



**PLANNING COMMITTEE
MINUTES
24-015**

**October 18, 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) (virtual)
Councillors J. Beattie, M. Francis (virtual), C. Kroetsch,
T. McMeekin, N. Nann, A. Wilson (virtual), E. Pauls (virtual)

Absent with Regrets: Councillor M. Tadeson – City Business
Councillor J.P. Danko – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

- 1. Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED24176) (City Wide) (Item 9.1)**

(Beattie/McMeekin)

That Report PED24176 respecting Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications, 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
YES – Ward 7 Councillor E. Pauls
NOT PRESENT – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
NOT PRESENT – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson

YES – Ward 15 Councillor T. McMeekin

2. Applications for Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 65 and 69 Eleanor Avenue, 177 Mentino Crescent, and 224 Eaglewood Drive, Hamilton (PED24172) (Ward 6) (Item 10.1)

(Hwang/McMeekin)

- (a) That amended Zoning By-law Amendment application ZAC-22-037, by A.J. Clarke and Associates Ltd. (c/o Ryan Ferrari), on behalf of Zeina Homes (5025299 Ontario Inc. and 1376412 Ontario Ltd.), Owner, for a change in zoning from “AA” (Agricultural) District, “C/S-1822” (Urban Protected Residential, etc) District, Modified, and Low Density Residential (R1) Zone to Low Density Residential – Small Lot (R1a, 910) Zone, to permit the development of 15 residential lots, for single and semi detached dwellings on lands located at 65 and 69 Eleanor Avenue, 177 Mentino Crescent, and 224 Eaglewood Drive, as shown in Appendix “A” attached to Report PED24172, be APPROVED on the following basis:
- (i) That the Draft By-law attached as Appendix “B” to Report PED24172, 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) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
 - (iii) That the proposed change in zoning is consistent with the Provincial Planning Statement (2024);
 - (iv) That the proposed change in zoning complies with the Urban Hamilton Official Plan;
- (b) That amended Draft Plan of Subdivision application 25T-202207, by A.J. Clarke and Associates Ltd. (c/o Ryan Ferrari), on behalf of Zeina Homes (5025299 Ontario Inc. and 1376412 Ontario Ltd.), Owner, on lands located at 65 and 69 Eleanor Avenue, 177 Mentino Crescent, and 224 Eaglewood Drive (Hamilton), as shown on Appendix “A” attached to Report PED24172, be APPROVED in accordance with By-law No. 07-323 being the delegation of the City of Hamilton’s Assigned Authority Under the *Planning Act* for the Approval of Subdivisions and Condominiums, on the following basis:
- (i) That this approval apply to the Draft Plan of Subdivision 25T-202207, prepared by A.J. Clarke and Associates Ltd., and certified by Nicholas P. Muth, O.L.S., dated August 22, 2024, consisting of

two lots for semi detached dwellings (Lots 1 and 2), 13 lots for single detached dwellings (Lots 3-15), one block for stormwater management (Block 16), and the extension of Mentino Crescent, as shown on Appendix "G" attached to Report PED24172;

- (ii) That the Owner enter into a Standard Form Subdivision Agreement as approved by City Council and with the Special Conditions as shown in Appendix "F" attached to Report PED24172;
- (iii) That the Special Conditions of Draft Plan of Subdivision Approval, 25T-202207, as shown in attached Appendix "F" to Report PED24172, be received and endorsed by City Council;
- (iv) That in accordance with the City's Comprehensive Development Guidelines and Financial Policies Manual there will be no City of Hamilton cost sharing for this subdivision;
- (v) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the Planning Act, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the issuance of each building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council.

Result: Motion CARRIED by a vote of 6 to 3, as follows:

YES – Ward 1 Councillor M. Wilson
NO – Ward 2 Councillor C. Kroetsch
NO – Ward 3 Councillor N. Nann
YES – Ward 4 Councillor T. Hwang
NOT PRESENT – Ward 5 Councillor M. Francis
YES – Ward 7 Councillor E. Pauls
NOT PRESENT – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
NOT PRESENT – Ward 11 Councillor M. Tadeson
NO – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

3. City Initiated Official Plan Amendments - Formal Consultation and Complete Application Requirements under Bill 185 (PED24134) (City Wide) (Item 10.2)

(Hwang/Nann)

- (a) That City Initiative CI-24-G – City Initiated Official Plan Amendments – Formal Consultation and Complete Application Requirements under Bill 185, to amend policies in Volume 1 – Parent Plan and Volume 2 – Secondary Plans and Rural Settlement Areas of the Urban Hamilton Official Plan and Rural Hamilton Official Plan, in order to align with and respond to *Planning Act* changes resulting from Bill 185, Cutting Red Tape to Build More Homes Faster Act, 2024, be APPROVED on the following basis:
 - (i) That the Draft Urban Hamilton Official Plan Amendment, attached as Appendix “A” to Report PED24134, which has been prepared in a form satisfactory to the City Solicitor, be adopted by Council;
 - (ii) That the Draft Rural Hamilton Official Plan Amendment, attached as Appendix “B” to Report PED24134, which has been prepared in a form satisfactory to the City Solicitor, be adopted by Council;
 - (iii) That the proposed Official Plan Amendments are consistent with the Provincial Policy Statement, 2020, the Provincial Planning Statement, 2024 and the Greenbelt Plan, 2017;
- (b) That City Initiative CI-24-G – City Initiated Official Plan Amendments – Formal Consultation and Complete Application Requirements under Bill 185, to amend policies in Subsection D.7 of the former Hamilton-Wentworth Official Plan, in order to align with and respond to *Planning Act* changes resulting from Bill 185, Cutting Red Tape to Build More Homes Faster Act, 2024, be APPROVED on the following basis:
 - (i) That the Draft Hamilton-Wentworth Official Plan Amendment, attached as Appendix “C” to Report PED24134, which has been prepared in a form satisfactory to the City Solicitor, be adopted by Council;
 - (ii) That the proposed Official Plan Amendments are consistent with the Provincial Policy Statement, 2020, the Provincial Planning Statement, 2024 and the Greenbelt Plan, 2017;
- (c) That the draft By-law to amend By-law No. 08-297, attached as Appendix “D” to Report PED24134, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
- (d) That staff be directed to investigate opportunities to incentivize the Formal Consultation process, including a review of the Planning Division fees;

- (e) That staff report back to Planning Committee in Q3 2025 with an update on the effectiveness of the policies and if any additional amendments are required.

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

4. Draft Framework for Processing and Evaluating Urban Boundary Expansions - Consultation and Engagement Plan (PED24109(a)) (City Wide) (Item 11.1)

(McMeekin/M. Wilson)

- (a) That Planning and Economic Development Department staff be directed and authorized to commence public and stakeholder consultation, ***with an online meeting to be included in the outreach efforts***, and engage with Indigenous and Métis communities on the Draft Framework for Processing and Evaluating Urban Boundary Expansions in accordance the Consultation and Engagement Plan, attached as Appendix “A” to Report PED24109(a).

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
YES – Ward 3 Councillor N. Nann
NOT PRESENT – Ward 4 Councillor T. Hwang
NOT PRESENT – Ward 5 Councillor M. Francis
YES – Ward 7 Councillor E. Pauls
NOT PRESENT – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
NOT PRESENT – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar

YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

5. **Implementation of Changes to Section 41 of the *Planning Act* - Site Plan Approval, in Response to Provincial Bill 185 (PED24175) (City Wide) (Item 11.2)**

(Nann/Hwang)

(a) ***That the provisions respecting Lapsing Policies (Section 12 and 13) in the draft by-law attached to Report PED24175 as Appendix “A” be DEFERRED to allow for consultation with the Development Industry, with a report back to the December 5, 2024 Planning Committee meeting;***

(b) That the Draft By-law, ***as amended by deleting Sections 12 and 13 in their entirety*** attached as Appendix “A” to Report PED24175 to repeal and replace the Consolidated Site Plan Control By-laws for the City of Hamilton to allow for housekeeping and technical amendments and to implement other changes as required and allowed for by Bill 185, Cutting Red Tape to Build More Homes Act, 2024, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,

(c) That Council authorize the Mayor and the Clerk, or delegate, to authorize and execute any agreement or undertaking pursuant to Section 4.0 of the Site Plan Control By-law and signed by the owner or developer of the affected land, provided that persons with delegated authority have approved the plans and drawings required to be submitted under Section 3.0 of the Site Plan Control By-law.

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

6. **Demolition Permit – 639 Rymal Road West (PED24186) (Ward 14) (Item 11.3)**

(Kroetsch/A. Wilson)

- (a) That the request to issue a demolition permit prior to the owner obtaining final Site Plan Approval for redevelopment of 639 Rymal Road West be DENIED for the reasons noted in this Report;

- (a) That the Chief Building Official be authorized to issue a demolition permit for 639 Rymal Road West in accordance with the Delegated Authority contained in section 6(b) of the Demolition Control Area By-law 22-101, pursuant to Section 33 of the *Planning Act* once final Site Plan Control approval has been granted for redevelopment of the property.

Result: Motion CARRIED by a vote of 7 to 2, 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
NO – Ward 7 Councillor E. Pauls
NOT PRESENT – Ward 8 Councillor J.P. Danko
NO – Ward 10 Councillor J. Beattie
NOT PRESENT – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

7. Hamilton Municipal Heritage Committee Report 24-008 (Item 11.5)

(Kroetsch/A. Wilson)

- (a) **Recommendation to Designate 265 Mill Street South, Flamborough (Braebourne), under Part IV of the *Ontario Heritage Act* (PED24169) (Ward 15) (Item 8.1)**
 - (i) That the City Clerk be directed to give notice of Council's intention to designate 265 Mill Street South, Flamborough (Braebourne), shown in Appendix "A" attached to Report PED24169, 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 PED24169, 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 24 Blake Street, Hamilton, (Eastcourt Carriage House) under Part IV of the *Ontario Heritage Act* (PED24171) (Ward 3) (Item 8.2)

- (i) That the City Clerk be directed to give notice of Council's intention to designate 24 Blake Street, Hamilton (Eastcourt Carriage House), shown in Appendix "A" attached to Report PED24171, 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 PED24171, 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 311 Wilson Street East, Ancaster, (Orton House) under Part IV of the *Ontario Heritage Act* (PED24170) (Ward 12) (Item 8.3)

- (i) That the City Clerk be directed to give notice of Council's intention to designate 311 Wilson Street East, Ancaster, (Orton House) shown in Appendix "A" attached to Report PED24170, 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 PED24170, 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.

(d) Provincial Planning Statement, 2024, and its Cultural Heritage Resource Policies (PED23113(a)) (City Wide) (Item 10.1)

That Report PED23113(a) respecting Provincial Planning Statement, 2024, and its Cultural Heritage Resource Policies, 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
YES – Ward 7 Councillor E. Pauls
NOT PRESENT – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
NOT PRESENT – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

8. Appeal to the Ontario Land Tribunal for Lands Located at 210 Calvin Street, Ancaster, for Lack of Decision on Urban Official Plan Amendment (UHOPA-20-013) and Zoning By-law Amendment Applications (ZAC-20-017) (LS24018) (Ward 12) (Item 15.2)

(M. Wilson/McMeekin)

- (a) That the directions to staff in Closed Session respecting Report LS24018 be approved;

- (b) That closed session recommendations (a), (b), (c) and (d) to Report LS24018 be released to the public, following approval by Council; and,
- (c) That the balance of Report LS24018, including Appendix "A", remain confidential.

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

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

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

5. COMMUNICATIONS

- 5.1 David Bronskill, Goodmans LLP, respecting Implementation of Changes to Section 41 of the Planning Act- Site Plan Approval, in Response to Provincial Bill 185 (Item 11.2)

Recommendation: Be received and referred to the consideration of Item 11.2.

6. DELEGATION REQUESTS

- 6.1 Mike Collins-Williams, West End Home Builders' Association, respecting Implementation of Changes to Section 41 of the *Planning Act* - Site Plan Approval (Item 11.2) (For today's meeting)
- 6.2 Allan Buist, DiCenzo Construction Company Limited, respecting Demolition Permit for 639 Rymal Road West (Item 11.3) (For today's meeting)

- 6.3 Matt Johnston, UrbanSolutions respecting Demolition Permit 3033 and 3047 Binbrook Road (Item 11.4) (To be heard with Item 11.4)

10. PUBLIC HEARINGS

- 10.1 Applications for Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 65 and 69 Eleanor Avenue, 177 Mentino Crescent, and 224 Eaglewood Drive, Hamilton (PED24172) (Ward 6)

(a) Staff Presentation

- 10.2 City Initiated Official Plan Amendments - Formal Consultation and Complete Application Requirements under Bill 185 (PED24134) (City Wide)

(a) Staff Presentation

(b) Written Submissions:

- (i) Michelle Diplock, West End Home Builders' Association

11. DISCUSSION ITEMS

- 11.1 Draft Framework for Processing and Evaluating Urban Boundary Expansions - Consultation and Engagement Plan (PED24109(a)) (City Wide)

(a) Staff Presentation

- 11.2 Implementation of Changes to Section 41 of the *Planning Act* - Site Plan Approval, in Response to Provincial Bill 185 (PED24175) (City Wide)

(a) Staff Presentation

- 11.4 Demolition Permit – 3033 and 3047 Binbrook Road (PED24138) (Ward 11) – To be Deferred, along with Item 6.3, to a future meeting.

15. PRIVATE AND CONFIDENTIAL

- 15.2 Appeal to the Ontario Land Tribunal for Lands Located at 210 Calvin Street, Ancaster, for Lack of Decision on Urban Official Plan

Amendment (UHOPA-20-013) and Zoning By-law Amendment
Applications (ZAC-20-017) (LS24018) (Ward 12)

(McMeekin/Francis)

That the agenda for the October 18, 2024, Planning Committee meeting
be approved, as amended.

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

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

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) October 1, 2024 (Item 4.1)

(Francis/Beattie)

That the Minutes of the October 1, 2024 meeting be approved, as
presented.

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

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

YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

(d) COMMUNICATIONS (Item 5)

- (i) David Bronskill, Goodmans LLP, respecting Implementation of Changes to Section 41 of the *Planning Act* - Site Plan Approval, in Response to Provincial Bill 185 (Item 11.2) (Added Item 5.1)**

(Kroetsch/Beattie)

That the correspondence from David Bronskill, Goodmans LLP, respecting Implementation of Changes to Section 41 of the *Planning Act* - Site Plan Approval, in Response to Provincial Bill 185, be received and referred to the consideration of Item 11.2.

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

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

(e) DELEGATION REQUESTS (Item 6)

(Beattie/M. Wilson)

That the following Delegations be approved for today's meeting:

- (a) Mike Collins-Williams, West End Home Builders' Association, respecting Implementation of Changes to Section 41 of the *Planning Act* - Site Plan Approval (Item 11.2) (Added Item 6.1)
- (b) Allan Buist, DiCenzo Construction Company Limited, respecting Demolition Permit for 639 Rymal Road West (Item 11.3) (Added Item 6.2)

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

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

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

(f) DELEGATIONS (Item 7)

(i) Candice Beath Davidson respecting Rules at the Rail Trail Dog Park (Approved at the October 1st meeting) (Item 7.1)

Candice Beath Davidson was not in attendance when called upon.

(ii) Mike Collins-Williams, West End Home Builders' Association, respecting Implementation of Changes to Section 41 of the *Planning Act* - Site Plan Approval (Item 11.2) (Added Item 7.2)

Mike Collins-Williams, West End Home Builders' Association, addressed the Committee respecting Implementation of Changes to Section 41 of the *Planning Act* - Site Plan Approval (Item 11.2)

(McMeekin/Kroetsch)

That the Delegation from Mike Collins-Williams, West End Home Builders' Association, respecting Implementation of Changes to Section 41 of the *Planning Act* - Site Plan Approval (Item 11.2), 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
YES – Ward 7 Councillor E. Pauls
NOT PRESENT – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
NOT PRESENT – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

(iii) **Allan Buist, DiCenzo Construction Company Limited, respecting Demolition Permit for 639 Rymal Road West (Item 11.3) (Added Item 7.3)**

Allan Buist, DiCenzo Construction Company Limited, addressed the Committee respecting Demolition Permit for 639 Rymal Road West (Item 11.3)

(Pauls/Beattie)

That the Delegation from Allan Buist, DiCenzo Construction Company Limited respecting Demolition Permit for 639 Rymal Road West (Item 11.3), 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
YES – Ward 7 Councillor E. Pauls
NOT PRESENT – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
NOT PRESENT – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

(g) 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 or public body would otherwise have the ability to appeal the decision of the City of Hamilton but does not make oral submissions at a public meeting, if one is held, or make written submissions to the City of Hamilton in respect of the proposed plan of subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision, the person or public body is not entitled to appeal the decision to the Ontario Land Tribunal.

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to the City of Hamilton in respect of the proposed plan of subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision, 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 Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 65 and 69 Eleanor Avenue, 177 Mentino Crescent, and 224 Eaglewood Drive, Hamilton (PED24172) (Ward 6) (Item 10.1)**

(a) Shaival Gajjar, Planner II, Development Planning, addressed the Committee with the aid of a PowerPoint presentation.

(McMeekin/Kroetsch)

That the staff presentation be received.

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

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

(b) Ryan Ferrari with A.J. Clarke and Associates Ltd. was in attendance and indicated support for the staff report.

(McMeekin/Kroetsch)

That the presentation from Ryan Ferrari with A.J. Clarke and Associates Ltd., be received.

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

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

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

(c) (McMeekin/Hwang)

(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 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
YES – Ward 7 Councillor E. Pauls
NOT PRESENT – 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 2.

(ii) City Initiated Official Plan Amendments - Formal Consultation and Complete Application Requirements under Bill 185 (PED24134) (City Wide) (Item 10.2)

(a) Jennifer Allen, Planner I, addressed the Committee with the aid of a PowerPoint presentation.

(McMeekin/Kroetsch)

That the staff presentation 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

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

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

(b) (Kroetsch/Beattie)

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

(1) Michelle Diplock, West End Home Builders' Association

(b) That the public meeting be closed.

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

For disposition of this matter, refer to Item 3.

(h) DISCUSSION ITEMS (Item 11)

(i) Draft Framework for Processing and Evaluating Urban Boundary Expansions - Consultation and Engagement Plan (PED24109(a)) (City Wide) (Item 11.1)

(a) Charlie Toman, Senior Project Manager, Policy Planning/Municipal Comprehensive Review, addressed the Committee, respecting Report PED24109(a), Draft Framework for Processing and

Evaluating Urban Boundary Expansions - Consultation and Engagement Plan, with the aid of a PowerPoint presentation.

(McMeekin/M. Wilson)

That the presentation from Charlie Toman, Senior Project Manager, Policy Planning/Municipal Comprehensive Review, respecting Report PED24109(a), Draft Framework for Processing and Evaluating Urban Boundary Expansions - Consultation and Engagement Plan, 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
YES – Ward 7 Councillor E. Pauls
NOT PRESENT – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
NOT PRESENT – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

(b) (McMeekin/M. Wilson)

That Planning and Economic Development Department staff be directed and authorized to commence public and stakeholder consultation, and engage with Indigenous and Métis communities on the Draft Framework for Processing and Evaluating Urban Boundary Expansions in accordance the Consultation and Engagement Plan, attached as Appendix “A” to Report PED24109(a).

(c) (M. Wilson/Kroetsch)

That Report PED24109(a) be **amended** by adding wording as follows:

That Planning and Economic Development Department staff be directed and authorized to commence public and stakeholder consultation, **with an online meeting to be included in the outreach efforts**, and engage with Indigenous and Métis communities on the Draft Framework for Processing and Evaluating Urban Boundary Expansions in accordance the Consultation and Engagement Plan, attached as Appendix “A” to Report PED24109(a).

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

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

For disposition of this matter, refer to Item 4.

(ii) Implementation of Changes to Section 41 of the *Planning Act* - Site Plan Approval, in Response to Provincial Bill 185 (PED24175) (City Wide) (Item 11.2)

(a) Mark Kehler, Program Lead, Site Planning, addressed the Committee, respecting Report PED24175, Implementation of Changes to Section 41 of the *Planning Act* - Site Plan Approval, in Response to Provincial Bill 185, with the aid of a PowerPoint presentation.

(McMeekin/Kroetsch)

That the presentation from Mark Kehler, Program Lead, Site Planning, respecting Report PED24175, Implementation of Changes to Section 41 of the *Planning Act* - Site Plan Approval, in Response to Provincial Bill 185, 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
YES – Ward 7 Councillor E. Pauls
NOT PRESENT – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
NOT PRESENT – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson

YES – Ward 15 Councillor T. McMeekin

(b) (Nann/Hwang)

- (a) That the Draft By-law, attached as Appendix “A” to Report PED24175 to repeal and replace the Consolidated Site Plan Control By-laws for the City of Hamilton to allow for housekeeping and technical amendments and to implement other changes as required and allowed for by Bill 185, Cutting Red Tape to Build More Homes Act, 2024, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.
- (b) That Council authorize the Mayor and the Clerk, or delegate, to authorize and execute any agreement or undertaking pursuant to Section 4.0 of the Site Plan Control By-law and signed by the owner or developer of the affected land, provided that persons with delegated authority have approved the plans and drawings required to be submitted under Section 3.0 of the Site Plan Control By-law.

(c) (McMeekin/Kroetsch)

That Report PED24175 respecting Implementation of Changes to Section 41 of the *Planning Act* - Site Plan Approval, in Response to Provincial Bill 185, be **amended** as follows:

- (a) ***That the provisions respecting Lapsing Policies (Section 12 and 13) in the draft by-law attached to Report PED24175 as Appendix “A” be DEFERRED to allow for consultation with the Development Industry, with a report back to the December 5, 2024 Planning Committee meeting; and,***
- (b) That the draft by-law attached to Report PED24175 as Appendix “A” be ***amended by deleting sections 12 and 13 in their entirety***, as follows:

~~***12.0 Conditional Site Plan Approval shall lapse if Final Site Plan Approval is not issued within three years of the date of the issuance of the Conditional Site Plan approval.***~~

~~***12.1 The owner may apply to the Chief Planner or designate for a one time, one year extension of the Conditional Site Plan Approval. If an extension to the Conditional Site Plan Approval is granted, the period shall commence from the original expiry date and payment of the Site Plan Extension Fee***~~

~~shall be required.~~

~~12.2 Applications for an extension must be received prior to the expiry of the Conditional Site Plan Approval.~~

~~12.3 Applicants for extension of Conditional Site Plan Approval shall demonstrate that:~~

~~12.3.1 The Owner has demonstrated good faith intentions to clear conditions in the preceding 18 months;~~

~~12.3.2 An Interim Control By-law has not been enacted that impacts the proposed development;~~

~~12.3.3 The same Official Plan and Zoning by-law the application was approved under remain in effect; and,~~

~~12.3.4 The owner has paid the required Site Plan Extension fee.~~

~~13.0 Notwithstanding Section 12.0 above, any Conditional Site Plan Approval issued prior to December 31, 2021, shall be granted a one time, one year extension commencing on the later of:~~

~~13.1 the date of the passing of this By-law; or,~~

~~13.2 three years from the date of the issuance of the Conditional Site Plan Approval letter.~~

Result: Amendment CARRIED by a vote of 8 to 1, 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
NOT PRESENT – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
NOT PRESENT – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
NO – Ward 13 Councillor A. Wilson

YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 5.

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

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

Steve Robichaud, Acting General Manager of Planning and Economic Development, advised the Committee that the new Provincial Policy Statement comes into effect on October 20, 2024; a communication on the Population Update is forthcoming; and the first Housing Monitoring report will be coming to the November 19, 2024 Planning Committee meeting.

(Hwang/Nann)

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

(j) PRIVATE & CONFIDENTIAL (Item 15)

(i) Closed Session Minutes – October 1, 2024 (Item 15.1)

(Kroetsch/Hwang)

(a) That the Closed Session Minutes dated October 1, 2024, be approved as presented; and,

(b) That the Closed Session Minutes dated October 1, 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
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
NOT PRESENT – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
NOT PRESENT – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

(McMeekin/Kroetsch)

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

The Committee meeting reconvened in Open Session at 12:26 p.m.

- (i) **Appeal to the Ontario Land Tribunal for Lands Located at 210 Calvin Street, Ancaster, for Lack of Decision on Urban Official Plan Amendment (UHOPA-20-013) and Zoning By-law Amendment Applications (ZAC-20-017) (LS24018) (Ward 12) (Added Item 15.2)**

For disposition of this matter, refer to Item 8.

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

(Kroetsch/Pauls)

That there being no further business, the Planning Committee be adjourned at 12:29 p.m.

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

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

Councillor C. Cassar, Chair
Planning Committee

Lisa Kelsey
Legislative Coordinator