

**Economic Development and Planning Committee**  
**MINUTES 07-008**  
**April 24, 2007**  
**6:30 p.m.**  
**Council Chambers**  
**Stoney Creek Municipal Service Centre**  
**777 Highway No. 8**  
**Stoney Creek**

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Present: Chair D. Mitchell  
1<sup>st</sup> Vice-Chair T. Whitehead  
2<sup>nd</sup> Vice-Chair M. Pearson  
Councillors: B. Bratina, B. Clark, S. Duvall, L. Ferguson,  
B. McHattie, R. Pasuta

Staff Present: L. Coveyduck, General Manager - Planning and  
Development  
T. McCabe, P. Mallard, P. Delulio, J. Hickey-Evans,  
C. Plosz, K. West, T. Horzelenberg – Planning and  
Development  
E. Switenky - Public Works  
A. Rawlings, I Bedioui – City Clerk's Office

**THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR INFORMATION  
PURPOSES:**

**(a) Changes to the Agenda**

The Clerk advised of the following changes:

- Revisions have been made to the Recommendation prepared by staff in Item 6.1 and copies have been distributed tonight.

- Two additional written submissions were received today and copies have been distributed to Committee. They are from:

- (i) Paul Glendenning, Hamilton, respecting Turtle Pond Development at Church and Teal Streets

- (ii) Karl Gonnsen, Metropolitan Consulting, 2290 Queensway Drive, Burlington, respecting Official Plan Amendments for Community Beach ponds

Committee approved the Agenda, as amended.

**(b) Declarations of Interest**

None

**(c) Official Plan and Zoning By-law Amendments for Community Beach Ponds – Lands Located in the Area Between Teal Avenue and Green Road and Between Church Street and Frances Street, Former City of Stoney Creek (PED07129) (Ward 10) (Item 6.1)**

A Public Meeting was held.

Joanne Hickey-Evans, Cathy Plosz and Kristen West outlined the report to Committee.

Cathy Plosz addressed the proposed changes to the staff recommendation, which had been distributed this evening. She explained that a blue spotted salamander had just been spotted on site, and DNA testing is necessary to determine whether this is a Jefferson salamander, an endangered species, or a regular blue spotted, which is uncommon. While waiting for the DNA testing to be completed, staff has proposed the amended recommendation.

Ms Plosz then presented an overview of the process to date, including examples of the mitigation measures included in the proposal. With the aid of a powerpoint presentation, Ms Plosz pointed out the ESA boundary defined by Dougan and Associates, the area of proposed development of the Church Street site, the environmentally sensitive area, and various photographs of the area.

Continuing with the powerpoint presentation, Kristen West showed the properties owned by both school boards and provided an overview of the proposed zoning. She noted that the proposal conforms with surrounding development and with the Stoney Creek Official Plan, and while the proposal meets the minimum lot area, some modifications are required.

Chair Mitchell explained that Committee would hear first from the people who have asked to be placed on the Speakers' List. Following that, Committee would hear from other speakers from the audience

Ms. West provided a background of the three land ownerships in the area, namely, the City of Hamilton, the Public School Board and Church Street

Developments. Church Street Developments is proposing to buy the land currently owned by the Hamilton Catholic School Board. She also explained that the consultant engaged to carry out the work on the ESA, Dougan and Associates, is an ecological consultant on the City's roster.

Ed Switenky, Public Works, provided an overview of the traffic analysis, noting that 42 units will generate 19 trips in the morning and 25 trips in the afternoon, and that a School on the property would generate more traffic. He noted that the existing area has been developed without sidewalks, which is common in this type of area.

Mr. Switenky advised that his department was satisfied with the proposal from a traffic viewpoint.

Ms. West continued that the proposed development represents appropriate residential development, under the Provincial policies, as well as those in the Official Plan. She noted that the ESA would be properly protected, through the conditions of the development.

Ken Ursic, an Ecologist with Dougan and Associates, Ecological Consulting Services who prepared the Community Beach Ponds Environmental Impact Study addressed Committee.

His comments included, but were not limited to, the following:

- the intent is to protect Buttonbush swamp, and the EIS proposes mitigative measures to reduce the development's impact.
- area currently is a Migratory birds' stop-over, there has been extensive study of birds, concluding that the area is on par with Fifty Point Conservation Area. The mature forested area of the site is important.
- The area where the nest of the black-crowned night heron was found will be retained.
- Numerous recommendations have been presented in the EIS to offset impact of development.

Committee then discussed the EIS and the procedure followed for the evaluation of the ESA. It was noted that the Hamilton Conservation Authority and ESAIEG support the proposal.

Councillor McHattie requested information on the original size of the ESA, the size of the ESA recommended by the Dougan report, and the size of the ESA in the current plan. Ms. West agreed to send the information to the Councillor.

Staff confirmed that the required Storm Water Management plan had not yet been submitted.

On questions from Committee, staff provided clarification on the revisions to the staff recommendations. Staff explained that should any major changes be needed, another public meeting would be required.

Committee then discussed the importance of the wetland and how it was reviewed. Staff advised that the Hamilton Conservation Authority had commented on behalf of the Ministry of Natural Resources, and did not indicate that this was a Provincially significant wetland.

Staff provided details of the existing zoning, and advised that if the application is denied, a school, library or police station could be built, and while through Site Plan approval, an EIS would provide mitigative measures to the environment, there would be no public input required.

Staff added that the original boundaries of the ESA were recommended by the Hamilton Naturalist Club. This inventory is done every ten years, however, changes occur in natural areas within short time frames, and that such areas may be affected by particularly dry or wet weather, as well as by human interference. As part of the development proposal, a stormwater management plan would be required.

Staff also explained the use of different sized buffers from different environmental features, explaining that buffers differ according to the habitat and the proposed development, with larger buffers being used in escarpment areas, the Dundas Valley or Beverley swamp, and smaller buffers for small woodland areas.

Committee requested copies of the E.I.S.

John Ariens, Vice President of Planning and Engineering Initiatives addressed Committee, on behalf of the Church Street Developments, in favour of the proposal.

He explained that he represents Church Street Developments who wish to purchase the land from the Separate School Board. Mr. Ariens said that his client agrees to donate the environmentally significant portion of the land to the Conservation Authority or the City, and explained that his client has agreed to trade off, to remove some trees but plant more trees elsewhere on the site.

In response to questions from Committee, Mr. Ariens confirmed that Sergio Manchia, from PEIL, is a Separate School Board Trustee, as well as a member of the Hamilton Conservation Authority Board, and that Mr. Manchia has declared a conflict of interest in these areas. Mr. Ariens supported the staff recommendation.

The Chair addressed the members of the Public and stated that in accordance with the provisions of the Planning Act, the following points should be noted:

- (a) If a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before the Official Plan Amendment is approved and/or 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.

Chair Mitchell invited the speakers who had already asked to be placed on the speakers' list to come forward and address Committee. He noted that any other members of the public could address Committee following that.

**1. Sherry Revesz, Community Beach Turtle Ponds Association**

Ms. Revesz addressed Committee and expressed her opinion and concerns regarding the proposed Development. These included, but were not limited to;

- attended the Open House and was told whether you like it or not the development will happen
- inconsistencies from City staff and the developer
- the ESA designation was removed by the City
- the school boards should be responsible for the environment
- if the Boards are strapped for cash they still don't have the right to use our monies against us
- Mr. Manchia said he had found a loop hole, and addressed Committee on behalf of his client, and said that the ESA designation should be rescinded due to a circulation error
- Does his declaration of interest exclude him from this issue?

At this point, Ms. Revesz agreed to provide a list of her questions to Clerk's staff, to be forwarded to Planning staff for response.

- Has Mr. Manchia declared a conflict of interest as a school board trustee, as a planner, and as a member of the Conservation Authority?
- There are rare species in the forest – she brought forward evidence of the existence of salamanders last February – why wasn't Dougan and Associates informed?
- Dougan's report is a migratory bird report only, not a full environmental study
- No mention of the breeding swans, no mention of the SARA – the species that live in the pond that would be protected under the Species at Risk Act
- Dougan stated that the new boundaries were given to them and they based their research on those boundaries but also indicated they would have liked to do more research on this property
- The Hamilton Conservation Authority admitted to her that some pertinent information was not included in the Dougan Report
- Meeting with City staff saying that these lands were never designated ESA – staff said ESA not legal due to circulation error, and couldn't show legal advice because of solicitor-client privilege
- Requested decision under FOI – legal staff stated their advice was not sought
- Members of Hamilton Conservation Authority are surprised the lands are not designated
- The Hamilton Conservation Authority didn't purchase lands when declared surplus by the School Board because they thought they were already protected
- Residents couldn't get a meeting with ESAIEG, but ESAIEG had a tour with Mr. Manchia and the developers
- Councillor Pearson told her that the developers have put in two years and a lot of money already
- There are more important things in life than money
- There was a big error in the circulation for the ESA – was this land ever subject to an official plan amendment? The answer was no, since the process was not done correctly
- the birds that migrate use up the whole area, not just the ponds
- the man made pond has swans, ducks and heron breeding there – but residents were told it is not significant because the pond is man made

- salamander was found on Catholic School Board site
- regardless of designation, these are significant natural heritage lands
- Ms Revesz requested Committee to reject by-law change. She then distributed photos of the roads in the area, showing that there are no sidewalks, and added that the development will put children in jeopardy.

A copy of the photographs were provided to the Clerk for the public record. Ms. Revesz concluded her remarks at 8:45 pm.

Chair Mitchell thanked the speaker. Committee then discussed the issues raised.

Councillor Pearson asked for clarification of what would be required if the school boards decided to build a school in the area and staff responded that site plan control would be implemented including the submission of an EIS, but there would be no public consultation process. The ESA lands could be turned over to a public agency, as part of the site plan process.

Staff confirmed that in 2004, the original OPA that was passed was passed in error and there was no doubt about the fact that it is not legal. As the proper planning process was not followed, the OPA was not legal.

Ms. Revesz expressed her concerns about the entire ESA process.

Councillor Pearson noted that the Province has passed a requirement that the School Boards need to sell their surplus lands before they get the needed funding for the construction of new schools.

Tim McCabe explained the operation of the Planning Act respecting development applications. He noted that an applicant has a right to appeal to the OMB if the Council decision is to deny the application, or if no decision is made within 180 days of the receipt of an application. Mr. McCabe added that if Council refuses the application, outside planners would have to be engaged to support the Council position at the OMB. In addition, City staff would be subpoenaed to testify in support of the application.

The Chair asked Ms Revesz to submit a copy of her comments, and she said she would submit them to the Clerk by e-mail.

In response to questions from Committee, staff advised that the Forestry staff comments are with respect to trees along the municipal road allowance only, and not to trees within the site.

Mr. McCabe cautioned Committee that the issue of potential conflict of interest is not up to the City to investigate, and that any concerns should be forwarded to the School Board, the Hamilton Conservation Authority, and CIP.

**2. Alexandra Bennett, 23 Church Street, Stoney Creek**

Ms. Bennett addressed Committee and expressed her opinion and concerns regarding the proposed Development. These included, but were not limited to;

- Why was it necessary for the ESA to be redefined? Was it left out of the OP to permit development? Was it declared a surplus before 1997?
- Asked that Committee reject the application.

Ms Hickey-Evans stated that staff were being proactive, since staff knew that the lands would be declared surplus. In addition, the City owned some of the lands, so it was appropriate to carry out the work. She also confirmed that the ESA was refined and not re-defined and that the site was declared surplus in 2004 by the Catholic School Board. Mr. McCabe added that the City advised the Board that it had no interest in purchasing the land, in June 2004.

**3. Rolph Langer, 23 Church Street, Stoney Creek**

Dr. Langer addressed Committee and expressed his opinion and concerns regarding the proposed Development. These included, but were not limited to;

- concern that PEIL contributed to Councillor Pearson's campaign, and there was a question of conflict
- former Mayor Dilanni was under pressure for development
- development of townhouses will set a precedent for more townhouses, unsuitable development in a single family home street.

Councillor Pearson, responded that she did not remember the contribution, but that she does accept donations and is not swayed by a contribution of \$750.00. She supported the report because it is recommended by staff, and there is no collusion or conflict.

Dr. Langer asked if this is a decision that has already been made by staff? Or are the elected officials going to make the decision?

**4. Stacey Long, 111 Teal Street, Stoney Creek**

Ms. Long addressed Committee and expressed her opinion and concerns regarding the proposed Development. These included, but were not limited to;

- serious concerns regarding the designation of the ESA
- the new OPA removed the designation
- land has been sold to developers, after the developer's good fortune to discover a circulation error
- school boards took full advantage of situation
- asking Councillors to do the right thing and reinstate status of environmentally sensitive land

**5. Carol McPhail, 3-76 Frances Avenue**

Ms. McPhail addressed Committee and read a letter from Wayne Marston, MP, to the Mayor. A copy of the letter was given to the Clerk for the public record. The letter indicates that:

- Mr. Marston supports the protection of the 8 acres of the Beach Ponds
- He states Community Beach pond has been recognized as an environmentally significant area by the Ministry of Natural Resources and is an ANSI of local significance
- He wants to meet with the Community and the Mayor to discuss this issue
- Jennifer Mossop also supports the residents' efforts in saving these lands.

Ms. McPhail said the salamanders and other animal species use the whole area, not just the proposed protected area.

Councillor Clark asked the speaker if Jennifer Mossop's government would agree to a land swap. She responded she will ask and let Committee know.

**6. Dennis Trinaistich, Lawyer for the Community Beach Ponds Turtle Association**

Mr. Trinaistich addressed Committee and expressed his opinion and concerns regarding the proposed Development. These included, but were not limited to;

- The association is opposed to the 2 applications, the subject one and the adjacent application which will be considered at a later time

- Both applications have much in common
- The City and Conservation Authority have declined to purchase the sites when they were declared surplus by the School Boards
- If the Conservation Authority or other agencies had been informed that the lands were not protected by an ESA, then they may have come to a different decision
- It was because of an error on the part of the City
- The more advanced application is from Church Street Development Inc (purchaser for the Separate School Board land)
- The other application is from the public school board
- The study by Dougan and Associates is not tied to any one property
- Only a 5 metre vegetation buffer proposed
- The notice of the application states that the area is environmentally sensitive
- The fact that it could be developed as a school site is a non starter because the school board has already declared it as surplus land
- The public school board application is less advanced – notice says to preserve an ESA
- No application has been filed to amend the Official Plan
- No notice of public meeting as yet on the public school board site, but both should proceed together, if they proceed at all
- City has proposed amendments to the 2 current OP's (Region and Stoney Creek) to introduce an ESA on small parts on the 2 school board lands and a large part on the City's land, but City is doing it backwards
- Curious that the City wants this to occur – the City feels it is doing something positive not negative – the speaker refers to it as the City's OPA
- The notice is to delete the existing pond and open space and parks designations and replace with a Pond and class A designation
- The City gives the appearance it is upgrading the ESA – but proposal is to make it a smaller area
- Regional OPA 12 added a number of new ESA's to the Regional Plan in April 2003
- In April 2005 it was "out the door"
- Today's meeting is April 2007
- Regional OPA 13 corrected the locations
- Regional OPA 24 identifies Community Beach Pond as an ESA

- All the different designations, and the process, create confusion and this area should be protected, valued and enhanced (not developed)
- Term ESA is defined in OPA 24 – an area that meets at least one of the listed criteria – the Turtle pond would qualify but it is not designated as such – this causes confusion
- Concern that the requirement in the Stoney Creek Official Plan for a Secondary Plan for this part of the Lakeshore District has not been addressed or completed. He considered that if correct “Alternate Use Policies” had been correctly followed, townhouses would have been prohibited.
- In his review, it appears that the school boards sites were originally designated as ESA sites but apparently later removed, and if OPA 115 had done what OPA 97 had done, the school board lands would have been designated as environmentally sensitive
- Referred to the staff report which states that the change was due to an objection from Church Street Developments
- The policy requires a secondary plan for the whole area, but only a neighbourhood plan done. The absence of this secondary plan deprives his clients from the benefit of the alternate use policies.
- Noted that Environmentally Sensitive Area designations are based on science, and that if it was good planning and scientific evidence to put them in then why leave them out later?
- The firm of Dougan and Associates was retained to support the townhouse projects, but the EIS is flawed and should not be used to support the ESA or support the development, it should be peer reviewed
- Questioned the statement by John Ariens that he is confident that the ESA boundary will not change significantly
- His clients have an option to go the OMB, they can apply to designate the sites as ESA
- Urged Committee to work to find a solution to the issues, not to accept the staff position
- Outlined the Committee’s alternatives – deny, table for more information, request both site plan application and storm water management plan
- He disagrees with alternatives for consideration in the staff report, said applications are premature
- City Council should right the wrong of April 2003 and 2005, initiate a secondary plan for this area, undertake a new EIS with a peer review, require a Storm Water Management Plan upfront, require an Official Plan Amendment application, require the site plan process to be public, and consider both applications simultaneously.

- He challenged the triple bottom line section of the report and said that the recommendation is bad advice, urged Committee to initiate a Secondary Plan for the area.

At 10:20 pm, Mr. Trinaistich concluded by urging Committee to reject the proposal.

Following Mr. Trinaistich's comments, Chair Mitchell called a ten minute break.

The meeting resumed at 10:40 pm, and Chair Mitchell requested any other speakers from the audience to come forward.

**7. David Hart Dyke, 28 King Street West, Stoney Creek**

Mr. Hart Dyke addressed Committee and expressed his opinion and concerns regarding the proposed Development. These included, but were not limited to;

- The local population of the blue nosed salamander is determined to be rare and threatened
- Institutional designations do not require public input

**8. Alcida Landry, 46 Church Street**

Ms. Landry addressed Committee and expressed his opinion and concerns regarding the proposed Development. These included, but were not limited to;

- has only lived here five years, originally from New Brunswick, and will be moving in June, but loves this area
- Urged Committee not to lose this special area
- never made Hamilton my home because it smells, it is old, doesn't feel like home, it's blue collar and doesn't feel comfortable living here, but liked living on Church Street, this is an example of what Hamilton could be
- people want to live in a community like Church Street – not cookie cutter communities in Oakville, but with another 42 town houses, this may cause more impact on the wetlands
  - if this by-law passes, you are losing the opportunity to keep one of these special areas of Hamilton.

Chair Mitchell addressed the meeting and noted the lateness of the hour. He asked whether the additional members of the public wishing to speak would like to continue tonight, or adjourn to a later meeting. The audience indicated that they preferred to speak tonight, and conclude the Public Meeting.

**9. Don McLean, 68-151 Gateshead Crescent, Stoney Creek**

Mr. McLean addressed Committee and expressed his opinion and concerns regarding the proposed Development. These included, but were not limited to;

- Noted that most of his comments already stated by others
- Advised that Public Consultation process for the 20 ESAs across the City appeared to be a fairly complete approach
- The staff decision not to circulate all the landowners in the area appears reasonable, and questioned the assertions from PEIL that their clients, the school board, were not aware of the process
- Noted that in 2004, when the subject site was declared surplus, the price was \$202,000
- Expressed concern that there was no notice of the proposal to undesignate the ESA and the public did not have a chance to address Committee.

**10. Brian Bonham, 45 East Avenue North, Hamilton**

Mr. Bonham addressed Committee and expressed his opinion and concerns regarding the proposed Development. These included, but were not limited to;

- ESAs should be reviewed as a whole
- Speaking as a Downtown Hamilton resident, there are similar situations across the City
- when areas like these are lost, everyone loses
- since other natural areas in the City have been lost, this area is even more valuable
- encouraged Committee to refuse the application.

**11. Jim Stollard, Hamilton Naturalist Club,**

Mr. Stollard addressed Committee and expressed his opinion and concerns regarding the proposed Development. These included, but were not limited to;

- ESA recognized as a result of the leadership shown by his Club, need to preserve this area and others like it
- quoted from the report highlighting findings of Dougan
- development will degrade this natural area, asked Committee to restore and preserve this area as an ESA.

**12. Marilyn Gomes**

Ms. Gomes addressed Committee and expressed her opinion and concerns regarding the proposed Development. These included, but were not limited to;

- were studies undertaken prior to the rows of townhouses that have been already built in the area
- Save the earth so that our children can breath the clean air
- Makes common sense that if turtles are wandering through the area, it's their area
- Need to protect the area, our duty to protect.

**13. Karl Gonnsen, Metropolitan Consulting**

Mr. Gonnsen addressed Committee and expressed his opinion and concerns regarding the proposed Development. These included, but were not limited to;

- Represents Parkside Hills, the proponent wishing to develop the lands purchased from the Hamilton Wentworth School Board
- part of complex Waterdown/Stoney Creek land swap
- his client was not affected by the previously mentioned planning circulation errors
- his client does support the staff recommendations

- the boundaries of the ESA have actually been increased, and the shape of the ESA has been improved, by the elimination of the “fingers”
- there is no official ESA at the present time – there’s an alleged ESA, and so far the first time there will be an official ESA defined
- his client accepts the smaller parcel of land, and they have submitted a site plan application with the zoning application, together with a Storm Water Management Plan
- these lands are not subject to flooding in 100 year storm event
- non-traditional method of storm water management being proposed
- suggested that the next Committee meeting should consider both this site and his client’s lands

**14. Speaker who read letter from Professor Jim Quinn**

The speaker read from a letter from Professor Jim Quinn requesting that Committee refuse the application, designate the area as an ESA and protect natural areas. He will e-mail a copy of the letter to the Committee.

**15. Kimberly Mitchell**

Ms. Mitchell challenged staff’s comments respecting the traffic impact in the area. She disagreed with the numbers stating that each townhouse will have two to three cars, and that this will certainly pose a threat to the turtles that cross Teal Avenue.

The Committee clarified that staff were referring to the number of trips and not the number of cars.

**16. Naomi Gardner, 121 Teal Avenue**

Ms. Gardner stated that she feels lucky to live in this area and she and her husband deserve this because they work hard to keep their home. While Councillor Pearson referred to property values not being adversely affected by development, she considered the value of her home is in its natural surroundings which will disappear with development. She’s also concerned with preserving the natural habitat for her children. Ms. Gardner explained that her daughter’s class will be using the area as a turtle study project.

She asked that Committee reject the recommendations.

**17. Frank Simons, 76-44 Frances Avenue, Stoney Creek**

Mr. Simons addressed Committee and expressed his opinion and concerns regarding the proposed Development. These included, but were not limited to;

- he's speaking about the Public school board property
- he loves his house but it shouldn't have been built – he can see the effects it has had on the area wildlife
- we need to protect the environment
- totally disgusted with the part that the school boards are playing, this is not showing a good example for our children
- potential conflicts of interest identified tonight
- the lands were originally acquired by City taxpayers, at a low cost and now the property should be handed back to the community for the preservation of the natural area.

**18. Gerald Watt, 91 Teal Avenue, Stoney Creek**

Mr. Watt addressed Committee and expressed his opinion and concerns regarding the proposed Development. These included, but were not limited to;

- five generations of his family have lived in this area
- the turtles cross Teal Avenue, as they always have
- concern with the incredible amount of development that has been going on with the construction of the Redhill project, this means loss of habitat for wildlife and now developers are targeting the Community Beach area
- you can't drive out of the survey without seeing road kill and the increase in the traffic is going to be insane
- for most of the older homes on Teal, they have limited frontage, and if sidewalks and road improvements take place, these homes will lose part of their frontage, which will decrease the value of the homes
- if I wanted to live in an overcrowded concrete ghetto I would have moved to downtown Hamilton

**19. Anthony DiCenzo, on behalf of Church Street Developments**

Mr. DiCenzo addressed Committee and explained he was legal counsel and co-owner of Church Street Developments. His comments included but were not limited to the following:

- tried to explain the necessity of public consultation with respect to by-law changes
- just like any other land owner, the school board needs to be notified, and as the owner of the property was not notified, the process was incomplete. Essentially, the Board was told its land was worthless, with no opportunity for discussion
- the Dougan Report was commissioned by the City and the school boards. It was supported by ESAEIG and the Hamilton Conservation Authority, and therefore, should be relied on.

Councillor McHattie questioned some of the comments made by Mr. DiCenzo. He noted that of the 20 ESAs designated, following the public advertising only this one was held back, and all the others proceeded.

In addition, there is other environmental information available respecting the subject property, and he noted that an EIS basically addresses mitigation measures when a development is proposed.

Chair Mitchell asked if any further speakers from the audience wished to address Committee. As there were none, Committee considered the next stages in the process. They agreed that based on the questions and concerns raised tonight, additional information was needed before a final decision could be considered.

On a Motion (Whitehead/Duvall) Committee approved the following:

That the Community Beach Ponds applications for Regional Official Plan, Official Plan and Zoning By-law Amendments be referred to a future meeting of the Committee, pending the completion of the following:

- (a) Discussion with Wayne Marston, MP, respecting the points mentioned in his letter to the Mayor of April 5, 2007.
- (b) The circulation of the Dougan Report EIS to all Council members
- (c) The results of the Salamander testing are received

- (d) Staff has reviewed the comments received at the Public Meeting, and has held further consultation with the Hamilton Conservation Authority, including their potential interest in purchasing the site.
- (e) Clarification of the issues respecting the Stoney Creek Official Plan.
- (f) Staff has researched the process of designation of a Provincial life cycle ANSI, and has considered the potential of a peer review of the EIS.

Chair Mitchell confirmed that the Public Meeting on this matter was now concluded.

Mr. McCabe suggested that the staff report be considered at the Committee Meeting when the second development application for the area was to have its Public Meeting. He also noted that staff could bring forward a concept site plan.

**(d) Public Consultation Process**

On a Motion (Clark/McHattie) Committee approved the following:

**WHEREAS**, the current public consultation process practiced by the Economic Development and Planning Committee results in new information being introduced via citizen input;

**WHEREAS**, it is important for citizens to know that their input is important, valued and considered seriously by members of the Economic Development and Planning Committee;

**WHEREAS**, the Planning Act encourages public consultation and allows municipalities to go beyond the minimum standards noted in the Act;

**WHEREAS**, other municipalities hear public consultation at one meeting and then table planning applications for decision at future meetings, allowing for full consideration of new information and citizen input;

**AND WHEREAS**, City Council is interested in citizen perspectives and best management practices in public consultation.

**NOW THEREFORE BE IT RESOLVED** that a Special Evening Public Meeting of the Economic Development and Planning Committee be held to gain perspectives on possible improvements to public consultation as practiced by the Committee.

**(e) Bill 130 (new Municipal Act) and Student Rental Housing (Item 9.2)**

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

WHEREAS the Province of Ontario has enacted Bill 130 (revisions to the Municipal Act), allowing municipalities to license rental dwelling units; and

AND WHEREAS the Ainslie Wood-Westdale area (adjacent to McMaster University) and the Southam-Bonnington-Buchanan area (adjacent to Mohawk College) and the area adjacent to the Mohawk East Campus have a preponderance of uncontrolled rental student housing which has caused a decline in quality of life for those neighbourhoods; and

AND WHEREAS, through Bill 130, the Province has provided little detail on how rental housing can be regulated,

NOW THEREFORE the General Manager of Planning and Economic Development be requested to investigate and report back on enactment of a bylaw that would regulate student rental housing in the neighbourhoods around McMaster University and Mohawk College (as provided for in Bill 130), including but not limited to issues such as how to identify subject properties, enforcement, and experiences from other “town and gown” communities.

**(f) Notices of Motion**

Councillor Whitehead presented the following Notice of Motion:

WHEREAS Auchmar House was deemed surplus land several years ago and listed for sale;

AND WHEREAS having been on the market for several years and the RFP was unsuccessful in attracting acceptable proposals;

AND WHEREAS the City has a bonified interested local partner in SISO (Settlement & Integration Services) who has submitted a proposal for adaptive re-use and rehabilitation for the Auchmar house;

THEREFORE BE IT RESOLVED that the RFP process be delayed and staff be directed to work with SISO on the proposal to acquire the Auchmar property to develop an immigrant and refugee reception facility.

**(g) General Information**

None

**(h) Adjournment**

On a Motion (Bratina/Duvall), the Economic Development and Planning Committee adjourned at 12:15 a.m.

Respectfully submitted,

David Mitchell, Chair  
Economic Development and Planning Committee

Alexandra Rawlings, Co-ordinator  
Economic Development and Planning Committee  
April 24, 2007