensing Section issued over 13,300 licences as well as completing approximately 3,400 inspections over the period January 1, 2004 to June 30, 2005.

OBJECTIVES, SCOPE AND APPROACH
The purpose of Phase 1 of the operational review is to assess the overall quality of the licensing and enforcement operations of the Standards and Licensing Section of the Planning and Economic Development Department. In addition, the review will identify any weaknesses, which may affect the efficiency or effectiveness of the program delivery, and will assess the degree of compliance with statutory regulations and policy directives. The Section’s performance, which is measured and quantified against established goals and objectives, will be examined. Practical recommendations for improvement will be made.

The overall approach will involve, but not be limited to, the following:

a) A review of relevant background material such as by-laws, procedures, systems documentation, financial information, organization charts, job descriptions and reports and information provided to various committees in order to gain an understanding of operations, practices and resources;
b) Interviews with departmental and sectional staff, interfacing departments, the City of Hamilton Licensing Committee, etc. to get a more detailed understanding of services, management and operations;
c) Documentation of procedures, workflow, paper flow and analysis of cycle times;
d) Observation of actual operations over a period on a random basis;
e) Analysis of available data and other relevant reports;
f) Benchmarking against practices of other jurisdictions;
g) Analysis of the information gathered and identification of issues, risks and improvement opportunities;
h) Focus groups of staff for general discussions and comments on advantages/disadvantages/practicality of various organizational and procedural alternatives to address the identified issues; and
i) Findings, conclusions and suggestions for further study and recommendations summarized in a report (draft to be discussed with management and Sub-committee members).

The above steps do not assess:
a) the adequacy or accuracy of systems, controls and practices of interfacing departments;
b) individual performance; or

c) the appropriateness of the licence fee structure, although comments will be made as to whether or not information and an appropriate process exist to provide a total picture of the cost of various licensing activities.