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VIA EMAIL AND ONLINE

Ministry of Municipal Affairs and Housing
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To Whom It May Concern:

**Re: City of Hamilton Municipal Comprehensive Review/Official Plan Review
Official Plan Amendment 167 to the Urban Hamilton Official Plan and
Official Plan Amendment 34 to the Rural Hamilton Official Plan
ERO Number 019-5732
Ministry Reference Number 25-OP-229116
Urban Boundary Expansion Request – 347 Parkside Drive, Waterdown, ON
Our File No.: 1556**

We are counsel to 2441066 Ontario Inc. (“**244**”). Our client owns lands known municipally as 347 Parkside Drive in Waterdown, ON (the “**Property**”). That Property is located on the edge of, but at present slightly outside, the City of Hamilton urban boundary.

244’s Participation in the Municipal Comprehensive Review

The Property is ideally located for a small, reasonable expansion that would include it within the City of Hamilton urban boundary. To that end 244 extensively engaged with the City of Hamilton’s municipal comprehensive review (“**MCR**”) exercise to request an urban boundary expansion that would include its Property.

244 was disappointed when the City ignored the detailed and extensively justified recommendation of an “ambitious density scenario” for the MCR endorsed by its own staff, instead choosing to pursue a “no urban boundary expansion” growth scenario in November 2021. Despite significant opposition from members of the community, including 244, the City incorporated the “no urban boundary expansion” approach into Official Plan Amendments 167 and 34 (“**OPA 167**” and “**OPA 34**”, respectively) arising from the MCR exercise. OPA 167 and OPA 34 were approved by the City of Hamilton on June 8, 2022.

The “no urban boundary expansion” endorsed by the City lacks a reasonable and objective planning basis. It is not consistent with Provincial Policy, as reflected in the governing Provincial Policy Statement, and does not conform to the Growth Plan for the Greater Golden Horseshoe. The “no

urban boundary expansion” growth scenario is unable to accommodate an appropriate level of growth within the City of Hamilton and will excessively tax municipal infrastructure through its proposed density increases. Implementation of this ill-conceived approach will only serve to increase housing scarcity and exacerbate the ongoing affordability crisis in the City’s housing market. This is bad planning that is directly contrary to the aims of the Provincial government of increasing housing supply and affordability in Ontario.

Yet after the “no urban boundary expansion” approach was endorsed by the City in 2021, 244 was encouraged that the City left open an avenue to consider requests for urban boundary expansions in the Waterdown area (where 244’s Property is located) as part of the MCR process. It set out detailed criteria for consideration of those requests. In December 2021 244 submitted a request for consideration of an urban boundary expansion that would incorporate a portion of its Property into the City’s urban boundary. A detailed planning justification report and rationale was included with that request.

The City received several requests for urban boundary expansion in the Waterdown area, in addition to that submitted by 244. Few were supported by the same level of evidence and justification as that prepared by our client. 244 submitted its request, and justification for it, to the General Issues Committee for consideration at its meeting on April 20th, 2022. It’s planning consultant attended the April 20th meeting to speak to the matter.

Despite the strong evidentiary foundation presented by 244 in support of its request, it was disappointed to learn that City staff recommended approval only of an urban boundary expansion request at 329 and 345 Parkside Drive – and not our client’s Property. 244’s Property neighbours those approved for inclusion in the urban boundary at 329 and 345 Parkside Drive, and is a natural candidate for inclusion within the urban boundary despite approval of the expansion request for those lands.

Unfortunately the City elected only to approve an urban boundary expansion at 329 and 345 Parkside Drive. This was in keeping with the limitations imposed by the “no urban boundary expansion” approach endorsed by City Council and the limited discretion for departing from that recommendation.

Our client remains of the view that its proposed urban boundary expansion represents good planning that is consistent with the “ambitious density scenario” that was previously studied and endorsed by City staff with respect to the MCR. But even within the narrower confines of the “no urban boundary expansion” approach that the City endorsed, 244’s request satisfies the criteria developed by City staff and is a candidate for an urban boundary expansion. We urge the Province to exercise its powers under the *Planning Act*, RSO 1990, c P-13 to modify OPA 167 and OPA 34 to expand the City of Hamilton’s urban boundary to include 244’s Property.

In support of that request we enclose for your consideration the planning justification report prepared by 244's planning consultant, IBI Group, that was submitted to the City in support of the urban boundary expansion request.

244's Urban Boundary Expansion Request Lands

The lands subject to 244's request are located on the north side of Parkside Drive, between Victoria Street and Boulding Avenue. They include the Property and surrounding lands for a total of 9.63 hectares. The lands are bounded to the south by Parkside Drive and an existing low-density residential neighbourhood; to the east by a large nursery; to the west by natural heritage features; and to the north by a right-of-way for a proposed by-pass corridor.

The broader surrounding area includes residential lands further to the south and west of the expansion request area. Commercial and retail uses are located to the southwest of the expansion request area, and several natural and recreational amenities are located in the surrounding area.

The lands are ideally situated for inclusion within the City of Hamilton's urban boundary. Developed urban areas exist immediately to the south and west of the Property. Expanding the urban boundary to include our client's lands will round out that boundary and fill in, through further urban infill development, what is otherwise a pocket of constrained lands that is too small for productive agricultural use. Its development will have the effect of contributing positively to the fulfillment of the City's projected housing needs, without negative impacts on the surrounding urban and rural character or infringement on hazard lands.

Including 244's Property within the City of Hamilton urban boundary would not conflict with the City's desire for minimal expansion or its focus on intensification. The request is relatively moderate in size and would not drastically expand the urban boundary approved by City Council. It is located in an area that was recognized by the City as having potential for urban boundary expansion, even in its preferred "no urban boundary expansion" growth scenario. In short – granting the urban boundary request by 244 is a "win-win" for all involved.

Justification for 244's Expansion Request

The enclosed report by IBI presents a detailed description of our client's urban boundary expansion request and the planning justification for same. The report evaluates the request within the context of the overall governing policy framework and specifically with respect to the City's MCR process. We commend that analysis to the Province in full for its review.

The size and use of the expansion request lands conform to the City's guidelines for such requests in the Waterdown area. The expansion would support the creation of a complete community, particularly considering the existing urban areas that surround the request lands. The proposed uses for the expansion lands cannot reasonably be accommodated within the existing urban boundary,

and existing services are sufficient to accommodate the expansion request. It also avoids the natural heritage system.

The IBI Report goes on to undertake a detailed analysis of 244's urban boundary expansion request within the context of the finer grain evaluation criteria developed by the City as part of its MCR process. These criteria are explained in full in the enclosed IBI Report. While the analysis may need to be supplemented by further study in order to be refined prior to finalization of the expansion, to date it confirms the Property's appropriateness for inclusion within the urban boundary.

This is further supported by the location of the Property. The Waterdown area has long been acknowledged by the City of Hamilton as somewhere that is ripe for consideration of an expanded urban boundary. That recognition continued even through Council's endorsement of a "no urban boundary expansion" growth scenario – as evidenced for example by item 3(b) of General Issues Committee Report 21-023 of the City of Hamilton.

244 therefore requests that the Province modify the City of Hamilton's OPAs in order to include its expansion request within the approved urban boundary. We would welcome an opportunity to meet with the Province to further explain the request and provide any further information that may be required in this regard.

Sincerely,

RAYMAN HARRIS LLP



Conner Harris

CH/rf

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