



PLANNING COMMITTEE MINUTES

23-008

May 16, 2023

9:30 a.m.

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

Present: Councillor T. Hwang (Acting Chair)
Councillor C. Cassar (2nd Vice Chair)
Councillors J. Beattie, M. Francis, C. Kroetsch, T. McMeekin,
N. Nann, E. Pauls, M. Tadeson, A. Wilson, M. Wilson

Absent with regrets: Councillor J.P. Danko - Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

- 1. Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Application (PED23098) (City Wide) (Item 9.1)**

(Tadeson/Cassar)

That Report PED23098, respecting Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Application, be received.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
NOT PRESENT – 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
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 15 Councillor T. McMeekin

2. Application for Zoning By-law Amendment for lands located at 81 Chatham Street, Hamilton (PED23103) (Ward 1) (Item 10.1)

(M. Wilson/Cassar)

(a) That Zoning By-law Amendment Application ZAC-23-007 by GSP Group c/o Sarah Knoll) on Behalf of 81 Chatham Street LP c/o Will Edwards, Owner, for a change in zoning from the Low Density Residential – Small Lot (R1a) Zone to a site specific Low Density Residential – Small Lot (R1a, 845, H148) Zone, Modified, to permit a three storey (10.3 metres) multiple dwelling containing six dwelling units with six parking spaces located at the rear of the subject lands for the lands located at 81 Chatham Street, as shown on Appendix “A” attached to Report PED23103, be APPROVED on the following basis:

(i) That the draft By-law, attached as Appendix “B” to Report PED23103, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

~~(ii) That Schedule “D” – Holding Provisions, of Zoning By-law No. 05-200, be amended by adding a Holding Provision as follows:~~

~~**H148. Notwithstanding Section 15.2 of this By-law, within lands zoned Low Density Residential (R1a, 845) Zone on Map No. 950 on Schedule “A” – Zoning Maps, and described as 81 Chatham Street, Hamilton, no development shall be permitted until such time as:**~~

~~**(1) A revised Hydrogeological Brief and Geotechnical Report has been submitted and approved to the satisfaction of the Director of Growth Management and Chief Development Engineer;**~~

(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

(iii) That the proposed change in zoning complies with the Urban Hamilton Official Plan.

Result: Motion, as Amended 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
YES – Ward 15 Councillor T. McMeekin

3. Application for a Zoning By-law Amendment for Lands Located at 4 and 10 Trinity Church Road, Hamilton (PED23088) (Ward 6) (Item 10.2)

(McMeekin/Tadeson)

- (a) That Amended Zoning By-law Amendment Application ZAC-22-038, by 1000033959 Ontario Ltd. C/O Ian Ladd, for a change in zoning from the Arterial Commercial (C7) Zone to the Arterial Commercial (C7, H142) Zone for lands located at 4 Trinity Church Road, Hamilton, to add a Holding Provision related to the heritage resource, and from the Agricultural “AA” District to the Business Park Support (M4, 842, H142) Zone for lands located at 10 Trinity Church Road, Hamilton, to permit the adaptive reuse of a heritage resource as a restaurant use, as shown on Appendix “A” attached to Report PED23088, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “B” to Report PED23088, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject property by introducing the Holding symbol ‘H142’ to the proposed Arterial Commercial (C7) Zone and Business Park Support (M4, 842) Zone;

For such time as the Holding Provision is in place, these lands shall only be used for permitted uses listed in the (C7) and (M4) Zone within the buildings and structures existing at the time of the passing of this By-law.

The Holding Provision ‘H142’ is to be removed conditional upon:

- (1) The Owner submit and receive approval of a Cultural Heritage Impact Assessment Addendum that includes detailed architectural and structural drawings for the

- proposed changes, to the satisfaction of the Manager of Heritage and Design;
- (2) The Owner submit and receive approval of a Conservation Brief that includes structural drawings and masonry specifications for changes to the north elevation associated with the elevator addition, to the satisfaction of the Manager of Heritage and Design;
 - (3) The Owner submit and receive approval of a Documentation and Salvage Brief scoped to the re-purposing of the Gothic window that will be removed from the north elevation, to the satisfaction of the Manager of Heritage and Design;
- (iii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform to A Place to Grow (2019, as amended), and comply with the Urban Hamilton Official Plan.

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
YES – Ward 15 Councillor T. McMeekin

4. Amendments to City of Hamilton By-laws Respecting Protection of Woodlands (PED23115) (City Wide) (Item 11.1)

(Kroetsch/Cassar)

- (a) That the amending By-law (By-law No. 23-XXX), which amends By-law 14-212, being a By-law, To Promote the Conservation and Sustainable Use of Woodlands on Private Property within the Urban Boundary of the City of Hamilton, attached as Appendix “B” to Report PED23115, which has been prepared in a form satisfactory to the City Solicitor, be approved;

- (b) That the amending By-law (By-law No. 23-XXX), which amends By-law R00-054, being a By-law, To Restrict and Regulate the Destruction of Trees in the Regional Municipality of Hamilton-Wentworth, attached as Appendix “C” to Report PED23115 which has been prepared in a form satisfactory to the City Solicitor, be approved;
- (c) That Licensing and By-law Services staff be directed to monitor the number of permit applications and public inquiries from property owners as a result of the by-law amendments, and report back through the 2024 Budget process with any recommended staffing or budget enhancements;
- (d) That, should the by-law amendments result in workload implications beyond the capacities of the current staff complement, that staff be authorized to secure any necessary short-term contractual resources to an upset limit of \$100,000 to support the enforcement and implementation of By-law 14-212 and By-law R00-054 to be funded from the Climate Change Reserve Account No. 108062.

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
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 15 Councillor T. McMeekin

5. Hamilton Municipal Heritage Committee Report 23-004 (Item 11.2)

(Cassar/Nann)

- (a) Update on Melville Street Heritage Conservation District Study (PED23083) (Ward 13) (Item 9.2)**

That Report PED23083, respecting an Update on Melville Street Heritage Conservation District Study, be received.

- (b) Newly Proposed Provincial Planning Statement and its Cultural Heritage Resource Polices (PED23113) (City Wide) (Item 9.5)**

That Report PED23113, respecting Newly Proposed Provincial Planning Statement and its Cultural Heritage Resource Polices, be received.

(c) Information Update Regarding Heritage Permit Extension HP2023-017 for 98 James Street South, Hamilton (PED23133) (Ward 2) (Item 9.6)

That Report PED23133, respecting Information Update Regarding Heritage Permit Extension HP2023-017 for 98 James Street South, Hamilton, be received.

(d) Monthly Report on Proactive Listings for the Municipal Heritage Register, April 2023 (PED23101) (Ward 3 and 11) (Item 10.1)

That staff be directed to list the following properties on the Municipal Heritage Register as non-designated properties that Council believes to be of cultural heritage value or interest, as outlined in Report PED23101, in accordance with Section 27 of the *Ontario Heritage Act*.

- (i) 448 Barton Street East, Hamilton (Ward 3);
- (ii) 460 Barton Street East, Hamilton (Ward 3);
- (iii) 681 Main Street East, Hamilton (Ward 3);
- (iv) 7156 White Church Road, Glanbrook (Ward 11);
- (v) 7349 Airport Road, Glanbrook (Ward 11);
- (vi) 3487 Upper James Street, Glanbrook (Ward 11);
- (vii) 8064 White Church Road, Glanbrook (Ward 11).

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
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 15 Councillor T. McMeekin

6. Detached Secondary Dwelling Units (Item 12.1)

(M. Wilson/Cassar)

WHEREAS, in May 2021, amendments were made to the City of Hamilton’s Zoning By-laws to expand permissions for Secondary Dwelling Units (SDUs);

WHEREAS, a Detached Secondary Dwelling Unit (SDU-D) is separate from the main dwelling on a lot, must be constructed in the rear and/or side yard of a lot or may be created from the conversion of an existing accessory building such as a detached garage;

WHEREAS, SDU-Ds can be relatively more affordable to rent than most single-family houses and provide new housing options in areas of our city where housing is generally unaffordable to many people;

WHEREAS, a wide range of households, particularly older adults looking to downsize, seniors with fixed incomes, homeowners with disabilities or other needs, and multigenerational families could benefit from the flexibility, stability, or supplemental income that a SDU-D provides to meet their evolving household needs;

WHEREAS, many residents remain unsure of the design, construction and permitting process involved in pursuing an SDU-D;

WHEREAS, other jurisdictions in North America have explored various strategies aimed at encouraging the construction of SDU-Ds; and,

WHEREAS, developing and implementing a promotion strategy to accelerate construction and expansion of Accessory Dwelling Units is one of the priority actions contained within the City’s new Housing and Sustainability Investment Roadmap;

THEREFORE BE IT RESOLVED:

- (a) That to encourage more homeowners to pursue Detached Secondary Dwelling Units (SDU-D’s), that staff report back *in Q1 of 2024* on a program to assist homeowners in the SDU-D design and permitting processes, including consideration of measures such as:
 - (i) Expediting the permitting and approvals process for SDU-Ds through a “one window” dedicated approvals team;
 - (ii) Providing access to a library of permit-ready design templates for SDU-Ds;
 - (iii) Developing a one-stop SDU-D website that provides a comprehensive inventory of SDU-D information, guidance, resources and summarizes SDU-D regulations and permitting steps;

- (iv) Facilitating connections among prospective SDU-D owners and residents and relevant experts in the design and construction community; and
- (v) Partnering with nonprofits, public agencies, and private organizations to develop models for affordable SDU-D construction, using best practices gleaned from other jurisdictions.

Result: Motion, as Amended 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
YES – Ward 15 Councillor T. McMeekin

7. Dickenson Road Water Connection (Item 12.2)

(Tadeson/Francis)

WHEREAS, the City of Hamilton will be extending the existing watermain in Dickenson Road from approximately Miles Road to French Road;

WHEREAS, the purpose of the watermain extension is to provide for system reliability, security of supply and water quality considerations;

WHEREAS, there are approximately 10 properties that front onto Dickenson Road from approximately Miles Road to French Road, that do not qualify for water connection as they are outside the Urban Area and are not on a boundary road separating the Urban Area from the Rural Area;

WHEREAS, a precedent has been set with Ecole Elementaire Michaele Jean and the former Wills Motors property, both of which are on Hwy 56, Oak Run Bakery, the Ancaster Fair Grounds and 418 Upper Centennial Parkway all of which are located outside the urban boundary and have been permitted to connect to municipal services at their cost; and,

WHEREAS, the planned municipal waterline will run across the frontage of the properties on Dickenson Road between Miles Road and French Road will have adequate capacity to accommodate residential use at these properties.

THEREFORE, BE IT RESOLVED:

That single family residential water connections at **8075, 8080, 8125, 8136, 8270, 8250 and 8362** Dickenson Road, be permitted to connect to City Municipal Water at the property owner's cost, in a manner acceptable to the City of Hamilton.

Result: Motion, as Amended 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
- YES – Ward 13 Councillor A. Wilson
- YES – Ward 15 Councillor T. McMeekin

8. Update on Ontario Land Tribunal (OLT) Appeals for 41-61 Wilson Street and 97, 99 and 117 John Street North; and 474 Provident Way; and 16 Cannon Street East (LS23016/PED23102) (City Wide) (Item 15.1)

(Kroetsch/Francis)

- (a) That the directions to staff in closed session respecting Report LS23016/PED23102 respecting an Update on Ontario Land Tribunal (OLT) Appeals for 41-61 Wilson Street and 97, 99 and 117 John Street North; and 474 Provident Way; and 16 Cannon Street East, be approved and released to the public, following approval by Council;
- (b) That the balance of Report LS23016/PED23102 respecting an Update on Ontario Land Tribunal (OLT) Appeals for 41-61 Wilson Street and 97, 99 and 117 John Street North; and 474 Provident Way; and 16 Cannon Street East, remain confidential.

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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

9. Appeal to the Ontario Land Tribunal (OLT-22-004759) for Official Plan Amendment (UHOPA-21-014) and Zoning By-law Amendment Applications (ZAC-21-031) for Lands Located at 405 James Street North (LS23012(a)) (Ward 2) (Added Item 15.2)

(Kroetsch/Tadeson)

(a) That report LS23012(a) respecting an Appeal to the Ontario Land Tribunal (OLT-22-004759) for Official Plan Amendment (UHOPA-21-014) and Zoning By-law Amendment Applications (ZAC-21-031) for Lands Located at 405 James Street North (LS23012(a)) (Ward 2), be received and remain confidential.

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
YES – Ward 13 Councillor A. Wilson
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:

10. PUBLIC MEETINGS

10.1 Application for Zoning By-law Amendment for lands located at 81 Chatham Street, Hamilton (PED23103) (Ward 1)

(a) Added Registered Delegations

(i) Thomas Leharne (in-person)

15. PRIVATE & CONFIDENTIAL

15.2 Appeal to the Ontario Land Tribunal (OLT-22-004759) for Official Plan Amendment (UHOPA-21-014) and Zoning By-law Amendment Applications (ZAC-21-031) for Lands Located at 405 James Street North (LS23012(a)) (Ward 2)

(Kroetsch/Francis)

That the agenda for the May 16, 2023 Planning Committee meeting be approved, as amended.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
NOT PRESENT – 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
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 15 Councillor T. McMeekin

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) May 2, 2023 (Item 4.1)

(McMeekin/Tadeson)

That the Minutes of the May 2, 2023 meeting be approved, as presented.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
NOT PRESENT – 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
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 15 Councillor T. McMeekin

(d) PUBLIC HEARINGS (Item 10)

In accordance with the *Planning Act*, Chair T. Hwang 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 T. Hwang 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) Application for Zoning By-law Amendment for lands located at 81 Chatham Street, Hamilton (PED23103) (Ward 1) (Item 10.1)

Jennifer Allen, Planner II provided the Committee with a presentation with the aid of a PowerPoint presentation and advised the Committee that recommendation (b) respecting Schedule "D" – Holding Provisions, of Zoning By-law No. 05-200, has been satisfied and therefore, should be removed.

(M. Wilson/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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

Sarah Knoll, GSP Group was in attendance, indicated support for the staff report and provided the Committee with a presentation with the aid of a PowerPoint presentation.

(M. Wilson/Nann)

That the presentation from Sarah Knoll, GSP Group, 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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

Registered Delegations (Added Item 10.1(a)):

- (i) Thomas Leharne addressed the Committee in regards to the impacts of construction on daily life (noise, trucks idling (air pollution) and damages to property from the construction process) and the process in place for addressing such complaints.

Chair Hwang called three times for additional public delegations and no further delegations came forward.

(M. Wilson/Tadeson)

- (a) That the following delegation, be received and considered by the Committee:
 - (i) Thomas Leharne
- (b) That the public meeting be closed.

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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 2.

(ii) Application for a Zoning By-law Amendment for Lands Located at 4 and 10 Trinity Church Road, Hamilton (PED23088) (Ward 6) (Item 10.2)

Mark Michniak, Planner II provided the Committee with a presentation with the aid of a PowerPoint presentation.

(Tadeson/Pauls)

That the staff presentation 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
YES – Ward 15 Councillor T. McMeekin

Katelyn Gillis, T. Johns Consulting, was in attendance and indicated support for the staff report and provided the Committee with conceptual drawings.

(Beattie/Francis)

That the delegation from Katelyn Gillis, T. Johns Consulting, 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
YES – Ward 15 Councillor T. McMeekin

Chair Hwang called three times for public delegations and none came forward.

(Tadeson/Pauls)

- (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
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 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 3.

(e) GENERAL INFORMATION / OTHER BUSINESS (Item 14)

(i) Outstanding Business List (Added Item 14.1)

(Nann/Francis)

That the following changes to the Outstanding Business List, be approved:

(a) Items to be Added:

23H - Five-Year Review of the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan and Associated Financial Assistance Programs (PED23076) (City Wide) (Item 8.2). Item referred to the Planning Committee but the General Issues Committee on April 28, 2023.

23i - Renovictions Stakeholder Consultation (HSC23023) (City Wide) (Item 8.1). Item (b) referred to the Planning Committee by the Emergency and Community Services Committee on April 26, 2023.

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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

(ii) General Manager's Update (Added Item 14.2)

(Francis/Tadeson)

That the General Manager's Update, 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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

(f) PRIVATE & CONFIDENTIAL (Item 15)

(i) (Kroetsch/Francis)

That the Committee move into Closed Session for Items 15.1 respecting the Update on Ontario Land Tribunal (OLT) Appeals for 41-61 Wilson Street and 97, 99 and 117 John Street North; and 474 Provident Way; and 16 Cannon Street East (LS23016/PED23102) (City Wide) and 15.2 respecting Appeal to the Ontario Land Tribunal (OLT-22-004759) for Official Plan Amendment (UHOPA-21-014) and Zoning By-law Amendment Applications (ZAC-21-031) for Lands Located at 405 James Street North (LS23012(a)) (Ward 2), 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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

- (ii) Update on Ontario Land Tribunal (OLT) Appeals for 41-61 Wilson Street and 97, 99 and 117 John Street North; and 474 Provident Way; and 16 Cannon Street East (LS23016/PED23102) (City Wide) (Item 15.1)**

For disposition of this matter, refer to Item 8.

- (iii) Appeal to the Ontario Land Tribunal (OLT-22-004759) for Official Plan Amendment (UHOPA-21-014) and Zoning By-law Amendment Applications (ZAC-21-031) for Lands Located at 405 James Street North (LS23012(a)) (Ward 2) (Added Item 15.2)**

For disposition of this matter, refer to Item 9.

(g) ADJOURNMENT (Item 16)

(Tadeson/Francis)

That there being no further business, the Planning Committee be adjourned at 12:35 p.m.

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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

Councillor T. Hwang, Acting Chair
Planning Committee

Janet Pilon
Manager, Legislative Services/
Deputy Clerk