



C	<u>6</u>
Item #	<u>20</u>
Report No.	<u>35 (cw)</u>
<u>Council - October 20/15</u>	

DATE: OCTOBER 19, 2015

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: JEFFREY A. ABRAMS, CITY CLERK

RE: 5550 LANGSTAFF ROAD – SITE REMEDIATION UPDATE, RAVINES OF RAINBOW CREEK SUBDIVISION – PHASE 2, PLAN OF SUBDIVISION 19T-12V003, WARD 2 – VICINITY OF LANGSTAFF ROAD AND HIGHWAY 27

At its meeting of October 7, 2015, Committee of the Whole, in considering Item 20 or Report No. 35, "5550 LANGSTAFF ROAD - SITE REMEDIATION UPDATE, RAVINES OF RAINBOW CREEK SUBDIVISION – PHASE 2, PLAN OF SUBDIVISION 19T-12V003, WARD 2 - VICINITY OF LANGSTAFF ROAD AND HIGHWAY 27", included as one of its recommendations to Council that staff report to the Council meeting of October 20, 2015 on the parameters of a potential Task Force to resolve this matter.

Pursuant to Council's Procedural By-law, Task Forces (a form of ad hoc committee) may be established where:

a. there is an absence of staff capacity or expertise on the subject, or there is a particular community of interest with a unique perspective on the proposed mandate;

**b. there is a need for information gathering and analysis in order to inform subsequent deliberations at a Standing Committee; and**

c. it is feasible to define a specific mandate and time frame for the Ad Hoc Committee to conduct its work. [s. 1.4(2); emphasis added]

Item 20 deals with a situation where some homeowners are affected by the condition of a neighbouring property. The developer of that property cannot further development on the property until certain remediative steps are taken. The interested neighbours are dissatisfied with the steps taken to date, and have been vocal in their criticism of the developer and the City. As is evident from deputations to the item as well as email communications to council and staff, the atmosphere amongst the parties is sometimes heated. There is also the concern that one or more of the parties may take steps to involve the courts or the governing bodies of certain professional staff in order to influence the outcome.

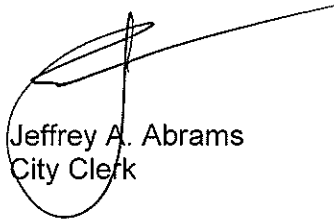
In my opinion there do not exist the appropriate circumstances for the establishment of a task force to inform the deliberations of Council. The matter is operational in nature, and Council's role in administering a solution limited.

In making the suggestion for the establishment of a Task Force it was my understanding that what was desired as an outcome was improved information flow to assist the residents in being aware of what was transpiring on the neighbouring property in a reasonable manner.

In lieu of setting up a Task Force, it may be more effective to establish periodic meetings between staff and representatives of the parties involved. In doing so the following considerations will support effective communication:

- One representative/spokesperson for the neighbouring homeowners, the developer, the Ministry of the Environment and Climate Change, and the City should be invited to be participants at the meetings
- That the meetings be without prejudice
- That an agenda be set for each meeting, and that the meetings take place during normal business hours
- That where possible, the meetings take place at or near the site
- That legal counsel not be engaged in the meetings
- That the meetings be held monthly during the construction season, and otherwise at times to the mutual satisfaction of the participating parties
- That the meetings be held in the spirit of resolving the outstanding matters and be terminated should the behavior of any of the parties be considered to be uncivil
- That in any event, the meetings terminate upon the full remediation of the site to the satisfaction of the Ministry of the Environment and Climate Change, or upon mutual consent of the active participants.

All of which is respectfully submitted,



Jeffrey A. Abrams  
City Clerk