



PLANNING COMMITTEE

MINUTES

23-012

August 15, 2023

9:30 a.m.

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

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

Absent with Regrets: Councillor J. Beattie – Personal

Also in Attendance: Councillor M. Spadafora

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

- 1. Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED23161) (City Wide) (Item 9.1)**

(A. Wilson/Tadeson)

That Report PED23161, respecting Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications, 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
YES – Ward 7 Councillor E. Pauls
YES – 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
NOT PRESENT – Ward 15 Councillor T. McMeekin

2. Usage of the Cash-In-Lieu of Parking Policy (City Wide) (Outstanding Business List Item) (PED23176) (Item 9.2)

(Kroetsch/Hwang)

That Report PED23176, respecting Usage of the Cash-In-Lieu of Parking Policy, 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
- YES – Ward 7 Councillor E. Pauls
- YES – 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
- NOT PRESENT – Ward 15 Councillor T. McMeekin

3. Cross Melville Heritage District Committee Report 23-002 (Item 9.3)

(A. Wilson/Cassar)

That Cross Melville Heritage District Committee Report 23-002, 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
- YES – Ward 7 Councillor E. Pauls
- YES – 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
- NOT PRESENT – Ward 15 Councillor T. McMeekin

4. **Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 95, 99, 103 and 105 Highway 8, Stoney Creek (PED23173) (Ward 5) (Item 10.1)**

(Hwang/Tadeson)

- (a) That Official Plan Amendment Application UHOPA-23-016, by 1826547 Ontario (c/o Sam Disanto of the Molinara Group), Owner, to amend Volume 2: Appendix A – Secondary Plan Index Map to incorporate additional lands into the Old Town Secondary Plan, to amend the Old Town Secondary Plan to incorporate additional lands into the Secondary Plan Area, and to add a Site Specific Policy to permit the redevelopment of the subject lands for two, 44 metre (12 storey) mixed use buildings, for the lands located at 95, 99, 103 and 105 Highway 8, as shown on Appendix “A” attached to Report PED23173, be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED23173, be adopted by City Council;
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (b) That Amended Zoning By-law Amendment Application ZAC-23-034, by 1826547 Ontario (c/o Sam Disanto of the Molinara Group), Owner, for a change in zoning from the Mixed Use Medium Density (C5) Zone to the Mixed Use Medium Density (C5, 862, H158) Zone, to permit two, 44 metre (12 storey) mixed use buildings, which includes 368 residential units and 1,128 square metres of ground floor leasable commercial space, for the lands located at 95, 99, 103 and 105 Highway 8, as shown on Appendix “A” attached to Report PED23173, be APPROVED on the following basis:
- (i) That the draft By-law attached as Appendix “C”, **as amended**, to Report PED23173, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (b) (iv) (8) ***The owner investigate traffic calming measures on Donn Avenue and Berkindale Drive and pay 50% of the costs, to a maximum of \$50,000.00, of the identified traffic calming measures, to the satisfaction of the Director of Transportation and Parking.***

- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (iii) That this amending By-law will comply with the Urban Hamilton Official Plan upon the approval of Urban Hamilton Official Plan Amendment No. XX;
- (iv) That this 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 symbol 'H158' to the proposed Mixed Use Medium Density (C5, 862) Zone:

The Holding Provision 'H158' is to be removed conditional upon:

- (1) The Owner submitting a Sanitary Sewer Capacity Analysis, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (2) The Owner submitting an updated Functional Servicing Report in accordance with the City's standards, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (3) The Owner submitting a Watermain Hydraulic Analysis, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (4) The Owner submitting a revised Hydrogeology Report specifying the levels of underground parking and impacts and mitigation measures for the groundwater systems, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (5) The Owner submitting easement document details for the privately owned rear yard catch basins to be considered as a storm outlet for the subject site and acknowledging that the future condominium corporation on the subject site will be responsible to operate, maintain and mitigate any negative impacts for the proposed storm outlets at the future condominium corporation's cost, to the satisfaction of the Director of Growth Management and Chief Development Engineer;

- (6) The Owner making satisfactory arrangements with the City's Growth Management Division and entering into an External Works Agreement with the City for the design and construction of any required improvements to the municipal infrastructure at the Owner's cost, should it be determined that upgrades are required to the municipal infrastructure to support the proposed development, all to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (7) The Owner submitting a revised Tree Protection Plan addressing the protection of the trees found within the City's right-of-way and that finalizes the justification for the removal of the identified trees, and submitting written confirmation, from the owner of 505 Berkindale Drive, for permission to encroach into the dripline of "Tree A", to the satisfaction of the Director of Planning and Chief Planner. The resubmission is also to include the applicable Tree Protection Plan review fee payable to the City of Hamilton.

Result: Main 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
- YES – 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

5. Application for a Zoning By-law Amendment for Lands Located at 631 and 639 Rymal Road West, Hamilton (PED23162) (Ward 14) (Item 10.3)

(Hwang/Tadeson)

- (a) That Amended Zoning By-law Amendment Application ZAC-22-028, by Bousfields Inc. (c/o David Falletta, Agent), on behalf of DiCenzo Construction Company Limited (Owner), for a change in zoning from the "B" (Suburban Agriculture and Residential, Etc.) District and the "C/S-

1822" (Urban Protected Residential, Etc.) District, Modified, to the Transit Oriented Corridor Multiple Residential (TOC3, 864, H157) Zone, to permit a 12 storey multiple dwelling with 165 dwelling units, 35 surface parking spaces and 163 underground parking spaces, for lands located at 631 and 639 Rymal Road West, as shown on Appendix "A" attached to Report PED23162, be APPROVED on the following basis:

- (i) That the draft By-law attached as Appendix "B" to Report PED23162, 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 lands by introducing the Holding symbol 'H157' to the proposed Transit Oriented Corridor Multiple Dwelling Residential (TOC3, 864) Zone.

The Holding Provision 'H157' is to be removed conditional upon:

- (1) The Owner submits a Sanitary Sewer Capacity Analysis, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (2) The Owner makes satisfactory arrangements with the City's Growth Management Division and enters into an External Works Agreement with the City for the design and construction of any improvements to the municipal infrastructure at the Owner's cost, should it be determined that upgrades are required to the municipal infrastructure to support the proposed development, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (iii) That the proposed amendment 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.

Result: Motion CARRIED by a vote of 10 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
YES – Ward 7 Councillor E. Pauls

YES – 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

6. Application for a Zoning By-law Amendment for Lands Located at 200 Centennial Parkway North, Hamilton (PED23163) (Ward 5) (Item 10.4)

(Hwang/Pauls)

- (a) That Zoning By-law Amendment Application ZAC-22-013 by Calloway REIT (Stoney Creek) Inc. c/o Amanda Ireland, Owner, for a change in zoning from “G-1/S-635” (Designed Shopping Centre) District, Modified, to Mixed Use – High Density (C4, 853) Zone, to permit four residential multiple dwellings ranging in height from 17 to 20 storeys for a total of 1,116 dwelling units, and six ground floor commercial units consisting of a total of 1,666 square metres of gross floor area, for lands located at 200 Centennial Parkway North, as shown on Appendix “A” attached to Report PED23163, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “B” to Report PED23163, 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 Provincial Policy Statement (2020), conforms to A Place of Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended;
 - (iii) That the proposed change in zoning complies with the Urban Hamilton Official Plan and Centennial Neighbourhoods Secondary 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
NOT PRESENT – 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
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

7. Application for a Zoning By-law Amendment for Lands Located at 311 Rymal Road East, Hamilton (PED23174) (Ward 7) (Item 10.5)

(Francis/Tadeson)

- (a) That Amended Zoning By-law Amendment Application ZAR-22-052, by Springbrook Associates Limited (c/o Saddique Khan), on behalf of 2836749 Ontario Ltd. (c/o Salvatore Aquino, Owner), for a change in zoning from the “B” (Suburban Agriculture and Residential, Etc.) District to the Low Density Residential (R1, 859) Zone (Block 1) and the Low Density Residential – Small Lot (R1a, 865) Zone (Block 2 and 3) to permit two semi detached dwellings, on lands located at 311 Rymal Road East, as shown on Appendix “A” attached to Report PED23174, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “B” to Report PED23174, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed amendment 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).

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
YES – 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
NOT PRESENT – Ward 15 Councillor T. McMeekin

8. **Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 382 Southcote Road, Ancaster (PED23119) (Ward12) with REVISED Appendix 'C' (Item 11.1)**

(Cassar/A. Wilson)

- (a) That Official Plan Amendment Application UHOPA-23-003 by Urban Solutions Planning and Land Development Consultants Inc. c/o Matt Johnson, on behalf of 1376412 Ontario Ltd. c/o Zeina Homes, Owner, to add a new Site Specific Policy within the Garner Neighbourhood Secondary Plan, to permit the development of the subject lands for 3 single detached dwellings with a minimum lot frontage of 12.0 metres and a maximum overall density of 24 units per gross/net residential hectare, for lands located at 382 Southcote Road, as shown on Appendix "A" attached to Report PED23119, be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment attached as Appendix "B" to Report PED23119, which has been prepared in a form satisfactory to the City Solicitor, be adopted by City Council;
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (b) That Amended Zoning By-law Amendment Application ZAR-23-003 by Urban Solutions Planning and Land Development Consultants Inc., on behalf of 1376412 Ontario Ltd. c/o Zeina Homes, Owner, for a change in zoning from the Agricultural "A-216" Zone, Modified, to the Low Density Residential (R1, 848) Zone, Modified, to facilitate development of three single detached dwellings, for lands located at 382 Southcote Road, as shown on Appendix "A" attached to Report PED23119, be APPROVED on the following basis:
- (i) That the draft By-law attached as **REVISED** Appendix "C" to Report PED23119, 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) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
 - (iii) That this By-law will comply with the Urban Hamilton Official Plan upon the approval of Urban Hamilton Official Plan Amendment No. XX.

- (c) ***That the City of Hamilton Tree Protection Guidelines (2010) be amended to allow a 25% encroachment of site grading into the tree drip line for measurement of the tree protection zone to facilitate residential development at 382 Southcote Road.***

Result: Main Motion, As Amended, CARRIED by a vote of 9 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
YES – 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
NOT PRESENT – Ward 15 Councillor T. McMeekin

9. Residential Parking Standards Review and Update (PED23156) (City Wide) (Item 11.2)

(Kroetsch/A. Wilson)

- (a) That Report PED23156 be received;
- (b) That staff be authorized to proceed with public engagement on the Draft Parking Standards outlined in Report PED23156, in parallel with the Residential Zones project, and that staff report back to the Planning Committee summarizing public input, and recommending proposed parking standards and corresponding Zoning By-law Amendments;
- (c) That Transportation Planning and Parking staff be directed to review the current policy that limits access to on-street residential parking permits to households living in dwellings of three units or less and report back to Planning Committee with options that take-into-account proposed changes to parking standards as well as equity considerations;
- (d) That Transportation Planning and Parking staff be directed to prepare an implementation plan and any required policy or by-law changes to eliminate or modify the residential Boulevard Parking Program and bring back a report to Planning Committee for consideration;

- (e) That staff report back on any recommended changes to the City’s Cash-In-Lieu of Parking Policy to support and complement the new parking standards.

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
- YES – 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

**10. Residential Drainage Assistance Program - Bromley Road (PED23128)
(Ward 7) (Item 11.3)**

(Hwang/Francis)

- (a) That with respect to the properties 66 and 68 Bromley Road, the City implements and funds the construction of a private rear yard catch-basin (Public Portion Only) as recommended in the report prepared by AECOM, dated March 15, 2022 attached in Appendix “B” to Report PED23128, at a cost of \$21,200 for works within the Right of Way;
- (b) That funding for work on the City Right of Way in Recommendation (a) estimated at \$21,200, be funded from Capital Account No. 518216, in accordance with the Residential Assistance Program;
- (c) That funding for the work on private properties namely 66 and 68 Bromley Road estimated at \$32,200 be apportioned among the benefiting property owners;
- (d) That prior to proceeding with any work on City property, appropriate agreements with the benefiting property owners of 66 and 68 Bromley Road, are entered into to the satisfaction of the City Solicitor.

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
YES – 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

11. Committee of Adjustment Decision regarding Minor Variance Application (DN/A-23:75) for Lands Located at 245 Mill Street, Dundas (Ward 13) (PED23177) (Item 11.4)

(Kroetsch/Hwang)

That staff be directed to withdraw the Appeal Letter filed by staff against the decision of the Committee of Adjustment to the Ontario Land Tribunal, which allows the Committee of Adjustments minor variance approval to stand.

Result: Motion CARRIED by a vote of 9 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
NOT PRESENT – Ward 7 Councillor E. Pauls
YES – 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

12. Hamilton Municipal Heritage Committee Report 23-007 (Item 11.5)

(A. Wilson/Cassar)

1. Heritage Permit Application HP2023-024, Under Part V of the Ontario Heritage Act, for the Erection of a Rear Detached Accessory Structure at 79 Markland Street, Hamilton (PED23035) (Ward 2) (Item 10.1)

(a) That Heritage Permit Application HP2023-024, for the erection of a rear detached accessory structure on the designated property at 79

Markland Street, Hamilton (Durand-Markland Heritage Conservation District), as shown in Appendix "A" to Report PED23035, be approved, subject to the approval of any required *Planning Act* applications and the following Heritage Permit conditions:

- (i) That the final details of the windows, siding and roofing material be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation;
- (ii) That 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;
- (iii) That construction and site alterations, in accordance with this approval, shall be completed no later than July 31, 2025. If the construction and site alterations are not completed by July 31, 2025, then this approval expires as of that date, and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

2. Heritage Permit Application HP2023-028, Under Part V of the Ontario Heritage Act, for the Demolition of a Contemporary Rear Detached Accessory Structure at 174 Mill Street North, Flamborough (PED23168) (Ward 15) (Item 10.2)

- (a) That Heritage Permit Application HP2023-028, for the demolition of a contemporary rear detached accessory structure on the designated property at 174 Mill Street North, Flamborough (Mill Street Heritage Conservation District), as shown in Appendix "A" to Report PED23168, be approved, subject to the following Heritage Permit conditions:
 - (i) That 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;
 - (ii) That construction and site alterations, in accordance with this approval, shall be completed no later than July 31, 2025. If the construction and site alterations are not completed by July 31, 2025, then this approval expires as of that date, and

no alterations shall be undertaken without a new approval issued by the City of Hamilton.

Result: Motion CARRIED by a vote of 9 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
NOT PRESENT – Ward 7 Councillor E. Pauls
YES – 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

13. Agriculture and Rural Affairs Sub-Committee Report 23-002 (Item 11.6)

(McMeekin/Tadeson)

That Agriculture and Rural Affairs Sub-Committee Report 23-002, be received.

Result: Motion CARRIED by a vote of 9 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
NOT PRESENT – Ward 7 Councillor E. Pauls
YES – 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

14. Appeal to the Ontario Land Tribunal (OLT) of Niagara Escarpment Development Permit Application for Mountain Brow Road (Ward 15) (LS23025) (Item 15.2)

(McMeekin/Tadeson)

(a) That the directions to staff in closed session respecting Report LS23025 be approved;

- (b) That confidential recommendations (a) and (b) contained in Report LS23025 and the appendices to Report LS23025 be released to the public, following approval by Council;
- (c) That the balance of Report LS23025 remain confidential.

Result: Motion CARRIED by a vote of 9 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
NOT PRESENT – Ward 7 Councillor E. Pauls
YES – 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

15. Appeal to the Ontario Land Tribunal (OLT-22-002549) by Upper West Side Land Owners Group Inc., et al for Lands Located at 9511, 9445, 9285, 9751 & 9625 Twenty Road West & 555 Glancaster Road for Fees Under Protest (LS23028) (Ward 11) (Item 15.3)

(Tadeson/Hwang)

- (a) That the directions to staff in closed session respecting Report LS23028 be approved;
- (b) That recommendation (a) contained in Report LS23028 be released to the public, following approval by Council; and
- (c) That the balance of Report LS23028 remain confidential.

Result: Motion CARRIED by a vote of 8 to 1, 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
NOT PRESENT – Ward 7 Councillor E. Pauls
NO – 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

16. Ontario Land Tribunal Appeals of the Commercial and Mixed Use Zones (UHOPA No. 69 and By-law No. 17-240) (LS18008(d)) (City Wide) (Added Item 15.4)

(Tadeson/Hwang)

- (a) That the directions to staff in closed session respecting Report LS18008(d) and Appendices “A”, “B” and “C” be approved and remain confidential until made public coincident with staff’s presentation of the City’s position to the Tribunal; and
- (b) That the balance of this Report LS18008(d) remains confidential.

Result: Motion CARRIED by a vote of 9 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
NOT PRESENT – Ward 7 Councillor E. Pauls
YES – 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

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

6. DELEGATION REQUESTS

6.1 Amy Schaeffer respecting Heritage Permit for 174 Mill Street North (Item 11.5) (For today's meeting)

6.2 Matt Johnston, UrbanSolutions, respecting 382 Southcote Road (Item 11.1) (For today's meeting)

6.3 Delegations respecting Residential Parking Standards Review (Item 11.2) (For today's meeting):

- (i) Ian Borsuk, Environment Hamilton
- (ii) James Boutilier

10. PUBLIC HEARINGS

10.1 Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 95, 99, 103 and 105 Highway 8, Stoney Creek (PED23173) (Ward 5)

(a) Added Written Submissions

- (i) Lois Vesentin
- (ii) Candace Reynolds
- (iii) Luigia Vesentin
- (iv) Brenda Smith

10.3 Application for a Zoning By-law Amendment for Lands Located at 631 and 639 Rymal Road West, Hamilton (PED23162) (Ward 14)

(b) Added Written Submissions

- (iii) Connie Caisse
- (iv) Sarah Baldwin
- (v) Alicia Simpson

11. DISCUSSION ITEMS

**11.2 Residential Parking Standards Review and Update (City Wide)
(PED23156)**

(a) Added Written Submissions

- (i) Michelle Diplock and Anthony Salemi, West End Home Builders' Association

15. PRIVATE AND CONFIDENTIAL

**15.4 Ontario Land Tribunal Appeals of the Commercial and Mixed Use Zones (UHOPA No. 69 and By-law No. 17-240)
(LS18008(d)) (City Wide)**

(Nann/Hwang)

That the agenda for the August 15, 2023 Planning Committee meeting be approved, as amended.

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
YES – Ward 7 Councillor E. Pauls
YES – 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
NOT PRESENT – Ward 15 Councillor T. McMeekin

(b) DECLARATIONS OF INTEREST (Item 3)

No declarations of interest were made.

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

(i) July 11, 2023 (Item 4.1)

(Hwang/Pauls)

That the Minutes of the July 11, 2023 meeting be approved, as presented.

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
YES – Ward 7 Councillor E. Pauls
YES – 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
NOT PRESENT – Ward 15 Councillor T. McMeekin

(d) DELEGATION REQUESTS (Item 6)

(i) Delegation Requests (Added Items 6.1 – 6.3)

(Kroetsch/Tadeson)

That the following Delegation Requests be approved for today's meeting:

- (a) Amy Schaeffer respecting Heritage Permit for 174 Mill Street North (Item 11.5) (For today's meeting) (Added Item 6.1)
- (b) Matt Johnston, UrbanSolutions, respecting 382 Southcote Road (Item 11.1) (For today's meeting) (Added Item 6.2)
- (c) Delegations respecting Residential Parking Standards Review (Item 11.2) (For today's meeting) (Added Item 6.3):
 - (i) Ian Borsuk, Environment Hamilton
 - (ii) James Boutilier

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
YES – Ward 7 Councillor E. Pauls
YES – 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
NOT PRESENT – Ward 15 Councillor T. McMeekin

(e) DELEGATIONS (Item 7)

(i) Nicole Wilson respecting a Request to Withdraw the City's Appeal of Committee of Adjustment decision on 245 Mill Street (Approved at the July 11 meeting) (Item 7.1)

Nicole Wilson addressed the committee respecting a Request to Withdraw the City's Appeal of Committee of Adjustment decision on 245 Mill Street.

(A. Wilson/Hwang)

That the delegation from Nicole Wilson respecting a Request to Withdraw the City's Appeal of Committee of Adjustment decision on 245 Mill Street., 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
YES – Ward 7 Councillor E. Pauls
YES – 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
NOT PRESENT – Ward 15 Councillor T. McMeekin

(ii) Amy Schaeffer respecting a Heritage Permit for 174 Mill Street North (Item 11.5) (Added Item 6.1)

Amy Schaeffer addressed the committee respecting a Heritage Permit for 174 Mill Street North.

(Pauls/Cassar)

That the delegation from Amy Schaeffer respecting a Heritage Permit for 174 Mill Street North, 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
YES – Ward 7 Councillor E. Pauls
YES – 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
NOT PRESENT – Ward 15 Councillor T. McMeekin

(iii) Matt Johnston, UrbanSolutions, respecting 382 Southcote Road (Item 11.1) (Added Item 6.2)

Matt Johnston with UrbanSolutions, addressed the committee respecting 382 Southcote Road.

(Cassar/A. Wilson)

That the delegation from Matt Johnston with UrbanSolutions, respecting 382 Southcote Road, 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
YES – Ward 7 Councillor E. Pauls
YES – 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
NOT PRESENT – Ward 15 Councillor T. McMeekin

(iv) Delegations respecting Residential Parking Standards Review (Item 11.2) (Added Item 6.3):

- (i) Ian Borsuk, Environment Hamilton
- (ii) James Boutilier

Ian Borsuk addressed the committee respecting Residential Parking Standards Review.

(A. Wilson/Cassar)

That the delegation from Ian Borsuk respecting Residential Parking Standards Review, 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
YES – Ward 7 Councillor E. Pauls
YES – 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
NOT PRESENT – Ward 15 Councillor T. McMeekin

The Committee was advised that James Boutilier was in attendance to speak to the development at 631 and 639 Rymal Road West (Item 10.3).

(iv) Delegations respecting Application for a Zoning By-law Amendment for Lands Located at 631 and 639 Rymal Road West, Hamilton (PED23162) (Ward 14) (Item 10.3) (Added Item 6.4):

James Boutilier addressed the Committee respecting concerns with a development at 631 and 639 Rymal Road West (Item 10.3).

(Kroetsch/Pauls)

That the delegation from James Boutilier respecting Application for a Zoning By-law Amendment for Lands Located at 631 and 639 Rymal Road West, Hamilton (PED23162) (Ward 14), be received and referred to the consideration of Item 10.3.

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
YES – Ward 7 Councillor E. Pauls
YES – 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
NOT PRESENT – Ward 15 Councillor T. McMeekin

For further disposition of this matter, refer to Items (f)(iii) and 5.

(f) PUBLIC HEARINGS (Item 10)

In accordance with the *Planning Act*, Chair J.P. Danko 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 J.P. Danko 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) Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 95, 99, 103 and 105 Highway 8, Stoney Creek (PED23173) (Ward 5) (Item 10.1)

Johnpaul Loiacono, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation.

(Francis/Hwang)

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

YES – 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

Ed Fothergill with Fothergill Planning and Development, was in attendance, and indicated support for the staff report.

(Francis/Tadeson)

That the presentation from Ed Fothergill with Fothergill Planning and Development, 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
YES – Ward 7 Councillor E. Pauls
YES – 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
NOT PRESENT – Ward 15 Councillor T. McMeekin

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

(Francis/A. Wilson)

- (a) That the following added written submissions (Item 10.1(a)) regarding this matter were received and considered by the Committee: and,
 - (i) Lois Vesentin, in Opposition to the application.
 - (ii) Candace Reynolds, in Opposition to the application.
 - (iii) Luigia Vesentin, in Opposition to the application.
 - (iv) Brenda Smith, in Opposition to the application.
- (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
YES – 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

(Francis/Pauls)

That Appendix “C” to Report PED23173 be **amended** by adding a new sub-section (b)(iv)(8) as follows:

(b) (iv) (8) *The owner investigate traffic calming measures on Donn Avenue and Berkindale Drive and pay 50% of the costs, to a maximum of \$50,000.00, of the identified traffic calming measures, to the satisfaction of the Director of Transportation and Parking.*

Result: Amendment 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
YES – 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

For disposition of this matter, refer to Item 4.

Councillor Danko relinquished the Chair to Councillor Hwang.

- (ii) **Application for a Zoning By-law Amendment for Lands Located at 212 and 220 Rymal Road West, Hamilton (PED23154) (Ward 8) (Item 10.2)**

(Danko/M. Wilson)

That Report PED23154 and the Public Meeting be DEFERRED to a future meeting of the Planning Committee.

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
YES – 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

Councillor Danko assumed the Chair.

- (iii) **Application for a Zoning By-law Amendment for Lands Located at 631 and 639 Rymal Road West, Hamilton (PED23162) (Ward 14) (Item 10.3)**

Johnpaul Loiacono, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation.

(M. Wilson/Hwang)

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
YES – 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

David Falletta with Bousfields Inc., was in attendance and indicated support for the staff report.

(Pauls/Francis)

That the delegation from David Falletta Bousfields Inc., 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
YES – 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

Chair Danko called three times for public delegations and the following delegations came forward:

- (i) Robyn Davis, in Opposition to the application
- (ii) David Dore, Concerns with the application

(A. Wilson/Hwang)

- (a) That the following written submissions (Item 10.3(a)), added written submissions (Item 10.3(b)) and public delegations, regarding this matter were received and considered by the Committee: and,

Written submissions:

- (i) John and Christine Chappel, in Opposition to the application.
- (ii) Alireza Hezarkhani, in Opposition to the application.
- (iii) Connie Caisse, in Opposition to the application.
- (iv) Sarah Baldwin, in Opposition to the application.
- (v) Alicia Simpson, in Opposition to the application.

Public delegations:

- (i) Robyn Davis, in Opposition to the application
- (ii) David Dore, Concerns with the application
- (iii) James Boutilier (formerly 7.4 (ii)), Concerns with the application

(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
NOT PRESENT – 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
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

For disposition of this matter, refer to Item 5.

(iv) Application for a Zoning By-law Amendment for Lands Located at 200 Centennial Parkway North, Hamilton (PED23163) (Ward 5) (Item 10.4)

Daniel Barnett, Planner II, addressed the Committee with the aid of a PowerPoint presentation.

(Francis/Hwang)

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
NOT PRESENT – 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
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

Harrison Ioannou with SmartCentres and Sarah Knoll with GSP Group, were in attendance and indicated support for the staff report.

(Francis/Tadeson)

That the delegation from Harrison Ioannou with SmartCentres and Sarah Knoll with 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
NOT PRESENT – 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
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

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

(Francis/Tadeson)

- (a) That the public submissions regarding this matter were received and considered by the Committee; and,
- (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
NOT PRESENT – 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

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

For disposition of this matter, refer to Item 6.

(v) Application for a Zoning By-law Amendment for Lands Located at 311 Rymal Road East, Hamilton (Ward 7) (PED23174) (Item 10.5)

Michael Fiorino, Planner II, addressed the Committee with the aid of a PowerPoint presentation.

(A. Wilson/Tadeson)

That the staff presentation 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
YES – 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
NOT PRESENT – Ward 15 Councillor T. McMeekin

Peter Delulio with Metropolitan Consulting, was in attendance and indicated support for the staff report.

(A. Wilson/Francis)

That the delegation from Peter Delulio with Metropolitan Consulting, 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
YES – 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
NOT PRESENT – Ward 15 Councillor T. McMeekin

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

(A. Wilson/Francis)

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

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
YES – 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
NOT PRESENT – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 7.

(Cassar/Francis)

That the Committee recess from 1:10 p.m. to 1:45 p.m.

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

YES – 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
NOT PRESENT – Ward 15 Councillor T. McMeekin

(g) DISCUSSION ITEMS (Item 11)

(i) Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 382 Southcote Road, Ancaster (PED23119) (Ward 12) with REVISED Appendix ‘C’ (Deferred from the July 11th Planning Committee Meeting) (Item 11.1)

(Cassar/M. Wilson)

- (a) That Official Plan Amendment Application UHOPA-23-003 by Urban Solutions Planning and Land Development Consultants Inc. c/o Matt Johnson, on behalf of 1376412 Ontario Ltd. c/o Zeina Homes, Owner, to add a new Site Specific Policy within the Garner Neighbourhood Secondary Plan, to permit the development of the subject lands for 3 single detached dwellings with a minimum lot frontage of 12.0 metres and a maximum overall density of 24 units per gross/net residential hectare, for lands located at 382 Southcote Road, as shown on Appendix “A” attached to Report PED23119, be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment attached as Appendix “B” to Report PED23119, which has been prepared in a form satisfactory to the City Solicitor, be adopted by City Council;
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (b) That Amended Zoning By-law Amendment Application ZAR-23-003 by Urban Solutions Planning and Land Development Consultants Inc., on behalf of 1376412 Ontario Ltd. c/o Zeina Homes, Owner, for a change in zoning from the Agricultural “A-216” Zone, Modified, to the Low Density Residential (R1, 848) Zone, Modified, to facilitate development of three single detached dwellings, for lands located at 382 Southcote Road, as shown on Appendix “A” attached to Report PED23119, be APPROVED on the following basis:

- (i) That the draft By-law attached as Appendix “C” to Report PED23119, 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) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (iii) That this By-law will comply with the Urban Hamilton Official Plan upon the approval of Urban Hamilton Official Plan Amendment No. XX.

Result: Motion CARRIED by a vote of 9 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
YES – 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
NOT PRESENT – Ward 15 Councillor T. McMeekin

(A. Wilson/Cassar)

That the previous vote, Item (g)(i) respecting the Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 382 Southcote Road, Ancaster (PED23119) (Ward 12) with REVISED Appendix ‘C’, be Reconsidered.

Result: Motion CARRIED by a 2/3’s vote of 9 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
YES – 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
NOT PRESENT – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 8.

**(ii) Residential Parking Standards Review and Update (City Wide)
(PED23156) (Item 11.2)**

Amanda McIlveen, Manager of Parking Operations and Initiatives, addressed the Committee with the aid of a PowerPoint presentation.

(Kroetsch/A. Wilson)

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
YES – 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

(Kroetsch/Tadeson)

That the following written submissions be received:

- (i) Michelle Diplock and Anthony Salemi, West End Home Builders' Association

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

YES – 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

For disposition of this matter, refer to Item 9.

(iii) Committee of Adjustment Decision regarding Minor Variance Application (DN/A-23:75) for Lands Located at 245 Mill Street, Dundas (Ward 13) (PED23177) (Item 11.4)

Morgan Gowans, Planning Technician, addressed the Committee with the aid of a PowerPoint presentation.

(A. Wilson/Hwang)

That the staff presentation be received.

Result: Motion CARRIED by a vote of 9 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
NOT PRESENT – Ward 7 Councillor E. Pauls
YES – 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

(Hwang/Cassar)

- (a) That Council gives approval to the following actions, as detailed in Report PED23177, respecting Committee of Adjustment decision regarding Minor Variance application (DN/A-23:75) submitted by Nicole Wilson on behalf of the Owner (Christian Science Society), for lands located at 245 Mill Street, Dundas as shown on Appendix “A” attached to Report PED23177, approved by the Committee of Adjustment but recommended for Denial by the Planning and Economic Development Department:

- (i) That Council of the City of Hamilton proceed with the appeal to the Ontario Land Tribunal (OLT) against the decision of the Committee of Adjustment to approve application DN/A-23:75;
- (ii) That Council directs appropriate Legal Services and Planning Staff to attend the future Ontario Land Tribunal Hearing in opposition to the decision of the Committee of Adjustment to approve application DN/A-23:75.

Result: Motion DEFEATED by a vote of 8 to 1, as follows:

YES – Ward 1 Councillor M. Wilson
NO – Ward 2 Councillor C. Kroetsch
NO – Ward 3 Councillor N. Nann
NO – Ward 4 Councillor T. Hwang
NOT PRESENT – Ward 5 Councillor M. Francis
NOT PRESENT – Ward 7 Councillor E. Pauls
NO – Ward 8 Councillor J.P. Danko
NOT PRESENT – Ward 10 Councillor J. Beattie
NO – Ward 11 Councillor M. Tadeson
NO – Ward 12 Councillor C. Cassar
NO – Ward 13 Councillor A. Wilson
NO – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 11.

(h) GENERAL INFORMATION/OTHER BUSINESS

(i) Outstanding Business List (Item 14.1)

(A. Wilson/Cassar)

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

(a) Items Requiring New Due Dates:

19G Care Facilities and Group Homes (Urban Area) – Human Rights and the Zoning By-law Discussion Paper (CI 19-B) (PED19091)

Current Due Date: March 21, 2023

Proposed New Due Date: December 5, 2023

19P Corporate Policy for Official Planning Notification During Mail Strikes (Motion)

Current Due Date: April 18, 2023
Proposed New De Date: December 5, 2023

21E Temporary Amendments to the Cash-In-Lieu of Parking Policy for the Downtown Secondary Plan Area (PED21028) (Ward 2)
Current Due Date: March 21, 2023
Proposed New De Date: December 5, 2023

21T Support for the NCCM Recommendations brought forward by the National Council of Canadian Muslims
Current Due Date: Due Date Required
Proposed New De Date: December 5, 2023

21X License Rental Housing (PED21097/LS21022)
Current Due Date: June 13, 2023
Proposed New Due Date: December 5, 2023

21Z Applications to Amend the Urban Hamilton Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 1173 and 1203 Old Golf Links Road (PED21197) (Ward 12) (Item 9.1)
Current Due Date: April 18, 2023
Proposed New Due Date: October 31, 2023

22i Luca Giuliano respecting the 12 Hour Parking Rule (Item 9.1)
Current Due Date: November 29, 2022
Proposed New Due Date: December 5, 2023

22K Condominium Conversion Policy Review (PED22091) (City Wide) (Outstanding Business List Item) (Item 10.1)
Current Due Date: March 21, 2023
Proposed New Due Date: August 15 2023

22Q Application for Amendment to Glanbrook Zoning By-law No. 464 for Lands Located at 0 Gowland Drive and 3435 Binbrook Road, Glanbrook (PED22161) (Ward 11) (Item 9.3)
Current Due Date: Due Date Required
Proposed New Due Date: December 5, 2023

22R Amendments to Expand the Permitted Uses in the Low Density Residential Zones of the Former Community Zoning By-laws of the Town of Ancaster, Town of Dundas, Town of Flamborough, Township of Glanbrook, City of Hamilton, and City of Stoney Creek and Create Two New Low Density Residential Zones in Zoning By-law No. 05-200 (PED22154) (City Wide) (Item 9.6)

Current Due Date: Due Date required
Proposed New Due Date: December 5, 2023

22S Public Consultation on Sustainable Building and Development Guidelines – Low Density Residential Uses (PED22185) (City Wide) (Item 10.2)

Current Due Date: Due Date required
Proposed New Due Date: December 5, 2023

23A Inclusionary Zoning - Housing Needs Assessment (PED23044(a)) (City Wide) (Outstanding Business List Item) (Item 11.2)

Current Due Date: Due Date required
Proposed New Due Date: September 19, 2023

(b) Items to be Removed:

20-B Review of Problems Associated with Increased Visitors to Waterfalls (PED18011(a))

Addressed as item 7.2 on the February 7, 2023 General Issues Committee Budget Agenda, Report 23-001(g).

20J City of Hamilton Draft Urban Forest Strategy (PED20173) (City Wide) (Item 10.1)

Addressed as item 5 on the June 13, 2023 Planning Committee Agenda, Report 23-010.

21A Integrating Health & Environmental Requirements to Demolition Permits (Item 11.1)

Addressed as item 7 on the March 21, 2023 Planning Committee Agenda, Report 23-004

22A Various Delegations respecting the Taxi By-law (Added Items 9.4 – 9.8).

Addressed as item 10.3 on April 25, 2022 Planning Committee Agenda, Report 22-006 and item 10.1 on August 3, 2022 Planning Committee Agenda, Report 22-012

Result: Motion CARRIED by a vote of 9 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

NOT PRESENT – Ward 7 Councillor E. Pauls
YES – 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

(i) PRIVATE & CONFIDENTIAL (Item 15)

(i) Closed Session Minutes – July 11, 2023 (Item 15.1)

(Hwang/Nann)

- (a) That the Closed Session Minutes dated July 11, 2023, be approved as presented; and,
- (b) That the Closed Session Minutes dated July 11, 2023, remain confidential.

Result: Motion CARRIED by a vote of 9 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
NOT PRESENT – Ward 7 Councillor E. Pauls
YES – 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

(A. Wilson/Tadeson)

That Committee move into Closed for Items 15.2, 15.3 and 15.4 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 9 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
NOT PRESENT – Ward 7 Councillor E. Pauls
YES – 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

(ii) Appeal to the Ontario Land Tribunal (OLT) of Niagara Escarpment Development Permit Application for Mountain Brow Road (Ward 15) (LS23025) (Item 15.2)

For disposition of this matter, refer to Item 14.

(iii) Appeal to the Ontario Land Tribunal (OLT-22-002549) by Upper West Side Land Owners Group Inc., et al for Lands Located at 9511, 9445, 9285, 9751 & 9625 Twenty Road West & 555 Glancaster Road for Fees Under Protest (LS23028) (Ward 11) (Item 15.3)

For disposition of this matter, refer to Item 15.

(iv) Ontario Land Tribunal Appeals of the Commercial and Mixed Use Zones (UHOPA No. 69 and By-law No. 17-240) (LS18008(d)) (City Wide) (Added Item 15.4)

For disposition of this matter, refer to Item 16.

(j) ADJOURNMENT (Item 16)

(Tadeson/Hwang)

That there being no further business, the Planning Committee be adjourned at 3:41 p.m.

Result: Motion CARRIED by a vote of 9 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
NOT PRESENT – Ward 7 Councillor E. Pauls
YES – 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

Councillor J.P. Danko, Chair
Planning Committee

Lisa Kelsey
Legislative Coordinator