



## **PLANNING COMMITTEE MINUTES**

**22-016**

**November 29, 2022**

**9:30 a.m.**

**Council Chambers, Hamilton City Hall  
71 Main Street West**

**Present:** Councillor M. Wilson. (Chair)  
Councillor J.P. Danko (1<sup>st</sup> Vice Chair)  
Councillor T. Hwang (2<sup>nd</sup> Vice Chair)  
Councillors J. Beattie, C. Cassar, E. Pauls, M. Francis,  
C. Kroetsch, N. Nann, T. McMeekin, M. Spadafora, M. Tadeson,  
A. Wilson

**Also in Attendance:** Mayor A. Horwath, Councillor B. Clark

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

#### **1. Appointment of Chair and Vice-Chairs for 2022 - 2023 (Item 1.1)**

##### **(Nann/Cassar)**

- (a) That Councillor M. Wilson, be appointed as Chair of the Planning Committee for the 2022-2023 year.

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**(Pauls/Nann)**

- (b) That Councillor J.P. Danko, be appointed as 1<sup>st</sup> Vice Chair of the Planning Committee for the 2022-2023 year.

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**(McMeekin/Nann)**

- (c) That Councillor T. Hwang, be appointed as 2<sup>nd</sup> Vice Chair of the Planning Committee for the 2022-2023 year.

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**2. Appointment By-law under the *Building Code Act*, 1992 (PED22205) (City Wide) (Item 9.1)**

**(Hwang/Tadeson)**

- (a) That the draft By-law attached as Appendix “A” to Report PED22205, respecting the appointment of a Chief Building Official, Deputies and Inspectors, which has been prepared in a form satisfactory to the City Solicitor, be approved and enacted; and
- (b) That By-law 22-112, being a by-law respecting the Appointments of a Chief Building Official, Deputies and Inspectors be repealed.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**3. Hearing Officer Appointment By-law for Administrative Penalty System (PED22200) (City Wide) (Item 9.2)**

**(Beattie/Spadafora)**

- (a) That the Hearing Officer By-law, being a by-law to appoint Hearing Officers in accordance with the Administrative Penalty By-law No. 17-225, attached as Appendix “A” to Report PED22200, which has been prepared in a form satisfactory to the City Solicitor, be approved;
- (b) That the General Manager of the Planning and Economic Development Department be granted delegated authority to sign and execute Hearing Officer Agreements, in a form satisfactory to the City Solicitor.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch

YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**4. Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED22197) (City Wide) (Item 9.3)**

**(Pauls/Nann)**

That Report PED22197 respecting the Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications, be received.

**Result: Motion CARRIED by a vote of 11 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
NOT PRESENT – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**5. Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-009 and Zoning By-law Amendment Application ZAC-22-018 to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 651 Queenston Road, Hamilton (PED22184) (Ward 5) (Item 9.4)**

**(Francis/Hwang)**

That Report PED22184 respecting Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-009 and Zoning By-law Amendment Application ZAC-22-018 to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 651 Queenston Road, Hamilton, be received.

**Result: Motion CARRIED by a vote of 11 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
NOT PRESENT – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**6. Appeal of Zoning By-law Amendment Application ZAC-21-003 to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 125 Pirie Drive, Dundas (PED22145(a)) (Ward 13) (Item 9.5)**

**(Nann/McMeekin)**

That Report PED22145(a) respecting Appeal of Zoning By-law Amendment Application ZAC-21-003 to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 125 Pirie Drive, Dundas, be received.

**Result: Motion CARRIED by a vote of 11 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
NOT PRESENT – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**7. Hamilton Municipal Heritage Committee Report 22-010 (Item 9.6)**

**(Kroetsch/Hwang)**

**(a) Recommendation to Designate 66-68 Charlton Avenue West, Hamilton, under Part IV of the Ontario Heritage Act (PED22208) (Ward 2) (Item 8.1) (attached hereto as Appendix “A” to Report 22-010) (Item 8.1)**

- (i) That City Council state its intention to designate 66-68 Charlton Avenue West, Hamilton, shown in Appendix “A” attached to Report PED22208, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report 22-010;
- (ii) That the City Clerk be directed to give notice of intention to designate the property of cultural heritage value or interest in Recommendation (a) of Report PED22208, in accordance with the requirements of Section 29 of the Ontario Heritage Act, subject to the following:
  - (1) If no objections are received to the notice of intention to designate in accordance with the Ontario Heritage Act, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
  - (2) If an objection to the notice of intention to designate is received in accordance with the Ontario Heritage Act, City Council directs staff to report back to Council to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

**(b) Heritage Permit Application HP2022-026, Under Section 33 of the Ontario Heritage Act, for the Removal of the Contemporary Rear Addition, Construction of a New Rear Addition and Rehabilitation of the Pinehurst Building at 163 Jackson Street West, Hamilton (PED22195) (Ward 2) (Item 8.2)**

- (i) That Heritage Permit Application HP2022-026, under Section 33 of the Ontario Heritage Act, for the removal of the contemporary rear addition, construction of a new addition and rehabilitation of the Pinehurst building located at 163 Jackson Street West, Hamilton

(the "Property"), be approved in accordance with the submitted Heritage Permit Application, subject to the following conditions:

- (1) That the recommendations from the revised Conservation Plan dated November 3, 2022, attached as Appendix "E" to Report PED22195, submitted in support of the application be implemented to the satisfaction of the Director of Planning and Chief Planner, prior to the issuance of a final Occupancy Permit for the Pinehurst building;
- (2) That the following conditions with respect to cost estimates and security shall be satisfied prior to the issuance of a Building Permit for removal of the rear addition:
  - (a) The applicant shall provide cost estimates for 100% of the total cost of securing, protecting and stabilizing the retained portions, the cost of monitoring and security for a period of four years and the total cost of restoration and protective enclosure of the retained designated portions. Such cost estimates shall be in the form satisfactory to the Director of Planning and Chief Planner, or be prepared in accordance with the Guides for estimating security requirements for landscaping and engineering;
  - (b) The applicant shall calculate the lump sum security payment satisfactory to the City Solicitor for works to the satisfaction of the City's Director of Planning and Chief Planner;
  - (c) The applicant shall provide a Financial Instrument for the security that is satisfactory to the City Solicitor such as the Letter of Credit (Policy), Surety Bond (Policy), or Certified Cheque/Bank Draft to the Director of Planning and Chief Planner for 100% of the total estimated cost as per condition (1) in a form satisfactory to the City's Finance Department (Development Officer, Development Charges, Programs and Policies) to be held by the City as security for the completion of the on-site development works required in these conditions. Alternatively, the owner may choose to provide a lump sum payment for on-site works in accordance with condition (2) above;

- (d) The Security shall be kept in force, whether or not the ownership of 163 Jackson Street West, Hamilton, changes at any time, until the completion of the required site development works in conformity with this Heritage Permit, securities may be reduced in accordance with the approved Financial Instrument Policies by the City Solicitor. If the Security is about to expire without renewal thereof and the works have not been completed in conformity with their approved designs, the City may draw all of the funds so secured and hold them as security to guarantee completion unless the City Solicitor is provided with a replacement or renewal of the Security forthwith;
  - (e) In the event that the Owner fails to complete, to the satisfaction of the City's Director of Planning and Chief Planner, the required site development works in conformity with this Heritage Permit within the time required, then the Owner shall permit the City, its employees, agents or contractors, at the City's sole option and in addition to any other remedies that the City may have, to enter on the lands and so complete the required site development works to the extent of monies received as Security. The cost of completion of such works shall be deducted from the monies obtained from the Security. In the event that there is a surplus, the City shall pay it forthwith to the Owner. In the event that there are required site development works remaining to be completed, the City may exercise its authority under (Section 446 of the Municipal Act) to have such works completed and to recover the expense incurred in doing so in like manner as municipal taxes and the Owner shall enter an agreement with the City to give effect to this Condition (5) and shall register this Agreement on title to the Property at the Owner's own expense;
- (3) That the applicant submit the final details for the implementation of temporary occupancy of the Pinehurst building as an office, including but not limited to the reconnection of services, installation of ductwork and placement of air conditioning units, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to the commencement of any alterations impacting the heritage attributes of the property not already addressed in



the revised Conservation Plan, dated November 3, 2022, submitted with this Heritage Permit Application;

- (4) That the applicant shall provide the City with copies of any monitoring reports of the Pinehurst building prepared in accordance with the revised Conservation Plan, dated November 3, 2022, until the time of project completion, and that the scope of any remedial actions required to be taken shall be submitted to the satisfaction and approval of the Director of Planning and Chief Planner prior to implementation;
- (5) Any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- (6) That should a Building Permit for the demolition of the contemporary rear addition, in accordance with this approval, not be obtained and acted upon by September 30, 2024, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton;
- (7) That the Director of Planning and Chief Planner be authorized to approve a request to extend the dates noted in condition (vi) of this approval, if that request is submitted prior to the expiry and if progress is being made;
- (ii) That the Director of Planning and Chief Planner be authorized to execute an Agreement with the owner(s) of 163 Jackson Street West satisfactory to the City Solicitor, to be registered on title by the owner(s) and to give effect to Recommendation (a) (ii) (5) of Report PED22195;
- (iii) That the Director of Planning and Chief Planner is authorized to execute any required Agreements with the owner(s) and other necessary parties with respect to the security required by Recommendation (a) (ii) of Report PED22195.

**(c) Inventory & Research Working Group Meetings Notes – October 26, 2022 (Item 10.1)**

- (i) 66-68 Charlton Avenue West, Hamilton (Item 1) That the information respecting 66-68 Charlton Avenue West, Hamilton, be received)
- (ii) Osler House - 30 South Street West, Dundas
  - (1) That 30 South Street, Dundas, be added to the Municipal Heritage Register as a non-Designated Built Heritage Property; and
  - (2) That 30 South Street, Dundas, be added to Staff's Designation Work Plan.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**8. Rental Housing Licensing Pilot Program and Implementation Update (PED21097(c)) (Wards 1, 8 and parts of Ward 14) (Item 9.7)**

**(Danko/Spadafora)**

- (a) That Report PED21097(c) respecting Rental Housing Licensing Pilot Program and Implementation Update (PED21097(c)) (Wards 1, 8 and parts of Ward 14), be received.

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann

YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**9. Increase to Building Permit Fees (PED22206) (City Wide) (Item 10.1)**

**(Hwang/Cassar)**

- (a) That the By-law, attached as Appendix “A” to Report PED22206 to amend City of Hamilton By-law No. 15-058, the Building By-law, which has been prepared in a form satisfactory to the City Solicitor, be enacted.

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**10. Application for a Zoning By-law Amendment for Lands Located at 11 Springside Drive, Hamilton (PED22198) (Ward 8) (Item 10.2)**

**(Danko/Spadafora)**

- (a) That Revised Zoning By-law Amendment Application ZAC-19-056 by GSP Group Inc. c/o Brenda Khes on behalf of 2634334 Ontario Inc. for a change in zoning from the "B" (Suburban Agriculture and Residential, Etc.) District to the "RT-30/H" (Street - Townhouse) District, Holding, to permit seven street townhouses on the subject lands located at 11 Springside Drive as shown on Appendix “A” attached to Report PED22198, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “B”, **as amended**, to Report PED22198, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended) and complies with the Urban Hamilton Official Plan (UHOP);
- (iii) 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 ‘H’ as a suffix to the proposed zoning for 11 Springside Drive as shown on Schedule “A” of Appendix “B” attached to Report PED22198;

The Holding Provision "RT-30/H" (Street - Townhouse) District, Holding be removed conditional upon:

- (1) The submission and approval of a Noise Feasibility Study which provides recommendations for appropriate noise mitigation measures in accordance with Ministry of the Environment, Conservation and Parks (MECP) standards and to the satisfaction of the Director of Planning and Chief Planner;

**Result: Main Motion, As Amended, CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**11. Application for a Zoning By-law Amendment for Lands Located at 1020 Upper James Street, Hamilton (PED22199) (Ward 8) (Item 10.3)**

**(Danko/Nann)**

- (a) That Zoning By-law Amendment Application ZAC-19-017 by Wellings Planning Consultants Inc. on behalf of Royal Living Development Group c/o Alex Arbab, owner, for a change in zoning from the Mixed Use Medium Density (C5) Zone to the Mixed Use Medium Density (C5, 822, H131) Zone, to permit the lands to be developed for an eight storey mixed use building on lands located at 1020 Upper James Street, as shown on Appendix "A" attached to Report PED22199, be APPROVED on the following basis:
  - (i) That the draft By-law, attached as Appendix "B" to Report PED22199, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended) and complies with the Urban Hamilton Official Plan (UHOP);
- (b) That the amending By-law apply the Holding Provision of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by adding the Holding symbol H131 to Schedule D of City of Hamilton Zoning By-law No. 05-200; and, that it shall be lifted upon completion of the following:
  - (i) That the Owner submit a Functional Servicing Report to demonstrate the storm water management, sanitary flow and water supply demand (Water Hydraulic Analysis) resulting from this development has adequate capacity in the existing municipal infrastructure system in accordance with City standards to accommodate the proposed development, to the satisfaction of the Director of Growth Management;
  - (ii) That the Owner enter into an external works agreement with the City for the design and construction of any improvements to the municipal infrastructure at owner's cost, should it be determined that upgrades are required to the infrastructure to support this development, according to the Functional Servicing Report, Traffic Impact Study (TIS) and Water Hydraulic Analysis Report, to the satisfaction of the Director of Growth Management;

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**12. Sign Variance Appeal SV-21-002 for the property known as 1632 Upper James Street, Hamilton, Denied by the Director of Planning and Chief Planner and Appealed by the Owner (PED22120) (Ward 8) (Item 11.1)**

**(Danko/Hwang)**

(a) That the Appeal of Sign Variance Application, SV-21-002, for the property known as 1632 Upper James Street, Hamilton (refer to Appendix “A” attached to Report PED22120), by the Owners 1632 Upper James Inc., which seeks relief from Section 5.10A of Sign By-Law No. 10-197 to permit the construction of a digital billboard sign with a height of 9.5 m to be located 0.3 m from the northern interior side lot line of the property; be Denied, on the following basis:

- (i) That the requested variances are not in keeping with the general intent and purpose of Sign By-law No. 10-197;
- (ii) That the requested variances do not meet the tests stipulated in Sign By-law No. 10-197.

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie

YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**13. Interim Terms of References, Guidelines and Guideline Summaries for Complete Application Materials in Response to Bill 109 (PED22112(d)) (City Wide) (Item 11.2)**

**(Cassar/Hwang)**

- (a) That Council approve the interim terms of references, guidelines, and guideline summaries, as attached in Appendices “A” and “B1” to “B39” to Report PED22112(d), for use as part of a complete *Planning Act* Application;
- (b) That the General Manager of Planning and Economic Development Department, or their designate, be granted the authority to make minor modifications to the interim terms of references, guidelines and guideline summaries, contained in Appendices “B1” to “B39” attached to Report PED22112(d);
- (c) That Planning Division staff be directed to utilize the interim terms of references, guidelines and guideline summaries contained in Appendices “B1” to “B39” attached to Report PED22112(d), and based on feedback received on the interim guidelines from the general public and stakeholders to report back in Q2 2023 on any modifications and updates that may be needed to the draft terms of references, guidelines and guideline summaries, contained in Appendices “B1” to “B39” attached to Report PED22112(d) prior to finalization.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora

YES – Ward 15 Councillor T. McMeekin

- 14. Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment UHOPA-22-006 and Zoning By-law Amendment Application ZAC-22-014 for Lands Located at 186 Hunter Street East, Hamilton (LS22032/PED22190(a)) (Ward 2) (Item 15.2)**

**(Beattie/Tadeson)**

- (a) That the directions to staff in closed session respecting Report LS22032/PED22190(a) be released to the public, following approval by Council; and,
- (b) That the balance of Report LS22032/PED22190(a) remain confidential.

**Result: Motion CARRIED by a vote of 10 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
NOT PRESENT – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
NOT PRESENT – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

- 15. Appeal of Zoning By-law Amendment Application to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 125 Pirie Drive, Dundas (LS22034/PED22145(b)) (Ward 13) (Item 15.3)**

**(Hwang/Cassar)**

- (a) That the directions to staff in closed session respecting Report LS22034 / PED22145(b) be released to the public, following approval by Council; and
- (b) That the balance of Report LS22034/PED22145(b) remain confidential.

**Result: Motion CARRIED by a vote of 10 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
NOT PRESENT – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann



YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
NOT PRESENT – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 2)**

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

**1. COMMUNICATIONS (Item 5)**

**5.1 Taxicab Licensing**

- (i) Ijaz Ahmad
- (ii) Iftikhar Ahmed

**2. DELEGATION REQUESTS (Item 6)**

**6.1 David Falletta respecting 163 Jackson St W (Item 9.6) -  
WITHDRAWN**

**6.2 Sarah MacLellan respecting a Permit for a new Deck and Gazebo  
(For the January 17, 2023 meeting)**

**6.3 Various Delegations respecting Bill 23 (Item 11.3) (For today's  
agenda)**

- (i) Kojo Dampitey, Hamilton Centre for Civic Inclusion (in person)
- (ii) Karl Andrus, Hamilton Community Benefits Network (in person)
- (iii) Anica Rak, ACORN (pre-recorded)
- (iv) Gord Smyth, ACORN (pre-recorded)
- (v) Marnie Schurter, ACORN (pre-recorded)

**6.4 Alex Shepherd respecting 163 Jackson St W (Item 9.6) (virtual)  
(For today's meeting)**

- 6.5 Matt Johnston, Urban Solutions, respecting 66-68 Charlton Ave W  
(Item 9.6) (For today's meeting)

**3. DELEGATIONS (Item 8)**

- 8.2 Ryan Reid respecting Sunday Gun Hunting in Flamborough -  
WITHDRAWN

**4. CONSENT ITEMS (Item 9)**

- 9.6 Hamilton Municipal Heritage Committee Report 22-010

- a. Added Written Submissions:

- (iii) Idan Erez
- (iv) Geoff Roche, Durand Neighbourhood Association

**5. PUBLIC HEARINGS (Item 10)**

- 10.2 Application for a Zoning By-law Amendment for Lands Located at  
11 Springside Drive, Hamilton (PED22198) (Ward 8)

- a. Added Written Submissions:

- (iv) Karen Gowan
- (v) Cathy Blancher
- (vi) Cecil Cooke
- (vii) Rick and Susan Biggley

**(Cassar/Beattie)**

That the agenda for the November 29, 2022 Planning Committee meeting be approved, as amended.

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar

YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**(b) DECLARATIONS OF INTEREST (Item 3)**

The were no declarations of interest.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)**

**(i) September 20, 2022 (Item 4.1)**

**(Danko/M. Wilson)**

That the Minutes of the September 20, 2022 meeting be approved, as presented.

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**(d) COMMUNICATIONS (Item 5)**

**(i) Taxicab Licensing (Added Item 5.1)**

**(Pauls/McMeekin)**

That the following communications be received:

- (i) Ijaz Ahmed
- (ii) Iftikhar Ahmed

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson

YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**(e) DELEGATION REQUESTS (Item 6)**

**(i) Sarah MacLellan respecting a Permit for a new Deck and Gazebo (For the January 17, 2023 meeting) (Item 6.2)**

**(Nann/A. Wilson)**

That the Delegation from Sarah MacLellan respecting a Permit for a new Deck and Gazebo for the January 17, 2023 meeting, be approved.

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**(ii) Various Delegations (Added Items 6.3, 6.4 and 6.5)**

**(Hwang/Beattie)**

That the following delegations, be approved for today's meeting:

(i) Various Delegations respecting Bill 23 (Item 11.3) (Added Item 6.3)

- (i) Kojo Dampitey, Hamilton Centre for Civic Inclusion
  - (ii) Karl Andrus, HCBN
  - (iii) Anica Rak, ACORN
  - (iv) Gord Smyth, ACORN
  - (v) Marnie Schurter, ACORN
- (ii) Alex Shepherd respecting 163 Jackson St W (Item 9.6) (Added Item 6.4)
- (iii) Matt Johnston, Urban Solutions, respecting 66-68 Charlton Ave W (Item 9.6) (Added Item 6.5)

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**(f) DELEGATIONS (Item 8)**

- (i) **Aamir Shahzad respecting Taxicab By-laws and a Taxicab Advisory Committee (Approved at the September 20th meeting) (Item 8.1)**

The delegate was not in attendance when called upon.

- (ii) **Various Delegations respecting Bill 23 (Item 11.3) (Added Item 6.3)**

The following Delegations addressed the Committee:

- (i) Kojo Dampitey, Hamilton Centre for Civic Inclusion
- (ii) Karl Andrus, Hamilton Community Benefits Network

**(McMeekin/Kroetsch)**

That the speaking time for Karl Andrus be extended by five minutes.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

(iii) Anica Rak, ACORN  
(iv) Gord Smyth, ACORN  
(v) Marnie Schurter, ACORN

**(Pauls/Tadeson)**

That the Delegations be received.

**Result: Motion CARRIED by a vote of 11 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
NOT PRESENT – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**(iii) Alex Shepherd respecting 163 Jackson St W (Item 9.6) (Added Item 6.4)**

Alex Shepherd addressed the Committee respecting 163 Jackson St W.

**(Hwang/Cassar)**

That the Delegation from Alex Shepherd respecting 163 Jackson St W, be received.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**(iv) Matt Johnston, Urban Solutions, respecting 66-68 Charlton Ave W  
(Item 9.6) (Added Item 6.5)**

Matt Johnston, Urban Solutions, addressed the Committee respecting 66-68 Charlton Ave W.

**(Pauls/Beattie)**

That the speaking time for Matt Johnston be extended by five minutes.

**Result: Motion CARRIED by a vote of 11 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
NOT PRESENT – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**(Hwang/Cassar)**

That the Delegation from Matt Johnston, Urban Solutions, respecting 66-68 Charlton Ave W, be received.

**Result: Motion CARRIED by a vote of 11 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
NOT PRESENT – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**(g) CONSENT ITEMS (Item 9)**

**(i) Hamilton Municipal Heritage Committee Report 22-010 (Item 9.6)**

**(Kroetsch/Cassar)**

That the following Written Submissions, be received:

- (i) J. Webster (Item 1)
- (ii) Izabel LAnglais (Item 1)
- (iii) Idan Erez (Item 1)
- (iv) Geoff Roche, Durand Neighbourhood Association (Item 1)

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson



YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 7.

**(h) PUBLIC HEARINGS (Item 10)**

In accordance with the *Planning Act*, Chair M. Wilson advised those viewing the meeting that the public had been advised of how to pre-register to be a delegate at the Public Meetings on today's agenda.

In accordance with the provisions of the *Planning Act*, Chair M. Wilson advised that 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 Council makes a decision regarding the Development applications before the Committee today, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Land Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**(i) Increase to Building Permit Fees (PED22206) (City Wide) (Item 10.1)**

**(Hwang/Cassar)**

- (a) That there were no public submissions received regarding this matter; and,
- (b) That the public meeting be closed.

**Result: Motion CARRIED by a vote of 11 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
NOT PRESENT – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 9.

**(ii) Application for a Zoning By-law Amendment for Lands Located at 11 Springside Drive, Hamilton (PED22198) (Ward 8) (Item 10.2)**

James Van Rooi, Planner I, addressed the Committee with the aid of a PowerPoint presentation.

**(Nann/Pauls)**

That the staff presentation be received.

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

Joseph Liberatore with GSP Group, was in attendance and indicated support for the staff report with a requested modification.

**(Danko/Tadeson)**

That the delegation from Joseph Liberatore with GSP Group, be received.

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson

YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**Registered Delegations (Item 10.2(b)):**

The following delegations were not in attendance when called upon:

- (i) Matthew Ribau (Item 10.2 (b)(i))
- (ii) Jodi Campovari (Item 10.2 (b)(i))

**(Cassar/Beattie)**

(a) That the following written submissions (Item 10.2(a)), be received:

- (i) Jodi and A. Campovari, in Opposition to the application
- (ii) Helen Spring, in Opposition to the application
- (iii) Rick Hunter-Wolff, in Opposition to the application
- (iv) Karen Gowan, in Opposition to the application
- (v) Cathy Blancher, Concerns with application
- (vi) Cecil Cooke, in Opposition to the application
- (vii) Rick and Susan Biggley, in Opposition to the application

(b) That the public meeting be closed.

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**(Danko/Spadafora)**

(a) That Revised Zoning By-law Amendment Application ZAC-19-056 by GSP Group Inc. c/o Brenda Khes on behalf of 2634334 Ontario Inc. for a change in zoning from the "B" (Suburban Agriculture and

Residential, Etc.) District to the "RT-30/H" (Street - Townhouse) District, Holding, to permit seven street townhouses on the subject lands located at 11 Springside Drive as shown on Appendix "A" attached to Report PED22198, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix "B" to Report PED22198, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended) and complies with the Urban Hamilton Official Plan (UHOP);
- (iii) 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 'H' as a suffix to the proposed zoning for 11 Springside Drive as shown on Schedule "A" of Appendix "B" attached to Report PED22198;

The Holding Provision "RT-30/H" (Street - Townhouse) District, Holding be removed conditional upon:

- (1) The submission and approval of a Noise Feasibility Study which provides recommendations for appropriate noise mitigation measures in accordance with Ministry of the Environment, Conservation and Parks (MECP) standards and to the satisfaction of the Director of Planning and Chief Planner;

**(Danko/Spadafora)**

That Appendix "B" to Report PED22198 be ***amended*** by changing the front lot line from Rymal Road East to be Springside Drive.

**Result: Amendment CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko

YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 10.

**(iii) Application for a Zoning By-law Amendment for Lands Located at 1020 Upper James Street, Hamilton (PED22199) (Ward 8) (Item 10.3)**

No members of the public were registered as Delegations.

James Van Rooi, Planner I, addressed the Committee with the aid of a PowerPoint presentation.

**(McMeekin/Nann)**

That the staff presentation be received.

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

Glenn Wellings with Wellings Planning Consultants, was in attendance and indicated support for the staff report.

**(Danko/Beattie)**

That the delegation from Glenn Wellings with Wellings Planning Consultants, be received.

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson

YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**(Danko/Hwang)**

- (a) That the written submissions (in the staff report) regarding this matter were received; and,
- (b) That the public meeting be closed.

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 11.

**(i) DISCUSSION ITEMS (Item 11)**

**(Pauls/Tadeson)**

That the Committee Recess from 12:20 p.m. to 12:50 p.m.

**Result: Motion CARRIED by a vote of 13 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch

YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**(i) Interim Terms of References, Guidelines and Guideline Summaries  
for Complete Application Materials in Response to Bill 109  
(PED22112(d)) (City Wide) (Item 11.2)**

Tiffany Singh, Planner I, addressed the Committee with the aid of a PowerPoint presentation.

**(Cassar/Hwang)**

That the staff presentation be received.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 13.

**(ii) Bill 23, Proposed More Homes Built Faster Act, 2022 (PED22207)  
(City Wide) (Item 11.3)**

Anita Fabac, Manager of Development Planning, Heritage and Design, addressed the Committee with the aid of a PowerPoint presentation.

**(Tadeson/Hwang)**

That the staff presentation be received.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

The following resolution was considered by Council at its special meeting of November 30, 2022:

**(Tadeson/Hwang)**

- (a) That Council adopt the submissions and recommendations as provided in Report PED22207 regarding Schedules 2, 4, 5, 6, 7, 8 and 9 of proposed Bill 23, *More Homes Built Faster Act, 2022*;
- (b) That the Director of Planning and Chief Planner be authorized and directed to confirm the submissions made to the Province attached as Appendix “B” to Report PED22207;
- (c) That staff report back to Council should Bill 23, *More Homes Built Faster Act, 2022* be proclaimed on any required staffing, process, fee and By-law changes necessary to implement Bill 23, *More Homes Built Faster Act, 2022*;
- (d) That the Director of Planning and Chief Planner and the City Solicitor be authorized to make submissions on Bill 23, *More Homes Built Faster Act, 2022* and any associated regulations consistent with the comments and concerns raised in Report PED22207.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson



YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**(iii) Minister's Decision - Municipal Comprehensive Review / Official Plan Review – Phase 1 – Official Plan Amendment No. 167 to the Urban Hamilton Official Plan and Official Plan Amendment No 34 to the Rural Hamilton Official Plan (PED21067(c) (City Wide) (Outstanding Business List Item) (Item 11.4)**

Lauren Vraets, Planner, addressed the Committee with the aid of a PowerPoint presentation.

**(Spadafora/A. Wilson)**

That the staff presentation be received.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

The following resolution was considered by Council at its special meeting of November 30, 2022:

**(Tadeson/Cassar)**

That Report PED21067(c) respecting Minister's Decision - Municipal Comprehensive Review / Official Plan Review – Phase 1 – Official Plan Amendment No. 167 to the Urban Hamilton Official Plan and Official Plan Amendment No 34 to the Rural Hamilton Official Plan, be received.

**Result: Motion CARRIED by a vote of 11 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
NOT PRESENT – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**(Kroetsch/Nann)**

That the Committee Recess from 3:45 p.m. to 4:00 p.m.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**(iv) Proposed Amendments to the Greenbelt Plan - ERO Postings 019-6216 and 019-6217 - City of Hamilton Comments (PED22213) (City Wide) (Item 11.5)**

Heather Travis, Manager of Staging of Development and Legislative Approvals, addressed the Committee with the aid of a PowerPoint presentation.

**(Kroetsch/Cassar)**

That the staff presentation be received.

**Result: Motion CARRIED by a vote of 10 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
NOT PRESENT – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
NOT PRESENT – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

The following resolution was considered by Council at its special meeting of November 30, 2022

**(Tadeson/Beattie)**

- (a) That the City does not support the removal of lands from the Greenbelt Plan because removal of the lands contradicts the vision and goals of the Greenbelt Plan to provide permanent protection to the natural heritage and water resource systems that are crucial to sustain ecological and human health and build resilience to and mitigate climate change and the City has no requirement for additional lands to accommodate housing growth to 2051 given the recent expansions to the urban area approved through Official Plan Amendment No. 167, and further;
- (b) That Report PED22213 be forwarded to the Ministry of Municipal Affairs and Housing (MMAH) to be considered as part of the City of Hamilton's comments on Environmental Registry of Ontario (ERO) Postings #019-6216 and 019-6217 respecting proposed amendments to the Greenbelt Plan.

**Result: Motion CARRIED by a vote of 10 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
NOT PRESENT – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
NOT PRESENT – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

**(j) PRIVATE AND CONFIDENTIAL (Item 15)**

**(Hwang/Cassar)**

That Committee move into Closed Session pursuant to Section 9.3, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

**Result: Motion CARRIED by a vote of 10 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
NOT PRESENT – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
NOT PRESENT – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

- (i) **Municipal Comprehensive Review / Official Plan Review – OPA 167 of the Urban Hamilton Official Plan and OPA 34 of the Rural Hamilton Official Plan – Minister’s Decisions (LS22035) (City Wide) (Item 15.1)**

The following resolution was considered by Council at its special meeting of November 30, 2022:

**(Hwang/Cassar)**

That Report LS22035 respecting the Municipal Comprehensive Review / Official Plan - OPA 167 of the Urban Hamilton Official Plan and OPA 34 of the Rural Hamilton Official Plan - Minister's Decisions and its Appendix “A”, be received and remain confidential.

**Result: Motion CARRIED by a vote of 10 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
NOT PRESENT – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
NOT PRESENT – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

- (ii) **Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment UHOPA-22-006 and Zoning By-law Amendment Application ZAC-22-014 for Lands Located at 186 Hunter Street East, Hamilton (LS22032/PED22190(a)) (Ward 2) (Item 15.2)**

For disposition of this matter, refer to Item 14.

- (iii) **Appeal of Zoning By-law Amendment Application to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 125 Pirie Drive, Dundas (LS22034/PED22145(b)) (Ward 13) (Item 15.3)**

For disposition of this matter, refer to Item 15.

**(k) ADJOURNMENT (Item 16)**

**(McMeekin/Nann)**

That there being no further business, the Planning Committee be adjourned at 6:16 p.m.

**Result: Motion CARRIED by a vote of 10 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
NOT PRESENT – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
NOT PRESENT – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 14 Councillor M. Spadafora  
YES – Ward 15 Councillor T. McMeekin

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Councillor M. Wilson  
Chair, Planning Committee

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Lisa Kelsey  
Legislative Coordinator