



City of Hamilton
PLANNING COMMITTEE ADDENDUM

Meeting #: 19-003
Date: February 19, 2019
Time: 9:30 a.m.
Location: Council Chambers, Hamilton City Hall
71 Main Street West

Lisa Chamberlain, Legislative Coordinator (905) 546-2424 ext. 4605

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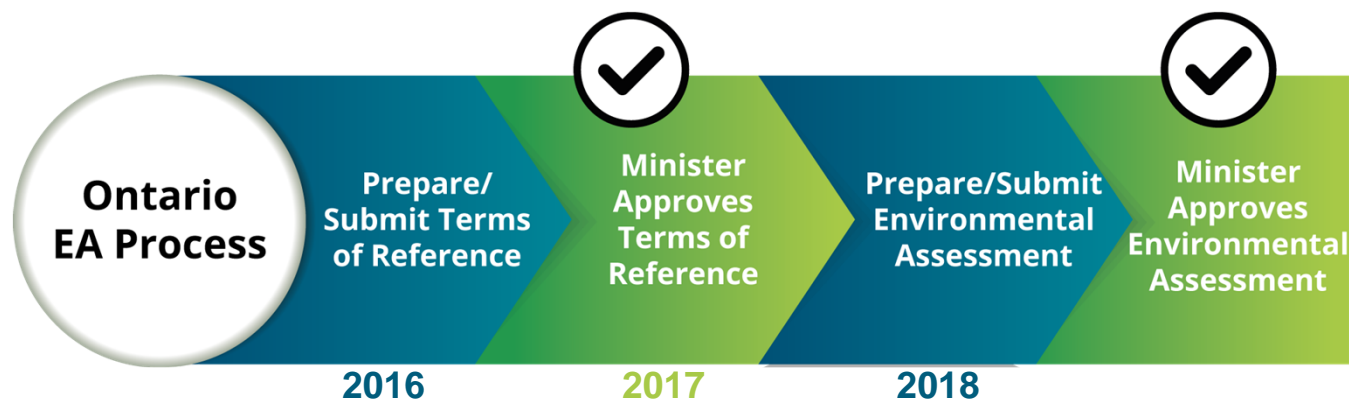


Stoney Creek Regional Facility (SCRF) Environmental Assessment (EA)

City of Hamilton Planning Committee
February 19, 2019

City Involvement in SCRF EA

- City Staff provided comments on Terms of Reference, work plans, existing conditions reports, analysis of options, impact assessment reports, and preliminary draft and draft EA chapters.
- Broad departmental involvement: Planning, Water, Public Health, Traffic, Legal, Finance
- City staff attended all Public Open Houses and participated in review team meetings



City Involvement in SCRF EA

- Staff and council had significant influence over how the SCRF EA was done:
 - Increase in the number of options considered from 2 to 6
 - Assessment of potential impact to property values
 - Viewshed analysis

The result is a more robust and comprehensive assessment of impacts

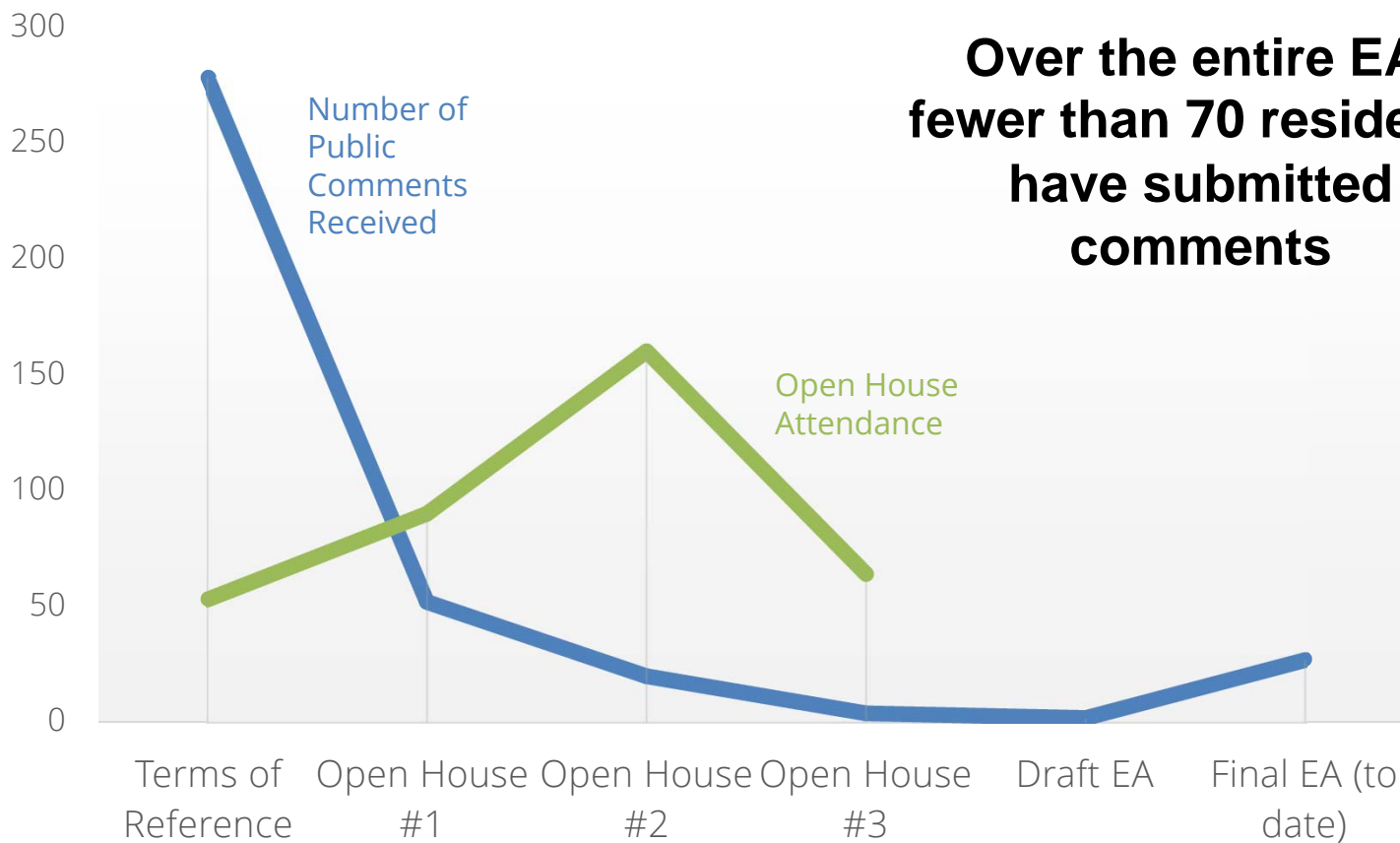


Community Consultation

- **Over 7,000** notices sent by mail at five milestones between November 2017 and January 2019
- Regular email updates to **over 300** interested stakeholders
- About **80** people attended three Open Houses in person and about **200** people logged into three Online Open Houses
- Weekly updates via Facebook and Twitter
- Three educational videos posted online (with over **150 views** each)



Community Interest



Thank you



Terrapure Environmental

Stoney Creek Regional Facility (SCRF) Environmental Assessment (EA)

City of Hamilton Planning Committee
February 19, 2019



Proposed Changes to the SCRF

Terrapure is seeking approval to add 3,680,000m³ of capacity for solid, non-hazardous industrial residual material at the SCRF.



SCRF EA

Staff Report PED16184(c) is a culmination of extensive engagement with the City since the beginning of the SCRF EA in 2016.

The City's thorough review has ensured the submitted EA is environmentally and technically sound.



Project Benefits

- Minor adverse environment and a positive economic benefit to the community
- Additional economic activity in Hamilton or \$349 to \$372 million
- GDP from \$218 to \$232 million
- Extended employment at the SCRF
- Continuation of taxes and fees



Project Benefits

- Potential for up to \$14 million to the City and community through City of Hamilton compensation agreement and Heritage Green Community Trust
- As directed by Planning Committee on February 5, Terrapure is waiting to participate in negotiations with City staff on the City of Hamilton compensation agreement.



Confidence in the EA Process

“We are satisfied with the EA and have no objections to its approval”

Hamilton Conservation Authority

“... if properly implemented and operated, the expansion will have negligible impact on off-site ground and surface water quality.”

Dr. Kerry Rowe, Peer Reviewer

“It will continue to play a vital role supporting local industries and the regional economy”

Joseph Haulage, Aldo Electric,
Estrada Cleaning, Vector Signs,
Maximum Fence

“Terrapure’s proposed reconfiguration of their Facility completely aligns with the priorities set by Hamiltonians.”

Hamilton Chamber of Commerce

Thank you



Form: Request to Speak to Committee of Council

Submitted on Thursday, February 14, 2019 - 9:27 am

==Committee Requested==

Committee: Planning Committee

==Requestor Information==

Name of Individual: Lynda Lukasik

Name of Organization: Environment Hamilton

Contact Number:

Email Address:

Mailing Address: Hamilton ON

Reason(s) for delegation request: I would like to speak to Item 9.1 Growth Plan for the Greater Golden Horseshoe - Amendment No. 1 and Provincially Significant Employment Zones (PED19033) (City Wide). This item is on the Feb 19th Planning Committee Agenda.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? Yes

Form: Request to Speak to Committee of Council

Submitted on Thursday, February 14, 2019 - 8:51 pm

==Committee Requested==

Committee: Planning Committee

==Requestor Information==

Name of Individual: Carol Moffatt

Name of Organization: Private citizen

Contact Number:

Email Address:

Mailing Address:

Dundas

Reason(s) for delegation request:

To express opposition to elements of Application #UHOPA-17-040 and ZAC-17-088 concerning 264 Governor's Road, Dundas on behalf of my family.

Formal presentation will be e-mailed to the Legislative Coordinator in advance.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? Yes

Applications to Amend the Urban Hamilton Official Plan and Town of Dundas Zoning By-law No. 3581-86 for Lands Located at 264 Governor's Road (PED19041) (ward 13)

Comment representing residents: Carol and David Moffatt

In moving to Dundas in 2013 after retiring, my husband and I wanted to reside in an urban community with an appreciation of, and connection to rural, natural landscapes. We chose the Highland Park area, within a community of mainly bungalows and side splits, with some 2 story homes (8 m tall). The neighbourhood consists of homes between 40 and 55 years old. Properties are well cared for and well vegetated.

We have serious concerns that the proposal for 264 Governor's Road has one and only one goal – to maximize profitability. The proposal disregards existing neighbours and neighbourhood character, existing residential by-laws (either in word or intent). Further, it disregards environmental provisions and the intentions of the Provincial Policy Statement "Places to Grow", and fails to consider the site-specific hazards and limitations of the property itself.

Preserving the Environmental character of the neighbourhood

We live in a community where the interface between nature and the urban environment is one of integration, not of separation. Most residents not only accept but also welcome the fact that deer and rabbits commonly use our properties, that red foxes and skunks often wander our streets, that coyotes sometimes track our back fences, and that a wide variety of songbirds and birds of prey are regular denizens of our spaces. A trend toward native gardening is spreading, and many residents have added pollinator gardens to attract native bees and butterflies. We feel that any new development that truly integrates into the neighbourhood should be designed to reflect this critical part of what it means to live in the West Highland area. This proposal seems not just to ignore that character, but to work in opposition to it.

Storm water management

Storm water management is an on-going issue for our area, which has had decades-long problems because we live atop deep, fairly flat fine clay soils on a ridge between two ravines. Modern understanding of ecosystems has also taught that simply channeling water downstream is not a sustainable option, especially in a flood-prone valley town where our water becomes other people's (and ultimately everyone's) problem.

My husband and I happily reside at 9 Lynndale Dr. Dundas, immediately next to 264 Governor's Road. We are avid gardeners, naturalists and environmentalists. We have a deep understanding of the challenges of water management in this urban area. Over the years we have taken extensive measures to manage water on our own property, retaining rainwater on site and facilitating infiltration and groundwater recharge while reducing storm water runoff from our property to near zero. With the HCA 2018 Watershed Report Card highlighting the importance of mitigating more frequent extreme weather events due to climate change, and the potential inability of our infrastructure to function properly under those conditions, we knew there were challenges we had to address. We have put substantial money and time into the management of runoff for our own use and protection, while ensuring that we impose no new stresses on our neighbours, some of whom still experience

basement water problems, or on the local environment. We have had to manage occasional overland flow from the higher areas of 264 Governor's Road during spring melt and severe storms.

In our own yard, we have disconnected downpipes from the storm sewers, added 7 rain barrels, installed downspout diverters, added significant organic compost to our topsoil, terraced sloped gardens, and added swales and a raingarden to retain runoff and enhance infiltration into the groundwater. We have added over 60 trees and shrubs to intercept precipitation and runoff and to enhance infiltration. Nevertheless we have continued to have some springtime water issues. These will almost certainly be compounded with extensive urban development on our property boundary.

We share this high level of respect for the environment with most of our neighbours, and expect nothing less from new neighbours who plan to profit from their proposal.

Community-based Planning

Following the principles of community-based engagement (as espoused by Jason Thorne, General Manager of Planning and Economic Development in an interview to the CBC in 2014) and principles of the Provincial Policy Statement "Places to Grow", any change of zoning and intensification should integrate into the existing neighbourhoods and be planned in such a way that it fulfills existing needs in the community, enhances the neighbourhood, and mitigates negative effects on people and the environment as much as possible. That Urban Solutions sees no contradiction with this philosophy and their development proposal for 264 Governor's Road is astounding. They have not amended a single point on their website since their most recent update of April 2018. After nearly a year of purportedly reviewing community comment, no changes have been posted on their website, sent to residents (whose emails they requested for "updates" in an April 2018 meeting) or included in their final submission. Clearly community concerns and input are of no concern to them. While it is important that developers turn a profit, maximizing that profit must not guide the city's planning decisions. Councillors, this is what you are tasked with guaranteeing, not only for us, but for all residents in Hamilton caught in today's extreme development boom.

The current planning cycle based on GRIDS2 encompasses growth over more than 20 years. Intensifying development to prevent urban sprawl is one aspect of this process, but so is developing communities so that they function more efficiently, meet unserved needs, encourage alternative transportation and reduce negative environmental impacts. With the scarcity of available development land in Dundas, and the status of large parts of the valley as a nationally, provincially and locally important natural area, it is important that wise decisions be made regarding rezoning. There is no clear urgency to convert this Urban Reserve land to a specific planned use, and **we urge that the city do a more thorough examination of community needs and priorities before approving this change.** Approval cannot be easily undone.

Requested Variances to the Official Plan

Along with applying for rezoning, the developer has proposed 7 variances from regulations of the existing planning by-law, in the form of an Official Plan Amendment, to allow the maximum number of high end townhouses that can be squeezed onto the .6 hectare property. Most of these regulations were originally enacted with the intent of minimizing negative effects on existing neighbours, preserving the environmental services provided by the existing uses, providing aesthetic integration into the community, and providing vital amenities to the new residents. The "full steam ahead" approach of this developer is very concerning, given the many expected negative effects on neighbours, changes to the character of the existing neighbourhood and declining property values of the current residents.

The 7 variances requested were explained away at a meeting (April 2018) by Mr. Matt Johnston of Urban Solutions, who declared that “the by-laws are old and tired”. **We are very concerned that the proponents are asking for multiple blanket exemptions in the form of a site-specific amendment of the Official Plan. We are especially concerned that the granting of these variances would be impossible to reverse at the site-planning stage, when we believe that the rationale for several of the variances may be in conflict with changes required to meet site-specific constraints on design and could result in serious environmental harm.** We also feel that the variances requested by the proponent will cause significant harm to us, our property and a number of our closest neighbours. The express purpose of the variances would be to allow even more housing than the by-law permits. We feel that favouring economic gain for a developer who is set on ignoring protections provided for neighbours in the zoning by-laws, while increasing economic costs to those whom the by-laws are intended to protect, is both unfair and contrary to responsible planning and management.

Specific discussion of the requested variances

Variance #1 - INCREASED DENSITY. Every other requested variance depends on the variance requested for density. This property does not fall within a node or transportation corridor as defined in the Official Plan of Hamilton, and is thus not an area currently targeted for maximum intensification. Nevertheless, the applicant is asking to build 29 units (density of 48.4/ h) while the maximum under the current by-law would be 22.1 units (at a ratio of 37 units/h). This is an increase in density of nearly 25%! This variance regarding the density shows a blatant disregard for community concerns and appears simply a way to squeeze maximum profit from the development.

Variance #2 - MINIMIZED LANDSCAPED AREA. The exemption from landscaping requirements would mean that most of the existing trees on the property would be removed with little or no space available to be reforested. It would also see the area of impermeable surface on the property rise to close to 70%. This would severely impact storm water patterns, flooding potential, sight lines and aesthetics for neighbours, wildlife movement patterns and the general character of the neighbourhood as a mature, well-treed urban environment. As mentioned above, density is the key. The current by-law requires a 50% landscaped area. The proposal in question requests a landscaped area of only 32%. The lack of landscaped space also precludes any provision of outdoor public play facilities for children within this development.

Variance #3 - ZERO LANDSCAPED BUFFERS. The planning by-law requires a minimum of 3.0 m buffer along the property lines wherever a townhouse development borders properties zoned for single-dwelling residential. The applicant originally requested NO BUFFERS in the proposal. The elimination of buffers would mean that yards and windows of the constructed units would directly overlook properties and homes of existing residents, without any provision for vegetative screening, which would improve aesthetics, reduce privacy issues, and replace some lost habitat. Their latest version has provided a reduced buffer (2.5 m) adjacent one property, but asserts that a similar buffer overlapping the mandatory backyards be accepted for the three properties that would suffer the greatest loss of privacy. It is unclear how the conflict between calling this space a buffer and allowing new residents freedom to use their backyards as personal space would be resolved. Without buffers, vegetative screens and mandated opaque fencing, five bordering residences face extreme loss of amenity value, privacy and property value. Since such accommodations are possible, their benefits would seem to justify significant changes to the proposed plans. Current residents deserve respect for the years and money they have invested into their properties.

Variance #4 - SIDE YARD SIZES. The applicant has asked for a 60% reduction in the required side yard size on the east side of the development and 67% on the west side. It would allow units to be built 3 m from the property line with no screens or buffers for privacy. While a reduction to 3 m is permitted if no side windows face the boundary, this provision assumes the implementation of the existing provision for 3 m buffers adjacent existing R1 properties. This is distressing, as it means that buildings higher than anything existing in the broad neighbourhood will rise very close to property lines and that, since the land on which these homes will be built is close to 2 m higher than our yard and surrounding neighbours' lots, there will be a very claustrophobic look and feel to the development. As well, the reduction to 2.5 m required on the west side adjacent St. Bernadette's Elementary School may provide challenges for servicing end units once a privacy fence is added within this narrow space. Finally, a blanket 2.5 m site-specific variance for side lots written into the Official Plan Amendment could become a critical factor at the site-planning stage, allowing the developer to push for even closer encroachment on neighbouring residential properties during that non-public process. This is a major concern since the developer has shown no good will to this point.

Variance #5. - INCREASED HEIGHT - The 2-story units, to be built on the back of the property which are proposed for the maximum allowable height of 10.5 m already exceed the heights of the existing homes (maximum ~8.5 m) and would dramatically alter sight lines of the current residents. The height exemption requested (13.0 m) for the units bordering Governor's Road would be totally out of character for the neighbourhood which consists of entirely 1-, 1.5- and 2-story homes, and has no residential housing higher than 10 m. The streetscape of Governor's Road would be turned into a claustrophobic wall of housing on this southern side.

Variance #6 - FRONT YARD SIZES - The minimum front yard exemption requested is 4.22 m. This is, again, a major decrease from the requirements of the by-law. With respect to the 14 units proposed along Governor's Road, they would be built adjacent to a strip allowed for future road widening. One proposed block of buildings would be built with front walls within an existing water catchment area currently critical to storm water management, and on steep slopes. With very heavy clay soil that becomes waterlogged in wet springs, one can imagine what the hydrological and flooding implications could be for adjacent neighbours and residents along Governor's Road and downstream, since we have already seen this catchment overwhelmed in a severe storm in 2017.

Variance #7- PARKING - Once again, the request for reduction in the number of visitor parking spaces indicates that the developer does not have the needs of the greater community nor even those of new residents in mind. One wonders how social visitors, emergency vehicles, maintenance vehicles, repair services etc. for 29 luxury townhouses will be accommodated by eight spaces, none of them large enough to accommodate a contractor's truck with a trailer. Since there is no accessible public street parking, there will inevitably be non-conforming curb parking or lawn parking at times, obstructing traffic flow.

With respect to congestion, the traffic generated on Governor's Road by this development will most certainly affect the West Highland community as cars, buses and trucks will likely try to bypass what could very well be major bottlenecks and traffic congestion on Governor's Road. We would suggest that you speak to Councillor Vanderbeek on how the construction on Governor's Road impacted residents this past summer/fall. Lynndale Dr., Highland Park Dr. and Mayfair Ave, all became bypass routes for traffic. In a community with no sidewalks, several blind curves, and numerous seniors and school children who walk on the sides of the roads, diversion of traffic through these roads presents a significant risk of car/pedestrian accidents.

CONCLUSION

Should the Committee and the Council decide that rezoning to RM-1 is the best decision that can be made at this time, more sustainable plans and models are needed BEFORE ANY SITE-SPECIFIC AMMENDMENTS TO THE OFFICIAL PLAN be granted. Please note our complete opposition to the request for so many blanket variances designed to cram far more units onto this parcel of land than the existing Zoning By-law allows. The By-law's maximum density of 37 units per hectare (22 units) is more than sufficient to allow for reasonable residential intensification and profit. The plan that is currently before us, and its included variances, are not an urban solution for Dundas. Rather, it is an ill-conceived, environmentally unsustainable project that would increase negative effects on neighbours and probable costs for the city, while increasing profits for the developer. We, the citizens of Dundas and of the City of Hamilton, have inherited enough of the mistakes of 20th Century approaches to urban development: storm water and flooding problems, congestion and overdependence on automobiles, lack of rights-of-way to encourage healthier living, and the tendency to over-pave landscapes.

Current planning research has a new recognition that intensification must go hand in hand with:

- on-site water management,
- building resilience against greater frequencies of severe storm events due to climate change,
- maintenance and augmentation of the urban forest, for aesthetics and environmental utility,
- provision of attractive and healthy ways for people to move about and recreate, and
- provision of safe, welcoming environments for children to live and grow.

Council must demand that developers plan for and develop green, liveable spaces and cities, where they are not driven solely by big profits, but rather, where they are required to factor in the needs of citizens and protection of the natural resources and environments of neighbourhoods and communities. Short-sighted approaches to planning and development cannot be undone. This is a 21st Century challenge that cannot be met with a 20th Century development plan like the one before us!

It is worth noting the following, from the Mission and Vision of the Planning and Economic Development Department of the City of Hamilton:

“To be the best place to raise a child and age successfully”

“To provide high quality, cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner”

Councillors, please ask yourselves whether the current development proposal really approaches these lofty objectives.

We would prefer, as stated above, to have rezoning deferred until after full consideration of needs and alternatives. If rezoning is approved at this time, we ask that the Planning Committee please defer the requested Official Plan Amendment and require that the proponent work with the Planning Office to develop a conforming site plan that addresses site-specific issues. If such a plan required minor variances at that time, we believe they could be handled by the Committee of Adjustment on a case-by-case basis.

Thank you for your consideration.

Carol Moffatt

Email: moffattc@gmail.com

What we hope for from this meeting...

A clear and impartial consideration of the best use of a rare piece of UR land in Dundas to meet real, identifiable, prioritized needs of the community.

Intensification (when it is approved) that complements and enhances the existing neighbourhoods, is environmentally benign and sustainable, solves existing problems, and is child friendly.

Character of the Neighbourhood

- Single-family homes - 1, 1.5 and 2 story
- Healthy, diverse urban forest
- Integrated into adjacent natural environments



264 Governor's Road and environs



One of the most frustrating aspects of this process has been the lack of any respect for community input, which has been summarily dismissed at every stage.

Among the many offensive statements in the proposal is that it will have “no adverse effects on the private amenity values of neighbouring properties”.



Managing water on difficult rolling clay soils is a challenge, but we put significant energy and resources into minimizing our stormwater runoff, maximizing groundwater recharge and reducing our impacts on our neighbours and on the environment.

We expect the same of those seeking to profit from the land around us.



Variance requests	Required	Requested	Comments
Max. Density	37/ha	48.4/ha	Conformity would eliminate need for most other variances!
Min. Landscaped	50%	32%	Essential for permeability, water management, landscaping, amenities for children
Buffers (adj. R1)	3.0 m	0-2.5 m	Overlaps proposed back and side yards adjacent 4 of 5 adjacent R1 properties, effectively zero
Min. Front Yard	6.0 m	4.22 m	Encroach into existing stormwater catchment; double-fronted units, driveways in back
Min Rear Yard	7.5 m	7.5 m*	*But includes sidewalk; double fronting means less than required outdoor amenity space
Min. Side Yard	7.5 (3.0) m	2.5 m*	Must be restricted to west boundary
Max. Height	10.5 m	13 m	No other residential building within 1 km. exceeds ~10 m
Min. Visitor Park	9	8	No on street or public parking within easy walking distance

Along with intensification, building functional livable cities requires:



- On-site stormwater management for all developments
- Built in resilience against hazards from climate change
- Maintenance and augmentation of the urban forest
- Provision of safe, welcoming environments for children to develop

These goals could be met on this property without the requested variances. As proposed, the development will work against most of them.

Please consider:

- Present and future needs of the community and neighbourhood before making an irreversible zoning decision
- Denying the Official Plan Amendment if zoning is to be granted, and allowing rational, sustainable, orderly and reasonably complementary intensification

Form: Request to Speak to Committee of Council

Submitted on Thursday, February 14, 2019 - 8:51 pm

==Committee Requested==

Committee: Planning Committee

==Requestor Information==

Name of Individual: David Moffatt

Name of Organization: "Friends of 264 Governor's"

Contact Number:

Email Address:

Mailing Address:

Dundas, ON

Reason(s) for delegation request:

To express opposition to elements of Applications #UHOPA-17-040 and ZAC-17-088 concerning 264 Governor's Road on behalf of an informal group of approximately 200 citizens.

Formal presentation will sent to Legislative Coordinator in Advance.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? Yes

Comment to Hamilton City Council and Planning Committee concerning:

Applications to Amend the Urban Hamilton Official Plan and Town of Dundas Zoning By-law No. 3581-86 for Lands Located at 264 Governor's Road.

Submitted by "Friends of 264 Governor's", an informal citizens' group of approximately 45 persons, with signed support from a further 160 citizens.

With respect to 19 February, 2019 meeting of the Planning Committee and February 27, 2019 (or subsequent) Meeting of City Council

Summary of Application

The proposal in question is to rezone this property from UR (Urban Reserve) to MR-1 (Low to Medium Density Multiple Unit Residential), and to allow seven major variances from the Dundas Zoning By-law ([Zoning By-law No. 3581-86](#)), to build a 29 unit townhouse complex. The applicable Dundas definition of RM-1 without variances would permit about 22 units and include several protections for the residents, neighbours, and the environment, from which the applicant has requested exemptions.

Objections to Zoning Change

The current Urban Reserve designation holds the land for future development. It is therefore presumably inevitable that this parcel will be developed in some way as Dundas and the City of Hamilton grow. **With respect to this proposal, we urge Council to consider the costs in terms of opportunity for better planning, the distinct risks of present and future harm that will result if this zoning request is granted without considering all elements of the site, its neighbourhood and its regional context, and the restrictions that would be required to mitigate such harm.** While zoning for significant residential intensification may ultimately be deemed appropriate for this property, the current application would ignore significant protective provisions of the Provincial Policy Statement for planning ("Places to Grow"), would disregard key elements of several by-laws that remain in force at this time (Town of Zoning By-law, Dundas Tree Preservation Bylaw), and would set a precedent for accepting strictly profit-driven redevelopment over rational, community-based and pre-planned urban intensification. It is worth noting that the advertisements when this property went on the market were very explicit that the purchaser must "do due diligence with regard to zoning", and that the application before us is thus purely speculative. If there is a better way, or a better time, to develop this property, that is a political decision by council and not a forced economic one.

- **Opportunity Costs**

- We are concerned that rezoning at this time will preclude other important potential uses of this land. Dundas has very little green-field land left on which to implement important planning objectives. With a very large senior population, there is a demonstrable need for single story units that would allow independent seniors to downsize, thus freeing up other detached homes for new families. There is also a clear need for smaller, affordable homes to permit young families to enter the housing market. Either of these strategies would provide for significant intensification by

offering new homes, and the former would also *de facto* intensify the surrounding neighbourhood by increasing the number of occupants per single-family home.

- The City of Hamilton has a major planning objective to provide and connect infrastructure for non-car transportation. Major bicycle lanes and sidewalks are already funded for Governor’s Road, and a pedestrian bridge is planned (but not yet funded) to link Sanctuary Park, Pleasant Valley and the Hamilton-Brantford Rail Trail to Highland Drive and the local schools. Integration of these two components would ultimately require a connection between Highland Drive and Governor’s Road at Huntingwood Drive, which would provide southwest Dundas with a truly connected and functional network of rights-of-way. Building a dense, closed townhouse development on this property would eliminate the possibility of any such future easement without expropriation.
- **Possible Harms – Flood Risk to Ann St. Creek and Downstream**
 - Dundas is a town built on a converging network of creeks, and much of the older development lies in or adjacent to floodplains. Past management of storm water has often been faulty – before the 1950’s through ignorance, and in the 1960’s to 1980’s through a reliance on engineered solutions that often externalized downstream systems. Since the widespread introduction of systems-based thinking, we have recognized that we must design keeping in mind impacts on the entire system, though some aspects of civil engineering have been slow to adapt. Almost every creek downstream from this property (Ann St. Creek, Spring Creek, lower Spencer Creek, Sydenham Creek, Borer’s Creek) has experienced flooding in the past decade, causing private and public property damage, road closures, erosion, extensive sedimentation and resulting significant clean-up costs.
 - This property contributes important environmental functions for the area, including significant absorption of storm water that would otherwise flow into very flood prone parts of Highland Park, and the downstream neighbourhoods of Central Park and Ann Street. Ann St. Creek has experienced serious flooding into private properties at least twice in the past decade (2011, 2017). Upstream absorption of rain water is important both for reducing flood risk and for recharging local groundwater so that these creeks maintain a healthy flow during dry periods. [The Hamilton Conservation Authority 2018 Report Card](#) recognized urban land use and storm water runoff as a key environmental issue. Provincial Policy is also clear on the need to protect watersheds and to mitigate environmental hazards from a predicted increase in major rainfall events due to climate change. The policy is “net zero runoff”, or no increase in total volume nor decrease in the time at which water from heavy rainfall leaves the property. On a very heavy clay soil, as is found on this property, infiltration requires interception by vegetation, slowing of overland flow, and short-term retention, **none of which is provided by the plan being presented**. Since the central steep slopes on this property are designated for full development and will become impermeable, normal infiltration of storm water into ground water could only be achieved with green infrastructure such as bio-swales or rain gardens, optimally along the south edge of the property where through-flow would

carry it down beneath the impermeable areas. [Feltmate, B and A. Fluder, Intact Centre on Climate Adaptation. [Too Small to Fail](#). 2018 and numerous other publications]

- The north side of this property has a ditch that channels storm runoff from much of this property and from parts of upstream school properties to a small catchment in the northeast corner. A weir grate in this catchment then carries this water into storm sewers. If storm water from the proposed massively increased area of impermeable surfaces on this property is channeled through sewers or swales to this low spot, it will overwhelm the capacity of the grate during particularly heavy rainfalls, and cause flooding onto Governor's Road. The local storm sewers (replaced in 2018) also drain immediately downstream and into Ann St. Creek at Creighton Dr., where severe flooding is already a regular problem in the Ann St. and Central Park neighbourhoods. If, as it appears, the plan is to drain runoff from the constructed area to this low area and then directly to storm sewers, some form of increased retention facility would be required to slow this input to the sewers and to achieve "net zero runoff".
 - On April 20, 2017, 85 mm of rain fell in a few hours at a rain gauge just 10 m from this property. Based on an area of 0.6 hectares, or 60000 m² this property received about 500 m³ of rainwater. Approximately half of the rainwater infiltrated the soil (based on measurements on an adjacent property), and the rest became storm runoff, entering storm sewers. If this property is made 70% impermeable after development, the estimated 250 m³ of current runoff from a storm of this magnitude would rise to approximately 375 m³ and even higher if the landscaped area is channeled or tiled for rapid drainage, or if the ditch and catchment on the north side is channeled or reduced in volume. Thus, to handle even this recent storm event with net-zero runoff would likely require on-site retention of at least 150 m³, yet the concept plan presented provides no space suitable for this purpose. It is notable that the construction of new playing fields at Dundas Valley Secondary School was delayed by requirements to provide just such on-site retention facilities, and this precedent should apply to the planned development of the subject property as well.
 - The "Concept Plan" of subdivision in the consultant's report shows some townhouses extending into the edge of the above-mentioned catchment, with the catchment making up their front yards. This would further reduce the available volume of the catchment, put basements at risk of flooding, and create a future risk if new residents should fill parts of the catchment for gardening, landscaping or other reasons.
- **Possible Harms - Downtown Dundas and Regionally Significant Natural Areas**
 - Upstream development without state-of-the-art remediation of watershed impacts is the single biggest threat to existing development in the downtown area of Dundas, and to regionally and provincially significant natural areas in Hamilton. Given the expected increase in number and severity of extreme weather events, avoidance of repeated flooding in downtown neighbourhoods will require more than simply engineering the water away. Just channeling storm water into storm sewers is not a sustainable option. If the best possible mitigation of runoff is not prioritized, the costs of buying out and rehabilitating properties on flood plains that are no longer livable will far outweigh any short-term economic gains from new development; these costs will, incidentally, be

borne entirely by the taxpayers. The lessons from costly examples like [Grand Falls, British Columbia](#), [South Bend, Indiana](#) and [Ellicott City, Maryland](#), all of which have either had to or are entertaining the need to buy out flood prone neighbourhoods, are ignored at the peril of all Hamilton residents. All storm water from Dundas ultimately ends up in the environmentally sensitive areas of Lower Spencer Creek Conservation Area, Cootes Paradise, and ultimately, Burlington Bay, where repeated flooding has interfered with recreational infrastructure and with aspects of the Hamilton Harbour Remedial Action Plan. Council needs to set a precedent for the future. If we do not hold developers to high standards, how can the city hope to encourage thousands of small properties to take action to make our entire city more resilient to extreme storms?

- **Possible Harms – Loss of Tree Canopy**

- The property is also specifically protected under the Dundas Tree Preservation By-law ([By-law No. 4513-99, Schedule H](#)). At ~35% canopy cover, the trees on this property are an important aspect of the aesthetics of the neighbourhood, and serve as an important mechanism for intercepting precipitation and penetrating the heavy clay soils to permit infiltration. Sitting on the highest ridge in the neighbourhood, these trees act as a migration corridor for birds and insects during the spring and fall, visually connecting ravine forests of Spring Creek Valley with lowland forests of the Huntingwood Open Space and on to contiguous escarpment forests to the north. Since the plan is to remove ~75% of the trees with no significant replacement, these utilities will disappear (although some utility could be preserved by denial of key variances on the Official Planning application). At the very least, the developers and planners should be required to work with Urban Forestry consultants to save as many trees as is practical, and to replace trees along all property boundaries.

- **Possible Harms – Traffic, Cyclist and Pedestrian Safety**

- The current plan is to resurface the adjacent section of Governor's Road in the summer of 2019, after extensive road and sewer work in 2018. Two main thrusts of this redevelopment included alleviating the traffic congestion created by the recent concentration of schools just west of this property, and improving cyclist and pedestrian safety along a narrow, busy arterial road. Improvements include left turn lanes at St. Bernadette's Elementary and Dundas Valley Secondary, a lengthened left turn lane at Bridlewood Dr., and curb-separated sidewalk and two way bicycle path on the south side of Governor's Road. No plan is evident for a left turn lane at the new lights at Huntingwood Dr. into this property, nor does the road appear to be wide enough to allow such a lane. This means that all turns into this property will have to occur from the travel lanes of Governor's Road. Not only will this potentially recreate some of the congestion that the construction was designed to alleviate, but it will also mean that all traffic entering or leaving this property will be crossing both the bike lanes and the pedestrian lane. Exiting traffic could be controlled by set-back stop lines and "no right turn on red" signing, but entering traffic will cross while green lights afford right-of-way to cyclists and pedestrians. Since most of the pedestrian traffic involves students, since eastbound cyclists will typically be traveling through the green light at about 30 kph on

this steep slope, and since motorists will be under pressure to turn quickly when blocking through traffic, this seems like a recipe for serious accidents. Any additional congestion caused would also divert traffic into the West Highland neighbourhood, where a lack of sidewalks, twisting roads with blind curves, and excessive speed create hazards for pedestrians, most of whom are either students or seniors. Local experience during the construction period of 2018 shows that through-flow on these residential streets can become a serious safety issue.

Recommendations and Possible Remediations

The “Friends of 264 Governors” group, formed by 40 neighbourhood residents and representing a further 160 supporters, includes more than 80% of the households deemed to be directly impacted (within 120 m of the property), over 50% of households within 250 m, and a large number of other citizens who are concerned about having rational, sustainable, neighbourhood-oriented, community-based development in Dundas and in the City of Hamilton generally.

We ask:

- **that council please consider carefully, before any rezoning is permitted, the optimal form of development on this property to meet community needs while providing reasonable intensification.**
- **that if rezoning to RM-1 is permitted, it be done on the explicit condition that environmental concerns be addressed with state-of-the-art green infrastructure to mitigate foreseeable future problems and costs. These conditions would include the possibility of a reduction in number of units if site-specific conditions dictate. Specifically, conditions would require:**
 - **On-site management to ensure that, even with the predicted increase in frequency and magnitude of extreme storm events, storm runoff is retained on site and allowed to infiltrate to reduce downstream risks and maintain groundwater levels, including but not restricted to:**
 - **One or more rain gardens on higher ground to reduce overland flow, promote water infiltration, improve groundwater recharge, and minimize erosion into watercourses.**
 - **Bioswales rather than drainage pipes for slower movement of overland flow.**
 - **An improved and enlarged catchment area in the northeast corner that could impound storm water and permit more of it to infiltrate the soil.**
 - **A physical retention tank that would hold excess runoff during storms and allow its release during later low water times, as was required for new DVSS fields.**
 - **Permeable surfacing for parking areas, driveways and sidewalks wherever practical.**
 - **Additional efforts to preserve mature trees and a mandate requiring replanting of native trees and shrubs on the perimeter of the property.**
- **that any residential development be delayed long enough to complete pending improvements on Governor’s Road and to properly assess and mitigate the traffic/cyclist/pedestrian safety issues that will inevitably arise.**

Objections to the Official Plan Amendment

If the zoning of RM-1 is approved by Council, the Concept Plan by the applicant would require seven site-specific variances from the current Dundas by-law ([Zoning By-law No. 3581-86](#)) which remains in effect for residential zones. Since there are a number of significant site-specific hazards and environmental issues with the proposal, the resolution of which might seriously affect the need for such variances, we feel that it is premature to permit blanket exemptions from the bylaw that would constrain the City in any attempts at such resolution. We object to these variances as follows:

- Existing bylaws would allow a maximum of 22 townhouses (**37 units/ha, Regulation 12.3.4.2**) on this 0.6 hA. (1.6 acre) parcel, rather than the 29 requested. Even if specific site planning concerns required reduction to fewer than 20 units, at a projected occupancy rate of 2.8 persons per unit, this would significantly exceed the requirement of 80 residents per hectare without any variances, would eliminate the need for several of the other variances, and would go some way to reducing the concerns of immediate neighbours. We argue that conformity to the existing bylaw is a very reasonable request.
- Existing bylaws require that 50% of the area be landscaped (**Regulation 12.3.6.1**) for environmental, privacy and aesthetic reasons. The applicant has requested that this be reduced to 30%. On the very dense Highland clay of this property, canopy interception of rainwater and root penetration of the soil are vital to permitting water to absorb into the soil and not run off the surface during heavy storms. The Dundas Tree Preservation Bylaw (**By-law No. 4513-99**) specifically recognizes this property as meriting special protection (**Schedule H – Note that: "the Town of Dundas recognizes the importance of trees in contributing to the attractive character and wellbeing of the community"**)
- Existing bylaws require that RM-1 developments provide a 3 m buffer adjacent existing R1 (single family residential) properties (**Regulation 12.3.6.2**). The purpose of this provision is to ensure privacy of current residents. Since several of the adjacent lots are irregularly shaped and shallow, without these buffers several neighbours would have multiple 10.5 m townhouse units rising facing both indoor and outdoor facilities at close range, and would suffer serious loss of privacy and amenity value in their yards. The 3 m buffers along the south and east side of the property would also go a long way toward increasing the landscaped area to 50% and providing for greater tree preservation and some tree replacement (see above). Such buffers would also offer future potential for rights-of-way to interconnect pedestrian routes and make our neighbourhood much friendlier to non-car movement. The proponent's revised application provides a 2.5 m buffer on part of the eastside of the property, but describes a 2.5 m buffer on the north side as overlapping with the 7.5 m back yards of the proposed townhouses. It is unclear how such a "phantom" buffer could be revegetated for privacy screening or used for water management unless it is subject to a restrictive easement on this strip, reducing the effective back yard depth to 5 m.
- Existing bylaws would permit maximum heights of 10.5 m from grade (**Regulations 12.3.3, 12.4.3**). In fact, the vast majority of residences in the existing community fall in the 6.5 m to 8.5 m range. The applicant has asked for a variance to allow the front tier of townhouses along Governor's Road to be 13 m high. Since this is neither a designated transportation corridor nor a

development node as defined in the Hamilton Official Plan and the GRIDS 2 proposal, and since no residential building within a kilometer of the site is taller than 10.5 m this is both out of character and out of scale with the existing neighbourhood and a dangerous precedent to set. It is also notable that allowing this variance would have little or no impact on the degree of intensification or the service efficiencies that the proponent otherwise uses as justification for variances.

- Existing bylaws require front yards 6.0 m (**Regulation 12.3.2.1**) and back yards 7.5 m deep (**Regulation 12.3.2.3**). The applicant has requested a significant reduction of setbacks for the front yards of the units along Governor's Road. At least on the easternmost block that would put the fronts of the buildings within an important storm water catchment that is essential to reducing and evening out peak flow to storm sewers during heavy rain. Enhancement of this system, rather than degradation, is one way to mitigate a significant increase in peak runoff from the steepest slopes, and thus to reduce the flooding risk to downstream neighbourhoods.
- The proponent's revised Concept Plan also shows a reduction in rear yards for the units of the front blocks from 7.5 m to 6.0 m, **although the original proposal does not ask for this variance**. It is also of note that the Planning Office has repeatedly pointed out that units in the front blocks lack the required minimum amount of rear outdoor private amenity space for children, and that the proposal provides for no public outdoor amenity space for children. The proponent and its agent seem not to have attached any significance to this concern. As well, the proponent's agent uses proximity to public parks as an argument in favour of this proposal, but in fact the children's play areas in both Couldrey Park and Veterans' Park fall at the extreme limit of the 1 km "walkability range" from the entrance to this proposed subdivision, and exceed that distance if measured from the front doors of most units. They also require crossing of major arterial roads. This proposal is **not a family friendly plan** of subdivision.
- Existing bylaws permit a reduction of side yards from the mandated 7.5 m to 3 m **only if** the sides of buildings have no windows (**Regulation 12.3.2.2**). Because of irregularities in angles of fence lines, offsetting of and possible need to reorient buildings slightly at the site planning stage, we request that a minimum 7.5 m **angular distance** from any window to the adjacent property lines be maintained, in the spirit of the intent of the bylaw. As well, the Concept Plan would require a variance of side yards on the west side to 2.5 m., not mentioned in the original application. If privacy fencing is erected on this side, the ability to service proposed 13 m buildings with an access space of only about 2 m would be severely restricted.
- Existing bylaws would require at least 9 visitor parking spots for a development of this size (**Regulation 7.12.1.3**), while the applicant is asking for a reduction to 8. Given the complete absence of nearby legal on-street parking within easy walking range of this development, and the high likelihood that visitors, including service companies and contractors, will congest the very narrow cul-de-sacs when visitor parking is full, blocking residents and emergency vehicles alike, no exemption should be approved. Of course, this problem would disappear if the proposed subdivision were reduced to the mandated density for RM-1 zoning.

Recommendations and Possible Remediations

If rezoning to RM-1 is deemed desirable, we ask that the Committee and Council:

- require an extensive and thorough site-specific hydrological study before site-planning, to consider how to mitigate potential flooding of local and downstream environments, incorporating projected increases in extreme weather events.
- reject the Official Planning Amendment, and approve the zoning without variances, thus allowing 22 units, OR
- permit only a variance to allow a larger number of units (up to 25) on condition that they be built on a smaller footprint than that proposed, providing adequate land for green infrastructure, sufficient outdoor amenity space for children, and replanting of trees, while eliminating the need for most other requested variances.
- Reserve the right to approve minor variances at such time that they might be required for efficient site planning without reopening the question of major variances.

While recognizing the role of intensification in sensible urban planning for the future, we ask that the Planning Committee and the City Council recognize that the 21st Century is going to require ingenuity and compromise if we are to fulfil a key goal of planning: to permit more citizens to reside in and enjoy the values and benefits of existing neighbourhoods without destroying those very features that make them desirable, and without downloading problems onto other citizens or compromising the environment on which we all depend.

Thank you.

Friends of 264 Governor's

Represented by Dr. David Moffatt

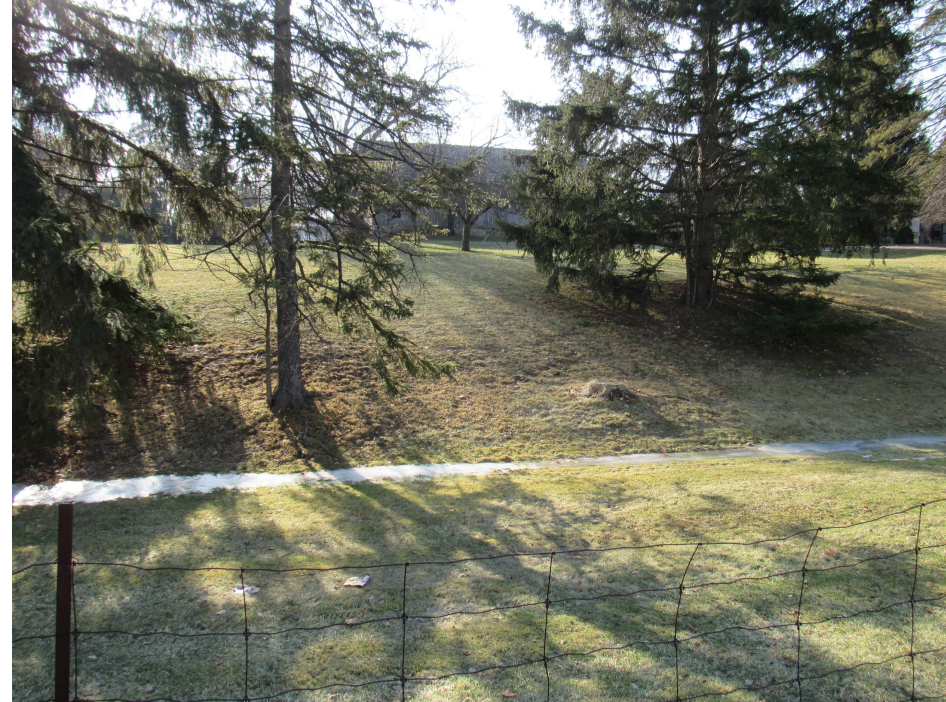
Contacts: email profmoff@gmail.com

Telephone 389 238 8026

9 Lynndale Dr. Dundas L9H 3L6

While nobody wants to lose this lovely property that contributes ambience and character to the local neighbourhood and significant environmental functions for the Town of Dundas, we understand that UR zoning means it will likely be developed during the GRIDS2 period.

Our first concerns are that the development should meet, and not exclude, actual identifiable needs of the community, and that it should enhance, and not weaken future environmental sustainability in the town and the valley.



Opportunity Costs - What greater needs could be met?

Dundas, which has very little remaining space for new development, needs:

- **Small, single story units for seniors to downsize without dislocation**
- **Small affordable starter units for young families**
- **Connectivity via easements to reduce automobile dependency**

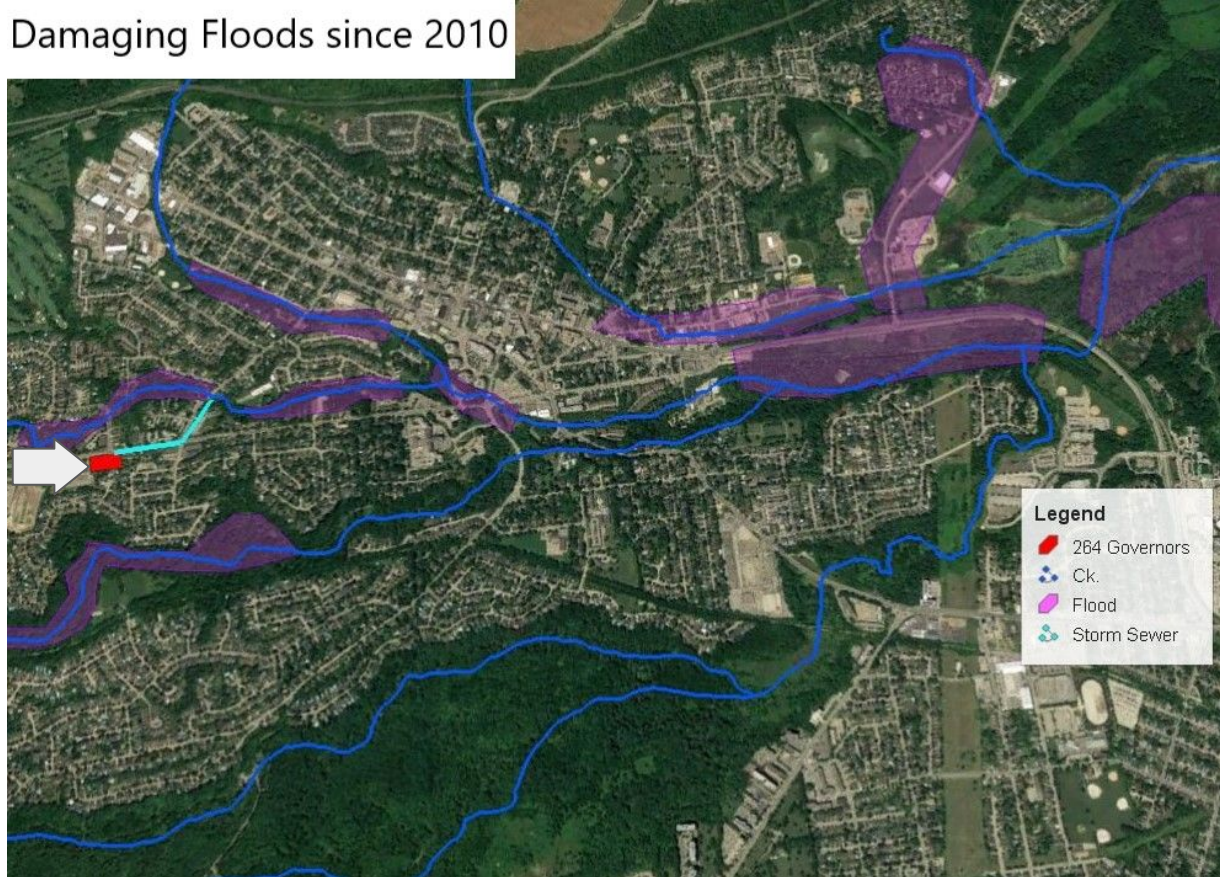




Hazards that will arise if the request is granted as planned

Hazards - Stormwater management and flooding

- Damaging flooding on every downstream creek in past decade
- Key environmental areas downstream
- Number of major storms to increase 20% from climate change
- Green infrastructure available and mandated
- Runoff control is cost effective. **Having to buyout neighbourhoods on floodplains is not!**



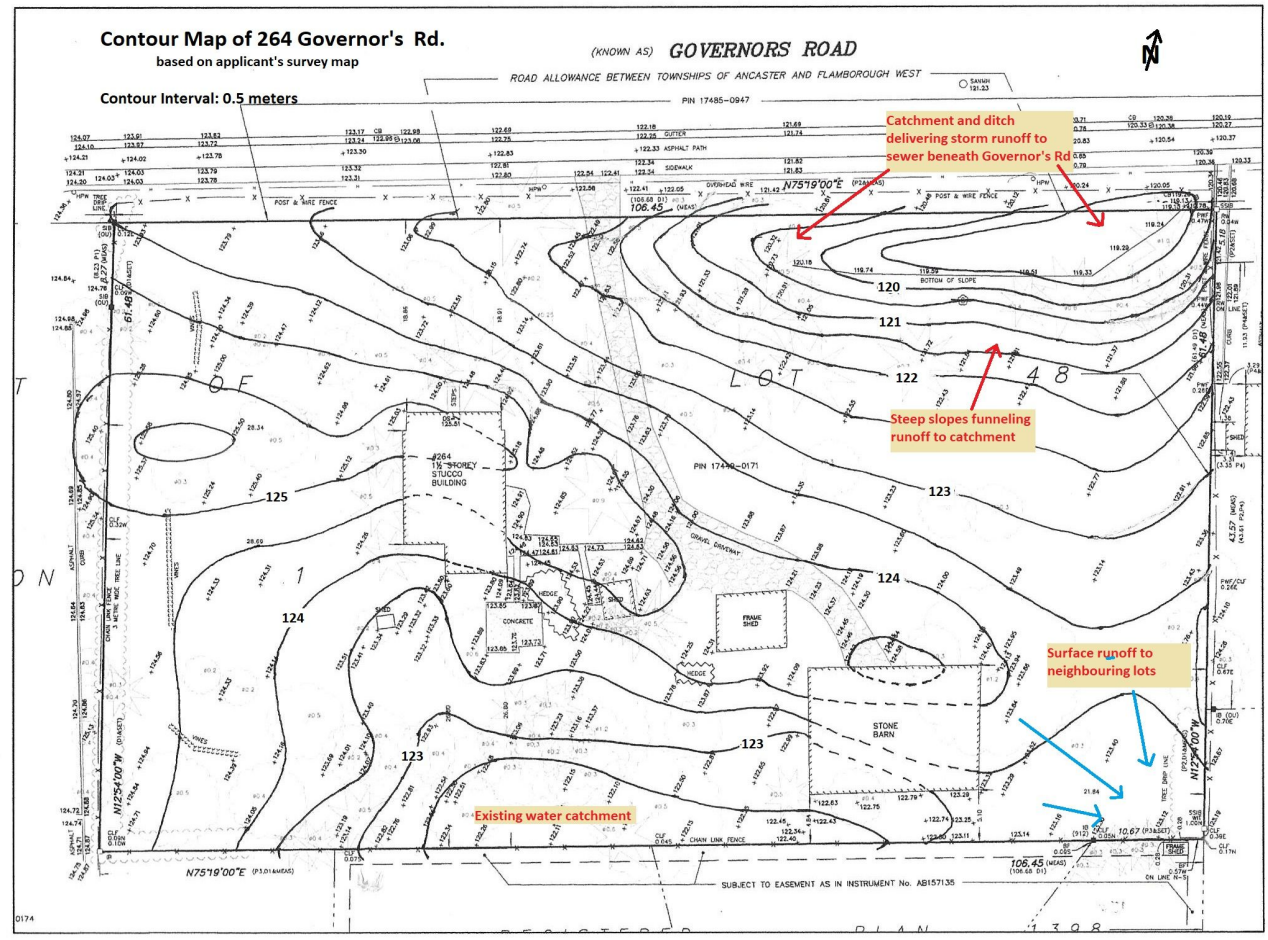
Hazards - Stormwater management and flooding

- No net increase in stormwater runoff is tolerable, and in fact a reduction during extreme storms is desirable
- An increase from 10% to 68% impermeable surface would generate up to twice as much runoff, which must be managed on-site
- Severe storms are predicted to increase by ~20%
- The plan presented has no expressed intent to provide green infrastructure, and allows no space for it.



Grading of the complex and steep slopes would eliminate essential topographic features and increase runoff through:

- Drainage of more of the property toward the existing storm sewers
- Increasing the rate of water movement toward such sewers
- Filling of existing catchments that promote infiltration



Green Infrastructure options (in written submission)

- All hydrological concerns could be addressed by using...
 - One or more rain gardens on higher ground to reduce overland flow, promote water infiltration, improve groundwater recharge, and minimize erosion into watercourses.
 - Bioswales rather than drainage pipes/ditches for slower movement excess water.
 - An improved and enlarged catchment area in the northeast corner that could impound storm water and permit more of it to infiltrate the soil.
 - A physical retention tank that would hold excess runoff during storms and allow its release during later low water times, as was required for new DVSS fields.
 - Permeable surfacing for parking areas, driveways, sidewalks wherever practical.
 - Replanting of trees and shrubs to increase canopy coverage
- Such improvements could easily be handled on the landscaped areas, **if no variance is allowed from the required 50% landscaping.**

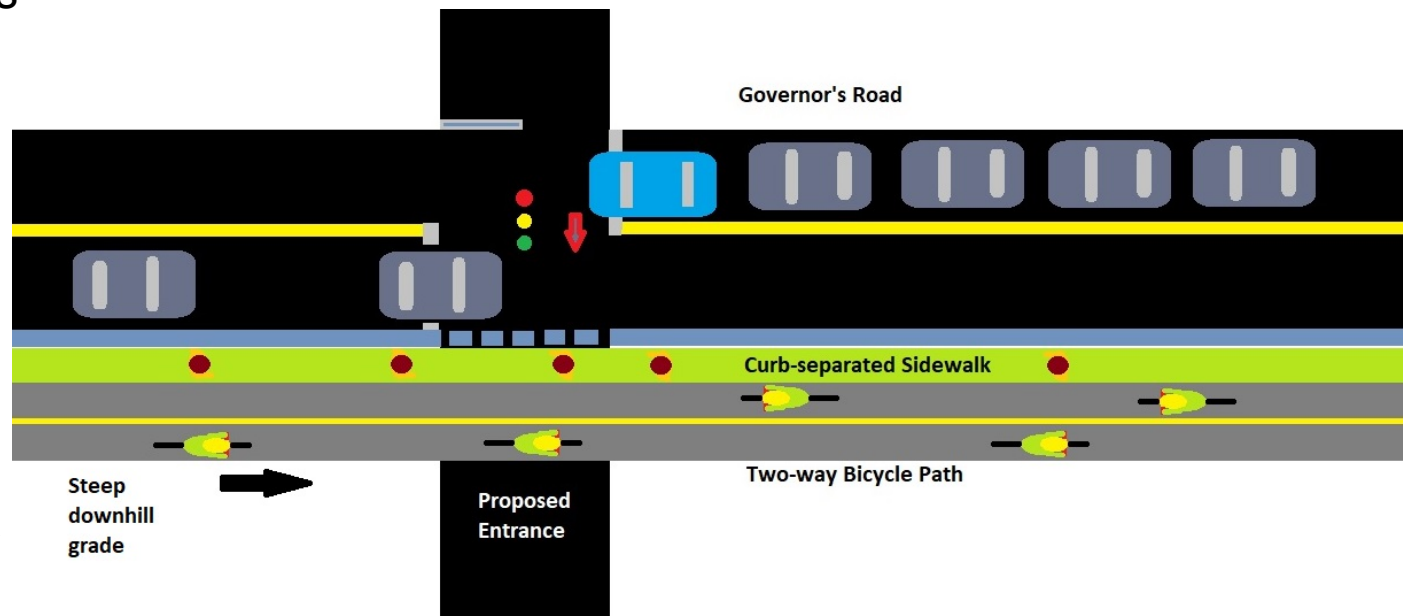
Hazards - Loss of Tree Canopy

- Canopy maintenance and expansion identified as key green amenities to improve health, reduce net carbon emissions, and manage urban runoff
- Currently ~35% canopy cover
- Currently identified under Dundas Tree Preservation Bylaw
- Plan is to remove 75% of existing trees without on-site replacement.
- Property acts as a corridor between designated natural areas used by migrating birds, mammals and insects.



Hazards - Traffic, Cyclist and Pedestrian safety

- Access plan conflicts with improvements to Governor's Rd.
- Entering vehicles turn from travel lanes, slowing flow
- All vehicles cross planned curb-separated sidewalk and cycle lanes
- Likely rush hour congestion, and car/bicycle/pedestrian conflicts in a busy school zone
- Not adequately addressed in proposal



Variance requests	Required	Requested	Comments
Max. Density	37/ha	48.4/ha	Conformity would eliminate need for most other variances!
Min. Landscaped	50%	32%	Essential for permeability, water management, landscaping, amenities for children
Buffers (adj. R1)	3.0 m	0-2.5 m	Overlaps proposed back and side yards adjacent 4 of 5 adjacent R1 properties, effectively zero
Min. Front Yard	6.0 m	4.22 m	Encroach into existing stormwater catchment; double-fronted units, driveways in back
Min Rear Yard	7.5 m	7.5 m*	*But includes sidewalk; double fronting means less than required outdoor amenity space
Min. Side Yard	7.5 (3.0) m	2.5 m*	Must be restricted to west boundary
Max. Height	10.5 m	13 m	No other residential building within 1 km. exceeds ~10 m
Min. Visitor Park	9	8	No on street or public parking within easy walking distance

Opposition to Variances (discussed in detail in written submission)

- The Town of Dundas Official Plan Bylaw remains in effect for residential development at this time. This is the primary planning document in question.
- While intensification is a goal of the Provincial Policy Statement, protection of the surrounding environment and integration of new development into existing neighbourhoods are also explicitly mandated.
- All variances requested here are solely to maximize profit from luxury townhouses in a closed cul-de-sac that is not integrated into and disrupts the character of the existing neighbourhood while failing to meet specific community needs.
- We ask that, if the Zoning request is permitted, it be done without a site-specific Official Plan Amendment, automatically allowing 22 townhouses.
- “Right-sizing” the plan would eliminate the need for almost all other variances.
- Variances cannot easily be rescinded if site-planning shows a need.

Most importantly, it is this Committee's and City Council's responsibility to look to **long-term sustainability of the entire urban system** of Dundas (and the entire city), and to ensure that any site-specific constraints or limitations identified by the Planning Office during site-planning will explicitly override any concessions made with respect to zoning or variances.

What we, the citizens, ask is...

- ...that council please consider carefully the optimal form of development on this property to meet community needs before rezoning.
- ...that if rezoning to RM-1 is permitted, it be done on condition that environmental issues be addressed with state-of-the-art green infrastructure to mitigate present and future problems and costs.
- ...that if rezoning is permitted it be done without variances, to allow 22 units while providing adequate land for green infrastructure, sufficient outdoor amenity space for children, and replanting of trees.
- ...that any residential development be delayed long enough to complete pending improvements on Governor's Road and to assess properly and mitigate the traffic/cyclist/pedestrian safety issues that will arise.

Thank you for your time, attention and consideration.

“Friends of 264 Governor’s”

February 15, 2019

VIA EMAIL ONLY

City of Hamilton
Planning and Economic Development Department
71 Main Street West
Hamilton, Ontario L8P 4Y5

ATTENTION: Steve Robichaud, Director, Planning and Chief Planner

Dear Mr. Robichaud:

**Re: Report No. PED19029
Modifications and Updates to the City of Hamilton Zoning By-law 05-200**

T. Johns Consulting Group represents several landowners subject to the provisions of Zoning By-law 05-200. We respectfully offer our input into the proposed modifications to the City of Hamilton Zoning By-law 05-200.

We are in support of the modifications to the City of Hamilton Zoning By-law 05-200, however, we wish to ensure that the intent of the Official Plan and Zoning By-law 05-200 is maintained with respect to the City's urbanization.

Specific to the modifications of 'Section 10.5: Mixed Use Medium Density - Pedestrian Focus (C5a) Zone', our clients have encountered issues with the current 7.5 metre side yard setback to a residential zone. Specific to their property in the Village of Ancaster core, the required 7.5 metre side yard setback to an existing residential multiple dwelling equated to a building envelope that was 2.2 metres in width, even though the adjacent property is also zoned "C5a". The proposed modifications will realize the intent of the Zoning By-law, to promote a core area that is mixed-use and pedestrian focused.

We support the City's efforts to ensure that the intent of the Official Plan and Zoning By-law is recognized in its interpretation and review of development applications. Please feel free to contact our office at (905) 574-1993 should you have any questions or concerns.

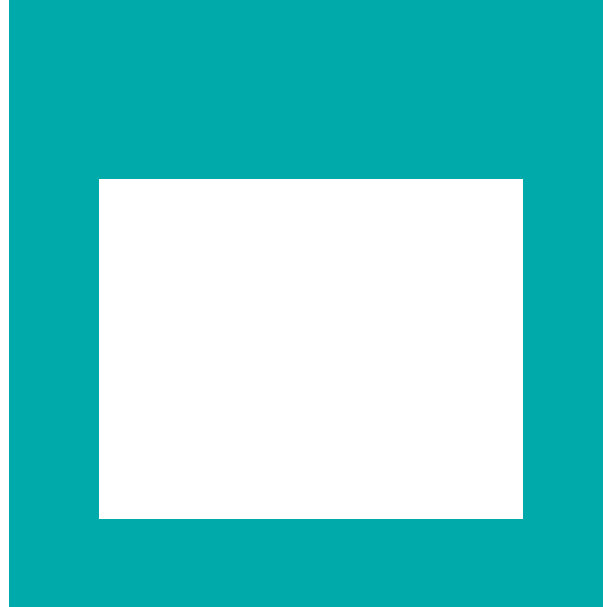
Respectfully Submitted,
T. JOHNS CONSULTING GROUP LTD.



Terri Johns, BA, MCIP, RPP
President



Jacqueline Svedas, BES(PI), MCIP, RPP
Senior Planner



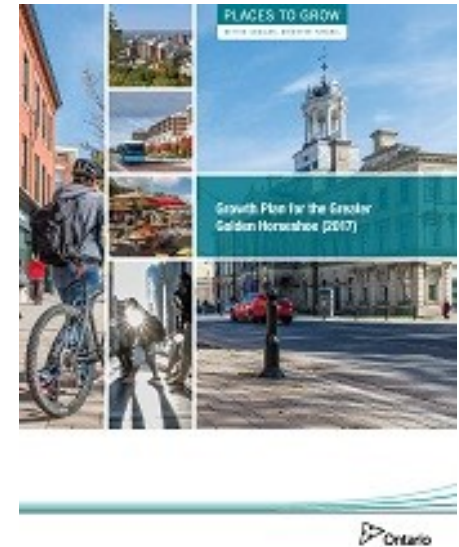
Growth Plan for the Greater Golden Horseshoe: Amendment No. 1 and Provincially Significant Employment Zones

February 19, 2019
(PED19033)

Growth Plan Changes

On January 15, 2019, the Province released the following proposed amendments to the Growth Plan through four postings on the Environmental Registry of Ontario:

- Amendment No. 1 to the Growth Plan for the Greater Golden Horseshoe;
- Framework for Provincially Significant Employment Zones;
- Modifications to two Regulations regarding transitional matters.



Background

- Province released new plans in 2017 after lengthy coordinated review process
- City is required to bring its official plans into conformity with new provincial plans by 2022 through Municipal Comprehensive review (MCR)
- MCR will identify where the City's population and employment to the year 2041 will be allocated
- MCR involves numerous studies including intensification update, employment land review and Land Needs Assessment
- Employment conversion and settlement expansion can only occur through MCR



Proposed changes

- Proposed Growth plan amendments cover a number of topic areas:
 - Settlement boundary expansion
 - Employment
 - Intensification
 - Greenfield areas
 - Transit station areas
 - Rural lands
- This presentation will highlight key proposed changes and staff recommendations

General Comments

- The general direction of the Growth Plan to manage growth through complete communities is supported.
- Staff's key concerns relate to:
 - permissions for employment land conversions and settlement boundary expansions in advance of the MCR;
 - changes that represent a shift to an incremental and reactive planning approach;
 - the approach could undermine the City's long term planning and growth management exercise.

Settlement Area Boundary Expansion

Key proposed changes related to settlement (urban) area boundary expansions are:

- New policy to allow for urban boundary adjustments outside of the MCR process provided there is no net increase in urban land area;
- New policies to allow for an urban boundary expansion to be completed in advance of the MCR, to a maximum land area of 40 ha, subject to criteria.

Settlement Area Boundary Expansion

The following concerns with the proposed policies are noted:

- No limitation on the number of expansions – multiple 40 ha expansions could be permitted.
- Could put pressure on council and staff to review expansion requests and slow conformity process.
- Will not allow for a holistic evaluation of all growth options.
- Will not result in complete communities.
- Adding lands to the urban boundary requires servicing strategies, secondary plans, public consultation. The city does not have resources to address these needs for multiple areas.

Settlement Area Boundary Expansion

Staff recommendations:

1. Delete policies 2.2.8.5 and 2.2.8.6 which allow for settlement expansions up to 40 ha in advance of MCR.
2. Delete policy 2.2.8.4 which allows for boundary adjustment in advance of MCR.

If the Province does not follow the above recommendation, staff offer the following alternative:

- Revise policy 2.2.8.5 to state that only a one-time expansion may occur in advance of the next round of conformity and may only be municipally-initiated.

Employment Areas

Key proposed changes related to employment areas include:

- New policy which allows for some employment land conversions to occur outside of the MCR.
- New policy which would allow for the introduction of sensitive land uses within employment areas.
- Introduction of Provincially Significant Employment Zones (PSEZs).

Employment Areas

The following key concerns related to the proposed employment area changes are noted:

- Allowing employment land conversions in advance of the MCR is not supported. The City would not have sufficient information to review the requests, and could cause delay in the MCR conformity exercise.
- Allowing sensitive land uses in employment areas could impact the operations of existing and future industrial uses.

Employment Areas

Staff Recommendations:

1. Delete policy 2.2.5.10 which allows for employment land conversions in advance of MCR.
2. Delete policy 2.2.5.8 which permits sensitive land uses in combination with major office or retail.

If the Province does not follow the above recommendation, staff offer the following alternative:

- Revise policy 2.2.5.10 to state that conversion can only occur after a municipality has completed a comprehensive Employment Land Review and Land Needs Assessment, supported by a Council resolution.

Provincially Significant Employment Zones (PSEZs)

- PSEZs are employment areas identified by the Province that are protected from conversion prior to the MCR.
- Designation is based on a number of criteria, including vulnerability to conversion pressure, transportation access, high concentration of employment, presence of large tracts of developable land, and support of the agri-food network.
- In Hamilton, only 3 PSEZs were identified, as shown on the following maps:

Provincially Significant Employment Zones



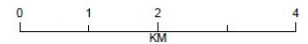
Zone Name: Hamilton (Hamilton Portlands)

Zone Number: 25

Upper- or Single-Tier Municipality: HAMILTON


- Proposed PSEZ
- Municipally Designated Employment Area (2013)
- Municipal Boundary

Data Sources: Ministry of Municipal Affairs and Housing, Ministry of Natural Resources and Forestry.



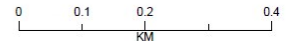
Provincially Significant Employment Zones



-  Proposed PSEZ
-  Municipally Designated Employment Area (2013)
-  Municipal Boundary

Data Sources: Ministry of Municipal Affairs and Housing, Ministry of Natural Resources and Forestry.

Zone Name: Hamilton (Central)
Zone Number: **26**
Upper- or Single-Tier Municipality: HAMILTON



Provincially Significant Employment Zones



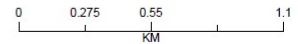
-  Proposed PSEZ
-  Municipally Designated Employment Area (2013)
-  Municipal Boundary

Data Sources: Ministry of Municipal Affairs and Housing, Ministry of Natural Resources and Forestry.

Zone Name: Hamilton (Hamilton Airport)

Zone Number: **27**

Upper- or Single-Tier Municipality: HAMILTON



Provincially Significant Employment Zones (PSEZs)

Staff Recommendations:

1. Amend the proposed boundaries of the PSEZs as follows:
 - Hamilton Portland's – The proposed description is incorrect and includes two different areas.
 - Hamilton Central – only a portion of the Red Hill North Park has been included. The entirety of the Park should be included.
 - Hamilton Airport – this area should be renamed to Hamilton Airport Employment Growth District and follow the boundaries of the Airport Employment Growth District.

Provincially Significant Employment Zones (PSEZs)

Staff Recommendations:

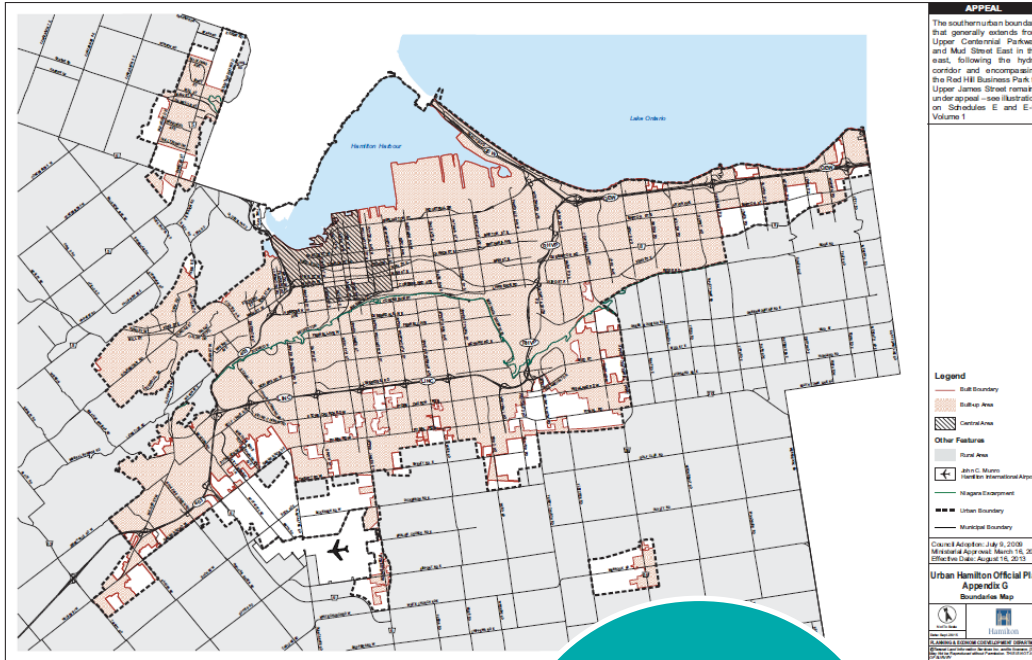
2. Add the following employment areas to the lands identified as PSEZs:
 - Ancaster Business Park.
 - Red Hill South and the eastern half of Red Hill North Business Park.
 - The West Hamilton Innovation District.
 - Flamborough Business Park.

Changes to Intensification and Greenfield Targets

Key proposed changes related to targets for intensification in the built-up area and density in the Designated Greenfield Area (DGA) include :

- Increase in the intensification target from 50% to 60% between 2021 (completion of MCR) and 2031.
- Decrease in the density target for any new Designated Greenfield Areas from 80 persons and jobs per hectare (pjh) to 60 pjh.
- Amended policy to permit municipalities to apply for an alternative intensification and density target.

Intensification and Density Targets



Increase in
Intensification
Target



Decrease in
Greenfield
Density
Target



Impact on
Land Need
and Built
Form??

Intensification Target

The Growth Plan intensification target measures the number of new units constructed annually within the built-up area. The target has been increased since the adoption of the 2006 Growth Plan.

Year	Unit Growth*	2006 Plan requirement		2017 Plan requirement		Amend. No 1 requirement	
		%	units	%	units	%	units
2021 – 2031	37,000 units	40%	14,800	50%	18,500	60%	22,200
2031 – 2041	38,000 units	40%	15,200	60%	22,800	60%	22,800
Total	75,000 units		30,000		41,300		45,000

* numbers are preliminary and subject to change

Intensification Target

The following key concerns related to the increased intensification target are noted:

- It will be challenging to achieve the increased target.
- Recent rates of intensification are:
 - 2013 – 32%
 - 2014 – 36%
 - 2015 – 42%
 - 2016 – 28%
 - 2017 – 26%
- The increased target would require the construction of almost 2,300 intensification units per year, as compared to historical range of 600 to 1,000 units per year.

Intensification Target

The City has undertaken many initiatives aimed at increasing intensification rates, including

- Official Plan and zoning changes:
 - Downtown Secondary Plan revision and new zoning
 - Centennial Neighbourhoods Secondary Plan
 - Transit-oriented Corridor zoning
 - Commercial Mixed-Use zoning
 - New Residential zoning is underway
- Process improvements: streamlined development approvals
- Incentives: Downtown CIP, ERASE grants etc.

Intensification Target

Staff Recommendations:

1. Do not raise the intensification target to 60% between 2021 and 2031. The target from the 2017 Growth Plan should be maintained.
2. Keep the amended policy which permits municipalities to apply for an alternative intensification target.

Designated Greenfield Area

Comments and Recommendations:

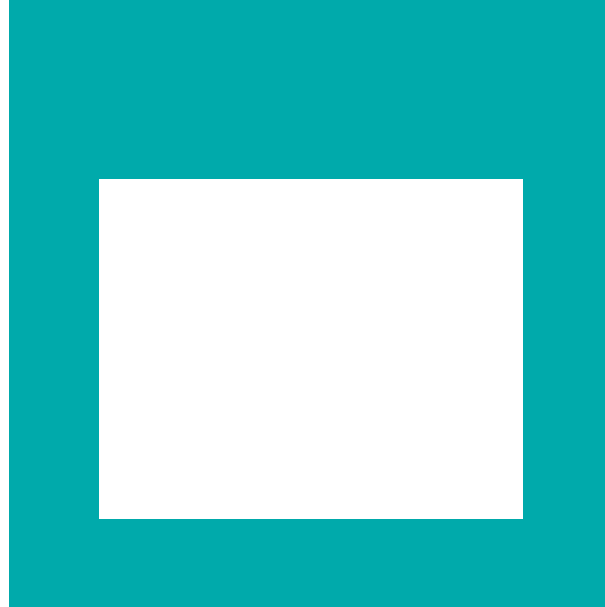
1. Staff are supportive of the reduction in the greenfield density target for new urban areas to 60 pjh. The previous requirement of 80 pjh for new areas would have resulted in a community of primarily medium to high density housing, not resulting in a complete community with a variety of housing types.

Other Proposed Changes

- Major Transit Station Areas – simplified process for applying for alternative target.
- Removal of requirement to complete an Employment Strategy and Housing Strategy as part of the MCR – simplified process.
- Agricultural System mapping – will come into effect upon completion of MCR, but refinements can take place through MCR process. The City has reiterated its concerns with the proposed mapping.

ERO Postings

- Comments on the ERO Postings are due to the Province on February 28, 2019.
- The Staff report, including any changes requested by Council, will be submitted as the City's formal comments.



THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE



February 14, 2019

Mayor Eisenberger and Members of City Council
71 Main Street West
HAMILTON, Ontario
L8P 4Y5

**RE: ITEM 9.1 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE
AMENDMENT 1 and PROVINCIALY SIGNIFICANT EMPLOYMENT
ZONES (PED19033-CITY WIDE)**

**IMPACT ON RESIDENTIAL LAND SUPPLY AND HOUSING
AFFORDABILITY**

Corbett Land Strategies Inc. (CLS) represents the Upper West Side Land Owners Group who control approximately 390 gross acres of land, of which approximately 100 net acres (40 hectares) exist in the “whitebelt” in the area bounded by Glancaster Road, Dickenson Road, Twenty Road West and Upper James Street. Currently these lands are situated within the “Rural Area” of the City’s Official Plan, and are positioned as a future “infill” development precinct being surrounded by the urban boundary along all four of its boundary roads. It should be noted that the “whitebelt” lands **are not** part of the Airport Employment Growth District.

We appreciate the comprehensive response that staff have prepared with respect to the recently announced amendments to the Provincial Growth Plan. However, we would like to draw Council’s attention to perhaps the most significant purpose of the proposed changes to the Growth Plan - that is to address the growing housing crisis in the Greater Toronto and Hamilton Areas from a planning policy perspective.

Housing affordability and supply is arguably the most pressing issue facing GTHA municipalities today. In fact, the Canadian Real Estate Association (CREA) has recently reported that City of Hamilton home prices have risen over 70 percent in the last five years. Amongst the most significant reasons behind these unprecedented price increases is the growing demand for housing during a time when there is a deficiency of designated urban land for housing and related uses.

Amendment 1 to the Growth Plan as currently proposed attempts to streamline the approval process to “unlock” land for housing supply in only limited circumstances

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where there would be no impact on the long range planning intentions of local municipalities and associated approval authorities.

In this regard, we recommend to Council that the following provisions of Amendment 1 be supported by the City of Hamilton:

Settlement Area Changes in Advance of an MCR:

*Settlement Area Boundaries may be **adjusted** by municipalities without an MCR when:*

- *There would be no net increase in land within the settlement area,*
- *The adjustment would support the ability to meet intensification and density targets,*
- *The normally applicable requirements for a settlement area expansion found in policy 2.2.8.3 are met,*
- *The land is not a rural settlement or in the Greenbelt, and,*
- *The land is serviced and there is sufficient reserve*

Expansions –

*Settlement Area Boundaries may be **expanded** without an MCR when:*

- *The lands will meet the resident and jobs density targets or the employment area density targets established pursuant to the Growth Plan,*
- *The normally applicable requirements for a settlement area expansion in policy 2.2.8.3 are met,*
- *The land is not a rural settlement or in the Greenbelt,*
- *The land is serviced and there is sufficient reserve capacity,*
- *The land, accompanying growth, will be fully accounted for in the next Municipal Comprehensive Review, and,*
- *The land proposed to be expanded is **no greater than 40 hectares.***
The opportunity make minor rounding out adjustments to rural settlements has also been added.



Flexibility to Add Uses to Employment Lands Before a Municipal Comprehensive Review:

Lands within Employment Areas may be converted to a designation that permits non-employment uses in advance of a municipal comprehensive review, provided that there is:

- *A need,*
- *No adverse affects on the viability of an Employment Area or achievement of minimum intensification and density targets,*
- *There are existing or planned infrastructure and public services in place, and,*
- *A significant amount of jobs are maintained.*

However, certain lands will be designated Provincially Significant Employment Zones which can only be converted through a municipal comprehensive review.

The City of Hamilton is currently engaged in its Municipal Comprehensive Review (MCR), however, it is not expected to be completed until the year 2021. These provisions contained in the proposed amendment to the Growth Plan would enable the City to address the current housing issue now without compromising its long-term growth strategy to be attained through the full MCR process.

In this regard, we respectfully request that Committee not endorse recommendations D (iii); (vi) and (vii) in the staff report dated February 19, 2019 included as Item 9.1 on the Planning Committee agenda.

Thank you for your consideration;

John B. Corbett, MCIP, RPP

CITY OF HAMILTON

MOTION

PLANNING COMMITTEE: February 19, 2019

MOVED BY COUNCILLOR M. PEARSON.....

SECONDED BY COUNCILLOR

Puddicombe Cider Company Connection to Municipal Water System

WHEREAS, The Puddicombe Cider Company is proposing to construct a new one storey Cidery having a gross floor area of 2,601m² at 1438 Highway No. 8 which is proposed to connect to the existing 200mm water main on Highway No. 8;

WHEREAS, for business planning and operational reasons the Cidery cannot connect to the Puddicombe Winery's existing services which includes a connection to the existing water main on Highway No. 8; and,

WHEREAS, the adjacent properties are currently connected to the existing water main;

THEREFORE BE IT RESOLVED:

That The Puddicombe Cider Company be permitted to connect to the municipal water system, at their cost, in a manner acceptable to the City of Hamilton.

(To be completed by the Clerk)

MOTION APPROVED ON A RECORDED VOTE Yeas: _____ Nays: _____
(Refer to Recorded Vote Sheet)

MOTION DEFEATED ON A RECORDED VOTE Yeas: _____ Nays: _____
(Refer to Recorded Vote Sheet)

CITY OF HAMILTON

MOTION

PLANNING COMMITTEE: February 19, 2019

MOVED BY COUNCILLOR J. FARR.....

SECONDED BY COUNCILLOR

**46 to 50 King Street East and 11 Hughson Street South (Canada Trust Building)–
Registered Building**

WHEREAS, the building consisting of the municipal addresses 46 to 50 King Street East and 11 Hughson Street South, known as the Canada Trust Building, is included on the Municipal Heritage Register as a non-designated building;

WHEREAS, a non-designated building included on the Municipal Heritage Register cannot be demolished unless the owner provides Council at least 60 days notice in writing of the owner’s intention to demolish in accordance with the Ontario Heritage Act, R.S.O. 1990, C. O.18;

WHEREAS, Cultural Heritage Staff reported on the results of the DHBI in March 2014 (PED14039) which included a classification of the properties as a ‘Character-Supporting Resource’ but the report did not recommend the inclusion of the properties in the Register;

WHEREAS, Site Plan application SPA-15-110 for the construction of two additional storeys on the existing building and a curtain wall on three sides of the building was approved but due to structural issues involved with building the additional storeys on top of the existing building cannot be supported by the existing foundations and the proposed demolition and development meets the intent of the approved Site Plan application SPA-15-100;

THEREFORE BE IT RESOLVED:

That the City of Hamilton take no action with respect to the demolition permit application for 46 to 50 King Street East and 11 Hughson Street South as there is no intention to proceed with the designation of the building.