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

Staff Present: T. McCabe, General Manager – Planning and Economic Development  
P. Mallard, T. Sergi, B. Janssen, J. Spolnik, N. Everson, E. John,  
M. Hazell, M. Sergi, R. Marini, J. D'Andrade, D. Barnett,  
A. Fletcher, C. Thomas, D. Cuming, S. Robichaud, B. Farkas,  
K. Anderson – Planning and Economic Development  
D. Fisher, H. Vastis, L. Pasternak – Legal Services  
A. Rawlings, Co-ordinator - City Clerk's Office

THE ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE PRESENTS REPORT 08-020 AND RESPECTFULLY RECOMMENDS:

1. Downtown Hamilton Business Improvement Area (B.I.A.) Revised Board of Management (PED07006(c)) (Ward 2) (Item 5.1)

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

Mauro Brunetti, HSBC Bank Canada

Don Forbes, MacGillivray Chartered Accountants

2. Demolition Permit – 129 Broadway Avenue (PED08214) (Ward 1) (Item 5.2)

That the Director of Building Services be authorized and directed to issue a demolition permit for 129 Broadway Avenue in accordance with By-Law 08-226 pursuant to Section 33 of The Planning Act, as amended, subject to the following conditions:

Council – October 29, 2008
(a) That the applicant has applied for and received a building permit for a replacement building on this property; and,

(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; and,

(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; and, 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 (d)) in a form satisfactory to the acting Director of Building and Licensing and to the Director of Legal Services and Corporate Counsel; and,

(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.

3. Demolition Permit – 376 Sherman Avenue North (PED08234) (Ward 3) (Item 5.3)

That the Director of Building Services be authorized and directed to issue a demolition permit for 376 Sherman Avenue North in accordance with By-Law 08-226 pursuant to Section 33 of The Planning Act, as amended.

4. Correspondence from Town of Halton Hills - Bill 51 and Places to Grow Legislation (PED08243) (City Wide) (Item 5.4)

(a) That Report PED08243, Correspondence from Town of Halton Hills - Bill 51 and Places to Grow Legislation, be received for information.

(b) That the item be removed from the Outstanding Business list
5. Enterprise Zone Municipal Realty Tax Incentive Grant Program - 207-211 James Street South and 4-14 Forest Avenue - Agreement - EZ05/02 (PED08246) (Ward 2) (Item 5.5)

(a) That the Enterprise Zone Grant, as detailed within Report PED08246, be applied to 207-211 James Street South and 4-14 Forest Avenue, as the redevelopment of the properties are complete and the terms and conditions of the program have been satisfied.

(b) That the Mayor and City Clerk be authorized and directed to execute the Agreement attached as Appendix "B" to Report PED08246.

6. Minutes of the Agriculture & Rural Affairs Advisory Committee, June 26, 2008 (Item 5.6(a))

That the Minutes of the Agriculture & Rural Affairs Advisory Committee meeting of June 26, 2008 be received.

7. Application to Amend the Ancaster Zoning By-law No. 87-57, for Lands Located at 21 Panabaker Drive (Ancaster) (PED08224) (Ward 12) (Item 6.2)

That approval be given to amended Zoning Application ZAC-08-024, by Galli-Morwick Inc. owner, for a further modification to the Neighbourhood Commercial “C1-491” Zone (Block 2) and for a change in zoning from the Residential Multiple “RM4-492” Zone to the Modified Neighbourhood Commercial “C1-491” Zone (Block 1) to permit an expanded range of commercial uses for the lands located at 21 Panabaker Drive, as shown on Appendix “A” to Report PED08224, on the following basis:

(a) That the draft By-law, attached as Appendix "B" to Report PED08224, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(b) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan and the Town of Ancaster Official Plan.
8. Application to Amend Hamilton Zoning By-law No. 6593 for Lands Located at 1440 Main Street East (Hamilton) (PED08239) (Ward 4) (Item 6.3)

That approval be given to amended Zoning Application ZAC-08-027, by 1440 Main Street East Inc. (C/o Steve Pocrnic), Owner, for a change in zoning from the “G-3” (Public Parking Lot) District (Block “1”) and the “H” (Community Shopping and Commercial, etc.) District (Block “2”) to the “H/S-1591” (Community Shopping and Commercial, etc.) District, Modified in order to permit the development of a 285 square metre building for commercial purposes in conjunction with an existing plaza, for the lands located at 1440 Main Street East (Hamilton), as shown on Appendix “A” to Report PED08239, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED08239, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

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

9. Application to Amend the Town of Dundas Zoning By-law No. 3581-86 for Property Located at 25, 27, & 29 Bond Street South, Dundas (PED08235) (Ward 13) (Item 6.4)

That approval be given to Zoning Application ZAR-07-093, by Judith Shepalo, owner, for a change in zoning from the Single Detached Residential “R2” Zone to a site specific Low to Medium Density Multiple Dwelling “RM1-112” Zone (Block 1), from the Single Detached Residential “R2” Zone to a site specific Low to Medium Density Multiple Dwelling “RM1-113” Zone (Block 2), and from the Single Detached Residential “R2” Zone to a site specific Single Detached Residential “R2-114” Zone (Block 3), to permit three existing townhouse units on separate lots and permit the construction of one single detached dwelling on a separate lot, on lands located at 25, 27, and 29 Bond Street South, (Dundas), as shown on Appendix “A” to Report PED08235, on the following basis:

(a) That the Draft By-law, attached as Appendix “B” to Report PED08235, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(b) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan and Town of Dundas Official Plan.
10. **An Application for a Draft Plan of Vacant Land Condominium and an Amendment to Zoning By-law 3581-86 (Dundas) for Lands Located at 17 Park Street East (PED08240) (Ward 13) (Item 6.5)**

(a) That approval be given to **Draft Plan of Vacant Land Condominium 25CDM-200710, Mike Valvasori, Owner**, to create six (6) Blocks. Blocks 1-5 will be developed as single-detached residential units and Block 6 will be developed as a common element (Private) Roadway, subject to the following conditions:

(i) That this approval applies to the plan prepared by S.D. McLaren, Ontario Land Surveyor, dated August 3, 2007, showing the following condominium elements: one (1) block for a roadway, and five (5) blocks for single-detached residential units, attached as Appendix “D” to Report PED08240.

(ii) That, prior to preliminary grading or servicing, the Owner submit and have approved by the Manager of Development Planning, a Heritage Impact Assessment, incorporating an architectural design brief in accordance with City of Hamilton Site Plan Guidelines.

(iii) That, prior to preliminary grading or servicing, the Owner carry out and complete an archaeological assessment over the entire lands of the draft plan to the satisfaction of the Manager of Development Planning and the Ministry of Citizenship, Culture and Recreation and mitigate through preservation or resource removal and documentation adverse impacts to significant archaeological resources found, all prior to demolition, grading, or soil disturbances on the land.

(iv) That, prior to preliminary grading or servicing, the Owner submit a tree preservation study and plan, prepared by a certified arborist or landscape architect, for review and approval by the Director of Capital Planning and Implementation, Public Works and provide written certification from the Owner’s landscape architect/arborist to the Manager of Development Planning that all measures for the protection of isolated trees, tree clusters and woodlands, in accordance with the Detailed Tree Preservation Plan approved by the City, have been implemented and inspected, prior to any clearing or grubbing of the lands within the draft plan.

(v) That the Owner apply for and receive final approval of a Site Plan application, and the final plan of condominium complies in all respects with the approved Site Plan, to the satisfaction of the Manager of Development Planning.

(vi) The Owner covenants and agrees that no plan of condominium shall be registered on the lands of the Draft Plan until the Owner has provided the Director of Planning with a list certified by an Ontario Land Surveyor showing the net area and width of each lot and block created by
registration of a condominium plan, including the gross area of the plan to be registered, and that the Director of Planning has confirmed to the Owner that the lots and blocks within the plan comply with the City’s requirements for zoning.

(vii) That the Owner provides the Manager of Design and Construction with evidence that satisfactory arrangements, financial and otherwise, have been made with a telecommunication service provider, approved by the Canadian Radio and Telecommunication Commission (CRTC), that adequate telecommunication service will be provided to the condominium, including 9-1-1 emergency calling service that identifies, at a minimum, the caller’s name and location information.

(viii) That the Owner satisfies any conditions, financial or otherwise, of the City of Hamilton.

(ix) That the Owner enter into a Residential Subdivision Development Agreement with Horizon Utilities, which outlines detailed costs and requirements for servicing within the subject lands.

(x) That the final plan comply with all applicable provisions of Zoning By-law 3581-86.

(xi) That the Owner receive final approval of Zoning Application ZAR-07-031 to the satisfaction of the Director of Planning.

(b) That approval be given to Zoning Application ZAR-07-031, Mike Valvasori, Owner, for changes in zoning for Block 1 from the Single-Detached Residential – Flood Plain Zone (R2-FP) to the Low to Medium Density Multiple Dwelling – Flood Plain Zone (RM1-FP), Modified; for Block 2 from the Low Density Residential – Flood Plain Zone (R4-FP) to the Low to Medium Density Multiple Dwelling – Flood Plain Zone (RM1-FP), Modified; and for Block 3 from the Open Space – Conservation Zone (OS) to the Conservation/Hazard Lands (P5) Zone to permit the development of five single detached dwellings, on lands located at 17 Park Street East (Dundas), as shown on Appendix “A” to Report PED08240, on the following basis:

(i) That the lands be rezoned from the Single-Detached Residential – Flood Plain Zone (R2-FP) to the Low to Medium Density Multiple Dwelling – Flood Plain Zone (RM1-FP), Modified (Block 1), from the Low Density Residential – Flood Plain Zone (R4-FP) to the Low to Medium Density Multiple Dwelling – Flood Plain Zone (RM1-FP), Modified (Block 2) and from the Open Space – Conservation Zone (OS) to the Conservation/Hazard Lands (P5) Zone (Block 3).
(7)

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(ii) That the draft By-laws, attached as Appendix “B” and “C” to Report PED08240, which have been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

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


That the information contained within Report PED08242 respecting the preparation of a Commercial Market Analysis and Action Plan for the Locke Street Business Improvement Area be received.

12. Presentation respecting Institutional Zones (no copy) (Item 7.2)

That the staff presentation respecting Institutional Zones be received.

13. Applications for Approval of a Draft Plan of Subdivision, “Glancaster Meadows Extension”, and an Amendment to Glanbrook Zoning By-law No. 464 for Lands Known as 245, 253, 269 and 298 Glancaster Road (Glanbrook) (PED08208) (Ward 11) (Item 8.1)

(a) That approval be given to amended Draft Plan of Subdivision Application 25T-200713, by Yiannoulla Mouskos, Landis Corporation and 1643133 Ontario Inc., owners, to establish a draft plan of subdivision known as “Glancaster Meadows Extension”, on lands located at 245, 253, 269 and 298 Glancaster Road, in the Former Township of Glanbrook, as shown on Appendix “A” to Report PED08208, subject to the following conditions:

(i) That this approval apply to “Glancaster Meadows Extension”, 25T-200713, as red-line revised, prepared by Urbex Engineering Limited, and certified by S.D. McLaren, OLS, dated August 5, 2008, showing 53 lots (Lots 1-53), 1 road widening block (Block 54), 4 blocks (55-57) for future development, the extension of 2 public roads (Blackburn Lane and Bellstone Lane), and the creation of 1 public road (Street “A”), attached as Appendix “B” to Report PED08208, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix “C” to Report PED08208, as revised by Committee on October 21, 2008;

Council – October 29, 2008
(ii) Acknowledgement that there will be no City share for any municipal works associated with this development, in accordance with the City’s Financial Policies for Development; and

(iii) That payment of Cash-in-Lieu of Parkland will be required for the development, pursuant to the Planning Act and the City’s Parkland Dedication By-law. Payments shall be made prior to the issuance of each building permit and the calculation of the Cash-in-Lieu payment shall be based on the value of the lands as of the day before the day of the issuance of each building permit.

(b) That approval be given to amended Zoning Application ZAC-07-075, Yiannoulla Mouskos, Landis Corporation and 1643133 Ontario Inc., owners, for changes in zoning from the Existing Residential “ER” Zone to the Residential “R4-244” Zone (Block 1), from the Existing Residential “ER” Zone to the Residential “R4-245” Zone (Block 2), from the Existing Residential “ER” Zone to the Residential “R4-246” Zone (Block 3), from the Existing Residential “ER” Zone and the Residential - Holding “H-R3-141” Zone to the Residential “R3-247” (Block 4), and from the Existing Residential “ER” Zone to the Residential “R4-248” Zone shown as Blocks 1-5, respectively, on Appendix “A” to Report PED08208, on the following basis:

(i) That the draft By-law, attached as Appendix “D” to Report PED08208, which has been prepared in a form satisfactory to the City Solicitor, and as amended by Committee on October 21, 2008, respecting minimum lot area, be forwarded to City Council for enactment.

(ii) That the amending By-law be added to Schedule “E”, of Zoning By-law No. 464.

(iii) That the zoning is in conformity with the Hamilton-Wentworth Official Plan and the Official Plan for the former Township of Glanbrook.

14. Process for Property Designation Under Part IV of the Ontario Heritage Act (PED08211) (City Wide) (Item 8.2)

(c) That the designation of the property at 167 Book Road East, Ancaster (the Book House) be deferred.

(f) That the decision on the designation of 191 Barton Street East, Hamilton (the Smart Turner Building) which was previously considered by Committee (Report PED05197), be deferred until Fall 2009, when it is expected that the building will be ready for its intended use, and that the applicant be invited to address Committee, prior to said decision.

Council – October 29, 2008
(h) That the following issues be removed from the Outstanding Business List:

i) Designation of 191 Barton Street East, Hamilton;
ii) Book House, 167 Book Road East, Ancaster; and,
iii) Request to Designate 397 King Street West, Dundas - Dundas District High School.

(i) That Report PED08211 be forwarded to the Hamilton LACAC (Municipal Heritage Committee) for information.

15. Information Report – Costs Related to St. Mark’s Anglican Church (Hamilton) (PED08128(a)) (Ward 2) (Item 8.3)

(a) That Report PED08128(a), Information Report – Costs Related to St. Mark’s Anglican Church (Hamilton), be received.

(b) That the cost of appropriate and essential repairs, and on-going requirements to keep the building secure, be recommended for approval in the 2009 Budget process.

(c) That staff be directed to prepare a Business Case, for the future use of the building for neighbourhood uses including the involvement of neighbourhood partners, and that this be presented to Committee.

(d) And that Council rescind its previous Motion which declared the building surplus.

16. Formation of the Community Liaison Committee for the rental housing issue.

(a) That Councillors McHattie, Pearson and Whitehead be appointed to a sub-committee to select citizen members to the CLC;

(b) That Councillors McHattie, Pearson and Whitehead, together with Councillor Ferguson, be appointed to assist the CLC, as required; and,

(c) That staff be directed to prepare a Terms of Reference for the CLC.
FOR THE INFORMATION OF COUNCIL:

Tim McCabe introduced Bill Brown, new Manager of the Sheraton Hotel. Councillor Bratina noted that the Sheraton had recently been taken over by Vrancor. Committee welcomed Mr. Brown.

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes:

- Angelo Cameracci, the agent for Glancaster Meadows, Item 8.1 on today's agenda, has asked if he may address Committee today

- 3 persons who would like to address Committee on Item 8.3, St. Mark’s Church. The persons who spoke at the Public meeting in June were contacted and these 3 would like to address Committee.

- Councillor McHattie will be introducing a Motion, as a result of the Council approval of the Student Housing Report, under 9.1

- Councillor Duvall will be introducing a Notice of Motion, under Item 10.1

The Agenda for the October 21, 2008, meeting of the Economic Development & Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) APPROVAL OF MINUTES (Item 3)

The Minutes of the Economic Development and Planning Committee Meeting held on October 7, 2008 were approved, as amended, to note the attendance of Councillors Jackson and Collins.

(d) Correspondence from Town of Halton Hills - Bill 51 and Places to Grow Legislation (PED08243) (City Wide) (Item 5.4)

Council – October 29, 2008
Committee approved the staff report.

On a Motion (Pearson/Pasuta), Committee removed the item from the Outstanding Business List.

(e) Enterprise Zone Municipal Realty Tax Incentive Grant Program - 207-211 James Street South and 4-14 Forest Avenue - Agreement - EZ05/02 (PED08246) (Ward 2) (Item 5.5)

Councillor Bratina noted that this property had paid $26,000 in annual taxes prior to the grant and now paid $48,000 in annual taxes. He said that this was but one example of the success of the programme.

(f) James Webb of Webb Planning and John Voortman respecting Sale of City Lands Known as “0” Nebo Road, Hamilton, Part Lot 48, Registrar’s Compiled Plan 1470 in the Former Township of Glanbrook, now in the City of Hamilton, to John Voortman (delegation approved October 7, 2008) (Item 6.1)

James Webb addressed Committee on behalf of his client, John Voortman. He explained that while his client understood why his offer to purchase the property could not proceed, he wished to proceed with work for his intended business. Mr. Webb asked for approval to enter onto the City property to conduct a topographical survey and to carry out soil tests. He confirmed that his client would assume all liabilities associate with this request.

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

Councillor Clark, seconded by Councillor Bratina, moved the following Motion:

That staff be directed to report back on the situation on wherein a third party learned of the contents of a consultant report, before Councillors were made aware of it.

The Motion was defeated.

On a Motion (Ferguson/Pearson), Committee voted to defer consideration of the item to the Closed Session portion of the meeting.
Application to Amend the Ancaster Zoning By-law No. 87-57, for Lands Located at 21 Panabaker Drive (Ancaster) (PED08224) (Ward 12) (Item 6.2)

Chair Whitehead advised the meeting of the following, in accordance with the provisions of the Planning Act,

(a) If a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before the Zoning By-law is passed, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board.

(b) If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Council of the City of Hamilton before the Zoning By-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

The Chair advised that one additional letter from Karen Jones, had been distributed this morning.

On a Motion (Pearson/Ferguson), Committee agreed to waive the planner’s presentation.

Cam Thomas was present to assist Committee.

Carl Galli, the applicant’s agent, advised Committee that he supported the staff report.

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

Committee approved the staff recommendation.

Application to Amend Hamilton Zoning By-law No. 6593 for Lands Located at 1440 Main Street East (Hamilton) (PED08239) (Ward 4) (Item 6.3)

Chair Whitehead advised the meeting of the following, in accordance with the provisions of the Planning Act,

(a) If a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before the Zoning By-law is passed, the person or public body is not
entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board.

(b) If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Council of the City of Hamilton before the Zoning By-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

On a Motion (Pearson/Pasuta), Committee dispensed with the planner’s overview.

Jennifer D’Andrade was present to assist Committee and explained a minor change to the by-law. She noted a small change to the requirements of a landscape strip in one of the side yards.

George Zajac, IBI, the applicant’s agent, advised Committee that he supported the staff report.

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

Councillor McHattie asked about the possibility of adding residential space above the commercial space. Steve Robichaud explained that the zoning already allowed for such use, and that such opportunities are explained at the pre-construction stage.

George Zajac agreed to pass along the information to this client.

On a Motion (Pearson/McHattie), Committee approved the amendment to the by-law.

Committee approved the staff recommendation, as amended.

(i) Application to Amend the Town of Dundas Zoning By-law No. 3581-86 for Property Located at 25, 27, & 29 Bond Street South, Dundas (PED08235) (Ward 13) (Item 6.4)

Chair Whitehead advised the meeting of the following, in accordance with the provisions of the Planning Act,

(a) If a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before the Zoning By-law is passed, the person or public body is not
entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board.

(b) If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Council of the City of Hamilton before the Zoning By-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

On a Motion (McHattie/Duvall), Committee dispensed with the planner’s overview.

Daniel Barnett was present to assist Committee.

Judith Shepalo, the applicant, advised Committee that she supported the staff report.

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

Committee approved the staff recommendation.

(j) An Application for a Draft Plan of Vacant Land Condominium and an Amendment to Zoning By-law 3581-86 (Dundas) for Lands Located at 17 Park Street East (PED08240) (Ward 13) (Item 6.5)

Chair Whitehead advised the meeting of the following, in accordance with the provisions of the Planning Act,

(a) If a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before the Draft Plan of Vacant Land Condominium and 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 Draft Plan of Vacant Land Condominium and passes the Zoning By-law, 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.

Edward John gave an overview of the report to Committee with the aid of a powerpoint presentation. He noted that Councillor Powers, the Ward Councillor,
was in support of the application, subject to slope stability being ensured, and any downstream impacts being mitigated. Mr. John explained that public concerns received after the circulation of the application included the following:

- potential negative impact on the floodplain, and a possible increase in flooding
- loss of privacy, green space, character of the area
- increased traffic
- impact on wildlife
- impact on property values

The planner explained that Hamilton Conservation Authority had no objection to the application, subject to the submission of the required permit and finalization of details at Site Plan stage. Mr. John noted that privacy and fencing issues would be addressed at the Site Plan approval stage, and that the application was appropriate and would be compatible with the surrounding area.

Sergio Manchia, the applicant’s agent, advised Committee that he supported the staff report.

Oliver Wesley-James, 35 Cross Street, addressed Committee and expressed his concerns. These included, but were not limited to the following:

- possibility of flooding from Sydenham Creek
- entire property in floodplain, drainage will be an issue
- existing buildings constructed as chicken house in 1920’s, converted to dwellings in 1940’s, rented out since then
- existing buildings had problem tenants, in poor condition, should be condemned
- problems included garbage, growing of marijuana, two cars broken into
- proposal too dense, too high at two storeys, buildings too close together.

Staff responded that the entire site is in the regulated area of the Hamilton Conservation Authority, and that they will require final details of the development at Site Plan approval stage.

Jeff Racine, 43 Cross Street, addressed Committee. His concerns included, but were not limited to the following:

- opposed to the development
- chicken coop is an eyesore but only one storey; subject proposal is two storey
- proposed development is high density, inappropriate
- development is in floodplain

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

Committee approved the staff recommendation.
Chair Whitehead introduced the item, as Eileen Maloney was unable to attend today’s meeting. Chair Whitehead explained that Commercial Market Analyses and Action Plans had been prepared for 10 of the 11 BIAs.

King West BIA chose not to have a study. The studies have helped the BIAs in their planning, and the Locke Street study has now been completed following the designation of the Locke Street BIA in 2006.

John Archer, Urban Marketing Collaborative, gave a presentation to Committee.

Copies of the consultant’s presentation were distributed to Committee.

Mr. Archer explained that he had been involved in all the previous BIA studies. He then gave an overview of the Locke Street area.

Councillor McHattie thanked Mr. Archer for the study and noted some of the complexities of the area, having both a BIA and a Merchants’ Association.

Councillor Ferguson expressed enthusiasm for the study and asked how he could get this type of study for the proposed new BIA in Ancaster.

Ron Marini explained that funding may be available in 2009, and, if not, should be available in 2010.

Chair Whitehead praised staff, particularly Eileen Maloney, for their work, and noted the positive role of HABIA and all the BIAs.

Committee received the staff presentation.

Al Fletcher introduced the matter and gave an overview of how the changes to the Institutional Zoning were handled. He outlined the lengthy public process which was undertaken, and explained the details of the zoning regulations and the reasoning behind the changes.

Committee discussed the matter and raised a number of issues, including the following:
- how can area residents be engaged when a school proposed for closure, then gets sold, developed for residential
- can school sites be zoned for future open space
- how can public interest be served in this process
- is this process making potentially surplus school sites more attractive, more easily developed, by developers, easier to sell and worth more to school boards
- future closure of 17 schools could be devastating to surrounding neighbourhoods
- need to ensure new school provision in growing areas such as Binbrook, Waterdown
- how can process be made fair to residents, who may lose both a school and greenspace

Staff responses included the following:

- as of right residential zoning on school sites ensures compatible development if school closed and developed
- same kind of zoning used for churches
- cannot pre-zone for open space unless part of overall Parks Master Plan
- School Boards have developed new protocol respecting future surplus sites

Councillor McHattie advised that he would put forward a Notice of Motion at the appropriate time on today’s Agenda.

Committee received the staff presentation.

(m) Applications for Approval of a Draft Plan of Subdivision, “Glancaster Meadows Extension”, and an Amendment to Glenbrook Zoning By-law No. 464 for Lands Known as 245, 253, 269 and 298 Glancaster Road (Glenbrook) (PED08208) (Ward 11) (Item 8.1)

Tony Sergi provided a brief overview of the processing and timing of the application, and the formulation of the revised conditions of approval.

Ryan Oosterhof addressed Committee on behalf of Fred Losani, adjacent landowner. He gave an overview of the talks between the Glancaster Meadows proponent and Losani Homes, and requested a delay in the decision on the applications until November 4, 2008.

Angelo Cameracci, agent for Glancaster Meadows, addressed Committee and explained the timing of the submission of the application. He noted that his client had worked co-operatively with staff and area residents to address their concerns. Mr. Cameracci asked Committee to approve the applications today. He undertook to continue to work with Losani Homes.
Committee discussed the issues raised.

Committee approved the applications, as amended.

(n) Process for Property Designation Under Part IV of the Ontario Heritage Act (PED08211) (City Wide) (Item 8.2)

The Chair noted that added communication from Beth Manganelli, Mark Preece House, had been distributed today.

Michelle Sergi provided an overview of the staff report with the aid of a powerpoint presentation. She explained how the new process differed from the current one, and how it would improve the overall approach to designation.

Ms. Sergi also noted a minor typographical error respecting the numbering in Recommendation (g).

Committee discussed the matter in detail. Questions raised included:

- should City consider designation when owner not in agreement
- how would designation of Smart Turner building affect fundraising for Mark Preece House
- can City legally postpone indefinitely, a decision to designate
- can staff revise the proposed process to include input/consent of owner on the flowchart

Staff advised of the following:

- Ontario Heritage Act does not require consent of an owner for designation to take place
- a municipality should not postpone, indefinitely, the designation of a building it considers worthy of designation

Committee then decided to vote on each clause of the recommendation individually.

(a) That the process for designating properties in the City of Hamilton under Part IV of the Ontario Heritage Act, as contained in Appendix “A” attached to Report PED08211, be approved.
   Lost on a tie vote

(b) That the cultural heritage evaluation criteria contained in Appendix “B” attached to Report PED08211 and referred to as “The City of Hamilton: Cultural Heritage Evaluation Criteria”, be adopted and approved for use in the designation of properties under Part IV of the Ontario Heritage Act.
   Lost on a tie vote

Council – October 29, 2008
(c) That the designation of the property at 167 Book Road East, Ancaster (the Book House) be assigned a high priority, and that Council direct staff to carry out a Cultural Heritage Assessment, a Statement of Cultural Heritage Value and Description of Heritage Attributes for Council’s consideration for designation under Part IV of the Ontario Heritage Act.  
Be deferred

(d) That the designation of the property at 397 King Street West, Dundas (Dundas District High School) be assigned a high priority, and that Council direct staff to carry out a Cultural Heritage Assessment, a Statement of Cultural Heritage Value and Description of Heritage Attributes for Council’s consideration for designation under Part IV of the Ontario Heritage Act.  
Lost on a tie vote

(e) That the priorities for property designation under Part IV of the Ontario Heritage Act, as contained in Appendix “C” to Report PED08211, be approved.  
Lost on a tie vote

(f) That the decision on the designation of 191 Barton Street East, Hamilton (the Smart Turner Building) which was previously considered by Committee (Report PED05197), be deferred until Fall 2009, when it is expected that the building will be ready for its intended use, and that the applicant be invited to address Committee, prior to said decision.

Item (f) carried on a Standing Recorded Vote:
Yeas:  Pearson, Bratina, Clark, Duvall, McHattie
Total:  5
Nays:  Ferguson, Mitchell, Pasuta
Total:  3
Absent:  Whitehead

(g) That after consultation with the Hamilton Municipal Heritage Committee, the following properties be added to the municipal register of property of cultural heritage value or interest:

  i)  167 Book Road, Ancaster
  ii) 397 King Street West, Dundas (Dundas District High School)
  iii) Book Cemetery, Ancaster
  iv) 82-112 King Street East, Hamilton (Royal Connaught)
  v) 52-56 Charlton Avenue West, Hamilton
  vi) 654 Garth Street, Hamilton (Chedoke House)
  vii) 91 John Street South, Hamilton
  viii) 9300 Airport Road, Mount Hope (RCAF 447)
  ix) 103 Catharine Street North, Hamilton
 x) 3027 Homestead Drive, Mount Hope
 xi) 1062 Golf Club Road, Binbrook (Woodburn)
xii) Gage Park, Hamilton  
xiii) Gore Park, Hamilton  
xiv) Tisdale House, Ancaster  

Lost on a tie vote

(h) That the following issue be removed from the Outstanding Business List:

i) Designation of 191 Barton Street East, Hamilton;
ii) Book House, 167 Book Road East, Ancaster; and,
iii) Request to Designate 397 King Street West, Dundas - Dundas District High School.

Carried

(i) That Report PED08211 be forwarded to the Hamilton LACAC (Municipal Heritage Committee) for information.

Carried

(o) Information Report – Costs Related to St. Mark’s Anglican Church (Hamilton) (PED08128(a)) (Ward 2) (Item 8.3)

Al Fletcher provided an overview of the previous Council direction on the subject site, and introduced the staff report.

Sara Matthews, President of Durand Neighbourhood Association, addressed Committee and gave her comments on the matter. Ms. Matthews favoured Option 1.

Russell Elman addressed Committee and provided his comments. He favoured Option 1.

Beverly Kelly, 136 Bay Street South, addressed Committee and read a letter from Gail Burstyn which favoured the retention of the building. Ms Kelly added that she also favoured the retention of the building and greenspace.

Janice Brown, 163 Duke Street, addressed Committee and spoke in favour of Option 1.

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

Committee then approved a Motion to approve a phased approach towards Option 1.
(p) **Formation of the Community Liaison Committee for the rental housing issue**

On a Motion (Pearson/Duvall) Committee waived the rules to allow Councillor McHattie to introduce a Motion.

Councillor McHattie explained that following Council approval of the Rental Housing report, it was now essential to move forward with the creation of the CLC.

Committee approved the Motion.

(q) **Notice of Motion respecting Sherwood Heights (Item 10.1)**

Councillor Duvall presented the following Notice of Motion:

WHEREAS the City of Hamilton has undertaken a comprehensive growth management exercise to identify areas for development and redevelopment;

AND WHEREAS the City’s intensification strategy directs development and redevelopment to nodes and corridors to support land use, infrastructure, community facilities and Provincial objectives;

AND WHEREAS the City recognizes the importance of neighborhoods and special character areas in the planning process;

NOW THEREFORE be it resolved that staff be directed to review and report back on the existing zoning regulations for the Sherwood Heights subdivision which is the area along Mountain Brow Blvd. from Upper Ottawa Street to 344 Mountain Brow Blvd., with respect to the existing built form and restrictive covenants registered on title.

(r) **Notice of Motion respecting Joint School Closure/Public Acquisition Task Force**

Councillor McHattie presented the following Notice of Motion:

WHEREAS a number of schools will be closed and made available for acquisition in the next decade (i.e. 17 schools from the Public Board);

WHEREAS it is in the public interest that the City of Hamilton, both School Boards, and the Government of Ontario work proactively together on this issue;
WHEREAS the Task Force may wish to discuss issues, such as public consultation processes, funding requirements, and other items of interest;

THAT a Joint School Closure/Public Acquisition Task Force be established with political membership from City Council, Trustees of both School Boards, and a Hamilton MPP.

### General Information (Item 11)

(i) **Parkland dedication report (Outstanding Business list, due October 7, 2008) (Item 11.1)**

Paul Mallard advised that the report has been drafted and is now being reviewed by Legal Services and should be on an Agenda by the end of January, 2009.

(ii) **New City Website Section for Public Meetings, Open Houses and other public gatherings (Outstanding Business List, due October 21, 2008) (Item 11.2)**

Paul Mallard advised that the item would be part of the staff report addressing the issue of “complete applications”, and the relevant by-law. The expected date for the report is April, 2009.

(iii) **Natural Areas Protection Fund (Outstanding Business List, due October 21, 2008) (Item 11.3)**

David Cuming advised that the report would be coming to Committee on December 2, 2008.

(iv) **Ban on hand held phones etc, by taxi drivers (Outstanding Business list, due October 21, 2008) (Item 11.4)**

On a Motion (Pearson/Pasuta), Committee referred the matter to the Taxi Reform Sub-Committee, and removed it from the Outstanding Business List.
(v) **Letter from Town of Newmarket respecting mis-use of disabled parking permits and parking spaces (Outstanding Business list, due October 21, 2008) (Item 11.5)**

Tim McCabe noted that the report would be on the Agenda for November 4, 2008.

(vi) **News from the General Manager (no copy) (Item 11.6)**

Tim McCabe gave an update on a number of items, including the following:

- two special ED&P meetings on November 25 and 27, in addition to regular meetings on November 4 and 18. November 25 is an evening meeting for the development of the Brow Lands, November 27 is an all day meeting respecting the new Official Plan and Zoning By-law.
- Munro International Airport has won a prestigious, international marketing award, and arrangements will be made for a presentation at Council
- Positive coverage of economic development in the weekend Spectator
- All conditions respecting Lister Block were met by deadline of October 15, 2008, except one where an extension was granted

(vii) **Other Items (Item 11.7)**

Councillor Bratina handed out a recent article from the Globe and Mail, respecting a recent statement from the NHL executive, which indicated that Hamilton was not suitable for a new NHL team.

Committee discussed the matter and directed Tim McCabe to bring a suitable Motion to Council for a decision on how the City should respond. Mr. McCabe was also asked to prepare a letter to be sent to the Globe and Mail.

Staff was directed to consider whether the City could help in finding accommodation for the displaced McMaster students.

Chair Whitehead noted a recent meeting with the Hamilton Halton Home Builders Association.
(t) Private and Confidential (Item 12)

Status of Land Negotiations for the North Glanbrook Industrial Business Park (NGIBP) (PED08083(a)) (Item 12.1)

On a Motion (Pearson/Pasuta), Committee moved into Closed Session at 3:30 pm to consider two matters pursuant to Section 239 of the Municipal Act, 2001, respecting the following:

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

(b) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Committee resumed in Open Session at 4:20 pm.

Chair Whitehead advised that Committee had met in Closed Session to consider 2 items, and that appropriate staff direction had been given on each item.

(u) ADJOURNMENT (Item 13)

On a Motion, the Economic Development and Planning Committee adjourned at 4:25 p.m.

Respectfully submitted,

Terry Whitehead, Chair
Economic Development and Planning Committee

Alexandra Rawlings, Co-ordinator
Economic Development and Planning Committee
October 21, 2008