Economic Development and Planning Committee
MINUTES 09-013A
Wednesday, June 10, 2009
9:30 am
Albion Room, Hamilton Convention Centre
1 Summer’s Lane, Hamilton

Present: Chair M. Pearson
Vice Chairs Councillors: B. Bratina, L. Ferguson,
Councillors: B. Clark, B. McHattie, D. Mitchell, R. Pasuta,
C. Collins

Absent with Regrets: Councillors S. Duvall, T. Whitehead

Staff Present: T. McCabe, General Manager – Planning and Economic Development
P. Mallard, T. Sergi, B. Janssen, M. Hazell, J. Hickey-Evans,
B. Khes, C. Plosz
A. Rawlings, Co-ordinator, C. Biggs - City Clerk’s Office

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised that there were no changes to the agenda:

(Clark/Ferguson)
The agenda for the June 10, 2009, meeting of the Economic Development & Planning Committee was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 3)

None

(d) Proposed Urban Hamilton Official Plan (City Wide) (PED09164) (Item 6.1)

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Chair Pearson introduced the subject of the meeting – a special Public Meeting, the first of three, to consider public input into the new Urban Official Plan. The Chair outlined the process for the Public Meetings.

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

a) If a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before the approval authority gives or refuses to give approval to the Official Plan or the Official Plan Amendments, 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 approval authority gives or refuses to give approval to the Official Plan or the Official Plan Amendments, 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.

(e) Staff presentations respecting the proposed Hamilton Official Plan (Item 6.1.1)

Tim McCabe provided the following comments in his introductory remarks:

- The start of the process today with the Official Plan should be considered as a real milestone for the City, a Plan that includes the entire Urban Area of the amalgamated city
- Once the Official Plan is approved, the Regional OPA and the area OPs will be repealed
- The new OP will shape and focus the new City and is the first step to creating a new and modern zoning by-law to implement policies and urban design; will shape the future physical form of the City; will effectively protect cultural and natural heritage resources
- Through implementation, will provide certainty and clarity in investment and will eliminate red tape, all toward fulfilling the strategic goal of growing the economy

Mr. McCabe thanked all staff from the Strategic Planning group under the leadership of Bill Janssen and Joanne Hickey-Evans, and many other staff from various
divisions of the Planning and Economic Development Department, as well as other City Departments. The OP is truly a corporate project and corporate document with staff from Housing and Community Services providing their assistance to writing some of the policies.

Mr. McCabe also thanked many members of the public and community groups for their time through consultation sessions. June 2009 was the target set by the Province for the completion of the OP, and that target has been met. The OP is now in the hands of the Committee, and staff is requesting their support.

Bill Janssen stated that the Presentation will outline major elements of the Urban Official Plan and the consultation resulting. Mr. Janssen also acknowledged the contribution of staff and the various departments, stakeholders/agencies, the public-at-large and members of Council who provided input, with the belief that all of the input has shaped the plan to be a better guide to shape future development of the City.

Mr. Janssen indicated that there will be a series of three public meetings and an overview of the Official Plan will be done at each meeting. Also, he advised that information panels providing additional information are set up in Room 202 for members of the public. Comments provided at the public meetings will be reviewed by staff and a report responding to the issues raised will be presented to the Economic Development and Planning Committee.

Mr. Janssen stated that he is extremely proud of the work done by staff, and that from the input received to date, staff has developed a flexible progressive plan that meets provincial requirements.

Joanne Hickey-Evans presented a power point presentation on the Urban Hamilton Official Plan, which included the following:

- The New Urban Plan replaces the existing seven Official Plans (OP)
- Provincial Directions – Provincial Government sets broad base guidelines for urban growth and development; City’s OP will conform to “Places to Grow” and be consistent with the 2005 Provincial Policy Statement
- Format of the OP – three volumes: Volume 1 is the Parent Plan, including land use designations and policies, supporting policies and implementation; Volume 2 is Secondary Plans; Volume 3 is area and site specific policies
- Goal of the OP is to establish compact, complete communities where we can live, shop, work, play and learn
- Broad goals of the OP to support and promote investment that contributes toward the growth of the City’s economy and prosperity; establish and implement urban design principles to make neighbourhoods and business

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areas are attractive, lively and safe; establish an integrated transportation network that connects and supports various uses of land; require a variety of housing types and tenure for the City’s residents; promote residential intensification in appropriate locations to support public transit, community facilities and shopping areas, but is sensitive to existing neighbourhoods; achieve a healthy ecosystem through the protection and enhancement of natural areas; conserve cultural heritage resources

- Urban structure map
- Land use designations – Neighbourhoods, Commercial and Mixed Use, Employment (Industrial); Open Space; Utility; Institutional
- Supporting Policies – to provide policy direction on matters that affect how land uses are developed or redeveloped
- Strong Economy – a strong economic base not only provides jobs, but stimulates demand for housing and population growth
- Urban design – Policies that direct and promote design that impacts the public realm
- Residential Intensification – what is it and where, implementation, design criteria
- Housing – promotes a mix and full range of physical housing types, as well as a full range of tenures (i.e., rent/own), supports and affordability
- Community facilities and services, including community and recreation centres, arenas, parks, health care and social service facilities, day care and seniors’ centres, emergency medical, fire and police services, cultural facilities, places of worship, museums, schools, universities and colleges, libraries
- Transportation – addresses different modes of transportation (transit, walking, cycling, cars, rail, truck, port, airport) and the integration with land uses;
- Infrastructure – policies for providing necessary services, including water/waste water, storm water and waste management
- Cultural Heritage – conservation of cultural heritage resources (A, B and C’s): archaeology, built heritage, cultural heritage landscapes
- Natural Heritage System – protect and restore natural heritage features i.e., wetlands, woodlands, streams, valleys, meadows and natural functions as a permanent environmental resource
- Health, safety and energy – includes policies on contaminated sites, noise, vibration and other emission, air quality and climate change, hazard lands and energy
- Secondary Plans and Area and Site Specific Policies – what are they and why were they updated
- Summary of issues – growth management issues; land use designations; supporting policies; existing official plan processes
- Next steps.
The Committee was advised that maps included in the presentation are as accurate as possible, based on the information available to date. Also, individual development applications have not been included in the OP. With respect to outstanding OMB appeals, some areas of the OP have been deferred until such time as those issues have been resolved.

Following the presentation, the Committee was given the opportunity to ask questions.

Councillor McHattie congratulated the Planning Department on the completion of the draft OP and advised that the stakeholders and Province are generally very supportive of the document. He commented that he is particularly supportive with respect to the design aspects and the cultural heritage policies; the Arts section is innovative and is very responsive to the arts sector in Hamilton; extended thanks to Al Fletcher et al and hope to move quickly on ideas such as the CIP.

Councillor McHattie asked if there is a Secondary Plan for the Burlington Street area, being the older industrial area. Staff responded that there was not at this time. Asked if there is any intent, given some of the changes that are and/or may be occurring in that area, staff responded that this is not in the work plan.

Councillor McHattie referred to a piece of correspondence from Mr. Campbell respecting the Dundurn area and his request for media mixed use, and asked that it be noted, and that he will discuss with staff further off-line.

Councillor Collins indicated that during consultation with staff, he enquired with respect to the status of east port and its designation, and whether it should be a navigation destination as it relates with land use in shipping and navigation around the harbour i.e., current use versus future use and whether or not to look at introducing office buildings and some other commercial operations within those districts. Staff responded that the history of shipping and navigation designation dates back to the 1908’s at which time there was an agreement between the City and the Port authority. Given the significant amount of issues in the agreement, it was decided not to change that designation and that plan. The Port Authority has been circulated with the draft OP; however, comments have not yet been received for that area. Staff indicated that they are having ongoing discussions with the Port Authority, and will report back to the June 22/23 meeting of the Committee with respect to additional new uses for the east port area.

Councillor Collins asked if there was an opportunity to take a portion of those lands that are brownfield/vacant along Burlington Street and look to creating a business park like atmosphere in the lower City. Staff responded that the industrial designation along Burlington Street came about as a result of the historic function of it being a heavier industrial area. If the City chooses to go
down that route, work will be required to study what kind of policies should be put in place and what the actual area is in trying to provide different areas for differing uses. This will be a future step which is bigger than what is in the plan today; however, this does not preclude from changing the designation in the future.

Councillor Mitchell congratulated all staff for their work on the OP. He asked in terms of the numbers of people that attended at the public meetings. Staff responded that the number totalled approximately 1,000.

Councillor Mitchell expressed concern with respect to combining the rural and urban plans and requested clarification. Staff responded that many of the sections in implementation are replicated in both plans e.g., certain policies apply city wide rural roads vs urban roads. These would be shown separately.

Councillor Mitchell also expressed concern with respect to the SCUBE programs and how are they incorporated. Staff responded that in terms of secondary plans, they will be incorporated as amendments to the OP; however, in terms of which plan would be chosen, the answer is not yet known. From “Places to Grow” document, there is a minimum requirement of 50 persons and jobs per hectare; in some areas where the density is lower, the density has to be made up to the entire number reaches 50.

Councillor Mitchell questioned why the Province is sending comments on individual applications when it has no say. Staff responded that overall, the Province is very supportive of the OP; however, they have expressed concern with respect to the employment conversion study. Staff will stand by Council’s decision with respect to the conversion study.

Councillor Mitchell also expressed concern respecting development in Binbrook and the fact that it is a town in the middle of the Green Belt. He indicated that the same density numbers should not be used as there is no urban transit, no major employment in town, and concerned why there could not be site specific plans. Staff responded that the Binbrook secondary plan is incorporated in Volume 2 of the OP and is likely lower than the density targets set by the Province. Densities will be made up in other areas to meet the target across the Green Belt.

With respect to nodes and corridors, Councillor Mitchell advised that he has received a request from the community to have a node in the Mount Hope area or Ryckman’s Corners as there is no node connecting the downtown to the airport. Staff responded that this issue has been addressed in the staff report.

Councillor Clark thanked all staff for their efforts in compiling the OP, being a very complex and comprehensive process. He expressed concern respecting the Eramosa Karst and is not thrilled that the feeder area is not being preserved.
Although he has been arguing that there should be no development on that property, meetings with staff and the Conservation Authority have clarified that a defensible position is required despite the desire to preserve.

Councillor Clark requested clarification in terms of process following Council’s approval of the OP. Tim McCabe responded that the OP will be sent to the Ministry who then has their own circulation process. Comments will be sent back to the Minister, who will then issue his decision, which may include changes and modifications. Should this occur, a report will come back to Council advising accordingly and seeking direction.

With respect to timelines, Mr. McCabe indicated that he is waiting to hear back on this issue.

(f) Public delegations respecting the proposed Hamilton Official Plan (Item 6.1.2)

(Ferguson/Bratina)
That the written submissions received from the following, be received:

(aa) Robert Taylor, Assistant Deputy Minister, Municipal Services Division, Ministry of Municipal Affairs and Housing, and Brad Graham, Assistant Deputy Minister, Ontario Growth Secretariat, Ministry of Energy and Infrastructure

(bb) Ruth Leibersbach, on behalf of the Hamilton Chamber of Commerce

(cc) Paletta International

(dd) David Pentland, 293 Woodworth Drive, Ancaster

(ee) E. J. Fothergill, President, Fothergill Planning & Development

(ff) Steven A. Zakem, Solicitor, on behalf of Upper Centennial Developments Limited, respecting Highland Road West/Mud Street West

(gg) Rita Giulietti, Communications Co-ordinator, Friends of the Eramosa Karst

(hh) Hamish Campbell, Dundurn Street, Hamilton

(ii) Peter Ormond, Concerned Citizen, respecting Aerotropolis

(jj) A. Milliken Heisey, Solicitor, on behalf of Canadian National Railway

CARRIED
Chair Pearson advised that the following persons had registered as Speakers for the meeting and that these people would be heard first, followed by speakers from the floor.

- CHAMBER OF COMMERCE - RUTH LEIBERSBACH
- HHHBA - DOUG DUKE
- LARRY KELLY, DAN CAMPBELL, HESTOR ST
- KATHLEEN SMITH, 158 HESTOR
- NICK KOPELAAR
- TED VERHEY

(i) Richard Koroscil, President-Elect, on behalf of the Hamilton Chamber of Commerce

Mr. Koroscil addressed the Committee with regard to the matter. His points included, but were not limited to, the following:

- Thanked staff for all of their effort put into this project and advised that staff have gone out of their way to make themselves available to respond to questions and provide clarification.
- Indicated that the Chamber submitted written comments in April and acknowledged that staff has made changes based on those recommendations and comments.
- Based on the staff presentation, one of the objectives should be to add more flexibility to the plan to help achieve its goals and objectives.
- The Chamber supports the overall direction of the OP as outlined.
- With respect to Direction 5, Mr. Koroscil suggested that the wording be changed to "retain and attract jobs in ALL areas", as the current wording could be interpreted as too exclusive.
- The City must convince investors that investing in Hamilton is preferable to any of the surrounding communities in the GTA or national/international communities. Also suggested that Section B.3.1.5 be amended to recognize brownfields.
- On behalf of the Chamber and its 2100 members, Mr. Koroscil thanked the City and staff for the opportunity to actively participate in the OP process.
- Asked if the Chamber would be interested in designating office space on Eastport Drive, Mr. Koroscil responded that it would depend on the use, preferably a use which would be related to the Port.

A copy of Mr. Koroscil’s comments was submitted to the Committee Clerk for the public record.
(ii) Steve Spicer, President of the Hamilton Halton Homebuilders Association

Mr. Spicer addressed the Committee with regard to the matter. His points included, but were not limited to, the following:

- Mr. Spicer commented that the Official Plan is extremely large and very complex, and there was a concerted effort on behalf of the HHHBA’s member companies and volunteers to digest and discuss the plan, make comments and reports and meet with staff to address and resolve most issues.
- However, there are two outstanding issues. The first one is green sprawl, which is the issue of lands which are marginally significant to the environment i.e., farm swales and roadside ditches, which significantly reduce densities and increase servicing costs to accommodate growth.
- The second concern is the competing and conflicting policies of the plan; unclear how these conflicts between policies can be resolved.

A copy of Mr. Spicer’s comments was submitted to the Committee Clerk for the public record.

(ii) Dan Campbell, Day and Campbell

Mr. Campbell addressed the Committee with regard to the matter. His points included, but were not limited to, the following:

- Expressed concerns a year ago with regard to specific on the OP
- Gave credit to staff for the tremendous undertaking; however, still feel that the OP as proposed has error in it
- Had been reassured by staff that he could meet with staff and problems would be resolved and concerns alleviated; however, it has taken 11 months for meeting to take place
- Have more concerns now than prior to that meeting; 11th hour and really have had not much time to speak to staff with concerns, nor have any concerns been alleviated;
- Specific concern is on the Hester/Upper Wellington lands and more specifically, area known as 1050 to 1090 Upper Wellington; have been assured by staff that if proposed master plan goes through, will have more options for property than very before
- Find this to be incredulous as it makes specific mention of the addresses of Day and Campbell, Turkstra Lumber and Kelly Auto Services; holding provision placed on these businesses

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• Do not understand why these 3 businesses are the only ones earmarked for these conditions; ruins entire real estate value of properties; words and provisions supersede master plan; conditions on properties superseded by statements

• Find it extremely unreasonable to place conditions on properties and not dealt with in the same manner as other industrial areas; have not had much time to express concerns and come to some resolve with staff

• Would respectfully ask Council members to not accept the official plan as proposed or to have the specific area of 1050 to 1090 either deferred or deleted from master plan until such time as more input can be provided

• Would like to meet with councillors prior to voting on the official plan; have lost control of their property; provision is devastating; no opportunity for expansion

A copy of Mr. Campbell’s comments was submitted to the Committee Clerk for the public record.

(iii) Larry Kelly, Kelly Auto Services

Mr. Kelly addressed the Committee with regard to the matter. His points included, but were not limited to, the following:

• His business is in the vicinity of 1090 Upper Wellington
• Takes away from value of properties, which is of great concern
• Would like some answers in terms of what can be done; does not want OP to go through in its present state
• Feels that their fate is in someone else’s hands

The following registered speakers were not in attendance to address the Committee:

Kathleen Smith, 158 Hester
Nick Kopelaar
Ted Verhey

Chair Pearson requested if there was anyone else present wishing to address the Committee respecting the Official Plan.

The following addressed the Committee:
(iii) Manfred Rudolph, on behalf of Mr. Pickles, a property owner on Mountsberg Road

Mr. Rudolph addressed the Committee with regard to the matter. His points included, but were not limited to, the following:

- Speaking on behalf of the property owner on Mountsberg Road and have appeal submitted; solution to Mr. Pickles' problem is macro change
- Have not had opportunity to speak with staff to resolve issue
- Heritage listed property that exists on large rural holding in Flamborough; however, the home, which is an 1820's building, does not fit the economic value of the lot; situation has resulted in pressure for the owner to demolish a heritage resource and construct a home fitting of the economic area
- Have a number of people across the city with wood lot properties; question is to understand what the plan is saying in Section 17 on Pg. 22 – forest cover – what is definition of planning unit.
- Will provide staff with a list of clients with wood lots

Staff responded that planning unit is a way of breaking up forest cover within the City as some areas have a greater percentage of forest cover than others; broken down by urban and rural; also separated according to watersheds and calculation of percent forest cover for those areas.

(iv) Dr. Tom Nugent

Dr. Nugent addressed the Committee with regard to the matter. His points included, but were not limited to, the following:

- Represents the average taxpayer
- Hamilton used to be the driving engine of the area, now seen as a poor place to have a business
- Have to set up atmosphere of transparency and accountability
- Twenty Rd E Area stands on its own merits, but was omitted from GRIDS
  - A tremendous cost to local taxpayer for services – new library and YMCA – in two years it is to get $19 million of sewers
  - It is at the hub of transportation corridors
- LRT ridership will be improved if houses are built there.
- Can’t believe the City is looking at intensification in the North End
- Shouldn’t pass Twenty Road area over
- The GRIDS process itself was not transparent – In 2006, enough Councillors were concerned that they turned it back to the General Manager of Planning...
and Economic Development to bring back in fall – but no public notification or letter to major stakeholders

- Twenty Road East area should be added to the Official Plan for future urban expansion.

Chair Pearson asked if there were further persons who wished to address Committee. There were none.

On a Motion, (Mitchell/Bratina) the presentations were received.

(g) Motions (Item 9)
None.

(h) Notices of Motion (Item 10)
None.

(i) General Information (Item 11)
None.

(j) Private and Confidential (Item 12)
None

(k) ADJOURNMENT (Item 13)
Chair Pearson confirmed that the next Public Meeting for the new Urban Official Plan will take place on Thursday, June 11, 2009, at 6.00pm.

There being no further business, the Economic Development and Planning Committee adjourned at 11:50 a.m.

Respectfully submitted,

Maria Pearson, Chair
Economic Development and Planning Committee

Alexandra Rawlings, Co-ordinator
Economic Development and Planning Committee
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