Present: Chair T. Whitehead  
Mayor F. Eisenberger  
Councillors: B. Bratina, B. Clark, S. Duvall, L. Ferguson,  
B. McHattie, D. Mitchell, M. Pearson, T. Jackson, C. Collins  

Absent: Councillor R. Pasuta – City business  

Staff Present: J. Rinaldo – Acting City Manager  
T. McCabe, General Manager – Planning and Economic Development  
P. Mallard, T. Sergi, B. Janssen, J. Spolnik, N. Everson,  
M. Hazell, M. Pham, T. Lee, M. Sergi, J. Muto – Planning and Economic Development  
S. Stewart, General Manager – Public Works  
D. Fisher, L. Pasternak – Legal Services  
A. Rawlings, Co-ordinator - City Clerk’s Office

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL:

1. Demolition Permit – 275 Beach Road (PED08217) (Ward 3) (Item 5.1) (Ferguson/McHattie)  
That the Director of Building Services be authorized and directed to issue a demolition permit for 275 Beach Boulevard in accordance with the City of Hamilton Demolition Control By-law pursuant to Section 33 of The Planning Act as amended.  
CARRIED

2. Demolition Permit – 60 Limeridge Road West (PED08218) (Ward 8) (Item 5.2) (Ferguson/McHattie)  
That the Director of Building Services be authorized and directed to issue a demolition permit for 60 Limeridge Road West in accordance with the City of Hamilton Demolition Control By-law pursuant to Section 33 of The Planning Act as amended.  
CARRIED
3. **Demolition Permit – 920 Stone Church Road East (PED08219) (Ward 6) (Item 5.3)**  
(Ferguson/McHattie)  
That the Director of Building Services be authorized and directed to issue a demolition permit for 920 Stone Church Road East in accordance with the City of Hamilton Demolition Control By-law pursuant to Section 33 of *The Planning Act* as amended.  
CARRIED

4. **Demolition Permit – 1026 Dunsmure Road (PED08230) (Ward 4) (Item 5.4)**  
(Ferguson/McHattie)  
That the Director of Building Services be authorized and directed to issue a demolition permit for 1026 Dunsmure Road in accordance with the City of Hamilton Demolition Control By-law 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; and,

(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; and,

(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; and, 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 (d)) in a form satisfactory to the acting Director of Building and Licensing and to the Director of Legal Services and Corporate Counsel; and,

(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

5. **Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application (ERG-07-01) – 1014567 Ontario Inc. (Mike Mihajlovic), 179-185, 189 and 195 Parkdale Avenue North, Hamilton (PED08231) (Ward 4) (Item 5.5)**  
(Ferguson/McHattie)  
a) That ERASE Redevelopment Grant Application ERG-07-01, submitted by 1014567 Ontario Inc. (Mike Mihajlovic), owner of the property at 179-185, 189
and 195 Parkdale Avenue North, Hamilton, for an ERASE Redevelopment Grant not to exceed $152,175 payable to 1014567 Ontario Inc. (Mike Mihajlovic), over a maximum of ten (10) years, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement.

b) That the City enter into an ERASE Redevelopment Agreement with 1014567 Ontario Inc. (Mike Mihajlovic) regarding the terms and conditions governing the payment of an ERASE Redevelopment Grant for, and redevelopment of, 179-185, 189 and 195 Parkdale Avenue North, Hamilton, with such agreement to be satisfactory to the City Solicitor.  

CARRIED

6. Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application (ERG-08-04) – 2138825 Ontario Inc. (Carl Turkstra), 250 Lottridge Street, 60 and 70 Beach Road, Hamilton (PED08233) (Wards 3 and 4) (Item 5.6) (Ferguson/McHattie)

(a) That ERASE Redevelopment Grant Application ERG-08-04, submitted by 2138825 Ontario Inc. (Carl Turkstra), owner of the property at 250 Lottridge Street, 60 and 70 Beach Road, Hamilton, for an ERASE Redevelopment Grant not to exceed $743,775 payable to 2138825 Ontario Inc. over a maximum of ten (10) years, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement.

(b) That the City enter into an ERASE Redevelopment Agreement with 2138825 Ontario Inc. regarding the terms and conditions governing the payment of an ERASE Redevelopment Grant for, and redevelopment of, 250 Lottridge Street, 60 and 70 Beach Road, Hamilton, ON, with such agreement to be satisfactory to the City Solicitor.

CARRIED

7. Minutes of Hamilton Municipal Heritage Committee, August 28, 2008 (Item 5.7(a)) (Ferguson/McHattie)

That the Minutes of the Hamilton Municipal Heritage Committee Meeting held August 28, 2008 be received.

CARRIED

8. Minutes of Hamilton Municipal Heritage Committee, September 11, 2008 (Item 5.7(b)) (Ferguson/McHattie)

That the Minutes of the Hamilton Municipal Heritage Committee Meeting held September 11, 2008 be received.

CARRIED
9. Sheldon Palmer respecting his proposed modifications to the Property Standards regulations for rental properties (Item 6.1)

(McHattie/Clark)

(a) That the delegation and presentation from Sheldon Palmer be received;

(b) That the draft by-law entitled Hamilton Residential/Commercial Rental Property By-Law, prepared by Sheldon Palmer, be forwarded to the October 14, 2008 Committee of the Whole, for their consideration, during the review of the Review of Tools for Regulating Residential Rental Housing report; and

(c) That the draft by-law for landlord and tenants be forwarded to the Tenant Advisory Committee for their review.

CARRIED

10. Application to Amend Ancaster Zoning By-law No. 87-57 for the Property Located at 78-80 Southcote Road (Ancaster) (PED08225) (Ward 12) (Item 6.2)

(Ferguson/McHattie)

That the approval be given to Zoning By-law Amendment Application ZAR-08-038, by 1739060 Ontario Inc., owner, for a change in zoning from the Existing Residential “ER” Zone to the Existing Residential “ER-578” Zone, to legalize the existing semi-detached dwellings on lands located at 78-80 Southcote Road (Ancaster), as shown on Appendix “A” to Report PED08225, on the following basis:

(a) That the Draft By-law, attached as Appendix “B” to Report PED08225, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

(b) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and the Town of Ancaster Official Plan.

CARRIED

11. Application for a Change in Zoning for Lands Located at 516 and 520 Fifty Road and Block 185 of Plan 62M-987 (Stoney Creek) (PED08222) (Ward 11) (Item 6.3)

(Mitchell/Pearson)

That approval be given to Zoning Application ZAC-08-023, by Max Cretaro, Owner, for changes in Zoning from the Neighbourhood Development “ND” Zone and the Rural Residential “RR” Zone to the Residential “R3-29” Zone and the Residential “R5-6” Zone, to permit the development of twelve single detached dwellings, for the lands located at 516 and 520 Fifty Road and Block 185 of Plan 62M-987 (Stoney Creek), shown as Blocks 1, 2 and 3 on Appendix “A” to Report PED08222, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED08222, 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 “A”, Map No. 4, of Zoning By-law No. 3692-92.

(c) That the proposed changes in zoning conform to the Hamilton-Wentworth Official Plan and the City of Stoney Creek Official Plan.

CARRIED

12. Road cleaning (added item)
(Mitchell/Pearson)
That staff be directed to review and improve the cleaning of Fifty Road and other arterial roads, where there is a high volume of construction in the surrounding area.

CARRIED

13. Application to Amend Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 28 Lochside Drive, Stoney Creek (PED08227) (Ward 11) (Item 6.4)
(Mitchell/Pearson)
That approval be given to Zoning Application ZAR-08-043, by James Tarbutt, Owner, for changes in zoning from the Rural Residential Estate “RRE” Zone to the Single Residential “R1-18” Zone (Block “1”), and to the Rural Residential Estate “RRE-3” Zone (Block “2”) in order to permit the development of a single detached dwelling on the southerly portion of the subject lands (Block “1”), and to permit a reduction in the minimum required lot area and the minimum rear yard for the northerly portion of the subject lands (Block “2”), for the lands located at 28 Lochside Drive (Stoney Creek), as shown on Appendix “A” to Report PED08227, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED08227, 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 “A”, Map No. 4, of Zoning By-law No. 3692-92.

(c) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan and the City of Stoney Creek Official Plan.

CARRIED

14. Application to Amend Hamilton Zoning By-law No. 6593 for Lands Located at 1520 Stone Church Road East (Hamilton) (PED08226) (Ward 6) (Item 6.5)
(Pearson/Ferguson)
That approval be given to amended Zoning Application ZAC-08-021, by Henry Merling, Agent for Mercanti Banquet and Convention Centre, Owner, for changes in zoning from the “M-14/S-658a” and “S-982” (Prestige Industrial) District, Modified (Block “1”), and “M-14/S-658a” and “S-1039” (Prestige Industrial) District, Modified (Block “2”), to the “M-14/S-1596” (Prestige Industrial) District, Modified, in order to permit an 8-storey, 53 room hotel, for the lands located at 1520 Stone Church Road...
East (Hamilton), as shown on Appendix “A” to Report PED08226, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED08226, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(b) That the proposed changes in zoning conform to the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan.

(c) That staff be directed to charge hotels outside the area of Downtown Hamilton the industrial Development Charges rate ($4.33 per sq. ft - includes education of .11) and to include this revised classification in the next general Development Charges By-law update.

(d) That this application be subject to the current Development Charges By-law deferral provisions (5 years, debenture rate + .25% admin) and that the industrial rate charged reflect the rate at the time of building permit application.

CARRIED

15. Application for an Amendment to the City of Hamilton Official Plan and Hamilton Zoning By-law No. 6593 for Lands Located at 315, 337 and 351 Beach Boulevard (Hamilton) (PED08223) (Ward 5) (Item 6.6)

(McHattie/Ferguson)

(a) That approval be given to **Official Plan Amendment Application OPA-08-008, by Branthaven Beach House Inc., c/o Arden Semper**, for Official Plan Amendment No. ______, to amend Schedule ‘A’, of the City of Hamilton Official Plan, from “Commercial” to “Residential”, for the lands located at 315, 337 and 351 Beach Boulevard (Hamilton), as shown on Appendix “B” to Report PED08223, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED08223, be adopted by City Council.

(ii) 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 **amended Zoning Application ZAC-08-030, by Branthaven Beach House Inc., c/o Arden Semper**, for changes in zoning from the “C/S-1435” (Urban Protected Residential - One and Two Family Dwellings, Etc.) District, Modified, and “H/S-1435” (Community Shopping and Commercial, Etc.) District, Modified, Lawto Lawthe “RT-20/S-1593” (Townhouse-Maisonette) District, Modified, for the lands located at 315, 337, and 351 Beach Boulevard (Hamilton), as shown on Appendix “A” to Report PED08223, on the following basis:
(i) That the draft By-law, attached as Appendix “C” to Report PED082223, which has been prepared in a form satisfactory to the City Solicitor, and as amended by Committee on October 7, 2008, to remove section (iii) as these conditions have now been met, be enacted by City Council;

(ii) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the City of Hamilton Official Plan upon approval of Official Plan Amendment No.__.

(c) That upon finalization of the implementing By-law, the Hamilton Beach Neighbourhood Plan be amended to reflect the proposed changes.

CARRIED

16. Heritage Permit Application (HP2008-032) under Part IV of the Ontario Heritage Act to Make Alterations to City Hall, 71 Main Street West, Namely to Remove Marble Cladding and Install Concrete Cladding and Remove Curtain Wall Stainless Steel Caps and Install Aluminum Caps (PED08237) (Ward 2) (Item 8.2)

(Ferguson/Pearson)

(a) That heritage permit application HP2008-032 for the removal of marble cladding and the installation of concrete cladding and the removal of the existing stainless steel curtain wall caps and the installation of a new anodized aluminum curtain wall caps, be approved.

(b) That the following recommendations of the Hamilton Municipal Heritage Committee respecting heritage permit application HP2008-032 as advised at its meeting of September 11, 2008, be received:

(i) That the Heritage Permit Application submitted by the City of Hamilton with respect to renovations to the exterior of the Hamilton City Hall, namely the removal of marble cladding and the installation of concrete cladding and the removal of the existing stainless steel curtain wall caps and the installation of a new anodized aluminum curtain wall caps, be refused;

(ii) That since the original intent of the City Hall architect, Stanley Roscoe, was to produce an outstanding municipal landmark of quality materials, the Hamilton Municipal Heritage Committee would be pleased to approve marble cladding;

(iii) That the City be required to meet the same standards as are required of other owners of designated buildings in Hamilton; and,

(iv) That the Hamilton Municipal Heritage Committee is concerned that this Heritage Permit application is being forwarded to the M.H.C. in a
piecemeal fashion which prevents consideration of the renovation/restoration of City Hall in its entirety.

(c) That Report PED08237 be forward to the Hamilton Municipal Heritage Committee for information.  

CARRIED

17. Consultation on Minimum Property Standards for the Maintenance of Heritage Attributes of Designated Heritage Properties Under Parts IV and V of the Ontario Heritage Act (PED07239(a)) (City Wide) (Item 8.3) 

(Eisenberger/McHattie)

(a) That the draft By-law, attached as Appendix “A” to Report PED07239(a), amending By-law No. 03-117, Property Standards By-law, as amended, prepared by staff and reviewed by the City of Hamilton Municipal Heritage Committee, be approved.

(b) That the draft By-law, attached as Appendix “A” to Report PED07239(a), amending By-law No. 03-117, Property Standards By-law, as amended, be prepared in a form satisfactory to the City Solicitor for enactment by City Council.

(c) That notice of the passing of the By-law be published in a newspaper having general circulation in the City of Hamilton.  

CARRIED

18. Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application (ERG-08-03) – Confederation Park Shopping Centres II, 480 - 500 Centennial Parkway North, 20 Warrington Street, 5* ROADWAY OLCNR, MTO Lands, Hamilton (PED08232) (Ward 5) (Item 8.4)

(Pearson/Ferguson)

(a) That ERASE Redevelopment Grant Application ERG-08-03, submitted by Confederation Park Shopping Centres Limited II, owner of the property at 480 - 500 Centennial Parkway North, 20 Warrington Street, 5* ROADWAY OLCNR, and MTO Lands, Hamilton, for an ERASE Redevelopment Grant not to exceed $2,161,950 payable to Confederation Park Shopping Centres Limited II over a maximum of ten (10) years, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement.

(b) That the City enter into an ERASE Redevelopment Agreement with Confederation Park Shopping Centres Limited II regarding the terms and conditions governing the payment of an ERASE Redevelopment Grant for, and redevelopment of 480 - 500 Centennial Parkway North, 20 Warrington Street, 5* ROADWAY OLCNR, and MTO Lands, Hamilton, with such agreement to be satisfactory to the City Solicitor.  

CARRIED
19. Re-Establishment of the Taxi Reform Sub-Committee (item 9.1)
(Whitehead/Duvall)
That the Taxi Reform Sub-Committee be re-established to review the taxicab by-law provisions under current context, and to undertake a review of some of the emerging issues facing Hamilton’s taxicab industry.

CARRIED

20. Operational Review of the Development Engineering and Planning Divisions of the Planning and Economic Development Department. (Item 9.2)
(Whitehead/Duvall)
That an Operational Review be conducted of the Development Engineering and Planning Divisions of the Planning and Economic Development Department.

CARRIED

21. Review of specific tax classification for heritage building (added item)
(Clark/Bratina)
That staff review the options associated with a specific tax classification for heritage buildings, with a view to offering incentives to offset potential financial implications of the ownership of such buildings.

CARRIED

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes:

- added delegation request from Fred Losani, added as Item 4.6
- Item 8.2, respecting City Hall will be heard at approximately 1:00 pm, when Scott Stewart, General Manager of Public Works, is in attendance.
- Chair Whitehead asked the Committee if they would agree to moving Item 8.4, Erase Grant, ahead of Item 8.2 Heritage Permit application for City Hall.

The Agenda for the October 7, 2008, meeting of the Economic Development & Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Ferguson noted a conflict respecting Item 9.1, Re-establishment of Taxi Committee, as he is an investor in the industry.
(c) APPROVAL OF MINUTES (Item 3)

Minutes of the Economic Development and Planning Committee Meeting held on September 16, 2008 (Item 3.1)

The Minutes of the Economic Development and Planning Committee Meeting held on September 16, 2008 were approved, as presented.

Minutes of the Economic Development and Planning Committee Meeting held on September 22, 2008 (Item 3.2)

The Minutes of the Economic Development and Planning Committee Meeting held on September 22, 2008 were approved, as presented.

(d) James Webb of Webb Planning and John Voortman, wishing to address Committee at the October 21, 2008 meeting respecting Sale of City Lands Known as “0” Nebo Road, Hamilton, Part Lot 48, Registrar’s Compiled Plan 1470 in the Former Township of Glanbrook, now in the City of Hamilton to John Voortman (Item 4.1)

On a Motion (Mitchell/Pearson), Committee agreed to hear the delegation on October 21, 2008.

(e) Christine Cote of Confederation Park Shopping Centres Limited, wishing to address Committee at this meeting respecting their ERASE Redevelopment Grant Application on Centennial Parkway North which is Item 8.4 on the agenda (Item 4.2)

On a Motion (Mitchell/Clark), Committee agreed to hear a delegation from Christine Cote and Luc Piccioni today.

(f) Gail Stewart, respecting files ZAC-07-076 and OPA-07-019 for a development proposal on lands Located at 1031 Highway 52 North, Copetown (Ancaster) (Item 4.3)

On a Motion (McHattie/Clark), Committee agreed to hear the delegation at a future meeting.
(g) Edmond Rose, respecting files ZAC-07-076 and OPA-07-019 for a development proposal on lands Located at 1031 Highway 52 North, Copetown (Ancaster) (Item 4.4)

On a Motion (McHattie/Clark), Committee agreed to hear the delegation at a future meeting.

(h) Christopher McLeod, respecting files ZAC-07-076 and OPA-07-019 for a development proposal on lands Located at 1031 Highway 52 North, Copetown (Ancaster) (Item 4.5)

On a Motion (McHattie/Clark), Committee agreed to hear the delegation at a future meeting.

(i) Fred Losani, respecting Item 8.1, Glancaster Meadows (added delegation)

Councillor Mitchell advised that talks are continuing between the parties concerned and a delay of two weeks is being requested.

On a Motion (Mitchell/Pearson), Item 8.1, Glancaster Meadows, was tabled until October 21, 2008, and the delegation from Fred Losani was approved to address Committee at that time.

(j) Sheldon Palmer respecting his proposed modifications to the Property Standards regulations for rental properties (Item 6.1)

Mr. Palmer addressed Committee and gave an overview of the difficulties being faced by many residents in substandard rental properties. He explained some of the issues being faced by his family regarding the physical condition of their rented house. He explained how he had attended a landlord/tenant tribunal and that his landlord is presently going through the Property Standards process, respecting the many Property Standards violations on the property.

Mr. Palmer then spoke to his proposal for a Hamilton Rental Property By-law, and how this would be beneficial to landlords, tenants and the City.

Committee discussed the presentation and had additional information supplied by the delegate and by staff. Committee noted that the Municipal Act now permitted this kind of by-law, and that a report on rental housing, with a recommendation for a Community Liaison Committee, would be considered at Committee of the Whole on October 14, 2008.
On a Motion (McHattie/Clark), Committee received the delegation and referred Mr. Palmer’s draft by-law to Committee of the Whole on October 14, 2008, for their consideration, and to the Tenant Advisory Committee.

Councillor McHattie added that he would speak to Mr. Palmer after the meeting.

(k) Application to Amend Ancaster Zoning By-law No. 87-57 for the Property Located at 78-80 Southcote Road (Ancaster) (PED08225) (Ward 12) (Item 6.2)

Chair Whitehead 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 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.

Timothy Lee gave an overview of the report to Committee.

Nick Augerinos, the applicant’s agent, advised Committee that he supported the staff report.

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

Staff confirmed that the application is to facilitate the separate ownership of two existing residential units, and does not permit any intensification on the property.

Committee approved the staff recommendation.

(l) Application for a Change in Zoning for Lands Located at 516 and 520 Fifty Road and Block 185 of Plan 62M-987 (Stoney Creek) (PED08222) (Ward 11) (Item 6.3)

Chair Whitehead 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 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.

On a Motion (Pearson/Mitchell), Committee dispensed with the planner’s overview.

Melanie Pham was present to assist Committee.

John Ariens, IBI, the applicant’s agent, advised Committee that he supported the staff report.

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

Committee approved the staff recommendation.

Councillor Mitchell noted that Fifty Road is a major arterial, and becomes very muddy with all the construction dirt and debris from the surrounding area. He requested that better street sweeping be undertaken in the area, as water trucks are not sufficient.

Tony Sergi advised that a working group including members of the HHHBA, Public Works and Planning staff, is addressing this issue.

On a Motion (Mitchell/Pearson), appropriate staff direction was given.

Application to Amend Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 28 Lochside Drive, Stoney Creek (PED08227) (Ward 11) (Item 6.4)

Chair Whitehead 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 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.

Melanie Pham gave an overview of the report to Committee.

James Tarbut, the applicant’s agent, advised Committee that he supported the staff report.

Renzo Bandiera, 1 Lochside Drive, addressed Committee. His points included, but were not limited to, the following:

- no problem with subject application, lot is large enough to divide
- problem with increasing densities and intensification in area as a whole, particularly in the new subdivision
- smaller lots lead to difficulties in parking, cars parked on roads, overhang of vehicles across sidewalks
- if increased densities are approved, flood gates for further increases are opened
- please don’t ruin the area.

The Chair thanked Mr. Bandiera.

Committee approved the staff recommendation.

(n) Application to Amend Hamilton Zoning By-law No. 6593 for Lands Located at 1520 Stone Church Road East (Hamilton) (PED08226) (Ward 6) (Item 6.5)

Chair Whitehead 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 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.
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.

Joe Muto provided an overview of the report with the aid of a powerpoint presentation.

Peter Mercanti, the applicant and owner of Carmen’s, and Henry Merling, agent, addressed Committee in support of the application and provided further details, including, but not limited to the following:

- new hotel will be complementary to banquet facility, many customers are requesting adjacent hotel accommodation
- concept for hotel is 8 storey, but could be modified
- Business Plan prepared, hotel is a good proposal for the site and surrounding area
- Parking is only an issue occasionally, when banquet hall holds larger-than-normal events. Carmen’s continues to work with neighbours to address the issue, and make appropriate arrangements.
- New hotel should not exacerbate situation, as most people staying at hotel will be attending function at Carmen’s
- Capacity of Carmen’s is 1000 people, parking lot holds 200 spaces.

Jennifer Mason, 38 Bigwin Road, addressed Committee. Her points included, but were not limited to, the following:

- Bigwin a narrow road, becomes congested and potentially dangerous when events at Carmen’s take place
- Concern about access for emergency vehicles
- Concern about others using her parking lot
- Zoning regulations state 1 parking space per 6 persons, suggested this should be 1 parking space per 4 persons.

Staff explained that By-law revised in early 1980’s, all Places of Assembly need 1 space per 6 persons. This will be reviewed in new Comprehensive By-law.

Tim McCabe noted that his staff would be sent to check that proper radii for driveways exist along Bigwin, that signs could be posted if needed. Committee confirmed this as staff direction.

Councillor Jackson spoke in support of the proposal and suggested an amendment to permit new hotels to be charged the existing Industrial Development Charges rates.
Staff agreed that using a “classification” approach was a sound idea, and would avoid “bonusing” and that it should be extended to all hotels outside Downtown Hamilton, where different rates already apply.

Committee discussed the amendment, and on a Motion (Pearson/Ferguson), it was approved.

The Motion, as amended, was then approved.

(o) Application for an Amendment to the City of Hamilton Official Plan and Hamilton Zoning By-law No. 6593 for Lands Located at 315, 337 and 351 Beach Boulevard (Hamilton) (PED08223) (Ward 5) (Item 6.6)

Chair Whitehead 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 Official Plan 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 and 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.

Joe Muto gave an overview of the subject report, with the aid of a powerpoint presentation. He explained that the by-law was being revised as the applicant had fulfilled the conditions included in the draft by-law.

Mr. Muto noted that the site was the location of the Dynes Tavern, until its demolition, and noted that one letter of concern had been received. The issues raised in this letter could be addressed at the Site Plan Stage.

John Ariens, IBI, agent for the developer, addressed Committee in support of the staff report. His points included, but were not limited to, the following:

- concept is a “little village” enclave, maisonettes and townhouses, with some commercial adjacent to street
- agreed that appropriate recognition of Dynes Tavern would be included in the development
- positive use of site for urban intensification.

Robin McKee, 83 Leinster Avenue South, addressed Committee. His points included, but were not limited to, the following:

- acknowledged current developer did not demolish Dynes Tavern, but was former owner charged and convicted, and was fine paid?
- Noted many variances in application being requested.

Councillor Collins noted that the City is in court with the former owners on this issue.

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

Councillor Collins noted his support for another interpretive panel along the Beach Strip to recognize the Dynes Tavern, and that the new owner was eager to assist with this.

Committee approved the staff recommendation.

(p) Business Ambassador Program for Economic Development (no copy) (Item 7.1)

Neil Everson provided an overview of the new Business Ambassador Programme and showed Committee the video provided on the memory stick. He noted that all Councillors had been provided with six memory sticks.

Members of the Committee expressed their enthusiasm for the programme and thanked staff and the Jobs Prosperity Group for all the work which had gone into it.

On a Motion (Ferguson/Pearson), the presentation was received.

(q) Applications for Approval of a Draft Plan of Subdivision, “Glancaster Meadows Extension”, and an Amendment to Glanbrook Zoning By-law No. 464 for Lands Known as 245, 253, 269 and 298 Glancaster Road (Glanbrook) (PED08208) (Ward 11) (Item 8.1)

The Chair noted that this item had been tabled to the October 21, 2008 meeting.
Heritage Permit Application (HP2008-032) under Part IV of the Ontario Heritage Act to Make Alterations to City Hall, 71 Main Street West, Namely to Remove Marble Cladding and Install Concrete Cladding and Remove Curtain Wall Stainless Steel Caps and Install Aluminum Caps (PED08237) (Ward 2) (Item 8.2)

Ken Coit provided Committee with an overview of the report, with the aid of a powerpoint presentation. The permit application is to remove the marble cladding and stainless steel wall caps and replace these with concrete cladding and aluminum caps.

The staff report recommends that the permit be denied due to the loss of these important designated features and the fact that the proposed materials are inappropriate.

Chair Whitehead noted that a letter from Bill Curran and Rebecca Beatty, Hamilton Burlington Society of Architects, had been received and distributed to members. It was noted that Councillors had also received a letter from the project architects.

Committee discussed the matter in detail and had additional information supplied by staff. Issues raised by Committee included, but were not limited to, the following:

- was the use of marble costed in the process/ no, considered too expensive
- is marble and stainless steel an essential part of the designation of the building? / yes, a major one but many other elements included
- is marble a suitable material in this climate
- what will concrete and aluminum look like, will they be similar to the existing building
- will the concrete look similar to Union Gas building / yes, similar, but not exactly the same
- should all possible materials be priced before any decision is made
- should City Hall be demolished and rebuilt, to hold all downtown staff
- does this proposal respect the original Council decision to designate, and then to refurbish the building?

A Motion by Councillor Ferguson, seconded by Councillor Pearson was then put;

That Heritage Permit Application HP2008-032 be approved.

A Standing Recorded Vote was taken, as follows:

Yeas: Ferguson, Pearson, Whitehead, Duvall, Mitchell
Yeas: 5
Nays: Clark, McHattie, Bratina
Nays: 3
Absent: Eisenberger, Pasuta

The Motion Carried.

Consultation on Minimum Property Standards for the Maintenance of Heritage Attributes of Designated Heritage Properties Under Parts IV and V of the Ontario Heritage Act (PED07239(a)) (City Wide) (Item 8.3)

Michelle Sergi gave an overview of the staff report and explained the changes between the existing Property Standards By-law and the proposed new By-law.

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

Staff provided additional information, including the following:

- Enforcement staff currently reviewing enforcement practices, and priorities between the various by-laws, and will be asking all Councillors for their own priorities, then report back in November.
- Finance staff presently reviewing options including a tax classification for heritage buildings, to offset potential financial impacts of these properties.

Tim McCabe will ensure that this is included in 2009 Budget consideration.

Committee agreed with this approach, and passed a Motion, directing staff on the issue. Councilor Pearson requested her opposition be recorded.

On a Standing Recorded Vote, Committee approved the staff recommendation:

Yeas: Whitehead, Bratina, Clark, McHattie, Eisenberger
Total Yeas: 5

Nays: Duvall, Ferguson, Mitchell, Pearson
Total Nays: 4
Absent: Pasuta
Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application (ERG-08-03) – Confederation Park Shopping Centres II, 480 - 500 Centennial Parkway North, 20 Warrington Street, 5th ROADWAY OLCNR, MTO Lands, Hamilton (PED08232) (Ward 5) (Item 8.4)

Christine Cote, Smart Centres, and Luc Piccioni, RCI Consultants, gave an overview of the application. They explained how the remediation process would enable the construction of a new shopping centre, a $100 million investment in the City of Hamilton, and the creation of many new jobs, 850 of which are full-time.

Mr. Piccioni noted that they are using the risk assessment approach to remediation, not a full depth remediation, and that the grant requested is the largest in the ERASE Program’s history, at $2.1 million.

Committee discussed the application and raised points including the following:

- concern about loss of industrial land and increase in commercial development, more Big Boxes
- why Risk Assessment and not full depth remediation? Is this an adequate approach
- which approach does City program recommend.

Staff provided the additional information, including, the following:

- Council decision already made to develop site as commercial;
- required planning applications to be considered later, probably late Spring 2009
- City could consider a remediation policy as part of ERASE, at a higher standard than the Provincial regulations.

Councillor Clark expressed his disappointment that the Risk Assessment process is being used, and that he had understood that a full remediation would be taking place.

The applicant apologized for any miscommunication, but noted that they had always intended to use the Risk Assessment approach.

Committee approved the staff recommendation.

Councillor Clark requested his opposition be recorded.
(u) Motions (Item 9)

Councillor Whitehead introduced his Motion

(i) Re-Establishment of the Taxi Reform Sub-Committee (Item 9.1)

Whereas, Hamilton City Council, on July 10, 2001, approved the formation of a Taxi Reform Sub-Committee to deal with issues relating to municipal amalgamation and proposed reforms to the taxi industry;

And Whereas, based on recommendations of the Taxi Reform Sub-Committee, Hamilton City Council, on May 28, 2003, enacted a harmonized taxicab by-law with many of the provisions coming into effect in 2008 (5 years after the enactment of the by-law);

And Whereas, there are a number of current and emerging issues facing Hamilton’s taxi industry;

Therefore be It Resolved, that the Taxi Reform Sub-Committee be re-established to review the taxicab by-law provisions under current context, and to undertake a review of some of the emerging issues facing Hamilton’s taxicab industry.

Mary Hazell provided background on the matter, noting that the Sub-Committee had been formed after amalgamation, to deal with issues which had arisen then. It was now considered appropriate to re-establish the Sub-Committee, to deal with changing conditions in the industry, as well as the rights of passengers.

Committee approved the Motion.

(ii) Operational Review of the Development Engineering and Planning Divisions of the Planning and Economic Development Department (Item 9.2)

Committee approved the Motion.

(iii) Restructuring of the Economic Development and Planning Committee meetings (Item 9.3)

Chair Whitehead noted that the discussion item on the outcome of the Special Committee Meeting on September 22, 2008, to consider public input, had been held over, due to the number of items on today’s Agenda.
He asked if Councillor McHattie would agree to hold his Motion until this discussion took place.

Councillor McHattie expressed concerns about the delay in considering the outcome of the September 22, 2008 meeting.

Committee discussed the timing issue and how the matter should proceed.

The following Motion was moved by Councillor McHattie, seconded by Councillor Clark:

(a) That a Special Evening Meeting of Committee be convened, within the next 60 days, to review the input from the Special Public Meeting of September 22, 2008, and to consider appropriate changes;

(b) That staff be directed to advertise this meeting, and said advertising to include a summary of the suggested changes put forward at the meeting of September 22, 2008, and to request written public comment on these suggestions; and

(c) That staff include a summary of costs associated with the various suggestions.

A Standing Recorded vote was taken:

Yeas: McHattie, Clark, Bratina, Whitehead
Yeas: 4
Nays: Duvall, Ferguson, Pearson, Mitchell
Nays: 4
Absent: Eisenberger, Pasuta

The Motion lost on a tie.

Councillor McHattie then proposed his Motion:

Whereas Economic Development and Planning Committee meetings currently run 6-8 hours with the public meeting component being the substantive portion of the meeting;

And whereas, citizens wishing to speak at the public meetings are often required to take time off work due to the daytime nature of the Economic Development and Planning Committee meeting;
And whereas, due to the long meetings, citizens often have to wait for many hours before speaking;

And whereas, City Council is committed to improving public consultation via their new corporate strategic plan;

Therefore, be it resolved;

(a) That the Economic Development and Planning Committee meetings be restructured as follows and be in place for January 1, 2009:

(i) That the public meetings component be moved to evening meetings, every two weeks, and

(ii) That the policy and other reports component remain a daytime meeting, every two weeks or as required.

Committee discussed the issue in detail.

A Standing Recorded Vote was called:

Yeas: McHattie, Clark
Yeas: 2
Nays: Duvall, Bratina, Ferguson, Pearson, Whitehead, Mitchell
Nays: 6
Absent: Eisenberger, Pasuta

The Motion lost.

No other Motions were put.

(v) Notice of Motion (Item 10)

None
(w) General Information (Item 11)

(i) Licence plates for veterans who served in World War II or in Korean War (Outstanding Business list, due September 16, 2008) (Item 11.1)

Marty Hazell gave an update of his dealings with the affected parties. He explained he was waiting for information from the Provincial government, before reporting back.

He confirmed that the current situation is that those with Veteran’s plates can park without paying a fee.

(ii) Timing of decisions for applications considered at Public Meetings and Public Meeting respecting obtaining different ways of public consultation. (Outstanding Business list – referred to Committee - due October 7, 2008) (Item 11.2)

Tim McCabe confirmed that he would ensure that a two hour time slot for the discussion of the outcome of the September 22, 2008 meeting would be placed on an Agenda before Christmas.

(iii) Urban Braille for New Site Plans- Advisory Committee for Persons with Disabilities Report - (Outstanding Business list, due October 7, 2008) (Item 11.3)

Staff is working on this, and has discussed it with the ACPD. Staff will take revisions back to ACPD, before presenting the report to Committee, in January, 2009.

(iv) Proliferation of liquor licences in Westdale area (Outstanding Business list, due October 7, 2008) (Item 11.4)

This item is being transferred to the Zoning By-law reform group, to be included in the comprehensive review of zoning regulations. This will be brought forward in Spring 2009.

(v) News from the General Manager (no copy) (Item 11.5)

Mr. McCabe noted the following:

- successful first meeting of the Economic Development Advisory Committee, and encouraged all Councillors to attend meetings whenever possible
- Fifty Road/North Service Road proposed Visitor Centre – a delay encountered, due to need for adequate aboriginal contact

- No date yet for approval of Rural Official Plan, the expected September date has passed.

(vi) Other Items (Item 11.6)

Councillor Duvall, seconded by Councillor Clark, moved the following Motion:

Implementation of the Institutional Zones (Item 11.7)

That staff be directed to make a presentation at the October 21, 2008 Economic Development and Planning Committee regarding the implementation of the Institutional Zones, pursuant to the concerns raised by residents at the recent Economic Development and Planning Committee, on September 22, 2008

The Motion was approved.

(x) Private and Confidential (Item 12)

None

(y) ADJOURNMENT (Item 13)

(Pearson/Ferguson)

On a Motion, the Economic Development and Planning Committee adjourned at 4:30 p.m.

Respectfully submitted,

Terry Whitehead, Chair
Economic Development and Planning Committee