

**Ontario Land Tribunal**  
Tribunal ontarien de l'aménagement  
du territoire



**ISSUE DATE:** December 01, 2022

**CASE NO(S):** OLT-21-001799  
(Formerly PL171450)

**PROCEEDING COMMENCED UNDER** subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	1826210 Ontario Inc.
Appellant:	Centurion (Dundas) Holdings Ltd.
Appellant:	Marz Homes Holdings Inc.
Appellant:	Ministry of Municipal Affairs; and others
Subject:	Proposed Official Plan Amendment No. 69
Municipality:	City of Hamilton
OLT Case No.:	OLT-21-001799
Legacy Case No.:	PL171450
OLT Lead Case No.:	OLT-21-001799
Legacy Lead Case No.:	PL171450
OLT Case Name:	Centurion (Dundas) Holdings Ltd. v. Hamilton (City)

**PROCEEDING COMMENCED UNDER** subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	1804487 Ontario Inc.
Appellant:	1826210 Ontario Inc.
Appellant:	2294643 Ontario Inc.
Appellant:	2531083 Ontario Inc.; and others
Subject:	By-law No. 17-240
Municipality:	City of Hamilton
OLT Case No.:	OLT-21-001806
Legacy Case No.:	PL171451
OLT Lead Case No.:	OLT-21-001799
Legacy Lead Case No.:	PL171450

**Heard:** November 24, 2022 by video hearing

**APPEARANCES:**

<b><u>Parties</u></b>	<b><u>Counsel/Representative*</u></b>
City of Hamilton	P. MacDonald
64 Main Project LP and 1826210 Ontario Inc.	M. Baker J. Meader ( <i>in absentia</i> )
Marz Homes Holdings Inc.	C. Boer
Rolanco Network Inc.	D. Serwatuk* ( <i>in absentia</i> )
Royal Connaught Inc.	J. Mahler

**MEMORANDUM OF ORAL DECISION DELIVERED BY S. TOUSAW ON  
NOVEMBER 24, 2022 AND ORDER OF THE TRIBUNAL**

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**INTRODUCTION**

[1] This further Case Management Conference (“CMC”) was held for the remaining appeals to the City of Hamilton (“City”) Official Plan Amendment No. 69 (“OPA”) and associated Zoning By-law Amendment No. 17-240 (“ZBA”). The OPA and ZBA are in force and effect pursuant to previous Decisions of the Tribunal, except as they relate to remaining site-specific appeals.

[2] The Parties are aware that proposed Bill 23, the *More Homes Built Faster Act, 2022*, may affect these outstanding appeals and will advise the Tribunal in due course as necessary.

**Withdrawn Appeals**

[3] The City advised that the following Appellants withdrew their appeals, and the Tribunal confirms that the OPA and ZBA are in force and effect for their respective lands: 2294643 Ontario Inc. and 2806169 Ontario Inc.

## Remaining Site-Specific Appeals

[4] Five site-specific appeals remain to be heard.

[5] Rolanco Network Inc. was not in attendance and the City advised that it has not received communications from this Appellant over the past two years. With reference to the reporting requirements below, the Tribunal may consider dismissing this appeal at the City's request.

[6] Each of 64 Main Project LP, Marz Homes Holdings Inc., and Royal Connaught Inc. requested, with consent of the City, additional time to pursue a possible settlement or prepare a draft Procedural Order ("PO") for a hearing.

[7] With consent of the Parties in attendance, the Tribunal directed each of the above four Appellants to file with the Tribunal Case Coordinator by **March 31, 2023** a written request for hearing, supported by either a draft settlement document or a PO, including a scoped Issues List ("IL"). Should unforeseen circumstances arise, a further CMC or other course of action (e.g., dismissal Motion) may be requested.

[8] 1826210 Ontario Inc., with the City's consent, requested that a six-day hearing be scheduled in October 2023 based on the Parties' availability. The Appellant, in consultation with the City, will file a completed PO with scoped IL to the Tribunal by **January 13, 2023**, incorporating the hearing dates as now set out below.

[9] A six-day hearing will be held by video commencing on **Tuesday, October 10, 2023, at 10 a.m.** as follows:

<https://global.gotomeeting.com/join/660145013>

**Access Code: 660-145-013**

[10] Parties and participants are asked to log into the video hearing at least **15 minutes** before the start of the event to test their video and audio connections.

[11] Parties and participants are asked to access and set up the application well in advance of the event to avoid unnecessary delay. The desktop application can be downloaded at [GoToMeeting](https://app.gotomeeting.com/home.html) or a web application is available:

<https://app.gotomeeting.com/home.html>.

[12] Persons who experience technical difficulties accessing the GoToMeeting application or who only wish to listen to the event can connect to the event by calling into an audio-only telephone line: **Toll-Free 1-888-299-1889 or +1 (647) 497-9373**. The **Access Code** is as indicated above.

[13] Individuals are directed to connect to the event on the assigned date at the correct time. It is the responsibility of the persons participating in the video hearing to ensure that they are properly connected to the event at the correct time. Questions prior to the hearing event may be directed to the Tribunal's Case Coordinator having carriage of this case.

## **ORDER**

[14] The Tribunal Orders its directions and rulings as set out above.

[15] This Member is not seized but may be contacted through the Case Coordinator for procedural matters should the need arise.

*"S. Tousaw"*

S. TOUSAW  
VICE-CHAIR

### **Ontario Land Tribunal**

Website: [www.olt.gov.on.ca](http://www.olt.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal ("Tribunal"). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.