

CITY OF HAMILTON

MOTION

Council Date: October 23, 2024

MOVED BY COUNCILLOR C. CASSAR.....

SECONDED BY COUNCILLOR

Amendment to Item 11 of the Planning Committee Report 24-002, respecting Appeal to the Ontario Land Tribunal for lands located at 487 Shaver Road, Hamilton, for Lack of Decision on Official Plan Amendment Application (UHOPA-22-002) and Zoning By-law Amendment Application (ZAC-22-005) (LS23038(a)) (Ward 12), which was approved by Council on February 14, 2024

WHEREAS, staff were directed by Council on February 14, 2024, to approve closed session recommendations (a), (b), and (c), along with Schedules 3 and 4 to Appendix “A” of Report LS23038(a) and to maintain the confidentiality of the recommendations (a), (b), and (c), along with Schedules 3 and 4 to Appendix “A” of Report LS23038(a) and any additional documentation submitted to the Ontario Land Tribunal, prepared in accordance with Report LS23038(a) until they are released publicly as the City’s position before the Ontario Land Tribunal; and

WHEREAS, an amendment to Item 11 of the Planning Committee Report 24-002 is required to reflect the correct direction.

THEREFORE, BE IT RESOLVED:

That Item 11 of the Planning Committee Report 24-002, respecting Appeal to the Ontario Land Tribunal for lands located at 487 Shaver Road, Hamilton, for Lack of Decision on Official Plan Amendment Application (UHOPA-22-002) and Zoning By-law Amendment Application (ZAC-22-005) (LS23038(a)) (Ward 12) (Added Item 15.3), be **amended**, as follows;

- 11. Appeal to the Ontario Land Tribunal for lands located at 487 Shaver Road, Hamilton, for Lack of Decision on Official Plan Amendment Application (UHOPA-22-002) and Zoning By-law Amendment Application (ZAC-22-005) (LS23038(a)) (Ward 12) (Added Item 15.3)**

That Report LS23038(a), respecting Appeal to the Ontario Land Tribunal for lands located at 487 Shaver Road, Hamilton, for Lack of Decision on Official Plan Amendment Application (UHOPA-22-002) and Zoning By-law Amendment Application (ZAC-22-005) (LS23038(a)) (Ward 12) (Added Item 15.3), be **amended**, by replacing sub-section (b) with new wording, as follows:

- (a) That the directions to staff in Closed Session respecting Report LS23038(a), be approved;
- ~~(b) ***That recommendations (a), (b) and (c) contained in Report LS23038(a) remain confidential until made public coincident with staff's presentation of the City's position to the Tribunal; and,***~~
- (b) ***That closed session recommendations (a), (b), and (c) to this Report be approved and, along with Schedules 3 and 4 to Appendix "A", remain confidential until made public as the City's position before the Ontario Land Tribunal, along with any additional documentation submitted to the Ontario Land Tribunal, prepared in accordance with this Report; and,***
- (c) That the balance of Report LS23038(a) remain confidential.

Main Motion, As ***Amended***, to read as follows:

- 11. **Appeal to the Ontario Land Tribunal for lands located at 487 Shaver Road, Hamilton, for Lack of Decision on Official Plan Amendment Application (UHOPA-22-002) and Zoning By-law Amendment Application (ZAC-22-005) (LS23038(a)) (Ward 12) (Added Item 15.3)**
 - (a) That the directions to staff in Closed Session respecting Report LS23006(a), be approved;
 - (b) ***That closed session recommendations (a), (b), and (c) to this Report be approved and, along with Schedules 3 and 4 to Appendix "A", remain confidential until made public as the City's position before the Ontario Land Tribunal, along with any additional documentation submitted to the Ontario Land Tribunal, prepared in accordance with this Report; and,***
 - (c) That the balance of Report LS23038(a) remain confidential.