Economic Development and Planning Committee
REPORT 10-015
Monday, July 5, 2010
9:30 am
Council Chambers
City Hall, 71 Main Street West,
Hamilton, Ontario

Present:  Chair:  B. Bratina
Vice Chairs:  Councillors B. Bratina, R. Pasuta
Councillors:  B. Clark, S. Duvall, B. McHattie, D. Mitchell,
M. Pearson,

Absent:  Councillors L. Ferguson, T. Whitehead - vacation

Staff Present:
T. McCabe, General Manager – Planning and Economic Development
R. Rossini, GM - Finance and Corporate Services
B. Janssen, T. Sergi, M. Hazell, R. Marini J. Spolnik, G. Paparella,
S. Robichaud, R. Lee, E. John, J. Muto, A. Chan,
P. De Iulio, J. Haan, D. Ortiz, D. Spence - Planning and Economic Development
M. Kovacevic, D. Fisher – Legal Services
A. Rawlings, A. Grozelle – City Clerk’s Office

THE ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE PRESENTS REPORT 10-015 AND RESPECTFULLY RECOMMENDS:

1. Recommendation to Designate the Book Cemetery, 281 Book Road East, Ancaster, Under Part IV of the Ontario Heritage Act (Ward 12) (PED10144) (Item 5.1)

(a) That the designation of the Book Cemetery, 281 Book Road East, Ancaster, shown on Appendix “C-1” to Report PED10144, as a property of cultural heritage value pursuant to the provisions of Part IV of the Ontario Heritage Act, 1990, be approved.

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(b) That the Statement of Cultural Heritage Value and Description of Heritage Attributes, attached as Appendix “A” to Report PED10144, be approved.

(c) That the City Solicitor be directed to take appropriate action to designate the Book Cemetery, 281 Book Road East, Ancaster, under Part IV of the Ontario Heritage Act, in accordance with the Notice of Intention to Designate, attached as Appendix “B” to Report PED10144.

(d) That the attached schedule for Requests to Designate Properties (Appendix "D"), be amended to reflect completion of the Designation of Book Cemetery and its removal from the work program, as per Appendix “E” to Report PED10144.

2. **City Acquisition of Land from Ontario Realty Corporation – Trinity Church Road Extension, Described as Parts 1,4,17,18 & 20, Plan 62R-18648 (except Part 1, Plan 62R-18717) Former Township of Saltfleet, now City of Hamilton (PED10140) (Wards 6 and 9) (Item 5.2)**

(a) That an Agreement of Purchase and Sale between Ontario Realty Corporation, acting as agent on behalf of Her Majesty the Queen in Right of Ontario as Represented by the Minister of Energy and Infrastructure (ORC/MEI) and the City of Hamilton, for the purchase of 4.36 ha (10.79 ac) in Part of Lots 33 and 34, Concessions 7 and 8, designated as Parts 1, 4, 17, 18 and 20 on Plan 62R-18648 (save and except Part 1, Plan 62R-18717), being Part of PIN’s 16932-0002(LT) and 16932-0017(LT), as shown on Appendix “A” attached to Report PED10140, be approved and completed;

(b) That the purchase price of $1,447,912.00 be funded from Account No. 59259-4030980986, and payable:

   i) deposit of 10% of the purchase price upon submission of the executed agreement; and

   ii) the balance of the purchase price, subject to adjustments, to be paid on the date of closing;

(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 costs incurred for the provision of Real Estate’s services in the amount of $24,218 be credited to Account 45408-3560150200 (Property Purchases and Sales) and debited from Account No. 55778-4030980986.
3. **Proactive By-law Enforcement Pilot Program (PED10049(b)) (Wards 1, 2, 3, 4, 5, 6, 7 and 8) (Item 5.3)**

That Report PED10049(b), Proactive By-law Enforcement Pilot Program (Wards 1, 2, 3, 4, 5, 6, 7 and 8), be received for Information.

4. **Off-Street Parking On Locke Street (PED10156) (Ward 1) (Item 5.4)**

That Report PED10156, Off-Street Parking On Locke Street (Ward 1), be received for Information.

5. **Hamilton LEEDing the Way, LEED Grant Program Application (LGP-10-01), Spallacci Contracting Ltd., 255 West Avenue North, Hamilton (PED10145) (Ward 3) (Item 5.5)**

(a) That Hamilton LEEDing the Way, LEED Grant Program Application LGP-10-01, submitted by Spallacci Contracting Ltd., for the property at 255 West Avenue North, Hamilton, for a LEED Grant not to exceed $285,725 payable to Spallacci Contracting Ltd. over a maximum of five (5) years, be authorized and approved in accordance with the terms and conditions of the LEED Grant Program Agreement.

(b) That the City enter into a LEED Grant Program Agreement with Spallacci Contracting Ltd. regarding the terms and conditions governing the payment of a LEED Grant for, and redevelopment of, 255 West Avenue North, Hamilton, with such agreement to be satisfactory to the City Solicitor.

6. **Ontario Realty Corporation (ORC) Surplus Land - Project 8095 - Located at 1925 Rymal Road East, Described as Parts 9 and 10, Plan 62R-17418, Former Township of Saltfleet, now City of Hamilton (PED10146) (Ward 9) (Item 5.6)**

(a) That the Real Estate Section of the Economic 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 their land located at 1925 Rymal Road East, legally described Parts 9 and 10, Plan 62R-17418, in the former Township of Saltfleet, now City of Hamilton, as shown on Appendix “A” attached to Report PED10146.

(b) That the Real Estate Section of the Economic Development and Real Estate Division of the Planning and Economic Development Department be authorized and directed to advise the Ontario Realty Corporation of the City of Hamilton
requirements to the development of the site as contained in the “Relevant Consultation” Section of Report PED10146.

(c) That the Hamilton Conservation Authority be notified that the subject land is being declared surplus by the Ontario Realty Corporation. It is further recommended that any lands deemed to be within the Karst Feeder Area should be retained in public ownership.

(d) That the Real Estate Division of the Planning and Economic Development Department be authorized and directed to advise the Ontario Realty Corporation of the need to provide all potential purchasers of the subject lands with the details of the City’s policies on the Karst Lands.

7. Ontario Realty Corporation (ORC) Surplus Land - Project 8093 - Located at 1831 Rymal Road East / 99 Highland Road West, Described as Part of Lots 33 and 34, Concession 8, Former Township of Saltfleet, now City of Hamilton (PED10149) (Ward 9) (Item 5.7)

(a) That the Real Estate Section of the Economic 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 their land located at 1831 Rymal Road East / 99 Highland Road West, legally described Part of Lots 33 and 34, Concession 8, in the former Township of Saltfleet, now City of Hamilton, as shown on Appendix “A” attached to Report PED10149.

(b) That the Real Estate Section of the Economic Development and Real Estate Division of the Planning and Economic Development Department be authorized and directed to advise the Ontario Realty Corporation of the City of Hamilton requirements to the development of the site as contained in the “Relevant Consultation” Section of Report PED10149.

(c) That the Real Estate Division of the Planning and Economic Development Department be authorized and directed to advise the Ontario Realty Corporation of the need to provide all potential purchasers of the subject lands with the details of the City’s policies on the Karst Lands.
8. **Ontario Realty Corporation (ORC) Surplus Land - Project 8094 - Located at 1909 Rymal Road East, Described as Part 8, Plan 62R-17418, Former Township of Saltfleet, now City of Hamilton (PED10150) (Ward 9) (Item 5.8)**

   (a) That the Real Estate Section of the Economic 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 their land located at 1909 Rymal Road East, legally described Part 8, Plan 62R-17418, in the former Township of Saltfleet, now City of Hamilton, as shown on Appendix “A” attached to Report PED10150.

   (b) That the Real Estate Section of the Economic Development and Real Estate Division of the Planning and Economic Development Department be authorized and directed to advise the Ontario Realty Corporation of the City of Hamilton requirements to the development of the site as contained in the “Relevant Consultation” Section of Report PED10150.

   (c) That the Hamilton Conservation Authority be notified that the subject land is being declared surplus by the Ontario Realty Corporation. It is further recommended that any lands deemed to be within the Karst Feeder Area should be retained in public ownership.

   (d) That the Real Estate Division of the Planning and Economic Development Department be authorized and directed to advise the Ontario Realty Corporation of the need to provide all potential purchasers of the subject lands with the details of the City’s policies on the Karst Lands.

9. **Ontario Realty Corporation (ORC) Surplus Land - Project 8117 - Located at 0 Highbury Drive, Described as Part 2, Plan 62R-17214, Former Township of Saltfleet, now City of Hamilton (PED10151) (Ward 9) (Item 5.9)**

   (a) That the Real Estate Section of the Economic 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 their land located at 0 Highbury Drive, legally described Part 2, Plan 62R-17214, in the former Township of Saltfleet, now City of Hamilton, as shown on Appendix “A” attached to Report PED10151.

   (b) That the Real Estate Section of the Economic Development and Real Estate Division of the Planning and Economic Development Department be authorized and directed to advise the Ontario Realty Corporation of the City of Hamilton requirements to the development of the site as contained in the “Relevant Consultation” Section of Report PED10151.

   (c) That the Real Estate Division of the Planning and Economic Development Department be authorized and directed to advise the Ontario Realty Corporation...
of the need to provide all potential purchasers of the subject lands with the details of the City’s policies on the Karst Lands.

10. Sale of City Surplus Lands - 4 Fifth Avenue, Hamilton Beach (PED10154) (Ward 5) (Item 5.10)

(a) That consistent with the Real Estate Portfolio Management Strategy that City Council’s approval be given for the sale at fair market value on the open market of the City’s surplus lands at 4 Fifth Avenue as a residential building lot, being Parts 2 and 4 on Plan 62R16372, having a combined area of 391.6 square metres (4215.1 square feet) as shown on Appendix “A” and “B” attached to Report PED10154;

(b) That the Public Works section rescind Item 6.1 of the Public Works Committee Report 07-002 to permanently close a portion of the public unassumed alley at the rear of 825 and 831 Beach Boulevard that was approved by Council on February 14, 2007;

(c) That Legal Services staff be directed to correct title of the private laneway adjacent to 4 Fifth Avenue by transferring Part 1 on Plan 62R16372, having an area of 15.6 square metres (167.9 square feet) to the owner of 831 Beach Boulevard at no cost and Part 3 on Plan 62R16372, having an area of 48.6 square metres (523.1 square feet) to the owner of 825 Beach Boulevard at no cost.

11. Update on Sidewalk and Financial Policies for Development (PED10148) (City Wide) (Item 5.11)

(a) That the new rates for “Over-sizing of Infrastructure” and “New Roads Servicing Rate” attached as Appendix “A” and Appendix “B” to Report PED10148 respectively, be approved.

(b) That the new rates for “Over-sizing of Infrastructure” and “New Roads Servicing Rate” be adjusted annually on January 1st by the Canadauto Construction Cost Index.

(c) That staff in consultation with the stakeholders be authorized and directed to update the financial policies, as approved by Council in adopting item 8 of Hearing Sub-Committee Report 03-014, and develop new policies that are reasonable and consistent for new developments.

(d) That the new rates for “Over-Sizing of Infrastructure” and “New Roads Servicing Rate”, attached as Appendix "A" and "B" to Report PED10148 apply to all new development applications where a Subdivision or External Works agreement will be executed after Council’s approval date of the new rates.

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12. Application for a Draft Plan of Condominium (Common Elements Condominium) for the Lands Located at 45 Seabreeze Crescent, Part of Block 11, Registered Plan 62M-1129 (Stoney Creek) (PED10141) (Ward 11) (Item 6.2)

That approval be given to Condominium Application 25CDM-201003, by 15288148 Ontario Inc., c/o Tony Silvestri (Owner), to establish a draft plan of condominium (Common Elements Condominium), “Seabreeze Gardens”, comprised of a condominium road, easements for utilities/servicing, access and maintenance, noise barriers, landscaping, and 11 visitor parking spaces for 24 townhouse units located at 45 Seabreeze Crescent (Stoney Creek), known legally as Part of Block 11, Registered Plan 62M-1129, as shown on the attached location map marked as Appendix “A” to Report PED10141, subject to the following conditions:

(a) That this approval shall apply to the plan, prepared by A. J. Clarke and Associates Ltd. and certified by B. J. Clarke, O.L.S., certified March 31, 2010, showing the following condominium elements: a road, easements for utilities servicing, access and maintenance, noise barriers, landscaping, and 11 visitor parking spaces, attached as Appendix “B” to Report PED10141.

(b) That the Final Plan of Condominium shall comply with all of the applicable provisions of Zoning By-law No. 3692-92.

(c) That the owner shall enter into a Development Agreement to ensure that the tenure of each of the proposed 24 freehold units has legal interest, in common, to the Common Elements Condominium, to the satisfaction of the City Solicitor.

(d) That the owner shall receive final approval of Part Lot Control Application PLC-10-013, 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 include the following warning clause in the Development 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.”

(f) 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.

(g) That the owner shall enter into, and register on title, the Condominium Agreement incorporating the approved plan of condominium and related conditions:

(i) That the owner (being the future Condominium Corporation) shall agree to maintain, repair, or replace the acoustic walls as installed and shown with the final approved Site Plan (File No. DA-06-109). Any maintenance, repair, or replacement shall be with the same material and standards as the original.

(ii) That the owner shall include on all offers of purchase and sale, a statement that advises the prospective purchaser:

(1) That the home/business mail delivery will be from a designated Centralized Mail Box.

(2) That the developers/owners 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 final plan of condominium shall comply, in all respects, with the approved Site Plan (DA-06-109), to the satisfaction of the Director of Planning.

(i) That the Owner shall satisfy any conditions, financial or otherwise, of the City of Hamilton.

13. Application for an Amendment to the Town of Dundas Official Plan and Zoning By-law No. 3581-86 for the Lands Located at 365 Park Street West and 397 King Street West (Dundas) (PED10142) (Ward 13) (Item 6.3)

(a) That approval be given to Official Plan Amendment Application OPA-08-018, by Mike Valvasori, Owner, for Official Plan Amendment No. ____ to the Town of Dundas Official Plan, for a change in designation from “Major Institutional” and “Employment/Residential Mixed-Use” to a Site-Specific “Residential Neighbourhoods” designation, in order to permit the conversion of the existing vacant 4-storey Dundas District High School for an Apartment Building containing a maximum of 45 units, for lands located at 365 Park Street West and 397 King Street West (Dundas), as shown on Appendix “A” to Report PED10142, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED10142, be adopted by City Council.
(ii) That upon adoption of Official Plan Amendment No. ____ to the former Town of Dundas Official Plan, that the Colborne Neighbourhood Plan be amended by changing the designation of the subject lands from “Civic & Institutional” to “Medium Density Residential”.

(iii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe and Hamilton-Wentworth Official Plan.

(b) That approval be given to Zoning By-law Amendment Application ZAC-08-076, by Mike Valvasori, Owner, for changes in zoning to the Town of Dundas Zoning By-law 3581-86 from the Light Industrial “IL” Zone and Public and Private Service “PPS” Zone, to the Holding - Medium to High Density Multiple Dwelling “H-RM3/S-120” Zone, with a Special Exception and Holding Provision (Blocks 2 and 3); the removal of a portion of the subject lands from City of Hamilton By-law 05-200 and added to Dundas Zoning By-law 3581-86, to be zoned Holding - Medium to High Density Multiple Dwelling “H-RM3/S-120” Zone, with a Special Exception and Holding Provision (Block 1); for changes in zoning to the City of Hamilton Zoning By-law 05-200 from the Neighbourhood Institutional (I1) Zone to the Conservation/Hazard (P5) Zone (Block 4); and that lands shown as Block 5 be zoned as Conservation/Hazard (P5) Zone, to permit the conversion of the existing vacant Dundas District High School for a 45 unit apartment building, for the lands located at 365 Park Street West and 397 King Street West (Dundas), as shown on Appendix “A” to Report PED10142, on the following basis:

(i) That the draft By-laws, attached as Appendices “C” and “D” to Report PED10142, which have been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(ii) That the amending By-law, attached as Appendix “C”, be added to Schedule “C” of the former Town of Dundas Zoning By-law No. 3581-86.

(iii) That the amending By-law, attached as Appendix “D”, be added to Map No. 817 and Map No. 859 of City of Hamilton Zoning By-law No. 05-200.

(iv) That the proposed changes in zoning conform to the Hamilton-Wentworth Official Plan, and will conform to the Town of Dundas Official Plan upon approval of Official Plan Amendment No. ____.

14. Task Force on Cleanliness and Security in the Downtown Core Report 10-002 (Item 8.1)

(i) Appointment of new member to Task Force

That Susan Braithwaite be appointed as a member of the Task Force on Cleanliness and Security in the Downtown Core.
(ii) Update from Hamilton Police Service

That a letter be prepared to the Chief of Police expressing the Task Forces appreciation for work being accomplished through the increased patrols in the Downtown Core.

(iii) Motion to receive an assessment on the Task Forces Fall 2009 budget requests versus that status of tasks completed, begun and or currently funded for the 2010 year

That following the conclusion of the City Budget Process for this year, taking into account any Provincial Monies granted, that staff be directed to prepare and present to the Task Force an assessment of the Task Force fall 2009 Budget request versus the status of tasks completed, begun and/or currently funded for the 2010 year.


That the Environmental Assessment and Approvals Branch of the Ontario Ministry of Environment (MOE) be advised that should the Ministry consider approving Application CA-10-002, CountryWide Recycling Inc, Applicant, for a Certificate of Approval for a Waste Disposal Site, MOE Reference #3348-7ZQQBH, to permit a waste transfer/processing facility on the lands located at 900 Nebo Road (Glanbrook), as shown on Appendix “A” to Report PED10139, that the City of Hamilton requests:

(a) That, if approved, the Certificate of Approval includes the following requirements:

(i) That prior to receiving any waste materials on site, the applicant obtains Site Plan approval from the City’s Planning Division, to the satisfaction of the Manager, Development Planning.

(ii) That prior to receiving any waste materials on site, the applicant obtains a Building Permit from the Building Services Division for the new facility, to the satisfaction of the Director, Building Services Division.

(iii) That the Certificate of Approval limit the daily transfer/processing of waste to a maximum of 1,600 tonnes per day, and a maximum storage of 3,200 tonnes of waste at any one time.

(iv) That an inventory of waste types stored on site should be updated daily, and be provided to the Ministry of Environment.
(v) That the waste streams be limited to solid non-hazardous waste, and that no other waste, including used tires or hazardous waste, be accepted at this facility.

(vi) That the proponent be aware of the reduced load restrictions on Nebo Road from March 1 to April 30, where no load on any vehicle shall exceed 5,000 Kg per axle.

(vii) That a waste screening and testing program be developed and implemented to deal with unanticipated received materials.

(viii) That an effective odour/dust/noise mitigation control plan for day-to-day activities be implemented.

(ix) That excellent on site housekeeping practices be implemented for overall general maintenance, including litter and vermin control.

(x) That the proponent shall prepare and submit a Fire Safety Plan (typed original and 2 copies), acceptable to the Chief Fire Official, in conformance with Subsection 2.8.2 of the Ontario Fire Code.

(xi) That the proposal shall comply with all applicable sections of Subsection 3.3.2., “Indoor General Storage”, of the Ontario Fire Code.

(xii) That the proponent implements spills prevention on site, and containment measures be included in the Certificate of Approval. That the Contingency Plans for spills on site and clean-up procedures are covered under the Certificate of Approval, and that the City’s Spills number (905) 540-5188 is included in the company’s on site Contingency Plan. Further, that a copy of the Contingency Plan be forwarded to the Compliance and Regulations Section, Water and Wastewater Division, Public Works Department, City of Hamilton. That the spill prevention and contingency plan be submitted, to the satisfaction of the Ministry of the Environment.

(xiii) That an internal Emergency Response Plan be prepared and sent to Hamilton Emergency Services-Fire for review and comments.

(xiv) That a current copy of the Emergency Response Plan, Spills Containment and Contingency Plan, daily product inventory list, including product quantities and exact location within all facilities, along with the applicable MSDS sheets, be externally stored in a secure location (exterior lock box) on site in a manner such that all noted documents are readily available to Hamilton Emergency Services - Fire, 24 hours a day, 7 days a week, 365 days a year.

(xv) That waste accepted be limited to waste generated only from within the Province of Ontario.
That the proponent be required to provide financial assurance to the Ministry of Environment to cover final clean-up of the site, following the cessation of use.

That a Ministry of Environment staff person be identified to the City as the contact for all issues and complaints regarding the subject property.

That a copy of Report PED10139 be forwarded to the Environmental Assessment and Approvals Branch of the Ministry of Environment for their consideration.

That the Environmental Assessment and Approvals Branch of the Ministry of Environment be requested to forward a copy of its final decision respecting the Certificate of Approval to the Clerk, City of Hamilton.


That the Environmental Assessment and Approvals Branch of the Ontario Ministry of Environment (MOE) be advised that should the Ministry consider approving Application CA-10-003, Capital Sewer Services, Applicant, for a Certificate of Approval, MOE Reference #1161-826SAU, for the lands located at 389 Kenora Avenue (Hamilton), as shown on Appendix “A” to Report PED10143, that the City of Hamilton requests:

(a) That, if approved, the Amendment to the Certificate of Approval include the following requirements:

(i) That prior to receiving any waste materials, the applicant obtain a permit from the City of Hamilton Building Services Division for the proposed interior alterations to construct a new partition wall in the new dewatering area.

(ii) That the applicant provide an inventory of quantities, locations, and uses of hazardous products stored and used on site, as per the letter from Hamilton Emergency Service - Fire, dated March 24, 2010, and comply with any subsequent requirements that may be applicable to their use, storage, and handling.

(iii) That the applicant implements spills prevention on site, and containment measures be included in the Certificate of Approval. That the Contingency Plans for spills on site and clean-up procedures are covered under the Certificate of Approval, and that the City’s Spills number (905) 540-5188 is included in the company’s on-site Contingency Plan. Further, that a copy of the Contingency Plan be forwarded to the Compliance and Regulations
Section, Water and Wastewater Division, Public Works Department, City of Hamilton. That the Spill Prevention and Contingency Plan be submitted, to the satisfaction of the Ministry of the Environment.

(iv) That an internal Emergency Response Plan be prepared and sent to Hamilton Emergency Services-Fire for review and comments.

(v) That a current copy of the Emergency Response Plan, Spills Containment and Contingency Plan, daily product inventory list, including product quantities and exact location within all facilities along with the applicable MSDS sheets, be externally stored in a secure location (exterior lock box) on site in a manner such that all noted documents are readily available to Hamilton Emergency Services-Fire, 24 hours a day, 7 days a week, 365 days a year.

(vi) That for any liquids that are generated from outside of the City of Hamilton that are discharged into the sewer system, the proponent enters into a Sanitary Sewer Surcharge Agreement with the City, in accordance with Sewer By-law No. 04-150.

(vii) That a private sampling manhole be installed for each sanitary sewer connection and each storm sewer connection to the City’s sanitary and storm sewer systems.

(viii) That the Certificate of Approval limits the maximum daily transfer of waste to a maximum rate of 13.4 tonnes of non-hazardous waste per day.

(ix) That the Certificate of Approval include that an odour mitigation plan / engineering controls, as needed, be in place to address any potential concerns.

(x) That an inventory of waste types stored on-site should be updated daily, and be provided to the Ministry of the Environment.

(xi) That the Certificate of Approval include strict requirements for excellent on-site housekeeping practices for the approved classes of waste to minimize adverse effects to the surrounding uses.

(xii) That the Certificate of Approval include requirements for strict adherence to all department-agency requirements, including those of the Ministry of Environment, Ministry of Labour, and Hamilton Emergency Services - Fire (Fire Safety Inspection Report, dated March 23, 2010).

(xiii) That the applicant provides the Traffic Engineering office with details regarding the largest truck size anticipated to access the site, as well as the width and radius of the existing access to Kenora Avenue, apply for an Access Permit, if determined necessary, and undertake curb cuts and
access widening, in accordance with City standards to accommodate delivery truck designs.

(xiv) That the waste accepted be limited to waste generated only from within the Province of Ontario.

(xv) That the proponent be required to provide financial assurance to the Ministry of Environment to cover final clean-up of the site, following the cessation of use.

(xvi) That a Ministry of Environment staff person be identified to the City as the contact for all issues and complaints regarding the subject property.

(b) That a copy of Report PED10143 be forwarded to the Environmental Assessment and Approvals Branch of the Ministry of Environment for their consideration.

(c) That the Environmental Assessment and Approvals Branch of the Ministry of Environment be requested to forward a copy of its final decision respecting the Certificate of Approval to the Clerk, City of Hamilton.

17. **Airport Employment Growth District - Financial/Economic Impact Analysis and Marketing Strategy Report** (PED10153)/(FCS10062) (City Wide) (Item 8.4)

That Report PED10153/FCS10062, Airport Employment Growth District - Financial/Economic Impact Analysis and Marketing Strategy Report (City Wide), be received for Information.

18. **2010-2012 Planning and Economic Development Department Business Plan** (PED10137) (City Wide) (Item 8.5)

That Report PED10137, 2010-2012 Planning and Economic Development Department Business Plan (City Wide), be received for Information.

19. **Proposed Release of City Airport Audit Reports** (LS10010) (City Wide) (Outstanding Business List Item) (Item 8.6)

(a) That Report LS10010 respecting the public release of Airport Audit Reports be received.

(b) That outstanding item F be removed from the Outstanding Business List.

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20. **Rolly Rocket’s BBQ Restaurant, King Street West**

Whereas, there have been issues resulting in Public Works Department’s Encroachment Agreement process and the Planning Department’s Site Plan process not intersecting, and;

Whereas, this process challenge has resulted in a delay in the proponent, Rolly Rocket’s BBQ Restaurant, receiving an encroachment agreement approval for an outdoor patio, and the summer patio season is advancing, and

Whereas the Planning Department has sufficient information on the design and utility of the outdoor patio and there are no substantive issues.

Now Therefore:

That the Minor Site Plan fee for Rolly Rocket’s BBQ Restaurant be waived, and that staff proceed expeditiously to complete the site plan process.

21. **Landmart, Penny Lane Subdivision, Part of Lots 25 and 26, Concession 7, former City of Stoney Creek, (25T-200808, ZAC-08-077) respecting OMB Hearing (Item 12.2)**

(a) That in respect of the appeal to the Ontario Municipal Board of Amended Draft Plan of Subdivision Application 25T-200808 by Parkside Developments (Albion) Limited and Landmart Realty Corp (“Landmart”), to establish a draft plan of subdivision known as “Penny Lane Estates” on lands located within Part of Lots 25 and 26, Concession 7, in the former City of Stoney Creek, the Ontario Municipal Board be advised that in respect of the issue of the location of Street D, Council supports the settlement of the issue of the location of Street D in the form of the amended plan, revised, and additional conditions and note to draft approval, all as provided by the City Solicitor to the Economic Development and Planning Committee on July 5, 2010, with such amendments thereto as the City Solicitor and Director of Planning deem appropriate.

(b) And that in respect of the appeal to the Ontario Municipal Board of Zoning Application ZAC-08-077, by Parkside Developments (Albion) Limited and Landmart Realty Corp., for amendments to the former municipality of Stoney Creek Zoning By-law No. 3692-92, the Zoning By-law Amendment application should be revised, if necessary, in a manner satisfactory to the City Solicitor and Director of Planning in order to implement the settlement of the issue of the location of Street D.

(c) That the following revised and/or additional conditions of draft plan approval, and the “Notes to Approval of Draft Plan of Subdivision” be endorsed as part of the Council – July 8, 2010
City’s position before the Ontario Municipal Board, respecting Landmart’s Penny Lane subdivision, Street D issue;

1. That this approval apply to the Draft Plan of subdivision 25T-200808, "Penny Lane Estates", prepared by IBI Group, and certified by B.J. Clarke, O.L.S., originally dated October 30, 2008, and amended as Revision 5, dated June 22, 2010, showing 171 lots for single detached dwellings (Lots 16-142, 163-199 and 220-226), 82 lots for street townhouse dwellings (Lots 1-15, 143-162, 200-219 and 227-255), 1 group townhouse block (Block 256), 1 stormwater management block (Block 257), 4 blocks for future development (Blocks 258-261), 8 blocks for 0.3m reserves (Blocks 262-269), 2 temporary turning circle blocks (Blocks 270 and 271) and the creation of 8 public roads (Streets A, B, C, D, E, F, G and H) subject to the Owner entering into a Standard Form Subdivision Agreement, as approved by City Council, with the following special conditions:

51. That Blocks 258, 259, 260 and 261, shall be undevelopable until: the Owner acquires the lands necessary to complete Streets “G” and “H”; or alternatively make arrangements with the abutting landowners to sell the lands necessary to allow for the completion of Streets “G” and “H”; or the lands necessary for the completion of Streets “G” and “H” are acquired by another party, to the satisfaction of the Director of Planning. Streets G and/or H shall not be constructed until one of the foregoing circumstances have been fulfilled.

52. The Owner agrees to secure the future construction of Streets G and H including but not limited to the construction of sewers, watermains, curbs, boulevards and pavement, to the satisfaction of the Director of Development Engineering.

53. If the owner applies for a closing of Street G and/or H in the circumstances as set out in the Note [insert number of note] to these conditions and the street(s) is/are closed, Street “G” and/or Street “H” will be deemed surplus to the City and transferred back to the owner for nominal consideration but the Owner shall be responsible for all costs associated with road closing application, the transfer as well as the removal and capping of any servicing laterals extending into the street(s).

54. That prior to the signing of the final plan, the Director of Planning must be satisfied that the conditions 2) to 52 inclusive, have been carried out to his/her satisfaction with a brief but complete statement indicating how each condition has been satisfied.
NOTES TO APPROVAL OF DRAFT PLAN OF SUBDIVISION

(i) In the event that the necessary property for the completion of Street “G”, Street “H” or both Streets “G” and “H” is not acquired by either the Owner or another party or parties within five (5) years subsequent to registration of the plan subdivision or any phase thereof as approved by the Director of Planning, then the Owner may to apply to the City to close the street and may make such applications as necessary pursuant to the Planning Act R.S.O., c.P.13, as amended, for the purpose of creating one or more building lots in accordance with the applicable Zoning for the lands made up of Streets G and Blocks 258 and 259 and Street H and Blocks 260 and 261.

(ii) Prior to an application(s) to close Street “G”, Street “H” or both streets, and prior to any applications under the Planning Act for the purpose of creating one or more building lots as described above the Owner shall demonstrate to the satisfaction of the Director of Planning that reasonable efforts have been made to acquire the necessary lands and that the Owner will be unable to acquire the necessary lands and it is unlikely that property necessary for the completion of Streets “G” or “H” will be assembled.

(iii) The City of Hamilton will process the applicable Planning Act application(s) and road closure applications in good faith. However, as with any process involving a decision by Council no particular outcome can be guaranteed and this note to draft plan approval cannot fetter Council's discretion in any way.

22. Losani Homes, 12 Ambrose Avenue (ZAC-08-088, 25T200811 and 25CDM200814 (Item 12.3) Appeal before the Ontario Municipal Board.

That the City Solicitor prepare and appear before the Ontario Municipal Board to oppose the appeals of Losani Homes in respect to Zoning Application ZAC-08-088 and draft Plan of Subdivision 25T-200811 and draft plan of Condominium 25CDM-200814, respecting 12 Ambrose Avenue, scheduled to commence on July 26, 2010.

23. Malatesta Bros. Co. Ltd., 1540 Upper Gage Avenue (ZAR-08-087) (Ward 7) (Added Item 12.4)

(a) That, in respect of the appeal by Malatesta Bros. Co. Ltd. of ZAR-08-087, Council instructs the City Solicitor to advance a position before the Ontario Municipal Board asking the Ontario Municipal Board to refuse the appeals. Council’s reasons for not supporting the appeal include:

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(i) the application would lead to an over-intensification of development in the area

(ii) the application would be out of character and would not be compatible with existing development in the area.

(b) That the City Solicitor be authorized to retain such experts as necessary to support the City’s position before the Ontario Municipal Board in respect of the appeal by the Malatesta Bros. Co. Ltd. of ZAR-08-087; and

(c) That the amount required to retain experts to support the City’s position before the Ontario Municipal Board, in respect of the appeal by the Malatesta Bros. Co. Ltd. of ZAR-08-087, be funded first through the 2010 Budget, second through year end Corporate Surpluses, and lastly through the Tax Stabilization Reserve.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes to the agenda:

(i) Added Delegation Request, from Chris Kwiecien, respecting Parkland Dedication/ Cash-in-Lieu Requirements for Hillfield Strathallan College, to be added as Item 4.3

(ii) Item 8.4 Airport Employment Growth District – Financial/Economic Impact Analysis and Marketing Strategy Report, be moved up to Section 7 to allow for a presentation

(iii) That four items of correspondence related to Item 6.1, Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road be added to the Agenda

(i) A letter from Chris Pidgeon of the GSP Group
(ii) A letter from Alvaro Cuba Simons of Kraft Foods
(iii) A letter from Subhash Dighe of West-end Physiotherapy
(iv) A letter from Mary Kiss, on behalf of concerned Ainslie Wood residents

(iv) Added Closed session item respecting Malatesta Bros, 1540 Upper Gage Avenue, ZAR-08-087, (Ward 7), an update respecting OMB hearing, to be added as Item 12.4

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Committee approved the Agenda, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) APPROVAL OF MINUTES (Item 3)

(i) The Minutes of the Special Economic Development and Planning Committee meeting on June 10, 2010 were approved.

(ii) The Minutes of the Economic Development and Planning Committee meeting on June 15, 2010 were approved.

(d) DELEGATION REQUESTS (Item 4)

(i) Ingrid Cryns, or alternate, respecting request to pay the current Development Charge for a new house at 978 Beach Boulevard, and not the increased Development Charge, as her permit applications are already underway (Item 4.1)

On a Motion (Pearson/Mitchell), Committee approved the delegation request, if required.

The Clerk was directed to check with the delegation to ascertain whether she wishes to withdraw her request.

(ii) Baljit Gerwal, requesting a By-law amendment to allow firework sales to coincide with the religious observance of Diwali (Item 4.2)

On a Motion (Pearson/Pasuta), Committee approved the delegation request to speak at a future meeting.

(iii) Chris Kwiecien, Hillfield-Strathallan College

On a Motion (McHattie/Pasuta), Committee approved the delegation to speak at a future meeting.
(e) **Ontario Realty Corporation (ORC) Surplus Land - Project 8095** - Located at 1925 Rymal Road East, Described as Parts 9 and 10, Plan 62R-17418, Former Township of Saltfleet, now City of Hamilton (PED10146) (Ward 9) (Item 5.6)

Councillor Clark asked whether the potential purchasers of the ORC surplus lands would be advised of the specific policies relating to the Karst lands.

Bill Farkas advised that this could be added as a further condition.

On a Motion (Clark/McHattie) appropriate wording was added to the approval of Items 5.6, 5.7, 5.8 and 5.9, to alert purchasers of the special policies relating to the Karst lands.

(f) **Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 17 Ewen Road (Hamilton) (PED09103(a)) (Ward 1) (Item 6.1)**

Chair Bratina requested an update on this item.

Councillor McHattie noted that he had talked to both the applicant, Asburn, and Cadbury/Kraft. He explained that both had now requested the matter be tabled, to allow further discussions to take place.

Committee received the four added letters, and tabled the item until the Fall.

(g) **Application for a Draft Plan of Condominium (Common Elements Condominium) for the Lands Located at 45 Seabreeze Crescent, Part of Block 11, Registered Plan 62M-1129 (Stoney Creek) (PED10141) (Ward 11) (Item 6.2)**

Chair Bratina 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/McHattie), Committee dispensed with the planner’s presentation.

Joe Muto was present to assist Committee.

The applicant’s agent, Barry Clarke, AJ Clarke, advised that he is in favour of the staff recommendation.

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

Committee approved the staff recommendation.

(h) Application for an Amendment to the Town of Dundas Official Plan and Zoning By-law No. 3581-86 for the Lands Located at 365 Park Street West and 397 King Street West (Dundas) (PED10142) (Ward 13) (Item 6.3)

Chair Bratina 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 Official Plan Amendment is approved and 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 Official Plan Amendment is approved and 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.

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

Alvin Chan was present to assist Committee.

Tim McCabe advised that Russ Powers, the Ward Councillor, had sent an e-mail confirming his support of the staff recommendation, and also his support for an access to the site from King Street West.
Sergio Manchia, IBI Group, the developer’s agent, advised that he supported the staff recommendation.

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

Committee approved the staff recommendation.

(i) **One Stop Shopping (Item 7.1)**

Debbie Spence provided an overview of the matter, and explained the changes which had been made respecting the provision of information to the public, with the return to City Hall.

Tim McCabe added that blending the Small Business Enterprise Office, Business Licensing and other functions together was very beneficial to the public. He added that this was part of a change in the culture of the department, to bring services together and provide a comprehensive customer service approach. Mr. McCabe also noted that staff is conversant in the approvals required by other agencies, such as NEC and the Conservation Authorities.

Committee received the staff presentation.

(j) **Task Force on Cleanliness and Security in the Downtown Core Report 10-002 (Item 8.1)**

Chair Bratina stepped out of the Chair to address the matter, as he is the Chair of the Task Force.

Councillor Pasuta assumed the Chair.

Committee approved the recommendations in Report 10-002 of the Task Force on Cleanliness and Security in the Downtown Core.

Councillor Bratina resumed the Chair.

(k) **Application for Ministry of Environment Certificate of Approval for a Waste Disposal Site, Ministry of Environment Reference #3348-7ZQQBH, 900 Nebo Road (Glanbrook) (PED10139) (Ward 11) (Item 8.2)**

On a Motion (Mitchell/Pearson), Committee agreed to hear from the applicant.
John Levie, ASI Group, addressed Committee in support of the application. He requested that amendments be made to the proposed conditions, to include the temporary outdoor storage of tires and to revise the details respecting the storage of the emergency plan.

Jennifer Haan explained that staff does not recommend any outdoor storage, and does not support the storage of tires.

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

Councillor Mitchell, seconded by Councillor Pearson, moved an amendment to refer the matter of allowing on-site tire storage, and changes to the lock-box arrangement back to staff, with direction to bring appropriate amended conditions on these items to Council.

The amendment lost.

Committee approved the staff recommendation.

Councillor Clark asked staff to ensure that a berm is provided at the site plan stage, to contain any water which may be used to fight any fires on the property.

(l) Application for a Ministry of Environment Certificate of Approval for a Waste Disposal Site, Ministry of Environment Reference #1161-826SAU, 389 Kenora Avenue (Hamilton) (PED10143) (Ward 5) (Item 8.3)

Committee approved the staff recommendation.

(m) Airport Employment Growth District - Financial/Economic Impact Analysis and Marketing Strategy Report (PED10153)/(FCS10062) (City Wide) (Item 8.4)

Ray Lee introduced the matter.

Jamie Cook, Watson and Associates, provided an overview of the report, with the aid of a powerpoint presentation.

A copy of the presentation was provided for the public record.

Highlights included, but were not limited to, the following:

- continued population growth is expected in the Greater Toronto/Hamilton Area over next 20-30 years, 124,000 per year
- industrial areas nearer Toronto, including Mississauga, are building out, exerting pressure on industrial lands in Hamilton
- industrial land prices lower in Hamilton, $250-275,000 per acre, in Mississauga $750-800,000 per acre
- Development Charges do not cover all costs of development
- Capping of Industrial Development Charges needs review by Council
- Airport development area a positive impact on taxes, $66 million per annum, with net figure of $52m per annum
- Airport development will produce a highly competitive, multi-modal industrial business park
- Proposal fits with Provincial Policy, Places to Grow

Committee discussed the matter and had additional information supplied by the consultants and staff.

Questions from Committee included, but were not limited to the following:

- impact on the airport plan of the cancellation of the Mid-Peninsula Highway
- how much of required infrastructure is included in the figures?
- Exactly which costs are included in the Consultant’s figures?
- Concern about loss of agricultural land
- Are industrial development charges being reviewed by staff.

The consultants and staff provided the following information:

- Mid-Peninsula Highway not an integral part of the plan, although identified as a long-term “driver”, consultant’s studies did not conclude what the impact would be
- Cancellation of Mid-Peninsula Highway would probably affect Niagara Region more than Hamilton
- Costs include all pipes for sewage treatment plant to airport site, as well as water, but in the longer term, will need more pipes
- $350 million cost is incremental
- Development Charge study included all infrastructure costs
- Industrial Development Charges currently cover 100% water costs, staff working on a report to Council about revising Industrial Development Charges, to cover more of the overall costs, will include options
- Current Industrial Development Charge is $6.65, covers water, if increased to $8.94, would cover costs of wastewater
- $66 million is net operating costs, does not include capital costs associated with airport.

Committee continued their discussion, and raised further points, including but not limited to the following:
- industrial tax rates in Hamilton are higher than elsewhere in Province, this puts businesses at disadvantage, this could be compounded if Industrial Development Charges rise
- are we targeting warehouse uses, these uses do not produce very many jobs, not high paying jobs
- need for manufacturing jobs, these are better paid
- 6000 jobs in 10 years is not a good rate.

Councillor McHattie, seconded by Councillor Pasuta, moved the following Motion;

Whereas agricultural land adjacent to an urban area, particularly one the size of the Greater Toronto and Hamilton Area, has significant value for growing food; and;

Whereas, there are scenarios suggesting that agricultural land used for growing food will be important to local communities and will be even more important in the future.

Now Therefore:

(a) Staff be directed to report back with an analysis of the economic, environmental and social value of agricultural lands within and around the Airport Economic Growth District, out to 2031. (Phase One AEGD through to Phase Two and Three of AEGD into the future).

(b) That the report be based on existing information using staff resources

Committee discussed the Motion, and agreed that it was appropriate to request this information, notwithstanding Council’s decisions, as many things had changed since the first airport reports were considered. Committee also agreed that this report should be prepared using existing information, and not with the use of outside consultants and should be ready for the Special Public Meeting in September.

Committee approved the Motion.

Committee then approved the following Motion (Clark/McHattie),

(a) That staff report to the Economic Development and Planning Committee on the Financial Sustainability of the Airport Economic Growth District including, Carrying Charges, Debt Loads, Phasing etc.

(b) That staff report on the impact of the Province’s decision to not build the Niagara to Greater Toronto Area Highway on the Airport Economic Growth District, specifically the current transportation infrastructure’s ability to meet growth demands.
Councillor Mitchell requested that it be made clear in the Minutes of the meeting that the reports to be brought back by staff would not have an impact on the three public information sessions planned for the summer, and would be additional information for consideration at the Public Meeting.

On a Motion, Committee received the staff report and the consultant’s presentation.

(n) 2010-2012 Planning and Economic Development Department Business Plan (PED10137) (City Wide) (Item 8.5)

Tim McCabe provided an overview of the matter, with the assistance of a powerpoint presentation.

Highlights included but were not limited to the following:

- 3 year Business Plan will be reviewed as we go on
- Plan includes special projects, does not include regular applications
- Will bring report card back to Committee annually
- 190 projects/initiatives in the Plan
- 7 focus areas, as in the City Strategic Plan.

Committee received the staff report and presentation.

(o) Proposed Release of City Airport Audit Reports (LS10010) (City Wide) (Outstanding Business List Item) (Item 8.6)

Committee approved the staff recommendations.

(p) Request for report respecting bringing illegal operating businesses into compliance with appropriate tax laws (Item 9.1)

Councillor Mitchell advised that he wished to carry this item forward to the next Committee Agenda, to allow time for further discussion with staff.

(q) Rolly Rocket’s BBQ Restaurant (Item 10)

On a Motion (McHattie/Clark), Committee waived the rules to move the Notice of Motion up to a Motion.

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Committee than passed the Motion respecting Rolly Rocket’s BBQ Restaurant (See Item 20).

(r) GENERAL INFORMATION (Item 11)

(i) Establishing “Bars and Nightclubs” Licensing Category (Item 11.1)
Due date: July 5, 2010
Proposed new date: August 9, 2010

On a Motion, Committee approved the new date.

(ii) Harmonized Data Base

On a Motion (Pearson/McHattie), Committee directed staff to report back on the timing for a harmonized property data base.

Staff advised that this would require a corporate initiative.

(iii) News from the General Manager (Item 11.2)

Mr. McCabe noted that nine appeals had been received to the industrial zoning by-law, a small number considering the magnitude of the project. He advised that staff expected to settle at least half before the Ontario Municipal board.

(iv) Damage by Bell Canada Installation of Lines

Councillor Clark raised this issue respecting an area in his ward, and noted that no restoration of the properties had occurred. Tony Sergi said Bell are required to restore any lands they have damaged and offered to check the timing on this.

(s) PRIVATE AND CONFIDENTIAL (Item 12)

On a Motion, Committee moved into Closed Session to consider four items which are matters before the OMB and are 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:

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On a Motion, Committee reconvened in Open Session.

(i) **St Joseph’s Villa, Governors Road, Dundas; Update respecting the OMB Hearing (no copy) (Item 12.1)**

The Chair advised that the Committee had met in Closed Session to receive an update from staff. He noted that staff has been given direction, and that there is nothing further to report.

(ii) **Landmart, Penny Lane Subdivision on lands located within Part of Lots 25 and 26, Concession 7, in the former City of Stoney Creek, 25T-200808 ZAC-08-077 respecting OMB Hearing (no copy) (Item 12.2)**

The Chair advised that the Committee had met in Closed Session to consider advice from legal respecting the subject matter.

Committee passed a Motion on the item (See Item 21)

(iii) **Losani Homes, 12 Ambrose Avenue, PL091083, ZAC 08-088, 25T20081 Update respecting the OMB Hearing (no copy) (Item 12.3)**

The Chair advised that the Committee had met in Closed Session to consider advice from legal respecting the subject matter.

Committee passed a Motion on the item (See Item 22)

(iv) **Malatesta Bros. Co. Ltd., 1540 Upper Gage Avenue (ZAR-08-087) (Ward 7) (Added Item 12.4)**

The Chair advised that the Committee had met in Closed Session to consider advice from legal respecting the subject matter.

Committee passed a Motion on the item (See Item 23)
(t) ADJOURNMENT (Item 13)

On a Motion (Pearson/Clark), the meeting adjourned at 1:49 pm.

Respectfully submitted

Bob Bratina, Chair
Economic Development & Planning Committee

Alexandra Rawlings
Co-ordinator
July 5, 2010