

# DOWNTOWN ANCASTER DEVELOPMENT UPDATE

February 24, 2025



The developers of the Marr-Phillipo site (Wilson & Academy) and the former Brandon House site (Wilson and Rousseaux) have recently **resubmitted** their respective development applications requesting an amendment to Hamilton's *Official Plan (OP)*. Each of the applications is identical to the proposal they had previously submitted.

The obvious questions you might be asking are 'Why are they doing this?', 'How can they do this?', and/or 'What's the City's position?' Let me walk you through where we are on the applications.

Without making it too complex, each of these developments proposals has already been through the application process and subsequent appeals to the *Ontario Land Tribunal (OLT)*. It is not unusual for a development proposal to require an *Official Plan Amendment*; however, the City did not approve the applications because of their significant departure from the City of Hamilton's *OP* and the more local *Wilson St. Secondary Plan* - the documents that guide development activities in the Ancaster Core. It's important to know that zoning changes necessary for each project **were** approved through the OLT process, but due to complicated changes and reversals, the required *OP* changes were not.

Further, and as I have written about previously, multiple legislative changes by the Provincial Government since 2022, have significantly changed the Planning landscape in Ontario<sup>1</sup>. Several transformative Bills have all received Royal ascent since these development proposals were originally submitted to, and considered by, the City.

Based on the cumulative effect of the aforementioned Provincial legislation, the criteria against which these applications are to be measured (i.e. a new document called *The Provincial Planning Statement*), is now much more permissive for housing development. That is both helpful because we desperately need more housing in Hamilton (and Ontario), and challenging because it significantly frustrates the City of Hamilton's ability to determine how and where we incorporate new housing into our communities.

## Where do we go from here?

Staff have a legislated responsibility to process the new applications even though they are identical to previous submissions. Once an application process is properly submitted, Staff from all relevant departments will review the application and provide feedback to the developers. This can be an iterative process, but Council (based on Staff's work and recommendations) are legislatively required to respond within 120 days.

When staff reach the conclusion that there is no further negotiation required (a decision has been reached) or no further progress is deemed possible (the parties are at an impasse), they will provide a report to Planning Committee with a recommendation to approve or deny the application. Planning Committee will use the Staff report to make a recommendation for Council.

Alternatively, once the clock ticks past 120 days from submission of the completed application without a decision from Council, the developer can appeal the matter to the OLT for 'non-decision'.

Throughout this process, City Staff and your Councillor must - and will! - pursue a result that upholds good planning principles; adds vibrancy to Wilson St; respects the Village Core's heritage; and does so in a manner to avoid negatively impacting the area (i.e. provides good built form; is technically feasible when considering site

servicing; manageable traffic implications, etc.). All of this work must be done through the lens of the new framework provided by the *Provincial Planning Statement (PPS)* and what the OLT would consider if an appeal were made. If Council were to deny an application without collaboration that considers the *PPS*, each development would be appealed to the OLT and could very likely, based on precedent, be approved as submitted.

To summarize, these are the possible outcomes for each development application:

1. City Staff arrive at a negotiated proposal that Council supports.
2. The City / Council do not reach an agreement with the developer and the matter is appealed to OLT.
  - a. Once appealed, the parties may continue to negotiate and reach a settlement at the OLT.
  - b. The parties do not reach a settlement and the OLT approves or denies the application as presented.

## **Public Engagement**

Each of these applications will have a Statutory Public Meeting, which will be part of a future Planning Committee meeting held at City Hall. I will ensure the public is well aware of these meetings ahead of time and has instructions on how to participate.

Separate from the official public meeting, developers can also host public consultations to get feedback from residents and businesses, and answer questions about the proposal. Since the applications are identical to their previous submissions and public consultations were already held, the developers may not elect to hold another such session. If that is the case, I will work with Staff to host a City-led public engagement session.

Specific to the **Wilson St / Academy St** site: in the coming days a public notice board will be erected on-site, and a Statutory Public Meeting (Planning Committee) is scheduled for May 23, 2025. More information to come.

## **Marr-Phillipo House**

As part of the application for the Wilson St / Academy St development, the developer has proposed to move the Marr-Phillipo house out of the public realm to 15 Lorne Ave. Removing such an historic, heritage-designated building from the Wilson St E streetscape would be a significant blow to Village Core. My preference would be to keep the building where it is, but in the event that is not possible, I want to have other options. With that in mind, I will be putting forward a motion at the February 26, 2025, General Issues Committee meeting directing staff to review the feasibility of alternate locations in the Village Core. The vision is that Marr-Phillipo House could become a City-owned building and add vibrancy to the downtown area with new and productive uses. You can read the motion on [the General Issues Committee Agenda](#).

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Footnotes:

1. Be advised that the Province has dramatically changed the planning regime in Ontario in recent years via a) the introduction of a new *Provincial Planning Statement* which replaced both the "*Provincial Policy Statement, 2020*" and "*A Place to Grow: Growth Plan for the Greater Golden Horseshoe*", and b) by introducing a number of Housing Bills including:

Bill 23, [More Homes Built Faster Act, 2022](#)  
Bill 109, [More Homes for Everyone Act, 2022](#)  
Bill 150, [Planning Statute Law Amendment Act, 2023](#)  
Bill 185, [Cutting Red Tape to Build More Homes Act, 2024](#).