

February 28, 2019

Charles O'Hara
Ontario Growth Secretariat
Ministry of Municipal Affairs
c/o Business Management Division, 17th floor
777 Bay Street
Toronto ON
M5G 2E5

Dear Mr. O'Hara:

**RE: PROPOSED AMENDMENT TO THE GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (2017) - ERO NUMBER: 013-4504
COMMENTS WITH RESPECT TO LANDS LOCATED AT THE NORTHWEST CORNER OF BARTON STREET AND FIFTY ROAD, HAMILTON
OUR FILE: 1736A**

MHBC Planning is retained by Avatar International and 5000933 Ontario Inc. with respect to their lands located at the northwest corner of Barton Street and Fifty Road in the City of Hamilton (the "Subject Lands"). The Subject Lands are approximately 4 hectares (9.9 acres) in size and are located adjacent to the City of Hamilton Urban Boundary within the City's "Lower Stoney Creek" area (see Figures 1-3, attached). The Subject Lands are currently vacant and are surrounded by residential (Foothills of Winona Subdivision) and institutional (St. Gabriel Catholic Elementary School) and cannot be developed for agricultural uses due to both parcel size and Minimum Separation Distance issues as a result of adjacent sensitive uses.

Our client was actively engaged in the Province's Coordinated Land Use Planning Review process and the Province's Agricultural Land Base Mapping review seeking the justified removal of the Subject Lands from the Greenbelt Boundary and the Specialty Crop Area, both of which have been supported, on numerous occasions, by City of Hamilton Planning staff and Council by motion (see attached).

We have reviewed the Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017, on behalf of our clients and would like to express our support for the changes the provincial government proposes as they relate to removing several significant challenges posed by the 2017 Growth Plan. It is our opinion and that of our clients that Proposed Amendment 1 will support the advancement of good planning in the Province of Ontario by providing needed increased housing supply and employment opportunities, and removing the many challenges posed by the current policies of the Growth Plan.

While we are generally supportive of the Proposed Amendment, as it would provide the opportunity to alter settlement area boundaries outside of an MCR, subject to certain criteria, we are concerned that the

Subject Lands continue to not be eligible for consideration for inclusion in the Urban Area Boundary due to their unjustified inclusion in the Greenbelt Plan and designation as Specialty Crop Areas.

As noted above, a considerable amount of detailed analysis has been undertaken by qualified professionals and experts in the fields of planning and agrology which demonstrate that the Subject Lands do not constitute Specialty Crop and should not be within the Greenbelt Plan Boundary and copies of these reports have been submitted to the Province numerous times. These past submissions are attached to this letter, for reference.

Ultimately, given that the surrounding context includes existing and future urban residential and institutional uses, with a major arterial road and planned transit hub in the immediate vicinity, it is very clear that this area is urban, with limited viable farming opportunities. It is our opinion that current application of the Specialty Crop Areas designation and Greenbelt Plan area delineation has been incorrectly applied and is, at its core, a result of a historical mapping error which has not been rectified. The effect of this is that these lands have been rendered essentially undevelopable for any type of uses until such time as Provincial plans are reviewed again. Under the current legislation, this would not be permitted to occur until approximately 2027.

Given the Province is currently proposing an amendment to the Growth Plan, we would appreciate the opportunity to correct this error by providing a framework which would allow for consideration of the inclusion of the Subject Lands within the Urban Area Boundary outside of the MCR process.

Our recommended policy modifications are provided below.

Policy Reference (using proposed new numbering)	Current Proposed Wording	Recommended Added Policy
2.2.8.4	<p><i>“Notwithstanding policy 2.2.8.2, municipalities may adjust settlement area boundaries outside of a municipal comprehensive review, provided:</i></p> <p>...</p> <p><i>d) the affected settlement areas are not rural settlements or in the Greenbelt Area; and”</i></p>	<p><i>“Notwithstanding policy 2.2.8.2, municipalities may adjust settlement area boundaries outside of a municipal comprehensive review, provided:</i></p> <p>...</p> <p><i>d) the affected settlement area is not a rural settlement and not in the Greenbelt Area except if in the Greenbelt Area unless the adjustment represents an area less than 5 ha, which has been identified by the municipality as non-viable and recommended for removal from the Greenbelt and the expansion complies with policy 2.2.8.3j)”</i></p>
2.2.8.5	<p><i>“Notwithstanding policy 2.2.8.2 and 5.2.4.3, a settlement area boundary expansion may occur in advance of a municipal comprehensive review, provided:</i></p> <p>...</p>	<p><i>“Notwithstanding policy 2.2.8.2 and 5.2.4.3, a settlement area boundary expansion may occur in advance of a municipal comprehensive review, provided:</i></p> <p>...</p> <p><i>c) the affected settlement area is not a rural</i></p>

	<p><i>c) the affected settlement area is not a rural settlement or in the Greenbelt Area;"</i></p>	<p><i>settlement or in the Greenbelt Area unless the adjustment represents an area less than 5 ha, which has been identified by the municipality as non-viable and recommended for removal from the Greenbelt and the expansion complies with policy 2.2.8.3j)"</i></p>
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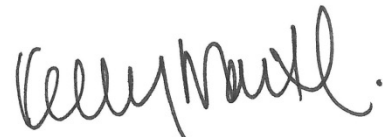
We thank you for the opportunity to bring this matter to your attention and are available to meet with you to present and discuss this information with you and your team if you wish. We would be pleased to discuss this matter with you and provide any further information you may require.

Yours truly,

MHBC



Dana Anderson, MA, FCIP, RPP
Partner




Kelly Martel, M.Pl, MCIP, RPP
Associate

Cc: *Ms. Donna Skelly, MPP Flamborough- Glanbrook*
Mr. Fred Eisenberger, Mayor- City of Hamilton
Ms. Maria Pearson, Chairperson- City of Hamilton Planning Committee
Mr. Jason Thorne, MCIP, RPP, General Manager of Planning and Economic Development- City of Hamilton
Mr. Steve Robichaud, MCIP, RPP, Director of Planning and Chief Planner- City of Hamilton
Messrs. Sergio Manchia and Anthony DiCenzo- Avatar International and 5000933 Ontario Inc.



Figure 1
Location Map

LEGEND

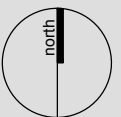
 Subject Lands

DATE: February 27, 2019

SCALE: 1:5,000

FILE: 16261C

DRAWN: DGS



K:16261C-AVATAR AND 1800615 ONTARIO LIMITED-FIFTY ROAD-HAMILTON/RPT/LOCATION MAP.DWG

**Avatar International/
 1800615 Ontario Limited**
 Barton Street and Fifty Road
 City of Hamilton

Base Map Sources:
 Google Earth Satellite Imagery (July 2018)

 **PLANNING
 URBAN DESIGN
 & LANDSCAPE
 ARCHITECTURE**
 200-540 BINGEMANS CENTRE DR. KITCHENER, ON. N2B 3X9
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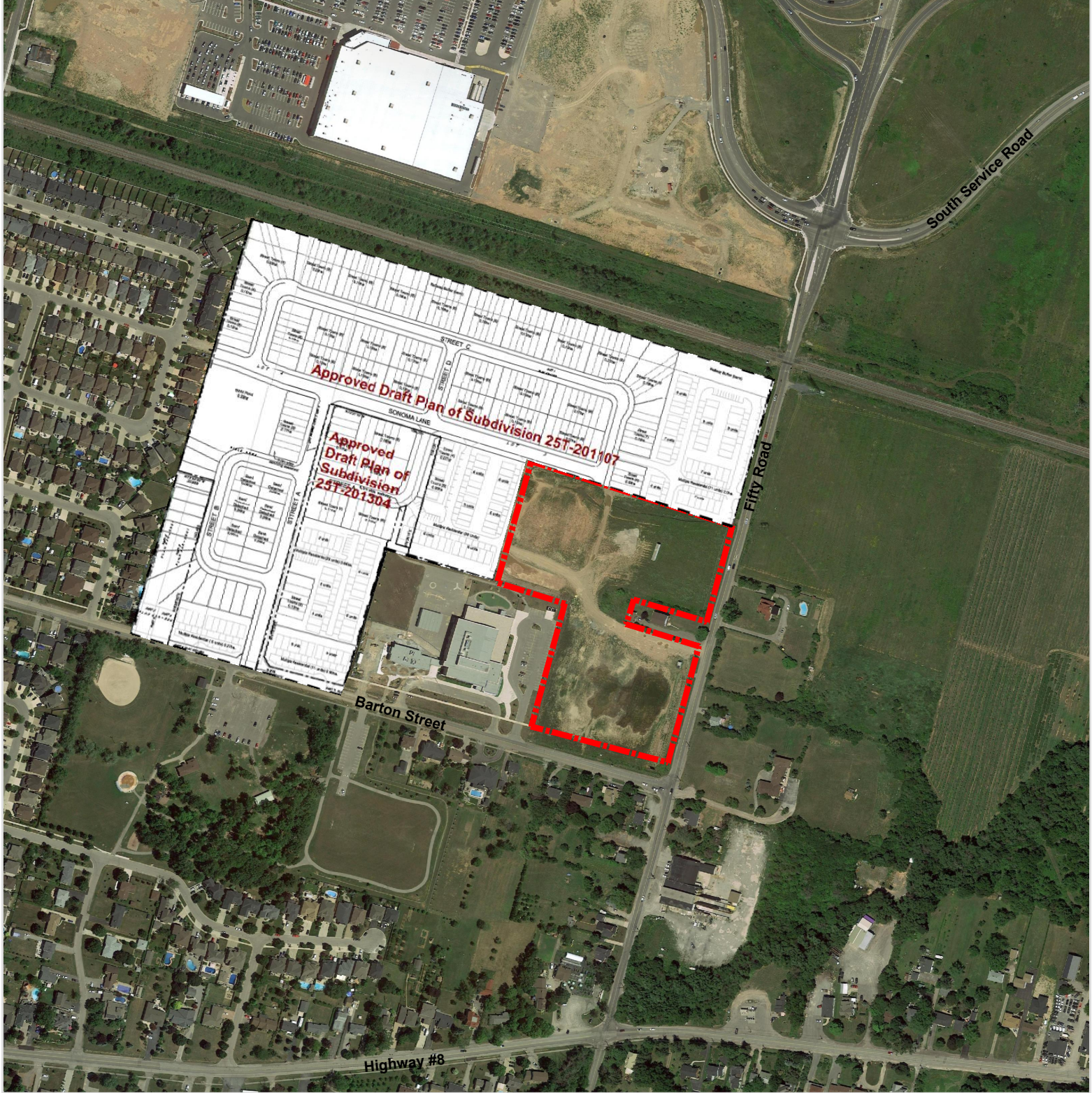



Figure 2
**Surrounding
 Urban Development**

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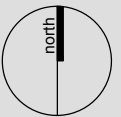
 Subject Lands

DATE: February 27, 2019

SCALE: 1:5,000

FILE: 16261C

DRAWN: DGS



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**Avatar International/
 1800615 Ontario Limited**
 Barton Street and Fifty Road
 City of Hamilton







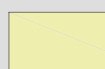
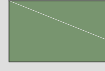



Base Map Sources:
 Google Earth Satellite Imagery (July 2018)

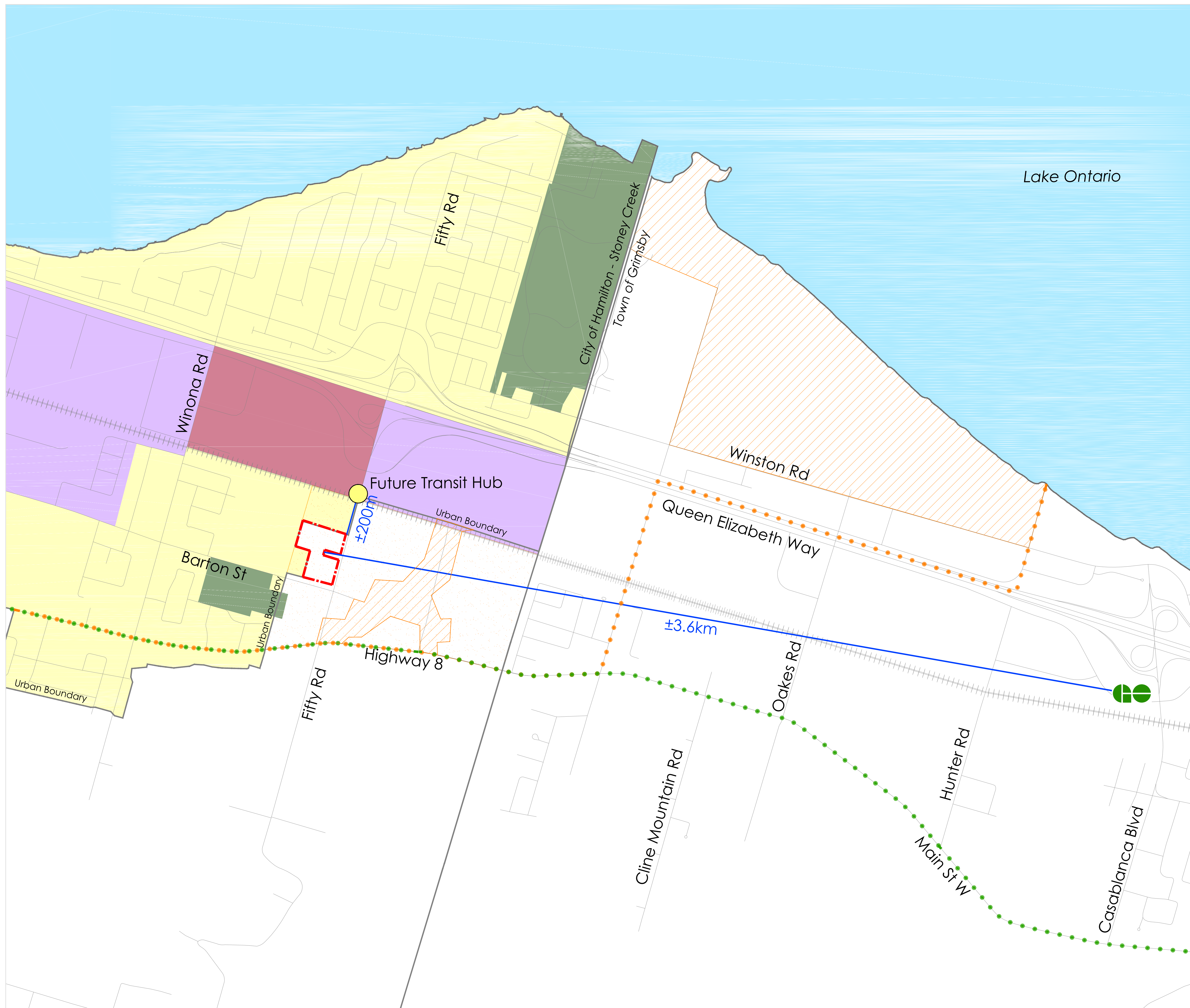
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**Figure 2
Location Plan**

Barton Street and Fifty Road
City of Hamilton

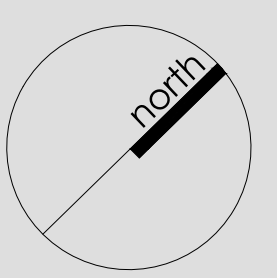
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-  Subject Lands
-  Distances
-  Niagara Escarpment Plan Boundary
- Greenbelt Protection Plan**
 -  Limit of Protected Countryside
 -  Natural Heritage System
 -  Tender Fruit Grape
- City of Hamilton - Land Use (Urban Official Plan)**
 -  Neighbourhoods (Residential)
 -  Open Space
 -  District Commerical
 -  Business Park
-  Casablanca Blvd at QEW Park and Ride



Source: City of Hamilton and Niagara Region - 2016
City of Hamilton - Urban Official Plan, Schedule E-1, Jan. 2017

DATE: February 2017
SCALE: 1:7,500
FILE: 1736A
DRAWN: CAC



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**7.5 Terrapure Stoney Creek Regional Facility Environmental Assessment (EA)
– Draft Proposed Terms of reference (PED16184) (Ward 9)**

(Conley/B. Johnson)

That Council authorize and direct the Chief Planner to forward the Letter of Comment, attached hereto as Appendix “A”, to Terrapure Environmental outlining the City’s comments respecting the “Stoney Creek Regional Facility Environmental Assessment (EA) - Draft Proposed Terms of Reference, June 21, 2016”.

The above motion CARRIED unanimously on the following Standing Recorded Vote:

Yeas: A. Johnson, J. Farr, M. Green, S. Merulla, C. Collins, T. Jackson,
D. Skelly, T. Whitehead, D. Conley, M. Pearson, B. Johnson,
L. Ferguson, A. VanderBeek, J. Partridge, R. Pasuta

Total: 15

Nays: 0

Absent: Mayor Eisenberger

7.6 Amending Item 7 of Planning Committee Report 16-015

(Pearson/Skelly)

That Item 7 of the Planning Committee Report 16-015, respecting the Lands North of Barton Street and East of Fifty Road, which was approved by Council on September 14, 2016, be amended in order to accurately describe the lands that the motion was intended to apply to, as per the map attached hereto as Appendix A, by adding the words “***bounded to the east of by***”, to read as follows:

7. The Lands North of Barton Street and *Bounded to the East of by* Fifty Road

WHEREAS, Council supports the inclusion of the lands north of Barton Street and ***bounded to the east of by*** Fifty Road in the urban area;

WHEREAS, a change to the urban area can only occur through a municipally initiated comprehensive review; and

WHEREAS, the City of Hamilton has commenced an update of the City’s Growth Related Integrated Development Strategy, or GRIDS2;

THEREFORE BE IT RESOLVED:

That staff, in consultation with the land owners, as part of the GRIDS2 process initiate the identification of the lands north of Barton Street and ***bounded to the east of by*** Fifty Road as a strategic growth area for future development for urban uses to complete the Winona community.

CARRIED

Councillor Green requested to be recorded as being OPPOSED to this motion.

7.7 Habitat III Conference, Quito, Ecuador (Item 8.1)

(Merulla/Collins)

WHEREAS the Habitat III Conference is a United Nations Conference on Housing and Sustainable Urban Development; and

WHEREAS the Habitat III Conference offers a unique opportunity to discuss the important challenge of how cities, towns, and villages are planned and managed, in order to fulfill their role as drivers of sustainable development, and how they can shape the implementation of the new global development goals and the Paris Agreement on climate change.

THEREFORE BE IT RESOLVED:

- (a) That Council of the City of Hamilton appoint Councillor Matthew Green as the City of Hamilton's representative at the Habitat III Conference in Quito, Ecuador from October 17 – 20, 2016; and
- (b) That Council assumes all costs associated with Councillor Matthew Green attending the Habitat III Conference in Quito, Ecuador, charged to the General Legislative 300100 account.

CARRIED

Councillors Skelly and Ferguson requested to be recorded as being OPPOSED to this motion.

7.8 Future Development of the Hamilton Psychiatric Hospital Lands (Item 8.2)

(Whitehead/Skelly)

WHEREAS Infrastructure Ontario has initiated the disposition process for a portion of its lands known locally as the former Hamilton Psychiatric Hospital at 100 West 5th Street;

THEREFORE BE IT RESOLVED:

That staff report back to the Planning Committee on the feasibility, process and budget for a neighbourhood planning initiative that would define a land use vision for the future development of the Hamilton Psychiatric Hospital lands, which would include the opportunity for the City of Hamilton to obtain ownership of these lands.

CARRIED