

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: August 11, 2025

CASE NO(S): OLT-24-000614

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Losani Homes (Glen Echo) Ltd.
Subject: Request to amend the Official Plan – Failure to adopt the requested amendment
Description: To permit the development of 264 residential units
Reference Number: UHOPA-24-001
Property Address: 140 Glen Echo Drive
Municipality: City of Hamilton
OLT Case No.: OLT-24-000614
OLT Lead Case No.: OLT-24-000614
OLT Case Name: Losani Homes (Glen Echo) Ltd. v. Hamilton (City)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Losani Homes (Glen Echo) Ltd.
Subject: Application to amend the Zoning By-law – Refusal or neglect to make a decision
Description: To permit the development of 264 residential units
Reference Number: ZAC-24-004
Property Address: 140 Glen Echo Drive
Municipality: City of Hamilton
OLT Case No.: OLT-24-000615
OLT Lead Case No.: OLT-24-000614
OLT Case Name: Losani Homes (Glen Echo) Ltd. v. Hamilton (City)

Heard: June 18 to June 19, 2025 by Video Hearing

APPEARANCES:**Parties**

Losani Homes (Glen Echo) Ltd.

City of Hamilton

Counsel

Jennifer Meader

Peter Krysiak

DECISION DELIVERED BY G.A. CROSER AND ORDER OF THE TRIBUNAL

[1] This Hearing was convened to consider the Appeals filed by Losani Homes (Glen Echo) Ltd. (“Appellant”) pursuant to s. 22(7) and s.34(11) of the *Planning Act* with respect to the refusal by the City of Hamilton (“City”) to grant Official Plan Amendment (“OPA”) and Zoning By-law Amendment (“ZBLA”) applications (collectively the “Application”) to develop the property known municipally as 140 Glen Echo Drive (“Subject Lands”) for residential uses.

SUBJECT LANDS AND CONTEXT

[2] The site was previously used for the Glen Echo Elementary School which was closed, deemed surplus and sold by the Hamilton-Wentworth District School Board. The school building has now been demolished. The Subject Lands are located within the interior of the Corman neighbourhood, which is generally bound by Queenston Road/Highway 8 to the North, Nash Road South to the east, King Street East to the south, and the Red Hill Parkway to the west. The site is approximately 1.3 hectares in size with approximately 135 metres of frontage along Glen Echo Drive, a local road, with an existing access point to Glen Echo Drive at the northerly limit of the site. The surrounding land uses include the Glendale Secondary School, Glendale Park, low-rise single detached homes, commercial uses, and higher density residential uses further north of the site along Queenston Road and low and midrise apartment buildings further south along King Street. There are no residential uses immediately adjacent to the Subject Lands which are bordered by parks and institutional uses.

[3] The Subject Lands are within the City's Built-Up Area and are designated as 'Neighbourhoods' on Schedule E – Urban structure in the UHOP, although at present the lands are designated 'Institutional' on Schedule E1 – Land Use and are currently zoned 'Community Institutional' in the City's Zoning By-law No. 05-200 ("Zoning By-law"). The Subject Lands are also located within the Nash Major Transit Station Area ("Nash MTSA"), with an approximate walk of 800 metres to the proposed Nash B-Line light-rail transit station and within 400 metres of existing transit stops.

APPLICATION

[4] The concept plan proposes an apartment building, ranging in height from three storeys in the south up to eight-storeys in the northwest corner, and stacked townhouses along the Glen Echo Drive frontage, for a maximum of 264 dwelling units (the "Proposed Development") with vehicular access through the singular existing access at the northeast corner of the site along Glen Echo Drive. The access point would connect to an internal vehicular private road that connects to the above ground parking area, and underground parking entrance. The stacked townhomes would front onto Glen Echo Drive and provide a transition from the low density residential on the opposite side of Glen Echo Drive to the apartment building located on the interior of the site. An outdoor amenity is proposed on the south side of the Subject Lands, which will be a shared common amenity area, adjacent to the existing Glen Echo Park.

[5] The intent of the OPA is to redesignate the Subject Lands to "Neighbourhoods" to permit a proposed medium density residential development. The ZBLA proposes to implement the OPA and rezone the Subject Lands from Community Institutional (I2) Zone to Mixed-Use Medium Density (C5, XXX) Zone with site specific regulations under the City's Comprehensive Zoning By-law to facilitate development of the site for a medium density development. The planners agreed that the built form of the proposal is

a form of medium density and that this would be the appropriate designation for any implementing Official Plan Amendment.

PARTICIPANT STATUS

[6] There were no objections from the Parties and the following individuals were granted Participant Status at the Hearing event,

- Sharon Estok
- Penny Kozoriz
- Bryan Leece
- John Withers

EXHIBITS

[7] The following Exhibits were marked at the Hearing event. As Exhibit 1 was the Affidavit of Service of Notice of CMC, that was marked at the Case Management Conference on October 2, 2024, the numbering of exhibits at the Hearing event began with number two.

- Ex.2 David Aston Affidavit
- Ex.3 James Van Rooi Affidavit
- Ex.4 David Aston Reply
- Ex.5 James Van Rooi Reply
- Ex.6A Joint Document Book
- Ex.6B Definitions of the Provincial Planning Statement, 2024
- Ex.6C Exerpts of the Provincial Planning Statement, 2024

- Ex.6D Provincial Planning Statement, Chapter 6: Implementation and Interpretation
- Ex.7 Visual Evidence of the Appellant
- Ex.8 Visual Evidence of the City
- Ex.9A Participant Statement of Sharon Estok
- Ex.9B Participant Statement of Penny Kozoriz
- Ex.9C Participant Statement of Bryan Leece
- Ex.9D Participant Statement of John Withers
- Ex.10 Corman Neighbourhood Map
- Ex.11 Google Map image of 18 Woodman
- Ex.12 Google Map image of 9 Catalina
- Ex.13 Minor variance application for 7 Catalina
- Ex.14 UHOP General Residential Intensification policies
- Ex. 15 Witness Statement of James Van Rooi (OLT-23-001146, 1400 South Service Road, City of Hamilton)
- Ex.16 Reply Witness Statement (Paramount)

ISSUES

[8] The expert meetings and the Agreed Statement of Facts and Supplemental Agreed Statement of Facts resulted in a scoping of the original issues list. The experts agreed that technical studies and requirements relating to a shadow study, wind study and tree management plan would be addressed at the time of a future site plan application as would urban design considerations. It was also agreed in advance of the Hearing that the implementing site specific zoning by-law would contain a holding provision requiring confirmation of adequate infrastructure capacity prior to receiving any subsequent site plan approval. As a result, the Hearing only addressed limited land-

use planning matters. The Tribunal was assisted with expert land use planning evidence at the Hearing from two witnesses: David Aston who was retained by the Appellant, and James Van Rooi, a senior planner with the City.

[9] As both experts agreed that the Proposed Development had appropriate regard for matters of Provincial Interest as set out in Section 2 of the Planning Act and consistency with the Provincial Planning Statement, 2024 (“PPS”), the remaining issues relate to a limited number of policies relating to conformity with the Urban Hamilton Official Plan (“UHOP”). The main points of contention between the two experts related to whether the Subject Lands were an appropriate location for a residential intensification project of this size and compatibility factors relating to character and harmony with the surrounding neighbourhood.

POSITION OF THE APPELLANT

[10] The Appellant’s view is that the Proposed Development is well transitioned and integrated within the existing Corman neighbourhood. Aston testified that the Proposed Development ensured appropriate transition and integration to the surrounding neighbourhood through a number of measures. The proposed 8-storey apartment building is to be situated closest to the western boundary of the Subject Lands, which functions as the rear of the property. The building would be 3-storeys where it interfaces with Glendale Park to the south and transitions up to 8-storeys towards the northwest corner of the site. The stacked townhouses would be located along Glen Echo Drive which, in Aston’s opinion, provides a transition of height to the existing single detached dwellings. It was demonstrated that the entire development is well within a 45-degree angular plane from the low rise residential on Glen Echo Drive on the opposite side of the street, and that all parking areas and access to the garage would be interior to the site. Counsel for the Appellant, Jennifer Meader, produced a Tribunal Decision issued in January 2025, *Mikmada (Paramount) Inc. v Hamilton (City)* [Paramount], in closing submissions where the Tribunal accepted that stepbacks and townhomes along the

frontage of a property appropriately integrate the proposal within the surrounding low-rise neighbourhood.

[11] Another point raised was that the Proposed Development of stacked townhomes and an apartment building are permitted uses within the Neighbourhoods designation and that the development would contribute to the range and mix of uses and housing types in the community. Further, the development would also be an improvement to the mix of housing options and range of densities within the area and contribute towards a 'complete community'.

[12] With respect to compatibility, the Appellant stressed that the Proposed Development would not cause any adverse impacts on the surrounding lands, including the following indicia of compatibility: shadowing, overlook, noise, wind, visual impact, or any other nuisance effects. It was also noted that there would be no traffic impacts on Glen Echo Drive. Aston explained that a Transportation Impact Study was completed with respect to the Proposed Development and that all transportation issues were considered resolved. In addition, it was noted that existing servicing would be sufficient to handle the Proposed Development and as such the development was an efficient use of land that optimized existing infrastructure.

[13] With respect to intensification, the Appellant's position was that the Subject Lands were clearly intended for development, given the fact that the site is large enough to accommodate the proposed amount of intensification and is intended for "significant intensification" given its status as a Strategic Growth Area (SGA) in a built-up area of the City and location within an MTSA. The Appellant submitted that the Proposed Development would assist the City in reaching the minimum density requirement for the Nash MTSA which is set at 160 people and jobs per hectare. The Paramount Decision was reference for the fact that the Tribunal had previously found that, absent concerns about urban design, traffic, infrastructure, or parking, an apartment building within a Neighbourhood contributes to the City's residential intensification target.

POSITION OF THE CITY

[14] The City's position was that the location of the Subject Lands was not appropriate for the size and scale of the Proposed Development. It was noted that the surrounding area is made up of low rise, low density built form, and that the Subject Lands were located on the interior of the neighbourhood and front onto a local road. As the site does not have direct access onto a collector or major or minor arterial road, development cannot occur on the scale envisioned by the Appellant. While acknowledging that the Subject Lands should be developed residentially, it was the City's view that location within an MTSA is not in and of itself sufficient to permit development of this scale, and that the Subject Lands were not located within the City's intended intensification area of the Nash MTSA. Van Rooi's opinion was that the proposed development did not conform to the Urban Structure, Medium Density Residential Design, or the Intensification policies of the UHOP.

[15] The Tribunal was informed that MTSAs were recently added as a component of the City's Urban Structure policy through Official Plan Amendment 167 ("OPA 167"), and that the detailed policies and mapping updates to accompany this inclusion were not yet incorporated into UHOP. Further, that while the City's current urban structure is aligned with Provincial Planning Statement, 2024 ("PPS") directives; there were areas within the UHOP which require further direction specific to MTSAs, such as further direction on density and intensification areas. The City explained that its planned urban structure is to locate higher density forms to arterial and collector roads to ensure efficiency, order and stability in development patterns. Intensification such as the development proposal for the Subject Lands within the interior of a neighbourhood should not occur until the City has an updated policy framework for MTSAs. It was also noted that the Subject Lands were not considered or required for further intensification in order to meet the policy requirements established for MTSAs under the PPS. The City submitted that the Nash MTSA can meet the minimum density target of 160 people and jobs per hectare that it has planned for without this development proposal.

[16] The City stated that the Proposed Development would not build upon desirable established patterns and built form within the neighbourhood, and that the development would prove to be an incompatible integration with the surrounding area in terms of scale, form and character. The proposed 8 storey and 4 storey structures would be at a greater mass and height than those of the surrounding properties, resulting in a contrast in scale and massing in the interior of the neighbourhood. In short, the development would detract rather than contribute to achieving the City's planned urban structure which generally directs higher density uses to Community Nodes and Corridors.

[17] Lastly, the City argued that a recent Tribunal Decision, *2626364 Ontario Inc. v Hamilton* [2626364 Ontario], found that 'compatibility' had three elements: the character of the area, harmony with that character and adverse impacts. While the Appellant focused on adverse impacts, the City's position was that the character and harmony aspects were not satisfied. The differences in scale, height and massing would create a visual in the neighbourhood that is out of character and would alter the land use pattern. It was pointed out that the Participant Statements received for this matter were also concerned with respect to the development's fit with the surrounding neighbourhood.

PARTICIPANT STATEMENTS

[18] The consensus was that the Proposed Development would not be in keeping with the character of the neighbourhood and that the existing infrastructure could not support additional units. Other comments includes that the Subject Lands were not an appropriate location for the level of density and that the roads surrounding the Subject Lands were planned to accommodate traffic volumes associated with single family homes; the concern being that increasing traffic volume may lead to traffic safety issues.

TRIBUNAL ANALYSIS AND FINDINGS

[19] MTSAs were recently added as a component of the City's Urban Structure policy through OPA 167, however, UHOP has not yet been updated with detailed policies and mapping to be consistent with the PPS as it related to MTSAs. At the Hearing Event, both planners provided testimony with respect to a draft study titled 'Major Transit Station Areas – Final Report' authored by Dillon Consulting. While the City's position is that this report "aligns with established planning principles and its recommendations will likely be put into policy," it is not a planning policy document and was not treated as such by the Tribunal Member. The City also argued that intensification such as the Proposed Development should not occur until the City has an updated policy framework for MTSAs. However, PPS Policy 6.1.7 provides policy direction in instances where an Official Plan has not yet been updated to be consistent with the PPS,

Where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with the Provincial Planning Statement, or before other applicable planning instruments have been updated accordingly, it must still make a decision that is consistent with the Provincial Planning Statement.

Consequently, the Tribunal disagrees with the City that intensification projects within City MTSAs are premature and should be dismissed until UHOP is updated with further direction on MTSA policies.

Issue 1: Compatibility with the neighbourhood

[20] Definition of compatibility in the UHOP, reads as follows:

Means land uses and building forms that are mutually tolerant and capable of existing in harmony within an area. Compatibility or compatible should not be narrowly interpreted to mean "the same as" or even as "being similar to"

[21] As noted above, Counsel for the City referenced the Tribunal's 2626364 Ontario decision which found that 'compatibility' has three elements: the character of the area,

harmony with that character and adverse impacts. Aston provided detailed evidence with respect to the proposed setbacks and stepbacks of the proposed buildings, the height transitions and the lack of adverse impacts. Aston testified that the Proposed Development would improve the housing choices in the area by adding stacked townhomes and apartment units. He opined that the implementing ZBLA would ensure an appropriate transition, a step-back provision, and compatible built form. Aston also pointed out that there were no residential buildings immediately adjacent to the Subject Lands and that the Proposed Development achieves a 45 degree angular plane from Glen Echo. The Appellant's position was that the existing function of the neighbourhood was predominately residential uses and that the proposed development completed the residential function of the neighbourhood, while introducing a different built form and housing options to support the evolution of the neighbourhood and area as an MTSA.

[22] The Subject Property is currently designated Institutional and the proposed OPA would redesignate the land to Neighbourhoods, section E.3.1 which establishes the policy goals for the Neighbourhoods designation which lists the following goals that apply to the Neighbourhoods land use designation:

3.1.1 Develop compact, mixed use, transit-supportive, and active transportation friendly neighbourhoods.

3.1.2 Develop neighbourhoods as part of a complete community, where people can live, work, shop, learn, and play.

3.1.3 Plan and designate lands for a range of housing types and densities, taking into account affordable housing needs.

3.1.4 Promote and support design which enhances and respects the character of existing neighbourhoods while at the same time allowing their ongoing evolution.

3.1.5 Promote and support residential intensification of appropriate scale and in appropriate locations throughout the neighbourhoods.

[23] Policy 3.2.4 states the following with respect to scale and design,

The existing character of established Neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of this Plan.

[24] A balance is required here between policies E.3.1.4 which speaks to the evolution of existing neighbourhoods and E.3.2.4, which speaks to maintaining the compatibility with the scale and character of existing residential neighbourhood. The City's position was that the Proposed Development would drastically alter the existing streetscape, would be incompatible in terms of scale, and would detract rather than contribute to the City's planned urban structure. In addition, the Proposed Development was significantly different from the existing, mature neighbourhood and represented an incompatible integration in terms of scale, form and character which detracted rather than contributed to the City's planned urban structure.

[25] It was stressed that the reason for a planned urban structure is to achieve higher density forms that ensure efficiency, order and stability in the City's development patterns. Van Rooi acknowledged that the Proposed Development did conform to some UHOP and Provincial policies supporting intensification however, he opined that this type of development cannot happen to the detriment of municipal level policies on compatibility and intensification. With respect to scale and massing, Aston explained that while policy E.3.5.8 of UHOP sets a maximum height of six storeys for medium density residential, the height may be increased to twelve storeys provided that a list of factors are met, which include providing a mix of unit sizes, that the buildings be progressively stepped back from adjacent areas designated Neighbourhoods and that buildings are stepped back from the street to minimize the height appearance from the street. Aston opined that there was an appropriate transition between the existing low density in the area and the stacked townhomes to be built along the Glen Echo Drive frontage and the apartment building at the rear of the site.

[26] There is no question that the Subject Lands are in a mature, established neighbourhood dominated by low rise residential buildings. Neighbourhoods are not static, and most will witness some physical change over time, with infill development and redevelopment an inevitable component of this evolutionary process. UHOP

provides a framework to support and direct appropriate scales of development to ensure its compatibility with and respect for the existing built form and character of the neighbourhood. While the Tribunal acknowledges the efforts undertaken by the Appellant to lessen integration impacts of the Proposed Development on the surrounding neighbourhood, the Tribunal must also respect the City's planned urban structure and the policies that exist to direct efficient order and stability in the City's development patterns. In terms of the evolution of the neighbourhood, the Tribunal finds that in this case, an eight-storey apartment building would represent a sudden, large leap in terms of intensification as opposed to the gradual and incremental change to a neighbourhood suggested by policy E.3.1.4 and E.3.2.4 and residential intensification policies set out in B.2.4.1 of the UHOP. The Proposed Development would not enhance the existing neighbourhood and is not the appropriate scale or location for a development of this size.

Issue 2: Residential Intensification on a local road

[27] Policy E.3.5.1 characterizes 'Medium Density Residential' areas as multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads or within the interior of neighbourhoods fronting on collector roads. The Subject Lands are located on the interior of the Corman Neighbourhood and front onto a local road – not a collector road. E.3.5.9(a) requires that if direct access to a collector or major or minor arterial road is not possible then the development may gain access to such a road from a local road "only if a small number of low-density residential dwellings are located on that portion of the local road". The City's position is that this requirement, with respect to Glen Echo Drive and the surrounding streets is not met. Van Rooi testified that the intent of these policies is to guide medium density development to the periphery of neighbourhoods to ensure that existing low density residential uses on the interior of a neighbourhood are not unduly impacted by the introduction of medium density residential uses. The Appellant termed Van Rooi's interpretation of E.3.5.9.(a) as "rigid" and that the policy's use of "a small number" was ambiguous. Aston opined

that the intent of this policy is to ensure that traffic impacts are mitigated and that the traffic study completed with respect to the Proposed Development noted that there were no adverse impacts on the transportation network.

[28] Aston testified that UHOP residential intensification policies identify residential intensification as something that will be encouraged throughout the City's built-up areas, and that 30% of the residential intensification target is anticipated to occur within the Neighbourhoods designation, which includes the Subject Lands. The Urban Structure Principles outlined in Policy E.2.1 state that Urban Nodes, Urban Corridors and delineated MTSA's will be the focus of intensification and reurbanization activities (E.2.1(a)) and that E.2.1(e) states that nodes and corridors will "evolve with higher residential densities" "to achieve their planned function and support existing and planned transit." As nodes and corridors connect to each other, it makes sense that the City's growth strategy supports intensification within these areas where greater change to the built form is expected.

[29] The Tribunal does not find the City's use of the words "small number" in policy E.3.5.9(a) to be ambiguous. It is a clear signal that medium residential development must be located on the appropriate road network to ensure the safety of the community and to ensure that residential intensification within the built-up area proceeds in a manner that efficiently utilizes existing urban services and transportation networks. The Tribunal preferred the testimony of Van Rooi on this point, that the City supports intensification with a focus on planned urban nodes and corridors where greater change to the built form is expected to occur along higher traffic areas.

Issue 3: Development within an MTSA

[30] Policy E.2.0 of the UHOP describes the City's urban structure which provides the policy approach for guiding long term growth and development challenges, it provides a foundation for consistent decision making and a policy framework for residential

development (among others) systems and designations. The City's urban structure includes, at policy E.2.2.1 a list of structural elements to "most efficiently use land and resources", the list includes Urban Nodes, Urban Corridors, Major Transit Station Areas, and Neighbourhoods, policy E.2.1(a) states that "urban nodes, urban corridors and delineated Major Transit Station Areas shall be the focus of intensification and reurbanization activities." While the Appellant took the approach that as the Subject Lands are within an MTSA, then intensification projects must be supported. The City took a more nuanced approach, arguing that within each MTSA there are defined areas where intensification should occur, and the Subject Lands did not fall within those parameters.

[31] Policy E.2.5.3 of the UHOP states that "Planned densities of future Major Transit Station Areas on the priority transit corridor shall be a minimum of 160 residents and jobs combined per hectare." The Appellant submits that the proposed development will contribute to the minimum density target set out in this policy, the City testified that it would meet this minimum target without the proposed redevelopment of the Subject Lands. The Appellant countered with the point that density targets can be exceeded while the City noted that the surrounding neighbourhood has approximately one tenth of the density of the Proposed Development.

[32] Residential intensification is expected to occur within existing neighbourhoods throughout the City, this is understood by the City which has formulated policies to support and achieve this. The Tribunal must consider the City's plan for this growth. While residential intensification is both necessary and required, the Tribunal must acknowledge the City's directives for the optimal placement of sustainable growth to ensure that healthy, safe and complete communities' flourish. The Tribunal finds that location within an MTSA is not, in and of itself, a guarantee for an intensification proposal approval, and accepts the City's position that the Subject Lands, in the interior of a mature neighbourhood, situated on a local road, are not an appropriate location within the Nash MTSA for a development of this scale.

CONCLUSION

[33] The Tribunal finds that location within an MTSA cannot be the sole reason to permit a residential development, weight and due consideration must be given to the City's planning policies for sustainable and directed long-term growth. As noted in Chapter B of UHOP the City's history and character are based in its communities which are diverse, vibrant, and expected to grow and evolve over time. The City must ensure that intensification brings positive change to its communities and contributes to achieving the City's planned urban structure, which often includes targeting specific areas within the City which have the capacity and capability to absorb growth and where greater change to the built form is expected. Intensification must represent good planning and not cause unacceptable impacts. The Tribunal acknowledges that many potential adverse impacts in this matter would be addressed at the site plan stage of the Proposed Development. However, the location on a local road, and the proposed massing, height of the apartment building and scale of this medium density project do not integrate into the interior of a low-scale, mature neighbourhood.

[34] The Member acknowledges the other Tribunal Decisions flagged for its attention in this matter; however, this Member is not interested in what the experts assisting with this Appeal may have espoused in previous appeals or is overly concerned that Decisions set precedents for future matters. Tribunal cases are contextual, and each appeal is carefully evaluated and determined on its own merits. While the Appellant is correct that the Subject Lands, as a surplus site sold by the Hamilton-Wentworth District School Board, is "clearly intended" for development, the Tribunal was not convinced that it should be developed to the extent set out in the Proposed Development. The Tribunal accepts the City's position that the Proposed Development would detract rather than contribute to achieving the City's planned urban structure

[35] The Tribunal, in considering this appeal, has had regard for the matters of provincial interest set out in s.2 of the Planning Act and to the decision of the City refusing the proposed amendments. The Tribunal acknowledges the opinion of both Aston and Van Rooi that the proposed OPA is consistent with the PPS. However, the Tribunal finds that the OPA does not conform with UHOP and as such, the Proposed Development does not represent good land use planning. With respect to the ZBLA, the Tribunal accepts the position of the planners, that the proposed amendment is consistent with the PPS. The Tribunal finds that the ZBLA does not conform with UHOP and as such, does not represent good land use planning.

ORDER

[36] THE TRIBUNAL ORDERS THAT

- the Appeals are dismissed;
- the requested amendment to the Official Plan for the City of Hamilton is refused; and,
- the requested amendment to Zoning By-law No. 05-200 is refused.

“G.A. CROSER”

G.A. CROSER
MEMBER

Ontario Land Tribunal

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