



PLANNING COMMITTEE MINUTES

24-011

August 13, 2024

9:30 a.m.

**Council Chambers (Hybrid), Hamilton City Hall
71 Main Street West**

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

Absent with Regrets: Councillor M. Francis – Personal

Also in Attendance: Councillor B. Clark

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

- 1. Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED24126) (City Wide) (Item 9.1)**

(Tadeson/McMeekin)

That Report PED24126 respecting Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications, be received.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
YES – Ward 3 Councillor N. Nann
YES – Ward 4 Councillor T. Hwang
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

2. **Appeal by SGL Planning and Design Inc. on Behalf of 1541189 Ontario Inc. for an Urban Hamilton Official Plan Amendment Application UHOPA-20-013 and Zoning By-law Amendment Application ZAC-20-017 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 210 Calvin Street, Ancaster (PED24128) (Ward 12) (Item 9.2)**

(McMeekin/M. Wilson)

That Report PED24128 respecting Appeal by SGL Planning and Design Inc. on Behalf of 1541189 Ontario Inc. for an Urban Hamilton Official Plan Amendment Application UHOPA-20-013 and Zoning By-law Amendment Application ZAC-20-017 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 210 Calvin Street, Ancaster, 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

3. **Appeal by Aird & Berlis LLP on behalf of Fengate Homestead Holdings Inc. LP of Urban Hamilton Official Plan Amendment Application UHOPA-22-008, Zoning By-law Amendment Application ZAC-22-017, and Draft Plan of Subdivision Application 25T-202202 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 3054 Homestead Drive and 9174 and 9166 Airport Road West, Glanbrook (PED24062) (Ward 11) (Item 9.3)**

(Tadeson/Beattie)

That Report PED24062 respecting Appeal by Aird & Berlis LLP on behalf of Fengate Homestead Holdings Inc. LP of Urban Hamilton Official Plan Amendment Application UHOPA-22-008, Zoning By-law Amendment Application ZAC-22-017, and Draft Plan of Subdivision Application 25T-202202 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 3054 Homestead Drive and 9174 and 9166 Airport Road West, Glanbrook, 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

4. Application for Zoning By-Law Amendment for Lands Located at 309 and 325 James Street North, Hamilton (PED24064) (Ward 2) (Item 10.1)

(Kroetsch/A. Wilson)

- (a) That Amended Zoning By-law Amendment Application ZAC-24-018 by WEBB Planning Consultants Inc. c/o James Webb on behalf of James Barton LLP, Owner, for a change in zoning from Downtown Mixed Use - Pedestrian Focus (D2, H21) Zone to Downtown Mixed Use - Pedestrian Focus (D2, 909, H180) Zone, and for a change in zoning from Downtown Mixed Use - Pedestrian Focus (D2) Zone to Downtown Mixed Use - Pedestrian Focus (D2, 909, H180) Zone to permit the adaptive reuse of an existing three storey heritage building and a 12 storey mixed use building containing 296 square metres of commercial space, 127 dwelling units and 58 parking spaces, for lands located at 309 James Street North (Block 1) and 325 James Street North (Block 2), as shown on Appendix "A" attached to Report PED24064, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix "B" to Report PED24064, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place of Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and complies with the Urban Hamilton Official Plan and the Downtown Hamilton Secondary Plan;
 - (iii) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding symbol 'H180' to the proposed Downtown Mixed Use – Pedestrian Focus (D2, 909) Zone:

The Holding Provision 'H180' is to be removed conditional upon:

- (1) A revised Cultural Heritage Impact Assessment has been submitted demonstrating how the cultural heritage value has been incorporated and maintained to the satisfaction of the Director of Planning and Chief Planner;
- (2) That conditional site plan approval be received, to the satisfaction of the Director of Planning and Chief Planner;
- (3) The owner submit and receive approval of a revised Functional Servicing Report and Stormwater Management Brief that demonstrates the feasibility of on site quantify control measures within the subject lands, to the satisfaction of the Director of Development Engineering;
- (4) The owner submit and receive approval of updated hydrant flow tests that demonstrates the required domestic and fire flows are available within the appropriate pressure range and that the surrounding areas are not adversely impacted, to the satisfaction of the Director of Development Engineering. If the above cannot be demonstrated, a Watermain Hydraulic Analysis Report will be required to be submitted and approved at the pressure district level;
- (5) The owner enter into and register an External Works Agreement with the City on title of the lands for the design and construction of any required improvements to the municipal infrastructure in accordance with the City's Financial Policy to support this development, to the satisfaction of the Director of Development Engineering.

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

5. Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 2064 and 2070 Rymal Road East, Glanbrook (PED24131) (Ward 9) (Item 10.2)

(M. Wilson/Nann)

- (a) That Amended Official Plan Amendment Application UHOPA-23-007, by Bousfields Inc. (c/o David Falletta) on behalf of 1121209 Ontario Inc. (c/o Anthony Longo), Owner, to modify “Site Specific Policy – Area A” within the Rymal Road Secondary Plan to add permissions for multiple dwellings with a maximum height of ten storeys and a maximum density of 160 units per net hectare, for lands located at 2064 and 2070 Rymal Road East, as shown on Appendix “A” attached to Report PED24131, be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED24064, 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-23-017, by Bousfields Inc. (c/o David Falletta) on behalf of 1121209 Ontario Inc. (c/o Anthony Longo), Owner, for a change in zoning from the General Commercial “C3-301” Zone, Modified, to the Community Commercial (C3, 906) Zone for the eastern portion of the site and the Community Commercial (C3, 907) Zone for the western portion of the site, to permit a ten storey mixed use building containing 227 units, 1,020 square metres of ground floor commercial area, and 244 parking spaces and an existing commercial development, for lands located at 2064 and 2070 Rymal Road East, as shown on Appendix “A” attached to Report PED24131, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “C” attached to Report PED24131, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and comply with the Urban Hamilton Official Plan and the Rymal Road Secondary Plan upon adoption of the Official Plan Amendment.

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. Application for a Zoning By-law Amendment for Lands Located at 32 Sandbeach Drive, Stoney Creek (PED24133) (Ward 10) (Item 10.3)

(Beattie/A. Wilson)

- (a) That Zoning By-law Amendment Application ZAC-24-017, by A.J. Clarke and Associates (c/o Franz Kloibhofer) on behalf of Manuel Vieira and Fifty Road Joint Venture Inc., Owners, for a change in zoning from the Neighbourhood Development “ND” Zone to the Single Residential “R2” Zone (Block 1), from the Neighbourhood Development “ND” Zone to the Single Residential “R1” Zone (Block 2), and from the Neighbourhood Development “ND” Zone to the Single Residential “R3-12(H)” Zone, Modified, Holding (Block 3), to facilitate the creation of four parcels for the development of three single detached dwellings fronting Sandbeach Drive and to merge one parcel with the lands to the south, described as Blocks 187, 188 and 189, Plan 62M-987, for the future development of three single detached dwellings fronting Kingspoint Circle, be APPROVED on the following basis:
- (i) That the draft Zoning By-law Amendment, attached as Appendix “B” to Report PED24133, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the draft Zoning By-law Amendment apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject property by modifying the Holding symbol ‘H’ to the Single Residential “R3-12(H)” Zone:

The Holding (H) symbol for the Single Residential “R3-12(H)” Zone, Modified, Holding, may be removed and thereby give effect to the “R3-12” Zone provisions, upon completion of the following:

- (1) That the subject lands be consolidated with abutting lands described as Blocks 187, 188 and 189, Plan 62M-987, to the satisfaction of the Director of Planning and Chief Planner;
- (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 and the Urban Lakeshore 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
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. Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 196, 198, 200 and 202 Upper Mount Albion Road, Stoney Creek (PED24041) (Ward 9) (Item 10.5)

(Nann/Kroetsch)

- (a) That Official Plan Amendment Application UHOPA-23-011, by NPG Planning Solutions Inc. (c/o Rob Fiedler) on behalf of SS Stoney Creek Inc., Owner, by changing the identification from “Area Specific Policy – Area A, Block A-3” to “Area Specific Policy – Area A, Block A-3-1” within the West Mountain Area (Heritage Green) Secondary Plan, to permit a nine storey mixed use building with a maximum density of 460 units per hectare, for lands located at 196, 198, 200 and 202 Upper Mount Albion Road, as shown on Appendix “A” attached to Report PED24041, be APPROVED on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED24041, 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 Zoning By-law Amendment Application ZAC-23-026, by NPG Planning Solutions Inc. (c/o Rob Fiedler) on behalf of SS Stoney Creek Inc., Owner, for a change in zoning from the Mixed Use Medium Density (C5, 319) Zone to the Mixed Use Medium Density (C5, 894, H171) Zone, to permit a nine storey mixed use building with 232 dwelling units and 337 square metres of ground floor commercial use, for lands located at 196, 198, 200 and 202 Upper Mount Albion Road, as shown on attached Appendix "A" to Report PED24041, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix "C" to Report PED24041, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and complies with the Urban Hamilton Official Plan and the West Mountain Area (Heritage Green) Secondary Plan subject to the adoption of the Official Plan Amendment;
 - (iii) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject property by including the Holding symbol 'H' to the proposed Mixed Use Medium Density (C5, 894, H171) Zone:

The Holding Provision 'H171', is to be removed conditional on the following:

- (1) That the owner upgrades the sanitary sewer from MH SA15A107 to SO20A007 along Cornerstone Drive, MH SA20A007 to HO18A031 along Cedarville Drive, and MH HO 18A031 to HO18A005 along Old Mud Street/Kingsview Drive, in accordance with the Functional Servicing Report prepared by Walter Fedy dated January 19, 2024, at the Owner's expense, and to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (2) That the owner makes satisfactory arrangements with the City's Growth Management Division to enter into and register on title of the lands, an External Works Agreement with the

City for the design and construction of the sanitary sewer improvements to the existing municipal infrastructure at the Owner's cost, to the satisfaction of the Director of Growth Management and Chief Development Engineer;

- (c) That approval be given for a modification to the Mixed Use Medium Density (C5) Zone in the Hamilton Zoning By-law No. 05-200, to permit a nine storey mixed use building with 232 dwelling units and 337 square metres of ground floor commercial use for lands located at 196, 198, 200 and 202 Upper Mount Albion Road, Stoney Creek, as shown on Appendix "I" attached to Report PED24041 subject to the following:
- (i) That the draft By-law, attached as Appendix "I" to Report PED24041, be held in abeyance until such time as By-law No. 24-052, being a By-law to establish the Parking Regulations Zones is in force and effect;
- (ii) That staff be directed to bring forward the draft By-law, attached as Appendix "I" to Report PED24041, for enactment by City Council, once By-law No. 24-052 is in force and effect.

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
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. 455 King Street East and 457- 459 King Street East Demolition (PED24048(a)) (Ward 3) (Item 11.1)

(Nann/M. Wilson)

- (a) That Licensing and By-law Services be approved for an additional amount of \$456,000 to demolish the vacant and adjoining properties located at 455 King Street East and 457- 459 King Street East, and that all associated costs for carrying out the demolition be added to the property tax rolls for the corresponding properties.

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
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
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

9. Toys for Tickets (PED24145) (City Wide) (Outstanding Business List Item) (Item 11.2)

(Kroetsch/A. Wilson)

That Council approve the implementation of a Toys for Tickets pilot program for 2024 that provides a one-week window of opportunity, December 2 to 6, 2024, for recipients of parking administrative penalties to pay a penalty with a toy donation equal to or greater in monetary value of the issued penalty with the Director of Transportation Planning and Parking (or delegate) to authorize the donation value as payment, the donations be directed to United Way Halton and Hamilton, and for staff to report back in the first quarter of 2025 with program results and further recommendations for a possible ongoing annual program offering.

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
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
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. Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications under the proposed Provincial Planning Statement (PED24019) (City Wide) (Item 11.3)

(A. Wilson/M. Wilson)

- (a) That the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications, attached in Appendix “A” to Report PED24109, be used by staff in reviewing Official Plan Amendment urban boundary expansion applications until established in the Urban and Rural Official Plans through Official Plan Amendments, be APPROVED;

- (b) That Council direct Planning and Economic Development staff to:
 - (b) That Council direct Planning and Economic Development staff to:
 - (i) ***That city Planning staff be directed to prepare a public consultation and engagement report for a future Planning Committee meeting;***

 - ~~(ii)~~(ii) consult on the Draft Framework for Processing and Evaluating Urban Boundary Expansions, attached in Appendix “A” to Report PED24109; and,

 - ~~(ii)~~(iii) prepare for Council’s consideration Official Plan Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan to establish the Official Plan Amendment Submission Requirements, Evaluation and Locational Considerations, and Application Submission and Review Process for urban boundary expansions;

- (c) That Council direct Planning and Economic Development staff to establish a new team within the Planning and Economic Development Department to be funded in 2024 from the Development Fees Stabilization Reserve Account No. 110086, and through development application fees starting in 2024, for the coordinated review of urban boundary expansion applications, Ontario Land Tribunal appeals, and implementation of planning and related work should an Official Plan Amendment urban boundary expansion application be approved;

- (d) That Council authorizes \$1,500,000 be added to the tax supported Official Plan OLT Appeals Capital Budget (8142455800) as part of the 2025 budget process;

- (e) That the amending By-law to By-law No. 12-282 (Tariff of Fees), as amended, attached as Appendix “C” to PED24109, to establish new fees for an Official Plan Amendment application for urban boundary expansions be APPROVED on the following basis:

- (i) That public notice of the proposal to amend the Tariff of Fees By-law to establish new fees has been provided in accordance with the City of Hamilton's Public Notice By-law No. 707-351;
 - (ii) That the draft By-law, attached as Appendix "C" to PED24109, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.
- (f) *That city Planning staff work with the City's Indigenous Relations team to report on the method of engagement with Indigenous and First Nations Peoples to guide consultation on urban boundary expansion applications.***

Result: Main Motion, As Amended, 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
NOT PRESENT – 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
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. Hamilton Municipal Heritage Committee Report 24-006 (City Wide) (Item 11.4)

(Kroetsch/A. Wilson)

(a) Recommendation to Designate 85 King Street East, Dundas, under Part IV of the Ontario Heritage Act (PED24124) (Ward 13) (Item 8.1)

- (i) That the City Clerk be directed to give notice of Council's intention to designate 85 King Street East, Dundas, shown in Appendix "A" attached to Report PED24124, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED24124, subject to the following:

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

(b) Recommendation to Designate 7 Rolph Street, Dundas, known as the Lennard House / Mushroom House, under Part IV of the Ontario Heritage Act (PED24125) (Ward 13) (Item 8.2)

- (i) That the City Clerk be directed to give notice of Council's intention to designate 7 Rolph Street, Dundas, shown in Appendix "A" attached to Report PED24125, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED24125, subject to the following:

- (1) If no objections are received to the notice of intention to designate in accordance with the Ontario Heritage Act, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
- (2) If an objection to the notice of intention to designate is received in accordance with the Ontario Heritage Act, City Council directs staff to report back to Planning Committee 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 6 Websters Falls Road, Flamborough (Springdale), under Part IV of the Ontario Heritage Act (PED24122) (Ward 13) (Item 8.3)

- (i) That the City Clerk be directed to give notice of Council's intention to designate 6 Websters Falls Road, Flamborough (Springdale), shown in Appendix "A" attached to Report PED24122, as a

property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report PED24122, subject to the following:

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

Result: Motion CARRIED by a vote of 7 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
NOT PRESENT – 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
NOT PRESENT – Ward 11 Councillor M. Tadeson
NOT PRESENT – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

12. Demolition Permit for 884 Barton Street (Item 12.1)

(Beattie/Tadeson)

WHEREAS, the residence has deteriorated to a condition that is no longer habitable;

WHEREAS, the property has become a safety and operational liability;

WHEREAS, the residence has been deemed beyond reasonable repair and the owner cannot invest any further; and,

WHEREAS, the owner of the above-mentioned property would like to demolish the existing dwelling without having to obtain a Building Permit;

THEREFORE BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for 884 Barton Street, Stoney Creek, pursuant to Section 33 of the *Planning Act* as amended, without having to comply with conditions in Sub-Section 6(a) of Demolition Control Area By-law 22-101.

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
NOT PRESENT – 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

13. Building and Demolition Permit Rebuild Timeframe Removal for 98 Alma St., Dundas (Item 12.2)

(A. Wilson/Tadeson)

WHEREAS, the owner of the above-mentioned property, David Wilson, received a Demolition and Building Permit in March of 2022 to remove their existing home and build a new one in its place;

WHEREAS, the Building and Demolition Permit requirements at the time stipulated that construction must be started by Nov 7, 2023, and that the home must be complete for occupancy by September 26, 2024;

WHEREAS, demolition was complete as of September 2022, but ongoing health issues have prevented the property owners from completing construction within the stipulated time frame, through no fault of their own; and,

WHEREAS, the Ontario *Planning Act* provides an opportunity for relief of the time frame requirements of the Demolition Control Area By-Law #09-208 through a motion of council.

THEREFORE BE IT RESOLVED:

That the Chief Building Official be authorized to remove the rebuild timeframe provisions on the Building and Demolition Permit for 98 Alma St., Dundas, pursuant to Section 33 of the *Planning Act* as amended, without having to comply with the conditions in Sub-Section 6(a) of Demolition Control Area By-law 22-101.

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
NOT PRESENT – 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

14. Restrictive Covenants and Property Control Tools for Council (Item 12.3)

(M. Wilson/Tadeson)

WHEREAS, Restrictive covenants and exclusivity clauses, sometimes referred to as “property controls”, are placed on a property by the original owner at a point of sale to control future uses;

WHEREAS, restrictive covenants can harm competition by making it difficult, or even impossible, for businesses to open new stores;

WHEREAS restrictive covenants can prohibit access to important neighbourhood amenities creating negative impacts for residents and businesses;

WHEREAS, restrictive covenants have a long history in Hamilton, including but not limited to, the Westdale neighbourhood that legally prohibited the sale or use of lands to “Negroes, Asiatics, Bulgarians, Austrians, Russians, Serbs, Rumanians, Turks, Armenians, whether British subjects or not, or foreign-born Italians, Greeks or Jews”;

WHEREAS, restrictive covenants have been used to disallow the continued availability of neighbourhood grocery stores when the property is sold, contributing to food deserts in the city of Hamilton;

WHEREAS, Canada's Competition Bureau has obtained two court orders to advance its investigations into Empire Company Limited's and George Weston Limited's use of property controls in creating anti-competitive conditions;

WHEREAS, George Weston has a controlling ownership interest of 61.7 per cent in Choice Properties Real Estate Investment Trust and Empire holds a 41.5 per cent interest in Crombie Real Estate Investment Trust;

WHEREAS, Hamilton City Council has never received a report on restrictive covenants/property controls, their impacts and any legal or planning tools available to the municipality to counter their use;

THEREFORE BE IT RESOLVED:

That staff be requested to report back by Q4 2024 or Q1 2025 on the use of restrictive covenants/property controls generally and Hamilton specifically and offer any recommendations necessary to uphold the health and economic well-being of Hamiltonians.

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
NOT PRESENT – 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

15. Request and Issuance of a Demolition Permit for the Property Municipally Known as 465 Rymal Rd West (Added Item 12.4)

(Danko/Beattie)

WHEREAS, the residence has deteriorated to a condition that is no longer habitable;

WHEREAS, the property has become a safety and operational liability;

WHEREAS, the residence has been deemed beyond reasonable repair and the owner cannot invest any further;

WHEREAS, through the review of the site specific rezoning application no cultural or built heritage resources were identified on the subject lands and the site specific zoning by-law requires an update tree preservation plan to be submitted and approved before any redevelopment of these lands can occur;

WHEREAS, the owner of the above-mentioned property would like to demolish the existing dwelling without having to obtain a Building Permit;

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for 465 Rymal Rd West, pursuant to Section 33 of the *Planning Act* as amended, without having to comply with conditions in Sub-Section 6(a) of Demolition Control Area By-law 22-101.

Result: Motion CARRIED by a vote of 8 to 1, 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
NOT PRESENT – 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
NO – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

- 16. Appeal to the Ontario Land Tribunal for lands located at 3054 Homestead Drive, 9166 and 9174 Airport Road, Glanbrook, respecting applications for an Official Plan Amendment (UHOPA-22-008), Zoning By-law Amendment (ZAC-22-017) and Draft Plan of Subdivision (25T-202202) (LS24012) (Ward 11) (Item 15.2)**

(Tadeson/Kroetsch)

- (a) That the directions to staff in Closed Session respecting Report LS24012 be approved;
- (b) That closed session recommendations (a), (b), (c), (d) and (e) to Report LS24012 be released to the public following approval by Council; and,
- (c) That the balance of Report LS24012, including Appendix “A” remain confidential.

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

CONFLICT – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
NOT PRESENT – 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
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

**17. Motion Respecting Termination of Lease in the City of Hamilton (Ward 2)
(Added Item 15.3)**

(Kroetsch/Beattie)

- (a) That the directions to staff in Closed Session respecting Termination of Lease in the City of Hamilton (Ward 2), be approved; and
- (b) That the details of the motion respecting Termination of Lease in the City of Hamilton (Ward 2), remain confidential, pending the final termination of the lease and vacating of the leased lands by the current tenant.

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
NOT PRESENT – 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

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 Hamilton Community Enterprises respecting Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications under the proposed Provincial Planning Statement (PED24109) (City Wide) (Item 11.3)

Recommendation: Be received and referred to the consideration of Item 11.3.

6. DELEGATION REQUESTS

- 6.2 Ian Borsuk respecting Draft Framework for Processing and Evaluation Urban Boundary Expansion Applications under the proposed Provincial Planning Statement (PED24109) (City Wide) (Item 11.3) (For today's meeting)

10. PUBLIC HEARINGS

- 10.1 Application for Zoning By-Law Amendment for Lands Located at 309 and 325 James Street North, Hamilton (PED24064) (Ward 2)

(a) Added Staff Presentation

- 10.2 Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 2064 and 2070 Rymal Road East, Glanbrook (PED24131) (Ward 9)

(a) Added Written Submissions:

- (ii) Vanessa Medina
- (iii) Andrea Dactyl
- (iv) Meg Runciman
- (v) Jeff Chudak
- (vi) Sarah Chudak

(b) Added Staff Presentation

- 10.3 Application for a Zoning By-law Amendment for Lands Located at 32 Sandbeach Drive, Stoney Creek (PED24133) (Ward 10)

(a) Added Staff Presentation

- 10.4 Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 173 and 177 Dundas Street East, Flamborough (PED24068) (Ward 15)

(a) Added Registered Delegations:

- (vi) Oliver Card
- (vii) Sylvia Dawe
- (viii) Stephanie Card
- (ix) Brent Card
- (x) Mary Ann Martell

(b) Added Written Submissions:

- (viii) Robert Thomas
- (ix) Lorraine Stange
- (x) Stella Bester
- (xi) Chris Stewart
- (xii) Josh and Lindsey teBrake
- (xiii) Judi Partridge
- (xiv) Gerard and Diane Woudenberg
- (xv) Kathleen Walsh
- (xvi) Neil and Julie Ashmore
- (xvii) Marion Judson
- (xviii) Chris DiFrancesco
- (xix) Kim Parkes-Hallmark
- (xx) Susan Somers
- (xxi) Scott and Jane Postma
- (xxii) Mary Ann Martell
- (xxiii) Robert and Sue Martionson
- (xxiv) Janice Cromarty
- (xxv) Jennifer and Brett Gallant (2)
- (xxvi) Robert Potter
- (xxvii) Steve McEwen
- (xxviii) Stephanie Card
- (xxix) Nancy Nelson
- (xxx) Brent Card

(c) Added Staff Presentation

10.5 Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 196, 198, 200 and 202 Upper Mount Albion Road, Stoney Creek (PED24041) (Ward 9)

(a) Added Staff Presentation

11. DISCUSSION ITEMS

11.5 Application for Ministry of the Environment, Conservation and Parks Environmental Compliance Approval for a Waste Disposal Site

(Waste Processing and Transfer Station), Reference # 3285-CW2P8E, 354 Nash Road North, Hamilton (Ward 5) (PED24132)

(a) Added Staff Presentation

13. NOTICES OF MOTION

13.1 Request and Issuance of a Demolition Permit for the Property Municipally Known as 465 Rymal Rd West

(Beattie/Kroetsch)

That the agenda for the August 13, 2024, 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
NOT PRESENT – 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

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor M. Wilson declared a disqualifying interest with respect to Item 9.3, respecting Appeal by Aird & Berlis LLP on behalf of Fengate Homestead Holdings Inc. LP of Urban Hamilton Official Plan Amendment Application UHOPA-22-008, Zoning By-law Amendment Application ZAC-22-017, and Draft Plan of Subdivision Application 25T-202202 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 3054 Homestead Drive and 9174 and 9166 Airport Road West, Glanbrook (PED24062), as her spouse is employed by the applicant.

Councillor M. Wilson declared a disqualifying interest with respect to Item 15.2, respecting Appeal to the Ontario Land Tribunal for lands located at 3054 Homestead Drive, 9166 and 9174 Airport Road, Glanbrook, respecting applications for an Official Plan Amendment (UHOPA-22-008), Zoning By-law Amendment (ZAC-22-017) and Draft Plan of Subdivision (25T-202202) (LS24012) (Ward 11), as her spouse is employed by the applicant.

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

(i) July 9, 2024 (Item 4.1)

(Tadeson/Nann)

That the Minutes of the July 9, 2024 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
NOT PRESENT – 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 Hamilton Community Enterprises respecting Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications under the proposed Provincial Planning Statement (PED24109) (City Wide) (Item 11.3) (Added Item 5.1)

(A. Wilson/Kroetsch)

That the correspondence from Hamilton Community Enterprises respecting Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications under the proposed Provincial Planning Statement (PED24109), 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
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

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) (Nann/A. Wilson)

That the following Delegations be approved, as follows:

- (a) Ayesha Asghar respecting Property Standards and Tennant Concerns (For the September 6, 2024 meeting) (Item 6.1)**
- (b) Ian Borsuk respecting Draft Framework for Processing and Evaluation Urban Boundary Expansion Applications under the proposed Provincial Planning Statement (PED24109) (City Wide) (Item 11.3) (For today's meeting) (Added Item 6.2)**

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
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) Jeannie Howe respecting By-laws to Prevent Animal Neglect (Item 7.1)

Jeannie Howe, addressed the Committee respecting By-laws to Prevent Animal Neglect.

(M. Wilson/Tadeson)

That the Delegation from Jeannie Howe, respecting By-laws to Prevent Animal Neglect, 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
NOT PRESENT – 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

(ii) Ian Borsuk respecting Draft Framework for Processing and Evaluation Urban Boundary Expansion Applications under the proposed Provincial Planning Statement (PED24109) (City Wide) (Item 11.3) (Added Item 7.2)

Ian Borsuk, addressed the Committee respecting Draft Framework for Processing and Evaluation Urban Boundary Expansion Applications under the proposed Provincial Planning Statement (PED24109).

(Tadeson/McMeekin)

That the Delegation from Ian Borsuk, respecting Draft Framework for Processing and Evaluation Urban Boundary Expansion Applications under the proposed Provincial Planning Statement (PED24109), be received and referred to the consideration of Item 11.3.

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

(g) PUBLIC HEARINGS (Item 10)

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

(i) **Application for Zoning By-Law Amendment for Lands Located at 309 and 325 James Street North, Hamilton (PED24064) (Ward 2) (Item 10.1)**

(1) **(A. Wilson/Kroetsch)**

That the staff presentation be waived.

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

(2) James Webb, WEBB Planning Consultants was in attendance and indicated support for the staff report.

(A. Wilson/Kroetsch)

That the presentation from James Webb, WEBB Planning Consultants, 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

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

(3) (Kroetsch/A. Wilson)

(a) That the public submissions (in the staff report) regarding this matter be received and considered by the Committee; and,

(b) That the public meeting be closed.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
YES – Ward 3 Councillor N. Nann
YES – Ward 4 Councillor T. Hwang
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 4.

(ii) Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 2064 and 2070 Rymal Road East, Glanbrook (PED24131) (Ward 9) (Item 10.2)

(1) Mark Michniak, Senior Planner, 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 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

- (2) David Falletta, Bousfields Inc. was in attendance and indicated support for the staff report.

(A. Wilson/Tadeson)

That the presentation 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
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

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

(3) (M. Wilson/Nann)

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

(i) Written Submissions (Item 10.2(a)):

- (1) Mitzi Lawrence (Item 10.2(a)(i)) – Concerns
- (2) Vanessa Medina (Added Item 10.2(a)(ii)) – Opposed
- (3) Andrea Dactyl (Added Item 10.2(a)(iii)) - Opposed
- (4) Meg Runciman (Added Item 10.2(a)(iv)) – Opposed

- (5) Jeff Chudak (Added Item 10.2(a)(v)) – Concerns
- (6) Sarah Chudak (Added Item 10.2(a)(vi)) - Concerns

(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
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 5.

(iii) Application for a Zoning By-law Amendment for Lands Located at 32 Sandbeach Drive, Stoney Creek (PED24133) (Ward 10) (Item 10.3)

- (1) (Beattie/Kroetsch)**
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
NOT PRESENT – 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

- (2) Chloe Andre, AJ Clarke & Associates was in attendance and indicated support for the staff report.

(Beattie/A. Wilson)

That the presentation from Chloe Andrew, AJ Clarke & Associates, 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
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

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

(3) (Beattie/A. Wilson)

- (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
NOT PRESENT – 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 6.

(Kroetsch/A. Wilson)

That the Planning Committee meeting recess for thirty minutes until 12:47 p.m.

Result: Motion CARRIED by a vote of 8 to 2, 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
NOT PRESENT – Ward 5 Councillor M. Francis
YES – Ward 7 Councillor E. Pauls
NO – 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
NO – Ward 15 Councillor T. McMeekin

The Planning Committee meeting reconvened at 12:51 p.m.

**(iv) Applications for an Official Plan Amendment and Zoning By-law
Amendment for Lands Located at 173 and 177 Dundas Street East,
Flamborough (PED24068) (Ward 15) (Item 10.4)**

- (1) Alaina Baldassarra, Planner I, addressed the Committee with the aid of a PowerPoint presentation.

(McMeekin/Beattie)

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
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
NOT PRESENT – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

- (2) Gerry Tchisler with MHBC Planning was in attendance and indicated support for the staff report.

(McMeekin/Beattie)

That the presentation from Gerry Tchisler with MHBC Planning, 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
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
NOT PRESENT – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

- (3) Registered Delegations:

The following delegations (Item 10.4 (a)) addressed the Committee:

- (a) Brian Peggie (in-person) - Opposed
- (b) Kim Parkes-Hallmark (in-person) - Opposed
- (c) Curth Martell (in-person) - Opposed
- (d) Jennifer Gallant (in-person) - Opposed
- (e) Robert Gordon Thomas (in-person) - Opposed
- (f) Oliver Card (pre-recorded) - Opposed
- (g) Sylvia Dawe (in-person) - Opposed
- (h) Stephanie Card (in-person) - Opposed
- (i) Brent Card (in-person) - Opposed
- (j) Mary Ann Martell (in-person) - Opposed

- (4) Chair Cassar called three times for public delegations and the following person came forward:

- (a) Brett Gallant (in person) – Opposed

- (5) **(McMeekin/Beattie)**

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

- (i) Delegations (Item 10.4(a)):
 - (1) Brian Peggie (in-person) (Item 10.4(a)(i))
 - (2) Kim Parkes-Hallmark (in-person) (Item 10.4(a)(ii))
 - (3) Curth Martell (in-person) (Item 10.4(a)(iii))
 - (4) Jennifer Gallant (in-person) (Item 10.4(a)(iv))
 - (5) Robert Gordon Thomas (in-person) (Item 10.4(a)(v))
 - (6) Oliver Card (pre-recorded) (Added Item 10.4(a)(vi))
 - (7) Sylvia Dawe (in-person) (Added Item 10.4(a)(vii))
 - (8) Stephanie Card (in-person) (Added Item 10.4(a)(viii))
 - (9) Brent Card (in-person) (Added Item 10.4(a)(ix))
 - (10) Mary Ann Martell (in-person) (Added Item 10.4(a)(x))
 - (11) Brett Gallant (in-person) (Added Item 10.4(a)(xi))

- (ii) Written Submissions (Item 10.4(b)):
 - (1) Adam Peters (Item 10.4(b)(i)) – Opposed
 - (2) Brian Peggie (Item 10.4(b)(ii)) - Opposed
 - (3) Carolyn Ann Baumgartl & Peter Baumgartl (Item 10.4(b)(iii)) - Concerns
 - (4) Kelly Matthews & Rick Matthews (Item 10.4(b)(iv)) - Opposed
 - (5) Ed Johnston (Item 10.4(b)(v)) – Concerns
 - (6) Pauline Blanchard (Item 10.4(b)(vi)) – Opposed
 - (7) Jennifer Gallant & Brett Gallant (Item 10.4(b)(vii)) – Concerns
 - (8) Robert Gordon Thomas (Added Item 10.4(b)(viii)) – Concerns
 - (9) Lorraine Stange (Added Item 10.4(b)(ix)) – Opposed
 - (10) Stella Bester (Added Item 10.4(b)(x)) – Opposed
 - (11) Chris Stewart (Added Item 10.4(b)(xi)) – Opposed

- (12) Josh and Lindsey teBrake (Added Item 10.4(b)(xii)) – opposed
- (13) Judi Partridge (Added Item 10.4(b)(xiii)) – Opposed
- (14) Gerard and Diane Woudenberg (Added Item 10.4(b)(xiv)) - Concerns
- (15) Kathleen Walsh (Added Item 10.4(b)(xv)) - Concerns
- (16) Neil and Julie Ashmore (Added Item 10.4(b)(xvi)) – Opposed
- (17) Marion Judson (Added Item 10.4(b)(xvii)) – Opposed
- (18) Chris DiFrancesco (Added Item 10.4(b)(xviii)) – Concerns
- (19) Kim Parkes-Hallmark (Added Item 10.4(b)(xix)) – Opposed
- (20) Susan Somers (Added Item 10.4(b)(xx)) - Opposed
- (21) Scott and Jane Postma (Added Item 10.4(b)(xxi)) - concerns
- (22) Mary Ann Martell (Added Item 10.4(b)(xxii)) - Opposed
- (23) Robert and Sue Martinson (Added Item 10.4(b)(xxiii)) - OpposeD
- (24) Janice Cromarty (Added Item 10.4(b)(xxiv)) -
- (25) Jennifer and Brett Gallant (2) (Added Item 10.4(b)(xxv)) - Concerns
- (26) Robert Potter (Added Item 10.4(b)(xxvi)) - Concerns
- (27) Steve McEwen (Added Item 10.4(b)(xxvii)) - Opposed
- (28) Stephanie Card (Added Item 10.4(b)(xxviii)) – Opposed
- (29) Nancy Nelson (Added Item 10.4(b)(xxix)) - Concerns
- (30) Brent Card (Added Item 10.4(b)(xxx)) – Concerns

(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
NOT PRESENT – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

6. (Nann/M. Wilson)

- (a) That Official Plan Amendment Application UHOPA-18-020, by MHBC Planning c/o Gerry Tchisler, on behalf of Hawk Ridges Home Inc., Owner, to redesignate the subject lands from “Low Density Residential 2e” to “Low Density Residential 3c” in the West Waterdown Secondary Plan and add a Site Specific Policy to permit a density range of 27 to 53 units per hectare, for the lands located at 173 and 177 Dundas Street East, as shown on Appendix “A” attached to Report PED24068, be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED24068, be adopted by City Council;
 - (ii) That the proposed Official Plan 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 general intent of the Urban Hamilton Official Plan and West Waterdown Secondary Plan;
- (b) That Amended Zoning By-law Amendment Application ZAC-18-045, by MHBC Planning c/o Gerry Tchisler, on behalf of Hawk Ridges Home Inc., Owner, for a change in zoning by adding lands to the Low Density Residential (R1, 898) Zone in Zoning By-law No. 05-200, to permit the development of eight, three storey townhouse dwellings and ten, two storey townhouse dwellings with frontage on a condominium road with five visitor parking spaces, for the lands located at 173 and 177 Dundas Street East, as shown on Appendix “A” attached to Report PED24068, be APPROVED on the following basis:
- (i) That the draft Zoning By-law, attached as Appendix “C” to Report PED24068, which has been prepared in

a form satisfactory to the City Solicitor, be enacted by City Council;

- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and will comply with the Urban Hamilton Official Plan and West Waterdown Secondary Plan upon approval of the Official Plan Amendment.

(7) (McMeekin/Beattie)

That the Applicant be permitted to answer questions from Committee.

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) (McMeekin/Beattie)

That Report PED24068 respecting Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 173 and 177 Dundas Street East, Flamborough be DEFERRED to the September 17, 2024 Planning Committee meeting to allow the Applicant to hold a community information session.

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

(v) Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 196, 198, 200 and 202 Upper Mount Albion Road, Stoney Creek (PED24041) (Ward 9) (Item 10.5)

- (1)** Tim Vrooman, Area Planning Manager, addressed the Committee with the aid of a PowerPoint presentation.

(Nann/Tadeson)

That the staff presentation be received.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

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

- (2)** Rob Fielder with NPG Planning Solutions was in attendance and indicated support for the staff report.

(A. Wilson/Kroetsch)

That the presentation from Rob Fielder with NPG Planning Solutions, 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

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

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

(3) (Beattie/Nann)

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

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
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 7.

(h) DISCUSSION ITEMS (Item 11)

(i) Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications under the proposed Provincial Planning Statement (PED24109) (City Wide) (Item 11.3)

Dave Heyworth, Manager of Sustainable Communities, and Charlie Toman, Senior Project Manager – Policy Planning/Municipal Comprehensive Review addressed the Committee, respecting Report PED24109, Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications under the proposed Provincial Planning Statement, with the aid of a PowerPoint presentation.

(1) **(A. Wilson/Kroetsch)**

That the presentation from Dave Heyworth, Manager of Sustainable Communities, and Charlie Toman, Senior Project Manager – Policy Planning/Municipal Comprehensive Review, addressed the Committee, respecting Report PED24109, Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications under the proposed Provincial Planning Statement, 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
NOT PRESENT – 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
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) **(A. Wilson/Cassar)**

- (a) That the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications, attached in Appendix “A” to Report PED24109, be used by staff in reviewing Official Plan Amendment urban boundary expansion applications until established in the Urban and Rural Official Plans through Official Plan Amendments, be APPROVED;
- (b) That Council direct Planning and Economic Development staff to:
- (i) consult on the Draft Framework for Processing and Evaluating Urban Boundary Expansions, attached in Appendix “A” to Report PED24109; and,
 - (ii) prepare for Council’s consideration Official Plan Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan to establish the Official Plan Amendment Submission Requirements, Evaluation and Locational Considerations, and

Application Submission and Review Process for urban boundary expansions;

- (c) That Council direct Planning and Economic Development staff to establish a new team within the Planning and Economic Development Department to be funded in 2024 from the Development Fees Stabilization Reserve Account No. 110086, and through development application fees starting in 2024, for the coordinated review of urban boundary expansion applications, Ontario Land Tribunal appeals, and implementation of planning and related work should an Official Plan Amendment urban boundary expansion application be approved;
- (d) That Council authorizes \$1,500,000 be added to the tax supported Official Plan OLT Appeals Capital Budget (8142455800) as part of the 2025 budget process;
- (e) That the amending By-law to By-law No. 12-282 (Tariff of Fees), as amended, attached as Appendix "C" to PED24109, to establish new fees for an Official Plan Amendment application for urban boundary expansions be APPROVED on the following basis:
 - (i) That public notice of the proposal to amend the Tariff of Fees By-law to establish new fees has been provided in accordance with the City of Hamilton's Public Notice By-law No. 707-351;
 - (ii) That the draft By-law, attached as Appendix "C" to PED24109, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

(3) **(A. Wilson/Cassar)**

That Report PED 24109 respecting Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications under the proposed Provincial Planning Statement, be **amended** by adding a new sub-section (b)(i) and renumbering the balance accordingly, as follows:

- (b) That Council direct Planning and Economic Development staff to:
 - (i) ***That city Planning staff be directed to prepare a public consultation and engagement report for a future Planning Committee meeting;***

- ~~(i)~~(ii) consult on the Draft Framework for Processing and Evaluating Urban Boundary Expansions, attached in Appendix "A" to Report PED24109; and,
- ~~(ii)~~(iii) prepare for Council's consideration Official Plan Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan to establish the Official Plan Amendment Submission Requirements, Evaluation and Locational Considerations, and Application Submission and Review Process for urban boundary expansions;

Result: Amendment 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
NOT PRESENT – 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
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) (Kroetsch/M. Wilson)

That the Meeting time be extended to 6:30 p.m.

Result: Motion CARRIED by a 2/3's majority vote of 7 to 1, as follows:

YES – Ward 1 Councillor M. Wilson
NO – 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
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
NOT PRESENT – Ward 15 Councillor T. McMeekin

5. (M. Wilson/Nann)

That Report PED24109 be **further amended** by adding a new sub-section (f) as follows:

- (f) ***That city Planning staff work with the City's Indigenous Relations team to report on the method of engagement with Indigenous and First Nations Peoples to guide consultation on urban boundary expansion applications.***

Result: Amendment 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
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 10.

- (ii) **Application for Ministry of the Environment, Conservation and Parks Environmental Compliance Approval for a Waste Disposal Site (Waste Processing and Transfer Station), Reference # 3285-CW2P8E, 354 Nash Road North, Hamilton (PED24132) (Ward 5) (Item 11.5).**

(Danko/Kroetsch)

That report PED24132 respecting Application for Ministry of the Environment, Conservation and Parks Environmental Compliance Approval for a Waste Disposal Site (Waste Processing and Transfer Station), Reference # 3285-CW2P8E, 354 Nash Road North, Hamilton be DEFERRED to the September 6, 2024 Planning Committee meeting.

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
NOT PRESENT – 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

(i) NOTICES OF MOTION (Item 13)

**(i) Request and Issuance of a Demolition Permit for the Property
Municipally Known as 465 Rymal Rd West (Added Item 13.1)**

(Danko/Tadeson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Request and Issuance of a Demolition Permit for the Property Municipally Known as 465 Rymal Rd.

Result: Motion CARRIED by a 2/3rds vote of 8 to 1, 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
NOT PRESENT – 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
NO – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 15.

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

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

Steve Robichaud, General Manager of Planning and Economic Development, advised the Committee that the new Heritage Conservation District would be presented at the August 19th Hamilton Municipal Heritage Committee meeting; and, that Anita Fabac, Manager of Planning, was invited by the Association of Municipalities of Ontario and will be attending the Annual Conference in August to give a presentation on *Planning Act* Reform.

(A. Wilson/Kroetsch)

That the General Manager's Update 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
NOT PRESENT – 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
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

(k) PRIVATE & CONFIDENTIAL (Item 15)

(i) Closed Session Minutes – July 9, 2024 (Item 15.1)

(Kroetsch/A. Wilson)

- (1) That the Closed Session Minutes dated July 9, 2024, be approved as presented; and,
- (2) That the Closed Session Minutes dated July 9, 2024, 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
NOT PRESENT – 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
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

(M. Wilson/Tadeson)

That Committee move into Closed Session for Item 15.2 and 15.3 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
NOT PRESENT – 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
YES – Ward 10 Councillor J. Beattie
YES – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

(ii) Appeal to the Ontario Land Tribunal for lands located at 3054 Homestead Drive, 9166 and 9174 Airport Road, Glanbrook, respecting applications for an Official Plan Amendment (UHOPA-22-008), Zoning By-law Amendment (ZAC-22-017) and Draft Plan of Subdivision (25T-202202) (LS24012) (Ward 11) (Item 15.2)

For disposition of this matter, refer to Item 16.

(iii) Motion respecting Termination of Lease in the City of Hamilton (Ward 2) (Added Item 15.3)

For disposition of this matter, refer to Item 17.

The Planning Committee meeting reconvened in Open Session at 6:37 p.m.

(I) ADJOURNMENT (Item 16)

(Kroetsch/Tadeson)

That there being no further business, the Planning Committee be adjourned at 6:40 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
NOT PRESENT – 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
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