THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL:

1. Changes to Delegated Authority for Various By-laws to Reflect Changes to the Planning and Economic Development Department’s Organizational Structure (PED07270) (City Wide) (Item 5.1)

(Pearson/Bratina)

(a) That approval be given to City Initiative CI-07-K to update references made to positions within the Planning and Economic Development Department for which delegated authority has been granted through various By-laws.

(b) That the draft By-laws, attached as Appendices “A”, “B” and “C” to Report PED07270, which have been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(c) That Report PED07270 be forwarded to the Municipal Heritage Committee for information purposes.  

CARRIED
2. **Main West Esplanade Business Improvement Area (B.I.A.) Expansion of Boundaries (PED07271) (Wards 1 & 2) (Item 5.2)**

*(Pearson/Bratina)*

(a) That the Main West Esplanade B.I.A. boundaries be expanded as identified in Appendix ‘A’ to Report PED07271.

(b) That the City Clerk’s Division be authorized and directed to circulate the existing and proposed expansion area with the notice of intent to amend the designating by-law in accordance with Sections 209, 210, 212 and 213 of the *Municipal Act*.

(c) That the City Solicitor be authorized and directed to prepare the necessary amending by-law.

*CARRIED*

3. **Declaration of Surplus Property and Re-conveyance of a Portion of Block 133, Plan 62M-1062, described as Parts 1 & 2, Plan 62R-17951 (PED07276) (Ward 11) (Item 5.3)**

*(Pearson/Bratina)*

(a) That the subject lands described as Parts 1 & 2 of Plan 62R-17951, Part of Block 133, Plan 62M-1062, Part 1, comprising an approximate area of 514 square metres (553 square feet), and Part 2 comprising an approximate area of 1092 square metres (11,754 square feet) attached as Appendix “A” and “B” to Report PED07276, be declared surplus to the requirements of the City of Hamilton, in accordance with Procedural By-law for the Sale of Land, being By-law 04-299.

(b) 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 re-convey Parts 1 & 2 of Plan 62R-17951, at nominal cost to Losani Homes, and all costs for re-conveyance to be the responsibility of Losani Homes.

(c) That Losani Homes be charged $735.00 to cover Real Estate’s administration costs plus any legal cost incurred for the re-conveyance of said lands, and said amount to be deposited in the Account No. 47702-560150200 (Civic Property Purchases and Sales).

*CARRIED*
4. Committee of Adjustment (Urban) Minor Variance Application HM/A-07:179 for the Property Known as 523 Upper Wellington Street – Supported in Part by the Planning and Economic Development Department (PED07277) (Ward 7) (Item 5.4)

(Pearson/Bratina)

That Report PED07277, respecting Committee of Adjustment Minor Variance Application HM/A-07:179 for the property known as 523 Upper Wellington Street, as shown on Appendix “A” to Report PED07277, denied by the Committee of Adjustment but supported in part by the Planning and Economic Development Department, be received for information.

CARRIED

5. Main Street Housing Loan and Grant Program - 182-186 Ottawa Street North (PED07280) (Ward 4) (Item 5.5)

(Pearson/Bratina)

(a) That a loan commitment totalling $60,000 for the renovation of six (6) residential units at 182-186 Ottawa Street North, within the Ottawa Street B.I.A., be approved in accordance with the terms and conditions of the Main Street Housing Loan and Grant Program.

(b) That a grant commitment, at an upset limit of $5,000 for professional fees related to the renovation of the residential units at 182-186 Ottawa Street North, be approved in accordance with the terms and conditions of the Main Street Housing Loan and Grant Program.

(c) 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.

(d) 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.

(e) That a condition of the loan and grant commitment for the project listed in sub-sections (a) and (b) above be that the project be 60% complete by December 31, 2008 or the loan and grant commitment will be cancelled.

CARRIED

6. Declaration of Surplus Property and Sale of an Easement of City Owned Lands described as Part 6 on Plan 62R-17837, Part of 376 Ferguson Avenue North to Union Gas (PED07281) (Ward 2) (Item 5.6)

(Pearson/Bratina)

(a) That the subject lands known municipally as Part of 376 Ferguson Avenue North, being composed of part of Lots 1, 2, 3, 4 & 5 on Registered Plan 64, A. Ferguson Survey, further described as Part 6 on Plan 62R-17837, comprising a strip of
land having a frontage of 5 metres by 66 metres, attached as Appendix “A” to Report PED07281, be declared surplus to the requirements of the City of Hamilton; and that an easement over Part 6 on Plan 62R-17837, be sold at market value to Union Gas Limited, in accordance with the Procedural By-law for the Sale of Land, being By-law 04-299;

(b) That the net proceeds of the sale be credited to Account No. 47702-4030318366 (Mary Street Bridge Project);

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

CARRIED

7. Demolition Permit – 1314 Upper Wellington Street (PED07283) (Ward 7) (Item 5.7) (Pearson/Bratina)

That the Acting Director of Building Services be authorized and directed to issue a demolition permit for 1314 Upper Wellington Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.

CARRIED

8. Demolition Permit – 698 Wilson Street (PED07284) (Ward 3) (Item 5.8) (Pearson/Bratina)

That the Acting Director of Building Services be authorized and directed to issue a demolition permit for 698 Wilson Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.

CARRIED

9. Hamilton LACAC (Municipal Heritage Committee) July 26, 2007 (Item 5.9(a) (Pearson/Bratina)

That the Minutes of the Hamilton LACAC (Municipal Heritage Committee) meeting of July 26, 2007 be received.

CARRIED

10. Hamilton LACAC (Municipal Heritage Committee) August 23, 2007 (Item 5.9(b) (Pearson/Bratina)

That the Minutes of the Hamilton LACAC (Municipal Heritage Committee) meeting of August 23, 2007 be received.

CARRIED
11. **Hamilton LACAC (Municipal Heritage Committee) September 27, 2007 (Item 5.9(c))**
   (Pearson/Bratina)
   That the Minutes of the Hamilton LACAC (Municipal Heritage Committee) meeting of September 27, 2007 be received.
   **CARRIED**

12. **Application for Approval of a Draft Plan of Condominium (Common Elements Condominium) for Lands Located at 222 Fall Fair Way, (Glanbrook) (PED07273) (Ward 11) (Item 6.1)**
   (Pearson/Whitehead)
   That approval be given to **Condominium Application 25CDM200712, by 1622115 Ontario Ltd. (Branthaven Homes), Owner**, to establish a draft plan of condominium (Common Elements Condominium) to create a condominium road, visitor parking area, landscaped amenity area, and fencing for 87 street townhouse dwellings on lands located at 222 Fall Fair Way (Glanbrook), as shown on the attached map marked as Appendix “A” to Report PED07273, subject to the following conditions:

   (a) That this approval applies to the plan prepared by A.T. McLaren Limited, dated August 7, 2007, showing the following condominium elements: a road, 44 parking spaces, an amenity area, landscaped areas and fencing, attached as Appendix “B” to Report PED07273.

   (b) That the Final Plan of Condominium complies with all of the applicable provisions of Zoning By-law No. 464.

   (c) That the Owner shall enter into a Development Agreement to ensure that the tenure of each of the proposed 87 condominium units have legal interest, in common, to the abutting condominium road, to the satisfaction of the City Solicitor.

   (d) That the Owner shall receive final approval of Part Lot Control Application PLC-07-031, including the enactment and registration on title of the Part Lot Control Exemption By-law.

   (e) That the Owner shall include the following warning clauses in the Development Agreement, all Purchase and Sale Agreements, and any rental or lease agreements required for occupancy:

      “That the City of Hamilton will not be providing maintenance or snow removal service for the private condominium road”; and,

      “Students from this development are likely to be redirected to schools outside of the area with available capacity and that students may be transported as governed by the Board Transportation Policy”.

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(f) That the Owner shall satisfy any conditions, financial or otherwise, of the City of Hamilton.

(g) That the final plan of condominium complies, in all respects, with the approved Site Plan (DA-06-216), to the satisfaction of the Director of Planning, Planning and Economic Development Department.

CARRIED

13. Application to Amend Township of Glanbrook Zoning By-law No. 464 for Lands Located at 3137 Regional Road 56 (Glanbrook) (PED07279) (Ward 11) (Item 6.2) (Ferguson/Whitehead)

That approval be given to amended Zoning Application ZAC-07-045, by Dr. Darrell Juriansz Medicine, Applicant, for a change in zoning from the Existing Residential “ER” Zone to a modified General Commercial-Holding “H-C3-227” Zone in order to permit a Medical Centre, for the lands located at 3137 Regional Road 56 (Glanbrook), as shown on Appendix “A” to Report PED07279, on the following basis:

(a) That the subject lands be rezoned from the Existing Residential “ER” Zone to the General Commercial-Holding “H-C3-227” Zone.

(b) That the “H” Holding provision may be removed by a further amendment to this By-law, at such time as the applicant/owner has completed an archaeological assessment, to the satisfaction of the Director of Planning and the Ministry of Culture. The use of these lands, while zoned “H-C3-227”, shall be restricted to only a Medical Centre for one practitioner within the existing building.

(c) That the draft By-law, attached as Appendix “C” to Report PED07279, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(d) That the amending By-law be added to Schedule “H”, Binbrook Settlement Area, of Zoning By-law No. 464.

(e) That the proposed change in zoning conforms to the Hamilton-Wentworth Official Plan and the Township of Glanbrook Official Plan.

CARRIED

Council – November 14, 2007
14. Change to Delegated Authority for Sign By-law, Under the Municipal Act, to Reflect Changes to the Planning and Economic Development Department’s Organizational Structure (PED07274) (City Wide) (Item 6.3)

(Clark/Duvall)
(a) That approval be given to City Initiative CI-07-N to update references made to positions within the Planning and Economic Development Department for which delegated authority has been granted through the Sign By-law.

(b) That the Draft By-law, attached as Appendix “A”, to Report PED07274, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

CARRIED

15. City Initiative – Housekeeping Amendments to Comprehensive Zoning By-law 05-200 and City of Hamilton Zoning By-law 6593 (PED07275) (City Wide) (Item 6.4)

(Pasuta/Pearson)
(a) That approval be given to City Initiative CI-07-M to provide housekeeping amendments to the City’s Comprehensive Zoning By-law, known as Zoning By-law 05-200, and former City of Hamilton Zoning By-law 6593.

(b) That the attached draft Zoning By-laws, marked as Appendices “A” and “B” to Report PED07275, which have been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

CARRIED

16. City Initiative – Amendments to Comprehensive Zoning By-law 05-200 and City of Hamilton By-law No. 6593 for Correction of Mapping Errors Related to Institutional Zone (PED06405(c)) (City Wide) (Item 6.5)

(Pearson/McHattie)
(a) That approval be given to City Initiative CI-07-L, to amend the City’s Comprehensive Zoning By-law 05-200 and the former City of Hamilton Zoning By-law 6593, to correct mapping errors and reinstate the zoning that existed prior to the implementation of the new Institutional Zoning.

(b) That the draft Zoning By-laws, attached as Appendices “A”, “B” and “C” to Report PED06405(c), which have been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

CARRIED

17. Tourism Hamilton’s Draft 2008-2010 Strategic Plan (PED07268) (City Wide) (Item 7.1)

(Pearson/Whitehead)
(a) That Report PED07268 respecting Tourism Hamilton’s Draft 2008-2010 Strategic Plan, attached as Appendix “A” to Report PED07268, be received.

Council – November 14, 2007
(b) That any concerns, comments or requests for changes by Council to the Draft Strategic Plan be forwarded to the Tourism Hamilton Board of Directors prior to its consideration for final adoption.

CARRIED


Whitehead/Pearson)

(a) That approval be given to Subdivision Application 25T-200622, by 1639142 Ontario Inc. & Laudis Corporation, c/o Anthony J. Di Silvestro and Laura Di Silvestro, owners, to establish a draft plan of subdivision known as “Springbrook Meadows West”, as redline revised, on lands located at 352, 372 and the Rear of 388 Springbrook Avenue (Ancaster), as shown on Appendix “A” to Report PED07260, subject to the following conditions:

(i) That this approval apply to the Draft Plan of Subdivision “Springbrook Meadows West”, 25T-200622, prepared by Urbex Engineering Limited, and certified by S.D. McLaren, O.L.S., dated September 11, 2007, showing 60 lots for single detached dwellings (Lots 1 to 60), 8 blocks for future development (Blocks 61 through 68), 4 blocks for 0.3m wide reserves (Blocks 69 through 72), and 3 public streets shown as Street “A”, Street “B” and Street “C”, attached as Appendix “B” to Report PED07260, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the special conditions attached as Appendix “D” to Report PED07260;

(ii) Acknowledgement that there will be no City share for any municipal works associated with this development, except for only the portion of urbanization costs along the frontage of Springbrook Avenue where an existing dwelling is located on the east side and for frontage where the City has obtained urbanization costs through previous Consent Applications; and,

(iii) That payment of Cash-in-Lieu of Parkland will be required for the development prior to the issuance of each building permit for the lots within the plan. The calculation of the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of the building permit;

all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council.
(b) That approval be given to **Zoning Application ZAC-06-113, by 1639142 Ontario Inc. & Laudis Corporation, c/o Anthony J. Di Silvestro and Laura Di Silvestro, owners**, for changes in zoning from the Agricultural “A” Zone to the Residential “R4-563” Zone (Block “1”) and to the Residential “R4-562” Zone (Block “2”), to permit 60 single detached dwellings on separate lots, for the properties located at 352, 372 and the rear of 388 Springbrook Avenue (Ancaster), as shown on Appendix “A” to Report PED07260, on the following basis:

(i) That Block “1” be rezoned from the Agricultural “A” Zone to the Residential “R4-563” Zone;

(ii) That Block “2” be rezoned from the Agricultural “A” Zone to the Residential “R4-562” Zone;

(iii) That the draft By-law, attached as Appendix “C” to Report PED07260, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,

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

**CARRIED**

19. **Application for a Certificate of Approval (Waste Disposal/Transfer Station).**

Ministry of Environment Reference 1095-73GRYE, 384 Millen Road Unit 2 (Stoney Creek) (PED07272) (Ward 10) (Item 8.2)

(Pearson/McHattie)

That the Ministry of Environment Assessment and Approvals Branch of the Ontario Ministry of Environment be advised that should the Ministry approve the application CA-07-002, by MIDA International Inc. applicant, for a Certificate of Approval for a waste disposal/transfer facility at 384 Millen Road, Unit 2, as shown on Appendix “A” to Report PED07272, that the City of Hamilton requests that the following be undertaken:

(a) That the Certificate of Approval include the following requirements:

(i) That a sufficient bond be provided to the Province for financial assurance for the removal of any materials left on the site should operations end.

(ii) That the Certificate of Approval limit the daily waste received to a maximum of 5 tonnes and with a maximum storage capacity of 100 tonnes.

(iii) That the waste streams be limited to electronic scrap and de-canning catalytic converters only. That no other waste be accepted at this facility.
(iv) That the waste accepted be limited to only waste generated from within the Province of Ontario.

(v) That prior to receiving any waste materials at the facility, that the proponent obtain written approval from the Chief Fire Prevention Officer, Hamilton Fire Services, confirming that the facility is in compliance with Parts 3 and 4 of the Ontario Fire Code, and that a Fire Safety Plan be developed and implemented to the satisfaction of Hamilton Fire Services.

(vi) That the proponent implement spills prevention on site and containment measures. That the contingency plans for spills on site and clean up procedures be covered and set out under the Certificate of Approval, and that the City’s Spills number (905) 540-5188 be included in the company’s on site Contingency Plan.

(vii) That a Ministry of Environment staff person be identified to the City as the contact for all issues and complaints regarding the subject property.

(b) That a copy of Report PED07272 be forwarded to the Environmental Assessment and Approvals Branch of the Ministry of Environment for their consideration.

(c) That the Environmental Assessment and Approvals Branch of the Ministry of Environment be requested to forward a copy of its final decision respecting the Certificate of Approval to the Clerk, City of Hamilton.

CARRIED

20. Comments on Application for a Licence Under the Aggregate Resources Act by Lafarge Canada Inc. - Dundas North Quarry Extension, Being Part of 692 and 722 5th Concession Road West, (Flamborough) (PED07278) (Ward 14) (Item 8.3)
(Whitehead/Pearson)

That the City of Hamilton advise the Ministry of Natural Resources (MNR) that it objects to the Licence Application under the Aggregate Resources Act, by Lafarge Canada Inc. - Dundas North Quarry Extension, proposed for Part of Lots 9 and 10, Concession IV, Geographical Twp. of West Flamborough, being part of municipal addresses 692 and 722, 5th Concession Road West, as shown on Appendix “A” to Report PED07278, on the basis that consideration of the application is premature at this time as the proposed extractive land use is not a permitted use, and that the review of the submitted Official Plan Amendment and Zoning By-law Amendment applications have not been completed by the City or relevant commenting agencies, or considered by Council, and that the following concerns identified to date have not been addressed:

(a) That it is premature for the Ministry of Natural Resources to finalize the Aggregate Licence requirements until the detailed site requirements, as identified through the review of the required Official Plan and Zoning By-law Amendments,
have been provided by the City to be considered for incorporation as conditions to the Licence, if granted by the MNR.

(b) That the City and the City’s Combined Aggregate Review Team (CART) be permitted to complete its peer reviews of the various component studies submitted by the proponent and identify, if any, inadequacies, additional work or site requirements for the proponent to undertake.

(c) That Hydrogeology, Aggregate Design and Operations, Rehabilitation, Noise, Vibration, Blasting, Dust, and impacts to the Natural Heritage, the Hayesland Alvar Environmental Significant Area, and Karst features have initially been identified as areas of concern to the City.

(d) That any other issues or concerns identified through the review of the proposed Official Plan Amendment and Zoning By-law Amendment Applications by the City be considered by the Ministry of Natural Resources in their review of the proposed Licence.

(e) That the proponent be requested to fund peer reviews for those component studies identified by staff and CART.

(f) That a copy of Report PED07278, being the City of Hamilton’s formal comments, be forwarded and filed with the Guelph District Office of the Ministry of Natural Resources and Lafarge Canada Inc. (c/o MHBC Planning), as required under the Aggregate Resources Act for a Licence.

CARRIED

21. 795 Old Highway 8, Former Rockton Hotel Livery Stable (Item 9.1) (McHattie/Pasuta)
That Hamilton LACAC’s (Municipal Heritage Committee) request to the Economic Development and Planning Committee to direct appropriate staff to investigate the feasibility of revoking the direction of the Council of the former Town of Flamborough to demolish the Former Rockton Hotel Livery Stable located at 795 Old Highway 8, Rockton, be approved.

CARRIED

22. Hamilton East Municipal Car Parks 2C and 2D, municipally known as 11 and 18 Britannia Avenue, City of Hamilton (Added Item 9.2) (Whitehead/Duvall)
(a) That the Planning Division of the Planning and Economic Development Department be authorized and directed to initiate a Site Specific Zoning By-law Amendment in accordance with Section 34 of the Planning Act to permit a open-air market to be operated within Hamilton East Municipal Car Parks 2C and 2D.
(b) That the zoning application be exempt from the pre-circulation requirement pursuant to subsection (a)(iv)(3), Public Participation and Mediation in the Planning Approval Process policy, adopted by City Council on May 28, 2003, as the application is to add a minor use to an existing non-residential zoning category.

CARRIED

23. Appointment of a new member to the Task Force on Cleanliness and Security in the Downtown Core (Added Item 9.3) (Bratina/Clark)
That Heather Ambo be appointed to be a citizen member of the Task Force on Cleanliness and Security in the Downtown Core, to fill the vacancy left by the resignation of Shannon Pollock, commencing immediately and until November 30, 2008, or until a successor is appointed by Council:

CARRIED

24. Appeal by Waterdown Bay Inc., respecting their Applications for Draft Plan of Subdivision and Zoning by-law Amendment, for lands at 392 Dundas Street East, Waterdown (Item 12.2) (Clark/Duvall)
That the City of Hamilton oppose the City of Burlington's motion to adjourn the Waterdown Bay appeals, on Wednesday, November 7, 2007, and request the Ontario Municipal Board to commence pre-hearing proceedings

CARRIED

25. West Hamilton Innovation District – Ontario Municipal Board Appeal (Ward 1) (LS07022) (Item 12.3) (McHattie/Pearson)
(a) That the City settle Lafarge Canada Inc.’s appeal in substantial accordance with the draft Official Plan Amendment and Zoning By-law Amendment in Appendix 3.

(b) That the amount required for experts to evaluate and support the City’s position before the Ontario Municipal Board be funded from the Planning and Development Department Operating Budget.

(c) That the balance of the report remain Confidential.

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

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes:

- Motion respecting Appointment of a new member to the Task Force on Cleanliness and Security in the Downtown Core added as Item 9.2
- Motion respecting the proposed rezoning of the municipal parking lot at 11 and 18 Britannia Avenue, added as Item 9.3

The Agenda for the November 6, 2007 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 October 16, 2007 Minutes of the Economic Development and Planning Committee meeting were approved.

(d) Application for Approval of a Draft Plan of Condominium (Common Elements Condominium) for Lands Located at 222 Fall Fair Way, (Glanbrook) (PED07273) (Ward 11) (Item 6.1)

A Public Meeting was held.

Chair Mitchell advised the meeting of the following, in accordance with the requirements 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 approval authority gives or refuses to give approval to the draft plan of condominium, 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 in respect of the proposed plan of condominium before the approval authority gives or refuses to give approval to the draft plan of subdivision, 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

David Falletta outlined the report to Committee.

Arden Semper, Branthaven Homes, advised Committee that he was in support of the staff recommendation, and thanked staff for their assistance.

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

Committee approved the staff recommendation.

(e) Application to Amend Township of Glanbrook Zoning By-law No. 464 for Lands Located at 3137 Regional Road 56 (Glanbrook) (PED07279) (Ward 11) (Item 6.2)

A Public Meeting was held.

Chair Mitchell advised the meeting of the following, in accordance with the requirements 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.

Trevor Horzelenberg outlined the report to Committee. He noted that following the public circulation, one letter of support had been received. He explained that
issues respecting fencing, parking and other site details would be addressed during site plan approval.

Prem Tewari, the agent for the applicant, addressed Committee in support of the staff recommendation, and thanked staff.

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

Chair Mitchell vacated the chair to 1st Vice-Chair Whitehead, to enable him to address Committee as the Ward Councillor.

Councillor Mitchell noted his appreciation to all involved in this application, and his thanks to Dr. Juriansz for staying in the area and continuing to look after his patients.

Chair Mitchell resumed the Chair.

Committee approved the staff recommendation.

(f) Change to Delegated Authority for Sign By-law, Under the Municipal Act, to Organizational Structure (PED07274) (City Wide) (Item 6.3)

A Public Meeting was held.

Chair Mitchell advised that this proposed change is under the Municipal Act, and has been appropriately advertised in the newspapers.

Al Fletcher outlined the report to Committee.

Chair Mitchell noted that this is a City Initiative and so there was no applicant to speak on this matter.

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

Committee approved the staff recommendation.

(g) City Initiative – Housekeeping Amendments to Comprehensive Zoning By-law 05-200 and City of Hamilton Zoning By-law 6593 (PED07275) (City Wide) (Item 6.4)

A Public Meeting was held.

Chair Mitchell advised the meeting of the following, in accordance with the requirements 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.

Al Fletcher outlined the report to Committee. He confirmed that retirement homes were being removed from the radial distance separation requirements.

Chair Mitchell explained that as this is a City Initiative, there is no outside applicant to address Committee.

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

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

Committee approved the staff recommendation.

(h) City Initiative – Amendments to Comprehensive Zoning By-law 05-200 and City of Hamilton By-law No. 6593 for Correction of Mapping Errors Related to Institutional Zone (PED06405(c)) (City Wide) (Item 6.5)

A Public Meeting was held.

Chair Mitchell advised the meeting of the following, in accordance with the requirements of the Planning Act;

Members of the Public, In accordance with the provisions of the Planning Act, please be advised of the following:

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.

Al Fletcher outlined the report to Committee and explained that the amendment would affect eleven properties across the City.

Bob Charters addressed Committee on behalf of Bethel Gospel Church, Upper Wellington. Mr. Charters said he would not oppose the by-law but he had concerns that only a portion of the lands owned by Bethel had been captured in the mapping corrections made by staff and requested that all the lands be included. He explained that the church is developing a multi-residential, life-lease building and that applying the new zoning to the whole site would allow the church to continue with its overall plans for the site.

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

Mr. Fletcher explained that the amendment does not take away any uses from the church’s properties, and allows the church to expand its building. He continued that rezoning the entire site to allow a wide range of uses should be considered through an overall rezoning, where full public input would be sought before any decisions made.

Committee approved the staff recommendation.

(i) Tourism Hamilton’s Draft 2008-2010 Strategic Plan (PED07268) (City Wide) (Item 7.1)

Mark Farrugia, Chair of Tourism Hamilton, addressed Committee with regard to the Draft Strategic Plan. He noted that Tourism Hamilton had now completed its first five years, and is eager to move forward with its vision for the coming years.

David Adames provided an overview of the Draft Strategic Plan with the aid of a powerpoint presentation. Mr. Adames distributed copies of his presentation and copies of the Tourism Hamilton brochure. He noted a number of highlights of the past five years, including:
- completion of Sport Tourism Action Plan
- opening of two new tourist information centres, one in Downtown Hamilton and one at Hamilton International Airport
- success of the Tim Horton’s Brier
- successful start of flights from Hamilton to the UK.
Mr. Adames also noted the current difficulties facing the tourism sector, including the fall of the US dollar, confusion about the need for passports and the current flat-lining of the market. Mr. Adames explained that new products, opportunities and services are constantly being evaluated, and that a performance measurement system is currently being evaluated for adoption.

Committee discussed the matter and had additional information supplied by staff. Committee discussed the possibility of request to the government regarding matters including a delay in the introduction of the passport requirements, the possibility of using a secure driving license system as an alternative to passports, exemptions to the requirement for passports for youth sports groups, and other matters. Members agreed to work with Mr. Adames to bring appropriate Motions to Council.

Committee thanked staff and the Tourism Board for all their work.

Committee approved the staff recommendation.

Public Open Houses, Urban Structure; Comprehensive Employment Review, New Urban Official Plan Program (Verbal – No copy) (Item 7.2)

Joanne Hickey-Evans gave a verbal overview of the matter, with the aid of a powerpoint presentation. She explained that two Public Information Centres are being held, one on Hamilton Mountain and one in Downtown Hamilton, to introduce the concept to the public, followed by stakeholder meetings.

Ms. Hickey-Evans noted that invitations to these events had already been sent to Councillors and staff.

Committee discussed the matter and expressed concerns that no handouts respecting the presentation were available. They also raised issues about the timing, number and locations of the meetings, as well as the difficulty of explaining the technical issues to the public, in view of their complexity. Staff agreed to work with Councillor McHattie to arrange a further meeting for the neighbourhood associations in his Ward, and also agreed to hold a further public meeting.

Committee also discussed the need for information on the progress of the Rural Official Plan processing by the Ministry. Staff was directed to provide an update on this matter by the next meeting.

Committee received the staff presentation.
Apologies for Approval of a Draft Plan of Subdivision, "Springbrook Meadows West", and for Changes in Zoning for the Properties Located at 352, 372 and the Rear of 388 Springbrook Avenue (Ancaster) (PED07260) (Ward 12) (Item 8.1)

Chair Mitchell noted that the Public Meeting for these applications had been held and concluded on October 16, 2007, but that a Committee recommendation had not been made, pending the availability of the Ward Councillor.

Chair Mitchell advised that an additional submission had been received from Shirley Harbottle, and that this had been distributed.

Councillor Ferguson thanked Committee for deferring their decision on the issue, and provided further background to the area and the applications. His main concerns centred on the lot frontages for new lots on Springbrook, the installation of sewers on Springbrook and the apportionment of the costs. Councillor Ferguson spoke to the OMB decision on a previous appeal in the area, and the need to advise the existing residents of the costs they would be expected to pay for the sewers.

Councillor Ferguson said that the three new lots on Springbrook were acceptable as one is 50 feet and the other two are just below 50 feet.

Councillor Ferguson requested that the future lotting arrangement with proposed subdivisions in the area should respect the 50 foot frontage specified by the OMB in their previous decision.

Committee then discussed the installation and payment arrangements for the sewers on Springbrook. Councillor Ferguson asked that the costs of the sewers to the existing residents should be specified now, ahead of the developers being granted all their required approvals, to allay the fears of the residents.

Staff explained that while precise costs could not be fixed until construction proceeds, the existing homes would be subject to “Greenfield” costs of $6-7,000 per home, with the residents paying the additional costs of connecting to their homes, from the property line. These latter costs will vary, depending on the length of the connections. Mr. Sergi noted that the OMB decision refers to the provision of sewers in the road, and does not discuss the costs of the hookup to individual houses. He explained that the developer would provide stubs.

Councillor Ferguson expressed his request for staff to report back in early 2008, with an interpretation of the OMB decision, and a breakdown of the costs that existing homeowners will need to pay.
Mr. Sergi explained the previously-approved formula for sewer and water hookups, in Greenfield areas and in areas of existing development.

Angelo Cameracci, agent for the developer, advised that they would like to develop in 2008 or 2009.

Committee continued their discussion of the matter.

On a Motion (Ferguson/Whitehead), Committee directed that staff prepare a report for Committee in early 2008, in consideration of the OMB decision and how it relates to the Springbrook community, with the costs for existing homeowners to connect to the new sewer on Springbrook.

Committee then approved the staff recommendation.

On a Motion (Clark/Bratina), Committee directed staff to report back respecting clarification of the way in which estimates are made for the cost of sewer, storm water and water hookups, and the variations between ‘City-initiated’ and ‘best efforts’ situations.

Application for a Certificate of Approval (Waste Disposal/Transfer Station).
Ministry of Environment Reference 1095-73GRYE, 384 Millen Road Unit 2 (Stoney Creek) (PED07272) (Ward 10) (Item 8.2)

Stan Holiday outlined the report to Committee.

Representatives of MIDA International Inc. advised that they supported the staff recommendation.

Councillor Pearson thanked staff and the proponents for their on-site meeting. She noted her support for the proposed recycling operation.

Committee requested additional information respecting the application.

Brian Love, President of MIDA, addressed Committee and explained that his company is following all the required rules and regulations respecting the recycling of waste, and will also be ISO compliant. He noted that the company does total recycling of computers, that the recycling industry in its various forms is growing across the Province, and will continue to grow as we all become more conscious of the need for recycling.

Committee continued their discussion of the application and had further information supplied by Mr. Love.
On a Motion (Clark/Duvall), Committee approved an amendment to the staff recommendation to require financial assurances to cover final cleanup of the site.

Committee approved the staff recommendation, as amended.

Chair Mitchell thanked the speakers.

(m) Comments on Application for a Licence Under the Aggregate Resources Act by Lafarge Canada Inc. - Dundas North Quarry Extension, Being Part of 692 and 722 5th Concession Road West, (Flamborough) (PED07278) (Ward 14) (Item 8.3)

Stan Holiday provided an overview of the application for a licence to expand the operations of the subject site by 30 hectares and explained that the City must comment to the Ministry by November 19, 2007. He noted that the application being considered today is for a licence to operate, and that the applicants have recently applied for the required Official Plan and Zoning By-law Amendments.

Mr. Holiday explained that staff were at the early stages of the review of these planning applications, and have identified that the matters of hydrology, noise, vibration and dust should all be subject to peer review. Until these matters are reviewed in detail, staff consider that the application for a licence be premature, and the City should request the Ministry to withhold the licence.

Brian Zeman, MHBC Planning, addressed Committee respecting the application. He gave further details of the Ministry process respecting the licence application, and how Lafarge was working with the community on the proposal. Mr. Zeman noted support for the staff recommendation and explained that Lafarge is willing to pay for the peer review studies, with the exception of the natural heritage peer review, since his consultants have concluded there is no alvar on the property.

Committee continued their discussion of the matter, including the use of the aggregate in the steel industry, the employment generated by the expansion, the end-use of the site and the type of mitigation which would be required, if there is an adverse impact on neighbouring wells.

Committee approved the staff recommendation.

Chair Mitchell thanked the speakers.
(n) Issues presently before the Ontario Municipal Board (Item 12.0)

On a Motion (Pearson/Bratina), Committee moved in to Closed Session to consider three matters which are currently before the Ontario Municipal Board, and to receive advice from legal counsel, at 12:50 pm.

At 2:10 pm, On a Motion (Clark/Duvall), Committee resumed in Open Session.

(i) 125 Wilson Street West, Ancaster (Item 12.1)

Chair Mitchell said that advice had been received on this matter, and that there was nothing further to report.

(ii) Appeal by Waterdown Bay Inc., respecting their Applications for Draft Plan of Subdivision and Zoning by-law Amendment, for lands at 392 Dundas Street East, Waterdown (Item 12.2)

Committee passed a Motion respecting this matter.

(iii) West Hamilton Innovation District – Ontario Municipal Board Appeal (Ward 1) (LS07022) (Item 12.3)

Committee passed a Motion respecting this matter.

(o) 795 Old Highway 8, Former Rockton Hotel Livery Stable (Item 9.1)

Councillor McHattie introduced the subject, and Councillor Pasuta provided additional background information, in support of the Motion.

Committee discussed the matter and passed a Motion.

(p) Hamilton East Municipal Car Parks 2C and 2D, municipally known as 11 and 18 Britannia Avenue, City of Hamilton. (Added Item 9.2)

Committee passed a Motion on this matter.

(q) Appointment of a new member to the Task Force on Cleanliness and Security in the Downtown Core (Added Item 9.3)

Committee passed a Motion on this matter.
(r) Notice of Motions (Item 10)

None

(s) News from the General Manager (Item 11.1)

Tim McCabe updated the Committee on a number of items, including the following:
- the Urban Design and Architecture Awards reception being held at the Art Gallery of Hamilton on November 8, 2007.
- GM has accepted an invitation to sit on the Board of the Immigrant Advisory Committee
- Report on Demolition permits – Mr. McCabe outlined the present situation regarding these reports and noted that the policy is not consistent across the City. Committee agreed that a harmonizing policy for the City was needed, and directed staff to bring forward a report on this issue.

(t) ADJOURNMENT (Item 13)
(Pearson/Pasuta)

There being no further business, the Economic Development and Planning Committee adjourned at 2:40 p.m.

Respectfully submitted,

David Mitchell, Chair
Economic Development and Planning Committee

Alexandra Rawlings, Co-ordinator
Economic Development and Planning Committee
November 6, 2007