Economic Development and Planning Committee
REPORT 07-011
June 5, 2007
9:30 a.m.
Council Chambers
Hamilton City Hall

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

Absent: 1st Vice-Chair T. Whitehead – City Business
B. Clark – Personal Business

Staff Present: R. Marini, Acting General Manager – Planning and
Development
P. Mallard, B. Montgomery, T. Sergi, T. Horzelenberg,
P. Toffoletti, G. Macdonald, P. Moore – Planning and
Development
A. Zuidema, G. Kucyk – Legal
N. Everson – Economic Development
A. Rawlings – City Clerk’s Office

THE ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE PRESENTS
REPORT 07-011 AND RESPECTFULLY RECOMMENDS:

1. Demolition Permit – 2096 Barton Street East (PED07164) (Ward 4) (Item 5.1)

That the Director of Building and Licensing be authorized and directed to issue a
demolition permit for 2096 Barton Street East in accordance with By-Law 74-290
pursuant to Section 33 of The Planning Act as amended.

2. Convention Development Fund (CDF): Ontario Tourism (PED07168) (City
Wide) (Item 5.2)

That Report PED07168 be received for information.

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3. Commercial Property Improvement Grant Program (C.P.I.G.) Applications (PED07166) (Wards 1, 2, 3, 4, 6, 7, 13, 15) (Item 5.3)
   
a) That the applications recommended for approval and identified within Appendix ‘A’ to Report PED07166 be approved for funding according to the terms and conditions of the Commercial Property Improvement Grant Program (C.P.I.G.).

b) That applicants of properties with outstanding taxes be notified that a condition of the grant is that their property taxes must be paid in full prior to any grant monies being advanced for completed work, and that no grant funds will be paid out until the condition is met and, if the property taxes are not paid in full within one (1) year of the date of the Letter of Understanding entered into between the City of Hamilton and the applicant, that the grant will be considered void.

c) That unallocated grant monies resulting from taxes not being paid or applicants not proceeding with renovation of their properties, be utilized for future loan and grant programs administered by the Downtown Renewal Division for Hamilton’s Business Improvement Areas.

d) That the grant portion in the total amount of $217,119.41 be funded by Capital Project 8200703610.

e) That the Director of Downtown Renewal, Planning and Economic Development Department, be authorized and directed to approve increases/decreases to the individual grant amounts approved as long as the overall grant portion referenced in sub-section (d) above is not exceeded and said grant is in accordance with the program rules.

f) That the Director of Downtown Renewal, Planning and Economic Development Department, be authorized to approve a maximum extension period of one (1) year to applicants for the completion of works, over and above the one (1) year period applicants are given that commences the date Council approves their grant.

g) That staff be authorized and directed to prepare and execute Letters of Understanding with Council-approved applicants, with such Letter of Understanding being in a form satisfactory to the City Solicitor.

4. Transit (HSR) Passes for National Elite Development Academy Athletes (PED07158/PW07079) (City Wide) (Item 5.4)

(a) That Report PED07158/PW07079 respecting Hamilton Street Railway Passes for National Elite Development Academy (NEDA) Athletes be received.
(b) That the Transit Division be authorized to grant HSR Elementary/Secondary Monthly Bus Passes to the 24 National Elite Development Academy (NEDA) Athletes, at the McMaster Student Union University Transit Pass rate of $71.50 per year for the 2007-2008 academic year, and at such comparable rate for the University Transit Pass as may be approved by Council thereafter.

(c) That similar special requests from Tourism Hamilton for subsidized HSR Bus Passes not be approved by Council until it considers an overall policy for waiving Transit fees for these situations.

5. Minutes of Hamilton LACAC (Municipal Heritage Committee) April 26, 2007

   (Item 5.5(a))

That the Minutes of the Hamilton LACAC (Municipal Heritage Committee) for April 26, 2007 be received.

6. Minutes of Hamilton LACAC (Municipal Heritage Committee)(Special Meeting) May 15, 2007 (Item 5.5(b))

That the Minutes of the Hamilton LACAC (Municipal Heritage Committee) for May 15, 2007 be received.

7. Application for a Further Modification in Zoning for the Property Located at 269 King Street West (Dundas) (PED07162) (Ward 13) (Item 6.2)

That approval be given to **Amended Zoning Application ZAR-07-006, Lauren Woods, owner**, for a further modification to the Single-Detached Residential (R2/S-23) Zone, to permit a doctor’s office and other professional offices as additional uses on the ground floor of the existing single detached dwelling, on the property located at 269 King Street West (Dundas), as shown on Appendix “A” to Report PED07162, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED07162, which has been prepared in a form satisfactory to the City Solicitor, be forwarded to City Council for enactment.

(b) That the proposed zoning modification is in conformity with the Hamilton-Wentworth Official Plan and the Dundas Official Plan.
8. Application for a Change in Zoning for Lands Located at 17 Shoreline Drive (Stoney Creek) (PED07167) (Ward 11) (Item 6.3)

That approval be given to **Zoning Application ZAR-07-009, by Ralph Thorne, owner**, for a change in Zoning from the Rural Residential “RR” Zone (Block 1) and the Neighbourhood Development “ND” Zone (Block 2) to the Single Residential “R2-55” Zone, to permit the future development of three single detached dwellings on lands located at 17 Shoreline Drive (Stoney Creek), as shown on Appendix “A” to Report PED07167, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED07167, 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. 3, of Zoning By-law No. 3692-92.

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

9. Renaming of “Glover Access Road” to “Watercrest Drive” in the City of Hamilton (Stoney Creek) (PED07163) (Ward 11) (Item 6.4)

That approval be given to the following:

(a) That “Glover Access Road” be renamed “Watercrest Drive”, in the former City of Stoney Creek, as identified on Appendix “A” to Report PED07163.

(b) That the draft By-law, attached as Appendix “B” to Report PED07163, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

10. 2005/2006 Clean Air Hamilton Progress Report (PED07145) (City Wide) (Item 7.1)

That Report PED07145 respecting the 2005/2006 **Clean Air Hamilton Progress Report** be received for information.

11. 56 Windemere Road, Kevin Dhinsa (PED07149) (Ward 11) (Item 8.1)

That Report PED07149 respecting 56 Windemere Road be received for information.
12. Formation of Sink Holes on Property at 1020 Upper Paradise Rd. (LS07008) (Ward 8) (Added Item 12.2)

(a) That the City Solicitor be authorized:

(i) to ask the general liability insurer for the Tiffany Park Subdivision for permission to release to the property owner of 1020 Upper Paradise Rd. a copy of a Hydrological and Hydrogeological Assessment Report dated October 18, 2006 (the “expert report”), obtained by the City in contemplation of litigation; and

(ii) in the event that the said insurer gives such permission, to release the expert report to the property owner, upon such terms protecting privilege and confidentiality as the City Solicitor may require, solely for the purpose of making a claim under the Ontario New Home Warranty Program and/or for the purpose of commencing a proceeding concerning the subject-matter of the expert report.

(b) That Report LS07008 remain Confidential.

FOR THE INFORMATION OF COUNCIL:

(a) Changes to the Agenda

The Clerk advised of the following changes:

(i) Added Closed Session Report, respecting litigation or potential litigation, will be Item 12.1.

(ii) Two added Motions, will be Items 9.1 and 9.2

(iii) Item 8.2 has been withdrawn from the Agenda, as it was considered by Council on May 30, 2007.

Committee approved the Agenda, as amended

(b) Declarations of Interest

None
(c) Approval of Minutes

Committee approved the Minutes of the Economic Development and Planning Committee meeting of May 22, 2007.

(d) Alex Matheson, respecting his proposal “Going White for the Environment” (Delegation approved on May 8, 2007) (Item 6.1)

Alex Matheson addressed Committee. Mr. Matheson explained his concerns about climate change. He suggested that we could paint various surfaces white, to decrease absorption of heat and light, and reflect this heat and light back into the atmosphere. Mr. Matheson noted that this would be a cheap approach which was worth trying, as it could save energy. He suggested roofs of buildings, particularly flat roofs, would be good candidates, as well as parking lots, roofs of trucks and other surfaces.

Councillor McHattie welcomed the idea and noted that the new student housing building on Main West, where the CNIB used to be, and which was being built under the LEED certification programme was using a white roof. In addition, the Main West Plaza already has a white roof. Councillor McHattie added he would take the idea to City Housing Hamilton, for their consideration.

Councillor McHattie also asked Neil Everson to consider white roofs in the new Community Improvement Plan.

On a Motion (McHattie/Pasuta), Committee directed parking staff to report back on the feasibility of white parking lots, including information on the technical issues involved, potential temperature benefits, potential disadvantages and other relevant information.

Councillor Ferguson noted that the main surface product used in parking lots is asphalt, which is black, and that attempts to paint asphalt would lead to on-going problems.

Councillor Pearson thanked the delegation for his ideas and noted that it was difficult to find roofing shingles in light colours.

Councillor Ferguson added that since the cost of asphalt cement had doubled in the past year, the use of concrete for roads and parking lots was now more attractive, and that Highway 407 is constructed of concrete.

Tony Sergi advised Committee that the initial cost of concrete roads is higher, but that long-term maintenance is less than asphalt and thus the life-cycle costs are lower.
On a Motion, Committee received the delegation.

Chair Mitchell thanked the delegation.

(e) Application for a Further Modification in Zoning for the Property Located at 269 King Street West (Dundas) (PED07162) (Ward 13) (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.

Greg Macdonald outlined the report to Committee. He noted that the doctor’s office had existed in the building without any problems for over twenty years. He explained that the professional office use would continue to operate totally within the building.

Laurie Nelson, the agent for the project, addressed Committee in support of the application.

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

Committee approved the staff recommendation.

(f) Application for a Change in Zoning for Lands Located at 17 Shoreline Drive (Stoney Creek) (PED07167) (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.

Trevor Horzelenberg outlined the report to Committee, and explained that the proposal to create three lots for single detached homes is in accord with the Regional and Local Official Plans. He explained that shoreline protection works are required as a condition of approval.

The applicant’s agent, Jim Colalillo, addressed Committee in support of the application.

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

Committee approved the staff recommendation.

(g) Renaming of “Glover Access Road” to “Watercrest Drive” in the City of Hamilton (Stoney Creek) (PED07163) (Ward 11) (Item 6.4)

Chair Mitchell advised that this was a Public Meeting, to consider the re-naming of Glover Access Road, and that it had been advertised in the Spectator.

Paul Toffoletti outlined the report to Committee. He explained that a petition had been received from residents on the street, requesting a name change.

The petition indicated their preference for a residential-type name, to replace the industrial-type name.

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

Committee approved the staff recommendation.

(h) 2005/2006 Clean Air Hamilton Progress Report (PED07145) (City Wide) (Item 7.1)

Brian Montgomery introduced the report.
Brian McCarry addressed Committee and gave an overview of the report with the aid of a powerpoint presentation. A copy of the handout was provided to Committee.

Dr. McCarry explained the background to Clean Air Hamilton, noting that the Committee was formed in 1997 and included a broad group of stakeholders, from academia, City and Provincial staff as well as major industries. He thanked the City for their on-going financial support and explained that the group studied issues related to air quality and aimed to educate the public on these items.

Dr. McCarry indicated that the group presented an annual report and held a conference every two years. One of the main instruments used in their work is a mobile air quality monitoring vehicle.

He explained that there were three significant factors in air pollution: Particulate Matter (PM) and Nitrogen Oxides (NO₂), both of which can be generated locally and ground level ozone (O₃) which is not locally generated but is part of the general air movement from the south-west, particularly the Ohio Valley. He explained that while industrial sources produce air pollution, other major pollutants are fugitive dust and traffic emissions. There are significant health issues associated with exposures from living and working near major traffic corridors, and road dust, tracked out of industrial sites, also represents a significant health hazard.

Dr. McCarry thanked Council for passing the Anti-Idling By-law and explained some of the types of health problems associated with air pollution.

Committee discussed the issues and had additional information supplied by the speaker.

Dr. McCarry advised that there were a whole range of actions which could be taken to help address air pollution, at the various levels of government. He suggested a number including:

- car-share programmes
- properly tuned diesel engines
- smaller and fuel efficient cars and engines
- compact urban form
- more reliance on transit
- paving industrial access driveways
- wheel-washing for trucks
- better control of development sites
- more use of street sweeping

Dennis Corr, another member of Clean Air Hamilton, also addressed Committee and provided additional details of the mobile monitoring programme.
On a Motion (Duvall/McHattie), staff was directed to report back to Committee on the existing protocol on cleaning streets in areas of development and in industrial areas, and to provide options for better street cleaning, including, but not limited to, whether additional street sweepers are needed, should policy be changed to require better clean-up by builders and by industry, the issue of fees, and other relevant matters.

On a Motion (McHattie/Pasuta), Committee approved the following direction:

That the presentation by Clean Air Hamilton and staff be referred to Committee of the Whole, together with the staff report for background information.

On a Motion (Pearson/Pasuta), the staff report and presentation were received.

Committee thanked Dr. McCarry for his presentation.

(i) 56 Windemere Road, Kevin Dhinsa (PED07149) (Ward 11) (Item 8.1)

Paul Moore provided an overview of the staff report, and explained the recommendation not to waive the fee for the rezoning application.

Chair Mitchell asked Mr. Dhinsa to address Committee.

Mr. Dhinsa was not present.

On a Motion (Pearson/Pasuta), Committee approved the following:

That Committee consider the staff report on this item, in the absence of the landowner, in view of the fact that staff has tried on several occasions to contact him, and has been unsuccessful, and that staff be directed to advise the landowner of the decision on the matter.

Committee received the staff report.

(j) Applications to Amend the Stoney Creek Official Plan and for a Change in Zoning for the Property Located at 2247 Rymal Road East (Stoney Creek) (PED07143) (Ward 9) (Item 8.2)

Chair Mitchell confirmed that this item had been withdrawn from the Agenda, as it had been considered at Council on May 30, 200.
(k) Economic Impact Analysis for Flamborough Downs Horse Racing (Added Item 9.1)

On a Motion (Pasuta/ McHattie) Committee approved the following;

That staff from the Planning & Economic Development Department be authorized and directed to prepare a report, as expeditiously as possible, regarding the reduction of racing operations at Flamborough Downs, which is scheduled for June 30th, 2007. Further, that this report will include an examination of the need and related cost to conduct a detailed economic impact analysis of the consequences of this decision, and any further downsizing, to the City of Hamilton and the agro-business & tourism sectors.

(l) Proposed Community Improvement Plan for Ainslie Wood-Westdale (Added Item 9.2)

On a Motion (McHattie/ Pasuta) Committee approved the following;

That staff investigate and report back on the preparation of a Community Improvement Plan for the Ainslie Wood - Westdale area to assist with re-conversion of dwellings from student lodging houses to family homes through interest-free loans and other suitable mechanisms.

(m) Notice of Motions (Item 10)

None

(n) General Information (Item 11)

(i) Licence plates for veterans who served in World War II or in Korean War (From Outstanding Business list) (Item 11.1)

Ron Marini gave an update on the matter. He explained that due to the re-alignment of staff responsibilities, this project had been delayed.

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Committee approved a new date for presentation of the report, being Q4/2007.

Mr. Marini added that pending consideration of the report, there will be no parking enforcement respecting vehicles with these plates.

(ii) City’s approach to Economic Development (From Outstanding Business list) (Item 11.2)

Neil Everson gave an update on the matter and explained that a meeting was being held in late June with the writers of the letter.

Mr. Everson expected to bring a report in July, 2007.

Councillor Ferguson advised Committee that Stephenson Rentals, on the East Mountain, has just announced that it is staying in Hamilton, rather than relocating. He noted this was good for the City’s economy.

Councillor Pearson added that this was in large part due to the assistance provided by Economic Development staff.

Committee thanked Mr. Everson and his staff for their work.

(o) Matter respecting an Ontario Municipal Board matter (Private and Confidential) (Item 12.1)

Chair Mitchell advised that Legal Services was still working on the Ontario Municipal Board file, and would like to bring it to the Committee of the Whole on June 11, 2007.

By Motion, Committee accepted this change to the Agenda.

(p) Formation of Sink Holes on Property at 1020 Upper Paradise Rd. (LS07008) (Ward 8) (Added Item 12.2)

On a Motion, (Pearson/Pasuta), Committee moved into Closed Session to consider an item respecting litigation or proposed litigation, at 11:30 am.
On a Motion, (Ferguson/Duvall), Committee resumed in Open Session to consider an item respecting litigation or proposed litigation, at 11:39 am.

Committee approved an appropriate Motion.

(q) Adjournment

On a Motion, the Economic Development and Planning Committee adjourned at 11:40 a.m.

Respectfully submitted,

David Mitchell, Chair
Economic Development and Planning Committee

Alexandra Rawlings, Co-ordinator
Economic Development and Planning Committee
June 5, 2007