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March 18, 2026

VIA E-MAIL

Our File No. 162409

City of Hamilton  
71 Main St. W, 1<sup>st</sup> Floor  
Hamilton, ON L8P 4Y5

Attention: Her Worship and Members of City Council  
Via email Hamilton City Clerk: [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

<b>Re:</b>	<b>Matter:</b>	<b><i>Planning Act Application for OPA</i></b>
	<b>Property Address:</b>	<b>392, 398, 400, 402, 406 and 412 Wilson Street East &amp; 15 Lorne Avenue</b>
	<b>Municipality:</b>	<b>City of Hamilton</b>
	<b>Requestor:</b>	<b>Wilson St Ancaster Inc.</b>
	<b>City File:</b>	<b>UHOPA-25-001</b>
	<b>Subject:</b>	<b>Item No. 8.4 - March 24, 2026 Planning Committee</b>

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As Members of Council are aware, Aird & Berlis LLP is counsel to Wilson St. Ancaster Inc. We write this letter on behalf of the development partnership that comprises Wilson St. Ancaster Inc.

Our client’s site-specific official plan amendment is scheduled to come back before City Council on March 24, 2026. Our client has been made aware that Councillor Cassar is proposing to have our client’s matter deferred to the April 2026 meeting of Council. His asserted reasons are that there has been insufficient notice of our client’s application, along with insufficient time for the local community to become engaged in this proposal.

As various members of City Council are aware, this matter has a very lengthy history. This application has been subject to multiple public meetings and consultations, including most recently in February 2026.

The notion that there has been insufficient time for public engagement is inaccurate.

The subject lands are designated “Community Node – Mixed Use Medium Density.” Applications to permit an 8-storey mixed-use development were filed in late 2021, following City approval of a heritage permit to relocate the Phillip Marr House, and were appealed to the Ontario Land Tribunal. While under appeal, OPA 167 was approved, enabling signed Minutes of Settlement and a Tribunal Order approving the rezoning in September 2023. After those permissions were later reversed through Bill 150, the Tribunal determined—consistent with the City’s position—that a site-specific official plan amendment was required, leading the proponent to re-apply for that amendment in December 2024 to align with the previously approved zoning.

This new application was deemed completed in February 2025. A statutory public meeting was originally scheduled for May 2025 but was deferred to allow our client and consultants to consult with City staff.

Subsequent to May 2025, our client and its professional consulting team worked extensively with City and Niagara Escarpment Commission Staff to review the project details and to ensure that the official plan amendment being sought would be supported. Revised submissions to address various comments were filed in July 2025 and October 2025. As well, a visual impact assessment pertaining to the building’s potential impact on views from/to the Niagara Escarpment was filed in December 2025. A further

neighbourhood information meeting was scheduled to be held in January 2026, but was re-scheduled to February 2026 due to a double-booked venue. Attendees at the February 9, 2026 neighbourhood information meeting were provided with access to all of our client's application materials and were informed that the application would be considered by City Council in spring 2026, and were encouraged to submit comments for inclusion within the staff report. Public Notice that our client's official plan amendment would be coming back to City Council on March 24, 2026 was issued by the City on March 13, 2026. The City's notice area exceeded the minimum statutory requirements by delivering notice within a 240 metre radius, and the timing complies with the *Planning Act's* requirements.

The foregoing historical summary confirms that the City has had multiple years in which to review and assess the merits of our client's site-specific application. In fact, City Council has signed Minutes of Settlement and consented to an Order of the Tribunal that permits the rezoning of the site for a mid-rise, mixed-use building. The official plan amendment coming back before City Council on March 24, 2026 is not a new application – it is an amendment made necessary by changes made (and unmade) to the UHOP and a subsequent finding by the Tribunal that site-specific policy amendments are needed before the settled zoning of the site can be implemented through a new site plan approval application.

Accordingly, we request that City Council proceed as scheduled on March 24, 2026 to consider our client's official plan amendment application on its merits. Given the lengthy history of this site, it is simply inaccurate to suggest that the matter requires another month of community engagement and staff review before the matter can be decided.

Yours truly,

AIRD & BERLIS LLP

Patrick J. Harrington  
PJH/np

c. **Planning Committee**

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