



March 19, 2026

From:  
**West End Home Builders' Association**  
1112 Rymal Road East  
Hamilton, Ontario L8W 3N7

To:  
**Arvin Prasad, General Manager, Planning and Economic Development**  
City of Hamilton, 71 Main Street West  
Hamilton, ON. L8P 4Y5

## **WE HBA Letter: Committee of Adjustment Reform**

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Dear Mr. Prasad,

On behalf of the West End Home Builders' Association (WE HBA), we are writing to respectfully request that the Planning and Economic Development Department give serious consideration to reforms to the current Committee of Adjustment structure and decision-making process. WE HBA believes that the Committee of Adjustment can be more effective and that there are opportunities to streamline and bring greater consistency to decision-making, improve timelines, and support faster delivery of housing.

The West End Home Builders' Association ("WE HBA") is the voice of the land development, new housing and professional renovation industries in Hamilton, Burlington, and Grimsby. WE HBA represents 300 member companies made up of all disciplines involved in land development and residential construction. In the Hamilton CMA in 2024, residential construction contributed over \$4.6 billion in investment value and provided over 21,000 jobs paying about \$1.6 billion in wages<sup>1</sup>. WE HBA notes that these economic indicators are in rapid decline. As such, we appreciate the City's ongoing willingness to work together with our association to align policy with better housing outcomes.

Recent conversations among planners, housing advocates, and municipal policy-makers underscore a growing concern that the current role and practice of Committees of Adjustment, not just in Hamilton, but across Ontario, are not keeping pace with modern housing policy objectives. The planning and development sectors have observed, in reaction to recent Committee decisions, there are instances where minor variance applications, fully supported by planning staff and consistent with statutory tests, are nevertheless being refused for reasons unrelated to planning merits, creating uncertainty and undermining clear policy direction. We are concerned that through the Committee of Adjustment, neighbourhood opposition can derail housing forms that, on paper, align with the City's own intensification and "missing middle" goals, leaving proponents and residents alike questioning whether the current system reliably

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<sup>1</sup> CHBA Economic Impacts 2023 Fact Sheet, City of Hamilton.

advances approved policy. In Hamilton, where innovative infill and modest intensification are essential to meeting housing needs, this trend points to a pressing need to modernize the Committee's mandate, membership training and decision-making framework so that outcomes reflect both planning expertise and strategic housing priorities.

Here in Hamilton, our members have observed an increasing number of instances where the Committee of Adjustment denies planning applications despite corresponding staff recommendation reports supporting approval. In many cases, professional staff across engineering, natural heritage, cultural heritage, and planning have determined that proposed severances or variances represent good planning and are appropriate for approval. Nevertheless, these applications are denied and often navigate lengthy and expensive appeals to the Ontario Land Tribunal.

Once a denied severance or variance is appealed to the Ontario Land Tribunal by the applicant, the City must retain outside planning consultants to fight the appeal because their own staff have already gone on record as supporting the application. This means taxpayer dollars are paying for outside consultants to prepare for and attend Ontario Land Tribunal appeals. In the event the City does not retain outside consultants, the appeal proceeds with the City being 'unrepresented' and taxpayer dollars are still spent on the time and energy of the City solicitor. The proponent is also forced to spend unnecessary financial and time resources on an appeal. In these cases, the Ontario Land Tribunal typically rules in favour of the proposed severance or variance being approved, due to the support by both the applicant's planning consultant and the City's own staff. This pattern highlights an inefficiency in the current process and inefficient use of public funds.

The Committee of Adjustment is intended to provide a logic-based, contextual perspective on applications. While City staff must adhere strictly to policy frameworks, the Committee serves as an approval authority capable of weighing context and exercising discretion where appropriate. However, this role appears to have shifted. Committees are frequently denying applications supported by staff and raising concerns that fall outside the scope of their mandate of severance and variance review. These matters would more appropriately be addressed through other planning tools, such as Site Plan Control.

At the same time, it is important to recognize that there are also instances where staff do not support an application, yet approval by the Committee of Adjustment may still be appropriate based on broader planning considerations and site-specific context. Clarifying this role may help ensure that decisions respect the expertise of professional staff but also appropriately reflect the Committee's authority to weigh context where policy alone may not fully capture the merits of an application.

At a time when housing activity in Southern Ontario is reaching historic lows, investment in Hamilton is softening, and municipal taxes continue to rise, it is critical that barriers to housing delivery be minimized. In particular, missing middle and infill housing is the form most commonly associated with severance and variance applications. This type of housing represents one of the most significant gaps in today's housing supply. These projects are typically modest in scale and have tighter margins than larger developments. As such, added costs stemming from appeals or unnecessary conditions of approval can significantly impact project viability.

In light of these concerns, the WE HBA respectfully proposes that the City engage industry, builders, planners, and other users and stakeholders of the Committee of Adjustment, and consider the following reforms:

- The Committee should consist of a minimum of eight members to reduce the potential for a single vocal member to disproportionately influence the outcome of applications.
- Attract and retain highly qualified panel members for the next round of recruitment and appointments; furthermore, Committee members should receive comprehensive training to clearly understand the scope of their mandate and the aspects of development addressed through other stages of the planning process, including on changes to City and provincial planning rules.
- As Committee members are appointed by Council, consideration should be given to selecting individuals with a working understanding of land use planning to ensure informed and balanced decision-making.
- WE HBA also sees value in the role of a strong and effective Chair in guiding Committee proceedings. A Chair who is well-versed in planning principles and the Committee's mandate can help maintain focus during hearings by respectfully curbing irrelevant or non-planning-related commentary and ensuring that discussions remain grounded in the appropriate decision-making framework.
- Improving customer service, streamlining decision-making, improving timelines, leveraging technology, simplifying submission requirements, and supporting faster delivery of housing, while maintaining the integrity of the development review process.
- Standardizing the practice of Development Review staff reports to the Committee of Adjustment, including comments where applicable indicating where projects align with Council-approved policy objectives.
- Opportunities to better streamline and coordinate the application processes for tree removal permits and minor variances.

Finally, we would like to leave you with an example of a process that is working well in the City of Brampton. There, the Committee of Adjustment incorporates a streamlined approval process for non-contentious applications. At the top of their Committee agendas there is an item referred to as *'Review of the Agenda for Immediate Approval.'*



Any application that has a City Staff Report recommending approval is noted, and the Committee members ask if there are any interested parties in attendance wishing to speak to those applications. If there are no interested parties, the application is approved on the spot without the need for additional discussion, staff presentations, or dialogue from Committee members.

This method reduces the time both parties spend speaking to items which have already been determined to be appropriate by City staff. It also aids in reducing costs for applicants, as their representatives learn at the start of the meeting if they will be required to speak to the application. Planners and lawyers representing an applicant are often paid to wait hours for their item to come up in the agenda; however, the Brampton model reduces the cost to applicants, and thus the future purchaser, as well as reducing staff time spent at committee.

We believe these reforms would help restore the Committee's intended function, reduce unnecessary expenditures of taxpayer dollars, and support the timely delivery of much-needed housing in Hamilton.

We appreciate your attention to this matter and would welcome the opportunity to meet with you and your team to discuss these concerns and potential solutions further.

Respectfully submitted,

**Mike Collins-Williams, MCIP, RPP**  
Chief Executive Officer  
West End Home Builders' Association