



PLANNING COMMITTEE MINUTES

24-001

January 16, 2024

9:30 a.m.

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

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

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

- 1. Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED24008) (City Wide) (Item 9.1)**

(Pauls/A. Wilson)

That Report PED24008 respecting Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications, be received.

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

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

2. Application for a Zoning By-law Amendment for Lands Located at 83-85 Emerald Street South, Hamilton (PED24001) (Ward 3) (Item 10.3)

(Nann/Pauls)

(a) That Amended Zoning By-law Amendment Application ZAC-22-053, by Gladki Planning Associates Inc. c/o John Gladki on behalf of Realty Holdings Group Ltd. c/o David Joy, owner, for a change in zoning from the Community Institutional (I2) Zone to the “E/S-1834-H” (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified, Holding, to permit the conversion of an existing three storey building, including a 555.59 square metre addition at the rear of the building, into a multiple dwelling with a maximum of 60 units and eight surface parking spaces, on lands located at 83 and 85 Emerald Street South, Hamilton, as shown on Appendix “A” attached to Report PED24001, be APPROVED, on the following basis:

- (i) That the draft By-laws, attached as Appendix “B” and Appendix “C” to Report PED24001, 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 ‘H’ to the proposed “E-3/S-1834-H” (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified;

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

- (1) The Owner submitting and receiving approval of a watermain hydraulic analysis, identifying the modelled system pressures at pressure district level under various boundary conditions and demand scenarios, to demonstrate that the municipal system can support the proposed intensification, to the satisfaction of the Director of Development Engineering and the Director of Hamilton Water;
- (2) That the Owner enters into an External Works Agreement with the City to complete upgrades on the municipal infrastructure that has been identified through the Functional Servicing Report, submitted in support of the proposed intensification of the subject site, at 100% their costs, to the satisfaction of the Director of Development Engineering and the Director of Hamilton Water;

- (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and complies with the Urban Hamilton Official Plan.

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
- YES – Ward 10 Councillor J. Beattie
- YES – Ward 11 Councillor M. Tadeson
- YES – Ward 12 Councillor C. Cassar
- YES – Ward 13 Councillor A. Wilson
- NOT PRESENT – Ward 15 Councillor T. McMeekin

3. Housekeeping Amendments to the Urban Hamilton Official Plan Regarding 3011 Homestead Drive, Glanbrook (PED24003) (Ward 11) (Item 10.4)

(Tadeson/Pauls)

- (a) That City Initiative CI-23-M – Housekeeping Amendments to the Urban Hamilton Official Plan, to create a Site Specific Policy Area for the District Commercial designation in the Mount Hope Secondary Plan for lands located at 3011 Homestead Drive, Glanbrook (see Appendix “A” attached to Report PED24003), be approved on the following basis:
 - (i) That the draft Urban Hamilton Official Plan Amendment, attached as Appendix “B” to Report PED24003, be adopted by Council;
 - (ii) That the draft Urban Hamilton Official Plan Amendment is consistent with the Provincial Policy Statement (PPS), 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, 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
NOT PRESENT – Ward 5 Councillor M. Francis
YES – Ward 7 Councillor E. Pauls
YES – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
YES – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
NOT PRESENT – Ward 15 Councillor T. McMeekin

4. Hamilton Municipal Heritage Committee Report 23-011 (Item 11.1)

(A. Wilson/Beattie)

(a) Appointment of Chair and Vice-Chair (Item 1)

That A. Denham-Robinson be appointed as Chair of the Hamilton Municipal Heritage Committee for the remainder of the term.

That G. Carroll be appointed as Vice-Chair of the Hamilton Municipal Heritage Committee for the remainder of the term.

(b) Recommendation to Designate 176 Wilson Street East, Ancaster, known as Birch Lawn, under Part IV of the *Ontario Heritage Act* (PED23241) (Ward 12) (Item 8.2)

That the City Clerk be directed to give notice of Council's intention to designate 176 Wilson Street East, Ancaster, shown in Appendix "A" attached to Report PED23241, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the *Ontario Heritage Act*, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "A" to Hamilton Municipal Heritage Committee Report 23-011, subject to the following:

- (i) If no objections are received to the notice of intention to designate in accordance with the *Ontario Heritage Act*, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
- (ii) If an objection to the notice of intention to designate is received in accordance with the *Ontario Heritage Act*, City Council directs staff to report back to Council to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

(c) Recommendation to Designate 241 Wilson Street East, Ancaster, former Ancaster Carriage Company Factory, under Part IV of the Ontario Heritage Act (PED23192) (Ward 12) (Item 8.3)

That the City Clerk be directed to give notice of Council's intention to designate 241 Wilson Street East, Ancaster, shown in Appendix "A" attached to Report PED23192, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the *Ontario Heritage Act*, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Hamilton Municipal Heritage Committee Report 23-011, subject to the following:

- (i) If no objections are received to the notice of intention to designate in accordance with the *Ontario Heritage Act*, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
- (ii) If an objection to the notice of intention to designate is received in accordance with the *Ontario Heritage Act*, City Council directs staff to report back to Council to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

(d) Establishment of Working Group Memberships (Item 10.1)

That the working group membership be established as follows:

- (i) Education and Communications Working Group
 - (a) Alissa Denham-Robinson
 - (b) Karen Burke
 - (c) Stefan Spolnik
 - (d) Councillor Cameron Kroestch
- (ii) Inventory and Research Working Group
 - (a) Alissa Denham-Robinson
 - (b) Lyn Lusted
 - (c) Andy MacLaren

(iii) Policy and Design Working Group

- (a) Alissa Denham-Robinson
- (b) Andrew Douglas
- (c) Lyn Lunsted

(e) **Monthly Report on Recommended Proactive Listings for the Municipal Heritage Register, November 2023 (PED23235) (Ward 3) (Item 10.2)**

That staff be directed to list the property located at 78 Stirton Street, Hamilton (Ward 3) on the Municipal Heritage Register as a non-designated property that Council believes to be of cultural heritage value or interest, as outlined in Report PED23235, in accordance with Section 27 of the *Ontario Heritage Act*.

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
YES – Ward 10 Councillor J. Beattie
YES – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
NOT PRESENT – Ward 15 Councillor T. McMeekin

5. Agriculture and Rural Affairs Sub-Committee Report 23-003 (Item 11.2)

(Beattie/McMeekin)

(a) Stormwater Fee Information & Incentive Program Consultation (Item 8.1)

That staff be directed to look at alternative options to the proposed stormwater fee for agricultural properties and report back to the Agriculture and Rural Affairs Sub-Committee with alternatives that are fair, affordable, justifiable, reasonable, and simple.

(b) Rural Zones (Farm Labour Residences and Additional Dwelling Units – Detached) (Item 8.3)

That staff be directed to include additional flexibility for Farm Labour Residences on size and permanence on justified farm situations.

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

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

6. Notice of Objection to the Notice of Intention to Designate 54 Hess Street South, Hamilton, under Part IV of the Ontario Heritage Act (PED24002) (Ward 2) (Item 11.3)

(Kroetsch/Nann)

- (a) That the Notice of Objection to the Notice of Intention to Designate 54 Hess Street South, Hamilton, under Part IV of the Ontario Heritage Act, attached as Appendix “A” to Report PED24002, be received;
- (b) That Council does not withdraw the Notice of Intention to Designate 54 Hess Street South, Hamilton, under Part IV of the Ontario Heritage Act;
- (c) That the draft By-law to designate 54 and 56 Hess Street South, Hamilton under Part IV of the Ontario Heritage Act, attached as Appendix “B” to Report PED24002, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

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

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

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

7. Request for Direction to Proceed with Appeal of Committee of Adjustment Decision to Approve Consent Application FL/B-23:61 for lands located at 169 and 193 Weirs Lane, Flamborough (PED24029) (Ward 13) (Item 11.4)

(A. Wilson/Beattie)

- (a) That Council gives approval to the following actions, as detailed in Report PED24029, respecting Committee of Adjustment Consent application FL/B-23:61 by Franco Romano, on behalf of Robert Eric Bernstein (owner), for the lands located at 169 and 193 Weirs Lane, Flamborough, as shown on Appendix “A” attached to Report PED24029, granted 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 against the decision of the Committee of Adjustment to approve Consent application FL/B-23:61.
 - (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 Consent application FL/B-23:61.

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

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

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

8. 1065 Paramount Drive Non-Statutory Public Meeting (Added Item 12.1)

(Danko/Beattie)

WHEREAS, Urban Hamilton Official Plan Amendment Application UHOPA-23-005 and Zoning By-law Amendment Application ZAC-23-006 for Lands Located at 1065 Paramount Drive, Stoney Creek were received on November 18, 2022 and were deemed to be complete on December 13, 2022;

WHEREAS, an appeal of these applications by the proponent for non-decision was received by the City Clerk's Office on January 3, 2024, 411 days after the receipt of the applications;

WHEREAS, the City of Hamilton adopted Council's Procedures for Appeals on February 28, 2018;

- (i) Where an appellant has agreed to postpone the scheduling of any hearing event until such time as Planning Committee has had an opportunity to consider the matter and that agreement has been communicated to the Ontario Municipal Board or its successor, that Planning staff be directed to process those matters accordingly and bring those matters to Planning Committee at a non-statutory public meeting for consideration and for direction to be given to the City Solicitor;
- (ii) Where an appellant does not agree as described in (i), that Planning and Legal Services be directed to report back on the specific matter for further instructions or direction;
- (iii) That the City Solicitor be instructed to oppose these appeals until such time as further instruction is given on any specific appeal.

THEREFORE BE IT RESOLVED:

That staff be directed to schedule a non-statutory public meeting and give notice in accordance with the notice requirements of the Planning Act for Urban Hamilton Official Plan Amendment Application UHOPA-23-005 and Zoning By-law Amendment Application ZAC-23-006 for Lands Located at 1065 Paramount Drive, Stoney Creek.

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

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

- 9. Appeal to the Ontario Land Tribunal for lands located at 392, 398 400, 402, 406 and 412 Wilson Street East & 15 Lorne Avenue for Lack of Decision on Site Plan Control Application (DA-23-011) (LS24002) (Ward 12) (Added Item 15.2)**

(A. Wilson/Tadeson)

That Report LS24002 respecting Appeal to the Ontario Land Tribunal for lands located at 392, 398 400, 402, 406 and 412 Wilson Street East & 15 Lorne Avenue for Lack of Decision on Site Plan Control Application (DA-23-011), be received and remain confidential.

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

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

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

5. COMMUNICATIONS

- 5.1 Correspondence from Ancaster Heritage Village respecting OLT Appeal for lands located at 392, 398, 400, 402, 406 and 412 Wilson Street East & 15 Lorne Avenue for Lack of Decision on Site Plan Control Application (DA-23-011) (LS24002) (Ward 12)

Recommendation: Be received and referred to the consideration of Item 15.2.

6. DELEGATION REQUESTS

- 6.1 Janice Brown respecting 54 Hess Street (Item 11.3) (For today's meeting)

10. PUBLIC HEARINGS

- 10.1 Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13) – Deferred to a future meeting.

10.2 Application for a Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) – Deferred to a future meeting.

- 10.3 Application for a Zoning By-law Amendment for Lands Located at 83-85 Emerald Street South, Hamilton (PED24001) (Ward 3)

(a) Added Written Submission:

(i) Laura Harrison

(b) Staff Presentation

10.4 Housekeeping Amendments to the Urban Hamilton Official Plan Regarding 3011 Homestead Drive, Glanbrook (PED24003) (Ward 11)

(a) Staff Presentation

11. DISCUSSION ITEMS

11.4 Request for Direction to Proceed with Appeal of Committee of Adjustment Decision to Approve Consent Application FL/B-23:61 for lands located at 169 and 193 Weirs Lane, Flamborough (PED24029) (Ward 13)

(a) Staff Presentation

13. NOTICES OF MOTION

13.1 1065 Paramount Drive Non-Statutory Public Meeting

15. PRIVATE & CONFIDENTIAL

15.2 Appeal to the Ontario Land Tribunal Appeal to the Ontario Land Tribunal for lands located at 392, 398, 400, 402, 406 and 412 Wilson Street East & 15 Lorne Avenue for Lack of Decision on Site Plan Control Application (DA-23-011) (LS24002) (Ward 12)

(Tadeson/Beattie)

That the agenda for the January 16, 2024 Planning Committee meeting be approved, as amended.

Result: Motion CARRIED by a vote of 9 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
YES – Ward 10 Councillor J. Beattie
YES – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
NOT PRESENT – Ward 13 Councillor A. Wilson

YES – Ward 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) December 5, 2023 (Item 4.1)

(Beattie/Tadeson)

That the Minutes of the December 5, 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
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
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

(d) COMMUNICATIONS (Item 5)

(i) Correspondence from Ancaster Heritage Village respecting OLT Appeal for lands located at 392, 398, 400, 402, 406 and 412 Wilson Street East & 15 Lorne Avenue for Lack of Decision on Site Plan Control Application (Item 11.3) (Added Item 5.1)

(A. Wilson/Tadeson)

That the correspondence from Ancaster Heritage Village respecting OLT Appeal for lands located at 392, 398, 400, 402, 406 and 412 Wilson Street East & 15 Lorne Avenue for Lack of Decision on Site Plan Control Application (Item 11.3), be received and referred to the consideration of Item 11.3.

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

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

(e) DELEGATION REQUESTS (Item 6)

(i) Janice Brown respecting 54 Hess Street (Item 11.3) (For today's meeting) (Added Item 6.1)

(Kroetsch/Tadeson)

That the Delegation Request from Janice Brown respecting 54 Hess Street (Item 11.3), be approved for today's meeting.

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

(f) **DELEGATIONS (Item 7)**

(i) **Delegation requests respecting 54 Hess Street (Item 11.3) (Item 7.1 and Added Item 7.2)**

The Following delegations addressed the Committee respecting 54 Hess Street (Item 11.3):

1. Shannon Kyles (Item 7.1)
2. Janice Brown (Added Item 7.2)

(Kroetsch/A. Wilson)

That the following Delegations respecting 54 Hess Street (Item 11.3), be received.

1. Shannon Kyles (Item 7.1)
2. Janice Brown (Added Item 7.2)

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

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

(g) **PUBLIC HEARINGS (Item 10)**

In accordance with the *Planning Act*, Chair C. Cassar 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 C. Cassar 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 a Zoning By-law Amendment for Lands Located at 83-85 Emerald Street South, Hamilton (PED24001) (Ward 3) (Item 10.3)

Alaina Baldassarra, Planner I, addressed the Committee with the aid of a PowerPoint presentation.

(Nann/Tadeson)

That the presentation from Alaina Baldassarra, Planner I, respecting Application for a Zoning By-law Amendment for Lands Located at 83-85 Emerald Street South, Hamilton, be received.

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

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

John Gladki with Gladki Planning Associates, was in attendance and indicated support for the staff report.

(Nann/Pauls)

That the presentation from John Gladki with Gladki Planning Associates, be received.

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

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

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

Chair Cassar called three times for public delegations and no one came forward.

(Nann/A. Wilson)

(a) That the following public submission was received and considered by the Committee:

(i) Laura Harrison (Added Item 10.3 (a))

(b) That the public meeting be closed.

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

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

For disposition of this matter, refer to Item 2.

(ii) **Housekeeping Amendments to the Urban Hamilton Official Plan Regarding 3011 Homestead Drive, Glanbrook (PED24003) (Ward 11) (Item 10.4)**

(Tadeson/Pauls)

That the staff presentation be waived.

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
YES – Ward 10 Councillor J. Beattie
YES – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
NOT PRESENT – Ward 15 Councillor T. McMeekin

Chair Cassar called three times for public delegations and no one 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 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
YES – Ward 10 Councillor J. Beattie
YES – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
NOT PRESENT – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 3.

(h) NOTICES OF MOTION (Item 13)

(i) 1065 Paramount Drive Non-Statutory Public Meeting (Added Item 13.1)

(Danko/Beattie)

That the rules of order be waived to allow for the introduction of a Motion respecting 1065 Paramount Drive Non-Statutory Public Meeting.

Result: Motion CARRIED by a 2/3rds majority vote of 11 to 0, as follows:

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

For disposition of this matter, refer to Item 8.

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

(i) General Manager's Update (Added Item 14.1)

Steve Robichaud, Acting General Manager of Planning and Economic Development, advised the Committee that Jason Thorne would be returning as General Manager next week; and, the Rezoning Report addressing farm residences and secondary dwellings is scheduled for the February 6, 2024 Planning Committee meeting.

(Beattie/Tadeson)

That the General Manager's Update be received.

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

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

(j) PRIVATE & CONFIDENTIAL (Item 15)

(i) Closed Session Minutes – December 5, 2023 (Item 15.1)

(M. Wilson/Pauls)

- (a) That the Closed Session Minutes dated December 5, 2023 be approved as presented; and,
- (b) That the Closed Session Minutes dated December 5, 2023, remain confidential.

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

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

(McMeekin/Pauls)

That Committee move into Closed Session for Item 15.2 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 11 to 0, as follows:

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

- (i) **Appeal to the Ontario Land Tribunal for lands located at 392, 398 400, 402, 406 and 412 Wilson Street East & 15 Lorne Avenue for Lack of Decision on Site Plan Control Application (DA-23-011) (LS24002) (Ward 12) (Added Item 15.2)**

For disposition of this matter, refer to Item 9.

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

(Tadeson/Pauls)

That there being no further business, the Planning Committee be adjourned at 11:20 a.m.

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

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

YES – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
YES – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

Councillor C. Cassar, Chair
Planning Committee

Lisa Kelsey
Legislative Coordinator