



**PLANNING COMMITTEE
MINUTES
24-018**

**December 3, 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, J.P. Danko, M. Francis (virtual),
C. Kroetsch, T. McMeekin, A. Wilson, E. Pauls, M. Tadeson

Absent with Regrets: Councillor N. Nann – City Business

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Appointment By-law under the *Building Code Act, 1992* (PED24227) (City Wide) (Item 9.1)

(McMeekin/Pauls)

- (a) That the draft By-law attached as Appendix “A” to Report PED24227, respecting the appointment of a Chief Building Official, Deputies and Inspectors, which has been prepared in a form satisfactory to the City Solicitor, be approved and enacted; and
- (b) That By-law 22-270, being a by-law respecting the Appointments of a Chief Building Official, Deputies and Inspectors be repealed.

Result: Motion CARRIED by a vote of 11 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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

2. Update on Green Building Standards Consultation (PED24228) (Urban Areas – City Wide) (Item 9.2)

(Kroetsch/Pauls)

That Report PED24228 respecting Update on Green Building Standards Consultation (Urban Areas – City Wide), 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
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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

3. Application for a Draft Plan of Subdivision for Lands Located at 75 Centennial Parkway North, Hamilton (PED24222) (Ward 5) (Item 10.1)

(Pauls/Beattie)

(a) That Draft Plan of Subdivision Application 25T-202305, by Bousfields Inc. (c/o David Falletta), on behalf of Hammer GP LP and Hammer GP Services Corp. (c/o Mark Newman), Owner, on lands located at 75 Centennial Parkway North, as shown on Appendix “A” attached to Report PED24222, 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 “Part 1, Plan of Part of Lot 27 Concession 2” certified by R.A. McLaren, O.L.S., dated November 12, 2024, consisting of one block (Block 1) for commercial uses, two blocks (Blocks 2 and 9) for 91 townhouse

dwelling units, eight blocks (Blocks 3 to 8, 10, and 11) for 4,234 multiple dwelling units and 12,406 square metres of non-residential gross floor area, three blocks (Blocks 12 to 14) for privately owned public space, four blocks (Blocks 15 to 18) for right-of-way widenings, and one public right-of-way (Street 'A'), as shown on the Draft Plan of Subdivision in Appendix "B" attached to Report PED24222;

- (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 "C" attached to Report PED24222;
- (iii) That the Special Conditions of Draft Plan of Subdivision Approval, 25T-202305, as shown in Appendix "C" attached to Report PED24222, be received and endorsed by City Council;
- (iv) 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; and,
- (vi) That staff be directed to enter into a Privately Owned Public Space Agreement with the Owner that deals with matters including, but not limited to, the long-term ownership, maintenance, and public access of the lands identified as Blocks 12, 13 and 14 as shown on the Draft Plan of Subdivision in Appendix "B" attached to Report PED24222.

Result: Motion CARRIED by a vote of 11 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
- YES – Ward 13 Councillor A. Wilson
- YES – Ward 15 Councillor T. McMeekin

**4. Applications for an Official Plan Amendment and Zoning By-law
Amendment for Lands Located at 582 and 584 Highway No. 8, Stoney Creek
(PED24180) (Ward 10) (Item 10.2)**

(Francis/McMeekin)

- (a) That Amended Official Plan Amendment application UHOPA-21-006, by WEBB Planning Consultants c/o James Webb on behalf of Simnat Consulting Inc., Owner, to redesignate the subject lands from “Low Density Residential 3c” to “Medium Density Residential 3” and to establish a Site Specific Policy Area in the Western Development Area Secondary Plan to increase the permitted height to four storeys and permit a maximum density of 164 units per hectare, for lands located at 582 and 584 Highway No. 8, as shown on Appendix “A” attached to Report PED24180, be APPROVED on the following basis:
 - (i) That the draft Amended Official Plan Amendment, attached as Appendix “B” attached to Report PED24180, be adopted by City Council;
 - (ii) That the proposed Amended Official Plan Amendment is consistent with the Provincial Planning Statement (2024) and conforms to the Niagara Escarpment Plan (2017).
- (b) That Amended Zoning By-law Amendment application ZAC-21-011, by WEBB Planning Consultants c/o James Webb on behalf of Simnat Consulting Inc., Owner, for a change in zoning from the Single Residential “R2” Zone (Block 1) and the Neighbourhood Development “ND” Zone (Block 2) to the Multiple Residential “RM3-75(H)” Zone, Modified, Holding, to permit a four storey multiple dwelling containing 50 dwelling units and 65 parking spaces, for lands located at 582 and 584 Highway No. 8, as shown on Appendix “A” attached to Report PED23089, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “C” to Report PED24180, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the draft By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject property by introducing the Holding symbol ‘H’ as a suffix the proposed zoning for the following:

The Holding Provision for the Multiple Residential “RM3-75(H)” Zone, Modified, Holding, is to be removed conditional upon:

- (1) That the owner confirms that the construction of the municipal sanitary sewer along DeWitt Road has been completed and is fully operational to provide sewer capacity for the proposed development, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (2) That the owner has paid a proportionate share of the costs associated with the municipal sanitary sewer construction along DeWitt Road, to the satisfaction of the Director of Growth Management and Chief Development Engineer; and,
- (iii) That the proposed changes in zoning are consistent with the Provincial Planning Statement (2024), conform to the Niagara Escarpment Plan (2017, as amended), and will comply with the Urban Hamilton Official Plan and the Western Development Area Secondary Plan upon adoption of the Official Plan Amendment.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

5. Applications for Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 760 Stone Church Road East, 153 and 224 Eaglewood Drive, and 49 Eleanor Avenue, Hamilton (PED24177) (Ward 6) (Item 10.3)

(Francis/Beattie)

- (a) That Zoning By-law Amendment application ZAC-23-016, by A.J. Clarke and Associates Ltd. (c/o Ryan Ferrari), on behalf of 5025299 Ontario Inc. (c/o Ali Alaichi), Owner, for a change in zoning from the “C/S-1822” (Urban Protected Residential, etc) District, Modified, the “R-4-H/S-1713” (Small Lot Single Family Dwelling - Holding) District, Modified, the “R-4/S-1822”

(Small Lot Single Family Dwelling) District, Modified, and the Low Density Residential (R1) Zone to the Low Density Residential – Small Lot (R1a, 918) Zone, the Low Density Residential – Small Lot (R1a, 921) Zone, and the Low Density Residential (R1, H188) Zone, to permit the development of 27 single detached dwellings (16 single detached dwellings facing onto the public road and 11 single detached dwellings facing onto a private condominium road) on lands located at 760 Stone Church Road East, 153 and 224 Eaglewood Drive, and 49 Eleanor Avenue, as shown in Appendix “A” attached to Report PED24177, be APPROVED on the following basis:

- (i) That the Draft By-law attached as Appendix “B” attached to Report PED24177, 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 Planning Statement (2024) and complies with the Urban Hamilton Official Plan.
- (iii) That the amending By-law apply the Holding Provisions of section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject property (Block 3 as shown in Appendix “B” attached to report PED24177) by including the Holding ‘H188’ to the proposed Low Density Residential (R1) Zone.

The Holding Provision ‘H188’ is to be removed conditional upon:

- a. Land consolidation with the adjacent lands to the east, known municipally as 738 Stone Church Road East, has occurred to ensure comprehensive development, to the satisfaction of the Director of Development Planning.
- (b) That Draft Plan of Subdivision application 25T-202301, by A.J. Clarke and Associates Ltd. (c/o Ryan Ferrari), on behalf of 5025299 Ontario Inc. (c/o Ali Alaichi), Owner, on lands located at 760 Stone Church Road East, 153 and 224 Eaglewood Drive, and 49 Eleanor Avenue (Hamilton), as shown in Appendix “A” attached to Report PED24177, 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-202301, prepared by A.J. Clarke and Associates Ltd., and certified by Nicholas P. Muth, O.L.S., dated October 25, 2024, consisting of 16 lots for single detached dwellings (Lots 1-16), one block for the future development of 11 single detached dwellings on a private condominium road (Block 17), one block as a remnant development

block (Block 18), one block for a Daylighting Triangle (Block 19), and the extension of Eaglewood Drive on the east and west of side of Eleanor Avenue, as shown in Appendix “G” attached to Report PED24177;

- (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 PED24177, be received, and endorsed by City Council;
 - (iii) That the Special Conditions of Draft Plan of Subdivision Approval, 25T-202301, as shown in Appendix “F” attached to Report PED24177, 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; and,
 - (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.
- (c) That upon approval of Zoning By-law Amendment Application ZAC-23-016, the Eleanor Neighbourhood Plan be amended by removing the Proposed Road extending north from Eaglewood drive into a cul-de-sac, on the lands municipally known as 760 Stone Church Road East, north of Eaglewood Drive and east of Eleanor Avenue, as shown in Appendix “H” attached to Report PED24177.

Result: Motion CARRIED by a vote of 11 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
YES – Ward 13 Councillor A. Wilson

YES – Ward 15 Councillor T. McMeekin

6. Applications for an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 9555 Airport Road West, Glanbrook (PED24195) (Ward 11) (Item 10.4)

(Tadeson/Beattie)

- (a) That Amended Official Plan Amendment Application UHOPA-21-008, by A.J. Clarke and Associates Ltd. (c/o Stephen Fraser) on behalf of Hopewell Developments Inc., Owner, to amend the Urban Hamilton Official Plan by identifying lands as “Core Areas” and removing the identification of the eastern “Key Hydrologic Feature Streams” on Schedule B – Natural Heritage System, to add the identification of “Key Natural Heritage and Key Hydrologic Feature Wetlands” on Schedule B-4 – Detailed Natural Heritage Features Key Natural Heritage Features and Key Hydrologic Feature Wetlands, to remove the identification of “Key Hydrologic Feature Streams” on Schedule B-8 – Detailed Natural Heritage Features Key Hydrologic Feature Streams within the Urban Hamilton Official Plan Volume 1, to amend the Airport Employment Growth District Secondary Plan by adding “Site Specific Policy – Area X” and “Site Specific Policy Area Y” on the Airport Employment Growth District Secondary Plan – Land Use Plan, identifying a wetland as “Core Areas”, removing the identification of “Support/Indirect Fish Habitat”, and changing the identification from “Seasonal Habitat” to “Support/Indirect Fish Habitat” on the Airport Employment Growth District Secondary Plan – Natural Heritage System, to permit employment uses (warehousing) and to recognize a wetland and watercourse, for lands located at 9555 Airport Road West, as shown in Appendix “A” attached to Report PED24195, be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED24195, be adopted by City Council; and,
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Planning Statement (2024).
- (b) That Amended Zoning By-law Amendment Application ZAC-21-018, by A.J. Clarke and Associates Ltd. (c/o Stephen Fraser) on behalf of Hopewell Developments Inc., Owner, for a change in zoning from the Airport Related Business (M8, H37) Zone to the Airport Related Business (M8, 919) Zone and the Conservation/Hazard Land (P5, 920) Zone, add warehousing as a permitted use, provide site specific regulations for warehousing, and removal of the ‘H37’ Holding Provision, for lands located at 9555 Airport Road West, as shown on attached Appendix “A” to Report PED24195, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “C” to Report PED24195, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed changes in zoning are consistent with the Provincial Planning Statement (2024); and,
 - (iii) That this amending By-law will comply with the Urban Hamilton Official Plan and the Airport Employment Growth District Secondary Plan upon adoption of Official Plan Amendment No. ____.
- (c) That Amended Draft Plan of Subdivision Application 25T-202106, by A.J Clarke and Associates Ltd. (c/o Steven Fraser), on behalf of Hopewell Developments Inc., Owner, on lands located at 9555 Airport Road West, as shown on Appendix “A” attached to Report PED24195, 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-202106, titled “9555 Airport Road” certified by Nicholas P. Muth, O.L.S., dated February 13, 2024, consisting of two blocks for employment uses (Blocks 1 and 2), one block for a right-of-way dedication (Block 3), and the extension of a public road (Street ‘A’), as shown on Appendix “F” attached to Report PED24195;
 - (ii) That the Owner enter into a Standard form Subdivision Agreement as approved by City Council and with the Special Conditions of Draft Plan of Subdivision Approval, 25T-202106, as shown on Appendix “G” attached to Report PED24195, be received and endorsed by City Council;
 - (iii) 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; and,
 - (iv) 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 11 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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

**7. Fruitland-Winona Secondary Plan Block 1 Servicing Strategy (PED24209)
(Ward 10) (Item 10.5)**

(Beattie/Tadeson)

- (a) That the Draft Block Servicing Strategy Fruitland – Winona Secondary Plan Block 1 Report for lands in Phase 1 West of Jones Road, prepared by Urbantech Consulting, dated October 2024, on behalf of the Block 1 land ownership group (Land Owner Group membership, as shown on Appendix “E” to Report PED24209, is Marz Homes, Melrose Group, Chiaravalle Homes, Benemar Homes, Mountainview Fruitland, Mountainview Serland, Serland and 212/218 Fruitland Road), attached as Appendix “A” to Report PED24209, be received;
- (b) That Planning and Economic Development staff be directed and authorized to consult on the Draft Block Servicing Strategy Fruitland – Winona Secondary Plan Block 1 Report for lands in Phase 1 West of Jones Road, and that staff report back on the results of the consultation to Planning Committee in Q1 2025;
- (c) That Planning and Economic Development staff be directed to develop an Implementation Plan for the Draft Block Servicing Strategy Fruitland – Winona Secondary Plan Block 1 Report for lands in Phase 1 West of Jones Road, including any necessary adjustments to the Block Servicing Strategy and any Official Plan Amendments and report back to Planning Committee in Q1 2025;
- (d) That Planning and Economic Development Department staff report back to Planning Committee with the Final Block Servicing Strategy Fruitland – Winona Secondary Plan Block 1 Report – Phase 1 West of Jones Road in Q1 2025;

- (e) That the Final Block Servicing Strategy Fruitland – Winona Secondary Plan Block 1 Report – Phase 1 West of Jones Road, prepared by Urbantech Consulting, dated October 2024, be used by Planning and Economic Development staff in reviewing development applications within the Block 1 Servicing Strategy area in the Fruitland-Winona Secondary Plan area;
- (f) That Council direct Planning and Economic Development staff to prepare Phase 2 of the Block Servicing Strategy Fruitland – Winona Secondary Plan Block 1 Report for lands east of Jones Road upon resolution of outstanding Ontario Land Tribunal appeals, including consultation and development of an Implementation Strategy, with funding for the study to be referred to the Capital Budget process;
- (g) That the General Manager of Planning and Economic Development in consultation with the General Manager of Finance and Corporate Services be directed and authorized to negotiate the terms of an Agreement with the Block 1 Land Owner Group based on the principles outlined on page 14 of Report PED24209 for the purposes of permitting the installation of Core Infrastructure to support development of Block 1 in the Fruitland Winona Secondary Plan Area in advance of formal development approvals;
- (h) That Planning and Economic Development staff report back to Council with details of the Agreement, including requesting authority to execute the Agreement no later than Q3 2025.
- (i) ***That consultation and the final block servicing strategy include alternatives to maintain and enhance natural watercourses and floodplains in alignment with the City's climate change and biodiversity action plans, consider realigning development densities, while providing engineering options to alleviate local current and future potential flooding.***

Result: Main Motion, As Amended, CARRIED by a vote of 11 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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

8. Demolition Permits – 3070, 3078, 3160, 3168 and 3190 Regional Road 56 (PED24229) (Ward 11) (Item 11.2)

(Tadeson/Kroetsch)

- (a) That the request to issue a demolition permit prior to the owner obtaining final Site Plan Approval for redevelopment of 3070 and 3160 Regional Road 56 be GRANTED since the houses are in poor condition;
- (b) That the request to issue a demolition permit prior to the owner obtaining final Site Plan Approval for redevelopment of 3078 Regional Road 56 be DENIED since the house is in good condition, there are outstanding heritage issues, and staff consider the application to be premature;
- (c) That the request to issue a demolition permit prior to the owner obtaining final Site Plan Approval for redevelopment of 3168 and 3190 Regional Road 56 be DENIED since the houses are in fair condition, boarded up and secure, and staff consider the application to be premature;
- (d) That the Chief Building Official be authorized to issue a demolition permit for 3078, 3168 and 3190 Binbrook Road in accordance with 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 in accordance with section 6(b) of the Demolition Control Area By-law 22-101.

Result: Motion CARRIED by a vote of 11 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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

9. **Demolition Permit - 3033 and 3047 Binbrook Road (PED24138) (Ward 11)
(Deferred from the October 18th meeting) (Item 11.3)**

(Tadeson/Pauls)

That the Chief Building Official be authorized to issue demolition permits for 3033 and for 3047 Binbrook Road in accordance with By-law 22-101, pursuant to Section 33 of *The Planning Act* as amended, without having final Site Plan approval for the redevelopment of the property, and without having to comply with section 6(b) of the Demolition Control Area By-law 22-101.

Result: Motion CARRIED by a vote of 8 to 3, as follows:

NO – Ward 1 Councillor M. Wilson
NO – 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. Pauls⁸
YES – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
YES – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
NO – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

10. **Hamilton Municipal Heritage Committee Report 24-010 (Item 11.4)**

(Kroetsch/A. Wilson)

**(a) Recommendation to Designate 223 Governor's Road, Dundas
(Starfield), under Part IV of the *Ontario Heritage Act*
(PED24181) (Ward 13) (Item 8.1)**

(i) That the City Clerk be directed to give notice of Council's intention to designate 223 Governor's Road, Dundas, shown in Appendix "A" attached to Report PED24181, 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 PED24181, 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.
- (b) **Heritage Permit Application HP2024-032, Under Part V of the *Ontario Heritage Act*, to Permit the Demolition of a Detached Contemporary Rear Shed located at 2 Griffin Street, Flamborough (PED24225) (Ward 15) (Added Item 10.2)**
- (i) That Heritage Permit Application HP2024-032, for the demolition of a detached contemporary rear shed located at 2 Griffin Street, Flamborough, under Section 42 of the *Ontario Heritage Act*, be approved with the following conditions:
 - (1) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and
 - (2) That implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than December 31, 2026. If the alteration(s) are not completed by December 31, 2026, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.
 - (ii) That appropriate notice of the Council decision on Heritage Permit Application HP2024-032 be served on the owner of 2 Griffin Street, Flamborough, and the Ontario Heritage Trust, as required under Section 42 of the *Ontario Heritage Act*.

Result: Motion CARRIED by a vote of 11 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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

11. Agriculture and Rural Affairs Sub-Committee Report 24-002 (Item 11.5)

(McMeekin/Beattie)

(a) Development Charges for Farm Labour Residences (no copy) (Item 11.1)

- (i) That the Hamilton-Wentworth Catholic District School Board Liaison Committee and the Hamilton-Wentworth District School Board Liaison Committee be requested to engage with their partner School Boards to understand the Development Charges system and how it pertains to agricultural buildings; and
- (ii) That as part of the engagement with the School Boards, finance staff articulate the rationale for the City's position respecting agricultural Development Charges.

(b) Farm 911 Program Update (no copy) (Item 11.2)

That staff be directed to bring forward potential changes to Farm 911 Program to the Agriculture and Rural Affairs Sub-Committee prior to reporting back to the Planning Committee.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

12. Supplemental Funding for Water Main Repair at Auchmar Estate (Item 12.2)

(Danko/Pauls)

WHEREAS, the City of Hamilton is the owner and steward of Auchmar Estate and grounds in Ward 8 and is committed to the ongoing preservation and future development of Auchmar Estate and Grounds for public use; and

WHEREAS, urgent watermain replacement is required at the Auchmar Estate to replace a ruptured watermain which occurred in Winter of 2023 and to provide water for running the boiler for heating systems,

THEREFORE, BE IT RESOLVED:

- (a) That Heritage Resource Management staff be directed to complete the replacement of the main water main at Auchmar Estate including all necessary design work, surveys and archaeology;
- (b) That the sourcing and replacement of the water main and necessary design work, surveys and archaeology be funded from the Ward 8 Capital Discretionary Account #108058 at an upset limit, including contingency, not to exceed \$430,000 be approved; and
- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
NOT PRESENT – Ward 3 Councillor N. Nann
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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

13. **Appeal to the Ontario Land Tribunal for lands located at 509 Southcote Road, Ancaster, for Lack of Decision on Official Plan Amendment Application UHOPA-23-010 and Zoning By-law Amendment Application ZAC-23-025 (Ward 12) (LS23030(a)) (Item 15.2)**

(McMeekin/Tadeson)

- (a) That the directions to staff in Closed Session respecting Report LS24030(a) be approved;
- (b) That closed session recommendations (a), (b), and (c) to Report LS23030(a), be approved and remain confidential until made public as the City's position before the Ontario Land Tribunal; and,
- (c) That the balance of Report LS23030(a) 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
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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

14. Appeal to the Ontario Land Tribunal (OLT-22-004759) for Official Plan Amendment (UHOPA-21-014) and Zoning By-law Amendment Applications (ZAC-21-031) for Lands Located at 405 James Street North (LS23012(d)) (Ward 2) (Item 15.3)

(Kroetsch/A. Wilson)

That report LS23012(d) respecting Appeal to the Ontario Land Tribunal (OLT-22-004759) for Official Plan Amendment (UHOPA-21-014) and Zoning By-law Amendment Applications (ZAC-21-031) for Lands Located at 405 James Street North, 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
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
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 Communications respecting Options to Limit SDU's to One Story in Urban/Suburban Neighbourhoods (Item 12.1)

- (iii) Scott Dobin
- (iv) Sarah Van Berkel
- (v) Bob Carr and Maggie Carr
- (vi) Rae Bates
- (vii) Robert Coxe
- (viii) Jean Jacobs
- (ix) Lara Stewart
- (x) Mary Anne Peters
- (xi) Catherine Smith
- (xii) Greg Schultz
- (xiii) Barbara Patterson
- (xiv) Michel Proulx
- (xv) Robert Iszkula
- (xvi) Jan Willem Jansen
- (xvii) Alex Matheson
- (xviii) Kelvin Mutter
- (xix) Gail Moffatt
- (xx) Susanne Prue
- (xxi) Peter Scholtens
- (xxii) Jason Swenor
- (xxiii) Liz Jackson
- (xxiv) Josiah Witt
- (xxv) Lisa Cole
- (xxvi) David Krysko
- (xxvii) Rob Booth and Linda Varangu
- (xxviii) Nonni Iler
- (xxix) Siobhan Koch, IMBY Homes
- (xxx) Laurie Galer
- (xxxi) Harriet Woodside
- (xxxii) Chris Cardey and Theresa Cardey

- (xxxiii) Rose Janson
- (xxxiv) Mike Mazurkiewicz
- (xxxv) Vicky Sutherland
- (xxxvi) Victoria Koch
- (xxxvii) Douglas Horst
- (xxxviii) Pauline Prowse
- (xxxix) Heather Vaughan
- (xl) Miriam Sager
- (xli) Elizabeth Knight
- (xlii) Mary Ann Frerotte
- (xliii) Megan Saunders
- (xliv) Dianne Wilson
- (xlv) Alison Witt
- (xlvi) Ellen Wall
- (xlvii) Verena Walter & Greg Walter
- (xlviii) Shaila Sinke
- (xlix) Irene Schieb
- (l) Bonnie McInnes
- (li) Gloria Peters
- (lii) Zita Bersenas-Cers
- (liii) Bill Curran
- (liv) Matias Rozenberg
- (lv) Donald Cameron
- (lvi) Alex Adams
- (lvii) Angie McNulty
- (lviii) Gord McNulty
- (lix) Sarah Jenner
- (lx) Dan Shannon
- (lxi) Mary Love
- (lxii) Kristin Scarfone
- (lxiii) Daniel Quaglia
- (lxiv) Maya Zane
- (lxv) Michelle Tom
- (lxvi) Ruth Frager
- (lxvii) Rick Johnson
- (lxviii) Heather Yoell
- (lxix) Domenica Succi
- (lxx) Austin Mulder
- (lxxi) Cynthia Meyer
- (lxxii) Alicia Wilson
- (lxxiii) Michelle Torsney
- (lxxiv) David VanderWindt
- (lxxv) Claude Jarvis
- (lxxvi) Margaret Tremblay
- (lxxvii) Geoff Palmer
- (lxxviii) Brian Dijkema and Nicole Dijkema

- (lxxix) Liz Perez
- (lxxx) Pierre Roy
- (lxxxi) Anthony Salemi, West End Home Builders' Association
- (lxxxii) Jen Vanderherberg
- (lxxxiii) Christine Quail

6. DELEGATION REQUESTS

6.1 Delegations respecting Options to Limit SDU's to One Story in Urban/Suburban Neighbourhoods (Item 12.1) (For today's meeting)

- (i) Phil Pothén
- (ii) Chris Harrison
- (iii) Tim Leslie
- (iv) Siobhan Koch, IMBY Homes
- (v) Emma Cubitt, Invizij Architects

10. PUBLIC HEARINGS

10.1 Application for a Draft Plan of Subdivision for Lands Located at 75 Centennial Parkway North, Hamilton (PED24222) (Ward 5) - Revised Appendix "C"

- (a) Staff Presentation

10.2 Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 582 and 584 Highway No. 8, Stoney Creek (PED24180) (Ward 10)

- (a) Staff Presentation

10.3 Applications for Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 760 Stone Church Road East, 153 and 224 Eaglewood Drive, and 49 Eleanor Avenue, Hamilton (PED24177) (Ward 6)

- (a) Staff Presentation

10.4 Applications for an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 9555 Airport Road West, Glanbrook (PED24195) (Ward 11)

- (a) Staff Presentation

10.5 Fruitland-Winona Secondary Plan Block 1 Servicing Strategy (PED24209) (Ward 10)

(a) Staff Presentation

11. DISCUSSION ITEMS

11.1 Request for Direction to Proceed with Appeal of Committee of Adjustment Decision to Approve Consent Application B-24:42 & Committee of Adjustment Decision to Approve Minor Variance Application A-24:171 for Lands Located at 1248 Concession 6 West, Flamborough (PED24196) (Ward 13)

Deferred to a future meeting.

13. NOTICES OF MOTION

13.1 Feasibility on the Adoption and Enforcement of a By-law to Prohibit Protests at Places of Worship and Their Facilities

(Beattie/Pauls)

That the agenda for the December 3, 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
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
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) November 19, 2024 (Item 4.1)

(Beattie/McMeekin)

That the Minutes of the November 19, 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
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
YES – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

(d) COMMUNICATIONS (Item 5)

(i) Communications respecting Options to Limit SDU's to One Story in Urban/Suburban Neighbourhoods (Item 12.1) (Item 5.1)

(A. Wilson/M. Wilson)

That the following Communications, respecting Options to Limit SDU's to One Story in Urban/Suburban Neighbourhoods, be received and referred to the consideration of Item 12.1:

- (a) Matt Ridley (Item 5.1(i))
- (b) Colin Longworth (Item 5.1(ii))
- (c) Scott Dobin (Added Item 5.1(iii))
- (d) Sarah Van Berkel (Added Item 5.1(iv))
- (e) Bob Carr and Maggie Carr (Added Item 5.1(v))
- (f) Rae Bates (Added Item 5.1(vi))
- (g) Robert Coxe (Added Item 5.1(vii))
- (h) Jean Jacobs (Added Item 5.1(viii))
- (i) Lara Stewart (Added Item 5.1(ix))
- (j) Mary Anne Peters (Added Item 5.1(x))
- (k) Catherine Smith (Added Item 5.1(xi))
- (l) Greg Schultz (Added Item 5.1(xii))
- (m) Barbara Patterson (Added Item 5.1(xiii))
- (n) Michel Proulx (Added Item 5.1(xiv))
- (o) Robert Iszkula (Added Item 5.1(xv))
- (p) Jan Willem Jansen (Added Item 5.1(xvi))
- (q) Alex Matheson (Added Item 5.1(xvii))
- (r) Kelvin Mutter (Added Item 5.1(xviii))

- (s) Gail Moffatt (Added Item 5.1(xix))
- (t) Susanne Prue (Added Item 5.1(xx))
- (u) Peter Scholtens (Added Item 5.1(xxi))
- (v) Jason Swenor (Added Item 5.1(xxii))
- (w) Liz Jackson (Added Item 5.1(xxiii))
- (x) Josiah Witt (Added Item 5.1(xxiv))
- (y) Lisa Cole (Added Item 5.1(xxv))
- (z) David Krysko (Added Item 5.1(xxvi))
- (aa) Rob Booth and Linda Varangu (Added Item 5.1(xxvii))
- (ab) Nonni Iler (Added Item 5.1(xxviii))
- (ac) Siobhan Koch, IMBY Homes (Added Item 5.1(xxix))
- (ad) Laurie Galer (Added Item 5.1(xxx))
- (ae) Harriet Woodside (Added Item 5.1(xxxi))
- (af) Chris Cardey and Theresa Cardey (Added Item 5.1(xxxii))
- (ag) Rose Janson (Added Item 5.1(xxxiii))
- (ah) Mike Mazurkiewicz(Added Item 5.1(xxxiv))
- (ai) Vicky Sutherland (Added Item 5.1(xxxv))
- (aj) Victoria Koch (Added Item 5.1(xxxvi))
- (ak) Douglas Horst (Added Item 5.1(xxxvii))
- (al) Pauline Prowse (Added Item 5.1(xxxviii))
- (am) Heather Vaughan (Added Item 5.1(xxxix))
- (an) Miriam Sager (Added Item 5.1 (xl))
- (ao) Elizabeth Knight (Added Item 5.1 (xli))
- (ap) Mary Ann Frerotte (Added Item 5.1 (xlii))
- (aq) Megan Saunders (Added Item 5.1 (xliii))
- (ar) Dianne Wilson (Added Item 5.1 (xliv))
- (as) Alison Witt (Added Item 5.1 (xlv))
- (at) Ellen Wall (Added Item 5.1 (xlvi))
- (au) Verena Walter & Greg Walter (Added Item 5.1 (xlvii))
- (av) Shaila Sinke (Added Item 5.1 (xlviii))
- (aw) Irene Schieb (Added Item 5.1 (xlix))
- (ax) Bonnie McInnes (Added Item 5.1 (l))
- (ay) Gloria Peters (Added Item 5.1 (li))
- (az) Zita Bersenas-Cers (Added Item 5.1 (lii))
- (ba) Bill Curran (Added Item 5.1 (liii))
- (bb) Matias Rozenberg (Added Item 5.1 (liv))
- (bc) Donald Cameron (Added Item 5.1 (lv))
- (bd) Alex Adams (Added Item 5.1 (lvi))
- (be) Angie McNulty (Added Item 5.1 (lvii))
- (bf) Gord McNulty (Added Item 5.1 (lviii))
- (bg) Sarah Jenner (Added Item 5.1 (lix))
- (bh) Dan Shannon (Added Item 5.1 (lx))
- (bi) Mary Love (Added Item 5.1 (lxi))
- (bj) Kristin Scarfone (Added Item 5.1 (lxii))
- (bk) Daniel Quaglia (Added Item 5.1 (lxiii))
- (bl) Maya Zane (Added Item 5.1 (lix))

- (bm) Michelle Tom (Added Item 5.1 (Ix))
- (bn) Ruth Frager (Added Item 5.1 (Ixi))
- (bo) Rick Johnson (Added Item 5.1 (Ixii))
- (bp) Heather Yoell (Added Item 5.1 (Ixiii))
- (bq) Domenica Succi (Added Item 5.1 (Ixiv))
- (br) Austin Mulder (Added Item 5.1 (Ixv))
- (bs) Cynthia Meyer (Added Item 5.1 (Ixvi))
- (bt) Alicia Wilson (Added Item 5.1 (Ixvii))
- (bu) Michelle Torsney (Added Item 5.1 (Ixviii))
- (bv) David VanderWindt (Added Item 5.1 (Ixix))
- (bw) Claude Jarvis (Added Item 5.1 (Ixx))
- (bx) Margaret Tremblay (Added Item 5.1 (Ixxi))
- (by) Geoff Palmer (Added Item 5.1 (Ixxii))
- (bz) Brian Dijkema and Nicole Dijkema (Added Item 5.1 (Ixxiii))
- (ca) Liz Perez (Added Item 5.1 (Ixxiv))
- (cb) Pierre Roy (Added Item 5.1 (Ixxv))
- (cc) Anthony Salemi, West End Home Builders' Association (Added Item 5.1 (Ixxvi))
- (cd) Jen Vanderherberg (Added Item 5.1 (Ixxvii))
- (ce) Christine Quail (Added Item 5.1 (Ixxviii))

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

- YES – Ward 1 Councillor M. Wilson
- YES – Ward 2 Councillor C. Kroetsch
- NOT PRESENT – Ward 3 Councillor N. Nann
- YES – Ward 4 Councillor T. Hwang
- 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
- YES – Ward 11 Councillor M. Tadeson
- YES – Ward 12 Councillor C. Cassar
- YES – Ward 13 Councillor A. Wilson
- YES – Ward 15 Councillor T. McMeekin

(e) DELEGATION REQUESTS (Item 6)

(i) (Tadeson/McMeekin)

That the following Delegation Requests be approved:

- (a)** Delegation Requests respecting Options to Limit SDU's to One Story in Urban/Suburban Neighbourhoods (Item 12.1) (For today's meeting) (Added Item 6.1)

- (i) Phil Pothen (virtually)

- (ii) Chris Harrison Cubitt, Invizij Architects (virtually)
- (iii) Tim Leslie (in-person)
- (iv) Siobhan Koch, IMBY Homes (pre-recorded)
- (v) Emma Cubitt, Invizij Architects (pre-recorded)

- (b) Travis Skelton respecting Demolition Permits for 3070 – 3190 Regional Road 56 (Item 11.2) (For today's meeting) (Added Item 6.2)

Result: Motion CARRIED by a vote of 11 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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

(f) DELEGATIONS (Item 7)

- (i) **Matt Johnston, UrbanSoloutions, respecting 3033 and 3047 Binbrook Road (Item 11.3) (Deferred from the October 18th meeting) (Item 7.1)**

Matt Johnston, UrbanSolutions, addressed the Committee respecting 3033 and 3047 Binbrook Road (Item 11.3).

(Tadeson/Pauls)

That the Delegation from Matt Johnston, UrbanSolutions, respecting 3033 and 3047 Binbrook Road (Item 11.3), 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
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
- YES – Ward 13 Councillor A. Wilson
- YES – Ward 15 Councillor T. McMeekin

(ii) Delegations respecting Options to Limit SDU's to One Story in Urban/Suburban Neighbourhoods (Item 12.1) (Added Item 7.2)

The following delegates addressed the Committee respecting Options to Limit SDU's to One Story in Urban/Suburban Neighbourhoods (Item 12.1):

- (a) Phil Pothen (virtually) (Added Item 7.2(i))
- (b) Chris Harrison Cubitt, Invizij Architects (virtually) (Added Item 7.2(ii))
- (c) Tim Leslie (in-person) (Added Item 7.2(iii))
- (d) Siobhan Koch, IMBY Homes (pre-recorded) (Added Item 7.2(iv))
- (e) Emma Cubitt, Invizij Architects (pre-recorded) (Added Item 7.2(v))

(A. Wilson/Kroetsch)

That the following Delegations respecting Options to Limit SDU's to One Story in Urban/Suburban Neighbourhoods, be received.

- (a) Phil Pothen (virtually) (Added Item 7.2(i))
- (b) Chris Harrison Cubitt, Invizij Architects (virtually) (Added Item 7.2(ii))
- (c) Tim Leslie (in-person) (Added Item 7.2(iii))
- (d) Siobhan Koch, IMBY Homes (pre-recorded) (Added Item 7.2(iv))
- (e) Emma Cubitt, Invizij Architects (pre-recorded) (Added Item 7.2(v))

Result: Motion CARRIED by a vote of 11 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
- YES – Ward 13 Councillor A. Wilson
- YES – Ward 15 Councillor T. McMeekin

(iii) Travis Skelton respecting Demolition Permits for 3070 – 3190 Regional Road 56 (Item 11.2) (Added Item 7.3)

Travis Skelton addressed the Committee respecting 3070 - 3190 Regional Road 56 (Item 11.2).

(Tadeson/Beattie)

That the Delegation from Travis Skelton respecting 3070 - 3190 Regional Road 56 (Item 11.2), 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
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
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 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) Application for a Draft Plan of Subdivision for Lands Located at 75 Centennial Parkway North, Hamilton (PED24222) (Ward 5) (Item 10.1)

(a) (Francis/Kroetsch)

That the staff presentation be waived.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

(b) David Faletta with Bousfields Inc. was in attendance and indicated support for the staff report.

(Pauls/Tadeson)

That the presentation from David Faletta with Bousfields Inc., be received.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

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

(d) **(McMeekin/Tadeson)**

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

(b) That the public meeting be closed.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 3.

(ii) **Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 582 and 584 Highway No. 8, Stoney Creek (PED24180) (Ward 10) (Item 10.2)**

(a) Tim Vrooman, Acting Manager – Development Planning (East), addressed the Committee with the aid of a PowerPoint presentation.

(Beattie/McMeekin)

That the staff presentation be received.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

- (b) James Webb with WEBB Planning Consultants Inc. was in attendance and indicated support for the staff report.

(Beattie/McMeekin)

That the presentation from James Webb with WEBB Planning Consultants Inc., be received.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

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

(d) (Beattie/McMeekin)

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

(b) That the public meeting be closed.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 4.

(iii) Applications for Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 760 Stone Church Road East, 153 and 224 Eaglewood Drive, and 49 Eleanor Avenue, Hamilton (PED24177) (Ward 6) (Item 10.3)

(a) (Francis/Beattie)

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
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
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.

(Francis/Beattie)

That the presentation from Ryan Ferrari with A.J. Clarke and Associates Ltd., 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
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
YES – Ward 13 Councillor A. Wilson

YES – Ward 15 Councillor T. McMeekin

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

(d) **(Beattie/Pauls)**

(a) That there were no public submissions regarding this matter and,

(b) That the public meeting be closed.

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

YES – Ward 1 Councillor M. Wilson

YES – Ward 2 Councillor C. Kroetsch

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

YES – Ward 13 Councillor A. Wilson

YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 5.

(iv) **Applications for an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 9555 Airport Road West, Glanbrook (PED24195) (Ward 11) (Item 10.4)**

(a) James Van Rooi, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation.

(A. Wilson/McMeekin)

That the staff presentation be received.

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

YES – Ward 1 Councillor M. Wilson

YES – Ward 2 Councillor C. Kroetsch

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

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

(Tadeson/Beattie)

That the presentation from Stephen Fraser with A.J. Clarke and Associates Ltd., 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
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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

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

(d) (Tadeson/Beattie)

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

(b) That the public meeting be closed.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
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
- YES – Ward 13 Councillor A. Wilson
- YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 6.

(v) Fruitland-Winona Secondary Plan Block 1 Servicing Strategy (PED24209) (Ward 10) (Item 10.5)

- (a)** Gavin Norman, Manager - Infrastructure Planning, Margaret Fazio, Senior Project Manager, and Heather Travis, Manager of Legislative Approvals, addressed the Committee with the aid of a PowerPoint presentation.

(A. Wilson/Tadeson)

That the staff presentation be received.

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

- YES – Ward 1 Councillor M. Wilson
- YES – Ward 2 Councillor C. Kroetsch
- 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
- YES – Ward 13 Councillor A. Wilson
- YES – Ward 15 Councillor T. McMeekin

- (b)** Angelo Cutaia with The AC3 Group, was in attendance and indicated support for the staff report.

(Beattie/A. Wilson)

That the presentation from Angelo Cutaia with The AC3 Group, be received.

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

- YES – Ward 1 Councillor M. Wilson

YES – Ward 2 Councillor C. Kroetsch
NOT PRESENT – Ward 3 Councillor N. Nann
YES – Ward 4 Councillor T. Hwang
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
NOT PRESENT – Ward 15 Councillor T. McMeekin

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

(d) **(Beattie/A. Wilson)**

(a) That there were no public submissions received regarding this matter; and,

(b) That the public meeting be closed.

Result: Motion CARRIED by a vote of 11 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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

(Beattie/Tadeson)

(a) That the Draft Block Servicing Strategy Fruitland – Winona Secondary Plan Block 1 Report for lands in Phase 1 West of Jones Road, prepared by Urbantech Consulting, dated October 2024, on behalf of the Block 1 land ownership group (Land Owner Group membership, as shown on Appendix “E” to Report PED24209, is Marz Homes, Melrose Group, Chiaravalle Homes, Benemar Homes, Mountainview Fruitland, Mountainview Serland, Serland and 212/218 Fruitland Road), attached as Appendix “A” to Report PED24209, be received;

- (b) That Planning and Economic Development staff be directed and authorized to consult on the Draft Block Servicing Strategy Fruitland – Winona Secondary Plan Block 1 Report for lands in Phase 1 West of Jones Road, and that staff report back on the results of the consultation to Planning Committee in Q1 2025;
- (c) That Planning and Economic Development staff be directed to develop an Implementation Plan for the Draft Block Servicing Strategy Fruitland – Winona Secondary Plan Block 1 Report for lands in Phase 1 West of Jones Road, including any necessary adjustments to the Block Servicing Strategy and any Official Plan Amendments and report back to Planning Committee in Q1 2025;
- (d) That Planning and Economic Development Department staff report back to Planning Committee with the Final Block Servicing Strategy Fruitland – Winona Secondary Plan Block 1 Report – Phase 1 West of Jones Road in Q1 2025;
- (e) That the Final Block Servicing Strategy Fruitland – Winona Secondary Plan Block 1 Report – Phase 1 West of Jones Road, prepared by Urbantech Consulting, dated October 2024, be used by Planning and Economic Development staff in reviewing development applications within the Block 1 Servicing Strategy area in the Fruitland-Winona Secondary Plan area;
- (f) That Council direct Planning and Economic Development staff to prepare Phase 2 of the Block Servicing Strategy Fruitland – Winona Secondary Plan Block 1 Report for lands east of Jones Road upon resolution of outstanding Ontario Land Tribunal appeals, including consultation and development of an Implementation Strategy, with funding for the study to be referred to the Capital Budget process;
- (g) That the General Manager of Planning and Economic Development in consultation with the General Manager of Finance and Corporate Services be directed and authorized to negotiate the terms of an Agreement with the Block 1 Land Owner Group based on the principles outlined on page 14 of Report PED24209 for the purposes of permitting the installation of Core Infrastructure to support development of Block 1 in the Fruitland Winona Secondary Plan Area in advance of formal development approvals;
- (h) That Planning and Economic Development staff report back to Council with details of the Agreement, including requesting authority to execute the Agreement no later than Q3 2025.

(Danko/M. Wilson)

That Report PED24209 be **amended** by adding sub-section (i) as follows:

- (i) ***That consultation and the final block servicing strategy include alternatives to maintain and enhance natural watercourses and floodplains in alignment with the City's climate change and biodiversity action plans, consider realigning development densities, while providing engineering options to alleviate local current and future potential flooding.***

Result: Amendment CARRIED by a vote of 7 to 4, as follows:

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

For disposition of this matter, refer to Item 7.

(McMeekin/Tadeson)

That the Committee Recess from 1:20 p.m. to 1:50 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
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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

The Committee reconvened at 1:53 p.m.

(h) MOTIONS (Item 12)

(i) Options to Limit SDU's to One Story in Urban/Suburban Neighbourhoods (Item 12.1)

(Danko/Pauls)

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.

Result: Motion DEFEATED by a vote of 5 to 6, as follows:

NO – Ward 1 Councillor M. Wilson
NO – Ward 2 Councillor C. Kroetsch
NOT PRESENT – Ward 3 Councillor N. Nann
NO – 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
NO – Ward 12 Councillor C. Cassar
NO – Ward 13 Councillor A. Wilson
NO – Ward 15 Councillor T. McMeekin

(i) NOTICES OF MOTION (Item 13)

(i) Feasibility on the Adoption and Enforcement of a By-law to Prohibit Protests at Places of Worship and Their Facilities (Added Item 13.1)

Councillor M. Wilson presented the following Notice of Motion:

WHEREAS, section 10 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended provides that a Municipality may pass by-laws respecting: economic, social and environmental well-being of the Municipality; health, safety and well-being of persons; and the protection of persons and property;

WHEREAS, the Canadian Charter of Rights and Freedoms protects religious expression;

WHEREAS, places of worship provide a safe space for people to come together to express their religious beliefs;

WHEREAS, acts of violence and intimidation at or near places of worship create can cause people to be hesitant to exercise their rights due to fear and/or lack of safety;

WHEREAS, the City of Hamilton's Community Safety and Well-Being Plan aims to create the community conditions where everyone is safe and has a sense of belonging;

WHEREAS, the City of Hamilton is a place where diversity and inclusivity are embraced and celebrated;

WHEREAS, the City of Hamilton respects the right to peaceful protest as a fundamental freedom afforded to all individuals. However, it also recognizes that any acts of violence, threats of violence or vandalism in the course of a protest are not protected by the Canadian Charter of Rights and Freedoms;

THEREFORE BE IT RESOLVED:

That staff be directed to prepare a report for Planning Committee's consideration no later than Q1 2025, on the feasibility of the City of Hamilton adopting and enforcing a by-law to prohibit protests at Places of Worship and their facilities– all while balancing the fundamental importance of freedom of expression and freedom of assembly, with the safety and well-being of community members accessing these places of worship and their facilities.

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

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

Anita Fabac, Acting General Manager of Planning and Economic Development, advised the Committee of the 2024 highlights, including 229 staff reports presented to the Planning Committee; 48 Statutory Public Meetings held; 600+ Development applications; 900 zoning verifications, and \$1 billion in building permit fees achieved in August.

(A. Wilson/Kroetsch)

That the General Manager's Update be received.

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

YES – Ward 1 Councillor M. Wilson

YES – Ward 2 Councillor C. Kroetsch
NOT PRESENT – Ward 3 Councillor N. Nann
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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

(j) PRIVATE & CONFIDENTIAL (Item 15)

(i) Closed Session Minutes – November 19, 2024 (Item 15.1)

(McMeekin/Tadeson)

- (a) That the Closed Session Minutes dated November 19, 2024, be approved as presented; and,
- (b) That the Closed Session Minutes dated November 19, 2024, remain confidential.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
NOT PRESENT – Ward 3 Councillor N. Nann
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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

(Danko/Tadeson)

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 10 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch
NOT PRESENT – 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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

- (i) **Appeal to the Ontario Land Tribunal for lands located at 509 Southcote Road, Ancaster, for Lack of Decision on Official Plan Amendment Application UHOPA-23-010 and Zoning By-law Amendment Application ZAC-23-025 (LS23030(a)) (Ward 12) (Item 15.2)**

For disposition of this matter, refer to Item 13.

- (ii) **Appeal to the Ontario Land Tribunal (OLT-22-004759) for Official Plan Amendment (UHOPA-21-014) and Zoning By-law Amendment Applications (ZAC-21-031) for Lands Located at 405 James Street North (LS23012(d)) (Ward 2) (Item 15.3)**

For disposition of this matter, refer to Item 14.

The Committee reconvened in open session at 4:05 p.m.

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

(Beattie/Danko)

That there being no further business, the Planning Committee be adjourned at 4:08 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
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
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

Councillor C. Cassar, Chair
Planning Committee

Lisa Kelsey
Legislative Coordinator