



PLANNING COMMITTEE

MINUTES 12-007

Tuesday, May 1, 2012

9:30 am

Council Chambers

City Hall

71 Main Street West

Hamilton, Ontario

Present: Councillors B. Clark (Chair), J. Farr (1st Vice Chair), B. Johnson (2nd Vice Chair), C. Collins, L. Ferguson, R. Pasuta, M. Pearson and T. Whitehead

Absent with Regrets: Councillor J. Partridge – City Business

Also Present: Councillor R. Powers
Councillor T. Jackson
T. McCabe, GM, Planning & Economic Development
M. Hazell, Senior Director, Parking & By-Law Services
T. Sergi, Senior Director, Growth Management
P. Mallard, Director, Planning
B. Janssen, Director, Strategic Services
S. Robichaud, Manager, Development Planning
V. Robicheau, Office of the City Clerk

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:

- 1. Information Package Respecting Sign By-Law Deliberations (PED05172(k)) (City Wide) (Item 5.1)**

(Collins/Johnson)

That Report PED05172(k), Information Package Respecting Sign By-Law Deliberations, be received.

CARRIED

2. Amendments to Telecommunication Tower and Antenna Protocol (PED09206(b)) (City Wide) (Item 5.2)

(Ferguson/Pearson)

- (a) That the amended City of Hamilton Telecommunication Tower and Antenna Protocol, attached as Appendix "A" to Report PED09206(b), be adopted;
- (b) That the City Clerk forward a copy of the amended Protocol to Industry Canada and the Federation of Canadian Municipalities for information;

CARRIED

3. Community Mediation Services for Municipal Law Enforcement (PED11181(a)) (City Wide) (Item 5.3)

(Whitehead/Pearson)

- (a) That staff negotiate with Community Justice Initiatives for a 24-month pilot project to provide community mediation services for the Municipal Law Enforcement (MLE) Section;
- (b) That staff report back to Planning Committee within three months with the full details, including the terms, conditions and costs of the proposed pilot project.

CARRIED

4. Hamilton Municipal Heritage Committee – Minutes 12-002 (Item 5.4)

(Whitehead/Pearson)

That the Hamilton Municipal Heritage Committee Minutes 12-002, be received.

CARRIED

5. Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas) (PED12058) (Ward 13) (Item 6.2)

(Collins/Whitehead)

- (a) That the Amended Official Plan Amendment Application OPA-09-055 by Alterra (Spencer Creek) Ltd., Owner be DENIED because the application is:
 - (i) Contrary to the intent of Amendment #9 of the former Town of Dundas Official Plan (proposed 389 units vis-à-vis 322 units over 5 sites);

- (ii) Contrary to the agreed to intent of the defined zoning: Park and Recreation PR1/S-84 which would “limit the area of the clubhouse by requiring a minimum landscape area of 2,000 square metres for the side and rear yards as an outdoor amenity area”;
- (b) That Legal staff be authorized to retain such consultants as they deem necessary to defend the City’s position if this matter is appealed to the Ontario Municipal Board;
- (c) That the amount required to retain such consultants to defend the City’s position before the Ontario Municipal Board would be funded first through the 2012 budget, second through year-end corporate surpluses and lastly through the tax stabilization reserve.

CARRIED

6. Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton) (PED09103(b)) (Ward 1) (Item 8.1)

(Whitehead/Collins)

- (a) That the Official Plan Amendment application (OPA-07-016) and Zoning By-law Amendment application (ZAC-07-062) by Auburn be DENIED for the reason that 17 Ewen Road is not an appropriate location for residential development;
- (b) That Council recognizes that its decision denying Auburn’s OPA and ZBA applications will require changes to the designation for 17 Ewen Road in the Hamilton Urban Official Plan to remove residential uses and may also require additional changes to the Hamilton Urban Official Plan which is under appeal at the Ontario Municipal Board;
- (c) That Planning and Legal staff be directed to report back to Planning Committee advising what changes to the Hamilton Urban Official Plan will need to be pursued at the OMB hearing of the Hamilton Urban Official Plan as a result of the denial of Auburn’s OPA and ZBA applications;
- (d) That Legal staff be authorized to retain such consultants as they deem necessary to defend the City’s position if this matter is appealed to the Ontario Municipal Board;
- (e) That the amount required to retain such consultants to defend the City’s position before the Ontario Municipal Board would be funded first through the 2012 budget, second through year-end corporate surpluses and lastly through the tax stabilization reserve.

CARRIED

7. **Update of Hamilton Rural Official Plan and Hamilton Urban Official Plan OMB Appeals (LS12011) (Item 12.2)**

(Johnson/Pearson)

That Report LS12011 respecting, Update of Hamilton Rural Official Plan and Hamilton Urban Official Plan OMB Appeals, be received and remain confidential.

CARRIED

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA

The Committee Clerk advised of the following changes to the Agenda:

DELEGATION REQUESTS

- 4.2 Delegation Request from Janice Brown, respecting the Durand Neighbourhood Association's position with respect to the fire escape at 130 Herkimer St., Hamilton (for May 15, 2012)
- 4.3 Delegation Request from Jason Velenosi, respecting trap grease removal/pumping within the City of Hamilton (for May 15, 2012)

PUBLIC HEARINGS AND DELEGATIONS

- New Item 6.1 Delegation from Renee Wetselaar, respecting Pocket Housing Business Plan by the Affordable Housing Flagship
- 6.2 Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas) (PED12058) (Ward 13)

Due to volume, public submissions are available online only

- (i) Added Public Submissions
 - (a) Correspondence from Kenneth Finkel
 - (b) Correspondence from Jo Streeter
 - (c) Correspondence from Peter and Cheryl Ennals
 - (d) Correspondence from Joanne Reid
 - (e) Correspondence from Dundas Community Council
 - (f) Correspondence from Charlotte Lavigne

- (g) Correspondence from Roy and Patricia McKay
 - (h) Correspondence from Sheila Hamilton
 - (i) Correspondence from Carol Relf
 - (j) Correspondence from Judy Snider
- (ii) Registered Public Speakers
- (k) Brenda Khes
 - (l) Anita Finlayson
 - (m) Jim Boyd
 - (n) Larry Button
 - (o) Leo Laviolette
 - (p) Dr. Daniel Kollek
 - (q) Dr. Gord Cameron
 - (r) Allan Sharp
 - (s) Lyn Townsend
 - (t) Ross Cruikshank
 - (u) Jean Wilson
 - (v) Martin Hertzog
 - (w) Mary Maas
 - (x) Marilyn Bar-Or
 - (y) Peggy Findlay
 - (z) John Miltenbury
 - (aa) David Burrows
 - (bb) Constance Edwards
 - (cc) Christine Westerby
 - (dd) Ken Finkel
 - (ee) Marju Drynan
 - (ff) Nora Mishkel
 - (gg) Brian Walker
 - (hh) Fred Kennedy
 - (ii) Laura Mestelman
 - (jj) Suki Garson

DISCUSSION ITEMS

- 8.1 Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton) (PED09103(b)) (Ward 1)

PRIVATE & CONFIDENTIAL

- 12.3 Verbal Update - Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton) (PED09103(b)) (Ward 1)

(Collins/Pearson)

That the Agenda for the April 17, 2012 meeting of the Planning Committee be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST

None.

(c) APPROVAL OF MINUTES

(i) April 17, 2012

(Pearson/Pasuta)

That the Minutes of the April 17, 2012 Planning Committee meeting be approved.

CARRIED

(d) DELEGATION REQUESTS

- (i) Delegation Request (for today's meeting) from Brodie Caverhill and Gabriel Cicchi, respecting the DeGroot School of Business at McMaster University's High School Business Heroes competition (Item 4.1)**

(Collins/Pearson)

That the delegation request for today's meeting from Brodie Caverhill and Gabriel Cicchi, respecting the DeGroot School of Business at McMaster University's High School Business Heroes competition, be approved.

CARRIED

- (ii) Delegation Request from Janice Brown, respecting the Durand Neighbourhood Association's position with respect to the fire escape at 130 Herkimer St., Hamilton (for May 15, 2012) (Item 4.2)**

(Pearson/Ferguson)

That the delegation request from Janice Brown, respecting the Durand Neighbourhood Association's position with respect to the fire escape at 130 Herkimer St., Hamilton, be approved for a future meeting.

CARRIED

- (iii) **Delegation Request from Jason Velenosi, respecting trap grease removal/pumping within the City of Hamilton (for May 15, 2012) (Item 4.3)**

(Pearson/Johnson)

That the delegation request from Jason Velenosi, respecting trap grease removal/pumping within the City of Hamilton, be approved for a future meeting.

CARRIED

(e) CONSENT ITEMS

- (i) **Amendments to Telecommunication Tower and Antenna Protocol (PED09206(b)) (City Wide) (Item 5.2)**

(Ferguson/Pearson)

That item "Cell Phone Towers (Motion)" be identified as completed, and removed from the Planning Committee Outstanding Business List, as per Report PED09206(b).

CARRIED

For disposition on this Item, refer to item 2.

- (ii) **Community Mediation Services for Municipal Law Enforcement (PED11181(a)) (City Wide) (Item 5.3)**

Ms. Snider's letter was approved as part of the motion for item 6.2 (i)(j):

- (i) **Correspondence from Judy Snider**

(Whitehead/Johnson)

That the correspondence from Judy Snider, respecting Community Mediation Services for Municipal Law Enforcement (PED11181(a)), be received.

CARRIED

For disposition on this Item, refer to item 3.

(f) PUBLIC HEARINGS AND DELEGATIONS

(i) Delegation from Renee Wetselaar, respecting Pocket Housing Business Plan by the Affordable Housing Flagship (Item 6.1)

Ms. Wetselaar, Social Planner - Social Planning and Research Council of Hamilton, Larry Huibers, Co-Chair - Affordable Housing Flagship, Executive Director - Housing Help Centre, and Conrad Zurini, Co-Chair - Affordable Housing Flagship, Broker - Remax Escarpment Realty, presented to Committee with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

(Pearson/Farr)

That the presentation from Renee Wetselaar, Larry Huibers and Conrad Zurini, respecting Pocket Housing Business Plan by the Affordable Housing Flagship, be received.

CARRIED

(Farr/Johnson)

- (a) That the appropriate staff be requested to meet with the Pocket Housing group and their partners the Affordable Housing Flagship;
- (b) That staff consult with the public on the Pocket Housing concept;
- (c) That staff contemplate the legislative requirements as it relates to the pilot opportunities for Pocket Housing.

CARRIED

(ii) Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas) (PED12058) (Ward 13) (Item 6.2)

Cam Thomas, Planner, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the official record.

(Whitehead/Johnson)

That the staff presentation respecting Report PED12058, Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas), be received.

CARRIED

(Ferguson/Farr)

That the applicant's presentation be referred to after the public hearing.

CARRIED

- (i) Added Public Submissions

(Collins/Johnson)

That the following items of correspondence respecting Report PED12058, Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas), be received:

- (a) Correspondence from Kenneth Finkel
- (b) Correspondence from Jo Streeter
- (c) Correspondence from Peter and Cheryl Ennals
- (d) Correspondence from Joanne Reid
- (e) Correspondence from Dundas Community Council
- (f) Correspondence from Charlotte Lavigne
- (g) Correspondence from Roy and Patricia McKay
- (h) Correspondence from Sheila Hamilton
- (i) Correspondence from Carol Relf
- (j) Correspondence from Judy Snider

CARRIED

In accordance with the provision of the Planning Act, Chair B. Clark 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 approves the Official Plan and Zoning By-law amendments, 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 public speakers came forward.

- (ii) Registered Public Speakers

- (a) Brenda Khes – 200-29 Rebecca St., Hamilton, ON L8R 1B3

Ms. Khes, GSP Group, provided a planning overview of the site.

- (b) Anita Finlayson – 706-1000 Creekside Dr., Dundas, ON L9H 7S6

Ms. Finlayson provided a short historical background of the site.

- (c) Jim Boyd

Mr. Boyd provided an overview of the green space located at the site.

- (d) Larry Button – 203-3000 Creekside Dr., Dundas, ON L9H 7S8

Mr. Button provided an overview of the Intensification and density.

- (e) Leo Laviolette – 601-3000 Creekside Dr., Dundas, ON L9H 7S8

Mr. Laviolette provided an overview of the potential traffic, parking and congestion implications at the site.

- (f) Ken Lawrence – 701-1000 Creekside Dr., Dundas, ON L9H 2S6

Mr. Lawrence provided an overview of concerns with privacy, wind effects and shading at the site.

- (g) Dr. Daniel Kollek – 902-4000 Creekside Dr., Dundas, ON L9H 7S9

Dr. Kollek provided an overview of the health effects of removing sources of sunlight and wind effects provided by the green space at the site.

- (h) Dr. Gord Cameron – 803-2000 Creekside Dr., Dundas, ON L9H 7S7

Dr. Cameron provided an overview of why green spaces make healthy communities.

- (i) Allan Sharp – 501-1000 Creekside Dr., Dundas, ON L9H 7S6

Mr. Sharp provided an overview of why protecting the green space is of great concern to the community.

- (j) Ross Cruikshank – 409-50 Hatt St., Dundas, ON L8H 0A1

Mr. Cruikshank provided an overview of the concerns with the use of the property at the site.

- (k) Jean Wilson – 302-3000 Creekside Dr., Dundas, ON L9H7S8

Ms. Wilson expressed concerns over the proximity of the new building to the existing buildings.

- (l) Martin Herzog - 602-3000 Creekside Dr., Dundas, ON L9H 7S8

Mr. Herzog expressed concerns over the proximity, privacy and view obstruction should the new building be constructed.

- (m) Mary Maas - 803-3000 Creekside Dr., Dundas, ON L9H 7S8

Ms. Maas expressed concerns over the promise of green space and commented that the lot was zoned as a park. She also was concerned over the wind effects of the existing site and with the inclusion of the new building.

- (n) Constance Edwards - 903-3000 Creekside Dr., Dundas, ON L9H 7S8

Ms. Edwards expressed concerns over the wind effect on pedestrians.

- (o) Peggy Findlay - 303-2000 Creekside Dr., Dundas, ON L9H 7S7

Ms. Findlay expressed concerns over the sunlight and shadows in her unit.

- (p) John Miltenburg - 901-3000 Creekside Dr., Dundas, ON L9H 7S8

Mr. Miltenburg expressed concerns over the state of shadows should the new building be constructed.

- (q) Marilyn Bar-Or - 802-3000 Creekside Dr., Dundas, ON L9H 7S8

Ms. Bar-Or expressed concerns over the view changes and obstructions and the sunlight loss caused by shadows.

- (r) Marju Drynan – 901-4000 Creekside Dr., Dundas, ON L9H 7S9

Ms. Drynan expressed concerns over the new density issues.

- (s) Laura Mestelman - 306-1000 Creekside Dr., Dundas, ON L9H 7S8

Ms. Mestelman expressed concerns over the traffic patterns within the area as of current and should the new development be constructed.

- (t) Nora Mishkel - 902-3000 Creekside Dr., Dundas, ON L9H 7S8

Ms. Mishkel expressed concerns over the green space and the stated uses when the existing buildings were sold.

- (u) Christine Westerby - 702-3000 Creekside Dr., Dundas, ON L9H 7S8

Ms. Westerby expressed concern over losing the green space, plus paying the extra for the escarpment view.

- (v) Dr. Ken Finkel - 502-3000 Creekside Dr., Dundas, ON L9H 7S8

Dr. Finkel expressed concerns over the construction of the new building and the loss of green space.

- (w) David Burrows - 703-3000 Creekside Dr., Dundas, ON L9H 7S8

Mr. Burrows expressed concerns over the loss of green space.

- (x) A resident from Amica retirement home expressed concerns over the parking issues that may arise from the new development.

(Pearson/Whitehead)

That the public hearing respecting Report PED12058, Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas), be closed.

CARRIED

(Johnson/Pearson)

That the public presentations respecting Report PED12058, Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas), be received.

CARRIED

Lyn Townsend, legal counsel on behalf of the applicant, provided her concerns over the accuracy and authenticity models and drawings presented during the public hearing portion of today's meeting. Ms. Townsend also expressed that the current building is shorter than the existing buildings. She also indicated that the current zoning of the land and provided a history of the designation of the land and clarified the current zoning. Ms. Townsend also addressed the wind study and the parking issues.

Rob Cooper, President of Alterra, spoke to the marketing and advertisement aspects of the site. He replied to Councillors questions respecting the original artists rendering of the site plan. Mr. Cooper indicated that disclaimers, contracts and information in the sales office was made available to clarify to purchasers that the builders did not intend to develop block 11 as a club house or green space.

(Whitehead/Johnson)

That the applicant presentation respecting Report PED12058, Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas), be received.

CARRIED

(Whitehead/Pearson)

That Allan Sharp be allowed to speak to the developers comments.

The motion CARRIED on a STANDING RECORDED vote, as follows:

Yeas: M. Pearson, B. Johnson, L. Ferguson, R. Pasuta, C. Collins and
T. Whitehead

Total: 6

Nays: B. Clark and J. Farr

Total: 2

Absent: J. Partridge

Total: 1

Mr. Sharp expressed his knowledge of the marketing and advertisement aspects and spoke to the community aspects and also the materials used by the public speakers at today's meeting.

(Whitehead/Johnson)

That the presentation from Allan Sharp respecting Report PED12058, Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas), be received.

CARRIED

(Farr/Whitehead)

That Report PED12058, Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas), be amended by replacing "Appendix D" with the "REVISED Appendix D".

Amendment CARRIED

The main motion CARRIED on a STANDING RECORDED vote, as follows:

Yeas: M. Pearson, B. Johnson, L. Ferguson, R. Pasuta, C. Collins, T. Whitehead B. Clark and J. Farr

Total: 8

Absent: J. Partridge

Total: 1

For disposition on this Item, refer to item 5.

(g) DISCUSSION ITEMS

- (i) Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton) (PED09103(b)) (Ward 1) (Item 8.1)**

(Collins/Pearson)

That Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton), be lifted from the table.

CARRIED

(Collins/Pearson)

That the agent respecting Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton), be allowed to speak to the item today.

CARRIED

Chris Pidgeon, GSP Group Inc., and Barry Card, Solicitor, provided an overview of Auburn's position on the development.

(Pearson/Whitehead)

That the agent's presentation respecting Report PED09103(b), Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton), be received.

CARRIED

(Whitehead/Farr)

- (a) That approval be given to Official Plan Amendment Application OPA-07-016, Auburn Developments Inc. (Jamie Crich), Owner, for Amendment No._____ to the City of Hamilton Official Plan for changes in designations on Schedule "A" - Land Use Concept of the City of Hamilton Official Plan from "Industrial" to "Residential", and to remove the lands from Schedule "B" - Special Policy Area of the City of Hamilton Official Plan, and on Schedule "N1" Land Use Plan, of the Ainslie Wood Secondary Plan in the City of Hamilton Official Plan from "Industrial" to "High Density Residential", to permit a 10 storey multiple residential building, intended for the purpose of student accommodations, on lands located at 17 Ewen Road (Hamilton), as shown on Appendix "A" to Report PED09103, on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED09103, 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-07-062, Auburn Developments Inc. (Jamie Crich), Owner, for a change in zoning from the "J" (Light and Limited Heavy Industry, Etc.) District, Modified, to the "E-3"-H' (High Density Multiple Residential - Holding) District, Modified, to permit the development of a 10 storey

multiple residential building, on lands located at 17 Ewen Road, as shown on Appendix "A" to Report PED09103, on the following basis:

- (i) That the draft By-law, attached as Appendix "C" to Report PED00103, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the amending By-law apply the Holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject lands by introducing the Holding symbol 'H' as a suffix to the proposed Zoning District. The Holding provision will prohibit the development of the subject lands until such time as a Record of Site Condition (RSC), and approved Site Plan implementing the recommendations of the approved Noise Study, have been submitted, to the satisfaction of the City of Hamilton's Director of Planning, including an acknowledgement of receipt of the RSC by the Ministry of Environment (MOE);
 - (iii) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the Hamilton Official Plan upon approval of Official Plan Amendment No._____.
- (c) That Section 3.b) of the Draft By-law, contained in Appendix "C" to Report PED09103, be deleted in its entirety and replaced with the following:

"That the owner shall implement the approved noise control measures through an approved Site Plan application that is satisfactory to the City of Hamilton in meeting the Ministry of the Environment's recommended sound level limits, to the satisfaction of the City of Hamilton, Director of Planning."

DEFEATED

For disposition on this Item, refer to item 6.

(h) MOTIONS

(i) Gorilla Cheese verses Gallagher's Melt Down

(Farr/Whitehead)

That the following motion be deferred to Council:

“That a 24-person increase to what is a 36-person occupancy, for a three hour period (5:00 p.m. to 8:00 p.m.), May 18th, 2012 be permitted on a patio at Gallagher’s in order to allow for the Gorilla Cheese verses Gallagher’s Melt Down event (proceeds to Hamilton Food Share) pending approval from the AGCO.”

CARRIED

(i) NOTICE OF MOTION

Councillor Farr presented the following Notice of Motion:

(i) Gorilla Cheese verses Gallagher’s Melt Down

That a 24-person increase to what is a 36-person occupancy, for a three hour period (5:00 p.m. to 8:00 p.m.), May 18th, 2012 be permitted on a patio at Gallagher’s in order to allow for the Gorilla Cheese verses Gallagher’s Melt Down event (proceeds to Hamilton Food Share) pending approval from the AGCO.

(Farr/Pearson)

That the rules be waived in order to allow for the motion respecting Gorilla Cheese versus Gallagher’s Melt Down event to be heard as a motion at today’s meeting.

CARRIED

(j) GENERAL INFORMATION AND OTHER BUSINESS

(i) Outstanding Business List Amendments (Item 11.1)

(Pearson/Pasuta)

That the following items be deleted from the Outstanding Business List:

(A) Item P: Mediation Services for Municipal Law Enforcement

(B) Item Q: Cell Phone Towers (Motion)

CARRIED

(k) PRIVATE AND CONFIDENTIAL

(i) Closed Session Minutes – April 17, 2012 (Item 12.1)

(Whitehead/Pearson)

That the Closed Session Minutes of the April 17, 2012 meeting of the Planning Committee be approved, as presented, and remain confidential and restricted from public disclosure.

CARRIED

(Pearson/Collins)

That the Planning Committee move into Closed Session at 6:00 p.m.

CARRIED

At 6:00 p.m., Committee moved into Closed Session to consider the confidential item 12.2 pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law and Section 239, Sub-sections (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, the receiving of advice that is subject to solicitor-client privilege including communications necessary for that purpose.

(Collins/Pearson)

That the Planning Committee reconvene in Open Session at 6:25 p.m.

CARRIED

(ii) Update of Hamilton Rural Official Plan and Hamilton Urban Official Plan OMB Appeals (LS12011) (Item 12.2)

For disposition on this Item, refer to item 7.

(I) ADJOURNMENT

(Partridge/Johnson)

That, there being no further business, the Planning Committee be adjourned at 6:30 p.m.

CARRIED

Respectfully submitted,

Councillor B. Clark
Chair, Planning Committee

Vanessa Robicheau
Legislative Coordinator
Office of the City Clerk
May 1, 2012