



PLANNING COMMITTEE MINUTES

24-004

April 5, 2024

9:30 a.m.

**Council Chambers, Hamilton City Hall
71 Main Street West**

Present: Councillor C. Cassar (Chair)
Councillor T. Hwang (2nd Vice Chair)
Councillors J. Beattie, J.P. Danko, M. Francis, C. Kroetsch,
T. McMeekin, M. Tadeson, A. Wilson, M. Wilson

Absent with Regrets: Councillors E. Pauls and N. Nann - Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Annual Report on Building Permit Fees (PED24039) (City Wide) Item 9.1)

(Tadeson/Kroetsch)

That report PED24039 respecting Annual Report on Building Permit Fees, 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
NOT PRESENT – Ward 7 Councillor E. Pauls
YES – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
YES – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

2. Application for a Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) (Item 10.1)

(Danko/Tadeson)

- (a) That Zoning By-law Amendment Application ZAC-22-066 by GSP Group Inc. c/o Brenda Khes on behalf of Rymal Holding Ltd., owner, for a change in zoning from the “AA” (Agricultural) District to the Transit Oriented Corridor Multiple Residential (TOC3, 874, H162) Zone, to permit an eight storey multiple dwelling containing 210 units and two, three storey multiple dwellings (townhouses) containing 10 dwelling units, on lands located at 81 and 87 Rymal Road East, as shown on Appendix “A” attached to Report PED23216, be APPROVED, on the following basis:
- (i) That the REVISED draft By-law, attached as Appendix “B” to Report PED23216, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) 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 by introducing the Holding symbol ‘H’ to the proposed Transit Oriented Corridor Multiple Residential (TOC3, 874, H162) Zone; The Holding Provision ‘H’ is to be removed, conditional upon:
 - (1) That the properties municipally known as 81 and 87 Rymal Road East be merged in title, to the satisfaction of the Director of Planning and Chief Planner;
 - (2) That the Owner submit a revised Functional Servicing Report to demonstrate that the increased wastewater generated from the proposed development will not adversely impact the hydraulic performance of the City’s sanitary sewer system by completing a sanitary sewer analysis to demonstrate that there is a residual capacity in the system to support the proposed development, to the satisfaction of the Director of Development Engineering;
 - (3) That the Owner submit a Stormwater Management Report and design to demonstrate there is a suitable storm outlet for the proposed development, to the satisfaction of the Director of Development Engineering;
 - (4) That the Owner submit a Watermain Hydraulic Analysis identifying the modelled system pressures at pressure district level, under various boundary conditions and demand scenarios, to demonstrate that the municipal system can

provide for required flows to support the proposed development, to the satisfaction of the Director of Development Engineering;

- (5) That the Owner shall convey to the City, without cost and free of encumbrance, the road widening as shown on the DiCenzo Sobie Draft Plan of Subdivision 25T-87032 through a future Site Plan Control application, to the satisfaction of the Director of Development Engineering;
 - (6) That the Owner enter into and register on title of the lands, an External Works Agreement with the City, in accordance with the Functional Servicing Report and Watermain Hydraulic Analysis, for the design and construction of any required improvements to the municipal infrastructure including the DiCenzo Drive extension, at the Owner's cost, as upgrades are required to the infrastructure to support the development, to the satisfaction of the Director of Development Engineering;
- (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and complies with the Urban Hamilton Official Plan.

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

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

3. Taxi Financial Incentive Pilot Program (PED24035) (City Wide) (Item 11.1)

(Hwang/Tadeson)

- (a) That the Accessible Taxi Financial Incentive Pilot Program, be extended beyond April 1, 2024, up to such time as when the comprehensive review

of Licensing By-law 07-170, Schedule 25 (Taxicabs) is completed as per direction through Planning Committee report 23-020 Item 8.

- (b) That subject to the approval of recommendation (a), the City of Hamilton User Fees and Charges By-law No. 24-036 be amended to support the temporary extension of the pilot program.

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

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

6. DELEGATIONS

6.1 Delegations respecting Taxi Financial Incentive Program (Item 11.1) (For today's meeting)

- (i) James Kemp

10. PUBLIC HEARINGS

10.1 Application for a Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) - REVISED Appendix "B"

- (a) Written Submissions:

- (i) Hamid Hakimi, Elite Developments

- 10.2 Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13)

DEFERRED to a future meeting

(Kroetsch/Hwang)

That the agenda for the April 5, 2024 Planning Committee meeting be approved, as amended.

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

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

(b) DECLARATIONS OF INTEREST (Item 3)

None declared.

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

(i) February 23, 2024 (Item 4.1)

(Tadeson/Hwang)

That the Minutes of the February 23, 2024 meeting be approved, as presented.

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

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

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

(d) DELEGATION REQUESTS (Item 6)

**(i) Delegation respecting Taxi Financial Incentive Program (Item 11.1)
(Added Item 6.1)**

(114) James Kemp, respecting Taxi Financial Incentive Program

(Hwang/A. Wilson)

That the following Delegation Requests Item 6.1, be approved for today's meeting.

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

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

(e) DELEGATIONS (Item 7)

**(i) Delegation respecting Taxi Financial Incentive Program (Item 11.1)
(Added Item 7.1)**

The Following delegation addressed the Committee respecting Taxi Financial Incentive Program (Item 11.1):

(i) James Kemp (Added Item 7.1)

(Hwang/Tadeson)

That the following Delegations respecting Taxi Financial Incentive Program (Item 11.1), be received.

(i) James Kemp (Added Item 7.1)

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

(f) CONSENT ITEMS (Item 9)

(i) Annual Report on Building Permit Fees (PED24039) (City Wide) (Item 9.1)

(Kroetsch/M. Wilson)

That City staff provide a breakdown, by Ward, of the Annual Report of Building Permit Fees, including the past five years of data, for the next Planning Committee meeting, and as part of future reporting; and, that the report back to Committee include the Building Permit fees and fines collected under the *Building Act*.

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

| For disposition of this matter, refer to Item 1.

(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.

In accordance with the provisions of the *Planning Act*, Chair C. Cassar advised that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Development applications before the Committee today, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Land Tribunal, and 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 Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) (Deferred from the December 5th and January 16th Meetings) (Item 10.1)**

(a) **(Kroetsch/Danko)**

(a) That the following public submissions regarding this matter be received:

(i) James Kemp

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

For disposition of this matter, refer to Item 2.

(h) **GENERAL INFORMATION / OTHER BUSINESS (Item 14)**

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

Steve Robichaud, Acting General Manager of Planning and Economic Development, advised the Committee of staffing changes due to his assuming the role of Acting General Manager; that Provincial legislation respecting development approvals, the Housing Action Plan and Policy changes is expected as soon as next week; that there are two reports coming to the April 16th Planning Committee meeting respecting Accessible Dwelling Units and the Demolition Control By-law; that there will be a presentation to the Open For Business Sub-committee on April 8th respecting Construction planning, along with an update on the Development and Building application processes; and that the Ontario Land Tribunal issued a decision on a development at Wilson and Lorne Streets in Ancaster, dismissing the Site Plan appeal on the basis that the Official Plan is the guiding document for height restrictions.

(Kroetsch/Hwang)

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

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

(i) **Closed Session Minutes – February 23, 2024 (Item 15.1)**

(Kroetsch/McMeekin)

(a) That the Closed Session Minutes dated February 23, 2024, be approved as presented; and,

- (b) That the Closed Session Minutes dated February 23, 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
YES – Ward 4 Councillor T. Hwang
YES – Ward 5 Councillor M. Francis
NOT PRESENT – Ward 7 Councillor E. Pauls
YES – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
YES – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

(j) ADJOURNMENT (Item 16)

(Tadeson/McMeekin)

That there being no further business, the Planning Committee be adjourned at 10:35 a.m.

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

Councillor C. Cassar, Chair
Planning Committee

Lisa Kelsey
Legislative Coordinator