Present: Chair D. Mitchell
1st Vice-Chair T. Whitehead
Mayor F. Eisenberger
Councillors: B. Bratina, B. Clark, L. Ferguson,
B. McHattie, M. Pearson, R. Pasuta, S. Duvall

Staff Present: T. McCabe, General Manager – Planning and Development
T. Sergi, P. Mallard, E. John, D. Cuming, M. House,
D. Falletta, M. Hazel, V. Grupe– Planning and Development
J. Stephen – Public Works
L. Pasternak - Legal Services
A. Rawlings– City Clerk’s Office

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL:

1. Declaration of Surplus Property and Sale of City Owned Lands Described as Part 1 on Plan 62R-17874, Municipally Known as 291 Lodor Street, Ancaster (PED07237) (Ward 12) (Item 5.1)

(Pearson/Pasuta)

(a) That the subject lands municipally known as 291 Lodor Street, Ancaster, now in the City of Hamilton, being a vacant residential parcel, composed of Part 1 on Plan 62R-17874, having the dimensions of 7.62 meters (25.00 feet) by 15.24 metres (50.00 feet) attached as Appendix “A” to Report PED07237, 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.

(b) That the Real Estate Section of the Economic Development and Real Estate Division of the Planning and Economic Development Department, be authorized and directed to sell the subject lands, at fair market value of $4,000, to the abutting property owners, Nadia Christina Ostermeier and Matthew Poort, owners of 421 Lodor Street, in accordance with the “Procedural By-law for the Sale of Land”, being By-law No. 04-299.
(c) That the funds from the sale be credited to Account No. 47702-3560150100 (Sale Proceeds/Revenues) and as the sale price does not include the Goods and Service Tax, should the GST be applicable and collected by the City, the GST amount is to be credited to Account No. 22835-009000 (GST Payable).

(d) That in addition of the sale price of $4,000, that a Real Estate Administration fee of $1,500 be collected from the purchasers and credited to 47702-3560150200 (Sale Proceeds/Revenues).

(e) That the Mayor and Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 268 of the Municipal Act, incorporating the following:

(i) That as required by Section 3 (a) of By-Law 04-299, the subject lands be declared surplus by inclusion of this report to City Council.

(ii) An internal appraisal of the fair market value of the real property intended to be sold was completed on July 20, 2007 and the sale price falls in the range of value of the appraisal.

(iii) That in accordance with the approved method of providing notice in the City of Hamilton By-Law No. 04-299 “Procedural By-Law for the Sale of Land”, Section 12 (a) (6), notice to the public of the proposed sale of land is given by inclusion of this recommendation to City Council.

CARRIED

2. Demolition Permit – 671 King Street East (PED07235) (Ward 3) (Item 5.2) (Pearson/Pasuta)
   That the Director of Building Services be authorized and directed to issue a demolition permit for 671 King Street East in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.

   CARRIED

3. Demolition Permit – 669 King Street East (PED07233) (Ward 3) (Item 5.3) (Pearson/Pasuta)
   That the Director of Building Services be authorized and directed to issue a demolition permit for 669 King Street East in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.

   CARRIED
4. Demolition Permit – 38 Tisdale Street South - (PED07234) (Ward 3) (Item 5.4)
(Pearson/Pasuta)
That the Director of Building Services be authorized and directed to issue a demolition permit for 38 Tisdale Street South in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.

CARRIED

5. Demolition Permit – 550 Mountain Brow Boulevard (PED07227) (Ward 6) (Item 5.5)
(McHattie/Clark)
That the Director of Building Services be authorized and directed to issue a demolition permit for 550 Mountain Brow Boulevard in accordance with By-Law 74-290 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 $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

6. Demolition Permit – 3-5 Adams Street (PED07228) (Ward 3) (Item 5.6)
(Pearson/Pasuta)
That the Director of Building Services be authorized and directed to issue a demolition permit for 3-5 Adams Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.

CARRIED

Council – September 12, 2007
7. Demolition Permit – 144 Wilson Street - (PED07231) (Ward 2) (Item 5.7)
(Pearson/Pasuta)
That the Director of Building Services be authorized and directed to issue a demolition permit for 144 Wilson Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.
CARRIED

8. Demolition Permit – 146 Wilson Street - (PED07232) (Ward 2) (Item 5.8)
(Pearson/Pasuta)
That the Director of Building Services be authorized and directed to issue a demolition permit for 146 Wilson Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.
CARRIED

9. Demolition Permit – 52 Dundas Street – Dundas (PED07226) - (Ward 13)
(Item 5.9)
(Pearson/Pasuta)
That the Director of Building Services be authorized and directed to issue a demolition permit for 52 Dundas Street (Dundas) in accordance with By-Law 3499-84 pursuant to Section 33 of The Planning Act as amended.
CARRIED

10. City of Hamilton Support for 2010 Can-Am Police-Fire Games Bid
(PED07184(a)) (City Wide) (Item 5.10)
(Pearson/Pasuta)
That Report PED07184(a), City of Hamilton Support for 1020 Can-Am Police-Fire Games Bid, be approved.
CARRIED

11. Agricultural and Rural Affairs Advisory Committee April 26, 2007 (Item 5.11(a))
(Pearson/Pasuta)
That the Minutes from the Agricultural and Rural Affairs Advisory Committee meeting of April 26, 2007, be received.
CARRIED
12. Application to Amend the Flamborough Zoning By-law No. 90-145-Z for Lands Located at 245 4th Concession Road West (Flamborough) (PED07225) (Ward 15) (Item 6.1) (Ferguson/Pearson)

That Zoning Application ZAR-06-36, Pauline Waddington, Owner, to amend the current Agricultural “A” Zone to add an auto repair and servicing business as a temporary use for a maximum period of three years, for lands located at 245 4th Concession Road West, former Town of Flamborough, as shown on Appendix “A” to Report PED07225, be approved as follows:

(a) That a Temporary Use By-law be prepared, in a form satisfactory to the City Solicitor, to include the relevant sections from OMB Order 0328.

(b) That the applicants submit to the City of Hamilton a signed Letter of Understanding that they will cease the use of the auto repair and servicing business use at 245 4th Concession Road West, Flamborough, on or before September 24, 2010, and that they will not make any application to the City to extend the operation of the business beyond this date, all to the satisfaction of the General Manager of Planning.

(c) That the Temporary Use By-law not be presented to Council for passage until the Letter of Understanding has been received.

CARRIED

13. Application for a Change in Zoning for Lands Located at 611 Aberdeen Avenue (Hamilton) (PED07224) (Ward 1) (Item 6.2) (Ferguson/Whitehead)

That approval be given to Zoning Application ZAR-07-014, Anne Dragicevic on behalf of the Canadian Pacific Railway, Owner, for a change in zoning from the “K” (Heavy Industrial, etc.) District to the “K`-H” (Heavy Industrial, etc. - Holding) District, to add a Holding provision on lands located at 611 Aberdeen Avenue (Hamilton), as shown on Appendix “A” to Report PED07224, on the following basis:

(a) That the subject lands be rezoned from the “K” (Heavy Industrial, etc.) District to the “K`-H” (Heavy Industrial, etc. - Holding) District.

(b) That the amending By-law apply the Holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed zoning District. The Holding provision will prohibit the development of the subject lands until such time as all of the following has been completed to the satisfaction of the City’s Director of Planning:

(i) Provision of an adequate sanitary outlet to service these lands directly.
(ii) Dedication to the City, if required, of a portion(s) of these lands for road widening purposes.

(iii) Final approval of the West Hamilton Innovation District Secondary Plan. City Council may remove the ‘H’ symbol and, thereby, give effect to the “K” (Heavy Industrial, etc.) District provisions by enactment of an amending By-law once the conditions are fulfilled.

(c) That the draft By-law, attached as Appendix “B” to Report PED07224, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

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

(e) That upon finalization of the implementing By-law, the Chedoke Park Neighbourhood Plan be amended by re-designating the subject lands from “Utilities” to “Industrial”.

CARRIED

14. Application for a Change in Zoning for Lands Located at 112 Marion Street (Glanbrook) (PED07217) (Ward 11) (Item 6.3) (Ferguson/Pearson)

That approval be given to Zoning Application ZAR-07-026, by John Voortman Jr. and Dave Burtt, owners, for changes in Zoning from the Existing Residential “ER” Zone to the Residential “R1” Zone (Block 1) and the Residential “R1-226” Zone (Block 2), to permit the future development of three single detached dwellings on separate lots for lands located at 112 Marion Street (Glanbrook), as shown on Appendix “A” to Report PED07217, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED07209, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(b) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan and the Township of Glanbrook Official Plan.

CARRIED

That the Ministry of Environment Assessment and Approvals Branch of the Ontario Ministry of Environment be advised that should the Ministry approve the application CA-06-03, by 1520818 Ontario Inc. (O/A TD Services), applicant, for a Certificate of Approval for a future waste disposal/transfer facility at 332 Lake Avenue North, as shown on Appendix “A” to Report PED07221, that the City of Hamilton requests the following to be undertaken:

(a) That the Certificate of Approval includes the following requirements:

(i) That prior to receiving any waste materials, the proponent obtains site plan approval from the City’s Planning Division; a building permit from the Building Services Division; and completes construction of the proposed facility and all required site works; to the satisfaction of the Director of Planning, Planning Division, City of Hamilton.

(ii) That a sufficient bond be provided to the Province for financial assurance for the removal of any materials left on the site should operations end.

(iii) That the Certificate of Approval limits the maximum waste capacity to 250 tonnes daily. That any request for increase of capacity be contingent upon the proponent demonstrating that they have successfully operated the facility for a period of at least one year, operating at least 75% daily capacity, to the satisfaction of the Ministry of Environment. That any increase of capacity requires that the proponent reapply to the Ministry of Environment to amend any existing Certificate of Approval.

(iv) That the Certificate of Approval limit the maximum daily stored waste capacity to 37 tonnes daily and any additional stored volumes be subject to a future amendment to the Certificate of Approval.

(v) That the amount of any outside material storage be limited to 15 sq.m. in area, as shown on the proponents concept plan, because of the limited land area available due to site constraints.

(vi) That the waste streams be limited to solid residential (construction and demolition waste materials only) industrial, commercial and institutional waste. That no hazardous, liquid, food, medical or nuclear waste be accepted at this facility.

(vii) That the waste accepted be limited to waste generated from the City of Hamilton and surrounding regions in southern Ontario, and that no waste be accepted from the U.S.A.
(viii) That the Certificate of Approval includes a contingency plan that identifies an acceptable alternative disposal site to the City of Hamilton Taro Landfill, should this site not be available in the future.

(ix) That prior to receiving any waste materials at the facility that the proponent obtains written approval from the Chief Fire Prevention Officer, Hamilton Fire Services, that the constructed facility is in compliance with Parts 3 and 4 of the Ontario Fire Code.

(xi) That the proponent implements spills prevention on site and containment measures be included in the Certificate of Approval. That the contingency plans for spills on site and clean up procedures are covered under the Certificate of Approval and that the City’s Spills number (905) 540-5188 is included in the company’s on site Contingency Plan.

(xii) That a Ministry of Environment staff person be identified to the City as the contact for all issues and complaints regarding the subject property.

(xiii) That the proponent be required to create on-site infrastructure, including, but not limited to a containment dyke and pumping system, to contain all fire suppression water, in the event of a fire on-site.

(xiv) That the waste accepted shall not include any municipal or industrial sewage.

(xv) That the waste accepted shall not include any putrescible waste.

(xvi) That the use of the site as a waste disposal/transfer facility shall not create any odours.

(b) That a copy of Report PED07221 be forwarded to the Environmental Assessment and Approvals Branch of the Ministry of Environment for their consideration.

(c) That the Environmental Assessment and Approvals Branch of the Ministry of Environment be requested to forward a copy of its final decision respecting the Certificate of Approval to the Clerk, City of Hamilton.

CARRIED
16. **Anti-Idling Signage (City Wide) (PED07238) (Item 8.2)**  
*(Pearson/Pasuta)*  
(a) That Report PED07238, Anti-Idling Signage, be received.

(b) That the costs of producing and delivering the appropriate signage, as outlined in PED07238, be referred to the 2008 Budget process in order to ensure that the signs are put in place during 2008.  

CARRIED

17. **Trinity Neighbourhood Secondary Plan and Trinity Neighbourhood Collector Road Class Environmental Assessment (Wards 6, 9 and 11) (PED07236/PW07112) (Item 8.3)**  
*(Eisenberger/Clark)*  

a) That the General Manager, Planning and Economic Development be authorized and directed to put on hold the Secondary Planning process for those lands east of the Eramosa Karst area in the Trinity Neighbourhood;

b) That the General Manager, Planning and Economic Development be authorized and directed to undertake the Secondary Planning process for the lands west of the Eramosa Karst area and north of Rymal Road;

c) That the General Manager, Public Works be authorized and directed to suspend the Class Environmental Assessment process for the Trinity Neighbourhood Collector Road;

d) That the General Manager of the Public Works Department be authorized and directed to include $200,000 in the 2008 Capital Budget submission for a revised Transportation Master Plan for the ROPA 9 and Trinity Neighbourhood area.

e) The Planning and Economic Development and Public Works staff report back to Committee no later than its December 2007 meeting regarding all matters outlined in report PED07236/PW07112, including the position of the Premier’s Office respecting the transfer of the remaining Karst lands and whether it is advisable to resume the secondary planning and environmental work for the East Trinity Neighbourhood lands;

f) That a copy of Report PED07236 / PW07112 be forwarded to Premier Dalton McGuinty and that a formal request for transfer of the remaining karst lands in the Trinity Neighbourhood be sent by Council to the Premier’s Office.  

CARRIED
(Duvall/Bratina) 
That Hamilton LACAC Report 07-002 be received and that the recommendations be referred to the City Clerk’s Department, for inclusion in the future report respecting the workings of the revised Selection Process, in 2010.  
CARRIED

19. Improper Advertising of Student Houses in Ainslie Wood Westdale Area near McMaster University, and the areas surrounding the Mohawk College campuses  
(McHattie/Pasuta) 
That the City of Hamilton request the Ontario Real Estate Association, and the Hamilton-Burlington Real Estate Board, to consider the inclusion of the following clause in the real estate sale contracts in transactions involving all homes sold in the Ainslie-Wood Westdale area near McMaster University and around the Mohawk College campuses:

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.  
CARRIED

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR INFORMATION PURPOSES:

(a) CHANGES TO THE AGENDA (Item 1) 

The Clerk advised of the following changes:

- Item 12.1, respecting a matter currently before the Ontario Municipal Board, has been withdrawn from the Agenda by Legal staff 

- Three additional delegation requests, all to speak about Item 8.3, have been added under 4.0 Delegation Requests. 

The Agenda for the August 7, 2007 meeting of the Economic Development & Planning Committee was approved, as amended.
(b) DECLARATIONS OF INTEREST (Item 2)

There were none declared.

(c) APPROVAL OF MINUTES (Item 3)

Councillor Ferguson noted that during the Public Meeting on August 7, 2007, misinformation on his place of residence was given. Councillor Ferguson confirmed that he is a life-long, 55 year, resident of Ancaster, and requested that this added information be included in the Minutes.

The August 7, 2007 Minutes of the Economic Development and Planning Committee meeting were approved, as amended.

(d) Requests for delegation respecting Item 8.3 Trinity Neighbourhood Secondary Plan and Trinity Neighbourhood Collector Road Class Environmental Assessment (Wards 6, 9 and 11) (PED 07236/PW07112)

Vince Molinaro, President, Hamilton-Halton Homebuilders’ Association

John MacKenzie, Director, Real Estate, ORC

Brenda Johnson, Environment Hamilton

Joe Minor

Committee approved the delegation requests, to address them following the staff presentation on Item 8.3, later in the meeting.

(e) Consent Items

Committee discussed the matter of demolition permits and where it was appropriate to impose conditions requiring a building permit, before a demolition permit was issued. Staff clarified the current process and explained that The Planning Act allowed the imposition of these conditions, when considered appropriate by Council. Mr. McCabe explained that the staff reports would include, from now on, better information respecting the condition and situation of the properties where a demolition permit was being requested.
(f) Demolition Permit – 671 King Street East (PED07235) (Ward 3) (Item 5.2)

It was confirmed that Councillor Morelli, the Ward Councillor, is in favour of this demolition. Committee approved the application.

(g) Demolition Permit – 669 King Street East (PED07233) (Ward 3) (Item 5.3)

It was confirmed that Councillor Morelli, the Ward Councillor, is in favour of this application. Committee approved the staff recommendation.

(h) Demolition Permit – 38 Tisdale Street South - (PED07234) (Ward 3) (Item 5.4)

It was confirmed that Councillor Morelli, the Ward Councillor, is in favour of this application. Committee approved the staff recommendation.

(i) Demolition Permit – 550 Mountain Brow Boulevard (PED07227) (Ward 6) (Item 5.5)

Councillor McHattie proposed that the recommendation be amended, to require a building permit, prior to the demolition permit being approved. Committee approved the revised recommendation.

(j) Demolition Permit – 3-5 Adams Street (PED07228) (Ward 3) (Item 5.6)

Committee heard a delegation from Graham Darling, Gowlings, the lawyers for the Royal Bank, owner of the property. Mr. Darling explained that the house was in bad condition and should be demolished.

Committee then heard a delegation from Charles Firth, the contractor hired to carry out the demolition work. He confirmed that the building was in poor condition, and that the site would be left in a tidy state, after demolition.

Committee discussed the matter in detail. Committee approved the staff recommendation. Councillors McHattie and Clark requested their opposition be recorded.
(k) City of Hamilton Support for 2010 Can-Am Police-Fire Games Bid (PED07184(a)) (City Wide) (Item 5.10)

Councillor Whitehead praised staff for their work on this issue. Committee approved the staff recommendation.

(l) Application to Amend the Flamborough Zoning By-law No. 90-145-Z for Lands Located at 245 4th Concession Road West (Flamborough) (PED07225) (Ward 15) (Item 6.1)

A Public Meeting was held.

Chair Mitchell advised that added submissions had been received from the following people, and that these had been distributed to Committee this morning;

Dirk and Brenda Lammers
Neville Chamberlain
Renne Vene
Bruce Chappel
Daniel Ruth

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.

Doug Waddington, the applicant, and Ed Fothergill, the agent, addressed Committee in support of the application for a three year Temporary Use By-law. They provided details respecting the history of the business, the current operation, the Ontario Municipal Board Hearing and the process since the Board Order. Both confirmed that the business would cease operation by September 24, 2010.

Manfred Rudolph, the lawyer for the adjacent property owner, Mr. Gago, addressed Committee in opposition to the requested three year Temporary Use By-law. Mr. Rudolph gave details of the problems of an auto repair business in a residential area, difficulties for his client respecting the operation of the business, and explained that the application was in conflict with all the applicable planning documents.

No other members of the public came forward to address Committee on the matter.
Committee discussed the matter in detail and had additional information supplied by staff and the applicant’s agent. Committee explained the various methods by which they could ensure that the business would cease operation in September 2010, if a Temporary Use By-law was approved.

Committee approved a temporary use by-law for three years, subject to:

(i) the inclusion of the relevant conditions from OMB Order 0328; and

(ii) the submission of a letter of undertaking from the applicant, agreeing to close the business by September 24, 2010 and not to request any further extensions.

Committee directed that the Letter of Undertaking should be completed by the applicant and given to the City, with a copy to Mr. Rudolph, prior to the Temporary Use By-law being presented to Council.

(m) Application for a Change in Zoning for Lands Located at 611 Aberdeen Avenue (Hamilton) (PED07224) (Ward 1) (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.

Edward John outlined the report to Committee.

Sergio Manchia, Planning and Engineering Initiatives Limited, the applicant’s agent, advised that he supported the staff recommendation.

No members of the public came forward to address Committee.

Committee approved the staff recommendation.
Application for a Change in Zoning for Lands Located at 112 Marion Street (Glanbrook) (PED07217) (Ward 11) (Item 6.3)

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 and explained the revision to the recommendation.

James Webb, agent for the applicant, addressed Committee in support of the staff recommendation.

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

Committee approved the staff recommendation.

Chair Mitchell vacated the Chair to address the meeting. Council Pearson assumed the Chair.

Councillor Mitchell introduced Mr. Burtt, one of the applicants, and commended him for talking to the neighbours and holding their own public meeting, to explain the proposal.

Committee approved the staff recommendation.

Chair Mitchell resumed the Chair.
(o) **Minimum Property Standards for the Maintenance of Heritage Attributes of Designated Heritage Properties Under Parts IV and V of the Ontario Heritage Act (PED07239) (City Wide) (Item 7.1)**

Meghan House outlined the report to Committee, with the aid of a powerpoint presentation.

Committee discussed the issue in detail and had additional information supplied by staff. Committee expressed concerns respecting the powers outlined in the by-law. Staff confirmed that a report would be forthcoming respecting the list of properties of historical interest but not designated.

On a Standing Recorded Vote, Committee did not approve the staff recommendation.

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(p) **Application for a Certificate of Approval (Waste Disposal/Transfer Station)**

Ministry of Environment Reference 1339-69TRKK, 332 Lake Avenue North (Hamilton) (PED07221) (Ward 5) (Item 8.1)

Stan Holiday provided an overview of the application and the staff recommendation. He confirmed that the City is a commenting agency to the MOE, as part of the Ministry’s approval powers relating to Certificates of Approval, and is not the approval authority.

The applicant’s agent, Keith Hodges, addressed Committee in support of the application, and provided additional information about the existing and proposed activities on the site. Mr. Hodges responded to a number of questions from the Committee and introduced the owner of the business, Mr. Szabo.

Committee reviewed the proposal and considered additional conditions to be requested in any approval by the Ministry of the Environment. It was confirmed that Councillor Collins, the Ward Councillor, is opposed to this application.

Committee approved the staff recommendation, with the addition of further conditions. Councillor Clark requested his opposition be recorded.
(q) Anti-Idling Signage (City Wide) (PED07238) (Item 8.2)

Committee received the staff report and referred the matter of signage provision to the 2008 Budget process.

(r) Trinity Neighbourhood Secondary Plan and Trinity Neighbourhood Collector Road Class Environmental Assessment (Wards 6, 9 and 11) (PED 07236/PW07112) (Item 8.3)

Chair Mitchell advised that additional written submissions had been received from Brad Gatreau and residents, and from Rita Giuletti, and that these had been distributed to Committee today.

Vanessa Grupe outlined the history of the secondary planning process, including the details of the Karst area.

Jill Stephen outlined the process of the Class Environmental Assessment for the Trinity Neighbourhood Collector Road.

Vince Molinaro, Director of the Hamilton Halton Home Builders Association, addressed Committee and explained his organization’s concerns about the suspension of the Secondary Planning and Class Environmental Assessment processes. He requested that the staff report be delayed, so that he could fully consult his membership.

John MacKenzie, Director of Real Estate, Ontario Realty Corporation, addressed Committee and gave an overview of the ORC involvement in this matter.

Joe Minor addressed Committee and explained his concerns that additional studies of the area should be undertaken, particularly of the animal life in the caves. He proposed that the best use of the land is as an addition to the park. Mr. Minor also explained that the studies had been undertaken during 2007, when drought conditions prevailed and should be repeated in a year with more normal rainfall.

Brenda Johnson, Environment Hamilton, addressed Committee and endorsed the staff report. She noted that Council had the opportunity to do the right thing here, and to benefit future generations with the retention of the open space Karst area.

Committee discussed the matter in detail. Councillor Clark provided additional background and noted the need to expand and preserve the natural area. Committee reviewed the ways in which the matter could move forward.
Councillor Clark said that a political decision by the Province was needed, and that the Hamilton Conservation Authority would be meeting this week to discuss their position on potentially accepting the land from the Province.

Committee Clark proposed an amendment to the wording of condition (e), which was accepted.

Committee approved the staff report, as amended.

(s) **Hamilton LACAC Report 07-002, July 26, 2007 (Item 8.4)**

Committee considered the requests from Hamilton LACAC, and referred them to the Clerk’s staff for consideration in the follow-up report regarding the workings of the revised Selection process. Chair Mitchell confirmed that this report would be presented in 2010.

(t) **Improper Advertising of Student Houses in Ainslie Wood Westdale Area near McMaster University (Item 10.1)**

Councillor McHattie explained his proposal and Committee discussed the matter.

Committee agreed that the Motion letter should be addressed to both OREA and the Hamilton-Burlington Real Estate Board, and that Councillors McHattie and Whitehead should collaborate on the letter to these two groups.

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

Mr. McCabe addressed a number of items of interest.

(v) **Private and Confidential (Item 12)**

Chair Mitchell confirmed that the item respecting a matter before the OMB had been withdrawn from the Agenda by Legal staff.
ADJOURNMENT (Item 13)  
(Duvall/Bratina)  
There being no further business, the Economic Development and Planning Committee adjourned at 3:15 p.m.

Respectfully submitted,

David Mitchell, Chair  
Economic Development and Planning Committee

Alexandra Rawlings, Co-ordinator  
Economic Development and Planning Committee  
September 4, 2007