



PLANNING COMMITTEE MINUTES PLC 25-002

9:30 a.m.

February 4, 2025

Council Chambers (Hybrid), City Hall, 2nd Floor
71 Main Street West, Hamilton, Ontario

Present: Councillors T. Hwang (Chair), M. Tadeson (Vice-Chair), J.P. Danko (2nd Vice Chair) (virtually), J. Beattie, C. Cassar, M. Francis (virtually), C. Kroetsch (virtually), N. Nann (virtually), E. Pauls, A. Wilson (virtually), M. Wilson (virtually)

Absent with Regrets: Councillor T. McMeekin – City Business

Also in Attendance: Councillor B. Clark

1. CALL TO ORDER

Committee Chair T. Hwang called the meeting to order at 9:30 a.m.

2. CEREMONIAL ACTIVITIES

There were no ceremonial activities.

3. APPROVAL OF AGENDA

(Cassar/Pauls)

That the agenda for the February 4, 2025 Planning Committee meeting, be approved, as presented.

CARRIED

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. APPROVAL OF MINUTES OF PREVIOUS MEETING

5.1 January 14, 2025

(Tadeson/A. Wilson)

That the minutes of the January 14, 2025 Planning Committee, be adopted.

CARRIED

6. DELEGATIONS

6.1 Delegations respecting Minister's Zoning Order Request for Twenty Road West and Airport Employment Growth District Lands (Item 9.2)

(Danko/M. Wilson)

WHEREAS, the matter respecting the Twenty Road West and Airport Employment Growth District Lands is currently under appeal to the Ontario Land Tribunal

WHEREAS, a Minister's Zoning Order is a separate process for approval independent of the current OLT appeal.

THEREFORE BE IT RESOLVED:

That the Delegations respecting Minister's Zoning Order for Twenty Road West and Airport Employment Growth District Lands (Item 6.1), be deferred to a future meeting of the Planning Committee pending conclusion or withdrawal of the current Ontario Land Tribunal (OLT) urban boundary expansion appeal.

Result: Motion DEFEATED by a vote of 6 to 2, as follows:

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

The following Delegations addressed the Committee respecting Minister's Zoning Order Request for Twenty Road West and Airport Employment Growth District Lands:

- (i) Marcus Gagliardi (in-person)
- (ii) Sean Ferris (in-person)

(Pauls/Tadeson)

That the following Delegations respecting Minister's Zoning Order Request for Twenty Road West and Airport Employment Growth District Lands (Item 9.2), be received:

- (i) Marcus Gagliardi (in-person)
- (ii) Sean Ferris (in-person)

CARRIED

7. ITEMS FOR INFORMATION

7.1 ARASC 25-001

Agriculture and Rural Affairs Sub-Committee Minutes - January 16, 2025

(A. Wilson/Cassar)

That the Agriculture and Rural Affairs Sub-Committee Minutes, dated January 16, 2025, be received.

CARRIED

7.2 LS24014(a)

Appeal to the Ontario Land Tribunal for Lands Located at 1065 Paramount Drive, Stoney Creek for Official Plan Amendment (UHOPA-23-005) and Zoning By-law Amendment Applications (ZAC-23-006) (Ward 9)

(Beattie/Pauls)

That Committee move into Closed Session for Item 12.2 pursuant to Section 9.3, Sub-sections (e) and (f) of the City's Procedural By-law 21-021, as amended; and Section 239(2), Sub-sections (e) and (f) 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; and, advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

The above Motion was WITHDRAWN.

(Pauls/Tadeson)

That consideration of Item 7.2, Report LS24014(a) respecting Appeal to the Ontario Land Tribunal for Lands Located at 1065 Paramount Drive, Stoney Creek for Official Plan Amendment (UHOPA-23-005) and Zoning By-law Amendment Applications (ZAC-23-006) (Ward 9), be DEFERRED until after Planning Committee rises from Closed Session.

CARRIED

8. PUBLIC HEARINGS

In accordance with the *Planning Act*, Chair T. Hwang 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.

8.1 PED25021

Application for Zoning By-law Amendment for Lands Located at 525 Stone Church Road East, Hamilton (Ward 7)

Shaival Gajjar, Planner II, addressed the Committee respecting Application for Zoning By-law Amendment for Lands Located at 525 Stone Church Road East, Hamilton (Ward 7), with the aid of a PowerPoint presentation.

(Pauls/Cassar)

That the staff presentation from Shaival Gajjar, Planner II, respecting Application for Zoning By-law Amendment for Lands Located at 525 Stone Church Road East, Hamilton (Ward 7), be received.

CARRIED

Katelyn Gillis with Landwise, addressed the Committee and indicated support for the staff report.

(Pauls/Cassar)

That the presentation from Katelyn Gillis with Landwise, be received.

CARRIED

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

(Pauls/Cassar)

- (a) That the following public submission regarding this matter was received and considered by the Committee; and,
 - (i) Labika Ghani, Abdul Ghani Jan and Tanveer Ghani – Concerns with the proposed development
- (b) That the public meeting be closed.

CARRIED

(Pauls/Cassar)

That Report PED25021, dated February 4, 2025, Application for Zoning By-law Amendment for Lands Located at 525 Stone Church Road East, Hamilton (Ward 7), be received, and the following recommendations be approved:

- (a) That Zoning By-law Amendment application ZAC-24-033, by Landwise (c/o Katelyn Gillis), on behalf of Victoria Park Community Homes Inc. (c/o Rizwan Zaeem), Owner, for a change in zoning from the “RT-20” (Townhouse – Maisonette) District to the “E-2/S-1839-H” (Multiple Dwellings) District, Modified, Holding (Block 1) and the “RT-20/S-1840” (Townhouse – Maisonette) District, Modified (Block 2) , to permit the development of an eight storey multiple dwelling containing 105 affordable dwelling units on lands located at 525 Stone Church Road East, as shown in Appendix “A” to Report PED25021, be APPROVED on the following basis:
 - (i) That the Draft By-law attached as Appendix “B” to Report PED25021, 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);
 - (iii) That the proposed change in zoning complies with the Urban Hamilton Official Plan; and,
 - (iv) That the amending By-law apply the Holding Provision of section 36(1) of the *Planning Act*, R.S.O. 1990 to a portion of the subject property (Block 1 as shown in Appendix “B” attached to Report PED25021) by including the Holding ‘H’ as a suffix to the proposed “E-2/S-1839” (Multiple Dwellings) District, Modified.

The Holding Provision “E-2/S-1839-H” (Multiple Dwellings) District, Modified, Holding is to be removed conditional upon:

- (1) That the owner submit and receive approval of an acceptable Tenant Relocation and Assistance Plan addressing the right to return to occupy the replacement housing at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen tenant hardship to the satisfaction of the Director of Housing Services and Director of Development Planning.
 - (2) That the owner submit and receive approval of updated hydrant flow test data to demonstrate adequate available fire flow in the existing municipal system. If the up-to-date hydrant test data does not demonstrate adequate available fire flow in the existing municipal system, the proponent will be further required to submit a Watermain Hydraulic Analysis to identify any required upgrades to the municipal system to support the proposed development. Any required upgrades to the existing municipal system will be 100% at the owner’s cost. This is to the satisfaction of the Director of Development Engineering.
 - (3) That the owner submit and receive approval of a Sanitary Capacity Analysis to demonstrate that the proposed intensification will not have a negative impact on the hydraulic performance of the existing downstream municipal sanitary system. Any required upgrades to the existing municipal system will be 100% at the owner’s cost. This is to the satisfaction of the Director of Development Engineering.
- (b) That upon approval of Zoning By-law Amendment Application ZAC-24-033, the Rushdale Neighbourhood Plan be amended by adding a site-specific symbol to the subject lands permitting “Medium Density Apartments” and that a site-specific symbol permitting “Medium Density Apartments” be added to the legend of Map 7511 – Rushdale Neighbourhood Plan, on the lands municipally known as 525 Stone Church Road East, as shown in Appendix “H” attached to Report PED25021.

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

YES – Ward 1 Councillor M. Wilson
YES – Ward 2 Councillor C. Kroetsch

YES – Ward 3 Councillor N. Nann
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
NOT PRESENT – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
NOT PRESENT – Ward 15 Councillor T. McMeekin

8.2 PED24208(a)
Modifications and Updates to existing Accessory Dwelling Unit and Accessory Dwelling Unit – Detached Regulations to Implement Ontario Regulation 462/24 – Additional Residential Units (City Wide – Urban Area)

The item as noted on the Agenda has been Deferred to the February 25, 2025 Planning Committee meeting.

8.3 PED25035
Applications for an Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision for Lands Located at 228 McNeilly Road and 1069 Highway No. 8, Stoney Creek (Ward 10)

James Van Rooi, Senior Planner, addressed the Committee respecting Applications for an Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision for Lands Located at 228 McNeilly Road and 1069 Highway No. 8, Stoney Creek (Ward 10), with the aid of a PowerPoint presentation.

(Beattie/A. Wilson)

That the staff presentation from James Van Rooi, Senior Planner, respecting Applications for an Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision for Lands Located at 228 McNeilly Road and 1069 Highway No. 8, Stoney Creek (Ward 10), be received.

CARRIED

Dave Aston, with MHBC Planning Ltd., addressed the Committee and indicated they were not in support of the staff report.

(Beattie/Cassar)

That the presentation from Dave Aston, with MHBC Planning Ltd, be received.

CARRIED

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

(Beattie/Cassar)

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

- (1) Joyce Camara – Concerns with the proposed development
- (2) James Ruddy – Concerns with the proposed development
- (3) Judy, Kathy and Sharon Kovacs – Concerns with the proposed development
- (4) Nancy and Ed Manigold – Concerns with the proposed development
- (5) Jessica Hill – Concerns with the proposed development

CARRIED

(Beattie/Cassar)

That Report PED252035, dated February 4, 2025, Applications for an Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision for Lands Located at 228 McNeilly Road and 1069 Highway No. 8, Stoney Creek (Ward 10), be received, and the following recommendations be approved:

(a) That Official Plan Amendment Application UHOPA-24-009, by MHBC Planning Ltd. (c/o Dave Aston) on behalf of Losani Homes (Winona) Ltd. (c/o Daniel Borrelli), Owner, to redesignate the lands from “Low Density Residential 2”, “Low Density Residential 3”, and “Neighbourhood Park” to “Low Density Residential 3” and “Neighbourhood Park”, and to create a new Site Specific Policy Area within the Fruitland-Winona Secondary Plan to permit maisonette or back-to-back townhouses containing five or more dwelling units, for lands located at 228 McNeilly Road and 1069 Highway No. 8, as shown in Appendix “A” attached to Report PED25035, be DENIED on the following basis:

(i) That the proposal is not consistent with the Provincial Planning Statement (2024) and does not comply with the general intent of the Urban Hamilton Official Plan and the Fruitland-Winona Secondary Plan as:

- (1) It does not comply with the Urban Hamilton Official Plan parkland policies;
- (2) It does not comply with the City’s Block 3 Servicing Strategy;
- (3) It does not meet the intent of the City’s urban design policies;

- (4) It does not meet the intent of the “Neighbourhood Park” designation of the Fruitland-Winona Secondary Plan;
 - (5) It has not demonstrated that trees have been sufficiently protected; and,
 - (6) It is premature until the applicant has secured the necessary storm, sanitary and watermain outlets through abutting lands or until servicing has been extended to the subject lands.
- (b) That Zoning By-law Amendment Application ZAC-24-030, by MHBC Planning Ltd. (c/o David Aston) on behalf of Losani Homes (Winona) Ltd. (c/o Daniel Borrelli), Owner, for a change in zoning from the Agricultural Specialty “AS” Zone, Agricultural Specialty “AS-9” Zone, Modified, and Rural Residential “RR-14” Zone, Modified, to a site specific Multiple Residential “RM3” Zone in Zoning By-law No. 3692-92 and a site specific Low Density Residential (R1) Zone and Neighbourhood Park (P1) Zone in Zoning By-law No. 05-200, to permit 190 townhouse dwellings, a park and future development block, for lands located at 228 McNeilly Road and 1069 Highway No. 8, as shown in Appendix “A” attached to Report PED25035, be DENIED on the following basis:
- (i) That the proposal is not consistent with the Provincial Planning Statement (2024) and the general intent of the Urban Hamilton Official Plan and Fruitland-Winona Secondary Plan as:
 - (1) It does not comply with the Urban Hamilton Official Plan parkland policies;
 - (2) It does not comply with the City’s Block 3 Servicing Strategy;
 - (3) It does not meet the intent of the City’s urban design policies;
 - (4) It does not meet the intent of the “Neighbourhood Park” designation of the Fruitland-Winona Secondary Plan;
 - (5) It has not demonstrated that trees have been sufficiently protected;
 - (6) It is premature until the applicant has secured the necessary storm, sanitary and watermain outlets through abutting lands or until servicing has been extended to the subject lands; and,
 - (7) It is not considered to be good planning as the cumulative impact of reduced setbacks, reduced landscape open space requirements, increased yard encroachments, reduced lot size, increased height, and density results in overdevelopment of the site.

- (c) That Draft Plan of Subdivision Application 25T-202407, by MHBC Planning Ltd. (c/o David Aston) on behalf of Losani Homes (Winona) Ltd. (c/o Daniel Borrelli), Owner, on lands located at 228 McNeilly Road and 1069 Highway No. 8, as shown in Appendix “A” attached to Report PED25035, be DENIED, 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 the Draft Plan of Subdivision is not consistent with the Provincial Planning Statement (2024);
 - (ii) That the Draft Plan of Subdivision does not appropriately address the criteria set out in Sub-Section 51(24) of the *Planning Act*; and,
 - (iii) That the Draft Plan of Subdivision does not comply with the general intent of the Urban Hamilton Official Plan and Fruitland-Winona Secondary Plan as:
 - (1) It does not comply with the City’s Urban Hamilton Official Plan parkland policies;
 - (2) It is not in the public interest nor an orderly development of land;
 - (3) It does not comply with the City’s Block 3 Servicing Strategy;
 - (4) It does not meet the intent of the “Neighbourhood Park” designation of the Fruitland-Winona Secondary Plan; and,
 - (5) It is premature until the applicant has secured the necessary storm, sanitary and watermain outlets through abutting lands or until servicing has been extended to the subject lands.

(Francis/Beattie)

That Report PED25035, respecting Applications for an Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision for Lands Located at 228 McNeilly Road and 1069 Highway No. 8, Stoney Creek (Ward 10), be DEFERRED to provide staff with an opportunity to work with the applicant on the revised Concept Plan, with an interim report on the progress of the discussions to be brought back to the Planning Committee in April 2025.

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

YES – Ward 1 Councillor M. Wilson

YES – Ward 2 Councillor C. Kroetsch

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

9. ITEMS FOR CONSIDERATION

9.1 PED25009

Request for Direction to Proceed with Appeal of Committee of Adjustment Decision to Approve Minor Variance Application GL/A-24:09 for Lands Located at 2016 Regional Road No. 56, Glanbrook (Ward 11) (Deferred from the January 14, 2025 Planning Committee meeting)

(Cassar/M. Wilson)

That Report PED25009, dated February 4, 2025, respecting Request for Direction to Proceed with Appeal of Committee of Adjustment Decision to Approve Minor Variance Application GL/A-24:09 for Lands Located at 2016 Regional Road No. 56, Glanbrook (Ward 11) (Deferred from the January 14, 2025 Planning Committee meeting), be received, and the following recommendations be approved:

- (a) That Council gives approval to the following actions, as detailed in Report PED25009, respecting Committee of Adjustment Minor Variance application GL/A-24:09 by Jen Vanderherberg, on behalf of Mitchell Gelms, Elza Gelms and Patricia Gelms (owners), for the lands located at 2016 Regional Road No. 56, Glanbrook, as shown in Appendix “A” attached to Report PED25009, granted by the Committee of Adjustment, and recommended for denial by the Planning and Economic Development Department:
 - (i) That Council of the City of Hamilton proceed with the appeal to the Ontario Land Tribunal against the decision of the Committee of Adjustment to approve Minor Variance application GL/A-24:09; and,
 - (ii) That Council directs appropriate Legal Services, Planning staff and Source Protection Planning staff to attend the future Ontario Land Tribunal hearing in opposition to the decision of the Committee of Adjustment to approve Minor Variance application GL/A-24:09.

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

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

9.2 PED25046

Minister's Zoning Order Request for Twenty Road West and Airport Employment Growth District Lands

Charlie Toman, Senior Project Manager – Policy Planning/Municipal Comprehensive Review, addressed the Committee respecting Minister's Zoning Order Request for Twenty Road West and Airport Employment Growth District Lands (PED25046), with the aid of a PowerPoint presentation.

(Cassar/M. Wilson)

That the staff presentation from Charlie Toman, Senior Project Manager – Policy Planning/Municipal Comprehensive Review, addressed the Committee respecting Minister's Zoning Order Request for Twenty Road West and Airport Employment Growth District Lands (PED25046), be received.

CARRIED

(Cassar/A. Wilson)

That the following public submissions respecting Minister's Zoning Order Request for Twenty Road West and Airport Employment Growth District Lands (PED25046), be received:

- (i) Peter Appleton
- (ii) Kelly Waselynychuk
- (iii) Anne Pearson
- (iv) Sheri Gay
- (v) Ron Palangio
- (vi) Natasha Huyer
- (vii) Rosemarie Morris
- (viii) Caroline Hill Smith
- (ix) Daphne Payne

- (x) Victoria Collins
- (xi) Bruce Allen
- (xii) Sherry Hayes and Dennis Facia
- (xiii) Carol Moffatt
- (xiv) Nori Smith
- (xv) Anne Washington
- (xvi) Hilde Reis
- (xvii) Joanne Palangio
- (xviii) Nikki May
- (xix) Kathy Garneau
- (xx) Patricia Baker
- (xxi) Danielle Bawden
- (xxii) Candy Venning
- (xxiii) Irene and Bruce Thurston
- (xxiv) Mark Mueller
- (xxv) Susan Wortman
- (xxvi) K Boyd
- (xxvii) Patricia Cameron
- (xxviii) Gord McNulty
- (xxix) Marie Covert
- (xxx) Mary Love
- (xxxi) Christiane de Savingy
- (xxxii) Jeff Smith
- (xxxiii) Irwin Walker and Susan Walker
- (xxxiv) David Moffatt
- (xxxv) William Desavigny
- (xxxvi) None
- (xxxvii) Sue Markey
- (xxxviii) Cynthia Meyer
- (xxxix) Nancy Chater
- (xl) Kelly Wallace
- (xli) Wendy Sherwood and Sarah Sherwood
- (xlii) Geoffrey Honey
- (xliii) None
- (xliv) Brenda Broer
- (xlv) Brigitte Evering
- (xlvi) Marilyn Marchesseau and Peter Marchesseau
- (xlvii) Miriam Sager
- (xlviii) Christyn Perkons
- (xlix) Rose Janson
- (l) Sandra Manners
- (li) Jean Jacobs
- (lii) Darrell Briggs
- (liii) Rick Johnson
- (liv) Deborah Boyd
- (lv) Ronald Fulton
- (lvi) Paul DeGroot

- (lvii) Janet OSullivan and David Shea
- (lviii) Evie Auchinvole
- (lix) Harriet Woodside
- (lx) Helen Kirkpatrick
- (lxi) Ash Kristen
- (lxii) Paula Keosaian
- (lxiii) Don Brown
- (lxiv) Marcus Gagliardi
- (lxv) Dianne Millar
- (lxvi) Rebecca Katz
- (lxvii) Lauren Tindall
- (lxviii) Liz Koblyk
- (lxix) Laurie Galer
- (lxx) Don Mclean
- (lxxi) Deborah Peace

CARRIED

(Cassar/A. Wilson)

That Report PED25046, dated February 4, 2025, respecting Minister's Zoning Order Request for Twenty Road West and Airport Employment Growth District Lands, and the following recommendations be approved:

- (a) That the City of Hamilton oppose the request for Mayoral support for the proposed Minister's Zoning Order request submitted by the Upper West Side Landowners Group attached as Appendix A to Report PED25046;
- (b) That the Director of Planning and Chief Planner be authorized and directed to submit a letter to the Upper West Side Landowners Group, copying the Ministry of Municipal Affairs and Housing, confirming the City's opposition to the proposed Minister's Zoning Order request, and attaching the rationale provided in this report; and,
- (c) That should the Ministry of Municipal Affairs and Housing consider the Minister's Zoning Order request attached as Appendix A to Report PED25046, this report will form the basis of staff's submission on any Environmental Registry of Ontario posting.

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

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

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

**9.3 HMHC 25-001
Hamilton Municipal Heritage Committee Report 25-001 - January 24,
2025**

(Kroetsch/Cassar)

That the Hamilton Municipal Heritage Sub-Committee Minutes 25-001, dated January 24, 2025, be received, and the recommendations contained therein be approved.

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

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

10. MOTIONS

10.1 Committee of Adjustment Decisions Review

(Danko/Cassar)

WHEREAS since the selection of a largely new Committee of Adjustment in 2022, several Committee of Adjustment decisions have disregarded the recommendations of professional City of Hamilton Planning staff.

WHEREAS when the Committee of Adjustment reaches decisions in opposition to Planning staff recommendations that raise significant policy issues, Planning Committee has been asked to appeal several Committee of Adjustment decisions to the Ontario Land Tribunal.

WHEREAS Ontario Land Tribunal appeals require significant City resources that could otherwise be utilized on far more significant development applications.

WHEREAS consistency, precedent and adherence to planning policy, City and provincial legislation, and the *Planning Act*, are important for all planning decisions throughout the City.

THEREFORE, BE IT RESOLVED

- (a) That Planning staff report back to Planning Committee with a review of decisions of the current Committee of Adjustment that have raised significant policy concerns and/or are against the recommendations of professional City of Hamilton planning staff; and
- (b) That Planning staff provide recommendations to reduce instances of City initiated appeals of decisions of the Committee of Adjustment to the Ontario Land Tribunal.

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

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

12. PRIVATE & CONFIDENTIAL

Committee determined that discussion of Item 12.1 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

12.1 Closed Session Minutes – January 14, 2025

(Beattie/Cassar)

That the Closed Session minutes of the January 14, 2025 Planning Committee meeting, be approved and remain confidential.

CARRIED

(Cassar/Tadeson)

That Committee move into Closed Session for Item 12.2 pursuant to Section 9.3, Sub-sections (e) and (f) of the City's Procedural By-law 21-021, as amended; and Section 239(2), Sub-sections (e) and (f) 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; and, advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

The Committee reconvened in Open Session at 12:22 p.m.

7. ITEMS FOR INFORMATION (Continued)

7.2 LS24014(a)

Appeal to the Ontario Land Tribunal for Lands Located at 1065 Paramount Drive, Stoney Creek for Official Plan Amendment (UHOPA-23-005) and Zoning By-law Amendment Applications (ZAC-23-006) (Ward 9)

(Beattie/Cassar)

(a) That Report LS24014(a), dated February 4, 2025, respecting Appeal to the Ontario Land Tribunal for Lands Located at 1065 Paramount Drive, Stoney Creek for Official Plan Amendment (UHOPA-23-005) and Zoning By-law Amendment Applications (ZAC-23-006) (Ward 9) be received; and,

(b) That Confidential Appendix "A" to Report LS24014(a) remain confidential.

CARRIED

13. ADJOURNMENT

There being no further business, the Planning Committee adjourned at 12:27 p.m.

Respectfully submitted,

Lisa Kelsey
Legislative Coordinator
Office of the City Clerk

Councillor T. Hwang,
Chair, Planning Committee