July 21, 2023 Via Email

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**Attention:** Peter Van Loan

**Re:** White Church Secondary Plan Area

City of Hamilton

Draft Provincial Planning Statement, Section 3.4.2a)

The White Church Secondary Plan Area (WCSPA) was added to Hamilton’s Urban Area via the Minister of Municipal Affairs and Housing’s decision in November 2022 on Hamilton OPA 167. The Secondary Plan area was added to the Urban Area to provide land for much needed housing. WCSPA is situated to the east of the John C. Munro Hamilton International Airport and must be planned and developed in accordance with Provincial Policy governing residential uses and other sensitive uses near airports. To protect airports from incompatible land uses, the Provincial Policy Statement, 2020, (PPS, Section 1.6.9) prohibits “*new residential development and other sensitive land uses in areas near airports* ***above 30 NEF/NEP***.” (my emphasis). It is silent on whether municipalities can use a more restrictive (ie, lower) NEF/NEP contour when planning land uses near airports.

The northern limit of the WCSPA **does not follow the 30 NEF contour** for the John C. Munro Hamilton International Airport, but instead **takes a more restrictive approach and follows the 28 NEF contour**. The result being that lands needed to address the housing crisis were not included in Hamilton’s Urban Area and remain in the Agricultural Area.

The draft Provincial Planning Statement, 2023, maintains the same policy wording as found in the existing PPS. Section 3.4 ‘*Airports, Rail and Marine Facilities*’, states:

*2. Airports shall be protected from incompatible land uses and development by:*

1. *Prohibiting new residential development and other sensitive land uses in areas near airports above 30 NEF/NEP.*

The proposed policy is similarly silent on whether municipalities can apply a more restrictive (ie, lower) NEF/NEP contour when planning near airports, leading to further situations where lands needed for housing become unavailable for residential uses. We recommend clarifying and strengthening the policy by adding the word **“only”** such that the policy would read “*Prohibiting new residential development and other sensitive land uses* **only** *in areas near airports above 30 NEF/NEP.”*

The City of Hamilton Official Plan prohibits “all new development of residential and other sensitive uses” above the 28 NEF contour. Other large municipalities (Toronto, Mississauga, Brampton, Ottawa) near major airports (Lester B. Person International and Ottawa International) permit the development of residential and other sensitive uses in areas up to 30 NEF/NEP.

Had the urban expansion for the WCSPA followed the 30 NEF contour, as permitted by the PPS, approximately 120 hectares of land would have been available for addition to the Urban Area as shown on the attached *Figure 1: Additional Homes Using 30 NEF*. This land area would accommodate approximately 3,200 homes using the City’s density target of 70 persons/hectare and the City’s assumed average of 2.63 persons/unit.

This example from the WCSPA demonstrates why the proposed Provincial Planning Statement needs to clarify and strengthen the intent of Section 3.4.2a) by adding the word “only” so that it reads:

*2. Airports shall be protected from incompatible land uses and development by:*

1. *Prohibiting new residential development and other sensitive land uses* ***only*** *in areas near airports above 30 NEF/NEP.*

Doing so would add greater certainty and consistency to how municipalities undertake their planning near airports and potentially make more land available for much needed housing.

Please feel free to contact me directly should you have any questions or require any further information.

Sincerely yours,

# Korsiak Urban Planning

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Terry Korsiak, MA, RPP