Present: Chair M. Pearson  
Vice Chairs, Councillors: B. Bratina, L. Ferguson,  
Councillors: B. Clark, B. McHattie, D. Mitchell, R. Pasuta,  
T. Whitehead, S. Merulla  

Absent With Regrets: Councillor S. Duvall – Personal Business  

Staff Present: T. McCabe, General Manager – Planning and Economic Development  
T. Sergi, M. Hazell, S. Robichaud, J. Spolnik, B. Janssen,  
P. Mallard, T. Rosa, D. Drmanac, M. Blevins,  
B. Montgomery, V. Ormond, C. Plosz - Planning and Economic Development  
M. Kovacevic L. Pasternak – Legal Services  
A. Rawlings – City Clerk’s Office  

THE ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE PRESENTS REPORT 09-023 AND RESPECTFULLY RECOMMENDS:  

1. Amendments to the Property Standards By-law 03-117 to Reflect Current Waste Management Principles (PED09165(a)) (City Wide) (Item 5.1)  

(a) In accordance with the August 13, 2009 City Council direction the draft by-law attached as Appendix “A” to Report PED09165(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted.  

(b) That the public consultation process for the proposed Property Standards By-Law amendments relating to the operation of garbage chutes in multi-residential buildings consist of:  

(i) a survey made available to the general public on the City’s Website and through hard copy at all Municipal Service Centres and various Community Centres.
(ii) encouraging public participation in the survey through advertisements in local newspapers and direct mailings to various Tenant Organizations.

2. **Heritage Permit Application (HP2009-030) Under Part V of the Ontario Heritage Act to Erect a Building at 1014 Beach Boulevard, Hamilton (Hamilton Beach Heritage Conservation District) (PED09285) (Ward 5) (Item 5.2)**

   That approval be given to **Heritage Permit Application (HP2009-030) by John L. Ulbinas, Owner**, to permit the erection of a new two-storey, single-detached dwelling, on the designated property at 1014 Beach Boulevard, Hamilton (Hamilton Beach Heritage Conservation District), as shown on Appendix “A” to Report PED09285, subject to the following conditions:

   (a) That details are provided for material and colour of entry and garage doors, windows, vents, chimneys, trim, hardware, and lights, to the approval and satisfaction of City Planning staff.

   (b) That this approval expires November 30, 2011.

3. **Adjustments to School Crossing Guard Locations (PED09289) (Wards 1, 2, 3, 4, 5, 6, 7, 9 and 10) (Item 5.3)**

   (a) That the revised list of school crossing guard locations resulting from the school closures, boundary changes and lunch program changes in Wards 1, 2, 3, 4, 5, 6, 7, 9 and 10 attached hereto as Appendix “A” to Report PED09289 be approved.

   (b) That staff be authorized and directed to consult with the affected Ward Councillors and to use delegated authority for assigning/removing school crossing guards prior to City Council approval for the school closure/boundary changes proposed by the Hamilton-Wentworth District School Board and the Hamilton-Wentworth Catholic District School Board for the 2010/2011 school year.

4. **Minor Revision to the Pre-Christmas Free Parking Program in the Westdale Village Business Improvement Area (PED09290) (Ward 1) (Item 5.4)**

   That the annual Pre-Christmas Free Parking Program, approved by City Council on June 25, 2003, be amended to revise the free on-street parking from eight (8) Saturdays prior to Christmas to four (4) Saturdays prior to Christmas and the five (5) weekday business days before Christmas, (with a two hour limit) in the Westdale Village Business Improvement Area (BIA).
5. **Appeal of the City of Hamilton Committee of Adjustment Decision to Approve Minor Variance Application SC/A-09:224, Dave and Cynthia Rimac (Owners), 34 Orr Crescent (Former City of Stoney Creek) (PED09292) (Ward 10) (Item 5.5)**

That Council agrees to the following actions, as detailed in Report PED09292, respecting the appeal of the City of Hamilton Committee of Adjustment Minor Variance Application SC/A-09:244 (Dave and Cynthia Rimac), 34 Orr Crescent, former City of Stoney Creek, as shown on Appendix “A” to Report PED09292, approved by the Committee of Adjustment, but recommended for denial by the Planning and Economic Development Department:

(a) That Council of the City of Hamilton direct staff to withdraw the appeal letter forwarded by staff to the Ontario Municipal Board (OMB) against the decision of the Committee of Adjustment to approve Application SC/A-09:244.

6. **City of Hamilton Purchase of 0 Glancaster Road, Described as Part 1, Plan RC-G-671, being Part of Lot 1, Concession 5, in the former Township of Glanbrook, now in the City of Hamilton, from Gill Jasper, Gurdev Buttar and Sukhbir Buttar ( PED09293) (City Wide) (Item 5.6)**

(a) That an Option to Purchase, between the City of Hamilton and Gill Jasper, Gurdev Buttar and Sukhbir Buttar, scheduled to close on or before January 5, 2010 to purchase the land described as Part 1, Plan RC-G-671, being Part of Lot 1, Concession 5, in the former Township of Glanbrook, now in the City of Hamilton, more particularly described as all of PIN 17400-0309(LT) and known municipally as 0 Glancaster Road, Hamilton, as shown on Appendix “A” to Report PED09293 attached, be approved and completed, and the purchase price of $355,000.00 be charged to Account No. 59259-3620504502.

(b) That as consideration, the amount of $2.00, paid to the owner pursuant to the agreement, be deducted from the purchase price.

(c) That the Mayor and Clerk be authorized and directed to execute all necessary documents in a form satisfactory to the City Solicitor.

(d) That the sum of $8,875.00 be funded from Account No. 3620504502 and credited to Account No. HAMTN 45408-3560150200 (Capital – Property Purchases and Sales) being the costs incurred for real estate services.

(e) That the property remains in the ownership of the City and not vested in the Hamilton International Airport at this time.

**Council – November 11, 2009**
7. **Protocol for Declaring Business Improvement Areas (B.I.A.s) as Dormant and Main West Esplanade Business Improvement Area (B.I.A.) Dormant Status (PED09294) (Wards 1 & 2 and City Wide) (Item 5.7)**

a) That the Dormant Business Improvement Area Status Procedure, as attached as Appendix ‘A’ to Report PED09294, be adopted.

b) That the Main West Esplanade Business Improvement Area (B.I.A.) become dormant (a non-active B.I.A.) for a three-year term and that the Main West Esplanade B.I.A. issue a cheque to the City of Hamilton for all monies that are currently in the Main West Esplanade B.I.A. bank account(s).

c) That Finance staff be directed to create an account to hold the funds of the Main West Esplanade B.I.A.

d) That Finance staff be directed to oversee the account and fulfil any financial obligations of the dormant Main West Esplanade B.I.A. throughout the term.

e) That Public Works staff be directed to store any material assets of the B.I.A. and the cost for storage be invoiced to Finance for payment from the B.I.A. account.

f) That Downtown and Community Renewal Division staff be directed to undertake the appropriate program modifications to identify that Financial Incentive Programs are available only to property owners/authorized tenants within the existing ACTIVE City-wide Business Improvement Areas.

8. **Application for a Change in Zoning for Lands Located at 796 Rymal Road East (Hamilton) (PED09288) (Ward 6) (Item 6.2)**

That approval be given to **Zoning By-law Amendment Application ZAR-09-028, by Ernestine Mascolo, Owner**, for changes in zoning from the “AA” (Agricultural) District to the “R-4” (Small Lot Single Family Dwelling) District for Block 1, and “R-4” - ‘H’ (Small Lot Single Family Dwelling - Holding) District, with a Holding provision, for Block 2, in order to permit an existing single detached dwelling and future residential development, on the lands known as 796 Rymal Road East, Hamilton, as shown on Appendix “A” to Report PED09288, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED09288, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(b) That the proposed changes in zoning are consistent with the Provincial Policy Statement, and conform to the Hamilton-Wentworth Official Plan, and City of Hamilton Official Plan.
9. Changes to Licensing Code (By-law 07-170) relating to Taxi Cabs requirement for on-board cameras—Taxi Reform Sub Committee Report 09-002 (Item 6.3)

(a) That the requirement for on-board cameras in taxis be restored to the Licensing By-law, and that this requirement become effective May 1, 2010.

(b) That taxi shields not be considered a prohibited device, but may be used at the discretion of a taxi owner/operator, provided that the shield in no way interferes with any required safety feature or the safe operation of the taxicab and complies with the general requirements of the Licensing By-law.

(c) That the amending By-law to Licensing Code By-law 07-170, attached as Appendix ‘A’ to Report 09-002, to restore the requirement for on-board camera’s in taxis, be passed and enacted.

(d) That the City of Hamilton support, in principle, the installation of shields in taxi cabs, upon approval of the Federal and Provincial governments’ Health & Safety requirements, and approval of standards for Taxi Shields by the Canadian Standards Association.

10. Changes to Licensing Code (By-law 07-170) relating to Taxi Cabs requirement respecting the Holding of a Taxicab Driver’s Licence and taking Service and Skills Training—Taxi Reform Sub Committee-Report 09-002 (Item 6.3)

(a) That Taxi Cab Plate Owners not be required to hold a Taxi Cab Driver’s Licence.

(b) That the requirement for Taxi Cab Owners to complete the Service and Skills Training remain in the Licensing Code By-law 07-170.

11. Proposed Natural Areas Acquisition Fund Strategy (PED09007(a)) (City Wide) (Item 7.1)

(a) That the Natural Areas Acquisition Fund Strategy, attached as Appendix “A” to Report PED09007(a), and as amended by Committee on November 3, 2009, to specify that there will be no added FTE associated with this strategy, be approved, but implementation of the Strategy be held in abeyance pending the outcome of Recommendation (b).
(b) That the Capital requests ($100,000 annually for 2011, 2012, 2013, and $300,000 annually afterwards in perpetuity) be submitted annually through the Capital Budget process.

(c) That the subject item be identified as completed and removed from the Outstanding Business List

12. Hamilton Air Pollutants and Greenhouse Gas Emissions Inventory (PED09287) (City Wide) (Item 7.2)

That the Report “City of Hamilton: Air Pollutant and GHG Inventory Project” attached as Appendix “A” to Report PED09287 be received for information and be referred to staff for actions as part of the Corporate Air Quality and Climate Change Strategic Plan (PED06336(a)) and as evaluation updates to the City’s Corporate Strategic Plan.

13. Temporary Turning Circles - Request for Reduction in Radius and Change in Standard (City Wide) (PED09284) (Item 8.2)

(a) That Council approve the following changes in the standard for temporary turning circles and direct the General Manager of Planning and Economic Development to incorporate the changes within the City’s Engineering Guidelines for Development:

(i) That the City maintain its current standard of 13 metres for temporary turning circles, but permit a reduction in size of the paved portion of the turnaround from a 13m radius to a 12m radius if it makes a material difference to the number of lots that would otherwise need to be sterilized if the 13m radius was used.

(ii) That a reduced setback from the back of curb from 3m to 2m be permitted if no utilities are to be located within the area behind the curb and if it makes a material difference to the number of lots that would otherwise need to be sterilized if a 3m setback was used.

(iii) That a hammerhead design be included as an option for a temporary turning circle.

(b) That the item respecting “Carlson Street temporary turnaround – request for reduction in radius” on the Economic Development and Planning Committee’s Outstanding Business List be identified as completed and removed from the List.
14. **Citizen Appointment to the Task Force on Cleanliness and Security in the Downtown Core.** *(Added Item 9.1)*

That Brian Goodman be appointed to the Task Force on Cleanliness and Security in the Downtown Core for the balance of the 2006-2010 term of Council or until such time as a successor is appointed by Council.

15. **Frisina Developments Inc., 545 Eaglewood Drive**
**Proposed Settlement of Outstanding Ontario Municipal Board Hearing PL090369** *(Added Item 12.3)*

(a) That the City of Hamilton enter into Minutes of Settlement with Frisina Developments Inc., respecting outstanding issues before the OMB in order to resolve the appeal;

(b) That the Minutes of Settlement be in the form as acceptable to the City Solicitor and be based upon both the City and Frisina Developments Inc. agreeing to the approval by the Ontario Municipal Board of the zoning by-law amendment submitted to the Economic Planning and Development Committee on November 3, 2009, by City Legal Staff and that Frisina Developments Inc. not seek any costs order from the Ontario Municipal Board;

(c) That the City Solicitor is hereby authorized to execute the aforesaid Minutes of Settlement.

FOR THE INFORMATION OF COUNCIL:

(a) **CHANGES TO THE AGENDA** *(Item 1)*

The Clerk advised of the following changes to the agenda:

- Two added Delegation requests, distributed this morning to be added as Items 4.1 and 4.2

- Councillor Bratina wishes to introduce a Motion for a new Citizen Appointment to the Task Force on Cleanliness and Security in the Downtown Core. Copies have been distributed and this will be added as Item 9.1

- Two added Closed Session Items respecting matters which are currently before the OMB. These will be added as Item 12.3 and 12.4.

On a Motion, the agenda for the November 3, 2009 meeting of the Economic Development & Planning Committee was approved as amended.

Council – November 11, 2009
(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Ferguson declared an interest in Items 6.3 and 8.1, as he is an investor in the taxi industry.

Chair Pearson declared an interest in item 10.2, as she has an interest in rental property.

(c) APPROVAL OF MINUTES (Item 3)

(i) Minutes of October 20, 2009 (Item 3.1)

The Minutes of the October 20, 2009 Economic Development and Planning Committee were approved, as presented.

(ii) Minutes of October 20, 2009 Special Meeting - Tree Cutting By-law (Item 3.2)

The Minutes of the October 20, 2009 Economic Development and Planning Committee Special Meeting – Tree Cutting By-law were approved, as presented.

(d) DELEGATION REQUESTS

(i) Michael Roche, requesting to speak when the staff report respecting flooding at Newell Court is considered by Committee on November 17, 2009 (Added Item 4.1)

On a Motion, Committee agreed to hear from Mr Roche, when the staff report is considered on November 17, 2009.

(ii) Tina & Sandy Simonits of 8 Houndtrail Drive
Danielle & Joseph Heins of 12 Houndtrail Drive
Marie Benassi of 11 Houndtrail Drive
Elise Stainton of 9 Houndtrail Drive

requesting to speak when the follow up from Council direction respecting 10 Houndtrail is considered by Committee

On a Motion Committee approved to hear from the requestors when the item is considered on November 17, 2009.
(e) Appeal of the City of Hamilton Committee of Adjustment Decision to Approve Minor Variance Application SC/A-09:224, Dave and Cynthia Rimac (Owners), 34 Orr Crescent (Former City of Stoney Creek) (PED09292) (Ward 10) (Item 5.5)

Committee received a letter from Sergio Manchia, IBI Group, agent for the applicant, requesting that the matter be tabled until the next meeting, to allow time for him to request to be a delegation.

Committee approved Option 2 in the staff report, withdrawing the appeal to the OMB.

(f) Minutes of the Hamilton Municipal Heritage Committee, September 24, 2009 (Item 5.8(a))

The Minutes of the Hamilton Municipal Heritage Committee, September 24, 2009 were received.

(g) John Petropoulos, M&M Fine Furniture, 151 Upper Centennial Parkway, respecting development of lands on Centennial Parkway and effects of that development (Approved by Committee August 10, 2009) (Item 6.1)

John Petropoulos and Mike Tellerd were present. Mr. Petropoulos addressed the Committee respecting the situation at the property with the aid of a powerpoint presentation. His points included, but were not limited to the following;

- M&M in business at this location since 1984
- When business started, trucking company an adjacent property, no grading or drainage issues
- When application made for new mall on adjacent property, M&M not consulted on proposed grade changes and their impact, even though, at same time, M&M was applying for renovations to their building
- New mall was constructed, grade significantly changed, retaining wall built along M&M property line with mall
- Problems resulted and are on-going, respecting snow removal, storage and pushing over the wall; drifting of snow and accumulation on M&M side; extra cost to remove snow; rock salt spreaders spray salt over wall, damaged M&M vehicles; visibility of M&M to passing traffic blocked by wall
- Run off from mall enters M&M site and floods it, erosion also a concern
- Have suggested solutions, to alleviate problems, including a stepped design for retaining wall; widen M&M driveway; clear out drainage culvert regularly; have bigger sign for M&M
• Concern about future development of property on other side of M&M, if they also raise grade 6-7 feet, then M&M will be in a gulley between new developments, with added problems
• M&M a quality business, wants to continue but adversely affected by grade changes, runoff impacts, snow clearing practices
• M&M now almost invisible to customers.

Following questions from Committee, Mr. Petropoulos added the following points:

• adjacent developer was to pay for peer review of drainage issues, but apparently review not finalized yet
• letter from the adjacent owner’s engineer recommended M&M should raise their own grade 6-7 feet
• now have an engineer and a planner to represent M&M
• will provide copies of relevant letters to Clerk, for review by staff
• M&M has been in contact, on continuous basis, with staff, since approximately 2002, have met with staff several times
• M&M has been told that long term solution is to raise own grade, should have told M&M when applied for renovation, now very expensive to do, cannot afford this.

Staff provided additional information respecting the surrounding developments including the servicing, grading and drainage issues related to the matter with the overall neighbourhood, and the appeal to the OMB by one of the neighbouring property owners.

On a Motion, Committee received the delegation, and held their direction on the matter, pending the Closed Session portion of the meeting, where they would receive legal advice.

Upon resuming in Open Session, on a Motion, Committee directed staff as follows:

That staff review the information provided by M&M in their presentation, and in the letters provided by M&M, as well as the results of the peer review of the engineering studies, and report back to Committee thereafter.

(h) Application for a Change in Zoning for Lands Located at 796 Rymal Road East (Hamilton) (PED09288) (Ward 6) (Item 6.2)

Chair Pearson 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 approval authority passes the zoning by-law, 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 approval authority passes the zoning by-law 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.

Diana Drmanac gave an overview of the subject application.

The applicant’s agent, Richard Mascolo advised that he was satisfied with the staff recommendation.

Alan Buist, representing DiCenzo Construction, addressed the Committee with regard to the subject application. His points included but were not limited to, the following:

- DiCenzo Construction is an adjacent landowner, of a draft approved plan of subdivision
- Wanted to ensure that any future purchaser of subject lands fully aware of severance conditions relating to future development of parcel
- Suggested that in addition to H-Holding provision, by-law should be amended to include additional language to clearly identify same conditions as those included in the severance conditions pertaining to the parcel, including the costs of the new road needed on south boundary.

Peter De Iulio noted that the staff recommendation to include the H-Holding provision in the by-law was considered sufficient to address the details of the conditions which attach to development of the subject site. He noted that added conditions could be included if Committee requested them.

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

Committee approved the staff recommendation.
Changes to Licensing Code (By-law 07-170) relating to Taxi Cabs
requirement for on-board cameras (please see Item 8.1 for staff report)
(Item 6.3)

The Chair advised that this was a Public Hearing, under the Municipal Act, to consider changes to the Licensing By-law to require on-board cameras in taxis.

She noted that the matter had already been reviewed by the Taxi Reform Subcommittee, and that their Recommendation for approval was contained in their Report under Item 8.1.

On a Motion, Committee moved the Taxi Reform Sub-Committee Report up, to be considered in conjunction with the subject item.

Marty Hazell provided an overview of the matter, and explained the background to the Recommendation from the Taxi Reform Sub-Committee.

Chair Pearson asked if there was anyone present who wished to address committee on the matter. No-one came forward to address Committee on the matter.

The Chair advised Committee that Councillor McCarthy has advised that Flamborough Taxis consider that shields should not be made mandatory, but rather it be at the discretion of the taxi owner/operator.

Councillor Sam Merulla provided an overview of the discussions which had taken place on the matter, and confirmed that the Sub-Committee had invited representatives of the taxi industry to be part of the process. Councillor Merulla added that it was noteworthy that there were no members of the industry in attendance today, as agreement on the subject matter had generally been reached.

He added that cameras are both a deterrent to crime and a protection to drivers and passengers against frivolous complaints. While the regulations are being amended to require cameras, shields may also be used if owners wish them. Councillor Merulla added that when there is CSA approval for shields, this matter can be considered further.

Committee discussed the matter and had further information supplied by staff.

Committee approved the recommendation.

Committee then discussed the second recommendation of the Taxi Reform Sub-Committee, respecting the active involvement in the business, of Taxi Cab plate owners.
On a Motion (McHattie/Whitehead) Committee approved an amendment to clarify that the recommendation relates to taxi cab plate owners.

Committee approved the item, as amended.

Councillor Whitehead requested his opposition to the first part of the item be recorded.

(j) Aznive Mallett and Terri Wallis, of the Advisory Committee for Persons with Disabilities, respecting the Lack of Accessible Taxi Cabs
Taxi Reform Sub Committee-Report 09-002 (Item 6.3)

That the presentation made by Aznive Mallett and Terry Wallis, on behalf of the Advisory Committee for Persons with Disabilities, respecting the lack of accessible taxi cabs, be received.

(k) Proposed Natural Areas Acquisition Fund Strategy (PED09007(a)) (City Wide) (Item 7.1)

Tricia Rosa gave us an overview of the report, with the aid of a powerpoint presentation.

Committee, asked various questions and had further information supplied by staff. Points raised included, but were not limited to the following;

- excellent report, good work by staff
- need care not to duplicate work already going on in community respecting landowner contacts/acquisitions
- don’t need a new FTE, re-use existing staff
- conservation authorities should continue to be major player in acquisitions
- concern about cost of program, impact on budget, whether this new program more important than other initiatives
- can use Federal Gas Tax revenues to pay for land.

Mr. McCabe explained that the SMT recommendation on the Capital Budget request for the item is “not recommended” but asked Committee to approve the program and permit the matter to be considered through the Budget process.

On a Motion (Ferguson/McHattie), Committee approved an amendment to specify no new FTE for the program.

Committee approved the Motion, as amended.
(l) Hamilton Air Pollutants and Greenhouse Gas Emissions Inventory (PED09287) (City Wide) (Item 7.2)

Brian Montgomery introduced the topic, and then introduced the City’s consultant.

Joe Harriman, Stantec Consulting, gave an overview of this report with the aid of a powerpoint presentation. He noted that the main focus was greenhouse gas emissions, and that Hamilton has done good work in this area, leading most municipalities in Canada.

Committee, asked various questions and had further information supplied by the delegation. Matters included, but were not limited to the following:

- re-examination of our targets, should we consider different dates
- what is short/long term impact of reduction in steel industry output?
- Impact of closure of coal-fired generators, what will their replacements be?
- Impact of LRT, other transit initiatives
- Continued involvement with many stakeholders.

Chair Pearson thanked Dr. Harriman and staff for their work.

Committee received the presentation, and approved the staff recommendations.

Staff noted that they would now review the implications of the report with other affected departments, and report back in 2010.

(m) Temporary Turning Circles - Request for Reduction in Radius and Change in Standard (City Wide) (PED09284) (Item 8.2)

Gavin Norman gave an overview of the report, with the aid of a powerpoint presentation,

Committee raised a number of questions, including but not limited to the following:

- should 13 metre standard be reduced at all
- safety implications at reduced turning circles, can city vehicles safely operate in reduced circles
- is it fair/legal to discriminate on the basis of “small” developers versus “large” developers

Committee amended the Recommendation to ensure that the current standard of 13 metres, be maintained as the standard, while permitting amendments, under certain circumstances.
Committee approved the recommendations in the staff report, as amended.

(n) Citizen Appointment to the Task Force on Cleanliness and Security in the Downtown Core (Added Motion 9.1)

Committee approved the Motion put forward by Councillor Bratina.

(o) Conversion without building permits of single detached houses to student houses (Item 10.1)

Councillor McHattie read his Notice of Motion.

Whereas, houses continue to be converted from traditional single dwelling units to student rental units in the areas around McMaster University and Mohawk College, and;

Whereas, most of this work is undertaken without building permits, and;

Whereas, the City’s system of writing an order to comply and/or stop work order, and applying a surcharge when issuing building permits after the fact, is not creating a deterrence to this on-going building activity.

Therefore:
(a) That staff be requested to prepare a report on best practices in other municipalities geared towards creating substantive deterrence when constructing without a building permit (ie., different policies, larger fines, writing tickets);

(b) That staff require removal of construction work in situations where a building permit has not been obtained, when it is clear that the proponent never intended to obtain said permit

(p) City-Wide Rental Housing CLC (Item 10.2)

Councillor McHattie read his Notice of Motion.

Whereas, in light of the recent Public Information Centre (PIC) that were undertaken this past summer to identify issues with city-wide rental housing and given that the themes which emerged from the PICs are similar to concerns and issues identified through the Neighbourhood Community Liaison Committee consultation undertaken this past spring
Therefore:
That the City-wide Residential Rental Housing Community Liaison Committee be deferred until staff has completed its report on the recommendations contained in the report of the Neighbourhood Community Liaison Committee, and that staff continue to monitor how rental housing licensing bylaws are being implemented in the cities of London and Oshawa.

(q) General Information (Item 11)

Tim McCabe updated Committee on a number of items, including the following:

- Special Meeting of December 3, 2009, respecting Airport Secondary Plan postponed until 2010
- Two planning staff seconded to LRT programme
- Province expected to release Urban Official Plan decision soon
- Animal Control Special Meeting on November 17, 2009 will start at 1:00 pm, to receive delegations, staff will report back later.

On a Motion (Ferguson/Clark), Committee agreed to release this report early to permit added time for public review.

- Urban Design Awards are this week
- Councillor Clark expressed concerns respecting the timing of Special Meetings, back to back with regular meetings, confusion and frustration for public. He noted this was not an effective way of engaging the citizenry in the planning process
- Councillor Mitchell noted concerns about how an application for a drive-thru had been circulated in Binbrook. Mr. McCabe offered to send staff to a meeting in the area, if the Councillor wished to organize one
- Councillor Whitehead brought up new economic development organization for Southern Ontario, and asked for a follow-up from staff

(r) 12.1 Minutes of the Closed Session meeting of October 20, 2009

Committee approved the Minutes of the Closed Session meeting of October 20, 2009, as presented.

(s) PRIVATE AND CONFIDENTIAL (Item 12)

On a Motion (Ferguson/McHattie) Committee moved into Closed Session to consider items which are subject to Section 8.1, subsection (e) of the City’s Procedural By-law and Section 239 of the Ontario Municipal Act as the subject matter pertains to litigation or proposed litigation, including matters before Council – November 11, 2009
administrative tribunals, affecting the municipalities or local board, and to communications and advice to which solicitor-client privilege attaches, including Ontario Municipal Board Appeal (LS09014) (Ward 13), two proposed OMB Settlements, and matters related to M and M Tables.

On a Motion, Committee reconvened in Open Session at 12.35 pm.

Chair Pearson advised as follows;

With regard to Item 12.2 Ontario Municipal Board Appeal (LS09014) (Ward 13), Committee met in Closed Session to consider advice from legal counsel. There was nothing further to report.

With regard to Item 12.3 Committee met in Closed Session to consider advice from legal counsel respecting a matter before the OMB.

On a Motion, Committee approved a recommendation from staff respecting proposed Minutes of Settlement for Frisina Developments Inc., 545 Eaglewood Drive (See Item 15 above).

With regard to Item 12.4 Committee met in Closed Session to consider advice from legal counsel respecting a matter before the OMB, at 10 Houndtrail Drive, Waterdown. There was nothing further to report.

With regard to M and M Tables, Committee met in Closed Session to consider advice from legal counsel respecting Information Item (g.) Staff was directed accordingly. (See Information item (g))

(t) ADJOURNMENT (Item 13)

The meeting adjourned at 2.30 pm.

Respectfully submitted

Maria Pearson, Chair
Economic Development & Planning Committee

Alexandra Rawlings
Co-ordinator
November 3, 2009