



PLANNING COMMITTEE MINUTES

24-012

September 6, 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) (virtually)
Councillor T. Hwang (2nd Vice Chair)
Councillors J. Beattie (virtually), J.P. Danko, M. Francis,
C. Kroetsch, T. McMeekin, N. Nann, E. Pauls,
M. Tadeson (virtually), A. Wilson

Also Present: Councillor B. Clark

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. **Appeal by WeirFoulds LLP on behalf of 1520866 Ontario Limited (Losani Homes) of Draft Plan of Subdivision Application 25T-202304 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 157 Upper Centennial Parkway, Stoney Creek (PED24147) (Ward 9) (Item 9.1)**

(Danko/Hwang)

That Report PED24147 respecting Appeal by WeirFoulds LLP on behalf of 1520866 Ontario Limited (Losani Homes) of Draft Plan of Subdivision Application 25T-202304 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 157 Upper Centennial Parkway, Stoney Creek, be received.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
YES – Ward 3 Councillor N. Nann
YES – Ward 4 Councillor T. Hwang
YES – Ward 5 Councillor M. Francis
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. Applications for a Zoning By-law Amendment and Draft Plan of Condominium (Vacant Land) for Lands Located at 285 and 293 Fiddler's Green Road, Ancaster (PED24154) (Ward 12) (Item 10.1)

(Hwang/Pauls)

- (a) That Amended Zoning By-law Amendment Application ZAC-16-006, by GSP Group Inc. (c/o Nancy Frieday) on behalf of 1146663 Ontario Ltd. (c/o Cesidio Pietrantonio and Mario La Civita), owner, for a change in zoning from the Existing Residential "ER" Zone to the Low Density Residential (R1, 896) Zone, to permit six single detached dwellings, for lands located at 285 and 293 Fiddler's Green Road, as shown on Appendix "A" attached to Report PED24154, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix "B", **as amended**, to Report PED24154, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (b)(iii) Minimum Landscaped Area **in the Front Yard** 48%
 - (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;
- (b) That Draft Plan of Condominium (Vacant Land) Application 25CDM-202001, by GSP Group Inc. (c/o Nancy Frieday) on behalf of 1146663 Ontario Ltd. (c/o Cesidio Pietrantonio and Mario La Civita), owner, to establish a Draft Plan of Condominium (Vacant Land) to create a vacant land condominium for six single detached dwellings, a common element road and two visitor parking spaces, on lands located at 285 and 293 Fiddler's Green Road, as shown on Appendix "A" attached to Report PED24154, be APPROVED subject to the following conditions:
- (i) That this approval applies to the plan prepared by Urbex Engineering Limited, certified by S.D. McLaren, O.L.S., dated December 7, 2023, consisting of six vacant land units (Vacant Land Units 1 to 6), on a common element condominium road (Block 7) with community mailbox, waste collection area, snow storage area, two visitor parking spaces, and one open area with a retaining wall (Block 8), as shown in Appendix "C" attached to Report PED24154;

- (ii) That Payment of Cash-in-Lieu or dedication of Parkland will be required, pursuant to Section 51 of the Planning Act, with the calculation for the payment to be based on the value of the lands on the day prior to the day of issuance of each building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-laws, as approved by Council;
- (iii) That approval of Draft Plan of Condominium (Vacant Land) Application 25CDM-202001 be subject to conditions, attached as Appendix "D" to Report PED24154.

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

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

3. 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 11.1)

(Francis/Hwang)

(a) That Waste Approvals, Environmental Permissions Branch of the Ontario Ministry of the Environment, Conservation and Parks be advised that should the Ministry consider approving Application MECP-24-01, Resource Disposal Inc, Owner/Applicant, for a new Environmental Compliance Approval for a Waste Disposal Site, Reference # 3285-CW2P8E, to permit a waste processing and transfer station on the lands located at 354 Nash Road North (Hamilton), as shown on Appendix "A" attached to Report PED24132, that the City of Hamilton requests:

- (i) That, if approved, the Environmental Compliance Approval includes the following requirements:

- (1) That the applicant receives final approval of Minor Variance application (HM/A-24:36), to reduce the required separation distance between the proposed facility and nearby residentially zoned
- (2) That the applicant applies for and receives final approval of a Site Plan Control application or receives a Site Plan Waiver Letter from the City's Planning Division, to the satisfaction of the Director of Heritage and Urban Design;
- (3) That a current copy of the Emergency Response Plan, Spills Containment and Contingency Plan, daily product inventory list, including product quantities and exact location within all facilities, along with the applicable Material Safety Data Sheets, be externally stored in a secure location (exterior lock box) on site in a manner such that all noted documents are readily available to Hamilton Emergency Services - Fire, 24 hours a day, 7 days a week, 365 days a year;
- (4) That storage and housekeeping practices must be in place to allow ease of access by emergency personnel such as Hamilton Fire and/or other first responders;
- (5) That a final version of the "Plan of Operations Liquid and Excess Soil Processing Site 354 Nash Road North, Hamilton ON" stamped by a professional engineer, be provided to the City of Hamilton, Superintendent, Environmental Monitoring and Enforcement, Public Works Department;
- (6) That the Owner obtain the City of Hamilton's Surcharge Discharge Permit and comply with the City of Hamilton's Sewer Use By-law No. 14-090;
- (7) That the Environmental Compliance Approval limit the maximum daily receipt of non-hazardous waste to a maximum rate of 200 tonnes per day, including aggregate and soil materials, and water;
- (8) That the Environmental Compliance Approval limit the maximum storage capacity to 1,000 tonnes of solids and 80 cubic metres of water;
- (9) That the proponent implements spills prevention on-site, and containment measures be included in the Environmental Compliance Approval;

- (10) That the Contingency Plans for spills on-site and clean-up procedures are covered under the Environmental Compliance Approval, and that the City's Spills phone number (905) 546-2489 is included in the company's on-site Contingency Plan. The Contingency Plan shall also deal with run-off water and from any fire-fighting activity from the operation and consider properties from 300 metres to 270 metres, to the satisfaction of the Director of Planning and Chief Planner; efforts to mitigate or eliminate materials and spill runoff from entering the catch basins from vehicle activity on site. Secondary containment measures must be explored to reduce spill runoff. Further, that a copy of the Contingency Plan be forwarded to the Compliance and Regulations Section, Water and Wastewater Division, Public Works Department, City of Hamilton, and be submitted to the satisfaction of the Ministry of the Environment, Conservation and Parks;
- (11) That in case of any spills, the General Manager of the Operations must immediately contact the City of Hamilton's Spills line at 905-546-2489;
- (12) That an effective odour / dust / noise mitigation control plan for day-to-day activities be implemented;
- (13) That the Owner establish a Fire Response Box providing up to date data and details (such as contents, amounts, locations, etc.) of all waste materials transferred and stored on site, to the satisfaction of the Chief Fire Prevention Officer, Hamilton Fire Department;
- (14) That the Owner contact the Hamilton Fire Department's Fire Prevention Division and schedule an inspection of the facility and that all violations identified as part of the inspection be resolved prior to approval, to the satisfaction of the Chief Fire Prevention Officer, Hamilton Fire Department;
- (15) That the owner establishes a fire access route, to the satisfaction of the Chief Fire Prevention Officer, Hamilton Fire Department;
- (16) That an inventory of waste types stored on-site should be updated daily, and be provided to the Ministry of the Environment, Conservation and Parks;

- (17) That waste shall not be accepted from the United States of America and / or any other Province or Territories;
- (18) That the proponent be required to provide financial assurance to the Ministry of the Environment, Conservation and Parks to cover final clean-up of the site, following the cessation of use;
- (19) That a Ministry of the Environment, Conservation and Parks staff person be identified to the City as the contact for all issues and complaints regarding the subject property;
- (ii) That a copy of Report PED24132 be forwarded to the Waste Approvals, Environmental Permissions Branch of the Ontario Ministry of the Environment, Conservation and Parks for their consideration;
- (iii) That the Waste Approvals, Environmental Permissions Branch of the Ontario Ministry of the Environment, Conservation and Parks be requested to forward a copy of its final decision respecting the Certificate of Approval to the Clerk, City of Hamilton.

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

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

4. Self-Storage Facilities Review (CI-24-E) (PED24135) (City Wide) (Item 11.2)

(McMeekin/Kroetsch)

- (a) That the Self-Storage Facilities Policy Review Report, attached as Appendix “A” to Report PED24135, be received;

- (b) That staff be directed and authorized to undertake public and stakeholder consultation on the Self-Storage Facilities Policy Review Report, in Q4, 2024;
- (c) That staff report back to Planning Committee summarizing input from the public and stakeholder consultation with recommended amendments to Zoning By-law No. 05-200 in 2025.

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

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

5. Zoning Compliance Review - Application Fees (PED24129) (City Wide) (Item 11.3)

(Hwang/A. Wilson)

- (a) That Report PED24129, to establish new fees for Zoning Compliance Review applications, be received;
- (b) That the By-law to amend By-law No. 24-036, being A By-law to Establish Certain 2024 User Fees and Charges for Services, Activities or the Use of Property, and to Repeal By-law No. 23-112, attached as Appendix “A” to Report PED24129, be enacted by Council.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
YES – Ward 3 Councillor N. Nann
YES – Ward 4 Councillor T. Hwang
YES – Ward 5 Councillor M. Francis
YES – Ward 7 Councillor E. Pauls
YES – Ward 8 Councillor J.P. Danko
NOT PRESENT – Ward 10 Councillor J. Beattie
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. Transportation Assessment Guidelines (PED24155) (City Wide) (Item 11.5)

(Hwang/Kroetsch)

That report PED24155 respecting Transportation Assessment Guidelines, be received.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
YES – Ward 3 Councillor N. Nann
YES – Ward 4 Councillor T. Hwang
YES – Ward 5 Councillor M. Francis
YES – Ward 7 Councillor E. Pauls
YES – Ward 8 Councillor J.P. Danko
NOT PRESENT – Ward 10 Councillor J. Beattie
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. Hamilton Municipal Heritage Committee Report 24-007 (Item 11.6)

(Kroetsch/A. Wilson)

**(a) Melville Street Heritage Conservation District Study (PED24140)
(Ward 13) (Item 8.1)**

- (i) That the Melville Street Heritage Conservation District Study report, attached as Appendix “A” to Report PED24140, be received;
- (ii) That the proposed Melville Street Heritage Conservation District boundary, shown in Appendix “B” attached to Report PED24140, be approved;
- (iii) That staff be directed to prepare a Heritage Conservation District Plan for the proposed Melville Street Heritage Conservation District, the boundary of which is shown in Appendix “B” attached to Report PED24140, and report back to Planning Committee for their consideration on a recommendation for designation under Part V of the *Ontario Heritage Act*;

- (iv) That staff be directed to consult with the affected property owners and the Hamilton Municipal Heritage Committee, in accordance with the *Ontario Heritage Act*, in the preparation of the Melville Street Heritage Conservation District Plan;
 - (v) That the properties located within the proposed Melville Street Heritage Conservation District boundary, shown in Appendix “B” attached to Report PED24140, that have been determined to have cultural heritage interest contributing to the value of the proposed Melville Street Heritage Conservation District, as identified in Appendix “C” attached to Report PED24140, be listed on the Municipal Heritage Register in accordance with Section 27 of the *Ontario Heritage Act*;
 - (vi) That the Cross-Melville Heritage Conservation District Advisory Committee be disbanded and that the review of heritage permit applications in the Cross-Melville Heritage Conservation District continue to be addressed by the Heritage Permit Review Sub-Committee;
 - (vii) That the membership composition in the Terms of Reference for the Heritage Permit Review Subcommittee be amended to include “One (1) representative from Cross-Melville, Dundas”;
 - (viii) That the citizen member currently appointed to Cross-Melville Heritage Conservation District Advisory Committee be appointed to the Heritage Permit Review Sub-Committee; and,
 - (ix) That the funds required to prepare the Melville Heritage Conservation District Plan, as per Recommendation (c) of Report PED24140, be reallocated from Account 8121455500.
- (b) **Recommendation to Designate 634 Rymal Road West, Hamilton (Former Union School Section No. 3), under Part IV of the Ontario Heritage Act (PED24123) (Ward 14) (Item 8.2)**
- (i) That the City Clerk be directed to give notice of Council’s intention to designate 634 Rymal Road West (Union School Section No. 3), shown in Appendix “A” attached to Report PED24123, 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 PED24123, 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; and
 - (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) **Demolition of 318 Hess Street South, Hamilton, Being a Non-Designated Property listed on the Municipal Heritage Register (PED24156) (Ward 2) (Added Item 10.1)**
- (i) That the non-designated property located at 318 Hess Street South, Hamilton, be removed from the Municipal Heritage Register.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
YES – Ward 3 Councillor N. Nann
YES – Ward 4 Councillor T. Hwang
YES – Ward 5 Councillor M. Francis
YES – Ward 7 Councillor E. Pauls
YES – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
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. Heritage Plaque Funding for 176 Wilson St E and 1166 Garner Rd W (Ward 12) (Item 12.1)

(Cassar/A. Wilson)

WHEREAS, Council has directed staff to designate the significant heritage properties at 176 Wilson Street East and 1166 Garner Road West, Ancaster, under Part IV of the *Ontario Heritage Act*;

WHEREAS, the owners of 176 Wilson Street East and 1166 Garner Road West, Ancaster, have requested a heritage designation plaque from the City of Hamilton;

WHEREAS, the production and installation of a City of Hamilton designation plaque costs approximately \$820 per plaque;

THEREFORE, BE IT RESOLVED:

That the costs incurred by the Heritage and Urban Design Section of the Planning and Economic Development Department for producing and installing City of Hamilton heritage designation plaques at 176 Wilson Street East and 1166 Garner Road West, Ancaster, estimated at \$1,640, be funded from the Ward 12 Non-Property Tax Revenue Account (3301609612).

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
YES – Ward 3 Councillor N. Nann
YES – Ward 4 Councillor T. Hwang
YES – Ward 5 Councillor M. Francis
YES – Ward 7 Councillor E. Pauls
YES – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
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. **Update on Appeal to the Ontario Land Tribunal (OLT) for Refusal of Official Plan Amendment Application (UHOPA-22-004) and Zoning By-law Amendment Application (ZAC-22-011) for Lands Located at 392, 398, 400, 402, 406 and 412 Wilson Street East & 15 Lorne Avenue (Ancaster) (LS23024(a)) (Ward 12) (Added Item 15.2)**

(Danko/Pauls)

- (a) That report LS23024(a) respecting Update on Appeal to the Ontario Land Tribunal (OLT) for Refusal of Official Plan Amendment Application (UHOPA-22-004) and Zoning By-law Amendment Application (ZAC-22-011) for Lands Located at 392, 398, 400, 402, 406 and 412 Wilson Street East & 15 Lorne Avenue (Ancaster), be received and remain confidential.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
YES – Ward 3 Councillor N. Nann
YES – Ward 4 Councillor T. Hwang
YES – Ward 5 Councillor M. Francis
YES – Ward 7 Councillor E. Pauls
YES – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
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:

6. DELEGATION REQUESTS

- 6.1 Alberto Luis, CURO Canada Corp o/a Cash Money respecting Payday loan Substitute Location (For today's meeting) – **WITHDRAWN**
- 6.2 Mike Cowan respecting the MECP Application for 354 Nash Road North (Item 11.1) (For today's meeting)
- 6.3 Delegations respecting Amending the Property Standards By-law respecting Air Conditioning Appliances (Item 11.4) (For today's meeting) – **DEFERRED to a future meeting**
- (i) Stewart Klazinga, ACORN Hamilton
 - (ii) Rosalea Thompson, Advocacy Centre for Tenants Ontario
 - (iii) Zee Bhanji, Low-Income Energy Network (LIEN)
 - (iv) Brad Evoy, Disability Justice Network of Ontario
 - (v) Adeola Egbeyemi, Environment Hamilton
 - (vi) Karl Andrus, HCBN
 - (vii) Nicole Myre
 - (viii) Michael Fedchak
 - (ix) Larry Coughlins

6.4 Delegations respecting Self-Storage Facilities Review (Item 11.2)
(For today's meeting)

- (i) Peter De Iulio, Metropolitan Consulting
- (ii) Andrew Soave

10. PUBLIC HEARINGS

10.1 Applications for a Zoning By-law Amendment and Draft Plan of Condominium (Vacant Land) for Lands Located at 285 and 293 Fiddler's Green Road, Ancaster (PED24154) (Ward 12)

- (a) Added Written Submissions:
 - (i) Beth Goodger and Gary Tuff
- (b) Staff Presentation

11. DISCUSSION ITEMS

11.2 Self-Storage Facilities Review (CI-24-E) (PED24135) (City Wide)

- (a) Added Staff Presentation

11.4 Property Standards By-law respecting Air Conditioning Appliances PED24101 – **DEFERRED to a future meeting**

15. PRIVATE AND CONFIDENTIAL

15.2 Update on Appeal to the Ontario Land Tribunal (OLT) for Refusal of Official Plan Amendment Application (UHOPA-22-004) and Zoning By-law Amendment Application (ZAC-22-011) for Lands Located at 392, 398, 400, 402, 406 and 412 Wilson Street East & 15 Lorne Avenue (Ancaster) (LS23024(a)) (Ward 12)

(Nann/Hwang)

That the agenda for the September 6, 2024, Planning Committee meeting be approved, as amended.

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

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

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

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) August 13, 2024 (Item 4.1)

(Nann/Pauls)

That the Minutes of the August 13, 2024 meeting be approved, as ***amended by amending Councillor M. Wilson's vote on Item 9.3, as a 'Conflict'***.

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

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

(d) DELEGATION REQUESTS (Item 6)

(i) Delegation Requests (Added Items 6.2 and 6.4)

(Hwang/A. Wilson)

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

- (a) Mike Cowan respecting the MECP Application for 354 Nash Road North (Item 11.1) (Added Item 6.2)
- (b) Delegations respecting Self-Storage Facilities Review (Item 11.2) (Added Item 6.4)
 - (1) Peter De Iulio, Metropolitan Consulting
 - (2) Andrew Soave

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

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

(e) DELEGATIONS (Item 7)

(i) Ayesha Asghar respecting Property Standards and Tennant Concerns (Approved at the August 13th meeting) (Item 7.1)

Ayesha Asghar, addressed the Committee respecting Property Standards and Tennant Concerns.

(Hwang/Nann)

That the Delegation from Ayesha Asghar, respecting Property Standards and Tennant Concerns, be received.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
YES – Ward 3 Councillor N. Nann
YES – Ward 4 Councillor T. Hwang
YES – Ward 5 Councillor M. Francis
YES – Ward 7 Councillor E. Pauls
YES – Ward 8 Councillor J.P. Danko

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

(ii) Mike Cowan respecting the MECP Application for 354 Nash Road North (Item 11.1) (Added Item 7.2)

Mike Cowan addressed the Committee respecting MECP Application for 354 Nash Road North (Item 11.1).

(Francis/Hwang)

That the Delegation from Mike Cowan respecting MECP Application for 354 Nash Road North (Item 11.1), be received.

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

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

(iii) Delegations respecting Self-Storage Facilities Review (Item 11.2) (Added Item 7.3)

The following delegations addressed the Committee respecting Self-Storage Facilities Review:

- (1) Peter De Iulio, Metropolitan Consulting
- (2) Andrew Soave

(McMeekin/A. Wilson)

That the following Delegations be received:

- (1) Peter De Iulio, Metropolitan Consulting
- (2) Andrew Soave

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

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

If a person, public body or registered owner of land would otherwise have an ability to appeal the decision of Council, City of Hamilton to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Hamilton before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person, public body or registered owner of land does not make oral submissions at a public meeting, or make written submissions to the City of Hamilton before the by-law is passed, 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 a Zoning By-law Amendment and Draft Plan of Condominium (Vacant Land) for Lands Located at 285 and 293 Fiddler's Green Road, Ancaster (PED24154) (Ward 12) (Item 10.1)

(1) (Kroetsch/Hwang)

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

- (2) Nancy Frieday with GSP Group was in attendance and indicated support for the staff report.

(Hwang/Kroetsch)

That the presentation from Nancy Frieday with GSP Group, be received.

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

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

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

(3) **(Kroetsch/Pauls)**

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

(1) Beth Goodger and Gary Tuff – Concerns

- (b) That the public meeting be closed.

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

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

(4) (A. Wilson/Kroetsch)

That Appendix “B” to Report PED24154 be **amended** by adding the following wording to sub-section (b)(iii):

(iii) Minimum Landscaped Area ***in the Front Yard*** 48%

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

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

For disposition of this matter, refer to Item 2.

(g) DISCUSSION ITEMS (Item 11)

- (i) **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 11.1)**

Shaival Gajjar, Planner II, addressed the Committee, respecting Report PED24132, 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, with the aid of a PowerPoint presentation.

(Francis/Hwang)

That the presentation from Shaival Gajjar, Planner II, Report PED24132, 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 received.

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

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

For disposition of this matter, refer to Item 3.

(ii) Self-Storage Facilities Review (CI-24-E) (PED24135) (City Wide) (Item 11.2)

Lucas Mascotto-Carbone, Planner II, addressed the Committee, respecting Report PED24135, Self-Storage Facilities Review, with the aid of a PowerPoint presentation.

(Hwang/McMeekin)

That the presentation from Lucas Mascotto-Carbone, Planner II, respecting Report PED24135, A Self-Storage Facilities Review, be received.

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

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

For disposition of this matter, refer to Item 4.

(Kroetsch/Hwang)

That the Committee Recess for thirty minutes from 12:30 pm until 1:00 pm.

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

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

The Planning Committee meeting reconvened in at 1:03 p.m.

(iii) Zoning Compliance Review - Application Fees (PED24129) (City Wide) (Item 11.3)

Emily Coe, Manager – Zoning & Committee of Adjustment, addressed the Committee, respecting Report PED24129, Zoning Compliance Review - Application Fees, with the aid of a PowerPoint presentation.

(Hwang/Pauls)

That the presentation from Emily Coe, Manager – Zoning & Committee of Adjustment, respecting Report PED24129, Zoning Compliance Review - Application Fees, be received.

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

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

(iv) Transportation Assessment Guidelines (PED24155) (City Wide) (Item 11.5)

Jill Juhlke, Senior Project Manager – Transportation Planning, addressed the Committee, respecting Report PED24155, Transportation Assessment Guidelines, with the aid of a PowerPoint presentation.

(Danko/Nann)

That the presentation from E Jill Juhlke, Senior Project Manager – Transportation Planning, respecting Report PED24155, Transportation Assessment Guidelines, be received.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
YES – Ward 3 Councillor N. Nann
YES – Ward 4 Councillor T. Hwang
YES – Ward 5 Councillor M. Francis
YES – Ward 7 Councillor E. Pauls
YES – Ward 8 Councillor J.P. Danko
NOT PRESENT – Ward 10 Councillor J. Beattie
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 6.

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

(i) Outstanding Business List (Item 14.1)

(Hwang/Nann)

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

(a) Items to be Removed:

23GG - Toy for Tickets Program (Addressed as Item 9 on Planning Committee Report 24-011)

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
YES – Ward 3 Councillor N. Nann
YES – Ward 4 Councillor T. Hwang
YES – Ward 5 Councillor M. Francis
YES – Ward 7 Councillor E. Pauls
YES – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
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) PRIVATE & CONFIDENTIAL (Item 15)

(i) Closed Session Minutes – August 13, 2024 (Item 15.1)

(Hwang/Kroetsch)

(a) That the Closed Session Minutes dated August 13, 2024, be approved as presented; and,

(b) That the Closed Session Minutes dated August 13, 2024, remain confidential.

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

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

YES – Ward 5 Councillor M. Francis
YES – Ward 7 Councillor E. Pauls
YES – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
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

(Pauls/Danko)

That Committee move into Closed Session for Item 15.2 pursuant to Section 9.3, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
YES – Ward 3 Councillor N. Nann
YES – Ward 4 Councillor T. Hwang
YES – Ward 5 Councillor M. Francis
YES – Ward 7 Councillor E. Pauls
YES – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
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) **Update on Appeal to the Ontario Land Tribunal (OLT) for Refusal of Official Plan Amendment Application (UHOPA-22-004) and Zoning By-law Amendment Application (ZAC-22-011) for Lands Located at 392, 398, 400, 402, 406 and 412 Wilson Street East & 15 Lorne Avenue (Ancaster) (LS23024(a)) (Ward 12) (Added Item 15.2)**

For disposition of this matter, refer to Item 9.

The Committee meeting reconvened in Open Session at 2:20 p.m.

(j) **ADJOURNMENT (Item 16)**

(Hwang/Nann)

That there being no further business, the Planning Committee be adjourned at 2:22 p.m.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
YES – Ward 3 Councillor N. Nann
YES – Ward 4 Councillor T. Hwang
YES – Ward 5 Councillor M. Francis
YES – Ward 7 Councillor E. Pauls
YES – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
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