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

Absent: R. Pasuta – Personal business

THE ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE PRESENTS REPORT 08-021 AND RESPECTFULLY RECOMMENDS:

1. Demolition Permit – 24 Maryvale Avenue (Dundas) (PED08252) (Ward 13) (Item 5.1)

That the Director of Building Services be authorized and directed to issue a demolition permit for 24 Maryvale Avenue (Dundas) in accordance with By-Law 08-226 pursuant to the demolition control provisions of Section 33 of The Planning Act, as amended.

2. Demolition Permit – 520 Fifty Road (Stoney Creek) (PED08253) (Ward 11) (Item 5.2)

That the Director of Building Services be authorized and directed to issue a demolition permit for 520 Fifty Road (Stoney Creek) in accordance with By-Law 08-226 pursuant to Section 33 of The Planning Act as amended.

Council – November 17, 2008
3. **Demolition Permit – 69 Rockcliffe Road (Flamborough) (PED08254) (Ward 15) (Item 5.3)**

That the Director of Building Services be authorized and directed to issue a demolition permit for 69 Rockcliffe Road (Flamborough) in accordance with By-Law 08-226 pursuant to Section 33 of The Planning Act, as amended, subject to the following conditions:

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

4. **Demolition Permit – 54 Kirby Avenue (Flamborough) (PED08255) (Ward 14) (Item 5.4)**

That the Director of Building Services be authorized and directed to issue a demolition permit for 54 Kirby Avenue (Flamborough) in accordance with By-Law 08-226 pursuant to Section 33 of The Planning Act, as amended, subject to the following conditions:

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

5. Demolition Permit – 75 Valleyview Drive (Ancaster) (PED08256) (Ward 12) (Item 5.5)

That the Director of Building Services be authorized and directed to issue a demolition permit for 75 Valleyview Drive (Ancaster) in accordance with By-Law 08-226 pursuant to Section 33 of The Planning Act, as amended, subject to the following conditions:

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

6. **Demolition Permit – 189 Parkdale Avenue North (PED08257) (Ward 4) (Item 5.6)**

That the Director of Building Services be authorized and directed to issue a demolition permit for 189 Parkdale Avenue North in accordance with By-Law 08-226 pursuant to Section 33 of *The Planning Act* as amended.

7. **Hamilton’s Oil Sands Mission in Alberta (PED08260) (City Wide) (Item 5.7)**

(a) That one (1) member of Hamilton City Council be authorized and directed to attend the National Buyer/Seller Forum in Edmonton, Alberta, February 10 - 12, 2009.

(b) That the City of Hamilton exhibit in the Business Development Showcase at the 2009 National Buyer/Seller Forum accompanied by Hamilton manufacturing companies in order to secure new business from the Alberta Oil Sands Industry.

(c) And that either Councillor Ferguson or Councillor Whitehead be authorized to accompany the staff delegation.

8. **Town of Newmarket Resolution R1-2008 Re: Misuse of Disabled Parking Permits and Spaces (PED08251) (City Wide) (Item 5.8)**

(a) That Report PED08251 respecting the Town of Newmarket Resolution on the misuse of disabled parking permits and parking spaces be received for information.

(b) That the City Clerk be authorized to forward correspondence to the Clerk of the Town of Newmarket advising that the City of Hamilton supports the ethical philosophy of taking action to eliminate the misuse of disabled parking permits and parking spaces.

(c) That the item identified as “Correspondence from the Town of Newmarket respecting the misuse of disabled parking permits and parking spaces” be identified as complete and removed from the Economic Development and Planning Committee’s Outstanding Business List.
9. Update – Seasonal Proactive Enforcement Around Mohawk College and McMaster University (PED08262) (City Wide) (Item 5.9)

(a) That Report PED08262, Update – Seasonal Proactive Enforcement Around Mohawk College and McMaster University, be received for information;

(b) And that Report PED08262 be forwarded to the Police Chief and the Police Services Board for review and discussion.

10. Hamilton Municipal Heritage Committee September 25, 2008 (Item 5.10(a))

That the Minutes of the Hamilton Municipal Heritage Committee meeting of September 25, 2008, be received

11. Amendments to the City of Hamilton Licensing Code By-Law No. 07-170 (PED08261) (City Wide) (Item 6.1)

(a) That Report PED08261, respecting changes to the Licensing Code By-law, be received.

(b) That the proposed amending By-law attached as Appendix ‘A’ to Report PED08261, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

(c) And that staff be directed to consider the issue of regulating and licensing establishments selling non-prescription drug equipment, and to report back.


That approval be given to Zoning Application ZAC-08-016, by 259 Wilson Street Inc., owner, for changes in zoning to the Town of Ancaster Zoning By-law 87-57 from the Village Area “VA” Zone to the Holding-Village Area “H-VA-579” Zone, modified (Block 1), from the Neighbourhood Institutional “I1” Zone to the Holding-Village Area “H-VA-579” Zone, modified (Block 2), and from the Village Area “VA-503” Zone, modified to the Holding-Village Area “H-VA-579” Zone, modified (Block 4); additionally, that approval be given for changes in zoning to the City of Hamilton Zoning By-law 05-200, from the Neighbourhood Institutional “I1” Zone to the Neighbourhood Institutional “I1-16” Zone, modified (Block 3), in order to permit the future expansion of an existing office building onto lands to be transferred from 265 Wilson Street East to the owners of 259 Wilson Street East, as shown on Appendix “A” to Report PED08245, on the following basis:
(a) That the draft By-law, attached as Appendix “B”, as amended by the Committee on November 4, 2008, by the deletion of a condition respecting a proposed clearance needed for a tree, and the draft By-law attached as Appendix “C” to Report PED08245, which have both been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(b) That the amending By-law (Appendix “B”) be added to Schedule “B”, Map No. 2, of Zoning By-law No. 87-57.

(c) That the amending By-law (Appendix “C”) be added to Schedule “A”, Map Nos. 1174, 1175, 1228 and 1229, of Zoning By-law No. 05-200.

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

13. Applications for an Amendment to the Township of Glanbrook Official Plan and Change in Zoning for Lands Located at 1970 Rymal Road East (Glanbrook) (PED08244) (Ward 11) (Item 6.3)

(a) That approval be given to Official Plan Application OPA-08-007, by Multi-Area Development Inc., Owner, for Official Plan Amendment No. _____, to amend Schedule ‘I’, Rymal Road Secondary Plan Land Use Plan, to modify the “Local Commercial” designation in order to increase the maximum gross leaseable floor area of an individual commercial establishment and any group of Local Commercial uses, for lands located at 1970 Rymal Road East (Glanbrook), as shown on Appendix “A” to Report PED08244, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED08244, 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 Zoning Application ZAC-08-028, by Multi-Area Development Inc., Owner, for a modification to the Neighbourhood Commercial “C1-173” Zone in order to increase the maximum gross leaseable floor area for the entire site and for an individual commercial establishment, for lands located at 1970 Rymal Road East (Glanbrook), as shown on Appendix “A” to Report PED08244, on the following basis:

(i) That the draft By-law, attached as Appendix “C” to Report PED08244, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
(ii) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the Official Plan for the Township of Glanbrook upon finalization of OPA No. _____.


(a) That approval be given to Draft Plan of Subdivision Application 25T-200716, by Multi-Area Developments Inc., owner, to establish a Draft Plan of Subdivision known as “Summit Park - Phase 5”, on lands located within Part of Lot 5, Block 5, Concession 1, Geographic Township of Binbrook and Block 136, Registered Plan 62M-1033, in the former Township of Glanbrook, as shown on Appendix “A” to Report PED08249, subject to the execution of a City Standard Form Subdivision Agreement, including the conditions contained in Appendix “C” to Report PED08249, which were amended by Committee on November 4, 2008, respecting conditions 6, 13, 16 and 21, and the following conditions:

(i) That this approval apply to “Summit Park - Phase 5”, prepared by A.J. Clarke and Associates Ltd., and certified by Barry Clarke, OLS, dated March 10, 2008, as red-line revised showing 138 lots (Lots 1-138) for single detached dwellings, 1 block (Block 139) for low to medium density residential, 1 neighbourhood park block (Block 140), 3 blocks (Blocks 141, 142 and 143) for medium to high density residential, 1 local commercial block (Block 144), a road widening block along Rymal Road East (Block 145) together with the creation of five new streets (Streets “A” to “E”) and the extension of Pinehill Drive, and street widening Blocks 147 and 148 along Trinity Church Road, attached as Appendix “B” to Report PED08249;

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

(1) Any oversizing of the Pinehill Drive watermain.

(2) Any road oversizing of Pinehill Drive and Trinity Church Road.

(3) That the City will cost share 50% for the equivalent of a 1.5m high galvanized fence that runs along the north side of Block 139 and the east side of Lots 57 to 65 adjacent to the proposed City Park Block 140.
(4) 50% of the cost for all municipal underground services along the frontage of park block 140.

(5) The City’s share of the above ground municipal services along the frontage of park block 140.

(6) 100% of the Cost of any private services, if required, for the park.

(7) Any oversizing of storm sewer on Pinehill Drive between Trinity Church Road and Street A.

(iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the Planning Act, prior to the registration of the plan. The calculation of the Cash-in-Lieu payment shall be based upon the unit count, as shown on the Final M Plan, and the maximum permitted density for Blocks 139, 141-143, and 2% for the commercial block, minus the land credit related to the conveyance of Block 140; all in accordance with the Financial Policies for Development, and the City’s Parkland Dedication By-law, as approved by Council.

(b) That approval be given to Official Plan Amendment Application OPA-07-22, by Multi-Area Developments Inc., owner, for Official Plan Amendment No. ___, to amend portions of Schedule “I”, Rymal Road Secondary Plan Land Use Plan, from “Medium to High Density Residential” to “Local Commercial” (Block 1 on Schedule “A” of Appendix “E”), “Stormwater Management Area” to “Medium to High Density Residential” (Block 2 on Schedule “A” of Appendix “E”), “Service Recreational Commercial” to “Low to Medium Density Residential” (Block 3 on Schedule “A” of Appendix “E”), and to amend policies to permit limited live/work opportunities and to allow individual private accesses onto Trinity Church Road, of the Official Plan for the Township of Glanbrook, on lands located within Part of Lot 5, Block 5, Concession 1, Geographic Township of Binbrook, and Block 136, Registered Plan 62M-1033, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “E” to Report PED08249, 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.

(c) That approval be given to Zoning Application ZAC-07-087, by Multi-Area Developments Inc., owner, for changes in zoning from the General Agricultural “A1” Zone to the General Commercial “C3-249” Zone, modified (Block 1), Residential Multiple “RM4-251” Zone, modified (Block 4), Residential Multiple “RM3-253” Zone, modified (Block 7), Residential “R4-252” Zone, modified (Block
5), Public Open Space “OS2” Zone (Block 6), and Residential Multiple “RM2-250” Zone, modified (Blocks 2 and 3) to permit single detached dwellings, street and block townhouse dwellings, local commercial uses, a stormwater management block and public parkland, on lands located within Part of Lots 5, Block 5, Concession 1, Geographic Township of Binbrook, and Block 136, Registered Plan 62M-1033, as shown on Appendix “A” to Report PED08249, on the following basis:

(i) That the draft By-law, attached as Appendix “F” to Report PED08249, and as revised by Committee on November 4, 2008, with respect to removing a requirement for maintenance easements, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

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

(iii) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the Official Plan for the Township of Glanbrook upon finalization of Official Plan Amendment No. __, and Official Plan Amendment No. __, which implements City Initiative 08-K.

(d) That the “Summit Park - Phase 5 Urban Design Guidelines”, prepared by GSP Group and dated August 2008, as set out in “Appendix “G” to Report PED08249, be adopted by Council.

15. Applications for Approval of a Change in Zoning and Official Plan Amendment for Lands Located at 201 King Street East (Dundas) (PED08248) (Ward 13) (Item 6.5)

That the Public Meeting to consider the applications for an Official Plan Amendment and Zoning By-law Amendment for 201 King Street East, Dundas, be deferred until January 20, 2009, as requested by the applicant.

16. Application for a Draft Plan of Condominium Conversion, for Lands Located at 108 Creighton Road, (Dundas) (PED08247) (Ward 13) (Item 6.6)

That the Public Meeting to consider this matter be deferred until a future date in 2009, as requested by the applicant.
17. **VISION 2020 Sustainability Indicators Report 2008 (PED08228) (City Wide)** (Item 7.1)

(a) That Report PED08228 respecting the VISION 2020 Sustainability Indicators Report be received for information.

(b) That the report be forwarded to the 2009 Budget process, to guide decision making around Budget decisions.

18. **Golden Horseshoe Biosciences Network Funding Extension (PED08259) (City Wide)** (Item 7.2)

That Report PED08259, Golden Horseshoe Biosciences Network Funding Extension, to be received for Information.

19. **Sherwood Heights** (Item 9.1)

That staff be directed to review and report back on the existing zoning regulations for the Sherwood Heights subdivision which is the area along Mountain Brow Blvd. from Upper Ottawa Street to 344 Mountain Brow Blvd., with respect to the existing built form and restrictive covenants registered on title.

20. **Installation Of Cameras In Taxi Cabs** (Item 10.1)

WHEREAS, Hamilton City Council enacted the City of Hamilton Licensing By-Law No. 07-170 to have cameras installed in all taxicabs by May 29, 2008, and in April 2008 extended the installation date by six (6) months to November 29, 2008 to allow for a public meeting June 19, 2008 regarding a review of on-board safety requirements, including safety shields in taxicabs; and,

WHEREAS Hamilton City Council on October 15, 2008 re-established the Taxi Reform Sub-Committee to undertake a review of some of the emerging issues facing Hamilton's taxicab industry;

AND WHEREAS the Taxi Advisory Committee which is composed of taxi owners, operators and brokers fully supports a deferral motion to allow for a complete and comprehensive review of driver and passenger safety devices such as shields and cameras;

NOW THEREFORE BE IT RESOLVED, that staff be directed to prepare an amendment to the Licensing By-Law No. 07-170 to remove the camera installation requirement for taxis, subject to the completion of a comprehensive review including passenger consultation by the Taxi Reform Sub-Committee.
21. **Auchmar Estates, 66 Fennell Avenue West (Item AA on Outstanding Business List)**

That the matter respecting Auchmar Estates, and the Council direction for the preparation of a business plan, be referred to Community Services staff, for a report to Emergency and Community Services Committee, and removed from the Outstanding Business List.

22. **Tax Classification for Heritage Buildings (Item KK on Outstanding Business List)**

That the item relating to the consideration of a tax classification for heritage buildings be referred to Finance staff for a report to Audit and Administration Committee, and removed from the Outstanding Business List.

23. **Potential City-Wide Prohibition on Drive-throughs**

That the potential City-wide prohibition on drive-throughs be removed from the Outstanding Business List, as the matter will be included in the review of new policies within the Official Plan.

**FOR THE INFORMATION OF COUNCIL:**

(a) **CHANGES TO THE AGENDA (Item 1)**

The Clerk advised of the following changes:

- the applicant for Item 6.5, proposed storage facility at 201 King Street East, Dundas, has requested that Public Meeting be deferred until January 20, 2009

- the applicant for Item 6.6, proposed condominium conversion at Creighton Road, Dundas, has requested that Public Meeting be deferred until some future date in 2009.

On a Motion (Ferguson/Pearson), Committee agreed to the deferral of the two Public Meetings.
The Agenda for the October 21, 2008, meeting of the Economic Development & Planning Committee was approved, as amended.

Chair Whitehead welcomed former Mayor Bob Wade to the meeting. Chair Whitehead then welcomed a group of Mohawk College Planning students, who were attending the meeting as part of their course work.

(b) DECLARATIONS OF INTEREST (Item 2)

None, at the start of the meeting.

When Item 10.1, Notice of Motion respecting the installation of cameras in taxi cabs was considered, and was then considered as a Motion, Councillor Ferguson declared an interest as he is an investor in the taxi industry.

c) APPROVAL OF MINUTES (Item 3)

The Minutes of the Economic Development and Planning Committee Meeting held on October 21, 2008 were approved, as amended with regard to Item 14, conditions (f) and (d).

d) Lynda Zugec, The Workforce Consultants, respecting future partnerships between Hamilton businesses and graduate students (Item 4.1)

Committee approved the delegation to address them at a later date.

(e) Hamilton’s Oil Sands Mission in Alberta (PED08260) (City Wide) (Item 5.7)

Committee discussed the item in detail and had additional information supplied by staff. Neil Everson and Tim McCabe confirmed that this will be the third mission from Hamilton and that the visit will put local Hamilton fabricating companies in touch with companies in Alberta who need this kind of product and service. Mr. McCabe confirmed that attendance was included as part of the Economic Development Strategy, and that the report had been brought to Committee in order to include a Committee member in the delegation this time. Members noted their support of staff efforts in this area, and approved the attendance of either Councillor Ferguson or Councillor Whitehead.
(f) Update – Seasonal Proactive Enforcement Around Mohawk College and McMaster University (PED08262) (City Wide) (Item 5.9)

Councillor McHattie noted his support of this staff programme but noted his concerns that the activities of City staff and Hamilton Police Services were not yet effectively co-ordinated.

Committee approved an amendment to the staff recommendation.

(g) Amendments to the City of Hamilton Licensing Code By-Law No. 07-170 (PED08261) (City Wide) (Item 6.1)

A Public meeting was held.

Chair Whitehead advised the meeting that this matter had been advertised in the Spectator, as required by the City of Hamilton policies on advertising changes to the Licensing By-law. He asked anyone who wished to speak to Committee to come down to the podium, to address the matter.

On a Motion (McHattie/Pearson), Committee waived the staff presentation.

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

Vince Ormond and Marty Hazell were present to assist Committee with the report.

Committee asked whether staff could regulate the sale of non-prescription drug equipment. Staff noted that they could look at this and Committee passed appropriate direction.

Committee then discussed some of the details in the proposed by-law, including, but not limited to, the following:

- differences between the two types of adult video stores
- need to update protocols in Appendix B
- whether adult videos can be viewed
- whether signs warning about unprotected sex were appropriate in facilities which did not permit any sexual contact
- there are approximately 25 places which provide body rub type services, some in close proximity to homes or schools

Staff provided the following information:

- Public Health staff had requested the display of the warning signs respecting unprotected sex
- By-law introduces radial separation for new or relocating facilities
- The present by-law amendment addresses Adult Entertainment establishments which are licensed.
- Establishments which exist and provide body rub services but are unlicensed can be enforced under existing regulations, using staff and police enforcement.
- Staff is working on licensing requirements for body rub establishments.

Councillor Bratina and Councillor Clark expressed concerns that the proposed revisions to the By-law do not address the entire issue. Staff explained that they would be bringing further revisions to the Licensing By-law, in due course.

Committee approved the staff recommendation.

Councillor Clark requested his opposition be noted.

(h) Application for Changes in Zoning for Lands Located at 259 and 265 Wilson Street East (Ancaster) (PED08245) (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.

On a Motion (Pearson/Mitchell), Committee agreed to waive the planner's presentation.

Alvin Chan was present to assist Committee and advised of a minor change in the proposed by-law, made as the applicant has now satisfied one of the conditions. This condition is no longer necessary, as the tree in question is not a rare butternut tree, and therefore there is no requirement for Ministry of Natural Resources approval for its removal.
James Webb, 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, as amended.

(i) Applications for an Amendment to the Township of Glanbrook Official Plan and Change in Zoning for Lands Located at 1970 Rymal Road East (Glanbrook) (PED08244) (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 approval authority gives or refuses to give approval to the Official Plan Amendment and 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 approval authority gives or refuses to give approval to the Official Plan Amendment and 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 agreed to waive the planner’s presentation.

Steve Fraser, 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.
Application for Approval of a Draft Plan of Subdivision, “Summit Park, Phase 5”, and Amendments to the Glanbrook Official Plan and Zoning By-law 464, for Lands Located Within Part of Lot 5, Block 5, Concession 1, Geographic Township of Binbrook, and Block 136, Registered Plan 62M-1033, in the Former Township of Glanbrook (PED08249) (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 approval authority gives or refuses to give approval to the Official Plan Amendment and the draft plan of subdivision and 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 approval authority gives or refuses to give approval to the official plan amendment and draft plan of subdivision and 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.

Chris Bell provided an overview of the report, with the aid of a powerpoint presentation. He noted that the development would comprise 138 single lots, together with blocks for apartments, townhouses and live/work units. There would also be an extension to the park, and the provision of commercial space.

Mr. Bell explained that several conditions of draft plan were being recommended for revision, as shown on the two sheets which had been distributed at the start of the meeting.

He then noted that further revisions to the Zoning By-law were also being proposed.

Steve Fraser, AJ Clarke & Associates, addressed Committee in favour of the application and confirmed his agreement with the changes to the draft plan and by-law conditions.

Lorne Ellis, 31 Trinity Church Road, addressed Committee and requested further information on the item, and the development in the area, and a meeting with Councillor Mitchell.
Councillor Mitchell confirmed he would be happy to meet with Mr. Ellis, together with appropriate staff, to discuss the development.

Horst Felber, 68 Trinity Church Road, addressed Committee and applauded the good planning which had gone into the new development.

Committee asked various questions, including but not limited to, the following:

- timing and payment for the urbanization of other roads where new development taking place
- traffic impacts from the new development
- speed issues on area roads

Staff provided the following additional information:

- procedures respecting road urbanization and the identification of “missing links” in the system
- additional areas of commercial development in this development cannot proceed with the same zoning as that of the previous phase, until and unless an Official Plan Amendment is submitted.
- staff will meet off-line with Councillor Clark respecting speeding in the area

Committee approved the amendments to the conditions of draft plan and to the zoning by-law.

Committee then approved the staff recommendation, as amended.

(k) Applications for Approval of a Change in Zoning and Official Plan Amendment for Lands Located at 201 King Street East (Dundas) (PED08248) (Ward 13) (Item 6.5)

Chair Whitehead confirmed that this Public Meeting had been deferred until January 20, 2009, as requested by the owner. He noted there would be a full public re-circulation of the new date, and that the owner would change the date on the sign.

(l) Application for a Draft Plan of Condominium Conversion, for Lands Located at 108 Creighton Road, (Dundas) (PED08247) (Ward 13) (Item 6.6)

Chair Whitehead confirmed that this Public Meeting had been deferred until 2009, as requested by the owner.

He noted that no date had been established for the holding of the Public Meeting, but that there would be a full public re-circulation of the application.
Heather Donison, introduced the item and showed Committee a powerpoint presentation, which highlighted the main points in the report. A handout showing the slides from the presentation was distributed.

She noted that it was time to re-look at VISION 2020.

Members of Committee asked a number of questions of the presenter, including but not limited to:

- concern about loss of farmland, continued expansion of urban boundary, use of land for aerotropolis
- are indicators used on the report card representative of the current situation
- do higher densities in urban areas lead to problems in human behaviour
- have added areas of open space e.g. Eramosa Karst, been included
- are robberies really an indication of public safety, or lack of it

Staff provided the following additional information:

- the report card is a snapshot of present conditions
- several of the indicators need detailed review, updating to better reflect changing conditions
- all indicators have some drawbacks, but are used to get an overall picture of the City of Hamilton

On a Motion (McHattie/Clark), Committee referred the report to the 2009 Budget Process, to be used as guidance in decision making.

Committee then received the presentation and received the staff report, as amended.

Neil Everson introduced the matter and spoke briefly to the report. He then introduced the speaker.

Darlene Homonko gave an overview of the item and showed Committee a powerpoint presentation. Dr. Homonko explained the economic opportunities in biosciences for the three Regions the Network represented, being Hamilton, Halton and Niagara.
Members of Committee asked a number of questions of the presenter, and had additional information supplied by the presenter and by staff.

Committee received the presentation and received the staff report for information.

Chair Whitehead thanked Dr. Homonko.

(o) Sherwood Heights (Item 9.1)

Councillor Duvall spoke to the Motion.

Councillor Jackson, the Ward Councillor, addressed the Committee in favour of the proposal.

Committee approved the Motion.

(p) Joint School Closure/Public Acquisition Task Force (Item 9.2)

Councillor McHattie spoke to the Notice of Motion. He requested it remain as a Notice of Motion until the next meeting.

(q) Installation of cameras in taxi cabs (Item 10.1)

On a Motion (Pearson/Mitchell), the Rules of Procedure were waived to allow this item to proceed as a Motion. Councillor Clark requested he be recorded as opposed to the waiving of the Rules.

Councillor Ferguson declared a conflict as he is an investor in the taxi industry.

Councillor Pearson spoke to the Motion.

Marty Hazell gave an overview of the issue respecting the installation of safety features in taxi cabs, noting that the by-law date for the installation of on-board cameras had been extended from May 2008 to November 2008. However, as the issue of the installation of shields in taxis is still being reviewed with the industry, the date in the by-law must be addressed. He noted that Legal and Planning staff had agreed that removing the installation date from the by-law, and referring the entire matter of taxi safety to the newly approved Taxi Reform Sub-Committee could be preferable to delaying the date again.

Committee reviewed the matter and approved the Motion.
Councillor Clark requested that his opposition be recorded.

(r) **Waiving of fee for Lifting a Holding Provision, 3137 Highway 56, Binbrook (added Item)**

Councillor Mitchell read the following Notice of Motion:

WHEREAS, Council, on October 27, 2008, directed staff to review and prepare recommendations to assist in the retention and recruitment of physicians in the City;

AND WHEREAS Dr. Juriansz recently purchased property at 3137 Highway #56, in the Village of Binbrook, in order to relocate his medical office;

AND WHEREAS Dr. Juriansz has complied with all the requests of the City in order to make his medical office fully operational;

THEREFORE, be it resolved, that Council agree to waive the planning fee for lifting of the Holding Provision on lands owned by Dr. Juriansz, in Binbrook, to remove the last obstacle to then allow this Doctor to recruit a new practitioner to also work in this office.

Committee reviewed the matter.

Councillor Mitchell, seconded by Councillor Pearson, moved that the Rules of Order be waived, to permit the matter to proceed as a Motion.

Councillor Ferguson suggested that the matter remain as a Notice of Motion, to allow staff time to prepare comments on the issue, for the next meeting.

Councillor Mitchell and Councillor Pearson withdrew their Motion to waive the Rules.

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

**Update on Waterdown Bay OMB Decision**
Mr. McCabe ran through this recent OMB Order, and noted it was a positive result for the City.

**Brow Lands**
Mr. McCabe confirmed that the Special Meeting for the proposed development on the Brow Lands, planned for November 25, 2008, had been cancelled, as
there is further information to be supplied by the applicant. It will be re-scheduled in the New Year.

Appointment of Chris Phillips
Mr. McCabe introduced Chris Phillips, the new Senior Advisor, in his office, and provided Committee with a memorandum which outlined the duties of the new position. He emphasized the importance of the position, to drive “big-picture” department and corporate initiatives, and noted that one of the immediate priorities would be leading the team developing the framework for the Waterfront Development Corporation.

Committee welcomed Mr. Phillips.

(t) Outstanding Business Items (Item 11.2)
Committee reviewed the following items on the Outstanding Business List:

(i) Auchmar Estates, 66 Fennell Avenue West (Item AA)
Staff confirmed that Council had looked at this matter in August, 2008, and had set aside their previous direction, pending the completion of a business plan by Community Services.

On a Motion (Pearson/Mitchell), Committee agreed to refer it to Community Services staff for a report to Emergency and Community Services Committee.

(ii) Tax classification for heritage buildings (Item KK)
Committee informed that the Acting City Manager had confirmed that this was an item for review and report by Finance staff to Audit and Administration Committee.

On a Motion (Pearson/Mitchell), Committee approved an appropriate Motion.

(iii) Potential City wide prohibition on drive-throughs (Item G)
Staff confirmed that the item would be included in the consideration of the new Official Plan policies. The public meeting for the new Official Plan would be held in June, 2009.

Committee discussed the matter in detail.
Staff advised that a ban on drive-throughs cannot be City wide, but can be used in specific areas, such as the Downtown and in special character areas, and that it represents a big issue to the business community.

Councillor McHattie suggested that a full analysis of the drive-through issue is still needed, including considering input from the Public Health staff. Councillor Clark added that input was needed from traffic, health, and planning staff.

The removal of the Item from the Outstanding Business List carried on a Standing Recorded Vote:

Yeas: Whitehead, Pearson, Ferguson, Mitchell,
Total:  4
Nays: Clark Duvall, McHattie
Total:  3
Absent: Pasuta, Bratina

(iv) **Proliferation of liquor licenses in Westdale area (Item K)**

Staff explained that they had looked at the use of an Interim Control By-law and had concluded it was not an appropriate tool to deal with the issue. Mr. McCabe explained that such a by-law should be used to deal with zoning issues, and that liquor licenses were not a zoning matter.

Councillor McHattie noted that the City of St. Catharines has used an Interim Control By-law as a tool to deal with liquor licensing issues in their Downtown. Marty Hazell advised that staff is now reviewing the St. Catharines study.

Committee agreed to maintain the item on the OBL, pending a staff report on the matter.

Committee continued their discussion on the Outstanding Business List and how items were moved and removed from it.

Councillor Ferguson asked when there would be a staff report on key performance indicators, which had been requested a year ago. Mr. McCabe explained that this would be included in a report to COW on December 10, 2008.

Councillor Clark asked when a one-page report on the Airport lands would be coming forward. He noted that his request had been made when the
positions of the City and the Province were not in agreement and that his request was for a document to include the details of the Province’s viewpoint and the City’s viewpoint, to show how these differed.

Mr. McCabe responded that this would be part of a staff report on the Special Meeting of November 27, 2008.

Councillor Clark expressed his concerns about the delay, since things had changed since his initial request, and the opportunity to see the initial positions from both sides and how these may change through time had been lost.

(u) Private and Confidential (Item 12)

None

(v) ADJOURNMENT (Item 13)

On a Motion, the Economic Development and Planning Committee adjourned at 1:35 p.m.

Respectfully submitted,

Terry Whitehead, Chair
Economic Development and Planning Committee

Alexandra Rawlings, Co-ordinator
Economic Development and Planning Committee
November 4, 2008