



## **PLANNING COMMITTEE MINUTES**

**24-005**

**April 16, 2024**

**9:30 a.m.**

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

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

**Absent with Regrets:** Councillors J.P. Danko and M. Tadeson – Personal

---

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

**1. Detached Additional Dwelling Unit Building Permit Process (PED24036)  
(City Wide) (Item 9.1)**

**(A. Wilson/Pauls)**

That report PED24036 respecting Detached Additional Dwelling Unit Building Permit Process, 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  
NOT PRESENT – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
NOT PRESENT – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 15 Councillor T. McMeekin

**2. Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-005 and Zoning By-law Amendment Application ZAC-22-012 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 200 Market Street and 55 Queen Street North, Hamilton (PED24055) (Ward 1) (Item 9.2)**

**(M. Wilson/McMeekin)**

That report PED24055 respecting Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-005 and Zoning By-law Amendment Application ZAC-22-012 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 200 Market Street and 55 Queen Street North, Hamilton, 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  
YES – Ward 3 Councillor N. Nann  
NOT PRESENT – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
NOT PRESENT – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
NOT PRESENT – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 15 Councillor T. McMeekin

**3. Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 140 Glen Echo Drive, Hamilton (PED24071) (Ward 5) (Item 10.1)**

**(Francis/Beattie)**

(a) That Official Plan Amendment application UHOPA-24-001, by MHBC Planning Ltd. (c/o Dave Aston, Agent), on behalf of Losani Homes (Glen Echo) Ltd., Owner, to redesignate the subject lands from “Institutional” to “Neighbourhoods” in the Urban Hamilton Official Plan to permit an eight storey multiple dwelling and three, four-storey multiple dwellings containing a total of 264 units, on lands located at 140 Glen Echo Drive, as shown in Appendix “A” attached to Report PED24071, be DENIED on the following basis:

(i) That the proposed Official Plan Amendment is not consistent with the Provincial Policy Statement, does not conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as

amended), and does not comply with the general intent of the Urban Hamilton Official Plan as:

- (1) The proposal is premature as it has not been demonstrated that adequate infrastructure capacity is available to service the proposed development;
  - (2) It does not include a mix of unit sizes suitable for a range of household sizes within the multiple dwellings;
  - (3) It results in overshadowing and blocking of light on a sensitive land use;
  - (4) It is not compatible with the surrounding area and does not enhance the character of the existing neighbourhood;
  - (5) It does not meet the intent of the function or design policies for Medium Density Residential areas in the “Neighbourhoods” designation;
  - (6) It does not meet the intent of the City’s intensification policies;
  - (7) It does not meet the intent of the City’s urban design policies; and,
  - (8) It is not considered to be good planning as the height, massing, and scale results in an overdevelopment of the site;
- (b) That Zoning By-law Amendment application ZAC-24-004, by MHBC Planning Ltd. (c/o Dave Aston, Agent), on behalf of Losani Homes (Glen Echo) Ltd., Owner, for a change in zoning from the Community Institutional (I2) Zone and Neighbourhood Park (P1) Zone to a site specific Mixed Use Medium Density (C5) Zone, to permit an eight storey, 192 unit multiple dwelling, and three, four-storey multiple dwellings containing 72 units, with 277 underground parking spaces, 41 surface parking spaces, and one driveway access from Glen Echo Drive, on lands located at 140 Glen Echo Drive, as shown in Appendix “A” attached to Report PED24071, be DENIED on the following basis:
- (i) That the proposal is not consistent with the Provincial Policy Statement, does not conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and does not comply with the general intent of the Urban Hamilton Official Plan as:
    - (1) The proposal is premature as it has not been demonstrated that adequate infrastructure capacity is available to service the proposed development;
    - (2) It does not include a mix of unit sizes suitable for a range of household sizes within the multiple dwellings;

- (3) It results in overshadowing and blocking of light on a sensitive land use;
- (4) It does not meet the intent of the function or design policies for Medium Density Residential areas in the “Neighbourhoods” designation;
- (5) It does not meet the intent of the City’s intensification policies;
- (6) It does not meet the intent of the City’s urban design policies;
- (7) It is not compatible with the surrounding area and does not enhance the character of the existing neighbourhood; and,
- (8) It is not considered to be good planning as the height, massing, and scale results in an overdevelopment of the site.

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

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

**4. Bill 165, Keeping Energy Costs Down Act, 2024 (PED24052) (City Wide)  
(Item 11.1)**

**(A. Wilson/Kroetsch)**

- (a) That Council adopt the submissions and recommendations, as attached in Appendix “A” to Report PED24052, regarding the *Keeping Energy Costs Down Act, 2024*, a bill proposing amendments to the Ontario Energy Board Act, 1998;
- (b) That the Director of the Office of Climate Change Initiatives and the City Solicitor be authorized to make the submissions and recommendations regarding these proposed amendments to the *Ontario Energy Board Act, 1998*, as attached in Appendix “A” to Report PED24052.

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

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

**5. Rental Housing Licensing Pilot Program Update (PED21097(e)) (Wards 1, 8 and part of 14) (Item 11.2)**

**(Hwang/M. Wilson)**

That report PED21097(e) respecting Rental Housing Licensing Pilot Program Update, be received.

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

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

**6. Demolition Control Area By-law Process (PED24075) (City Wide) (Item 11.3)**

**(McMeekin/Hwang)**

That report PED24075 respecting Demolition Control Area By-law Process, be received.

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

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

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

**7. 455 King Street East and 457 - 459 King Street East Demolition and Administrative Updates to By-Law 23-162, a By-Law to Prescribe Standards for the Maintenance and Occupancy of Property (PED24048) (Ward 3) (Item 11.4)**

**(Nann/Hwang)**

- (a) That Licensing and By-law Services be authorized to demolish the vacant and adjoining properties located at 455 King Street East and 457- 459 King Street East, in Hamilton and that the associated fees for carrying out the work be added to the property tax rolls for the corresponding properties; and,
- (b) That the amending By-law to City of Hamilton By-Law 23-162, a By-law to Prescribe Standards for the Maintenance and Occupancy of Property, attached as Appendix “A” to Report PED24048 be approved, which increases the maximum dollar amount that the Director of Licensing and By-Law Services is authorized to approve for completion of necessary work required for compliance with Property Standards Orders from \$20,000 to \$50,000.

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

**8. Request for Direction to Proceed with Appeal of Committee of Adjustment Decision to Approve Consent Application FL/B-23:82 and Minor Variance Application FL/A-23:312, for Lands Located at 764 Valens Road, Flamborough (PED24034) (Ward 13) (Item 11.5)**

**(A. Wilson/Kroetsch)**

- (a) That Council gives approval to the following actions, as detailed in Report PED24034, respecting Committee of Adjustment Consent application FL/B-23:82 and Minor Variance application FL/A-23:312 submitted by Arcadis c/o Mike Crough, on behalf of Theresa and William Slemko (owners), for the lands located at 764 Valens Road, Flamborough, as shown on Appendix "A" attached to Report PED24034, 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-23:82 and Minor Variance application FL/A-23:312; and,
  - (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-23:82 and Minor Variance application FL/A-23:312.

**Result: Motion CARRIED by a vote of 5 to 3, 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  
NO – Ward 5 Councillor M. Francis  
NOT PRESENT – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
NO – Ward 10 Councillor J. Beattie  
NOT PRESENT – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
NO – Ward 15 Councillor T. McMeekin

**9. Appeal to the Ontario Land Tribunal (OLT) for lands located at 1400 South Service Road, Stoney Creek, for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-21-018) and Zoning By-law Amendment Application (ZAC-21-039) (LS24006) (Ward 10) (Item 15.1)**

**(Beattie/Hwang)**

- (a) That the directions to staff in Closed Session respecting Report LS24006 be approved;
- (b) That closed session recommendations (a) to (e) of Confidential Report LS24006 remain confidential until made public as the City's position before the Ontario Land Tribunal; and,
- (c) That the balance of Report LS24006, including Appendices "B" and "C" hereto, remain confidential.

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

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

**10. Appeal to the Ontario Land Tribunal for lands composed of Part of Lot 8, Concession 4, municipally known as 619 Centre Road, Hamilton for a lack of decision on the proposed plan of subdivision (25T-201003) (LS12031(a)) (Ward 15) (Item 15.2)**

**(McMeekin/A. Wilson)**

- (a) That the directions to staff in Closed Session respecting Report LS12031(a) be approved;
- (b) That closed session recommendations (a) and (b) to Report LS12031(a) remain confidential until such time as they are made public as the City's position before the Ontario Land Tribunal; and,
- (c) That the balance of Report LS12031(a) remain confidential.

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

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

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

- 11. 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 of Site Plan Control Application (DA-23-011) (LS24002(a)) (Ward 12) (Item 15.3)**

**(Hwang/A. Wilson)**

That Report LS24002(a) 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 8 to 0, as follows:**

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

- 12. Appeal to the Ontario Land Tribunal (OLT-22-004759) for Lands Located at 405 James Street North, for Official Plan Amendment (UHOPA-21-014) and Zoning By-law Amendment Applications (ZAC-21-031) (LS23012(b)/PED24059) (Ward 2) (Item 15.4)**

**(Kroetsch/Hwang)**

- (a) That the directions to staff in Closed Session respecting Report LS23012(b)/PED24059 be approved;

- (b) That closed session recommendations (a) and (b) to Report LS23012(b)/PED24059 remain confidential until such time as they are made public as the City's position before the Ontario Land Tribunal; and,
- (c) That the balance of Report LS23012(b)/PED24059 remain confidential.

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

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

5.2 Correspondence respecting 764 Valens Road (Item 11.5)

- (i) Bruce and Karen McKnight
- (ii) Craig and Kim Albers

Recommendation: Be received and referred to the consideration of Item 11.5

5.3 Anthony Salemi, West End Home Builders' Association, respecting Detached Additional Dwelling Units (Item 9.1)

Recommendation: Be received and referred to the consideration of Item 9.1.

**6. DELEGATIONS**

- 6.2 Wayne MacPhail, Strathcona Shadow Dwellers, respecting 200 Market Street / 55 Queen S. North (Item 9.2) (For today's meeting) - MOVED Delegation request from Item 9.2 (a)

**9. CONSENT ITEMS**

- 9.1 Detached Additional Dwelling Unit Building Permit Process (PED24036) (City Wide) - Revised
- 9.2 Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-005 and Zoning By-law Amendment Application ZAC-22-012 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 200 Market Street and 55 Queen Street North, Hamilton (PED24055) (Ward 1) - Revised

**10. PUBLIC HEARINGS**

- 10.1 Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 140 Glen Echo Drive, Hamilton (PED24071) (Ward 5)

(a) Added Written Submissions (Added Item 10.1(b)):

- (i) Susan Gaziano
- (ii) Lyndon George
- (iii) Carmelo Gaziano
- (iv) Peter Fleming
- (v) Jane Leach
- (vi) Chris Melnyk
- (vii) Sharon Estok
- (viii) Sarah Barrett
- (ix) Ann Robertson
- (x) Christine and Bill Tait
- (xi) Alison D'Atri
- (xii) Keith Phillips
- (xiii) Maureen Nichol
- (xiv) Wayne Davis
- (xv) Dan and Debbie Connon
- (xvi) Shelley and John Hussey
- (xvii) Suzy Lee

(b) Registered Delegations:

- (i) Joao Borges

(c) Staff Presentation

**11. DISCUSSION ITEMS**

11.5 Request for Direction to Proceed with Appeal of Committee of Adjustment Decision to Approve Consent Application FL/B-23:82 and Minor Variance Application FL/A-23:312, for Lands Located at 764 Valens Road, Flamborough (PED24034) (Ward 13)

(a) Staff Presentation

**15. PRIVATE AND CONFIDENTIAL**

15.4 Appeal to the Ontario Land Tribunal (OLT-22-004759) for Lands Located at 405 James Street North, for Official Plan Amendment (UHOPA-21-014) and Zoning By-law Amendment Applications (ZAC-21-031) (Ward 2) (LS23012(b))/PED24059)

**(Beattie/M. Wilson)**

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

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

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

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

There were no declarations of interest.

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

**(i) April 5, 2024 (Item 4.1)**

**(Kroetsch/Francis)**

That the Minutes of the April 5, 2024 meeting be approved, as presented.

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

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
NOT PRESENT – Ward 3 Councillor N. Nann  
NOT PRESENT – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
NOT PRESENT – 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) Various Communications (Item 5.1 and Added Items 5.2 and 5.3)**

**(A. Wilson/Kroetsch)**

That the following communication items be approved as follows:

- (1) Correspondence from Louis Nguyen respecting a Request to Reconsider the Short-Term Rental Requirements (Item 5.1)

Recommendation: Be received with the Committee being informed that the issue has been resolved.

- (2) Correspondence respecting 764 Valens Road (Item 11.5) (Added Item 5.2)

- (a) Bruce and Karen McKnight  
(b) Craig and Kim Albers

Recommendation: Be received and referred to the consideration of Item 11.5, respecting Request for Direction to Proceed with Appeal of Committee of Adjustment Decision to Approve Consent Application FL/B-23:82 and Minor Variance Application FL/A-23:312, for Lands Located at 764 Valens Road, Flamborough (PED24034) (Ward 13)

- (3) Anthony Salemi, West End Home Builders' Association, respecting Detached Additional Dwelling Units (Item 9.1) (Added Item 5.3)

Recommendation: Be received and referred to the consideration of Item 9.1, respecting Detached Additional Dwelling Unit Building Permit Process (PED24036) (City Wide)

**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  
NOT PRESENT – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
NOT PRESENT – 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) Various Delegation Requests (Items 6.1 and 6.2)**

**(a) Delegation Requests respecting 764 Valens Road (Item 11.5) (Item 6.1)**

- (1) Theresa Slemko, respecting 764 Valens Road (For today's meeting) (Item 6.1 (i))
- (2) Stephen Churm, respecting 764 Valens Road (For today's meeting) (Item 6.1 (ii))

**(b) Wayne MacPhail, Strathcona Shadow Dwellers, respecting 200 Market Street / 55 Queen St. North (Item 9.2) (for today's meeting) (Item 6.2)**

**(A. Wilson/Pauls)**

That Delegation Requests Items 6.1 and 6.2, be approved for today's meeting.

**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  
NOT PRESENT – Ward 4 Councillor T. Hwang

YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
NOT PRESENT – 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) Various Delegations (Added Items 7.1 and 7.2)**

The following Delegations addressed the Committee:

- (a) Delegations respecting 764 Valens Road (Item 11.5) (Added Item 7.1)
  - (1) Theresa and William Slemko (Added Item 7.1 (i))
  - (2) Stephen Churm (Added Item 7.1 (ii))
- (b) Wayne MacPhail, Strathcona Shadow Dwellers, respecting 200 Market Street / 55 Queen St. North (Added Item 7.2)

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

That the following Delegations be received:

- (a) Delegations respecting 764 Valens Road (Item 11.5) (Added Item 7.1)
  - (1) Theresa Slemko, respecting 764 Valens Road (Added Item 7.1(i))
  - (2) Stephen Churm, respecting 764 Valens Road (Added Item 7.1(ii))
- (b) Wayne MacPhail, Strathcona Shadow Dwellers, respecting 200 Market Street / 55 Queen St. North (Item 9.2) (Added Item 7.2)

**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  
NOT PRESENT – Ward 4 Councillor T. Hwang

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

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

**(i) Detached Additional Dwelling Unit Building Permit Process (PED24036) (City Wide) (Item 9.1)**

Jorge Caetano, Manager – Plan Examination, addressed the Committee, respecting Detached Additional Dwelling Unit Building Permit Process, with the aid of a PowerPoint presentation.

**(M. Wilson/McMeekin)**

That the presentation from Jorge Caetano, Manager – Plan Examination, respecting Detached Additional Dwelling Unit Building Permit Process, 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  
NOT PRESENT – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
NOT PRESENT – 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 1.

**(ii) Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-005 and Zoning By-law Amendment Application ZAC-22-012 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 200 Market Street and 55 Queen Street North, Hamilton (PED24055) (Ward 1) (Item 9.2)**

Alaina Baldassarra, Planner I, addressed the Committee, respecting Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-005 and Zoning By-law Amendment Application ZAC-22-012 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 200 Market Street and 55 Queen Street North, Hamilton, with the aid of a PowerPoint presentation.

**(A. Wilson/McMeekin)**

That the staff presentation from Alaina Baldassarra, Planner I, respecting Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-005 and Zoning By-law Amendment Application ZAC-22-012 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 200 Market Street and 55 Queen Street North, Hamilton, 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  
NOT PRESENT – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
NOT PRESENT – 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.

**(h) 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) **Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 140 Glen Echo Drive, Hamilton (PED24071) (Ward 5) (Item 10.1)**

- (a) Spencer Skidmore, Area Planning Manager, addressed the Committee, respecting Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 140 Glen Echo Drive, Hamilton, with the aid of a PowerPoint presentation.

**(Francis/A. Wilson)**

That the presentation from Spencer Skidmore, Area Planning Manager, respecting Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 140 Glen Echo Drive, Hamilton, 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  
YES – Ward 5 Councillor M. Francis  
NOT PRESENT – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
NOT PRESENT – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 15 Councillor T. McMeekin

- (b) Stephanie Mirtitsch with MHBC Planning was in attendance, and indicated they are not in support of the staff report.

**(Francis/Hwang)**

That the presentation from Stephanie Mirtitsch with MHBC Planning, respecting Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 140 Glen Echo Drive, Hamilton, be received.

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

NOT PRESENT – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang

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

**(c) Registered Delegations:**

(1) Joao Borges (Added Item 10.1 (b)(i)) advised he did not wish to address the Committee.

**(d) Chair Cassar called three times for public delegations and the following people came forward:**

(1) Tilda Bodo – Opposed (Added Item 10.1(b)(ii))  
(2) Jane Withers – Opposed (Added Item 10.1(b)(iii))  
(3) Michelle Hamilton – Opposed (Added Item 10.1(b)(iv))

**(e) (Francis/Hwang)**

**(a)** That the following public submissions regarding this matter be received and considered by the Committee:

**(i) Written Submissions (Added Item 10.1(a)):**

(1) Susan Gaziano – Opposed (Added Item 10.1(a)(i))  
(2) Lyndon George – Opposed (Added Item 10.1(a)(ii))  
(3) Carmelo Gaziano – Opposed (Added Item 10.1(a)(iii))  
(4) Peter Fleming – Opposed (Added Item 10.1(a)(iv))  
(5) Jane Leach – Opposed (Added Item 10.1(a)(v))  
(6) Chris Melnyk – Opposed (Added Item 10.1(a)(vi))  
(7) Sharon Estok – Opposed (Added Item 10.1(a)(vii))  
(8) Sarah Barrett – Opposed (Added Item 10.1(a)(viii))  
(9) Ann Robertson – Opposed (Added Item 10.1(a)(ix))

- (10) Christine and Bill Tait – Opposed (Added Item 10.1(a)(x))
- (11) Alison D'Atri – Opposed (Added Item 10.1(a)(xi))
- (12) Keith Phillips – Opposed (Added Item 10.1(a)(xii))
- (13) Maureen Nichol – Opposed (Added Item 10.1(a)(xiii))
- (14) Wayne Davis – Opposed (Added Item 10.1(a)(xiv))
- (15) Dan and Debbie Cannon – Opposed (Added Item 10.1(a)(xv))
- (16) Shelley and John Hussey – Opposed (Added Item 10.1(a)(xvi))

(ii) Delegations:

- (1) Tilda Bodo – Opposed (Added Item 10.1(b)(ii))
- (2) Jane Withers – Opposed (Added Item 10.1(b)(iii))
- (3) Michelle Hamilton – Opposed (Added Item 10.1(b)(iv))

(b) That the public meeting be closed.

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

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

For disposition of this matter, refer to Item 3.

**(Kroetsch/Hwang)**

That the Committee recess from 12:38 p.m. to 1:10 p.m.

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

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

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

- (i) Request for Direction to Proceed with Appeal of Committee of Adjustment Decision to Approve Consent Application FL/B-23:82 and Minor Variance Application FL/A-23:312, for Lands Located at 764 Valens Road, Flamborough (PED24034) (Ward 13) (Item 11.5)**

David Bonaventura, Planning Technician I, addressed the Committee, respecting Request for Direction to Proceed with Appeal of Committee of Adjustment Decision to Approve Consent Application FL/B-23:82 and Minor Variance Application FL/A-23:312, for Lands Located at 764 Valens Road, Flamborough, with the aid of a PowerPoint presentation.

**(A. Wilson/Beattie)**

That the presentation from David Bonaventura, Planning Technician I, respecting Request for Direction to Proceed with Appeal of Committee of Adjustment Decision to Approve Consent Application FL/B-23:82 and Minor Variance Application FL/A-23:312, for Lands Located at 764 Valens Road, Flamborough, be received.

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

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

**(j) GENERAL INFORMATION / OTHER BUSINESS (Item 14)**

**(i) Outstanding Business List (Item 14.1)**

**(Beattie/Hwang)**

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

**(a) Items to be Added:**

- (1) 23BB - Battery Energy Storage Proposals (Item 15). Item (c) referred to the Planning Committee by the General Issues Committee on November 15, 2023 and November 21, 2023.
- (2) 24B - Detailed Drainage Assessment Study (Phase 2) of Rurally Serviced Existing Residential Neighbourhoods in Ancaster (PW16100(a)/PED24032) (Ward 12) (Item 11.3). Item (b) referred to the Planning Committee by the Public Works Committee on February 20, 2024.

**(b) Items to be Removed:**

- (1) 22D - Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 65 Guise Street East (Pier 8, Block 16), Hamilton (PED22031(a)) (Ward 2) (Addressed as Item 8 on PC Report 23-019)
- (2) 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) (Addressed as Item 4 on PC Report 24-003)
- (3) 23E - Industrial/Commercial Proactive Pilot Project (PED23236) (City Wide) (Addressed as Item 9 on PC Report 23-019)
- (4) 23K - Waterfront Ambassador Program (PED23237) (City Wide) (Addressed as Item 10 on PC Report 23-019)

- (5) 23CC - Implementation of Canada Mortgage and Housing Corporation Housing Accelerator Fund Incentive Programs and Associated Updates to the Housing for Hamilton Community Improvement Plan (PED23143(c)) (City Wide) (Addressed as Item 4 on PC Report 24-002)
- (6) 24A - Non-Statutory Public Meeting for Urban Hamilton Official Plan Amendment Application UHOPA-23-005 and Zoning By-law Amendment Application ZAC-23-006 Appealed to the Ontario Land Tribunal for Lack of Decision for Lands Located at 1065 Paramount Drive, Stoney Creek (PED24028) (Ward 9) (Addressed as Item 1 on PC Report 24-002)

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

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

**(k) PRIVATE & CONFIDENTIAL (Item 15)**

**(Hwang/Kroetsch)**

That Committee move into Closed Session for Items 15.1, 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 8 to 0, as follows:**

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

NOT PRESENT – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
NOT PRESENT – Ward 7 Councillor E. Pauls  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
NOT PRESENT – 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 (OLT) for lands located at 1400 South Service Road, Stoney Creek, for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-21-018) and Zoning By-law Amendment Application (ZAC-21-039) (LS24006) (Ward 10) (Item 15.1)**

For disposition of this matter, refer to Item 9.

- (ii) **Appeal to the Ontario Land Tribunal for lands composed of Part of Lot 8, Concession 4, municipally known as 619 Centre Road, Hamilton for a lack of decision on the proposed plan of subdivision (25T-201003) (LS12031(a)) (Ward 15) (Item 15.2)**

For disposition of this matter, refer to Item 10.

- (iii) **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(a)) (Ward 12) (Item 15.3)**

For disposition of this matter, refer to Item 11.

- (iv) **Appeal to the Ontario Land Tribunal (OLT-22-004759) for Lands Located at 405 James Street North, for Official Plan Amendment (UHOPA-21-014) and Zoning By-law Amendment Applications (ZAC-21-031) (Ward 2) (LS23012(b)/PED24059) (Item 15.4)**

For disposition of this matter, refer to Item 12.

**(I) ADJOURNMENT (Item 16)**

**(Hwang/A. Wilson)**

That there being no further business, the Planning Committee, be adjourned at 3:56 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  
NOT PRESENT – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
NOT PRESENT – 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