Present: Mayor F. Eisenberger


Absent with Regrets: Councillor B. Clark – Personal Business
Councillor R. Powers – City Business

APPROVAL OF THE AGENDA

The Clerk advised of the following changes:

(a) An Addendum to the agenda which was distributed on Friday, June 26, 2009

(b) Typographical error in sub-section (c) of Economic Development and Planning Committee Report 09-013 – second (vii) should read (viii)

(c) Added Correspondence received to 9:30 a.m. on Monday; June 29, 2009:

5.1 Correspondence from Dr. T. Nugent respecting comments on the Proposed Urban Official Plan

Recommendation: Be received and referred to Planning staff for their immediate review and comment at this meeting
5.2 Correspondence from Mr. Carmen Chiaravalle respecting comments on the Proposed Urban Official Plan

Recommendation: Be received and referred to Planning staff for their immediate review and comment at this meeting

5.3 Correspondence from Matt Johnston, IBI, respecting 3410 Binbrook Road and the Natural Heritage Policies in the Proposed Urban Official Plan

Recommendation: Be received and referred to Planning staff for their immediate review and comment at this meeting

5.4 Correspondence from John Ariens, IBI respecting 45 Ewen Road and the designations in the Proposed Urban Official Plan

Recommendation: Be received and referred to Planning staff for their immediate review and comment at this meeting

5.5 Correspondence from Matt Johnston, IBI, respecting 690 Main Street West and the designations in the Proposed Urban Official Plan

Recommendation: Be received and referred to Planning staff for their immediate review and comment at this meeting

5.6 Correspondence from Maria Gatzios respecting the policies regarding the Twenty Road Area in the Proposed Urban Official Plan

Recommendation: Be received and referred to Planning staff for their immediate review and comment at this meeting.

(Collins/Pearson)
That the Agenda for the City Council meeting being held on June 29, 2009, be approved, as amended. CARRIED

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(Bratina/Collins)
That Council Communications 5.1 to 5.6 be received, as amended, as follows:

5.1 Correspondence from Dr. T. Nugent respecting comments on the Proposed Urban Official Plan

Recommendation: Be received and referred to planning staff for their immediate review and comment at this meeting

5.2 Correspondence from Mr. Carmen Chiaravalle respecting comments on the Proposed Urban Official Plan

Recommendation: Be received and referred to planning staff for their immediate review and comment at this meeting

5.3 Correspondence from Matt Johnston, IBI, respecting 3410 Binbrook Road and the Natural heritage Policies in the Proposed Urban Official Plan

Recommendation: Be received and referred to planning staff for their immediate review and comment at this meeting

5.4 Correspondence from John Ariens, IBI respecting 45 Ewen Road and the designations in the Proposed Urban Official Plan

Recommendation: Be received and referred to planning staff for their immediate review and comment at this meeting

5.5 Correspondence from Matt Johnston, IBI, respecting 690 Main Street West and the designations in the Proposed Urban Official Plan

Recommendation: Be received and referred to planning staff for their immediate review and comment at this meeting

5.6 Correspondence from Maria Gatziros respecting the policies regarding the Twenty Road Area in the Proposed Urban Official Plan

Recommendation: Be received and referred to planning staff for their immediate review and comment at this meeting.

(Jackson/Ferguson)
That Council recess for 15 minutes to allow staff to determine if the comments contained in the added correspondence have any impact on the recommendations to be considered at today’s meeting.

CARRIED
The Motion **CARRIED** on the following vote:

**Yeas:** Eisenberger, Bratina, Collins, Duvall, Ferguson, Jackson, McCarthy, Merulla, Morelli, Pasuta, Mitchell, Pearson

Total Yeas: 12

**Nays:** McHattie

Total Nays: 1

**Absent:** Clark, Powers, Whitehead

Total Absent: 3

**(Collins/Pearson)**

That Council reconvene. **CARRIED**

**(Bratina/Collins)**

That Council move into Committee of the Whole for consideration of the Economic Development and Planning Committee Report. **CARRIED**

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**ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE 09-013**

Deputy Mayor Bratina requested staff to provide their comments with respect to the added correspondence.

Tim McCabe, General Manager of Economic Development and Planning, provided the following comments:

- Received a total of fourteen (14) letters of comment since the ED&P meeting held on June 22, 2009
- Of the fourteen letters, the concerns of eight have been addressed in the Report PED09164b which is included in the Addendum to today’s Council agenda, with corresponding recommendations
- Six additional letters of comment have been received since the distribution of the Addendum, and have been added to today’s agenda.
- Following is a review of the six additional letters:
  - 5.1, 5.2 and 5.6 all relate to the Twenty Road issue; staff are recommending no change as a result of the correspondence
  - 5.4 deals with property at 45 Ewen Road, which is the Cadbury plant; this property abuts a proposed multi-residential property and the letter expresses Cadbury’s concern with respect to the impact of existing industrial noise on future residential. Staff is recommending no change; the site is approved as part of the conversion analysis of industrial lands; Special Policy included in the Plan which gives Cadbury full recognition through future zoning for expansion capabilities; no intention to take away any rights of Cadbury to continue operating or expanding
  - 5.5 is a request to change designation of an individual property; 690 Main Street West. However, one of the main principles is that this Official Plan process is not intended to make any changes to approved Secondary Plans.; this request is in the Ainslie Wood Secondary Plan and therefore, it is not appropriate to start changing designations
with respect to 5.6, staff is recommending redesignation from Natural Open Space to Low Density Residential 3(e) for the south-east corner of 3410 Binbrook Road

Joanne Hickey-Evans outlined the process involved over the last several months to bring the Official Plan to this point, which included:

- Three staff reports (PED09164, PED09164(a) and PED09164(b)
- PED09164 which was presented to the Economic Development and Planning Committee on June 10, 2009 identified a series of changes which occurred since reporting to the Committee in May, 2009
- On June 22, 2009, the Economic Development and Planning Committee were presented with Report PED09164a which addressed all of the submissions received during a series of Public Meetings held on June 10, 11 and 16
- PED09164b, which was distributed as an Addendum to the June 29, 2009 Council agenda, addresses additional submissions received following the June 22, 2009 Committee meeting
- The Planning Act allows members of the public and/or organizations to submit their comments to Council up until the commencement of the Council meeting at which a planning issue is to be considered and determined.
- The Motion before Council for consideration includes the recommendations in Report PED09164a and PED09164b.

(Eisenberger/Bratina)
That sub-section (c) of Economic Development and Planning Committee Report 09-013 be amended by adding the following sub-section:

(c)(xii) That the following wording be added to Chapter B – Communities, Section B.2.0, Sub-section 2.2.4(a), respecting Brownfields, such that the sub-section now reads as follows:

(a) a comprehensive review and land budget analysis is required to determine the need for an urban boundary expansion which includes an assessment of occupied and vacant urban land, Brownfield availability, Greenfield densities and intensification targets. Amendment CARRIED

Councillor Mitchell spoke to the issue of including Twenty Road, as far south as the NEF 28 contour, as a future growth area, in addition to Elfrida. He suggested the inclusion of the area would be logical and would recognise the existing infrastructure in the area.

Councillor McHattie noted that it was not necessary to add Twenty Road, and that it could be considered in the next Five Year Review of the Official Plan.

Mr McCabe explained that the existing Urban Area would take future growth, that the GRIDS process had been very thorough and had identified Elfrida as the next potential
area for growth. He noted that adding Twenty Road now would cause confusion, that staff do not support it, and that the idea of expanding the Twenty Road area to the NEF 28 contour would be beyond the area considered by GRIDS. Mr McCabe added that Elfrida had no legal status, and would need thorough testing if an expansion considered necessary at the Five Year review stage. He noted that previous Council decisions had increased the land values in Elfrida.

Mayor Eisenberger noted that he favoured the inclusion of Elfrida, although it was not a given that development would take place there in future, was against the inclusion of Twenty Road, and that the less we indicate growth areas, the better the intensification policies will work. The Mayor favoured a comprehensive review of the need for growth at the Five year stage.

The Mayor also congratulated staff on their work in finalizing the Plan, and noted that the Deputy Minister is using the Hamilton OP as a model for other plans.

Councillor Whitehead questioned whether there was a need at this stage to include Elfrida, and if both Elfrida and Twenty Road should be omitted at this point.

Mr McCabe explained that Twenty Road area is about one fifth of the size of Elfrida, and that when future growth is needed, it should take place in an area which can be planned comprehensively, to include all the community requirements. He noted that the inclusion of Elfrida reflects a previous Council decision on GRIDS.

Councillor Whitehead requested clarification respecting different height maximums across the City.

Staff responded that heights were an issue for Neighbourhood Plans, whereas the Official Plan was a growth plan.

Councillor Duvall noted concern about intensification in his Ward, and requested that this concern be noted for the record.

(Mitchell/Duvall)
That sub-section (c) of Economic Development and Planning Committee Report 09-013 be amended by adding the following sub-section:

(c)( ) That Section B2.2.1 of the Urban Official Plan be amended to include consideration of the Twenty Road area bounded by the Hamilton International Airport noise contour lines of NEF 28 to the south, the current urban boundary to the east and west and the hydro corridor to the north. 

DEFEATED
Item 1 Urban Hamilton Official Plan – Changes and Responses to Comments (PED06164(a))

That sub-section (c) of Item 1 of Economic Development and Planning Committee Report 09-013 respecting the Urban Hamilton Official Plan – Changes and Responses to Comments (PED06164(a)) be amended by adding the following as sub-sections (c)(ix), (x) and (xi), as follows:

(c)(ix) To change the designation on the lands bounded by the QEW, North Service Road and Lakeview Drive from Neighbourhoods to Arterial Commercial on Schedule E-1 and add an Area Specific Policy USC-4 to allow for District Commercial uses within the Arterial Designation, as shown on Appendix “B” to Report PED09164(b);

(c)(x) To change the designation on the lands on the southerly portion of Pier 15 (Sherman/Burlington) from Employment Area – Industrial Land to Employment Area – Shipping and Navigation to recognize the Hamilton Port Authority’s ownership, as shown on Appendix “B” to Report PED09164(b);

(c)(xi) To approve the text and schedule changes for the Urban Hamilton Official Plan, attached as Appendix “C” to Report PED09164(b), which are required to provide clarification and correct typographical errors. Amendment CARRIED

(c)(xiii) To approve the text and schedule change respecting 3410 Binbrook Road to redesignate the south-east corner of the property from Natural Open Space to Low Density Residential 3-(e). Amendment CARRIED

Motion as amended CARRIED

That the THIRTEENTH Report of the Economic Development and Planning Committee be adopted, as amended, and the information section received. CARRIED

That the Committee of the Whole rise and report. CARRIED

MOTIONS

None
NOTICES OF MOTION

None

STATEMENT BY MEMBERS

Mayor Eisenberger and Councillor Pearson, Chair of the Economic Development and Planning Committee, thanked Tim McCabe and his staff for all the time and effort they devoted to bringing the Official Plan forward to Council. Councillor Pearson also recognized Alexandra Rawlings for all of her work respecting the additional Committee meetings required during the Official Plan process.

Councillor Ferguson extended thanks and appreciation to Councillor Pearson for her leadership in dealing with this issue at all of the Economic Development and Planning Committee meetings.

PRIVATE AND CONFIDENTIAL

None

PRIVATE AND CONFIDENTIAL

BY-LAWS

(Duvall/Ferguson)
That Bill No. 09-146 attached hereto be passed, that the corporate seal be affixed thereto and the By-law be signed by the Mayor and the City Clerk, and numbered as 09-146 as follows:

By-law No.   Bill No.
09-146       146   To Confirm the Proceedings of City Council

(Pearson/Mitchell)
There being no further business, the City Council meeting adjourned at 11:10 a.m.

CARRIED

Respectfully submitted

Fred Eisenberger
Mayor

Rose Caterini
Acting Clerk
June 29, 2009