



PLANNING COMMITTEE
MINUTES 16-020
9:30 a.m.
Tuesday, November 15, 2016
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Councillors B. Johnson (Chair), M. Pearson (1st Vice Chair),
and A. Johnson (2nd Vice Chair)
Councillors J. Farr, C. Collins, D. Conley, M. Green, D. Skelly,
and J. Partridge.

**Absent with
regrets:** Councillor R. Pasuta, Personal

Also present: Councillors L. Ferguson and A. VanderBeek

**THE FOLLOWING ITEMS WERE REPORTED FOR THE CONSIDERATION OF
COUNCIL:**

**1. Adjustments to School Crossing Guard Locations (PED16197) (Wards 2, 4,
6, 7, 10, 11 and 15)) (Item 5.1)**

(Collins/Pearson)

- (a) That the revised list of school crossing guard locations resulting from school closures, re-openings and lunch program changes in Wards 2, 4, 6, 7, 10, 11 and 15, as outlined in Appendix "A" attached to Report PED16197, be approved;
- (b) That staff be authorized and directed to consult with the affected Ward Councillors and to use delegated authority for adding and / or removing school crossing guards prior to City Council approval for any proposed changes by the Hamilton-Wentworth District School Board and the Hamilton-Wentworth Catholic School Board for the 2017/2018 school year.

CARRIED

2. **Appeal of Committee of Adjustment Minor Variance Application- DN/A-16:266, 231 York Road (Dundas)–Conditionally Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment (PED16218) (Ward 13) (Item 5.2)**

(Partridge/A. Johnson)

- (a) That Legal Services staff be directed and authorized to attend the Ontario Municipal Board Hearing, in support of the Committee of Adjustment's decision to deny Minor Variance Application DN/A-16:266, and to retain any required outside professional(s), as may be necessary, to provide expert advice and evidence;
- (b) That the funding to retain outside professionals be charged to the Tax Stabilization Reserve Account #110046.

Amendment CARRIED

3. **Request for Direction to Proceed with Appeal of Committee of Adjustment Consent Application AN/B-16:64 for the Property Located at 88 Valleyview Drive (Ancaster), Recommended for Tabling by the Planning and Economic Development Department but Granted by the Committee of Adjustment (PED16225) (Ward 12) (Item 5.3)**

(Green/Farr)

That the following actions, as detailed in Report PED16225, respecting Committee of Adjustment Consent Application AN/B-16:64, Vincent and Maria Commisso (Owner), for the Property Located at 88 Valleyview Drive (Ancaster), as shown on Appendix "A" to Report PED16225, approved by the Committee of Adjustment but recommended for Tabling by the Planning and Economic Development Department, be approved:

- (a) That City staff be directed to proceed with the appeal to the Ontario Municipal Board (OMB) against the decision of the Committee of Adjustment to approve Application AN/B-16:64;
- (b) That appropriate Legal Services and Planning staff be directed to attend the future Ontario Municipal Board (OMB) Hearing in opposition to the decision of the Committee of Adjustment to approve Application AN/B-16:64.

CARRIED

4. Application for an Amendment to the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 555 Highvalley Road, Ancaster (PED16223) (Ward 12) (Item 6.3)

(Collins/Skelly)

That approval be given to Zoning By-law Amendment Application ZAC-16-042 by Baldin and Beltrame Construction (Owner), for a change in zoning from the Deferred Development "D" Zone to the Holding – Residential "H-R3-679" Zone, Modified, to permit the development of four single detached dwellings on lands located at 555 Highvalley Road, Ancaster, as shown on Appendix "A" to Report PED16223, on the following basis:

- (a) That the draft By-law, attached as Appendix "B" to Report PED16223, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the Amending By-law, attached as Appendix "B" to Report PED16223, be added to Map No. 1 to Schedule B of Zoning By-law No. 87-57; and,
- (c) That the proposal is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, and complies with the Urban Hamilton Official Plan.
- (d) ***That there were no submissions received from the public regarding this matter.***

Main Motion, as Amended, CARRIED

5. Cat Licensing (City Wide) (PED16208) (Outstanding Business List Item) (Item 7.1)

(Collins/A. Johnson)

That Report PED16208 respecting Cat Licensing be received.

CARRIED

6. Demolition Permit 57 - 67 Academy Street (Ancaster) (PED16206) (Ward 12) (Item 8.1)

(Skelly/Collins)

That the Chief Building Official be authorized and directed to issue a demolition permit for 57 - 67 Academy Street (Ancaster) in accordance with By-Law 09-208, as amended by By-Law 13-185, 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;
- (b) That the said building permit specifies that the replacement building be erected within two years of the demolition of the existing building on this property;
- (c) That the said building permit for the replacement building specifies if such replacement building is not erected within the said two year time limit, that the City be paid the sum of \$20,000;
- (d) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions (including the directions to the City Clerk outlined in sub-section (e)) in a form satisfactory to the Chief Building Official and to the City Solicitor;
- (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.

Amendment CARRIED

7. Update and Declaration of Surplus and Sale of Downtown City-owned Surface Parking Lots (PED16205) (Ward 2) (Outstanding Business List Item) (Appendices "A", "B", "C", & "D" are distributed under separate cover.) (Item 8.2)

(Farr/Collins)

- (a) That City-owned surface parking lots, identified in Appendices "C" and "D" attached to Report PED16205, be declared surplus to the requirements of the City of Hamilton in accordance with the "Procedural By-law for the Sale of Land", being By-law No. 14-204;
- (b) That Car Park Lot No. 69 (12 York Boulevard) being part of a larger parcel known as 12-28 York Boulevard, being part of PIN No. 175860078 and identified in Appendix "D" and "D-1", attached to Report PED16205, be severed and sold at fair market value to the abutting property owner of 95-105 James Street North, 15 Vine Street, and 107-109 James Street North; (1263261 Ontario Inc.);
- (c) That Car Park Lot No. 70, identified in Appendix "D" and "D-2" (207-211 Hughson Street North), attached to Report PED16205, be sold at fair market value to the abutting property owner of 252 James Street North, (The Synod Of The Diocese of Niagara; The Incumbent and Churchwardens of Christ's Church Cathedral);
- (d) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to sell the lands identified in recommendations(a), (b) and (c) to

this Report PED16205 at fair market value, on terms and conditions satisfactory to the General Manager of Planning and Economic Development, and in a form satisfactory to the City Solicitor;

- (e) That all contents within confidential Appendices “A”, “B”, “C”, and “D”, to Report PED16205 remain confidential, with the exception only releasing the list of properties that have been declared surplus in Appendices “C”, and “D”, as may be amended, following approval of Council.

CARRIED

8. Parking Technology Upgrade (City Wide) (PED16219) (Item 8.3)

(Collins/Farr)

- (a) That staff be authorized to negotiate a single source contract, in a form satisfactory to the City Solicitor, with Groupe Techna Incorporated to upgrade the parking enforcement system currently used to issue and track parking tickets in the City of Hamilton;
- (b) That the associated costs for the upgrade to the existing parking enforcement system used in the City of Hamilton be funded from Parking Reserve Account No. 108021 not to exceed an amount of \$200,000.

CARRIED

9. 971 Beach Boulevard (formerly 975 Beach Boulevard), Hamilton, Proposed Settlement of Appeal (LS16028/ PED16258) (Distributed under separate cover) (Item 12.1)

(Collins/Farr)

That the recommendations of Report LS16028/PED16258 respecting 971 Beach Boulevard (formerly 975 Beach Boulevard), Hamilton, Proposed Settlement of Appeal be approved and remain confidential until Council approval.

CARRIED

10. Settlement of Ontario Municipal Board Case Nos. PL160535 and PL1650536 for minor variances for Lands Located at 187 and 189 Locke Street North (Hamilton) (Ward 1) (Added Item 12.2)

(A. Johnson/Conley)

- (a) That the proposed settlement by the applicant, Demetry Tselepakis, for his appeal from the denial of the City of Hamilton Committee of Adjustment for minor variances for 187 and 189 Locke Street North, being applications HM/A-16:60 and HM/A-16:61, be approved, as outlined below:
 - (i) That variances 1-3 on the Committee of Adjustment decisions dated April 7, 2016 be granted, subject to all work being done in

accordance with a revised grading plan previously provided by the applicant and approved by staff.

- (ii) That variance 4 be granted, and that all work be completed substantially in accordance with the plan attached hereto as Appendix "A";
- (iii) That variance 5 be amended to provide for a minimum landscaped area of 40%, and that all work be completed substantially in accordance with the landscaping plan attached hereto as Appendix "B";
- (iv) That the exterior construction materials for both buildings be as follows:
 - (1) The front entry porticos shall be covered in grey vinyl cedar shake, or its equivalent;
 - (2) The front and side facades of the third storey dormers shall be clad in vertical board and batten, coloured "Pebble" as indicated on a colour board previously provided to Staff;
 - (3) The north façade of 189 Locke Street North and the south façade of 187 Locke Street North shall be clad in horizontal siding below the third storey dormer in the colour "Pebble" as indicated on a colour board previously provided to Staff;
 - (4) A horizontal fascia shall be maintained along the edge of the second and third storeys (delineating the dormer above), in a dark grey or black colour.
- (b) That the City Solicitor be directed and authorized to take any steps necessary to implement the settlement, including presenting the settlement before the Ontario Municipal Board and making any changes necessary for implementation that are substantially in accordance with the settlement as described above.

CARRIED

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

ADDED DELEGATION REQUEST:

- 4.3 John Ariens, IBI Group, representing Spallacci Homes, respecting Demolition Permit 57-67 Academy Street, Ancaster (Item 8.1).

DELEGATION WITHDRAWN:

- 6.1 Murray Sauchuk, City of Hamilton resident to request a change to the times allowed for construction and loading activities pursuant to the City's Noise Control By-law 11-285. (Approved November 1, 2016.)

CHANGES TO ITEM 7.1:

- 7.1 Cat Licensing (City Wide) (PED16208) (Outstanding Business List Item)

Registered Speakers:

1. Kim Buswell, delegation approved March 31, 2015 – *unable to attend but submitted written comments Item 7.1(i) which are printed in the agenda.*

Added Speakers:

3. Dr. Tana Dineen
4. George Matheson
5. Dean Anderson

Added Written Comments

- 7.1(ii) Liz O'Brien DVM, DABVP (feline practice)
7.1(iii) Cindy Suffoletta, Hamilton Street Cats
7.1(iv) Nancy Gordon

ADDED PRIVATE AND CONFIDENTIAL

- 12.2 Settlement of Ontario Municipal Board Case Nos. PL160535 and PL1650536 for minor variances for Lands Located at 187 and 189 Locke Street North (Hamilton) (Ward 1) (Distributed under separate cover)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) of the Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(Pearson/Conley)

That the agenda for the November 15, 2016 meeting be approved as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

There were none declared.

(c) APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING (Item 3)

(i) November 1, 2016 (Item 3.1)

(Farr/A. Johnson)

That the Minutes of the November 1, 2016 meeting be approved.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

(Pearson/Collins)

That the following delegation requests be approved:

- 4.1 Edmond Rose, Lynden, wishing to address Committee respecting the boundaries in the Discharge of Firearms By-law (For future meeting.)
- 4.2 Lydia Greenly, Hamilton, to request an amendment to the City of Hamilton Licensing By-law No. 07-170 adult services regulations. (For future meeting.)
- 4.3 John Ariens, IBI Group, representing Spallacci Homes, respecting Demolition Permit 57-67 Academy Street, Ancaster (Item 8.1 on today's agenda).

CARRIED

(e) CONSENT ITEMS (Item 5)

(i) Appeal of Committee of Adjustment Minor Variance Application-DN/A-16:266, 231 York Road (Dundas)–Conditionally Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment (PED16218) (Ward 13) (Item 5.2)

Committee approved Option 1 in the “Alternatives for Consideration” as follows:

(Partridge/A. Johnson)

- (a) That Legal Services staff be directed and authorized to attend the Ontario Municipal Board Hearing, in support of the Committee of Adjustment's decision to deny Minor Variance Application DN/A-16:266, and to retain any required outside professional(s), as may be necessary, to provide expert advice and evidence;

- (b) That the funding to retain outside professionals be charged to the Tax Stabilization Reserve Account #110046.

Amendment CARRIED

Councillor Pearson indicated that she wished to be recorded as OPPOSED to this Item.

For disposition of this matter refer to Item 2.

(f) PUBLIC HEARING (Item 6)

- (i) **Murray Sauchuk, City of Hamilton resident to request a change to the times allowed for construction and loading activities pursuant to the City's Noise Control By-law 11-285. (Approved November 1, 2016.) (Item 6.1)**

Murray Sauchuk withdrew his delegation request.

- (ii) **Shannon Kyles, Ward 13 resident, to request that Council reconsider its decision to demolish Parkside Secondary School in Dundas. (Approved November 1, 2016) (Item 6.2)**

Shannon Kyles addressed Committee with the aid of a PowerPoint presentation. She introduced herself advising that she is a Professor of Architecture at Mohawk College and also CBC correspondent on architecture and also writes for Arabella and Acorn Magazines on issues regarding architecture. She is here with other residents from Dundas who wish to save Parkside Secondary School. A copy of her presentation is available for viewing on the City's website. Her comments included but were not limited to the following:

- Parkside Secondary School, can we please reconsider?
- For the following reasons:
 - The Cultural and Heritage Value of the Property was not considered;
 - The public consultation process was flawed;
 - The residents of Dundas care enough to preserve the school;
 - Lloyd Kyles (her father) won an award in 1959 for most innovative structure for Parkside Secondary School.

(Conley/Partridge)

That the delegation by Shannon Kyles requesting that Council reconsider its decision to demolish Parkside Secondary School in Dundas be received.

CARRIED

(iii) Application for an Amendment to the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 555 Highvalley Road, Ancaster (PED16223) (Ward 12) (Item 6.3)

In accordance with the provisions of the *Planning Act*, Chair B. Johnson advised those in attendance that 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 Council makes a decision regarding the Zoning By-law amendment 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 and 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.

No member of the public came forward.

(Pearson/Conley)

That the staff presentation be waived.

CARRIED

Ward Councillor Lloyd Ferguson was in attendance and indicated that he supports this application.

Glenn J. Wellings of Wellings Planning Consultants, representing the owner, was in attendance should Committee have any questions.

(Pearson/Skelly)

That the public meeting be closed.

CARRIED

(Collins/Skelly)

That the staff recommendations be amended by adding the following subsection (d):

- (d) That there were no submissions received from the public regarding this matter.

Amendment CARRIED

For disposition of this matter refer to Item 4.

(g) PUBLIC NOTICE (Item 7)

(i) Cat Licensing (City Wide) (PED16208) (Outstanding Business List Item) (Item 7.1)

Susan Russell, Project Manager of Animal Services, addressed Committee with the aid of a PowerPoint presentation. Copies of the hand-out were distributed. A copy of the presentation has been retained for the public record and is available for viewing on the City's website.

Her comments included but were not limited to the following:

- Why cats?
 - Owned – 130,000
 - Unowned – 110,000
 - Hamilton Animal Services received 1500 cat related calls in 2015
 - Hamilton Animal Services domestic animal intake in 2015
 - Best Practices
 - Cat licensing supporters
 - Rabies
 - Helping our community
 - Community based
 - Trap, neuter, vaccinate, return
 - Community cats
 - Call to action

Staff responded to questions from Committee.

(Pearson/A. Johnson)

That the staff presentation be received.

CARRIED

Registered Speakers

1. Kim Buswell, delegation approved March 31, 2015

Kim Buswell was unable to attend but submitted written comments.

(Green/Collins)

That the written comments submitted by Kim Buswell, Item 7.1(i), be received.

CARRIED

2. Marion Emo, Hamilton/Burlington SPCA

Marion Emo addressed Committee with the aid of a PowerPoint presentation. She submitted a package which was distributed and has been retained for the public record. A copy of the presentation is available for viewing on the City's website. Her comments included but are not limited to the following:

- Introduction

- The resources are not effectively co-ordinated
- Ontario cities are diverse in their approach
- Recommendations
 - Let's coordinate the efforts
 - The City should donate some vacant space for the trap, neuter, and return programs
 - The current proposal is narrow
- Pathways to Responsible Pet ownership for healthy, safe and wanted cats – spay, neuter, preventative care and pet identification
- Looking ahead - collaboration

(A.Johnson/Skelly)

That the delegation be allowed an extension to the five minute rule.
CARRIED

Marion Emo responded to questions from Committee.

(Collins/Skelly)

That the delegation from Marion Emo be received.
CARRIED

3. Dr. Tana Dineen

Dr. Tana Dineen addressed Committee and read from a prepared statement. Copies were distributed and a copy has been retained for the public record and is available for viewing on the City's website. Her comments included but are not limited to the following:

- There is a lack of formal consultation;
- She corresponded with the City regarding this issue in the past;
- City staff responded that they will take her research and comments seriously and that she will be consulted as a stakeholder;
- She was never consulted prior to this report becoming public;
- The chart in the staff report which provides a comparison with other cities lacks important data;
- It does not indicate the percentage of funds collected which goes to cat initiatives, does not include the cities that do not license cats, nor the percentage of cats returned home;
- Cat licensing should be based on informed consultation and relevant data and facts.

(Collins/Skelly)

That the delegation be allowed an extension to the five minute rule.
CARRIED

(Partridge/A. Johnson)

That the delegation be received.

CARRIED

4. George Matheson

George Matheson addressed Committee and read from a prepared statement. Copies were distributed and a copy has been retained for the public record and is available for viewing on the City's website.

He indicated that he is not in support of cat licensing. His comments included but are not limited to the following:

- Cat licensing is a form of taxation;
- The Report omits details about how it would be implemented or enforced;
- It may have the most harmful effect on low income families
- The transmission of rabies by owned cats is extremely infrequent and the statement only feeds into the anxiety.

(Collins/Skelly)

That the delegation be received.

CARRIED

5. Dean Anderson

Dean Anderson addressed Committee and read from a prepared statement. Copies were distributed and a copy has been retained for the public record and is available for viewing on the City's website.

His comments included but are not limited to the following:

- What are the outcome and benefits of the proposal;
- Although many jurisdictions have implemented cat licensing, there is little data available on whether this has increased the percentage of cats being returned to their owners;
- The City of Barrie staff recently recommended scrapping the mandatory licensing program in favour of a one-time registration which is mandatory for dogs and optional for cats.

(A. Johnson/Pearson)

That the delegation be received.

CARRIED

6. Kim Holman

Kim Holman addressed Committee and indicated that she is a volunteer with the cat rescue groups and also a cat owner. Cats do not keep their collars on but a micro chip will stay on. If a cat does wear a collar it should be a breakaway collar for its safety.

(A. Johnson/Pearson)

That the delegation be received.

CARRIED

Added Written Comments

7.1(ii) Liz O'Brien DVM, DABVP (feline practice)

7.1(iii) Cindy Suffoletta, Hamilton Street Cats

7.1(iv) Nancy Gordon

(Partridge/Collins)

That the added written comments, 7.1(ii) to 7.1(iv) be received.

CARRIED

(Collins/A. Johnson)

That Report PED16208 respecting Cat Licensing be received.

This Item CARRIED on the following standing recorded votes:

Yeas:	B. Johnson, D. Skelly, C. Collins, J. Farr, A. Johnson
Totals:	5
Nays:	D. Conley, M. Pearson, J. Partridge
Totals:	3
Absent:	M. Green, R. Pasuta
Total:	2

For disposition of this matter refer to Item 5.

(h) DISCUSSION

**(i) Demolition Permit 57 - 67 Academy Street (Ancaster) (PED16206)
(Ward 12) (Item 8.1)**

Jorge Caetano, Manager of Plan Examination, provided a brief verbal overview of the report.

(Skelly/Johnson)

That the verbal overview by staff be received.

CARRIED

Delegation

1. **John Ariens, IBI Group, representing Spallacci Homes, respecting Demolition Permit 57-67 Academy Street, Ancaster (Item 8.1).**

John Ariens addressed Committee with the aid of a PowerPoint presentation. His comments included but are not limited to the following:

- The property is located in the older section of the (former) Town of Ancaster;
- Air photo of the area;
- Not a conventional town house complex;
- No garages or individual driveways;
- There is a side parking area;
- The building is 65 to 70 years old;
- Former barracks style of townhouses;
- Nothing physically wrong with the units;
- It is an ideal redevelopment site close to downtown;
- The staff report indicates that the proposal does not satisfy two criteria of the UHOP Rental Housing Protection Policy – the rental housing vacancy rate must be at 2% for the preceding 24 months and the rental rates for the building being demolished must not be significantly below average:
- When you examine the data for the entire City, the availability of two bedroom rental units is large and healthy;
- The rent for this building is 13% below market value but it does not include heat and hydro;
- Spallacci Homes has already contributed significantly to the rental accommodations available in this Municipality since 2008.

(Pearson/Skelly)

That the delegation from John Ariens be received.

CARRIED

Committee approved Option 2 in the “Alternatives for Consideration” as follows:

(Skelly/Collins)

That the Chief Building Official be authorized and directed to issue a demolition permit for 57 - 67 Academy Street (Ancaster) in accordance

with By-Law 09-208, as amended by By-Law 13-185, 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;
- (b) That the said building permit specifies that the replacement building be erected within two years of the demolition of the existing building on this property;
- (c) That the said building permit for the replacement building specifies if such replacement building is not erected within the said two year time limit, that the City be paid the sum of \$20,000;
- (d) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions (including the directions to the City Clerk outlined in sub-section (e)) in a form satisfactory to the Chief Building Official and to the City Solicitor;
- (e) That if the said replacement building is not erected as required, the City Clerk be authorized to add the said sum, until payment thereof, as a lien or charge upon the property until paid.

CARRIED

For disposition of this matter refer to Item 6.

- (ii) **Update and Declaration of Surplus and Sale of Downtown City-owned Surface Parking Lots (PED16205) (Ward 2) (Outstanding Business List Item) (Appendices "A", "B", "C", & "D" are distributed under separate cover.) (Item 8.2)**

Consideration of this Item was deferred to the Private and Confidential section of the agenda.

(i) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Outstanding Business List (Item 11.1)

(Partridge Pearson)

- (a) That the following new due dates be approved:

Item "S" -The Urban Renewal staff help establish a Hess Village BIA and report back on its effectiveness "

Due Date: November 15, 2016

Proposed New Due Date: February 28, 2017

Item "Z" - Staff report and presentation on the City's current inventory and policies related to 'Laneway Housing'
Due Date: November 15, 2016
Proposed New Due Date: December 6, 2016

- (b) That the following Item be removed:

Item "O" - Staff to report back on Feasibility of Licensing Cats in Urban area (Item 7.1 on this agenda)

- (c) That the following Item be TABLED pending the outcome of the Private and Confidential deliberations regarding Item 8.2:

Item "I" Redevelopment of a City Owned Surface Parking Lot - Staff to circulate all City-owned surface parking lots identified in Report PED16104 for potential surplus, and report to the Planning Committee (Item 8.2 on this agenda.)

CARRIED

(j) PRIVATE AND CONFIDENTIAL (Item 12)

(Collins/Farr)

That Committee move into Closed Session at 1:30 p.m. respecting:

- (a) Appendices "A", "B", "C" and "D" of Item 8.2 respecting Update and Declaration of Surplus and Sale of Downtown City-owned Surface Parking Lots (PED16205) (Ward 2)

pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (c) of the Municipal Act, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for City purposes;

- (b) Item 12.1 respecting 971 Beach Boulevard (formerly 975 Beach Boulevard), Hamilton, Proposed Settlement of Appeal (LS16028/PED16258), and

- (c) Item 12.2 respecting Settlement of Ontario Municipal Board Case Nos. PL160535 and PL1650536 for minor variances for Lands Located at 187 and 189 Locke Street North (Hamilton) (Ward 1)

pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) of the Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Committee reconvened in Open Session at 2:20 p.m.

- (i) **Update and Declaration of Surplus and Sale of Downtown City-owned Surface Parking Lots (PED16205) (Ward 2) (Outstanding Business List Item) (Appendices “A”, “B”, “C”, & “D” are distributed under separate cover.) (Item 8.2)**

Direction was given to staff in Closed Session.

For further disposition of this matter refer to Item 7.

- (ii) **971 Beach Boulevard (formerly 975 Beach Boulevard), Hamilton, Proposed Settlement of Appeal (LS16028/ PED16258) (Distributed under separate cover) (Item 12.1)**

For disposition of this matter refer to Item 9.

- (iii) **Settlement of Ontario Municipal Board Case Nos. PL160535 and PL1650536 for minor variances for Lands Located at 187 and 189 Locke Street North (Hamilton) (Ward 1) (Distributed under separate cover)**

For disposition of this matter refer to Item 10.

(k) ADJOURNMENT (Item 13)

(Skelly/Pearson)

There being no further business, that the Planning Committee be adjourned at 2:25 p.m.

CARRIED

Respectfully submitted,

Councillor B. Johnson
Chair, Planning Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk