



**Planning Committee
MINUTES 11-003
9:30 a.m.
Tuesday, February 15, 2011
9:30 am
Council Chambers
City Hall, 71 Main Street West,
Hamilton, Ontario**

Present: Chair: Councillor R. Pasuta, Vice Chairs: Councillors: B. Clark, J. Farr
Councillors: C. Collins, L. Ferguson B. Johnson, J. Partridge, M. Pearson, T. Whitehead

Staff Present: T. McCabe, General Manager – Planning and Economic Development
M. Sergi, P. Mallard, T. Sergi, M. Hazell, S. Hamilton, A. Fletcher, B. Janssen, M. Blevins, D. Fama, C. Thomas, K. Mihaljevic - Planning and Economic Development
L. Pasternak, J. Wice – Legal Services
A. Rawlings – City Clerk’s Office

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL:

- 1. Committee of Adjustment Minor Variance Application HM/A-10:249, for the Property Located at 99 Burris Street (Hamilton), Supported by the Planning and Economic Development Department But Denied by the Committee of Adjustment (PED11016) (Ward 3) (Item 5.1)**

(Pearson/Whitehead)

That Report PED11016, respecting Committee of Adjustment Minor Variance Application HM/A-10:249, for the property located at 99 Burris Street (Hamilton), as shown on Appendix “A” to Report PED11016, supported by the Planning and Economic Development Department, but denied by the Committee of Adjustment, be received for information.

CARRIED

2. **Committee of Adjustment Minor Variance Application HM/A-10:271, for the Property Located at 22-24 Emerald Street South (Hamilton), Supported by the Planning and Economic Development Department But Denied by the Committee of Adjustment (PED11023) (Ward 3) (Item 5.2)**

(Ferguson/Collins)

That Report PED11023, respecting Committee of Adjustment Minor Variance Application HM/A-10:271, for the property located at 22-24 Emerald Street South (Hamilton), as shown on Appendix "A" to Report PED11023, supported by the Planning and Economic Development Department, but denied by the Committee of Adjustment, be received for information.

CARRIED

3. **2011 Tariff of Fees (PED11026) (City Wide) (Item 5.3)**

(Pearson/Whitehead)

(a) That new fees be introduced, equivalent to one-half (1/2) of the applicable Site Plan Application fee for Site Plan Applications for single, semi, and duplex dwellings, within or contiguous to Major Open Space Areas, Environmentally Sensitive Areas, and Provincially Significant Areas, as designated in the Official Plans.

(b) That this matter be referred to the 2011 Budget Process, for inclusion in the User fees and Charges By-law.

CARRIED

4. **Zoning and the Human Rights Code (PED11029) (City Wide) (Item 5.4)**

(Ferguson/Clark)

That Report PED11029 respecting Zoning and the Human Rights Code be received.

CARRIED

5. **Application for Approval of a Draft Plan of Condominium (Common Elements), by Multi-Area Developments Inc., for Lands Located on the East Side of Pelech Crescent, Part of Block 79, Registered Plan 62M-1143, and Part of Block 1, Registered Plan 62M-1103 (Glanbrook) (PED11020) (Ward 11) (Item 6.1)**

(Pearson/Whitehead)

That approval be given to **Condominium Application 25CDM-201013, by Multi-Area Developments Inc, Owner**, to establish a draft plan of condominium (Common Elements Condominium) to create a condominium road, visitor parking areas, amenity and landscaped areas, for 26 freehold block townhouse dwellings, on lands known legally as Part of Block 79, Registered Plan 62M-1143, and Part of Block 1, Registered Plan 62M-1103 (Glanbrook), as shown on the attached location map marked as Appendix "A" to Report PED11020, subject to the following conditions:

(a) That this approval shall apply to the plan, prepared by A.J. Clarke and Associates and certified by B.J. Clarke, O.L.S., dated October 28, 2010, showing

a common element road, visitor parking areas, amenity and landscaped areas, attached as Appendix "B" to Report PED11020.

- (b) That the Final Plan of Condominium shall comply with all of the applicable provisions of Zoning By-law No. 464.
- (c) That the final plan of condominium shall comply, in all respects, with the approved Site Plan (DA-10-086), to the satisfaction of the Director of Planning.
- (d) That the owner shall receive final approval of Part Lot Control Application PLC-10-038, including the enactment and registration on title of the Part Lot Control Exemption By-law, to the satisfaction of the Manager of Development Planning.
- (e) That the owner shall enter into a Development Agreement to ensure that the tenure of each of the proposed 26 freehold units has legal interest, in common, to the Common Elements Condominium, to the satisfaction of the City Solicitor.
- (f) That the owner shall include the following warning clause in the Condominium Agreement and all Purchase and Sale Agreements, and any rental or lease agreements required for occupancy:

"Purchasers are advised that the City of Hamilton will not be providing maintenance or snow removal service for the private condominium road."

- (g) That the owner shall, to the satisfaction of Canada Post and Development Engineering, agree to include on all offers of purchase and sale, a statement that advises the purchaser:
 - (i) That the home/business mail delivery will be from a designated Centralized Mail Box; and,
 - (ii) That the developers/owners will be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
- (h) That the owner shall, to the satisfaction of Canada Post and Development Engineering, agree to:
 - (i) Work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations, which may be utilized by Canada Post, until the curbs, boulevards, and sidewalks are in place in the remainder of the subdivision;
 - (ii) Install a concrete pad in accordance with the requirements of, and in locations to be approved by Canada Post and the Director of Development Engineering, to facilitate the placement of Community Mail Boxes;

- (iii) Identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase; and,
 - (iv) Determine the location of all centralized mail receiving facilities in cooperation with Canada Post and the Director of Development Engineering, and to indicate the location of centralized mail facilities on appropriate maps, information boards, and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
- (i) That the owner shall provide the Manager of Design and Construction with evidence that satisfactory arrangements, financial and otherwise, have been made with a telecommunication service provider, approved by the Canadian Radio and Telecommunication Commission (CRTC), that adequate telecommunication service will be provided to the condominium, including 9-1-1 emergency calling service that identifies, at a minimum, the caller's name and location information.
 - (j) That the owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton.
 - (k) That the owner shall agree to establish easements of an appropriate width in favour of Union Gas, if necessary.
 - (l) That the owner shall enter into, and register on title, the Condominium Agreement incorporating the approved plan of condominium and related conditions, to the satisfaction of the City Solicitor.

CARRIED**6. Application for Approval of a Draft Plan of Condominium (Common Element) (25CDM-201009) for Lands Located at 615-647 Rymal Road East (Hamilton) (PED11021) (Ward 7) (Item 6.2)****(Pearson/Whitehead)**

That approval be given to **Condominium Application 25CDM-201009, "Park Town East", (Rymal Square Developments - Tom Weisz), Owner**, to establish a Draft Plan of Condominium (Common Element) to create an internal road network and visitor parking for 69 townhouse dwelling units within Block 23 of Registered Plan 62M-1025, located at 615-647 Rymal Road East (Hamilton), as shown on the attached map marked as Appendix "A" to Report PED11021, subject to the following conditions:

- (a) That this approval applies to the plan prepared by Urbex Engineering Ltd. and certified by John Nouwens, O.L.S., dated August 30, 2010, showing the condominium road network, visitor parking and adjacent fencing and landscaped areas, acoustical barrier and associated landscaping and corner gateway feature, attached as Appendix "B" to Report PED11021.

- (b) That the Final Plan of Condominium shall comply, in all respects, with the approved Site Plan (DA-10-10), to the satisfaction of the Director of Planning.
- (c) That the Final Plan of Condominium shall comply with all of the applicable provisions of Hamilton Zoning By-law 6593 and By-law 09-222.
- (d) That the owner agrees to deed, free and clear to the City of Hamilton, any easements that may be required for utility purposes.
- (e) That the owner shall include the following warning clause in the Condominium Agreement and in all Purchase and Sale Agreements, and Rental or Lease Agreements, to the satisfaction of the Director of Planning:

“Purchasers are advised that the City of Hamilton shall not be responsible for the maintenance, repair and replacement of the condominium visitors parking areas and adjacent perimeter chain link fencing and landscaped areas, acoustical barrier and adjacent landscaping areas, and corner entrance wall.”

- (f) That the owner shall include the following warning clauses in the Condominium Agreement and in all Purchase and Sale Agreements, and Rental or Lease Agreements, to the satisfaction of the Director of Planning:

Units 33, 36, 47, 50, 59, and 68

“Purchasers are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the Municipality’s and the Ministry of the Environment’s Noise criteria.”

Units 1, 34, 35, 48, 49, 60, 61, 62, 63, and 69

“Purchasers are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increased road traffic may on occasion interfere with some activities of the dwelling occupants as the sound levels exceed the Municipality’s and the Ministry of the Environment’s Noise criteria.

This dwelling has been fitted with a forced air heating system and ducting, etc., and was sized to accommodate central air conditioning. Installation of central air conditioning by the occupant will allow windows and exterior doors to remain closed, thereby ensuring that the sound levels are within the Municipality’s and the Ministry of the Environment’s Noise criteria.”

- (g) That the owner shall include the following warning clause in the Condominium Agreement, and in all Purchase and Sale Agreements and Rental or Lease

Agreements, to the satisfaction of the Director of Operations and Maintenance, Public Works Department:

“Purchasers/tenants are advised that the City of Hamilton will not be providing maintenance or snow removal service for the private condominium roads.”

- (h) That the owner shall provide the Manager of Design and Construction with evidence that satisfactory arrangements, financial and otherwise, have been made with a telecommunication service provider, approved by the Canadian Radio and Telecommunication Commission (CRTC), that adequate telecommunication service will be provided to the condominium, including 9-1-1 emergency calling service that identifies, at a minimum, the caller's name and location information.
- (i) That the owner shall include in all Purchase and Sale Agreements and Rental or Lease Agreements, a statement that advises the prospective purchaser/tenant of the following matters pertaining to Canada Post, to the satisfaction of Canada Post and the Director of Development Engineering:
 - (i) That the home/business mail delivery will be from a designated Centralized Mail Box; and,
 - (ii) That the developers/owners will be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
- (j) That the owner shall agree, to the satisfaction of Canada Post and the Director of Development Engineering, to undertake the following:
 - (i) Work with Canada Post and Development Engineering to determine and provide temporary suitable Centralized Mail Box locations, which may be utilized by Canada Post, until the curbs, boulevards, and sidewalks are in place in the remainder of the subdivision;
 - (ii) Install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post and the Director of Development Engineering, to facilitate the placement of Community Mail Boxes;
 - (iii) Identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision; and,
 - (iv) Determine the location of all centralized mail receiving facilities in cooperation with Canada Post and the Director of Development Engineering, and to indicate the location of the centralized mail facilities on appropriate maps, information boards, and plans. Maps are also to be

prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.

- (k) That the owner shall receive final approval for a Part Lot Control Application, including the enactment and registration on title of the Part Lot Control Exemption By-law, to the satisfaction of the Manager of Development Planning.
- (l) That the owner shall enter into a Condominium Agreement to ensure that the tenure of each of the proposed 69 freehold units has legal interest, in common, to the Common Elements Condominium, to the satisfaction of the City Solicitor.
- (m) That the owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton.
- (n) That the owner shall enter into, and register on title, the Condominium Agreement including the approved plan of condominium and related conditions, to the satisfaction of the City Solicitor.

CARRIED

**7. Approval of New Official Plan
(Ferguson/Clark)**

That the Mayor contact the Premier of Ontario to request an update on the progress of the approval of the City of Hamilton Urban Official Plan.

CARRIED

**8. Rural Hamilton Official Plan –Appeals to the Ontario Municipal
Board (Item 12.1)
(Collins/Johnson)**

- a) That the proposed changes to the Rural Hamilton Official Plan, respecting Policies C.1.2.2, C.2.2.6 and C.2.2.7, as revised by City Planning Staff and provided to the Planning Committee on February 15, 2011 by the City Solicitor be supported by Council with such minor amendments thereto as the General Manager of Planning and Economic Development Department and City Solicitor deem appropriate.
- b) And that the details of the settlements, as outlined in Report (PED11027), remain confidential, until the time of the OMB Hearing into this matter, whereafter they will be released as public information

CARRIED

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised the following changes to the agenda.

- two added delegation requests, to speak at future meetings, distributed this morning, will be added as items 4.1 and 4.2.
- Dave Braden would like to speak today. His delegation was approved on February 1, 2011, and will be added under Item 6.0

On a Motion the agenda was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) APPROVAL OF MINUTES (Item 3)

The Minutes of the February 1, 2011 Planning Committee meeting were approved.

(d) DELEGATION REQUESTS (Item 4)

(i) Sheila Crowe, respecting a demolition permit at 218 Beach Boulevard

On a Motion, Committee agreed to hear this delegation on March 1, 2011, when the staff report will be considered.

(ii) Mike Nickerson, respecting sustainability issues

On a Motion, Committee agreed to hear this delegation on March 1, 2011, and to allow Mr. Nickerson to have 15 minutes.

(e) Committee of Adjustment Minor Variance Application HM/A-10:271, for the Property Located at 22-24 Emerald Street South (Hamilton), Supported by the Planning and Economic Development Department But Denied by the Committee of Adjustment (PED11023) (Ward 3) (Item 5.2)

Committee discussed the matter and had additional information supplied by staff. Points raised by staff included the following:

- Tim McCabe advised that Mayor Bratina had sent him an email supporting the Committee of Adjustment refusal of the subject application. Mr. McCabe read the mail to Committee. The Ward Councillor, Bernie Morelli, also supports the Committee of Adjustment decision to deny the application.
- Variances relate to building and construction and relief from the number of parking spaces required, not to the use itself. Use is approved for the site and already exists, and so a human rights challenge would be very unlikely.

Committee received the staff report.

(f) 2011 Tariff of Fees (PED11026) (City Wide) (Item 5.3)

Committee discussed the matter and had additional information supplied by staff. Staff noted that following the expected introduction of the fee, it will be monitored to ensure that it is appropriate for the level of work required. Should the level of work prove to be inconsistent with the fee, staff will recommend appropriate changes.

(g) Zoning and the Human Rights Code (PED11029) (City Wide) (Item 5.4)

Committee discussed the matter and had additional information supplied by staff. Mr. McCabe noted that the City's zoning in the area is very progressive.

Committee received the staff report.

(h) David Braden respecting Rebuilding Urban Development (Added Item 6.4)

David Braden addressed Committee with the aid of a powerpoint presentation. His points included, but were not limited to, the following:

- infrastructure issues will become more complex and costly as time goes on, will have an impact on entire City and our economic position, including poverty; deficit is \$150 million per year

- first slide showed existing street on Hamilton Mountain, with existing built form including six residential units
- second slide showed same street with changes to built form to produce 16 units
- both streets use same infrastructure, but second sketch produces much higher taxes, without any requirement for City investment
- possible to provide intensification, to create additional units, without building highrises, or demolishing existing housing stock, thereby making use of existing infrastructure. Possible to make more use out of each street without major changes
- advocated different approach to intensification, use of alternative energy sources including solar panels, now are cheaper and easier to use
- proposed use of east/west streets, not north/south streets, in new developments. Houses on east/west streets with solar panels on south-facing roofs, can provide 50% of domestic hot water needs; photo-voltaic panels can produce electricity for energy.

Committee discussed the presentation and had additional information supplied by the speaker and staff.

Al Fletcher explained that in many existing residential zones, and in new by-law, duplexes allowed “as-of-right”, and intensification a big feature in new zoning by-law.

Bill Janssen confirmed that new Official Plan will also encourage intensification, that presentation a good example of practical intensification.

Mr. Braden invited members of Committee to visit his house in Valens, which has been built off the grid.

On a Motion (Pearson/Partridge), the delegation was received.

The Chair thanked Mr. Braden for his presentation.

(i) Application for Approval of a Draft Plan of Condominium (Common Elements), by Multi-Area Developments Inc., for Lands Located on the East Side of Pelech Crescent, Part of Block 79, Registered Plan 62M-1143, and Part of Block 1, Registered Plan 62M-1103 (Glanbrook) (PED11020) (Ward 11) (Item 6.1)

Chair Pasuta advised the meeting of the following, in accordance with the provisions of the Planning Act,

- a) If a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before the draft plan of condominium is approved, 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 draft plan of condominium is approved, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

On a Motion (Pearson/Clark), Committee dispensed with the planner's presentation.

Danielle Fama was present to assist Committee.

The applicant's agent, Steve Fraser, A.J. Clarke and Associates, advised Committee that he supported the staff recommendations.

No members of the public came forward to address the Committee.

The Public Meeting was concluded.

Councillor Johnson raised issues related to the parking arrangements for the development, noting that the small sizes of the garages, the limited parking space on the properties and on the street, would lead to parking problems in the area. The Councillor explained that these problems already exist in this part of her Ward, and she had concerns that approving more developments with the same parking standards would simply increase the problem.

Staff noted that the current application is to establish the condominium tenure for the property, and that the units have already been built, in accord with by-law standards.

Committee approved the staff recommendation.

Councillor Johnson agreed to bring forward a Motion on parking issues later in the meeting.

- (j) Application for Approval of a Draft Plan of Condominium (Common Element) (25CDM-201009) for Lands Located at 615-647 Rymal Road East (Hamilton) (PED11021) (Ward 7) (Item 6.2)**

Chair Pasuta advised the meeting of the following, in accordance with the provisions of the Planning Act,

- a) If a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before the draft plan of condominium is approved, 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 draft plan of condominium is approved, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

On a Motion (Pearson/Whitehead), Committee dispensed with the planner's presentation.

Cam Thomas was present to assist Committee.

The applicant's agent, Angleo Cameracci, Urbex, advised Committee that he supported the staff recommendations.

No members of the public came forward to address the Committee.

The Public Meeting was concluded.

Committee approved the staff recommendation.

(k) Application for Amendment to the Town of Ancaster Zoning By-law 87-57 for Lands Located at 1541 Fiddlers Green Road (Ancaster) (PED11010) (Ward 12) (Item 6.3)

Chair Pasuta advised the meeting of the following, in accordance with the provisions of the Planning Act,

- a) If a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before the zoning by-law is passed, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board.
- b) If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Council of the City of Hamilton before the zoning by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the

Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Kate Mihaljevic was present to assist Committee, and provided an overview, with the help of a powerpoint presentation. Her points included but were not limited to the following;

- application is for a temporary use by-law, driving range has been on property for a number of years
- applicant's proposal to have a "bubble" to enclose the existing driving range and a new soccer area represents a permanent use, while the application is for a temporary use by-law.

Staff recommending refusal of the temporary use by-law application as it is not in accord with Provincial policies or City planning policies.

The applicant's agent, Ed Fothergill, advised Committee that he did not support the staff recommendations. His points included but were not limited to the following;

- noted his comments were included in his letter in the Agenda.
- Client prepared to withdraw his request for the "bubble" but still wants an outdoor soccer use, demonstrated need in area for soccer facilities
- He considers that outdoor soccer facility is in compliance with Open Space definition
- Still uncertainty respecting new Rural Official Plan, and its approval, could be that non-appealed portions will be approved on February 25, 2011. This area could then become Open Space
- Requested decision on the application be deferred, pending further discussions with staff about uses, suggested matter should come back to Committee in April.

Larry Cranston, 165 Carluke Road East, addressed Committee. His points included, but were not limited to, the following:

- has farm east of subject site, operations including planting, harvesting and dairy, the production of manure, and times when there is dust
- not concerned that use would directly impact his agricultural use, but people using the subject property could later complain about noise, smell, dust and other activities.

No further members of the public came forward to address the Committee.

The Public Meeting was concluded.

Committee discussed the matter and had additional information supplied by staff. Points included, but were not limited to the following;

- Councillor Ferguson, Ward Councillor, noted he had met with applicant, discussed issues. Subject site originally part of airport area, but removed when proposed airport area reduced in size. Councillor noted no objection to driving range, on-going use for several years, but he was not in accord with proposed use of "bubble" in this very productive agricultural area.

On a Motion (Ferguson/Johnson), the item was referred back to staff, to allow discussions to take place with the applicant, respecting the proposed uses. Staff was directed to bring the matter back to the meeting April 5, 2011.

(l) MOTIONS (Item 9)

Councillor Johnson expressed her concerns respecting the parking requirements for new residential development, particularly with regard to new townhouse developments. She noted the problems which are happening in new areas regarding lack of parking spaces, and with the minimum sizes of the required garages being too small to allow storage in addition to the parking of a car.

On a Motion, Committee gave the following direction to staff:

That staff be directed to review the sizes of garages, sizes of driveways, on-street and off-street parking arrangements, and parking ratios, as part of the new comprehensive zoning by-law regulations, with a view to revising the standards to permit appropriate spaces for these uses, and to report back to Committee with their findings.

(m) NOTICES OF MOTION (Item 10)

None

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

11.1 Outstanding Business List Items

(i) Regulations respecting methadone clinics

Due date: February 15, 2011

Proposed new date: May 17, 2011

(ii) **Dawn Victoria Homes, 431-497 Southcote Road, Ancaster**

Due date: February 15, 2011

Proposed new date: April 5, 2011

On a Motion (Pearson/Partridge), Committee approved the new due dates.

11.2 News from the General Manager

Mr. McCabe advised that building permits in January 2011 showed an increase over building permits in January 2010.

11.3 New Official Plan

Councillor Ferguson asked how the Provincial approval of the new Official Plan could be expedited. Councillor Clark suggested that a direct contact between the Mayor's office and the office of the Ontario Premier would be the best route to take. Mr. McCabe was asked to work with the Mayor's office on the wording.

Committee passed a Motion (See Item 7).

11.4 Fees for Re-zonings

Councillor Whitehead asked how the fees for simple zone changes were handled, and whether there was equity for "small" re-zonings.

Paul Mallard provided an overview of the fee structure and explained that for "routine" zonings, lower fees are charged.

Tim McCabe added that the department will be undertaking a fee structure review this year, which will look at all the issues involved.

(o) PRIVATE AND CONFIDENTIAL (Item 12)

(i) Rural Hamilton Official Plan –Appeals to the Ontario Municipal Board (Item 12.1)

On a Motion, at 11:40 am, Committee moved into Closed Session to consider an item which is before the OMB and subject to Section 8.1(e) of the City's

Procedural By-law and Section 239 of the Ontario Municipal Act as the subject matters pertain to litigation or potential litigation, including matters before administrative tribunals affecting the City, with respect to the Rural Hamilton Official Plan Appeals to the Ontario Municipal Board.

The Chair advised the public that while they had to leave the Chambers for this item, they were welcome to return, when Committee had finished their Closed Session discussions.

On a Motion, Committee reconvened in Open Session at 11:50 am.

The Chair advised the audience that Committee had just met in Closed Session to receive advice from legal counsel respecting a matter before the OMB, respecting the following matter;

(i) Rural Hamilton Official Plan –Appeals to the Ontario Municipal Board (Item 12.1)

Committee passed a Motion respecting this matter (See item 8)

(p) ADJOURNMENT (Item 13)

On a Motion (Farr/Clark), the meeting adjourned at 11:55 am.

Respectfully submitted

Robert Pasuta, Chair
Planning Committee

Alexandra Rawlings
Co-ordinator
February 15, 2011