Economic Development and Planning Committee

**AMENDED REPORT 07-013**

July 9, 2007

9:30 a.m.

Council Chambers
Hamilton City Hall

---

Present: Chair D. Mitchell
2nd Vice-Chair M. Pearson
Councillors: B. Bratina, B. Clark, L. Ferguson, B. McHattie, R. Pasuta, S. Duvall

Absent: 1st Vice-Chair T. Whitehead

Also Present: Councillor T. Jackson

Staff Present: T. McCabe, General Manager – Planning and Development
P. Mallard, T. Sergi, G. Macdonald, D. Fama, R. Walters, S. Murray, D. Cuming, K. Coit - Planning and Development
M. Hazell - Enforcement
D. Adames - Tourism
H. Vastis – Legal
A. Rawlings, C. Biggs – City Clerk’s Office

**AT THEIR MEETING OF JULY 11, 2007, COUNCIL AMENDED THE REPORT BY MOVING INFORMATION ITEM (w) TO BECOME ITEM 20, AS NOTED BELOW:**

**THE ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE PRESENTS REPORT 07-013 AND RESPECTFULLY RECOMMENDS:**

1. Waterdown Business Improvement Area (B.I.A.) Appointment of the 2007-2010 Board of Management (PED07127) (Ward 15) (Item 5.1)

That the following individuals be appointed to the Waterdown B.I.A.’s Board of Management for a four (4) year term:

- Councillor M. McCarthy, Ward 15
- Margaret Robertson, Pause Awhile Tea Room, 31 Main Street South
- Linda Roarke, Jitterbug Java Café and Roasting House, 3-35 Main Street North
- Gary Titley, Titley & Associates, 80 Hamilton Street North

**Council – July 11, 2007**
2. **Committee of Adjustment (Urban) Consent/Land Severance Application SC/B-07:21 and Minor Variance Application SC/A-07:59, for the Property Located at 101 Margaret Avenue, Stoney Creek - Supported by the Planning and Economic Development Department (PED07188) (Ward 10) (Item 5.2)**

That Report PED07188, respecting Committee of Adjustment (Urban) Consent/Land Severance Application SC/B-07:21 and Minor Variance Application SC/A-07:59, 101 Margaret Avenue, Stoney Creek, as shown on Appendix “A” to Report PED07188, denied by the Committee but supported by the Planning and Economic Development Department, be received for information.

3. **Committee of Adjustment (Urban) Minor Variance Application HM/A-07:56, for the Property Known as 402 Concession Street - Supported By the Planning and Economic Development Department (PED07196) (Ward 7) (Item 5.3)**

That Report PED07196, respecting Committee of Adjustment Minor Variance Application HM/A-07:56, 402 Concession Street, Hamilton, as shown on Appendix “A” to Report PED07196, denied by the Committee but supported by the Planning and Economic Development Department, be received for information.

4. **Amendment to the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan (CIP) to Modify the Tax Assistance Program (TAP) and Development Charge Reduction Program (DCR) (PED07201) (City Wide) (Item 5.4)**

(a) That staff be authorized and directed to develop draft amendments to the ERASE CIP Tax Assistance Program (TAP) and Development Charge Reduction Program (DCR) as outlined within Report PED07201.

(b) That staff be authorized and directed to consult with stakeholders as well as the general public with regard to the draft amendments to the Tax Assistance Program (TAP) and Development Charge Reduction Program (DCR).
(c) That staff be authorized and directed to prepare and process the necessary amendments to the ERASE CIP and hold the formal Public Meeting as required by the Planning Act following the consultation process.

5. Demolition Permit – 61 Chipman Avenue (PED07202) (Ward 7) (Item 5.5)

That the Director of Building Services be authorized and directed to issue a demolition permit for 61 Chipman Avenue in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.

6. Hamilton LACAC (Municipal Heritage Committee) Minutes of May 24, 2007

That the Hamilton LACAC (Municipal Heritage Committee) Minutes of May 24, 2007 be received.

7. Application to Amend the City of Hamilton Zoning By-law No. 6593 for Lands Located at 1496 Upper Gage Avenue (PED07193) (Ward 7) (Item 6.2)

That approval be given to Zoning Application ZAC-07-007, Bertilla Zanesco, Corrado Zanesco, Diane Horwarth, Doris McGuire, and David Zanesco, owners, for changes in zoning from the “C” (Urban Protected Residential, etc.) District to the “R4” (Small Lot Single Family Dwelling) District (Block “1”) to permit two single detached dwellings, one of which is existing, on separate lots; from the “C” (Urban Protected Residential, etc.) District to the “R4” (Small Lot Single Family Dwelling) District, Modified (Block “2”) to permit a single detached dwelling on a separate lot; and from the “AA” (Agricultural) District to the “R4” (Small Lot Single Family Dwelling) District, Modified (Block “3”), to permit four single detached dwellings on separate lots; for the property located at 1496 Upper Gage Avenue (Hamilton), as shown on Appendix “A” to Report PED07193, on the following basis:

(a) That Block “1” be rezoned from the “C” (Urban Protected Residential, etc.) District to the “R4” (Small Lot Single Family Dwelling) District.

(b) That Block “2” be rezoned from the “C” (Urban Protected Residential, etc.) District to the “R4” (Small Lot Single Family Dwelling) District, Modified.

(c) That Block “3” be rezoned from the “AA” (Agricultural) District to the “R4” (Small Lot Single Family Dwelling) District, Modified.

(d) That the draft By-law, attached as Appendix “B” to Report PED07193, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.
(e) That the proposed changes in zoning conform to the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan.

8. Application for a Change in Zoning for the Rear Portion of Lands Located at 9854 Twenty Road West, Glanbrook (PED07190) (Ward 11) (Item 6.3)

That approval be given to Zoning Application ZAR-07-017, by Robert Takast, owner, for a change in Zoning from the Existing Residential “ER” Zone to the Residential “R4-221” Zone, in order to permit the future development of two single-detached dwellings on the rear portion of the lands located at 9854 Twenty Road West, as shown on Appendix “A” to Report PED07190, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED07190, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

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

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

9. Application for a Change in Zoning for Lands Located at 130 Fiddler’s Green Road (Ancaster) (PED07187) (Ward 12) (Item 6.4)

That approval be given to Zoning Application ZAR-06-31, William Karafillis, owner, for changes in zoning from the Existing Residential “ER” Zone to the Existing Residential “ER-564” Zone (Block “1”) to permit a new single detached dwelling on a separate lot, to the Existing Residential “ER-565” Zone (Block “2”) to permit a new single detached dwelling on a separate lot, and to the Existing Residential “ER-566” Zone (Block “3”) to permit a new single detached dwelling on separate lot, for lands located at 130 Fiddler’s Green Road (Ancaster), as shown on Appendix “A” to Report PED07187, on the following basis:

(a) That Block “1” be rezoned from the Existing Residential “ER” Zone to the Existing Residential “ER-564” Zone;

(b) That Block “2” be rezoned from the Existing Residential “ER” Zone to the Existing Residential “ER-565” Zone;

(c) That Block “3” be rezoned from the Existing Residential “ER” Zone to the Existing Residential “ER-566” Zone;
(d) That the Draft By-law, attached as Appendix “B” to Report PED07187 which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,

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

10. Application for an Amendment to the Glanbrook Official Plan for the Rear of the Property Known as 3089 Binbrook Road (Part 6, Plan 62R-17464) (Binbrook) (PED07197) (Ward 11) (Item 6.5)

That approval be given to amended Official Plan Amendment Application OPA-07-04, by Losani Homes, owner, for Official Plan Amendment No.______, to amend Schedule ‘A’, Land Use Plan, from “Binbrook Community Core” to “Residential”, and Schedule ‘B’, Binbrook Village Secondary Plan, from “Community Core” to “Low Density Residential”, of the Official Plan for the former Township of Glanbrook, on the rear of the lands known as 3089 Binbrook Road (Part 6, Plan 62R-17464), as shown on Appendix ‘A’ to Report PED07197, on the following basis:

(a) That the draft Official Plan Amendment, attached as Appendix ‘B’ to Report PED07197, be adopted by City Council.

11. Application for Changes in Zoning for Lands Located at 1324 Rymal Road East (Hamilton) (PED07191) (Ward 6) (Item 6.6)

That approval be given to Amended Zoning Application ZAC-07-004, by Rystat Developments, owner, for changes in zoning from the “M-11” (Prestige Industrial) District to the “M-11/S-1580” – ‘H’ (Prestige Industrial - Holding) District, Modified (Block “1”), and from the “M-14” (Prestige Industrial) District to the “M-11/S-1580” – ‘H’ (Prestige Industrial – Holding) District, Modified to permit future commercial development on the lands located at 1324 Rymal Road East (Hamilton), as shown on Appendix “A” to Report PED07191, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED07191, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(b) That the amending By-law apply the Holding provisions of Section 36(1) of the Planning Act, by introducing the Holding ‘H’ symbol as a suffix to the proposed zoning. The Holding provision will prohibit the development of the subject lands until such time as:
An Archaeological Assessment has been submitted to the satisfaction of the City of Hamilton's Manager of Development Planning and the Ministry of Culture.

That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan.

That upon finalization of the implementing By-law, the East Mountain Industrial – Business Park Neighbourhood Plan be amended to change the designation of the southern portion of the subject lands from “Restricted Industrial” to “Restricted Commercial”.

12. Application for Approval of a Draft Plan of Subdivision, “Fairgrounds East”, and Amendments to the Glanbrook Official Plan and Zoning By-law No. 464, for Lands Located Within Part of Lots 2 and 3, Block 4, Concession 3, Binbrook Road, in the Former Township of Glanbrook (Binbrook) (PED07199) (Ward 11) (Item 6.7)

That approval be given to Draft Plan of Subdivision Application 25T-200615 by Losani Homes, owners, to establish a Draft Plan of Subdivision known as “Fairgrounds East”, on lands located within Part of Lots 2 and 3, Block 4, Concession 3, Binbrook Road, (Binbrook), as shown on Appendix “A” to Report PED07199, subject to the following conditions:

(i) That this approval apply to “Fairgrounds East”, as red-line revised, prepared by Armstrong Hunter and Associates, and certified by Barry Clarke, OLS, dated June 11, 2007, showing 247 lots (Lots 1-29 and 31-248) for single detached dwellings, 8 blocks (Blocks 260, and 273-279) for a maximum of 58 street townhouse dwelling units, four blocks (Blocks 258, 263, 271, and 280) for a maximum of 113 townhouse dwelling units, one block (Block 281) for an Elementary School, one block (Block 271) for a woodlot, 13 blocks (Blocks 30, 248-253, 256, 261, 265, 266, 268 and 269) for future development, 5 blocks (Blocks 254, 262, 264, 267, and 270) for 0.3 metre reserves, and the creation of ten new streets (Streets “A” to “J”), attached as Appendix “B” to Report PED07199, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix “E”.

(ii) Acknowledgement by the City of Hamilton of its responsibility for cost-sharing paid from the City’s Development Charge Reserve with respect to this development for the following items (1) and (2):

(1) Any pavement widths greater than 8.0 metres within the subdivision limits.
(2) Any watermain oversizing greater than 300 millimetres.

(3) That the City will cost share 50% for the equivalent of a 1.5m high galvanized fence that abuts City owned park lands (Block 272, Woodlot), to be paid from the City’s Park Trust Fund Reserve.

all in accordance with the Financial Policies for Development, as approved by Council.

(iii) That the City shall purchase Block 272, Woodlot, at market value from the City’s Parkland Trust Reserve, representing an over-dedication of parkland by the Subdivider.

(b) That approval be given to **Official Plan Amendment Application OPA-06-21, by Losani Homes, owners**, for Official Plan Amendment No.____, to amend Schedule “B”, Binbrook Village Secondary Plan Land Use Plan, from “Medium Density Residential” to “Low Density Residential”, from “Low Density Residential” to “Medium Density Residential”, from “High Density Residential” to “Low Density Residential”, from “High Density Residential” to “Medium Density Residential”, from “Parkette” to “Low Density Residential”, from “Medium Density Residential” to “Elementary School”, and to revise the local road pattern, of the Official Plan for the Township of Glanbrook, on lands located within Part of Lots 2 and 3, Block 4, Concession 3, Binbrook Road, (Binbrook), on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “F” to Report PED07199, be adopted by City Council.

(c) That approval be given to **Zoning Application ZAC-06-75, by Losani Homes, owners**, for changes in zoning from the Residential Multiple “RM2-161” Zone to the Residential “R4-222” Zone (Block 1), from the Residential Multiple “RM3-161” Zone to the Residential “R4-222” Zone (Block 2), from the Residential “R4-161” Zone to the Residential Multiple “RM3-223” Zone (Block 3), from the Residential Multiple “RM4-161” Zone to the Residential “R4-222” Zone (Block 4), from the Residential Multiple “RM4-161” Zone to the Residential Multiple “RM3-223” Zone (Block 5), from the Residential Multiple “RM2-161” Zone to the Residential “R4-222” Zone (Block 6), from the Residential Multiple “RM3-161” Zone to the Residential Multiple “RM2-224” Zone (Block 7), from the Residential Multiple “RM2-161” Zone to the Residential Multiple “RM3-223” Zone (Block 8), from the Residential “R4-161” Zone to the Residential Multiple “RM3-223” Zone (Block 9), from the Residential Multiple “RM2-161” Zone to the Residential Multiple “RM2-224” Zone (Block 10), and from the Residential Multiple “RM3-161” Zone to the Residential Multiple “RM3-223” Zone (Block 11) to permit single detached dwellings, street
and block townhouse dwellings, on lands located within Part of Lots 2 and 3, Block 4, Concession 3, Binbrook Road, as shown on Schedule “A” of Appendix “D” to Report PED07199, on the following basis:

(i) That the draft By-law, attached as Appendix “D” to Report PED07199, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

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

(iii) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the Official Plan for the Township of Glanbrook upon finalization of Official Plan Amendment No. __.

13. Applications for an Official Plan Amendment to the Town of Ancaster Official Plan, Draft Plan of Subdivision Known as “Westvit Estates”, and for a Change in Zoning, for Lands Located at 280 Valridge Drive, Ancaster (PED07189) (Ward 12) (Item 6.8)

(a) That approval be given to **Official Plan Amendment Application OPA-07-07, Westvit Estates Inc., Owner**, to amend policies and to redesignate lands in the Ancaster Official Plan, including the Meadowbrook West Neighbourhood Secondary Plan, to delete the requirement for a separate elementary school site, relocate and reduce the size of a neighbourhood park, delete the requirement for a walkway along Highway 403, reduce the right-of-way width of local roads and realign the road pattern, delete the requirement for a 1.8 metre high berm within a walkway, and to identify lands for a stormwater management pond, for lands located at 280 Valridge Drive, as shown on Schedules “A” and “B” to Appendix “B” of Report PED07189, on the following basis:

(i) That the Ancaster Official Plan, including the Meadowbrook West Neighbourhood Secondary Plan, be amended as shown in Appendix “B” to Report PED07189.

(ii) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED07189, be adopted by City Council.

(iii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement, and conforms to the Hamilton-Wentworth Official Plan.

(b) That approval be given to **Subdivision Application 25T200704 “Westvit Estates Inc.”, Owner**, to establish a draft plan of subdivision comprising one
hundred and three lots for single detached dwellings, one block for storm water management, one block for a park, and three blocks for public open space, on lands known municipally as 280 Valridge Drive (Ancaster), as shown on Appendix “E” to Report PED07189, subject to the following conditions:

(i) That this approval apply to the Draft Plan of Subdivision 25T200704 prepared by L.J. Kuelling, O.L.S., Guido Papa Surveying Ltd., as certified on May 14, 2007, showing one hundred and three lots for single detached dwellings (Lots 1-103), one block for storm water management (Block 107), one block for a neighbourhood park (Block 108), and three blocks (Blocks 104, 105 and 106) for public open space, subject to the Owner entering into a Standard Form Subdivision Agreement, as approved by City Council and with the Special Conditions attached as Appendix “G”, as amended by Committee on July 11, 2007, respecting Condition 8 and respecting the repayment details for the trail development.

(ii) Acknowledgment by the City of Hamilton of its responsibility for cost sharing with respect to this development for the following items:

(1) That the City will pay half the cost of the chain link fence being installed between the residential lots and the lands being transferred to the City as parkland from the City Parks Trust Fund Reserve in accordance with the current financial policy.

(2) That the City will pay half the cost of the aboveground and underground works adjacent to the lands to be dedicated to the City as parkland from the City’s Development Charge Reserve. For above ground works, the City’s share shall be based on the “New Roads Servicing Rate.”

all in accordance with the City’s Financial Policies for Development.

(iii) That the City agrees to purchase an additional 1.31 hectares (3.24 acres) of land for parkland purposes, at market value, at the time of registration of that portion of the plan containing the parklands; with funding provided through the City’s Park Trust Fund Reserve.

(c) That approval be given to Zoning Application ZAC-07-27, Westvit Estates Inc., Owner, for changes in zoning from the Agricultural “A” Zone to a modified Neighbourhood Park “P1” Zone (Block “1”) to permit a new neighbourhood park, to the Conservation/Hazard Land “P5” Zone (Block “2”) to permit a stormwater management facility, to the Open Space “P4” Zone (Blocks “3”, “4” and “5”) to permit a public trail, and to the Residential “R4-558” Zone (Block “6”) to permit one hundred and three single detached dwellings on individual lots, as shown on Appendix “A” to Report PED07189, on the following basis:
(i) That Block “1” be added to By-law 05-200 as a Modified Neighbourhood Park “P1” Zone, as Special Exception No. 9.

(ii) That Block “2” be added to By-law 05-200 as Conservation/Hazard Land “P5” Zone.

(iii) That Blocks “3,” “4” and “5” be added to By-law 05-200 as Open Space “P4” Zone.

(iv) That Block “6” be rezoned from Agricultural “A” Zone to Residential “R4-558” Zone.

(v) That the draft By-laws, attached as Appendix “C” and Appendix “D” to Report PED07189, which have been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(vi) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the Town of Ancaster Official Plan upon finalization of Official Plan Amendment No. ___.

(d) That staff be directed to enter into negotiations with the developer to construct the park on the City’s behalf during the construction of the subdivision.

14. Tourism Hamilton 2006 Annual Report (PED07200) (City Wide) (Item 7.1)


15. Civic Gateway Design Study (City Wide) (PED07198) (Item 7.2)

(a) That Report PED07198 respecting Civic Gateway Design Study be received.

(b) That the City write to the Minister of Transportation requesting approval to maintain the Stoney Creek Gateway sign, in addition to the proposed new Hamilton Gateway sign.

16. Application for a Modification in Zoning for Lands Located at 837 Barton Street (Stoney Creek) (PED07171) (Ward 11) (Item 8.1)

Council – July 11, 2007
That approval be given to **Zoning Application ZAR-07-018, by Gordon Mason, owner**, for a modification to the Small Scale Industrial “MS” Zone to add a “Contractor’s Depot” to the list of permitted uses for lands located at 837 Barton Street (Stoney Creek), as shown on Appendix “A” to Report PED07171, on the following basis:

(a) That the subject lands be rezoned from Small Scale Industrial “MS” Zone to Small Scale Industrial “MS-10” Zone.

(b) That the draft By-law, attached as Appendix “B” to Report PED07171, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

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

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

17. Application for a Change in Zoning for the Property Located at 865 Mohawk Road East (Hamilton) (PED07170) (Ward 6)(Item 8.2)

That approval be given to **Zoning Application ZAC-06-037, by 1620233 Ontario Inc., c/o Mr. Guido Papa, owner**, for a change in zoning from the “C” (Urban Protected Residential, Etc.) District to the “H-‘H’/S-1579” (Community Shopping and Commercial, Etc. - Holding) District, Modified, to permit a mixed use building consisting of ground floor commercial uses and 14 two-storey dwelling units on the second and third floors, for the property located at 865 Mohawk Road East (Hamilton), as shown on Appendix “A” to Report PED07170, on the following basis:

(a) That the subject lands be rezoned from the “C” (Urban Protected Residential, Etc.) District to the “H-‘H’/S-1579“ (Community Shopping and Commercial, Etc. – Holding) District, Modified.

(b) That the ‘H’ Holding provision may be removed by a further amendment to this By-law, at such time as the owner submits a signed Record of Site Condition (RSC) to the satisfaction of the Director of Planning, including an acknowledgement of receipt of the RSC by the Ministry of the Environment. The owner must also submit an acoustical report, prepared by a qualified Professional Engineer, to the satisfaction of the Director of Planning that shall investigate the noise levels on the site and determine the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of the Environment’s recommended sound level limits.
(c) That the draft By-law, attached as Appendix “B” to Report PED07170, which has been prepared in a form satisfactory to the City Solicitor, be forwarded to City Council for enactment.

(d) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and the Hamilton Official Plan.


(a) That an upset limit of $20,000 be re-allocated from the Downtown and Community Renewal Division’s Capital Project ID # 4240503506 to fund a pilot project to be implemented during the months of July through to October 2007 for the hiring of two (2) additional special duty police officers to patrol the surrounding neighbourhoods of the Hess Village Entertainment District, on Friday and Saturday nights;

(b) That Hamilton Police Services be directed to measure the results of the additional special duty police officers and report back their findings to the Downtown Cleanliness and Security Task Force in November of 2007;

19. **Ancaster Agricultural Society – Exemption from Park Dedication (Added Item)**

That the Ancaster Agricultural Society (Ancaster Fair) be exempt from park dedication at their new location at Wilson Street and Trinity Road in Ancaster.

AT THEIR MEETING OF JULY 11, 2007, COUNCIL MOVED INFORMATION ITEM (w) TO BECOME ITEM 20, AS NOTED BELOW;

20. **Lease Agreement for the Proposed Parking Structure at 166-190 Main Street West and 57 George Street (PED05105(c)/FCS07040(a)) (Ward 2)**

That the City of Hamilton’s conditions for entering into a Lease Agreement with Mikron Properties as set out in Report PED05105(b)/FCS07040 for the proposed parking structure to be constructed on the lands known as 166-190 Main Street West and 57 George Street, Hamilton, be amended as follows:

a) That the terms of the lease be modified from 15 to 20 years.

b) Rental Rate: For the increased term of the lease shall be:
c) That the parking rate to be charged be $0.75 for the first half hour for the first ten (10) years of the lease and $1.00 per half hour thereafter.

d) That all other conditions approved by Council through Report PED05105(b)/FCS07040 be confirmed.

FOR THE INFORMATION OF COUNCIL:

(a) Changes to the Agenda

The Clerk advised of the following changes:

(i) Motion respecting Liquor Licensing in the Westdale area (Added as Item 9.2);

(ii) Notice of Motion respecting Student Housing in the Westdale area (Added as Item 10.1);

(iii) Report respecting Negotiations concerning a Lease Agreement for the Proposed Parking Structure at 166-190 Main Street West and 57 George Street (Ward 2) (PED05105(c)/FCS07040(a)) (Added as Item 12.1)

Committee approved the Agenda, as amended.

(b) Declarations of Interest

None

(c) Approval of Minutes

Committee approved the Minutes of the Economic Development and Planning Committee meeting of June 19, 2007.

(d) Delegation request from Vera Oliveira respecting the pigeons and doves at 94 Emerald Street North (Item 4.1)

The Committee approved the delegation request, to be heard at a future meeting.
(e) **Margaret Strecker, Community Animal Rescue Efforts (CARE) respecting Animal Control and Animal Rescue Matters (Item 6.1)**

Margaret Strecker appeared before the Committee to introduce a newly-formed community group in Hamilton – Community Animal Rescue Effort (C.A.R.E.), an umbrella organization composed of a number of animal rescue groups who work to save abandoned and stray cats and dogs in the City of Hamilton. The aim of C.A.R.E. is to reduce the numbers of stray and unwanted cats and dogs through approaches not dependent on euthanasia.

A copy of Ms. Strecker’s submission was distributed to the Committee and a copy was provided to the Clerk for the public record.

Councillor Bratina expressed concern with respect to Ms. Strecker’s proposal not to place limits on the number of animals in a household, and the problems which may result.

Councillor Pasuta stated that to catch cats and neuter or spay would be a challenge considering the size of the city, both rural and urban. He noted that feral cats have the potential to wipe out farms because of disease, and asked where the money would be found to implement such a program.

Staff advised that a number of the issues raised are currently being addressed in a staff report, scheduled to be presented to the Committee in the early fall.

The Chair thanked Ms. Strecker for her presentation.

On a Motion, the submission by Margaret Strecker on behalf of the Community Animal Rescue Effort, was referred to staff for review and consideration by staff in the upcoming report.

Councillor Clark requested that his opposition be noted.

(f) **Application to Amend the City of Hamilton Zoning By-law No. 6593 for Lands Located at 1496 Upper Gage Avenue (PED07193) (Ward 7) (Item 6.2)**

A Public Meeting was held.

Chair Mitchell advised the meeting 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.

Shannah Murray outlined the report to Committee.

The applicant’s agent, Liam Doherty, Metropolitan Consulting, confirmed that he supported the staff recommendations.

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

The Committee approved the staff recommendation.

(g) Application for a Change in Zoning for the Rear Portion of Lands Located at 9854 Twenty Road West, Glanbrook (PED07190) (Ward 11) (Item 6.3)

A Public Meeting was held.

Shannon Hamilton outlined the report to Committee.

Chair Mitchell advised the meeting 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.

The applicant’s agent, Steve Fraser, A.J. Clarke and Associates, advised that he supported the staff recommendations.

No members of the public came forward to address the Committee.
The Committee approved the staff recommendation.

(h) Application for a Change in Zoning for Lands Located at 130 Fiddler’s Green Road (Ancaster) (PED07187) (Ward 12) (Item 6.4)

A Public Meeting was held.

Chair Mitchell advised the Committee that an additional written submission has been received from Florence Cooper with respect to this application. Copies were distributed to the Committee, and a copy has been retained for the public record in the Office of the City Clerk.

Chair Mitchell advised the meeting that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Meeting.

David Falletta outlined the report to Committee.

The applicant’s agent, William Karafilis, confirmed that he supported the staff recommendations.

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

Councillor Ferguson expressed concern that part of Ancaster’s charm is its heritage and large treed lots, and it is a shame to see it carved up. However, he is aware that provincial policy encourages intensification of existing urban areas. He also advised that the adjacent neighbour has indicated to him that he does not have a problem with the application.

The Committee approved the staff recommendation.

Councillor Ferguson requested that his opposition be noted.

(i) Application for an Amendment to the Glanbrook Official Plan for the Rear of the Property Known as 3089 Binbrook Road (Part 6, Plan 62R-17464) (Binbrook) (PED07197) (Ward 11) (Item 6.5)

A Public Meeting was held.

Chair Mitchell advised the meeting 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 Official Plan Amendment is approved 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 Official Plan Amendment is approved and 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.

Danielle Fama outlined the report to Committee.

The applicant’s agent, Steven Armstrong, Armstrong Hunter, advised that he supported the staff recommendations.

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

The Committee approved the staff recommendations.

(j) Application for Changes in Zoning for Lands Located at 1324 Rymal Road East (Hamilton) (PED07191) (Ward 6) (Item 6.6)

A Public Meeting was held.

Chair Mitchell advised the meeting 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.

David Falletta outlined the report to Committee.

The applicant’s agent, Peter Van Bruggee, advised that he supported the staff recommendations.

No one from the public came forward to address the Committee.

Council – July 11, 2007
Councillor McHattie expressed his concern that this application includes additional drive-throughs, and questioned the wisdom of approving this type of activity which promotes idling of vehicles. He requested the status of a motion which he presented to the Committee at its meeting on May 8, 2007 respecting the prohibition of drive-throughs. Staff responded that the matter is being reviewed, as part of the new Official Plan, since policies must be in place before any zoning by-law could be approved. Councillor McHattie indicated that the City needs to come to grips with air quality issues as a municipality, and that drive-throughs are unnecessary.

Councillor Bratina indicated that the subject property should have been designated for a GO station, and lamented the removal of the railway tracks in this area.

Staff responded that the industrial area needs viable service centres to serve employees and employers, and that these should be located at the periphery of the business park.

Councillor Clark indicated that there are services readily accessible within three minutes in either direction on Rymal Road, and that land for employment/manufacturing uses is being lost.

Councillor Pasuta asked as to the status of the asphalt plant on the land to the south of the development. Staff responded that it is a temporary site used for the provision of asphalt to the Red Hill Valley Parkway. He also asked if there are any future plans to extend Dartnell Road to Twenty Road, and staff responded that Dartnell Road will be extended to Dickenson Road, and that construction is scheduled to start in 2008.

Committee approved the staff recommendations.

Councillors Bratina, Clark and McHattie requested that their opposition be noted.

(k) Application for Approval of a Draft Plan of Subdivision, “Fairgrounds East”, and Amendments to the Glanbrook Official Plan and Zoning By-law No. 464, for Lands Located Within Part of Lots 2 and 3, Block 4, Concession 3, Binbrook Road, in the Former Township of Glanbrook (Binbrook) (PED07199) (Ward 11) (Item 6.7)

A Public Meeting was held.

Chair Mitchell advised the meeting that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Meeting.
Paul Moore outlined the report to Committee.

The applicant’s agent, Stephen Armstrong, Armstrong Hunter, advised that he supported the staff recommendations.

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

Councillor McHattie advised that he had seen a presentation by the Hamilton-Wentworth School Board which shows that school closures in the lower City Wards 6, 7 and 8, are taking place to allow for new schools in developing areas such as Binbrook and Waterdown. Councillor McHattie indicated that he has asked for the presentation to be made at a Committee of the Whole meeting to make Councillors aware of the implications of new areas of development.

The Committee approved the staff recommendation.

Councillor McHattie requested that his opposition be noted.

Applications for an Official Plan Amendment to the Town of Ancaster Official Plan, Draft Plan of Subdivision Known as “Westvit Estates”, and for a Change in Zoning, for Lands Located at 280 Valridge Drive, Ancaster (PED07189) (Ward 12) (Item 6.8)

A Public Meeting was held.

Chair Mitchell advised that two additional written submissions have been received, one from Vince Charelli, and the second from Douglas Baggs and Martin Schure with respect to this application. Copies were distributed to the Committee and retained for the public record in the Office of the City Clerk.

Chair Mitchell advised the meeting 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.
Robert Walters outlined the report to Committee and explained that staff is proposing changes to two of the conditions of draft plan approval, relating to the landscaping details in the area of the previously proposed berm, and the details of the repayment respecting the trail system.

Mr. Walters reported that during the public consultation process, concerns were raised with respect to various issues, including amount of density, property values, construction impacts, traffic, and traffic patterns, and water pressure.

The applicant’s agent, Rosemary Humphries, advised that she supported the staff recommendations. She also indicated that on behalf of the applicant, they look forward to conducting discussions with the City to facilitate the early delivery of the park and the trail system.

Douglas Baggs, 35 Galley Road, Ancaster, and Martin Schure, 23 Galley Road, Ancaster, addressed the Committee with their concerns, on behalf of the neighbourhood. A copy of their presentation was distributed to Committee and to the Clerk, for the public record.

These included, but were not limited to:

- Increased traffic volumes through the neighbourhood during peak hours;
- Need for a traffic study before the development is approved
- Pedestrian safety – no sidewalks on Speers Road or Galley Road
- Privacy and screening at Galley Road and Speers Road
- Inadequate hydro services to service additional development
- Encouraged that the number of units reduced from 123 to 103

With respect to the issues of water and hydro services, Councillor Ferguson acknowledged that there is an existing water pressure problem and that an emergency upgrade to the pumps at the intersection of Glancaster and Rymal Roads is to be completed by December. If this does not alleviate the problem, a water tower will have to be installed on Jerseyville Road. Councillor Ferguson noted that the provision of hydro by one company was being examined.

With respect to the traffic volumes, staff explained that traffic staff has advised that the impacts are acceptable.

Councillor Ferguson advised that the Jerseyville woodlot, which is the area to the west of the subdivision, was deeded to the City by the Province and as part of the Trail Master Plan, a trail system will be developed to connect to the new park. He hoped that this will encourage residents to use natural areas.
Councillor McHattie requested that in future, aerial photographs be provided to show the location of environmentally-sensitive areas.

On a Motion, the staff recommendation was amended by the addition of sub-section (d) respecting the proposal for the developer to construct the park, on behalf of the City, during the development of the subdivision.

The Committee approved the staff recommendation, as amended.

(m) Applications for Approval of a Draft Plan of Subdivision and Change in Zoning for Lands Located at 887 West 5th Street (Hamilton) (PED07192) (Ward 8) (Item 6.9)

A Public Meeting was held.

The Chair advised that a written submission has been received from Mark Kikot, on behalf of his parents, Edward and Carolyn Kikot, and neighbour, Anna Palazzo, with respect to this application. Copies were distributed to the Committee and retained for the public record in the Office of the City Clerk.

Chair Mitchell advised the meeting that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Meeting.

Robert Walters outlined the report to Committee.

The applicant’s agent, Karl Gonnsen, advised that he is in support of the staff recommendations.

Mark Kikot, on behalf of Edward and Carolyn Kikot, and Anna Palazzo, addressed the Committee. His concerns included, but were not limited to:

- Manner in which original Block 887, or 887 West 5th Street, was subdivided into two properties – one large block of land still referred to as 887 West 5th Street, and a narrow triangle identified as Block 36, which borders property belonging to Edward and Carolyn Kikot and Anna Palazzo
- Discrepancy of reference to Block 36 between draft Plan of Subdivision dated September 13, 2006 and most recent draft Plan of Subdivision
- Want to explore process by which the original block was subdivided and the thin wedge of land which borders the property was sold to Silvestri without a registered Plan of Subdivision and without any public consultation
- Change of plans disadvantaged long-standing property owners
• Ability of the Hamilton-Wentworth District School Board to subdivide property and sell a sliver of land without receiving appropriate Council approval – integrity of process is compromised

Mr. Kikot advised that should his concerns not be satisfactorily resolved, the decisions of Council with respect to the Subdivision and Zoning Applications will be appealed to the Ontario Municipal Board.

George Palios, addressed Committee on behalf of his mother-in-law, Anna Palazzo. He advised that his mother-in-law has resided at 885 West 5th Street since 1972.

Mr. Palios stated that the thin wedge of property creates problems for his mother-in-law and the Kikots, but benefits the developer and questioned how this could happen and how the concerns and property interests of senior citizens could be ignored.

A copy of Mr. Palios’ written submission was provided for the public record.

Sigrid Schmidt-Walsh, 141 Annabelle Street, Hamilton, addressed the Committee and expressed concerns with respect to traffic flow while school is in progress, and the difficulty to exit from Chester on to West 5th Street. She also indicated that there are no sidewalks on Blossom Lane. Ms. Schmidt-Walsh requested that a traffic investigation be conducted.

Rick Cutler, 40 Blossom Lane, addressed Committee and advised that he is not opposed to the development, but does have concerns with respect to increased traffic, the existing difficulty of making left-hand turns, and the need for better traffic management techniques.

Vince Buzzamato, 255 Fortissimo Drive, expressed concern with the proposed density of the property and said that this development will affect future developments of residential homes being built.

The applicant’s agent advised that the narrow wedge of land conveyed by the School Board is not part of the subject application. He explained that this is a matter which requires consideration in another forum since, under the Planning Act, it is not before the Committee at today’s meeting. With respect to the density, Mr. Gonnsen advised that the average lot size is 336 square metres (approximately 4,000 square feet), and while the frontages are slightly less than neighbouring properties, the average depth varies from 33 metres (110 feet) to 39 metres (130 feet). He therefore considered that from a density standpoint, the requirements of the Official Plan and Zoning have been met.
On a Motion (Duvall/Clark), Committee tabled the application to the next meeting of the Committee to allow for input from the Ward Councillor and for staff to address the issues expressed by the presenters.

(n) Tourism Hamilton 2006 Annual Report (PED07200) (City Wide) (Item 7.1)

David Adames, Executive Director of Tourism Hamilton, addressed Committee and provided an overview of the 2006 Annual Report. He highlighted various points from the report. Copies of the presentation were provided to Committee. He noted that highlights in 2006 included the Canadian Open Golf Championship, the new Tourism Hamilton website, the new Courtyard by Marriott hotel, and the new operation by Flyglobespan, at John C. Munro Airport.

Mr. Adames introduced Mark Farrugia, the new President of Tourism Hamilton.

On a Motion (Pasuta/McHattie), the presentation was received.

(o) Civic Gateway Design Study (City Wide) (PED07198) (Item 7.2)

Ken Coit appeared before the Committee to provide an overview of the progress to date on the civic gateway design study. He highlighted the various steps in the process, with the aid of a powerpoint presentation. These steps included:

- Phase 1: Site Selection/Recommended Gateway Locations
- Phase 2: Developing design Options
- Types of Gateways
- Existing Gateways in Hamilton
- Gateway Features in Other Communities
- Review of City of Hamilton Background Information
- Developing Themes
- Evaluating Design Options
- Next Steps

Mr. Coit presented the four final design options and explained that these would be the subject of a public review, in the Fall.

Councillor Mitchell relinquished the chair to speak to this issue, and it was assumed by Councillor Pearson.

Councillor Mitchell questioned why the entrance to the City on Highway 6 South would not be included as a location for a civic gateway. With reference to Design Option 1, Councillor Mitchell suggested that a rural theme could be incorporated, for example, a bushel of fruit to illustrate “where the country meets the City”.

Council – July 11, 2007
Councillor Pearson expressed concern that the existing Stoney Creek sign could be removed as part of this process.

Councillor Pasuta expressed his concern that Flamborough was being left out of gateway locations, since no signs were proposed on Highways 8 or 5, approaching Hamilton.

Councillor Clark, seconded by Councillor Pearson, proposed an amendment to the staff recommendation, to request that the Minister of Transportation allow the existing Stoney Creek sign to remain, when the new gateway sign is erected.

Committee approved the staff recommendation, as amended.

(p) Application for a Modification in Zoning for Lands Located at 837 Barton Street (Stoney Creek) (PED07171) (Ward 11) (Item 8.1)

Councillor Mitchell explained that following the tabling of this Item, he had reviewed the issues raised, and was now satisfied.

Committee approved the staff recommendation.

(q) Application for a Change in Zoning for the Property Located at 865 Mohawk Road East (Hamilton) (PED07170) (Ward 6)(Item 8.2)

Councillor Jackson explained that following the tabling of this Item on June 19, 2007, he had met with the local residents and the developer. While the residents still do not favour the development, some changes will be considered which will reduce their concerns.

Councillor Jackson requested that five items be included in the Site Plan consideration for the application:

(i) Medical office use – future parking exemptions to be considered
(ii) Left-turn signals at Upper Ottawa/Mohawk Road East to be considered
(iii) “All-way Stop” controls for Winchester/Edenhill Avenues and Winchester/East 45th Streets to be reviewed
(iv) Feasibility of extending the traffic island on the north side of Upper Ottawa/Mohawk Road intersection to be considered
(v) Additional tree planting and buffering on north and west sides of this property to be included.

Committee approved the staff recommendation.
Pilot Project for July to October, 2007 respecting Hiring of Two Additional Police Officers to Patrol the Neighbourhoods surrounding Hess Village

Councillor Bratina provided an overview of the proposal.

Officer Scott Rastin of the Hamilton Police Service was in attendance to respond to questions of the Committee, and confirmed that the pilot project represented a partnership between the City and the police, as the Police Service is providing the cars for the two officers.

Councillor Pearson expressed concern with respect to the additional cost which would be incurred why extra police are required and the precedent this might set for other neighbourhoods.

Councillor Bratina advised that this motion is being brought forward because of a special need based on a special program in Hess Village. He said it would provide valuable information for the future, and will assist in the management of the entertainment district.

Unmanageable Expansion of Liquor License Applications in Ainslie Wood Westdale Surrounding McMaster University

Councillor McHattie moved the following Motion, seconded by Councillor Pasuta;

Whereas, undergraduate enrollment at McMaster University has increased exponentially in the past decade, and;

Whereas, the number of licensed seats in the Ainslie Wood Westdale area has increased in a similar vein, with six new liquor license applications in the past three months, and;

Whereas, there has been a significant rise in alcohol-related incidents involving students in the neighbourhoods surrounding McMaster University, and;

Whereas, there are many younger students now attending the University with less experience using alcohol, and;

Whereas, the cities of St. Catharines, Ottawa, and Guelph are implementing planning approaches to specifically address this issue;
Now Therefore, staff is requested to report back with a plan to study this issue with consideration to applying an interim control bylaw (making reference to best practices in other Town and Gown cities including the ones noted above).

Committee approved the Motion.

(t) Notice of Motions (Item 10)

Councillor McHattie gave the following Notice of Motion:

Improper Advertising of Student Houses in Ainslie Wood Westdale Area near McMaster University

Whereas, McMaster University’s undergraduate enrollment has risen exponentially over the last decade, and;

Whereas, McMaster University has not provided housing for these students, resulting in many family homes being converted to student lodging homes, and;

Whereas, real estate agents in the area misrepresent houses for use as student lodging homes at inflated prices, whereas the City of Hamilton considers these houses to be single family homes, and;

Whereas, these houses may not have the correct insurance for income or rental properties;

Therefore the City of Hamilton requests that the following clause be inserted in the real estate sale contracts in transactions involving all homes sold in the Ainslie-Wood Westdale area:

“The Buyer acknowledges that because of the current or intended use of the property as an income or rental property it may not be insurable as a single family residential home and further understands that the Seller does not represent or warrant that the property does or will be able to meet zoning or fire code requirements for this use”.

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

Tim McCabe provided Committee with an update on the changes in his department and distributed a chart showing the new Organizational Structure entitled, Planning, Engineering and Economic Development Functional Details; Building, Tourism, Parking, By-law Services and Support Services Functional Details.
Mr. McCabe explained that he had concluded meetings with all of his staff.

He noted that the Economic Development Organizational review will be brought forward in September, the Building Services operational review is complete and a report is being prepared for presentation in September, as is a report regarding the Animal Services Operational review.

Chair Mitchell relinquished chair to speak to issue with respect to animal control in the rural areas, and the need to respect the need for a different approach in the areas outside the urban area.

Councillor Mitchell resumed the Chair and thanked Mr. McCabe for his work and the update.

(v) Peter George, Don Pether, Roy Adams, Hamilton Civic Coalition respecting City’s Approach to Economic Development

Mr. McCabe explained that the concerns raised by the Civic Coalition were important elements of the Economic Development review, to be brought to Committee of the Whole in September.

On a Motion (Pearson/Duvall) Committee referred this matter to staff for consideration in the upcoming Economic Development report, and agreed that this issue be removed from the Outstanding Business List.

AT THEIR MEETING OF JULY 11, 2007, COUNCIL AMENDED THE REPORT BY MOVING LIFTING ITEM (w) TO BECOME ITEM 20:

(w) Private and Confidential - Lease Agreement for the Proposed Parking Structure at 166-190 Main Street West and 57 George Street (PED05105(c)/FCS07040(a)) (Ward 2)

On a Motion (Ferguson/Duvall) the Committee moved in Closed Session at 1:00 p.m. respecting subject matter which pertains to a proposed or pending acquisition or disposition of land by the Municipality or local board.

On a Motion (Ferguson/Duvall) the Committee reconvened in Open Session at 2:10 pm. Chair Mitchell advised that there was nothing to report from the Closed Session meeting.

(x) Adjournment
On a Motion, the Economic Development and Planning Committee adjourned at 2:15 p.m.

Respectfully submitted,

David Mitchell, Chair
Economic Development and Planning Committee

Alexandra Rawlings, Co-ordinator
Economic Development and Planning Committee
July 9, 2007