



**PLANNING COMMITTEE
MINUTES
24-017**

November 19, 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)
Councillors J. Beattie, J.P. Danko (virtual), M. Francis (virtual),
C. Kroetsch (virtual), T. McMeekin, N. Nann (virtual),
E. Pauls (virtual), M Tadeson

Absent with Regrets: Councillor A. Wilson – City Business

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. City Initiated Application for a Zoning By-law Amendment for Lands Located at 65 Frances Avenue, Stoney Creek (PED24153) (Ward 10) (Item 10.1)

(Beattie/Kroetsch)

- (a) That City Initiative CI-23-P, to add the lands to City of Hamilton Zoning By-law No. 05-200 as Conservation Hazard Land (P5) Zone, for the lands known municipally as 65 Frances Avenue, Stoney Creek, as shown on Appendix “A” attached to Report PED24153, be APPROVED on the following basis:
- (i) That the Draft By-law, attached as Appendix “B” to Report PED24153, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and,
 - (ii) That the proposed change in zoning is consistent with the Provincial Planning Statement (2024) and complies with the Urban Hamilton Official 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
YES – Ward 3 Councillor N. Nann
NOT PRESENT – Ward 4 Councillor T. Hwang
YES – Ward 5 Councillor M. Francis
YES – Ward 7 Councillor E. Pauls
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. Rental Housing Licensing Pilot Program - Update (PED21097(f)) (Wards 1, 8 and parts of 14) (Item 11.1)

(Tadeson/Danko)

That Report PED21097(f) respecting Rental Housing Licensing Pilot Program – Update (Wards 1, 8 and parts of 14), 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

3. City of Hamilton’s Response to the Proposed Regulation under the *Planning Act* to Facilitate the Creation of Additional Residential Units - Proposed Amendment to Ontario Regulation 299/19 Additional Residential Units (PED24208) (City Wide) (Item 11.2)

(Tadeson/M. Wilson)

(a) That Council receive Report PED24208 as the basis for written comments on Proposed Amendment to Ontario Regulation 299/19 Additional

Residential Units, including the attached submission to the Province, attached as Appendix "A" to Report PED24208.

- (b) That Council adopts the submission and recommendations as provided in Report PED24208 on Proposed Amendment to Ontario Regulation 299/19 Additional Residential Units.
- (c) That the Director of Planning and Chief Planner be authorized and directed to confirm the submission made to the Province, attached as Appendix "A" to Report PED240208.
- (d) That should Proposed Amendment to Ontario Regulation 299/19 Additional Residential Units, made under the *Planning Act*, come into force, staff be directed and authorized to prepare the necessary draft amendments to the City's Official Plans and Zoning By-laws and schedule a Statutory Public Meeting for Council's consideration at a future Planning Committee.

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
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

4. Report Back on Rental Housing Protection Tenant Assistance Guideline (PED22091(b)) (City Wide) (Item 11.3)

(Kroetsch/Hwang)

- (a) That the revised Tenant Relocation and Assistance Guideline, attached as Appendix "A" to Report PED22091(b) be approved, and that the General Manager of the Planning and Economic Development Department or their designate be granted the authority to make minor modifications to the Guideline if needed; and
- (b) That the Director of Licensing and By-law Services be directed to take the necessary actions to apply the same methodology for calculating rent gap

compensation contained within the Tenant Relocation and Assistance Guideline, to permits issued under Renovation License and Relocation By-law No. 24-055.

- (c) That the Director of Planning and Chief Planner or their designate be directed to update and publish the amounts used as the basis for calculating rent gap compensation on an annual basis.

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
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
NOT PRESENT – Ward 15 Councillor T. McMeekin

**5. Repealing the Pesticide Use By-law No. 07-282 (PED24152) (City Wide)
(Item 11.4)**

(Beattie/Hwang)

That the draft by-law attached as Appendix “A” to Report PED24152 to repeal the City of Hamilton’s Pesticide Use By-law No. 07-282, which has been prepared in a form satisfactory to the City Solicitor, be approved.

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
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
NOT PRESENT – Ward 15 Councillor T. McMeekin

6. **Appeal to the Ontario Land Tribunal for lands located at 9285, 9445, 9511, 9625 and 9751 Twenty Road East and 555 Glancaster Road, Glanbrook for Lack of Decision on Urban Hamilton Official Plan Amendment Applications (UHOPA-20-018, UHOPA-20-019 and UHOPA-20-020) (LS24020) (Ward 11) (Item 15.2)**

(Tadeson/Hwang)

- (a) That the directions to staff in Closed Session respecting Report LS24020 be approved;
- (b) That closed session recommendations (a), (b), and (c) to Report LS24020, be released to the public, following approval by Council; and,
- (c) That the balance of Report LS24020 remain confidential.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
NOT PRESENT – Ward 3 Councillor N. Nann
YES – Ward 4 Councillor T. Hwang
YES – Ward 5 Councillor M. Francis
NOT PRESENT – Ward 7 Councillor E. Pauls
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
NOT PRESENT – 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 ACORN respecting Report Back on the Rental Housing Protection Tenant Assistance Guideline (Item 11.3)

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

10. PUBLIC HEARINGS

10.1 City Initiated Application for a Zoning By-law Amendment for Lands Located at 65 Frances Avenue, Stoney Creek (PED24153) (Ward 10)

(a) Added Written Submissions:

(i) Shane Ormerod

(b) Staff Presentation

11. DISCUSSION ITEMS

11.2 City of Hamilton's Response to the Proposed Regulation under the *Planning Act* to Facilitate the Creation of Additional Residential Units - Proposed Amendment to Ontario Regulation 299/19 Additional Residential Units (PED24208) (City Wide)

(a) Staff Presentation

11.3 Report Back on Rental Housing Protection Tenant Assistance Guideline (PED22091(b)) (City Wide)

(a) Staff Presentation

(McMeekin/Tadeson)

That the agenda for the November 19, 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
NOT PRESENT – 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

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) November 5, 2024 (Item 4.1)

(Pauls/Nann)

That the Minutes of the November 5, 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
NOT PRESENT – 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

(d) COMMUNICATIONS (Item 5)

(i) ACORN respecting Report Back on the Rental Housing Protection Tenant Assistance Guideline (Item 11.3) (Added Item 5.1)

(McMeekin/Beattie)

That the correspondence from ACORN, respecting Report Back on the Rental Housing Protection Tenant Assistance Guideline (Item 11.3), 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
NOT PRESENT – 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

(e) DELEGATION REQUESTS (Item 6)

(i) John Gerrard, Hamilton Burlington SPCA, respecting 245 Dartnall Road (For a future meeting) (Item 6.1)

(McMeekin/Tadeson)

That the Delegation Request from John Gerrard, Hamilton Burlington SPCA, respecting 245 Dartnall Road, be approved for a future meeting.

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
NOT PRESENT – 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

(f) DELEGATIONS (Item 7)

(i) Robert Thompson respecting Noise Complaints at Club SIX15 (Approved at the November 5th meeting) (Item 7.1)

Robert Thompson was not in attendance when called upon to speak.

(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 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 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 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) City Initiated Application for a Zoning By-law Amendment for Lands Located at 65 Frances Avenue, Stoney Creek (PED24153) (Ward 10) (Item 10.1)

- (1) Scott Turnbull, Planner II, addressed the Committee with the aid of a PowerPoint presentation.

(Beattie/Kroetsch)

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
NOT PRESENT – 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

- (2) Chair Cassar called three times for public delegations and no one came forward.

(3) (Beattie/Kroetsch)

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

(i) Written Submission (Item 10.1(a)):

(1) Shane Ormerod (Item 10.1(a)(i))

- (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
NOT PRESENT – 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

For disposition of this matter, refer to Item 1.

(h) DISCUSSION ITEMS (Item 11)

(i) City of Hamilton’s Response to the Proposed Regulation under the *Planning Act* to Facilitate the Creation of Additional Residential Units - Proposed Amendment to Ontario Regulation 299/19 Additional Residential Units (PED24208) (City Wide) (Item 11.2)

Alana Fulford, Supervisor Zoning Bylaw Reform, addressed the Committee respecting City of Hamilton’s Response to the Proposed Regulation under the *Planning Act* to Facilitate the Creation of Additional Residential Units - Proposed Amendment to Ontario Regulation 299/19 Additional Residential Units (PED24208), with the aid of a PowerPoint presentation.

(McMeekin/Beattie)

That the presentation from Alana Fulford, Supervisor Zoning Bylaw Reform, respecting City of Hamilton’s Response to the Proposed Regulation under the *Planning Act* to Facilitate the Creation of Additional Residential Units - Proposed Amendment to Ontario Regulation 299/19 Additional Residential Units (PED24208), 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

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

For disposition of this matter, refer to Item 3.

**(ii) Report Back on Rental Housing Protection Tenant Assistance
Guideline (PED22091(b)) (City Wide) (Item 11.3)**

(Kroetsch/Tadeson)

That the presentation be waived.

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
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

For disposition of this matter, refer to Item 4.

(i) NOTICES OF MOTION (Item 13)

Councillor Danko introduced the following Notice of Motion:

**(i) Options to Limit SDU's to One Story in Urban/Suburban
Neighbourhoods (Added Item 13.1)**

That staff report back to Planning Committee with options to reduce the 6m (two story) allowable height permitted for secondary dwelling units (SDU's) to limit construction to one story in urban/suburban neighbourhoods where a large two story building adjacent to the property line would be disruptive to neighbouring residents.

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

(i) **Closed Session Minutes – November 5, 2024 (Item 15.1)**

(Kroetsch/Beattie)

- (a) That the Closed Session Minutes dated November 5, 2024, be approved as presented; and,
- (b) That the Closed Session Minutes dated November 5, 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
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
NOT PRESENT – Ward 15 Councillor T. McMeekin

(Tadeson/Hwang)

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
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
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
NOT PRESENT – Ward 15 Councillor T. McMeekin

The Committee meeting reconvened in Open Session at 11:41 a.m.

- (i) **Appeal to the Ontario Land Tribunal for lands located at 9285, 9445, 9511, 9625 and 9751 Twenty Road East and 555 Glancaster Road, Glanbrook for Lack of Decision on Urban Hamilton Official Plan Amendment Applications (UHOPA-20-018, UHOPA-20-019 and UHOPA-20-020) (LS24020) (Ward 11) (Item 15.2)**

For disposition of this matter, refer to Item 6.

(k) ADJOURNMENT (Item 16)

(Hwang/Tadeson)

That there being no further business, the Planning Committee be adjourned at 11:42 a.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
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
NOT PRESENT – Ward 15 Councillor T. McMeekin

Councillor C. Cassar, Chair
Planning Committee

Lisa Kelsey
Legislative Coordinator