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

Absent with regrets: Councillor T. Whitehead- City Business

Staff Present: T. McCabe, General Manager – Planning and Economic Development
T. Sergi, M. Hazell, P. Mallard, J. Hickey-Evans, R. Marini, D. Ortiz,
F. Peter, P. De Iulio, S. Robichaud, D. Falletta, J. Strutt, J. Xamin-
Planning and Economic Development
D. Adames-Tourism
A. Zuidema, M. Kovacevic-Legal Services
A. Rawlings – City Clerk’s Office

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL:

1. Prohibition and Inspection of Grow Operations (PED07222(a)) (City Wide) (Item 5.1) (Ferguson/Clark)
   That Report PED07222(a), Prohibition and Inspection of Grow Operations, be received for information.
   CARRIED

2. Request to Designate 111 Kenilworth Access, Hamilton (Known as the Barton Reservoir) Under Part IV of the Ontario Heritage Act (PED09241) (Wards 3 and 4) (Item 5.2) (Ferguson/Clark)
   (a) That Council direct staff to carry out a Cultural Heritage Assessment of 111 Kenilworth Access, Hamilton, to determine whether the property is of cultural heritage value, and worthy of designation under Part IV of the Ontario Heritage Act.
(b) That Council include 111 Kenilworth Access, Hamilton, in the Register of Properties of Cultural Heritage Value or Interest following consultation with the Hamilton Municipal Heritage Committee, as per Recommendation (e) to Report PED09241 and the provisions of the Ontario Heritage Act, and that staff make appropriate amendments to the Register of Cultural Heritage Value or Interest.

(c) That if 111 Kenilworth Access, Hamilton, is determined to be of cultural heritage value or interest, a Statement of Cultural Heritage Value and Description of Heritage Attributes be prepared by staff for Council’s consideration for designation under Part IV of the Ontario Heritage Act.

(d) That the Cultural Heritage Assessment work be assigned a low priority, and be added to staff’s workplan for completion in 2012, as per the attached Appendix “G” to Report PED09241.

(e) That Report PED09241 be forwarded to the Hamilton Municipal Heritage Committee for information and consultation prior to the Council approved inclusion of 111 Kenilworth Access, Hamilton, in the Register of Cultural Heritage Value or Interest.

(f) That Report PED09241 be forwarded to the Director of the Culture Division of the Community Services Department and the Senior Director of the Water and Wastewater Division of the Public Works Department for information.

CARRIED

3. Feasibility of Regulating and Licensing Establishments Selling Non-Prescription Drug Equipment (PED09240) (City Wide) (Item 5.4)
   (Ferguson/Clark)
   (a) That no further action be taken with respect to the regulation or licensing of establishments selling non-prescription drug equipment

   (b) That the outstanding business item titled “Regulating and Licensing Establishments Selling Non-Prescription Drug Equipment” be identified as complete and removed from the Economic Development and Planning Committee’s Outstanding Business List.

CARRIED

4. Education and Public Awareness of City of Hamilton By-Laws (PED09246) (City Wide) (Item 5.5)
   (Ferguson/Clark)
   That Report PED09246, Education and Public Awareness of city of Hamilton By-laws, be received for information.

CARRIED
5. Business Licensing Enforcement (PED09245) (City Wide) (Item 5.6)  
(Ferguson/Clark)  
That Report PED09245, Business Licensing Enforcement, be received for information.  
CARRIED

6. Hamilton Realty Capital Corporation (H.R.C.C.) – Appointment of  
Designated Manager and Expansion of Boundaries (PED09249) (Ward 2)  
(Item 5.7)  
(Ferguson/Clark)  
(a) That Glen Norton be appointed as the Designated Manager of the Hamilton  
Realty Capital Corporation (H.R.C.C.).  
(b) That the Mayor and Clerk be authorized to sign, on behalf of the City of Hamilton  
(as shareholder of the H.R.C.C.), an agreement in a form satisfactory to the City  
Solicitor, amending the Unanimous Shareholders' Agreement (U.S.A.) by  
deleting the map attached as Schedule ‘A’ to the Unanimous Shareholders’  
Agreement (U.S.A.) that delineates the boundaries of the Downtown Hamilton  
Community Improvement Project Area and replacing it with Appendix ‘A’ to  
Report PED09249 that delineates the expanded Downtown Hamilton Community  
Improvement Project Area (D.H.C.I.P.A.) approved by City Council at its meeting  
held June 25, 2008.  
CARRIED

7. Declaration of Surplus Property and Sale of City Owned Lands Described  
as Part 2 on Plan RA-G-737, Municipally Known as 0 Highway 56,  
Glanbrook (PED09247) (Ward 11) (Item 5.8)  
(Ferguson/Clark)  
That the subject lands municipally known as 0 Highway 56, Glanbrook, now in the City  
of Hamilton, being a vacant commercial parcel, composed of Part 2 on Plan RA-G-737,  
having dimensions of 13.29 meters (43.60 feet) by 20.88 metres (68.50 feet), irregular,  
as shown on Appendix “A” attached to Report PED09247, be declared surplus to the  
requirements of the City of Hamilton, in accordance with Procedural By-law for the Sale  
of Land, being By-law 04-299.  
CARRIED

8. Hamilton Downtown Residential Loan Program – 47 Caroline Street North – Loan  
Repayment – RL03/04 (PED09250 (Ward 2) (Item 5.9)  
(Ferguson/Clark)  
That Report PED09250, Hamilton Downtown Residential Loan Program – 47 Caroline  
Street North – Loan Repayment – RL03/04, be received for information.  
CARRIED
9. Demolition Permit – 322-326 King Street East (PED09215) (Ward 2)  
(Item 5.10)  
(Ferguson/Clark)  
That the Director of Building Services be authorized and directed to issue a demolition permit for 322-326 King Street East in accordance with By-Law 08-226 pursuant to the demolition control provisions of Section 33 of The Planning Act, as amended, subject to the following conditions:

(a) That the applicant has applied for and received a building permit for a replacement building on this property;

(b) That the said building permit specifies that the replacement building be erected within two years of the demolition of the existing building on this property;

(c) That the said building permit for the replacement building specifies if such replacement building is not erected within the said two year time limit, that the City be paid the sum of $160,000;

(d) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions (including the directions to the City Clerk outlined in sub-section (e)) in a form satisfactory to the Director of Building Services and to the City Solicitor; and,

(e) That if the said replacement building is not erected as required, the City Clerk be authorized to add the said sum, until payment thereof, as a lien or charge upon the property until paid.

CARRIED

10. Demolition Permit – 117 Parkdale Avenue North (PED09234) (Ward 4)  
(Item 5.11)  
(Ferguson/Clark)  
That the Director of Building Services be authorized and directed to issue a demolition permit for 117 Parkdale Avenue North in accordance with By-Law 08-226 pursuant to Section 33 of The Planning Act as amended.

CARRIED

11. Demolition Permit – 36 Oak Avenue (Flamborough) (PED09237) (Ward 14)  
(Item 5.12)  
(Ferguson/Clark)  
That the Director of Building Services be authorized and directed to issue a demolition permit for 36 Oak Avenue (Flamborough) in accordance with By-Law 08-226 pursuant to the demolition control provisions of Section 33 of The Planning Act, as amended, subject to the following conditions:
(5)
Economic Development & Planning Committee

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(a) That the applicant has applied for and received a building permit for a replacement building on this property;

(b) That the said building permit specifies that the replacement building be erected within two years of the demolition of the existing building on this property;

(c) That the said building permit for the replacement building specifies if such replacement building is not erected within the said two year time limit, that the City be paid the sum of $20,000;

(d) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions (including the directions to the City Clerk outlined in sub-section (e)) in a form satisfactory to the Director of Building Services and to the City Solicitor; and,

(e) That if the said replacement building is not erected as required, the City Clerk be authorized to add the said sum, until payment thereof, as a lien or charge upon the property until paid.

CARRIED

12. Demolition Permit – 247 Jones Road (Stoney Creek) (PED09238) (Ward 11) (Item 5.13)
(Ferguson/Clark)
That the Director of Building Services be authorized and directed to issue a demolition permit for 247 Jones Road (Stoney Creek) in accordance with By-Law 08-226 pursuant to Section 33 of The Planning Act, as amended, subject to the following conditions:

(a) That the applicant has applied for and received a building permit for a replacement building on this property;

(b) That the said building permit specifies that the replacement building be erected within two years of the demolition of the existing building on this property;

(c) That the said building permit for the replacement building specifies if such replacement building is not erected within the said two year time limit, that the City be paid the sum of $20,000;

(d) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions (including the directions to the City Clerk outlined in sub-section (e)) in a form satisfactory to the Director of Building Services and to the City Solicitor; and,

(e) That if the said replacement building is not erected as required, the City Clerk be authorized to add the said sum, until payment thereof, as a lien or charge upon the property until paid.

CARRIED
13. Demolition Permit – 40 Maple Drive (Stoney Creek) (PED09239) (Ward 10) (Item 5.14) (Ferguson/Clark)

That the Director of Building Services be authorized and directed to issue a demolition permit for 40 Maple Drive (Stoney Creek) in accordance with By-Law 08-226 pursuant to Section 33 of The Planning Act, as amended, subject to the following conditions:

(a) That the applicant has applied for and received a building permit for a replacement building on this property;

(b) That the said building permit specifies that the replacement building be erected within two years of the demolition of the existing building on this property;

(c) That the said building permit for the replacement building specifies if such replacement building is not erected within the said two year time limit, that the City be paid the sum of $20,000;

(d) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions (including the directions to the City Clerk outlined in sub-section (e)) in a form satisfactory to the Director of Building Services and to the City Solicitor; and,

(e) That if the said replacement building is not erected as required, the City Clerk be authorized to add the said sum, until payment thereof, as a lien or charge upon the property until paid.

CARRIED

14. Demolition Permit – 181 Sherman Avenue North (PED09248) (Ward 3) (Item 5.15) (Ferguson/Clark)

That the Director of Building Services be authorized and directed to issue a demolition permit for 181 Sherman Avenue North in accordance with By-Law 08-226 pursuant to Section 33 of The Planning Act, as amended subject to the applicant applying for and receiving the proper planning approvals to permit the proposed development.

CARRIED

15. City Initiative CI-09-D to Repeal Interim Control By-law Nos. 08-104, 08-117, 09-061 Respecting Waste Management Facilities (PED08064(d)) (Wards 3, 4, 5 and 6) (Item 5.16) (Ferguson/Clark)

(a) That City Initiative CI-09-D, to repeal Interim Control By-law Nos. 08-104, 08-117 and 09-061, respecting Waste Management Facilities affecting the former City of Hamilton, be approved.

(b) That the draft By-law, attached as Appendix “A” to Report PED08064(d), be passed and enacted by Council.

CARRIED
16. Hamilton Municipal Heritage Committee Meeting Minutes for July 23, 2009 (Item 5.17(a))
(Ferguson/Clark)
That the Minutes of the July 23, 2009 Hamilton Municipal Heritage Committee Meeting be received. **CARRIED**

17. Application for a Zoning By-law Amendment for the Lands Located at 3015, 3021 and 3027 Binbrook Road West, and 3016, 3030 and 3034 Regional Road 56 (Glanbrook) (PED09236) (Ward 11) (Item 6.2) (Mitchell/Ferguson)
That approval be given to amended Zoning By-law Application ZAC-07-064, by Craft Development Corporation, Applicant, for changes in zoning from the Existing Residential “ER” Zone (Block “1”) and the General Commercial “C3” Zone (Block “2”) to the Holding - General Commercial “H-C3-255” Zone, with a Special Exception and Holding provision, to permit a commercial development, on the lands known municipally as 3015, 3021 and 3027 Binbrook Road West, and 3016, 3030 and 3034 Regional Road 56, as shown on Appendix “A” to Report PED09236, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED09236, which has been prepared in a form satisfactory to the City Solicitor, and as amended by Committee on September 08, 2009, respecting the increase in the maximum building height to 11.5 metres, and the requirement for a minimum landscape strip adjacent to the residential R4 zone to be 4.5 metres, 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:

(i) The subject lands are consolidated in the same name and title, to the satisfaction of the Director of Planning.

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

(d) That the proposed changes in zoning conform to the Hamilton-Wentworth Official Plan and Township of Glanbrook Official Plan. **CARRIED**
18. **Additional Regulatory Options for Waste Management Facilities (PED08064(e)) (City Wide) (Item 8.1)**

**(Ferguson/Clark)**

(a) That staff take no further action relative to the implementation of a radial distance separation between Waste Management Facilities which hold or require a Ministry of the Environment (MOE) Waste Certificate of Approval.

(b) That staff take no further action relative to the implementation of a licensing requirement for Waste Management Facilities which hold or require a Ministry of the Environment (MOE) Waste Certificate of Approval.

(c) That staff take no further action relative to the regulation of Waste Management Facilities which hold or require a Ministry of the Environment (MOE) Waste Certificate of Approval within the Bayfront Industrial Area of the former City of Hamilton.  

*CARRIED*

19. **Existing Zoning Regulations, Built Form and Restrictive Covenants Along Mountain Brow Boulevard, from Upper Ottawa Street to 344 Mountain Brow Boulevard (CI-09-F) (PED09243) (Ward 6) (Item 8.2)**

**(Duvall/Clark)**

(a) That a minimum 25 metre front yard setback be established for the properties at 118-338 Mountain Brow Boulevard, inclusive, and that this setback be brought forward as part of the official Comprehensive Zoning By-law review and report;

(b) That Report PED09243, Existing Zoning Regulations, Built Form and Restrictive Covenants Along Mountain Brow Boulevard, from Upper Ottawa Street to 344 Mountain Brow Boulevard (CI-09-F), be received for information.  

*CARRIED*

20. **Report 09-001 of the Neighbourhood Residential Rental Housing Community Liaison Committee (Wards 1, 8, 10 & 12) (Item 8.3)**

**(Ferguson/Clark)**

That Report 09-001 of the Neighbourhood Residential Rental Housing Community Liaison Committee (Wards 1, 8, 10 & 12), be received and that the following Recommendations be referred to the General Manager of Planning and Economic Development for a report back on the issues, prior to any further action being taken on the Report;

(a) That the Neighbourhood Residential Rental Housing Community Liaison Committee’s findings and results pertaining to licensing rental housing be forwarded to the City-wide Residential Rental Housing Review Community Liaison Committee for information.

(b) That the matter of a Zoning By-law Amendment to limit the number of bedrooms and/or habitable rooms in a dwelling be referred to Zoning By-law Reform staff for further review and that consideration on the development of regulations for
Ward 8 be considered for the Residential Zones in the City of Hamilton Comprehensive Zoning By-law 05-200.

(c) That staff be directed to investigate and report to Economic Development and Planning Committee with costing and an implementation plan for an 18-month proactive by-law enforcement pilot program for Wards 1 and 8 that includes:

(i) a focus on problem properties/landlords,
(ii) an educational component for landlords and tenants, and
(iii) a plan to identify properties that may be operating illegally as lodging homes and an enforcement strategy to address the matter.

(d) That staff be directed to investigate and report to Economic Development and Planning Committee regarding the potential effectiveness of creating a rental housing registry that would include property owner and their contact information.

(e) That staff be directed to investigate potential partnerships with McMaster University and Mohawk College as both schools partner to develop and enhance their respective Voluntary Landlord Certification Programs.

(f) That staff be directed to investigate and report to Economic Development and Planning Committee on the feasibility of creating an incentive program to encourage the de-conversion of rental properties back into single family homes.

(g) That staff be directed to investigate and report to Economic Development and Planning Committee regarding the feasibility of hiring a Community Liaison Outreach Coordinator, on a costs sharing basis with McMaster University and Mohawk College to liaise, facilitate and mediate problems between landlords, tenants, residents, the City/Councillors, and the academic institutions.

(h) That staff be directed to investigate service level improvements to address stakeholder comments/concerns regarding transit hours of operation, waste container limits and additional options, and potential waste by-law amendments (as noted in Option 8 of Appendix “C” of this (Report 009-001) report) and report back to Economic Development and Planning Committee.

CARRIED

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised the following changes to the agenda: Closed session items will be heard at 12 noon, when Legal staff will be available to assist Committee.
On a Motion (Mitchell/Pasuta) the agenda for the September 8, 2009, meeting of the Economic Development & Planning Committee was approved.

(b) DECLARATIONS OF INTEREST (Item 2)

None, at the start of the meeting.

When Item 8.3 was considered, Chair Pearson advised of a conflict, as she has an interest in rental property, and vacated the Chair to Vice Chair Ferguson.

(c) APPROVAL OF MINUTES (Item 3)

On a Motion (Ferguson/Duvall), the Minutes of the August 10, 2009 Economic Development and Planning Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Don May, respecting Item 8.3 Existing Zoning Regulations, Built Form and Restrictive Covenants Along Mountain Brow Boulevard from Upper Ottawa Street to 344 Mountain Brow Boulevard C1-09-F) (PED09243) (Ward 6) (Item 4.1)

On a Motion (Mitchell/Duvall), Committee agreed to hear from Mr May, following the staff presentation on Item 8.2

(ii) Dan Milligan, respecting his request to vary the conditions of a demolition permit for 226 Duke Street, approved by Council on August 13, 2009 (Item 4.2)

On a Motion (McHattie/Mitchell) Committee agreed to hear from Mr Milligan, following the presentation from Oscar Kichi.

(e) Request to Designate 111 Kenilworth Access, Hamilton (Known as the Barton Reservoir) Under Part IV of the Ontario Heritage Act (PED09241) (Wards 3 and 4) (Item 5.2)

Councillor Ferguson asked if the reservoir is still operating. Meghan House and Joe Muller explained the details of the site, and that the old Barton reservoir has been replaced by a new facility. Committee approved the staff recommendation.
(f)  Request to Designate 491 King Street West, Hamilton, Under Part IV of the Ontario Heritage Act (PED09242) (Ward 1) (Item 5.3)

On a Motion (McHattie/Mitchell), Committee tabled the report, pending notification to the owner of the staff recommendation.

(g)  Oscar Kichi respecting declining conferences and conventions in the City of Hamilton (delegation approved by Committee on June 16, 2009) (Item 6.1)

Oscar Kichi addressed the Committee and expressed his concerns about the low and declining occupancy rate in hotel rooms in the City. He noted that while sports tourism is doing well, and is leading to good occupancy rates at the weekends, more needs to be done to stimulate conference and convention business in the City. Mr Kichi suggested that this should be a priority for City staff and for HECFI, and that this business would help fill hotel rooms during the week.

David Adames gave a brief overview of the drop in conferences and conventions over the past few years and noted that part of the decline is due to the overall economic downturn. Mr Adames confirmed that City staff is actively pursuing conference and convention business. He said that he would also take the message to HECFI.

Committee thanked Mr Kichi for his presentation, and discussed the issues raised. Councillor Ferguson noted that the new Ancaster Fairgrounds facility was now completed and should also be considered for conventions and such events as trade shows.

On a Motion (Duvall/McHattie), Committee received the presentation.

(h)  Dan Milligan respecting the demolition permit for 226 Duke Street.

Mr Milligan addressed Committee and explained that following the approval by Council of his demolition permit, he had been advised that the required right of way across his neighbour’s property would have to be approved as a severance application. He explained that the need for this application, and the length of the approval process and appeal period would impose a serious hardship, as he wanted to get on with the demolition this month. He requested that the Committee separate the demolition and building permit process from the severance, and allow him to proceed with work on the site.

Dio Ortiz and Frank Peter provided confirmation of the situation faced by Mr. Milligan.
Councillor McHattie advised that he had reviewed the matter with staff, and that he was in favour of waiving the appropriate conditions of the demolition permit, to allow Mr Milligan to commence work. He explained that he had consulted with Clerks, and that the correct manner of proceeding was firstly to ascertain the support of the Committee to waive the conditions of the permit, and then to request a reconsideration of the item at Council, followed by an appropriate Motion.

Staff advised that due to the wording of the legislation, if Committee wished to assist Mr Milligan, then all the conditions would have to be waived. Committee agreed with this approach.

Councillor McHattie advised that he would meet with Mr Milligan to explain the Council process which was to be followed.

(i) Application for a Zoning By-law Amendment for the Lands Located at 3015, 3021 and 3027 Binbrook Road West, and 3016, 3030 and 3034 Regional Road 56 (Glanbrook) (PED09236) (Ward 11) (Item 6.2)

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 Amendment 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 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 was present to assist Committee, and provided an overview of the application, with the aid of a powerpoint presentation. He explained a proposed change to the by-law to allow a maximum buildingheight of 11.5 metres is being proposed by staff, and that a revised by-law had been distributed to members this morning.

The applicant’s agent, David MacKay, of MHBC Planning, advised that he was satisfied with the staff recommendation.
Krista Schmid, 81 Donald Bell Drive, addressed Committee with regard to the proposal. Her concerns included, but were not limited to the following:

- need to preserve her privacy, in the rear of her lot, which backs onto the site
- placement of dumpsters, noise and lighting issues from the site
- drainage issues, as her swale presently takes drainage from the site
- need for landscaping, mature trees should be planted on the site

Byongho Lee, 3021 Highway 56, Binbrook, owner of Foodland, addressed Committee with regard to the proposal. His points included, but were not limited to the following:

- concern respecting increased traffic and safety for pedestrian and drivers

David MacKay advised that drainage would be handled on the subject site, and that landscaping will be provided

Committee discussed the application, and the concerns raised by the delegations, and had further information supplied by staff. Councilor Mitchell noted the importance of development for this site in Binbrook, as it would set the tone for future development in the village core. He noted that the intent of the design was to have the buildings nearer to the street, with parking behind, to maintain the character of the area. Staff advised that the developments would be reviewed through the site plan process, and that appropriate arrangements would be made for traffic issues, if the developments at this intersection did not proceed together

On a Motion, (Ferguson/Mitchell) Committee approved an amendment to the staff recommendation, to increase the maximum height of the buildings on the site to 11.5 metres, and to require a minimum landscape strip of 4.5 metres adjacent to any Residential R4 zoning.

Committee approved the staff recommendation, as amended.

(j) Additional Regulatory Options for Waste Management Facilities (PED08064(e)) (City Wide) (Item 8.1)

On a Motion (Clark/Ferguson) Committee agreed to dispense with the planner's presentation.

Jocelyn Strutt was present to assist Committee, and responded to questions from Committee. Ms Strutt explained that the Municipal Act did not permit the licencing of industrial operations, and so it was not possible to pursue this approach.

Committee thanked staff for their work on this issue.
Committee approved the staff recommendation

(k) **Existing Zoning Regulations, Built Form and Restrictive Covenants Along Mountain Brow Boulevard, from Upper Ottawa Street to 344 Mountain Brow Boulevard (CI-09-F) (PED09243) (Ward 6) (Item 8.2)**

Peter De Iulio was present to assist Committee, and provided an overview of the staff report. He noted that 7 of the lots have restrictive covenants, and that staff consider the existing zoning to be satisfactory.

Don May addressed Committee regarding the matter and provided air photos of the area. His comments included, but were not limited to, the following:

- concerns by the residents that any house built further forward than the existing building line would be intrusive, would not fit with the character of the area
- neighbours would prefer that the zoning by-law recognise the 25 metre existing front yard setbacks

Councillor Jackson thanked staff and the speaker, and proposed that the by-law should recognise the existing setbacks of the houses, as noted as Option 3 in the staff report.

Committee approved this option, for the lots at 118-338 Mountain Brow Boulevard, inclusive, as noted in Item (19).

(l) **Report 09-001 of the Neighbourhood Residential Rental Housing Community Liaison Committee (Wards 1, 8, 10 & 12) (Item 8.3)**

Councillor McHattie and Joe Xamin provided an overview of the report, with the aid of a powerpoint presentation. Copies of the presentation were provided to the Committee.

Committee discussed the report and the recommendations, and had further information supplied by the presenters. Points raised by the Committee included, but were not limited to, the following:

- can the City legally restrict the number of bedrooms
- potential conflict with normal use of homes/number of bedrooms
- is there a balance for student houses/non-student houses in an area, and how can this be addressed
- is financial assistance for de-conversion reasonable?
- should we look at different policies for different wards, or treat all areas the same
- should any regulations apply to all rental units?
- potential cost of the proposed approach, to City, to landlords and to tenants

Mr McCabe noted that this was a Sub-Committee report, and not a staff report and thus the Recommendations would have an impact on his department. Committee received the report and referred it back to staff, for a report back on the implications from a staff perspective.

(m) Motions (Item 9)

Potential municipal parking lot, Locke Street South Commercial Area (Item 9.1)

Committee passed the following Motion:

That staff be directed to explore the feasibility of creating one or more municipal carparks in the Locke Street South commercial area, and to assess, through a Request for Information (RFI), the level of interest of adjacent property owners to lease/sell/partner with the City in this endeavour.

(n) Notices of Motion (Item 10)

Councillor McHattie presented the following Notice of Motion:

(i) Adaptive Re-use of Church Buildings (Item 10.1)

Whereas, given the dual dynamic of church congregations shrinking, and churches aging, many churches in Hamilton will become available for re-use and;

Whereas, many of these churches represent significant cultural heritage resources in Hamilton, and;

Whereas, recently in Hamilton several churches have been negatively affected in terms of their heritage value, and;

Whereas, adaptive reuse of churches is occurring in other municipalities;

Therefore:

That the item be added to the staff work program for 2010, and that a consultant be hired, at an upset cost not to exceed $5,000, to investigate applicable options to achieve adaptive reuse of churches in order to maintain their cultural heritage value.
(ii) Hamilton-Education City (Item 10.2)

Councillor McHattie presented the following Notice of Motion:

Whereas, Hamilton has been designated as Education City, and;

Whereas, undergraduate university campuses are recognized as a key economic development driver in downtown areas, and;

Whereas, more universities appear to be seeking campus sites in southern Ontario, and;

Whereas, the City of Brantford’s downtown has experienced a significant boost from the presence of both Wilfred Laurier University and Nipissing College, with several thousand undergraduate students now present.

Now therefore Downtown and Community Renewal staff be directed as follows:

a) to prepare an information/marketing package outlining opportunities for university and/or college undergraduate campus development in downtown Hamilton, and

b) to forward the information package inviting universities/colleges to situate undergraduate campuses in downtown Hamilton at all universities and colleges in Ontario

c) And that consideration be given to inviting universities and colleges from out of Province to relocate undergraduate campuses to downtown Hamilton.

(o) GENERAL INFORMATION (Item 11)

(i) News from the General Manager

Mr McCabe provided copies of the list of upcoming reports and the Committee dates.

He added that there is a new car share service in Hamilton, and that 3 spaces in each of three City lots have been made available for these vehicles.
(p) Private and Confidential (Item 12)

(i) Minutes of the Closed Session meeting of August 10, 2009 (Item 12.1)

On a Motion, (Ferguson/Clark) the Minutes of the meeting were adopted as presented.

(ii) OMB Hearing respecting appeals to the Rural Official Plan (Item 12.2)

At 12.15pm, Committee moved into Closed Session to consider an item which is subject to Section 8.1, subsection (e) of the City’s Procedural By-law and Section 239 of the Ontario Municipal Act as the subject matter pertains to litigation or proposed litigation, including matters before administrative tribunals, affecting the municipality or local board.

At 12.15 p.m., Committee resumed in Open Session.

Chair Pearson advised that Committee had received an update from legal staff, and that there was nothing further to report.

(q) Adjournment (Item 13)

(Ferguson/Clark)

The meeting adjourned at 12.27pm.

Respectfully submitted,

Maria Pearson, Chair
Economic Development and Planning Committee

Alexandra Rawlings, Co-ordinator
Economic Development and Planning Committee
September 8, 2009