

Dear Madame Chair, and Members of the Planning Committee,

Thank you for the opportunity to address you this morning.

My name is Clay McKay and I am speaking on behalf of Christie McKay-Hofland, owner of Dancemakerz at 12 Innovation Drive Flamborough, Danielle Grahn of Waterdown Dancers Inc. (40 Mill St. N Waterdown), and Jason Brown of Brown's Martial Arts (10 Franklin St. Waterdown).

We are here to SUPPORT the staff's recommendation to OPPOSE the rezoning application before you today for 66 Innovation Drive, The Dream Centre in the Flamborough Business Park at Clappison's Corners.

Before I continue, I would like to express our disappointment that the applicant has referred the rezoning matter to the Ontario Municipal Board (OMB), thereby eliminating the opportunity for local public input. We acknowledge and appreciate the opportunity to share our concerns today. It is our hope that the Planning Committee and Council will direct staff to oppose the application when it is considered by the OMB.

Christie McKay-Hofland launched Dancemakerz in 2004 and currently has 450 students enrolled in a variety of classes and programs between the ages of 12 months to 18 years.

Because of significant enrolment growth, Christie decided about six years ago to investigate the possibility of moving Dancemakerz to 12 Innovation Drive. Before committing to any lease, sale or building construction, the very first thing Christie did was to undertake a thorough check with the City of Hamilton to ensure that a "dance studio" was a permitted use at this location, meaning that her business would be able to operate at 12 Innovation Drive as a legally zoned enterprise. She visited the City on numerous occasions to gain clarity about satisfying all City bylaws, and regulations. She also applied for - and received - a 'Zoning Verification Letter' from the City (paying a fee of \$125) confirming that the City of Hamilton approved the establishment of a dance studio at 12 Innovation Drive as a permitted use.

Had the City not approved the use at that location, Christie would have continued her search at other locations. After obtaining the Zoning Verification Letter, a lease was signed and a series of applications for the necessary permits began. She had properly-engineered drawings prepared and had numerous meetings with City officials to ensure that every step was followed in a manner consistent to code. There was even an issue with a ceiling height but that was changed immediately in order to comply.

It is Christie's understanding that about one year after Dancemakerz moved to 12 Innovation Drive, the City of Hamilton changed the zoning in the Flamborough Business Park to 'Prestige Industrial' with a focus on 'employment lands' meaning that a dance studio or recreational facility was no longer a permitted use.

This posed a potential problem as Christie was not sure she would be allowed to stay. But because she had written documentation from the City allowing the use (Zoning Verification Letter), Dancemakerz was - and is - a 'permitted use' at 12 Innovation Drive on a 'grandfathered' basis.

Jason Brown of Brown's Martial Arts has a business that has experienced tremendous growth (10 Franklin Street, founded in 1999, martial arts, karate, and about 300 members, etc.) Expansion options for Brown's Martial Arts have been limited by zoning, bylaws and regulations. Since the business park is not zoned for martial arts he has not considered it as an option. He did open another location in Ancaster.

In addition, Hamilton requires that all martial arts studios have a maximum ceiling height NOT to exceed 12 metres. There are no ceilings at The Dream Centre, and it appears to exceed 12 metres.

Danielle Grahn of Waterdown Dancers Inc. also has a growing business operating in a small space in the downtown core. (40 Mill St. North, 2007, Dance studio with approximately 200 students ages 18 months to adult). But she too has always been in compliance with the City of Hamilton requirements, and has always remained a law abiding citizen.

Simply put, the three businesses represented today have all followed the City's bylaws, rules and regulations. As you consider the matter before you today, we ask are rules and bylaws not in place for a reason? And should they not be applied to every business?

Thank you for your time. If you have any questions, we would be glad to answer them.

Sincerely,

Christie McKay-Hofland, Danielle Grahn, and Jason Brown