



## City of Hamilton

# SELECTION COMMITTEE FOR AGENCIES, BOARDS AND SUB-COMMITTEES

**Meeting #:** 23-009  
**Date:** September 15, 2023  
**Time:** 9:30 a.m.  
**Location:** Room 264, 2nd Floor, City Hall (hybrid)  
(RM)  
71 Main Street West

Loren Kolar, Legislative Coordinator (905) 546-2424 ext. 2604

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	<b>Pages</b>
<b>1. APPROVAL OF AGENDA</b>	
(Added Items, if applicable, will be noted with *)	
<b>2. DECLARATIONS OF INTEREST</b>	
<b>3. APPROVAL OF MINUTES OF PREVIOUS MEETING</b>	
*3.1 September 12, 2023	<b>3</b>
<b>*4. COMMUNICATIONS</b>	
*4.1 Correspondence from A. Douglas Burns, Burns Associates, respecting the Committee of Adjustment	<b>6</b>
Recommendation: To Be Received	
<b>5. PRIVATE AND CONFIDENTIAL</b>	

## 5.1 Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees

Pursuant to Section 9.3 sub-section (b) of the City's Procedural By-law 21-021, as amended, and Section 239(3) Sub-section (b) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City or local board employees

### 5.1.a FOR INFORMATION ONLY: Screening Tools for the Selection Committee for Agencies, Boards and Sub-Committees

Pursuant to Section 9.3 sub-section (i) of the City's Procedural By-law 21-021, as amended, and Section 239(2) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the City or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization

### \*5.2 Closed Session Minutes - September 12, 2023

Pursuant to Section 9.3 sub-section (b) of the City's Procedural By-law 21-021, as amended, and Section 239(3) Sub-section (b) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City or local board employees

## 6. ADJOURNMENT



Hamilton

**SELECTION COMMITTEE  
FOR  
AGENCIES, BOARDS AND SUB-COMMITTEES  
MINUTES 23-008  
9:00 a.m.  
September 12, 2023  
Council Chambers  
City Hall**

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**Present:** Councillors C. Cassar (Chair) T. Jackson, C. Kroetsch, M. Tadeson, A. Wilson and M. Wilson

**Absent with regrets:** Councillors N. Nann and B. Clark - Personal

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**THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:**

1. **Correspondence from A. Douglas Burns, Burns Associates, respecting the Committee of Adjustment (Added Item 4.1)**

**(Kroetsch/M. Wilson)**

That the Correspondence be received and referred to the Integrity Commissioner for investigation.

**CARRIED**

2. **Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees (Item 5.2)**

**(A. Wilson/Clark)**

(a) That the directions provided to staff in Closed Session respecting the Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees, be approved;

(b) That staff be directed to initiate an additional 30-day recruitment for citizen members to serve on the Committee of Adjustment; and,

(c) That the details of the Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees remain confidential.

**CARRIED**

**FOR INFORMATION:**

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

The Committee Clerk advised the Committee of the following changes to the agenda:

**4. COMMUNICATIONS**

- 4.1 Correspondence from A. Douglas Burns, Burns Associates, respecting the Committee of Adjustment

Recommendation: To be received

**(A. Wilson/Jackson)**

That the agenda for the September 12, 2023 meeting of the Selection Committee for Agencies, Boards and Sub-Committees be approved, as amended.

**CARRIED**

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no Declarations of Interest.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

- (i) August 10, 2023 (Item 3.1)**

**(A. Wilson/M. Wilson)**

That the Minutes of August 10, 2023 be approved, as presented.

**CARRIED**

**(d) COMMUNICATIONS (Item 4)**

- (i) Correspondence from A. Douglas Burns, Burns Associates, respecting the Committee of Adjustment (Added Item 4.1)**

**(Kroetsch/Jackson)**

That the discussion of Correspondence from A. Douglas Burns, Burns Associates, respecting the Committee of Adjustment, be deferred until after a Closed Session discussion.

**CARRIED**

For further disposition on this matter, refer to Item 1

**(e) PRIVATE & CONFIDENTIAL (Item 5)**

**(i) Closed Session Minutes - August 10, 2023 (Item 5.1)**

**(M. Wilson/Clark)**

That the Closed Session Minutes of August 10, 2023 be approved as presented, and remain confidential.

**CARRIED**

**(A. Wilson/Clark)**

That the Committee move into Closed Session for Item 5.2, respecting a Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees, Section 9.3 Sub-section (b) of the City's Procedural By-law 21-021, as amended, and Section 239(2) Sub-section (b) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual.

**CARRIED**

**(ii) Applicant Interviews for the City of Hamilton's Agencies, Boards and Sub-Committees (Item 5.2)**

For further disposition, refer to Item 2(a)

**(iii) Correspondence from A. Douglas Burns, Burns Associates, respecting the Committee of Adjustment (Added Item 4.1)**

For further disposition, refer to Item 1

**(f) ADJOURNMENT (Item 6)**

**(M. Wilson/Kroetsch)**

There being no further business, the Selection Committee adjourned at 2:34 p.m.

**CARRIED**

Respectfully submitted,

Councillor C. Cassar, Chair  
Selection Committee

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk

A. DOUGLAS BURNS, B.A., LL.B.  
 JESSICA SURI, B.A. (Hons), J.D.  
 MANMEET DHALIWAL, B.A. (Hons), J.D.  
 MARCIO PERALTA, Licensed Paralegal



COUNSEL IN CRIMINAL MATTERS:  
 DEAN D. PAQUETTE B.A., LL.B. \*\*

\*\* Certified Specialist in Criminal Law  
 \*\* Fellow, American College of Trial Lawyers

R. SRINI VASAN, M.A., B.L. (1938-2016)

File No.

September 11, 2023

**Via Email:** [mavor@hamilton.ca](mailto:mavor@hamilton.ca); [ward1@hamilton.ca](mailto:ward1@hamilton.ca);  
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[mike.spadafora@hamilton.ca](mailto:mike.spadafora@hamilton.ca); [ted.mcmeekin@hamilton.ca](mailto:ted.mcmeekin@hamilton.ca);

**Attention:** **The Honourable Andrea Horwath, Maureen Wilson, Cameron Kroetsch, Nrinder Nann, Tammy Hwang, Matt Francis, Tom Jackson, Esther Pauls, John-Paul Danko, Brad Clark, Jeff Beattie, Mark Tadeson, Craig Cassar, Alex Wilson, Mike Spadafora, Ted McMeekin;**

Dear Sir and Madam:

**Re: Committee of Adjustments**

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In addition to my previous email, I would like to formally request a postponement of the approval process for the Committee of Adjustments members. I kindly ask you to consider the possibility of selecting a new committee for the application process, one that operates with complete impartiality and fairness.

There is evidence suggesting that the current selection committee may not be entirely impartial and unbiased. This concern is particularly pronounced due to the reported failure to grant interviews to well-qualified applicants from a committee that appears to be self-appointed and lacking the necessary qualifications. We strongly urge you to withhold ratification for the new Committee of Adjustments.

Ideally, the new committee should possess the requisite experience to seamlessly continue the work of the previous one. The Committee of Adjustments bears a significant responsibility, far greater than that of most other committees, as it necessitates extensive hours and an in-depth understanding of zoning regulations and bylaws. We respectfully request that you take the time to thoroughly explore alternative options to prevent any further actions.

Please consider this matter carefully, as it is of utmost importance to ensure the integrity and effectiveness of the Committee of Adjustments moving forward.

Yours very truly,

BURNS ASSOCIATES

A handwritten signature in black ink, appearing to read "A. Douglas Burns". The signature is written in a cursive style with a large, stylized initial "A".

A. Douglas Burns

ADB/sm

[burns@adburnslaw.ca](mailto:burns@adburnslaw.ca)