Planning and Economic Development Committee
REPORT 05-021
October 18, 2005
9:30 a.m.
Council Chambers
Hamilton City Hall

Present: Chair T. Whitehead
Mayor Di Ianni
1st Vice-Chair M. Pearson
2nd Vice-Chair D. Mitchell
Councillors: B. Bratina, M. Ferguson, B. Kelly, S. Merulla,
D. Mitchell, B. McHattie

Also Present: Councillor M. McCarthy

Staff Present: L. Coveyduck, General Manager, Planning and Development
T. McCabe, T. Sergi, S. Murray, H. Travis, J. Hickey-Evans,
J. Muto, B. Farkas, O. Quinn - Planning and Development
R. Hall – Public Health
A. Zuidema - Legal
A. Rawlings – City Clerk’s Office

THE PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE PRESENTS
REPORT 05-021 AND RESPECTFULLY RECOMMENDS:

1. By-law to Establish the City of Hamilton Municipal Heritage Committee
   (PED05127) (City Wide) (Item 5.1)

   (a) That, pursuant to the provisions of the Ontario Heritage Act, the By-law
       establishing a Municipal Heritage Committee attached as Appendix A to Report
       PED05127, which has been prepared in a form satisfactory to Corporate
       Counsel, be enacted by Council.

   (b) That, pursuant to the provisions of the Ontario Heritage Act, the current members
       of the Hamilton LACAC (Municipal Heritage Committee) be appointed by Council
       to the Municipal Heritage Committee for the balance of their remaining terms.

       Council –October 26, 2005
2. Application for a Variance to Stoney Creek Sign By-law No. 3042-89, 75 Centennial Parkway North (Hamilton) (PED05139) (Wards 5 & 9) (Item 5.2)

That approval be given to **Sign By-law Variance Application SV-05-03, by Queenston Road Investments Incorporated**, to permit a pylon sign, with a total sign area of 69m², to permit a reduced setback of 0.9m to the leading edge of the of the sign from the property line, and to permit the sign to have a maximum height of 10.7 metres for the lands located at 75 Centennial Parkway North (Hamilton), as shown on Appendix “A” to Report DEP05139.

3. Declaration of Surplus Lands – Proposed Land Exchange between the City of Hamilton and Marz Homes Holdings Inc., 464 Jones Road and 496 Jones Road, Stoney Creek (PED05148) (Ward 11) (Item 5.3)

(a) That parts of the City owned lands, municipally known as 464 and 496 Jones Road, Stoney Creek, designated as Part of Lot 12, Broken Front Concession, in the Geographic Township of Saltfleet and; Part of Lots 7, 8, 9 and 10 on Registered Plan 428, formerly in the City of Stoney Creek now in the City of Hamilton, more particularly described as part of Parts 5, 6, 7 and 8 on Reference Plan 62R-15146, subject to an easement over Part 7 as shown on the attached Appendix “A” and “C” to Report PED05148, be declared surplus to the requirements of the City of Hamilton in accordance with Procedural By-law for the Sale of Land, By-Law No. 04-299.

(b) That the Real Estate Section of the Development and Real Estate Division of the Planning and Economic Development Department be authorized and directed to facilitate a land exchange with Marz Homes Holding Inc. and the City of Hamilton of Parts 1, 2, 3, and 4 in exchange for Block 2, all described on the draft survey prepared by A. J. Clarke and Associates Ltd. dated June 27, 2005, as shown on Appendix “B” attached to Report PED05148.

4. Declaration of Surplus Property - 281 Herkimer Street, Hamilton, former CIBC Building (PED05152) (Ward 1) (Item 5.4)

That the lands identified as 281 Herkimer Street, Hamilton, described as Part Lot 24, Plan 280 (as shown on Appendices “A” and “B” to Report PED05152), having a frontage of 10.4 metres (34.3 feet), a depth of 32.2 metres (105.67 feet), and an area of 337.0 square metres (3628 sq. feet), 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. 04-299.
5. Potentially Surplus Property, Ontario Realty Corporation, Fruitland Road and North Service Road, in the City of Stoney Creek, now in the City of Hamilton (PED05153) (Ward 10) (Item 5.5)

That the Real Estate Section of the Development and Real Estate Division of the Planning and Economic Development Department be authorized and directed to advise the Ontario Realty Corporation (ORC) that the City of Hamilton has no interest in acquiring the surplus lands situated at the North Service Road and Fruitland Road as shown on Appendix “A” to Report PED05153.

6. Potentially Surplus Property, Ontario Realty Corporation, 425 Winona Road, in the City of Stoney Creek, now in the City of Hamilton, (PED05154) (Ward 11) (Item 5.6)

That the Real Estate Section of the Development and Real Estate Division of the Planning and Economic Development Department be authorized and directed to advise the Ontario Realty Corporation that the City of Hamilton has no interest in acquiring the lands municipally known as 425 Winona Road, in the former City of Stoney Creek, as shown on Appendices “A” and “B” to Report PED05154 attached.

7. Potentially Surplus Property, Ontario Realty Corporation, 560 Grays Road in the City of Stoney Creek, now in the City of Hamilton (PED05155) (Wards 5 & 10) (Item 5.7)

That the Real Estate Section of the Development and Real Estate Division of the Planning and Economic Development Department be authorized and directed to advise the Ontario Realty Corporation that the City of Hamilton has no interest in acquiring the lands municipally known as 560 Grays Road (attached as Appendix “A” to Report PED05155) that has been declared surplus by Ontario Realty Corporation.

8. Minor Revisions to the Pre-Christmas Free Parking Strategy for Business Improvement Areas (BIAs) (PED05142) (Wards 1, 3 & 4) (Item 5.8)

That the Pre-Christmas Free Parking Strategy, approved by City Council on June 25, 2003, be amended as follows:

(a) That on-street parking be free for the eight (8) Saturdays prior to Christmas annually and limited to two (2) hours in duration in the Westdale Village BIA; and,
b) That on-street parking be free at all times from November 15\textsuperscript{th} to December 15\textsuperscript{th} annually and limited to two (2) hours in duration for the Ottawa Street Business Improvement Area.

9. Adjustments to School Crossing Guard Locations Resulting from School Closures/Boundary Changes (PED05141) (Wards, 5, 9, 10, 12 & 15) (Item 5.9)

(a) That the revised list of school crossing guard locations resulting from the school closures and boundary changes in Wards 5, 9, 10, 12 and 15, attached hereto as Appendix “A” to Report PED05141, be approved.

(b) That staff be authorized and directed to consult with the affected Ward Councillors and use staff delegated authority for assigning 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 2006/2007 school year.

10. Demolition Permit – 56 Chipman Avenue (PED05149) (Ward 7) (Item 5.10)

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 56 Chipman Avenue in accordance with By-Law 74-290 pursuant to the demolition control provisions of Section 33 of \textit{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 Director of Building and Licensing and to the Director of Legal Services and Corporate Counsel; and,
(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.

11. Demolition Permit – 36 Sinclair Court (PED05151) (Ward 5) (Item 5.11)

That the Director of Building and Licensing be authorized and directed to issue a demolition permit for 36 Sinclair Court in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act as amended.

12. Advisory Committee Minutes – For Information

(a) Ancaster Village Core Advisory Committee Meeting of January 10, 2005
(b) Ancaster Village Core Advisory Committee Meeting of February 21, 2005
(c) Ancaster Village Core Advisory Committee Meeting of March 14, 2005
(d) Ancaster Village Core Advisory Committee Meeting of April 11, 2005
(e) Ancaster Village Core Advisory Committee Meeting of May 9, 2005
(f) Ancaster Village Core Advisory Committee Meeting of June 13, 2005
(g) Ancaster Village Core Advisory Committee Meeting of July 11, 2005
(h) Ancaster Village Core Advisory Committee Meeting of August 8, 2005


13. VIA Rail Task Force

(a) Request to VIA Rail to withhold their decision on the Hamilton VIA station site until Council has dealt with the matter (Added Item 5.13)

Whereas, the VIA Rail Task Force was established with membership comprising a variety of community stakeholders including City Councillors, the Mayor, ex-officio, The Hamilton Chamber of Commerce, Tourism Hamilton Board, a civilian transit advisory group, and citizens at large;
And Whereas, the role of the Task Force is to undertake the selection of a location for a Hamilton rail passenger facility and report its recommendation to Council for consideration;

Be it resolved that the Task Force request that VIA Rail withhold their decision on the Hamilton VIA Station site, until such time as the Task Force has had the opportunity to prepare a recommendation on the matter for the approval of Council.

(b) Task Force request VIA Rail to examine staged investment in Hamilton

Whereas on June 15, 2005, Hamilton City Council approved a recommendation of the VIA Rail Task Force identifying downtown Hamilton as the preferred general site for a VIA Rail station.

And Whereas on June 11, 2001, the federal Transport Minister announced the restoration of VIA services to Hamilton through the reintroduction of an early morning and evening rush hour train to and from the city.

And Whereas this commitment was not fulfilled as train service was only added to Aldershot.

And Whereas in May 2005, it was announced that track investment would increase track capacity for regional transit into Hamilton.

Be it resolved that the Task Force requests that VIA Rail examine the possibility of staged investment in Downtown Hamilton, including the establishment of the service originally announced by VIA in 2001, at the TH&B GO Centre.

14. Application for a Change in Zoning for the Property Located at 589 Fifty Road (Stoney Creek) (PED05147) (Ward 11) (Item 6.1)

That approval be given to Zoning Application ZAC-05-85, Scott and RoseMarie DeVries, owner, for a change in zoning from the Neighbourhood Development “ND” Zone to the Single Residential “R1” Zone, to permit the development of ten single family lots for the lands known municipally as 589 Fifty Road (Stoney Creek), as shown on Appendix “A” to Report PED05147, on the following basis:
(a) That the draft By-law, attached as Appendix “B” to Report PED05147, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council.

(b) That the amending By-law be added to Schedule “A”, Map No. 4, of Zoning By-law No. 3692-92.

(c) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and the City of Stoney Creek Official Plan.

15. Applications for a Draft Plan of Subdivision and for a Change in Zoning for Lands Located at 1201 Upper James Street (Hamilton) (PED05140) (Ward 7) (Item 6.2)

(a) That approval be given to Subdivision Application 25T200505, Benemar Construction Inc., owner, to establish a draft plan of subdivision on lands located at 1201 Upper James Street (Hamilton), comprising 2.57 hectares (6.35 acres), as shown on Appendix “B” to Report PED05140, subject to the execution of a City standard form Subdivision Agreement, including the conditions contained in Appendix “C” to Report PED05140 and the following:

(i) Acknowledgement that there will be no City share for any municipal works related to this development, in accordance with the financial policies for development, as approved by Council; and,

(ii) That payment of Cash-in-Lieu of Parkland will be required for the development prior to the issuance of each building permit for the lots within the plan. The calculation of the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of the building permit;

all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council.

(b) That approval be given to Zoning Application ZAC-05-42, Benemar Construction Inc., owner, for a change in zoning from the “AA” (Agricultural) District to “C” (Urban Protected Residential, etc.) District to permit 42 single family dwellings on lands located at 1201 Upper James Street (Hamilton), as shown on Appendix “A” to Report PED05140, subject to the following:

(i) That the subject lands be rezoned from the “AA” (Agricultural) District to the “C” (Urban Protected Residential, etc.) District;
(ii) That the draft By-law, attached as Appendix “D” to Report PED05140, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council; and,

(iii) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan.

(c) That upon finalization of the implementing By-law, the Jerome Neighbourhood Plan be amended to reflect the change in designation from “Civic & Institutional” to “Single and Double” Residential, and to revise the road network to add a cul-de-sac shown as Street ‘A’ on Appendix “B” to Report PED05140.

16. Application for a Modification to the Zoning for Lands Located at 447 and 453 Dundas Street East (Flamborough) (PED05143) (Ward 15) (Item 6.3)

That approval be given to Zoning Application ZAR-05-87, Picard Fine Food Products, owner, for a modification to the Highway Commercial “HC” Zone, to permit a Specialty Food Store for the Sale of Nuts and Nut Related Products, including but not limited to other Food and Accessory Products, as an additional permitted use, for lands located at 447 and 453 Dundas Street East, as shown on Appendix "A" to Report PED05143, on the following basis:

(a) That the subject lands be rezoned from the Highway Commercial “HC” Zone to the Highway Commercial “HC-12” Zone;

(b) That the draft By-law, attached as Appendix “B” to Report PED05143, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council; and,

(c) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and the Town of Flamborough Official Plan.

17. Provision of Schools to Keep Pace with New Developments (PD03136a) (City Wide) (Item 6.5)

(a) That Reports PD03136a and PD03136 (attached as Appendix “A” to Report PD03136a) be received for information.
(b) That the item regarding “Provision of schools in new areas and long-term costs of development” be referred to the Joint City/Boards Committee for their consideration, and that the outcome of this review be reported back to Committee.

18. Application for a Change in Zoning for the Lands Located at 25 Talbot Lane (Glanbrook) (PD05131) (Ward 11) (Item 8.1)

That approval be given to Zoning Application ZAC-05-10, Mario and Toni Lynn Capela, owners, for a change in zoning from the Deferred Development “DD” Zone to Airport-Related Business “M5(H)” Holding Zone to permit the future development of commercial mini storage units and a sales office, for the lands municipally known as 25 Talbot Lane, as shown on Appendix “A” to Report PD05131, on the following basis:

(a) That the subject lands be rezoned from the Deferred Development “DD” Zone to the Airport-Related Business “M5(H)” Holding Zone.

(b) 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 Zone. The Holding provision will prohibit the development of the subject lands until such time that:

- Appropriate sanitary sewage and storm water disposable facilities and a potable water supply are available, to the satisfaction of the Manager, Development Engineering; and,

- Appropriate public street access is available, to the satisfaction of the Director of Operations & Maintenance, Public Works.

City Council may remove the “H” symbol and, thereby give effect to the Airport-Related Business “M5” Zone, by enactment of an amending By-law once these conditions are fulfilled.

(c) That the draft By-law, attached as Appendix “C” to Report PD05131, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council.

(d) That the amending By-law be added to Schedule “A”, of Zoning By-law No. 464.

(e) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan, and the Township of Glanbrook Official Plan.

(f) That upon satisfying the conditions of the “H” symbol and submitting the required fee, the Director of Development and Real Estate, Planning and Economic...
Development Department, be authorized and directed to give the prescribed notice in accordance with the provisions of the Planning Act and to prepare a By-law, in a form satisfactory to Corporate Counsel, to remove the “H” symbol for presentation to City Council.

19. Urbanization of roads in or adjacent to areas of new development

That the matter of the urbanization of roads in or adjacent to areas of new development be referred to the 2006 Budget process.

FOR THE INFORMATION OF COUNCIL:

(a) Changes to the Agenda

At the start of the meeting, the Clerk advised of the following changes to the Agenda:

- Added Report from the VIA Rail Task Force, added as Consent Item 5.13
- Verbal update from Rob Hall regarding the well water situation adjacent to 1759 Safari Road (Outstanding Business List Item HH)

Committee approved the amendments to the Agenda.

(b) Declarations of Interest

None

(c) Chair

During the course of the meeting, Chair Whitehead relinquished the Chair on several occasions to First Vice Chair Pearson in order to join in the debate and to request additional information from staff and the public.

(d) Demolition Permit – 56 Chipman Avenue (PED05149) (Ward 7) (Item 5.10)

Councillor McHattie proposed that the alternative staff recommendation requiring a building permit application, be approved. Staff advised that the applicant intended to apply for a building permit.

Committee approved the recommendation, as amended.
(e) VIA Rail Task Force (added Item)

Councillor Bratina explained that a change was being proposed to this item, regarding the wording in the first recommendation, at the request of Mayor Di Ianni. Councillor Bratina advised Committee that this change did not alter the intent of the Task Force, but changed the wording to avoid any perception of negative connotations.

Committee approved the Motion with the revised wording.

(f) Application for a Change in Zoning for the Property Located at 589 Fifty Road (Stoney Creek) (PED05147) (Ward 11) (Item 6.1)

A Public Meeting was held.

Chair Whitehead advised the meeting that as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Meeting.

Shannah Murray was present to assist Committee with the report.

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

Al Streit, the applicant’s agent, advised he was satisfied with the staff report.

Committee approved the staff recommendation.

(g) Applications for a Draft Plan of Subdivision and for a Change in Zoning for Lands Located at 1201 Upper James Street (Hamilton) (PED05140) (Ward 7) (Item 6.2)

A Public Meeting was held.

Chair Whitehead advised the meeting that as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Meeting.

Heather Travis was present to assist Committee with the report.

No members of the public came forward to address Committee on the report.
Mark Benedictus, the applicant, advised that he was satisfied with the staff recommendation.

Committee approved the recommendation.

(h) Application for a Modification to the Zoning for Lands Located at 447 and 453 Dundas Street East (Flamborough) (PED05143) (Ward 15) (Item 6.3)

A Public Meeting was held.

Chair Whitehead advised the meeting that as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Meeting.

Owen Quinn outlined the report to Committee.

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

The applicant’s agent, Sam Head, advised that he was satisfied with the staff report.

Committee approved the staff recommendation.

(i) Application for a Change in Zoning for Lands Located at 121 Fiddler’s Green Road (Ancaster) (PED05145) (Ward 12) (Item 6.4)

A Public Meeting was held.

Chair Whitehead advised the meeting that as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Meeting.

Heather Travis outlined the report to Committee and noted that, while the applicant was satisfied with most of the staff recommendation, on October 17, 2005 he had indicated that he would like changes in the required landscaping strip along the south lot line and changes to the driveway arrangements. Ms. Travis confirmed that a previous Ontario Municipal Board decision approved three additional homes on the site, and that a site plan approval would be required for the site, as it was for non-traditional residential development.
Keith Birch, the applicant’s agent, addressed Committee and explained that the applicant would like a reduction in the landscaping strip along the southerly lot line, and a change in the driveway. This change would separate the driveway into two, and provide a landscaped median between them. He asked that the matter be tabled until there had been an opportunity to review these proposals with staff.

Chair Whitehead advised that the Public Meeting should be concluded, before any tabling Motion would be considered.

John Tickle, 11 Douglas, addressed Committee and explained that he was the property owner to the immediate south of the subject site. Mr. Tickle said that while he supported the proposal in general, he wanted to see a good planting strip adjacent to the mutual lot line, with the maintenance of the existing mature trees. He noted that there was no need for two separated driveways and asked if the new homes could be restricted to one car per unit.

Committee discussed the proposed development and had additional information supplied by the applicant, staff and Mr. Tickle.

Committee then tabled the matter, pending review of the applicant’s requested changes, and discussions between the speaker, staff and the Ward Councillor.

(j) Provision of Schools to Keep Pace with New Developments (PD03136a) (City Wide) (Item 6.5)

Joanne Hickey-Evans gave an overview of the report and explained the differences between the situation in Mississauga and the one in Hamilton.

John Deven, Principal of Waterdown District High School, addressed Committee and explained the difficulties being experienced at his school, due to the population growth in the area, and the need for additional resources. When the school opened in 1992, it had a Ministry of Education capacity of 965 students but now there are 1320 students on site, many of whom are housed in portables. Mr. Deven continued that the High School curriculum cannot be properly accommodated in portable classrooms, since various specialist facilities are needed, including science labs and gym classes. He explained that he fully understood the position of the Hamilton-Wentworth District School Board, as there is an overall surplus of student spaces in the area. However, he pointed out the difficulties that are being placed on the growing areas such as Waterdown and Stoney Creek, as a result of the present formula requirements. Mr. Deven explained that he supported Councillor McCarthy’s attempts to change the funding formula.
Chair Whitehead thanked Mr. Deven for his presentation.

Committee discussed the matter in detail, and had additional information supplied by staff.

On a Motion, Committee referred the matter to the joint Hamilton School Board Liaison Committee for review, and a report back to Planning and Economic Development Committee.

(k) **Application for a Change in Zoning for the Lands Located at 25 Talbot Lane (Glanbrook) (PD05131) (Ward 11) (Item 8.1)**

Chair Whitehead advised the meeting that the Public Meeting for this item had been concluded on May 17, 2005 but that a Decision was tabled, pending the removal of the unauthorized storage units from the site. He explained that Building staff has now confirmed that the units have been removed and that Clerk’s staff has advised the owner and the 3 speakers at the Public Meeting that the matter was coming forward today.

Councillor Mitchell confirmed that there were no further issues.

Committee approved the staff recommendation.

(l) **Motions (Item 9)**

None

(m) **Notices of Motion (Item 10)**

Councillor Mitchell advised that he had received two petitions regarding sidewalk placement, and that he wanted these considered as Notices of Motion for the November 1, 2005 Meeting. The first relates to 468-518 Jones Road and the second relates to a cul-de-sac at Stone Glen.

Chair Whitehead relinquished the Chair to Councillor Pearson and advised that he was introducing a Notice of Motion regarding the construction of sidewalks at Riaino Court.

On a Motion, Committee waived the rules to allow discussion of these items.
Tim McCabe reminded Committee that Council had an approved policy regarding the construction of sidewalks in new subdivisions and suggested the issues be referred to staff for consideration and a report back to Committee. He explained that sidewalks are a part of every subdivision agreement and how changes have serious legal implications, in addition to the difficulties of setting a precedent.

Councillors Mitchell and Whitehead confirmed that they wished their Notices of Motion to proceed. Councillor Mitchell gave a copy of the petitions relating to his two Notices of Motion to the Clerk.

Mr. McCabe confirmed that there was no mention in the Council approved policy regarding sidewalks that the collection of 100% of the signatures of homeowners in an area would guarantee a change in the sidewalk requirements. He explained further concerns regarding the elimination of sidewalks in new subdivisions, including safety for all pedestrians and the needs of handicapped persons.

Councillor Whitehead re-assumed the Chair.

(n) General Information

Chair Whitehead relinquished the Chair to Councillor Pearson.

Councillor Whitehead raised the issue of the urbanization of roads where an adjacent subdivision development takes place. As an example, he noted the impact of development on two streets in his Ward, Chester and Chesley, neither of which has been upgraded.

Tony Sergi gave an overview of how staff attempt to co-ordinate the upgrading of roads with adjacent subdivision development, and explained how this is a Capital Planning issue. Mr. Sergi suggested the matter be referred to the Public Works, Infrastructure and Environment Committee for consideration.

Councillor Mitchell agreed with the issues raised by Councillor Whitehead and noted that there is a further issue of development charges paid. He explained that while adult lifestyle communities in his Ward had paid development charges as part of their purchase price, the adjacent roads had still not been upgraded. Councillor Mitchell noted that there is a lack of equity in the way certain parts of the City are treated and that this must be addressed.

On a Motion, the item was referred to the Capital Budget process.
(o) **Private and Confidential**

On a Motion by Councillor Bratina, seconded by Councillor Mitchell, Committee moved In-Camera to consider an item relating to litigation or potential litigation, including matters presently before administrative tribunals and one item respecting the proposed or pending acquisition or disposition of land.

On a Motion by Councillor Kelly, seconded by Councillor Bratina, Committee resumed in Open Session.

Chair Whitehead advised that Committee had met In-Camera to consider two items, and that appropriate direction had been given to staff.

(p) **1759 Safari Road (Added Item)**

Rob Hall explained that following the direction of Committee, staff had been in contact with staff from the Ministry of the Environment, the agency responsible for well water in the subject situation. MOE staff has taken samples from adjacent wells and the results are expected within approximately one month. Mr. Hall explained that he would provide a further report to Committee thereafter.

Chair Whitehead thanked Mr. Hall for his update.

(q) **Adjournment**

On a Motion, the Planning and Economic Development Committee adjourned at 11:48 a.m.

Respectfully submitted,

Terry Whitehead, Chair
Planning & Economic Development Committee