



City of Hamilton
GENERAL ISSUES COMMITTEE
REVISED

Meeting #: 21-008
Date: April 20, 2022
Time: 9:30 a.m.
Location: Due to the COVID-19 and the Closure of City Hall (CC)

All electronic meetings can be viewed at:

City's Website:
<https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel:
<https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

Stephanie Paparella, Legislative Coordinator (905) 546-2424 ext. 3993

1. CEREMONIAL ACTIVITIES

2. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with *)

3. DECLARATIONS OF INTEREST

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1. April 6, 2022

5. COMMUNICATIONS

- *5.1. Correspondence respecting Item 8.2 - Report PED17010(p), GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests

Recommendation: Be received and referred to the consideration of Item 8.2.

- *a. David Aston, Vice President and Partner, MHBC Planning, Urban Design and Landscape Architecture
 - *b. Joyce van Dop
 - *c. Mary Thompson
- *5.2. Correspondence respecting Item 8.3 - Report PED17010)(q), Evaluation of Urban Boundary Expansion Requests - Waterdown
- Recommendation: Be received and referred to the consideration of Item 8.3.
- *a. Connor Harris, Rayman Beitchman LLP

6. DELEGATION REQUESTS

- *6.1. Bianca Caramento, Bay Area Climate Change Council, to present the BACCC's 'Options for Travel: Giving Residents a Real Choice Report
(For the May 4, 2022 GIC)
- *6.2. John Corbett and/or Nick Wood, Corbett Land Strategies Inc., respecting Item 8.2 - Report PED17010(p), GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests
- *6.3. Frances Grabowski, McMaster Innovation Park, respecting Item 8.2 - Report PED17010(p), GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests
- *6.4. Nancy Frieday, GSP Group Inc., respecting Item 8.3 - Report PED17010)(q), Evaluation of Urban Boundary Expansion Requests - Waterdown
- *6.5. Mike Crough, IBI Group Inc., respecting Item 8.3 - Report PED17010)(q), Evaluation of Urban Boundary Expansion Requests - Waterdown
- *6.6. Louis Frapporti and P.J. Mercanti, Hamilton100 Commonwealth Games Committee, respecting an update on the 2030 Commonwealth Games Bid initiative
(For a future GIC)
- *6.7. Dr. Lynda Lukasik, Environment Hamilton, respecting Item 8.3 - Report PED17010)(q), Evaluation of Urban Boundary Expansion Requests - Waterdown
- *6.8. Nancy Smith, Turstra Mazza Associates, respecting Item 8.3 - Report PED17010)(q), Evaluation of Urban Boundary Expansion Requests - Waterdown

7. CONSENT ITEMS

- 7.1. Summary Report on 2022 Hamilton Business and Workforce Survey (PED22080) (City Wide)
- 7.2. Labour Relations Activity Report & Analysis (2017 - 2021) (HUR22004) (City Wide)

8. STAFF PRESENTATIONS

- 8.1. COVID-19 Verbal Update
- 8.2. GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests (PED17010(p)) (City Wide)
- 8.3. Evaluation of Urban Boundary Expansion Requests - Waterdown (PED17010(q)) (Ward 15)

9. PUBLIC HEARINGS / DELEGATIONS

- 9.1. Matt Bremer, respecting the termination of employees based on their decision to not accept the COVID-19 vaccine (no copy)

10. DISCUSSION ITEMS

- 10.1. Barton Kenilworth Tax Increment Grant Program - 110 Barton Street East, Hamilton (PED22089) (Ward 2)
- 10.2. Lease Extension – Royal Canadian Mounted Police (RCMP), 777 Highway No. 8, Stoney Creek (PED22053) (Ward 10)

NOTE: Appendix B to Report PED22053 is Private and Confidential and can be referenced under Item 14.3.

- 10.3. Intergovernmental Partnership to Improve Digital Infrastructure and Address the Digital Divide (CM22007) (City Wide)
- 10.4. Lease Agreement - 1579 Burlington Street East, Hamilton (PED22084) (Ward 4)

NOTE: Appendix B to Report PED22053 is Private & Confidential and can be referenced under Item 14.4.

- 10.5. Advisory Committee for Persons with Disabilities Report 22-003, March 8, 2022
- 10.6. Amendment to the Mandatory COVID-19 Vaccination Verification Policy (HUR21008(b)) (City Wide)

11. MOTIONS

12. NOTICES OF MOTION

- *12.1. Climate Change Action – Bay Area Climate Change Council Options for Travel Recommendations

13. GENERAL INFORMATION / OTHER BUSINESS

13.1. Amendments to the Outstanding Business List

- a. Proposed New Due Dates:

- a. Protection of Privacy

- Current Due Date: May 4, 2022

- Proposed New Due Date: September 7, 2022

- b. Options on How the City May Pedestrianize a Street or Collection of Streets

- Current Due Date: April 20, 2022

- Proposed New Due Date: May 4, 2022

14. PRIVATE AND CONFIDENTIAL

14.1. Closed Session Minutes - April 6, 2022

Pursuant to Section 9.1, Sub-sections (e), (f), (i) and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (e), (f), (i) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matters pertain to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

14.2. Construction Litigation Update (LS18012(a)) (City Wide)

Pursuant to Section 9.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

14.3. Appendix B to Report PED22053, respecting the Lease Extension - Royal Canadian Mounted Police, 777 Highway 8, Stoney Creek

Pursuant to Section 9.1, Sub-section (c) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-section (c) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land by the municipality or local board.

Please refer to Item 10.2 for the Public portion of this report.

14.4. Appendix B to Report PED22084 - Lease Agreement - 1579 Burlington Street East, Hamilton

Pursuant to Section 9.1, Sub-section (c) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-section (c) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land by the municipality or local board.

Please refer to Item 10.4 for the Public portion of this report.

14.5. Liquor License Applications for 622 Upper Wellington St, Hamilton and 415 Melvin Avenue, Hamilton (LS22019) (Ward 4 and 8)

Pursuant to Section 9.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

14.6. Amendment to the Mandatory COVID-19 Vaccination Verification Policy - Legal Assessment - (HUR21008(c)) (City Wide)

Pursuant to Section 9.1, Sub-sections (d), (e) and (f) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (d), (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

15. **ADJOURNMENT**



GENERAL ISSUES COMMITTEE MINUTES 22-007

9:30 a.m.

April 6, 2022

Due to COVID-19 and the closure of City Hall, this meeting was held virtually.

Present: Mayor F. Eisenberger, Deputy Mayor N. Nann (Chair)
Councillors M. Wilson, J. Farr, S. Merulla, R. Powers, T. Jackson,
E. Pauls, J. P. Danko, B. Clark, M. Pearson, B. Johnson, L. Ferguson,
A. VanderBeek, J. Partridge

Absent: Councillor T. Whitehead – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. **Cleanliness and Security in the Downtown Core Report 21-001, December 9, 2021 (Item 7.1)**

(Pearson/Farr)

That the Cleanliness and Security in the Downtown Core Report 21-001, December 9, 2021, be received.

Result: MOTION, CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Ninder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

2. Government Relations Strategy for the City of Hamilton (CM22005) (City Wide) (Item 7.3)

(Eisenberger/Clark)

That Report CM22005, respecting the Government Relations Strategy for the City of Hamilton, be received.

Result: MOTION, CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

3. Ancaster Village Business Improvement Area (BIA) Revised Board of Management (PED22076) (Ward 12) (Item 7.4)

(Ferguson/Pauls)

That the following individual be appointed to the Ancaster Village Business Improvement Area (BIA) Board of Management:

(a) Diane Price

Result: MOTION, CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark

Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

4. Economic Development Action Plan - Communications (CM22003) (City Wide) (Item 10.1)

(Eisenberger/Ferguson)

(a) That the Economic Development Action Plan (EDAP) strategy include both owned (non-paid) and advertising (paid) efforts, as shown below:

(i) Owned Media Efforts:

- (1) A comprehensive landing page on the City's website that will provide historical details and context of the EDAP, the plan itself, and 18 news stories designed to make the plan relevant to a resident audience;
- (2) Sharing stories and EDAP content on all multiple City social media channels;
- (3) Shareable content to be delivered directly to stakeholders electronically and is shareable through email, social media, and print; and,
- (4) Tailored video and graphic content for use on City social media channels;

(ii) Paid Advertising:

- (1) A hard-copy media insert that will provide a full listing of the summary stories in a news format, to be distributed to print media consumers across the municipality; and,
- (2) Provision of print copies of the EDAP summary stories at numerous City customer service desks;

(b) That the estimated amount \$35,000, to be funded from the Economic Development Investment Reserve Account No. 112221, to cover production and distribution of print materials, be approved; and,

- (c) That, for longer-term efforts to raise awareness as the Economic Development Action Plan implementation progresses, Communication staff be directed to provide ongoing updates, primarily through media and social media efforts.

Result: MOTION, CARRIED by a vote of 14 to 1, as follows:

Yes	-	Mayor Fred Eisenberger
No	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

**5. Our Priorities, Our Plan: Building a Brighter Future for Hamilton (CM22006)
(City Wide) (Item 10.2)**

(Eisenberger/Partridge)

- (a) That the proposed City of Hamilton priorities, as outlined below, be approved in advance of the June 2, 2022 provincial election:
- (i) Supportive Housing;
 - (ii) Strong Economic Recovery and Prosperity post-COVID-19;
 - (iii) Investing in Child Care and Early Years;
 - (iv) Climate Change Adaptation and Mitigation;
 - (v) Commitment to Equity, Diversity and Inclusion; and,
 - (vi) ***Infrastructure funding including, but not exclusive to, relief of congestion on Highway 403 eastbound between Highway 6 South to Highway 6 North, at the Lincoln Alexander Parkway (LINC), and the intersection of the Red Hill Valley Parkway (RHVP) and the Queen Elizabeth Way (QEW); and,***

- (b) That staff be directed to provide relevant supplementary materials to the Mayor and Council that will support election related advocacy.

Result: MOTION, As Amended, CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

6. Environment Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 50 Green Mountain Road West, ERG-21-03 (PED22078) (Ward 9) (Item 10.3)

(Clark/VanderBeek)

- (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application - ERG-21-03 submitted by NHDG (Green Mountain) Inc., owner of the property at 50 Green Mountain Road West, for an ERASE Redevelopment Grant not to exceed \$5,256 M, the actual cost of the remediation over a maximum of ten years, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement;
- (b) That the Mayor and City Clerk be authorized and directed to execute the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Agreement together with any ancillary documentation required, to effect Recommendation (a) of Report PED22078, in a form satisfactory to the City Solicitor; and,
- (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any grant amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Environmental

Remediation and Site Enhancement (ERASE) Redevelopment Grant, as approved by City Council, are maintained.

Result: MOTION, CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

7. Lease Extension and Amending Agreement – Barangas On The Beach, Confederation Beach Park (PED22040) (Ward 5) (Item 10.4)

(Powers/Partridge)

- (a) That a Lease Extension and Amending Agreement between the City of Hamilton (Lessor) and Barangas Inc. c.o.b. as Barangas On The Beach (Lessee), for the subject premises located, as identified in Appendix “A” to Report PED22040, and based substantially on the terms and conditions outlined in Appendix “B” attached to Report PED22040, and such other terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, be approved and entered into by the City of Hamilton;
- (b) That all rental proceeds from the Lease Extension and Amending Agreement - Barangas On The Beach continue to be received by the Hamilton Conservation Authority and deposited to Confederation Beach Park Commercial Business account;
- (c) That all costs related to the Lease Extension and Amending Agreement - Barangas On The Beach, including the real estate and legal costs of \$27.5K, be authorized to be paid by the Hamilton Conservation Authority and funded from Confederation Beach Park Commercial Business account and credited to Dept. ID Account No. 55778-812036 (Real Estate – Admin Recovery);

- (d) That the General Manager, Planning and Economic Development Department or designate, acting on behalf of the Lessor, be authorized to administer the Lease and Lease Extension and Amending Agreement - Barangas On The Beach and provide any requisite consents, approvals, and notices related to the Lease and Lease Extension and Amending Agreement;
- (e) That the City Solicitor be authorized to amend and waive terms and conditions on such terms as considered reasonable to complete the leasing transaction, respecting the Lease Extension and Amending Agreement - Barangas On The Beach;
- (f) That the Mayor and Clerk be authorized and directed to execute the Lease Extension and Amending Agreement - Barangas On The Beach, or such other form and all other necessary associated documents with all such documents to be in a form satisfactory to the City Solicitor; and,
- (g) That Appendix "B" to Report PED22040, respecting Lease Extension and Amending Agreement – Barangas On The Beach, Confederation Beach Park, remain confidential and not be released as a public document.

Result: MOTION, CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

8. Red Hill Valley Parkway Inquiry Update (LS19036(i)) City Wide) (Item 10.5)

(Eisenberger/Powers)

That Report LS19036(i), respecting the Red Hill Valley Parkway Inquiry Update, be received.

Result: MOTION, CARRIED by a vote of 13 to 2, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
No	-	Ward 11 Councillor Brenda Johnson
No	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

9. Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor (Item 11.1)

(Nann/Wilson)

That staff, *in collaboration with the federal and provincial Governments and Metrolinx*, be directed to establish a strategic land disposition and or acquisition plan along the Hamilton LRT corridor for the purpose of planning to deliver future municipal services including, but not limited to, parks, as well as non-profit affordable housing and report back to the General Issues Committee.

Result: MOTION, As Amended, CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

10. Red Hill Valley Parkway Inquiry Update (LS19036(j)) (City Wide) (Item 14.3)

(Powers/Eisenberger)

That Report LS19036(j), respecting the Red Hill Valley Parkway Inquiry Update, and its appendix, be received and remain confidential.

Result: MOTION, CARRIED by a vote of 11 to 1, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Absent	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
No	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

11. Red Hill Valley Parkway Inquiry Update (LS19036(k)) (City Wide) (Item 14.4)

(Clark/Eisenberger)

- (a) That the direction provided to staff in Closed Session, respecting Report LS19036(k) - Red Hill Valley Parkway Inquiry Update, be approved; and,
- (b) That Report LS19036(k) - Red Hill Valley Parkway Inquiry Update, remain confidential.

Upon Committee's request, sub-sections (a) and (b) were voted on separately, as follows:

Result: MOTION, on 11.1(a), CARRIED by a vote of 8 to 4, as follows:

Yes	-	Mayor Fred Eisenberger
No	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
No	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Absent	-	Ward 7 Councillor Esther Pauls

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No	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
No	-	Ward 11	Councillor Brenda Johnson
Absent	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

Result: MOTION, on 11.1(b), CARRIED by a vote of 10 to 2, as follows:

No	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Absent	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
No	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

The Committee Clerk advised of the following changes to the agenda:

6. DELEGATION REQUESTS

- 6.1 Matt Bremer, respecting the termination of employees based on their decision to not accept the COVID-19 vaccine (For a future GIC)

14. PRIVATE & CONFIDENTIAL

- 14.4 Red Hill Valley Parkway Inquiry Update (LS19036(k)) (City Wide)

Pursuant to Section 9.1, Sub-sections (e), (f), (i) and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (e), (f), (i) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

(Pearson/Pauls)

That the agenda for the April 6, 2022 General Issues Committee meeting, be approved, as amended.

Result: MOTION, CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETINGS (Item 4)

(i) March 23, 2022 and March 23, 2022 (Budget) (Items 4.1 and 4.2)

(Powers/Eisenberger)

That the Minutes of the March 23, 2022 regular and March 23, 2022 budget General Issues Committee meetings, be approved, as presented.

Result: MOTION, CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(d) CONSENT ITEMS (Item 7)

(i) Business Improvement Area (BIA) Advisory Committee Minutes 22-002, February 8, 2022 (Item 7.2)

(Pauls/Merulla)

That the Business Improvement Area (BIA) Advisory Committee Minutes 22-002, February 8, 2022, be received.

Result: MOTION, CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko

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Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

(e) DELEGATION REQUESTS (Item 6)

(Partridge/Pearson)

That the delegation request submitted by Matt Bremer, respecting the termination of employees based on their decision to not accept the COVID-19 vaccine, be approved for a future General Issues Committee meeting.

Result: MOTION, CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(f) STAFF PRESENTATIONS (Item 8)

(i) COVID-19 Verbal Update (Item 8.1)

Jason Thorne, General Manager, Planning and Economic Development and Director of the Emergency Operations Centre; and, Dr. Elizabeth Richardson, Medical Officer of Health, provided the verbal update respecting COVID-19.

(Pearson/Johnson)

That the verbal update respecting the COVID-19, be received.

Result: MOTION, CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(g) DISCUSSION ITEMS (Item 10)**(i) Our Priorities, Our Plan: Building a Brighter Future for Hamilton (CM22006) (City Wide) (Item 10.2)****(Ferguson/Jackson)**

That sub-section (a) to Report CM22006, respecting Our Priorities, Our Plan: Building a Brighter future for Hamilton, ***be amended***, by adding a new sub-section (vi) to read as follows:

(vi) Infrastructure funding including, but not exclusive to, relief of congestion on Highway 403 eastbound between Highway 6 South to Highway 6 North, at the Lincoln Alexander Parkway (LINC), and the intersection of the Red Hill Valley Parkway (RHVP) and the Queen Elizabeth Way (QEW); and,

Result: Amendment, CARRIED by a vote of 12 to 2, as follows:

Yes	-	Mayor Fred Eisenberger
No	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
No	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark

Yes	-	Ward 10	Councillor Maria Pearson
Absent	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

For disposition of this matter, please refer to Item 5.

(h) MOTIONS (Item 11)

(i) Strategic Land Acquisition Plan Along the Hamilton Light Rail Transit (LRT) Corridor (Item 11.1)

(Eisenberger/Powers)

That the motion, respecting Strategic Land Acquisition Plan Along the Hamilton LRT Corridor, ***be amended*** by adding the words “, ***in collaboration with the federal and provincial Governments and Metrolinx,***”, to read as follows:

That staff, ***in collaboration with the federal and provincial Governments and Metrolinx,*** be directed to establish a strategic land disposition and or acquisition plan along the Hamilton LRT corridor for the purpose of planning to deliver future municipal services, including but not limited to parks, as well as non-profit affordable housing and report back to the General Issues Committee.

Result: Amendment, CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

For disposition of the above matter, please refer to Item 9.

(Partridge/Clark)

That the General Issues Committee recess for one half hour until 1:40 p.m.

Result: MOTION, CARRIED by a vote of 14 to 0, as follows:

Absent	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(i) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(i) Amendments to the Outstanding Business List (Item 13.1)

(VanderBeek/Partridge)

That the following amendment to the General Issues Committee's Outstanding Business List, be approved:

- (i) Amendments to the Outstanding Business List (Item 13.1)
 - (a) Items to be Removed (Item 13.1.a.)
 - (1) How to Best Share the 2021-2025 Economic Development Action Plan (Item 13.1.a.a.)
(Addressed on this agenda as Item 10.1 - CM22003)

Result: MOTION, CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor

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Yes	-	Ward 4	Councillor Sam Merulla
Yes	-	Ward 5	Councillor Russ Powers
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Absent	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

(j) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – March 23, 2022 (Item 14.1)

(Johnson/Powers)

- (a) That the Closed Session Minutes of the March 23, 2022 General Issues Committee meeting, be approved; and,
- (b) That the Closed Session Minutes of the March 23, 2022 General Issues Committee meeting, remain confidential.

Result: MOTION, CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(Pauls/Clark)

That Committee move into Closed Session to discuss Items 14.3 and 14.4, pursuant to Section 9.1, Sub-sections (e), (f), (i) and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (e), (f), (i) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Result: MOTION, CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(k) ADJOURNMENT (Item 14)

(Pearson/Johnson)

That there being no further business, the General Issues Committee be adjourned at 3:37 p.m.

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor

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Absent	-	Ward 4	Councillor Sam Merulla
Yes	-	Ward 5	Councillor Russ Powers
Yes	-	Ward 6	Councillor Tom Jackson
Absent	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Absent	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

Respectfully submitted,

Nrinder Nann, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

April 19, 2022

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk
71 Main Street, West, First Floor
Hamilton, ON
L8P 4Y5

Dear Ms. Paparella:

**RE: Comments on Municipal Comprehensive Review and Land Needs Assessment –
1400 South Service Road, Flying J
OUR FILE: 14196R**

On behalf of our client, Losani Homes, we have been involved with discussions with City staff and made several submissions as part of the Municipal Comprehensive Review and GRIDS 2 process for the 'Flying J' lands located at 1400 South Service Road, Stoney Creek, hereinafter referred to as the subject lands. The purpose of the request and submissions has been to request the conversion of 7.33 ha of land for a proposed mixed use development, including both employment (office and commercial) and residential uses.

We have made a number of submissions to City staff and submission to the General Issues Committee on August 4, 2021 and November 18, 2021. The subject lands were part of the Council motion on August 13, 2021 and deferred from consideration of GRIDS 2 and Municipal Comprehensive Review.

A formal Official Plan Amendment and Zoning By-law Amendment application was submitted for the lands in August, 2021 for a mixed use redevelopment and is currently under review by staff and agencies. The proposed application provides for a density of 276 people and jobs per hectare and will contribute to the 80% intensification target within the Built-Up Area.

In the Fall of 2021, Council made the decision to implement a no boundary expansion option. At the November 9, 2021 GIC meeting, the Final Land Needs Assessment was presented and City Council made the decision in November 9, 2021 to. This Report noted that a final decision on the lands deferred for employment land conversion consideration was outstanding.

Given the no urban boundary expansion option, which was adopted by Council, it is our understanding that additional opportunities for intensification and residential development within the City's existing urban boundary are required. The conversion of the subject lands for development of a mixed use community will support the 'no urban boundary expansion' option as it will provide new housing to

accommodate forecasted population within the existing Urban Area, and maintain jobs at a similar density to the target of the employment lands designation.

Proposed Revised Site Specific Policy Modification

We have reviewed the Staff Report (PED17010) and City staff's analysis regarding the proposed conversion and the proposed special policy language, and propose the following as a revised special policy:

"For the lands located on at 1400 South Service Road, designated Business Park, shown as Site Specific Policy – Area X on Map B.7.4-1 – Fruitland Winona Secondary Plan – Land Use Plan, the policy recognizes the transition of lands from employment area to a range of other non-employment uses is proposed during the planning horizon of this Plan. For the purposes of this Plan and consideration of a future site specific amendment to redesignate the lands for other uses on the lands, the subject lands shall not be considered as employment area. The justification for conversion of the lands as part of the City's municipal comprehensive review is based on the lands providing a mixed use development with a minimum number of jobs on the lands and intensification of residential uses to assist in achieving the City's intensification targets and housing needs. A site specific Official Plan amendment to redesignate the lands to expand the range of uses, shall consider the following factors:

- a) A minimum of 417 jobs along the QEW frontage to support the City-wide employment targets;*
- b) A mixed use development based on transit-supportive design objectives;*
- c) There is sufficient infrastructure capacity in the area, specifically with regard to sanitary servicing and transportation; and;*
- d) The development area considers the potential development of adjacent lands on the block, from Fifty Road to Fifty Creek, and is developed as part of a complete community in a manner that is transit supportive."*

The proposed special policy will allow for a site specific application on the subject lands outside of the Municipal Comprehensive Review process, while ensuring the City's concerns related to employment, the development of the adjacent lands, and infrastructure capacity are addressed.

The following provides a summary of key points to consider for the proposed modified special policy request:

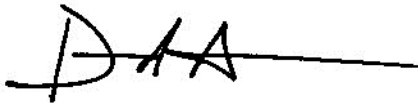
- The subject lands are not identified as a Provincially Significant employment Zone (PSEZ).
- The proposed special policy language recognizes the lands as an area in transition from traditional employment to mixed use. Existing land use permissions already include a range of commercial and population related uses and prohibit intensive industrial uses.
- The mixed use proposal maintains a significant number of jobs (over 400 jobs). The City's Land Needs Assessment Report completed in November, 2021 (PED 17010 Appendix N) and The Watson & Associate's Land Needs Assessment Peer Review (PED 17010 Appendix B) identifies that the employment area density assumes a density of 39.5 jobs per hectare, and currently the UHOP targets 37 jobs per hectare. The proposed development would provide for an employment density of approximately 37 jobs per hectare for the employment portion of the lands.

- Proposes additional residential units (986) in existing Urban Area to assist with addressing the forecasted housing and population requirements in a comprehensively planned with a transit supportive density that will assist in meeting the City's residential intensification targets.
- The MTO lands to the west are unlikely to be developed by MTO for employment uses, and could be considered as part of the overall comprehensive development of these lands
- Provides opportunity for housing choice in the form of apartment units in the Fruitland-Winona Secondary Plan Area that is not currently planned within the area and introduces potential for attainable and rental housing.
- Provides a transit supportive density for any future transit investments in the area.
- The Land Needs Assessment identified a surplus of employment lands, therefore conversion of the subject lands does not impact the long term supply of employment land.
- Details associated with the development of adjacent land, land use compatibility and infrastructure can be addressed through a site specific Official Plan Amendment and Zoning By-law Amendment application.

We request that the General Issues Committee consider the revised special policy wording for input into the draft Official Plan Amendment.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read 'DAA', followed by a long horizontal line extending to the right.

David Aston, M.Sc., MCIP, RPP
Vice President, Partner

cc. Fred Losani, William Liske, Heather Travis

From: Joyce Van Dop
Sent: Tuesday, April 19, 2022 10:19 AM
To: clerk@hamilton.ca
Cc: Partridge, Judi <Judi.Partridge@hamilton.ca>; Travis, Heather <Heather.Travis@hamilton.ca>; Robert Dawson Reynolds <>; rbrez rbrez <>; Danielle Sferrazza <>
Subject: General Issues Committee Meeting #21-008

Hello:

We understand that written material may be submitted for The General Issues Committee Meeting slated for 9:30am tomorrow, Wednesday, April 20, 2022, provided that it is received before 12 noon today.

Would you kindly include this document with the Staff Presentations 8.3 Evaluation of Urban Boundary Expansion Requests Waterdown (PED17010(q)) (Ward 15) at tomorrow's meeting. A staff report about Urban Boundary Expansion indicated that the lands at 329 & 345 Parkside Drive were the only lands, out of requests received, to pass the screening criteria. We the citizens Waterdown fully support the staff recommendations noted on page 146 of the report. We wish to register our support that no other Greenbelt Plan Protected Countryside, in the Town of Waterdown be considered for further development. Kindly let me know if you have any questions or if you require further information.

Joyce van Dop

The information below is copied from the top of the petition page. 108 signatures were included on this petition:

For the Hamilton General Issues Committee Meeting to be held on April 20, 2022 at 9:30am

We the residents of Hamilton, Ontario support the City Staff recommendation with respect to a minor boundary expansion for 329 & 345 Parkside Drive (Alexander Place Long Term Care Facility). Hamilton City Council directed staff to screen requests for permit to expand land use in Greenbelt Plan. Only one request passed the screening requirements. See Appendix C, to Report PED170110(q). That request was for the above noted property only.

We the undersigned:

1. **Wish to register our support of the City Staff recommendation to permit expanded land use for Alexander Place ONLY**
2. **Wish to register our support that NO other Greenbelt Plan Protected Countryside, in the Town of Waterdown be considered for further development**

From: Mary Thompson

Sent: April 18, 2022 1:17 PM

To: Travis, Heather <Heather.Travis@hamilton.ca>; Robichaud, Steve <Steve.Robichaud@hamilton.ca>; Partridge, Judi <Judi.Partridge@hamilton.ca>

Cc: Carl Thomson >

Subject: Evaluation of Urban Boundary Expansion Requests - Waterdown (PED17010(q)) (Ward 15)

Dear Ms. Travis, Mr. Robichaud and Ms. Partridge and to Whom it may concern:

Re: Evaluation of Urban Boundary Expansion Requests - Waterdown (PED17010(q)) (Ward 15).

I am writing to register my opposition to the change in designation of the property at 309-311 Parkside Drive in Waterdown.

I have reviewed Ms. Travis' report and I agree with the findings that 309-311 Parkside Drive should not be re-defined as Urban. While I understand the value of redefining the longterm care home lands as urban given that existing use, I do not want that decision to be precedent setting for the other properties that were screened through this process.

I have lived in Waterdown since 1984. In that time, I have witnessed the development of much of the surrounding farm land. This is a short-term solution which creates long-term problems. Through the years this urban sprawl has not improved Waterdown it has just created new expensive problems. Once the natural lands are gone they are not coming back. This is a finite commodity.

309-311 Parkside Drive used to be rented to a farmer who grew corn and it was a productive piece of land. It has never had any other use than agriculture and has served a valuable role as part of both Waterdown's ecosystem and food supply.

Through the years, this property has had an increasing ecological value as habitat for displaced wildlife while more and more habitat has been destroyed. The field is currently home to many displaced animals. There are deer, fox, coyotes, and rabbits living there. Where do you think they should go next?

The field also plays an important role in protecting our property from climate change. The water table is very high here. When we have a large intense rain storm our ditches fill with water but overland flooding is prevented because the field can absorb the excess water. If this property was considered Urban, that would be the first step towards development which would take away this property's valuable function in the water cycle. All in an era where we need to be increasingly concerned with flooding.

This property has been designated as greenbelt and that designation is more important than ever today.

Please send me a copy of the decision made regarding this matter to me at. Additionally, I would like to be circulated to for any planning matters related to the property currently known as 309-311 Parkside Drive (or whatever these lands may be referred to in the future), including any parcels which may be severed from it.

Please take into consideration my concerns.

Mrs. Mary Thomson



**RAYMAN
BEITCHMAN LLP**

April 18, 2022

Conner Harris

Direct Line: (416) 597-5422

conner@rbllp.com

VIA EMAIL

General Issues Committee
City of Hamilton
Hamilton City Hall
711 Main Street West, 4th Floor
Hamilton, ON L8P 4Y5

To Whom It May Concern:

**Re: City of Hamilton GRIDS 2/MCR
Staff Report PED 17010(q) – Evaluation of Urban Boundary Expansion Requests
Waterdown
Urban Boundary Expansion Request – 347 Parkside Drive, Waterdown, ON
Our File No.: 1556**

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

In December 2021 our client submitted a request to the City for consideration of an urban boundary expansion to incorporate a portion of its Property into the urban boundary as part of the ongoing GRIDS 2/MCR process. A detailed planning justification report and rationale for the request was included with it. Those documents are included with this letter for consideration by the Committee.

244 was disappointed to learn that City staff has recommended approval only of an urban boundary expansion request at 329 and 345 Parkside Drive, and not on our client’s Property. We encourage the Committee to reconsider that recommendation and approve an urban boundary expansion request in accordance with the planning justification report included with this correspondence.

The lands at 329 and 345 Parkside Drive abut 244’s Property immediately to the south. Including our client’s lands within an urban boundary expansion will result in logical synergies with the neighbouring property for which approval has already been recommended. This is further compounded by the northern boundary of 244’s urban boundary expansion request representing the right of way for the proposed By-Pass Corridor. If 244’s lands are not included within the urban boundary they will be an orphan parcel of rural, vacant lands surrounded on two immediate sides by an urban boundary, and on the other side by a busy highway.

This is not good land use planning and makes little practical sense. Even the staff report recommending approval of the expansion at 329 and 345 Parkside Drive recognizes the impracticality of our client’s parcel remaining outside the urban boundary.

Our client disputes several of the assertions in the staff report about its request. The first is that staff identified the request at 329 and 345 Parkside Drive as being the only request which satisfies the 5ha maximum as directed by the City in November 2021. This is not technically accurate – that request actually seeks an expansion of 5.2ha. It therefore slightly exceeds the 5ha maximum directed by Council.

244's expansion request similarly exceeds the 5ha direction only slightly – being a total of 6.6ha in size. But if the stormwater facility and natural heritage features delineated on the Property are backed out from the size calculations then the request seeks an expansion of only 4.4ha in size. This more appropriate sizing brings the request well below the 5ha limit directed by Council.

Even if the larger sizing of 6.6ha is considered, this still falls well below the maximum 10ha contemplated by the Growth Plan. We encourage the Committee to demonstrate flexibility and practicality in its consideration of these requests in a manner that encourages good land use planning.

At page 1 of Appendix E to Staff Report PED17010(q), it is noted that 244's boundary expansion request appears to propose residential uses for the entirety of the expansion area. This is not, strictly speaking, accurate. As noted at page 16 of the planning justification report in support of our client's request, it specifies that "when specific land uses within the proposed UBE are refined in future planning exercises (ie. zoning), the delineations of uses can be further refined and designed to conform to the maximum 50% residential requirement".

As you can see from the excerpt above, our client has been – and remains – willing to work with the City to ensure that any expansion request approved for its Property complies with the governing approvals and guidance from Council. We would welcome an opportunity to work with staff to ensure that the request meets that guidance and can be recommended for approval.

244 urges the Committee to approve its request for an urban boundary expansion on its Property. A representative of our client will be attending the Committee's meeting on April 20th to speak to this matter and would be pleased to address any questions that the Committee may have.

Sincerely,

RAYMAN BEITCHMAN LLP



Conner Harris
CH/rf
Encls.



Parkside Drive, Waterdown

Urban Boundary Expansion Request



Prepared for 2441066 Ontario Inc.
by IBI Group
November 19, 2021

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1 Introduction

IBI Group has been retained by 2441066 Ontario Inc., the Owner of 347 Parkside Drive, Waterdown to provide a professional planning opinion regarding a potential expansion of the City of Hamilton Urban Boundary (“UBE”) to incorporate its lands. The City of Hamilton is in the process of updating its Growth Related Integrated Development Strategy (“GRIDS”) in order to plan for the City’s population and employment growth up to 2051. This new strategy is known as GRIDS 2. In addition, the City is conducting a Municipal Comprehensive Review (“MCR”) to bring its Urban Official Plan into conformity with updated policies from the various governing Provincial planning documents (the PPS, the Growth Plan for the Greater Golden Horseshoe, the Niagara Escarpment Plan, and the Greenbelt Plan). The GRIDS 2 and MCR processes are being carried out concurrently. These coordinated processes provide an opportunity for the City to consider and adopt the proposed UBE within the overarching planning framework.

As part of the GRIDS 2/MCR process the City has completed a draft Lands Needs Assessment (“LNA”) which determined, based on three density scenarios, that additional urban land is necessary in order to accommodate growth up to 2051. As will be further outlined in the subsequent report, this assessment demonstrates a need for additional lands to be added to the City of Hamilton Urban Boundary to accommodate future growth. Within the specific context of the subject lands, screening and evaluation tools for considering a potential UBE within the Waterdown/Binbrook area have been created and approved by the City. This report, and the UBE request it presents, is informed by the framework set out within the GRIDS 2/MCR process to permit a UBE for Waterdown.

The purpose of this report is to provide the City with an understanding of the subject lands, their surrounding context, and the relevant planning controls in order to justify the inclusion of a portion of the subject lands into the City of Hamilton Urban Boundary through a settlement area expansion as a part of the City’s GRIDS 2/MCR processes.

While IBI is retained by the Owner of 347 Parkside Drive, this report includes planning analysis and opinion related to adjacent lands. In order to achieve a more viable potential UBE, the proposed expansion includes the adjacent lands of 329 and 345 Parkside Drive. For the purposes of this report, and specifically for the review and discussion of the proposed UBE, 329, 345, and 347 shall be collectively referred to as the subject lands (“subject lands”). Reference to the “expansion lands” pertains to the portions of the subject lands which are included in the UBE (meaning only a portion of the total area of the subject lands can be, and is recommended for, inclusion in the UBE).

2 Description and Location of Subject Lands

2.1 Location and Description

The subject lands are located along the north side of Parkside Drive between the intersections of Victoria Street and Boulding Avenue. The nearest major intersection is Parkside Drive and Centre Road/Hamilton Street North.

329 Parkside Drive is legally described as Part Lot 6, Concession 4 East Flamborough, firstly as in VM220156, subject to EF23947 and secondly being Part 1, 2, and 3 on Plan 62R-15317 except Part 2 on Plan 62R-15829, subject to easement over Part 2 on Plan 62R-15317 as in EF21375, subject to easement over Part 1 and 2 on Plan 62R-15829 as in WE34586, and subject to easement EF21698, City of Hamilton.

345 Parkside Drive is legally described as Part Lot 6, Concession 4 East Flamborough, as in VM216492m subject to easement EF23946 Flamborough in the City of Hamilton.

347 Parkside Drive is legally described as Part Lot 6, Concession 4 East Flamborough, as in CD260033 save and except Part 1 on Plan 62R20823, save and except Part 1 on Expropriation Plan WE1440621, subject to and together with Easement CD260033, and subject to Easement EF23444 Flamborough in the City of Hamilton.

For the purposes of this report, the planning analysis will be directed to the southern portion of the subject lands, south of the Right of Way (“ROW”) of a proposed By-Pass Corridor. This is where the proposed expansion lands are located (“expansion lands”). The expansion lands represent a smaller area of the southern portion of the subject lands and are further outlined in **Section 3**. The subject lands have a lot frontage of approximately 80 metres along Parkside Drive, made up of approximately 20 metres on the west side, 20 metres in the centre, and 40 metres on the east side of the lot. The southern portion of the subject lands have a depth at their deepest point of approximately 444 metres (from the Parkside Dr. ROW to the proposed By-Pass Corridor) and a total area of approximately 12.1 hectares. The total area of the subject lands is approximately 37 ha.

The proposed By-Pass Corridor is an established public ROW which bisects the subject lands and can be seen as the gap in 347 Parkside Drive in **Figure 2-1** below. This ROW will connect Parkside Drive to Centre Road, and ultimately to Highway 8. Based on the Waterdown Construction Staging Plan, construction of this By-Pass Corridor was to occur in 2021.

A majority of the subject lands currently exist as agricultural or Natural Heritage lands. The institutional use of the Alexander Place long term care home exists on the western portion. A hedgerow strip bisects the eastern and central portion of the subject lands with additional hedgerows running along the northwestern and northeastern boundary. A hydro corridor diagonally bisects the southern portion of the subject lands, with a transmission tower situated in the south-eastern portion. A driveway, connecting to Parkside Drive and to the dwelling located at 349 Parkside Drive, is situated in the south-eastern portion of the subject lands. A second driveway access to Parkside Drive is located along the western portion of the subject lands and provides access to the long-term care home. Adjacent to the driveway is the Waterdown Wetland Trail which progresses north along the western boundary of the subject lands. Finally, Grindstone Creek runs through the northern half of the subject lands. It is predominantly surrounded by Natural Heritage features (i.e. woodland).



Figure 2-1: Aerial Capture of Subject Lands (outlined in red, orange and green boundaries)

2.2 Surrounding Context

To the immediate south of the subject lands is a low-density residential neighbourhood consisting of predominantly 1 and 2 storey single-detached homes. A portion of this residential area is located within the Greenbelt Plan Towns/Villages designation, illustrated in **Figure 3-1**. To the west are Natural Heritage features, along with a few single-detached residential buildings along a private road. The transmission corridor that bisects the subject lands also locates a tower to the west of the lands. To the north of the subject lands is agriculture and Natural Heritage lands including a large woodland and Grindstone Creek. To the east is a large nursery, Grindstone Creek, and related ponds.

In the broader context, additional residential neighbourhoods with some institutional uses exist further south, in addition to Grindstone Creek. Further west of the subject lands exists a provincially significant wetland, and more residential neighbourhoods including single-detached and townhouse developments. A commercial plaza containing a grocery store, medical centre, and retail units along with the Waterdown Memorial Park exist to the southwest along Hamilton Street North. The large woodland Natural Heritage feature mentioned above progresses further north and incorporates a Provincially Significant Wetland along Grindstone Creek. Beyond the Natural Heritage feature is a large recreational park which contains sports fields and baseball diamonds. Finally, further to the east of the subject lands is a rail line beyond which an industrial use, agricultural lands, and Natural Heritage lands including the Arrowhorn Natural Area are located. In addition, to the northeast is a second large scale greenhouse/nursery.

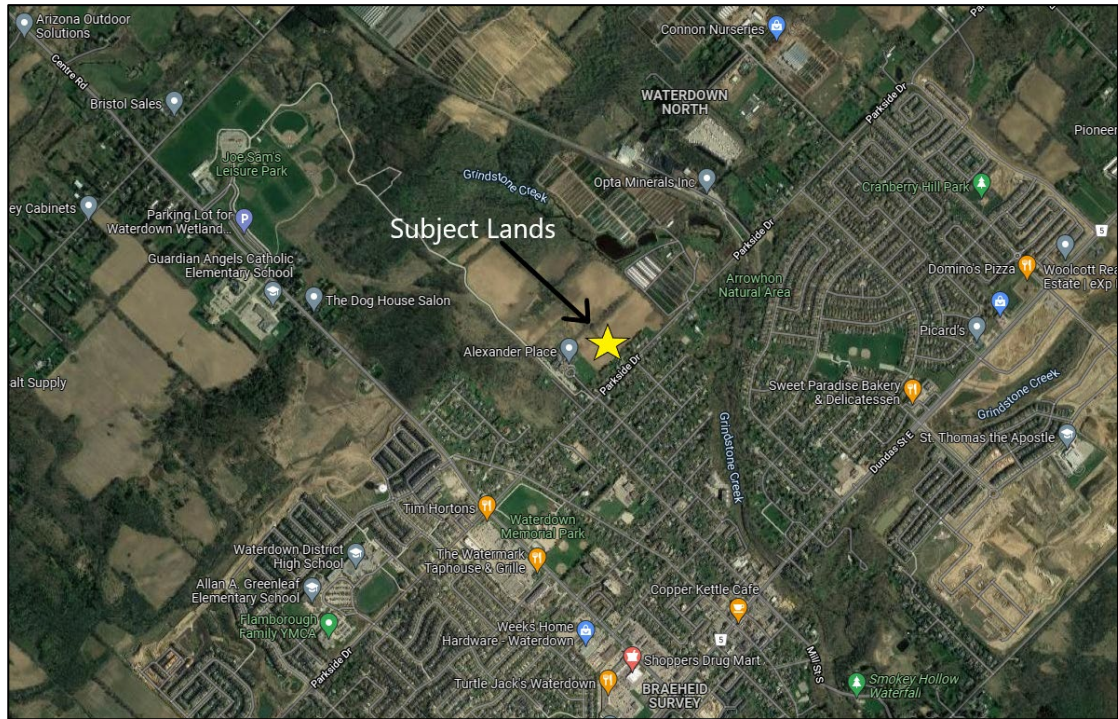


Figure 2-2: Aerial Image of Surrounding Context

3 Proposed Urban Boundary Expansion

This report provides a planning analysis of a request to include a portion of the subject lands, referred to as the expansion lands, in the City's Urban Boundary via incorporation into the Urban Hamilton Official Plan ("UHOP") through the ongoing MCR and GRIDS 2 process. The proposed expansion lands comprise approximately 9.63 ha of the subject lands, as delineated by the red dashed line in **Figure 3-1** below. Of that ± 9.63 ha, ± 4.44 ha is vacant land conceptually identified for residential development (tan), ± 1.41 ha is vacant (light brown) conceptually identified to remain vacant, and ± 2.51 ha is comprised of the existing long-term care home (dark brown), conceptually identified as institutional. Other existing land uses are also integrated into the proposed expansion including ± 0.53 ha of the hydro easement (pink), and ± 0.74 ha of buffered Natural Heritage lands to preserve an existing hedgerow feature that bisects the expansion lands (green), which is conceptually identified as Natural Heritage and Stormwater Management ("SWM"). The purpose of this conceptual delineation of land uses is to illustrate conformity with the applicable policies that guide both the total size of the proposed expansion area and the maximum amount of residential lands, while also recognizing the existing land uses and leaving some lands available for future use determination (i.e. the vacant lands). The proposed northerly boundary limit follows a delineation that combines the parcel fabric, air photo delineation of the Natural Heritage features, and the current ROW of the proposed By-Pass Corridor.



Figure 3-1: Proposed Boundary Expansion Area

4 Current Planning Status

A proposed UBE must be consistent with, conform to, or otherwise not conflict with, applicable planning legislation and policies in effect at time of the proposal. The following subsections provide a review and analysis of the applicable requirements in order to situate the proposed UBE request within this required context and to connect it to the City's MCR/GRIDS 2 process.

4.1 Provincial Policy Statement, 2020

The PPS 2020 provides policy direction on matters of provincial interest regarding land use planning and development, and it sets the policy foundation for regulating land use and development of land in the Province of Ontario.

The PPS was issued under Section 3 of the Planning Act and the current (2020) PPS came into effect on May 1, 2020. Section 3 of the Planning Act requires that land use planning decisions be consistent with the PPS.

The PPS focuses growth within Settlement Areas and away from significant or sensitive resources and areas which may pose a risk to public health and safety. It recognizes that the wise management of development may involve directing, promoting or sustaining growth. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns. Applicable policy excerpts from the PPS are italicized and assessed against the proposed expansion through a planning comment below.

Section 1 of the PPS focuses on building strong, healthy Communities.

Policy 1.1.1 *Healthy, liveable and safe communities are sustained by:*

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable*

housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

- d) *avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e) *promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*

Subsection 1.1.3 provides development and growth direction for settlement areas.

Policy 1.1.3.8 *A planning authority may identify a settlement area or allow the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that:*

- a) *sufficient opportunities to accommodate growth and to satisfy market demand are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;*
- b) *the infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;*
- c) *in prime agricultural areas:*
 - 1. *the lands do not comprise specialty crop areas;*
 - 2. *alternative locations have been evaluated, and*
 - i. *there are no reasonable alternatives which avoid prime agricultural areas; and*
 - ii. *there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;*
- d) *the new or expanding settlement area is in compliance with the minimum distance separation formulae; and*
- e) *impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible. In undertaking a comprehensive review, the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary expansion or development proposal.*

Planning Comment: The proposed UBE will result in an efficient land use pattern while contributing to accommodating projected land and housing needs. The boundary of the proposed UBE has been established based on the surrounding constraints, including the Natural Heritage features and the ROW of the proposed By-Pass corridor, in conjunction with the guiding overall size policy for the UBE. As set out above, developed urban areas exist to the west and the south of the expansion lands. Introducing urban development through a UBE will fill a pocket of constrained lands, which is surrounded by urban development, and will round out the urban boundary. Within this new boundary, urban development can occur without negatively impacting the surrounding existing urban and rural character, nor infringing on hazard lands. The proposed UBE therefore contributes towards achieving a healthy, liveable and safe community as outlined in Policy 1.1.1 of the PPS.

As will be further outlined in **Section 5.1**, an LNA was conducted as part of the GRIDS 2/ MCR process in order to determine the amount of land required to accommodate the City's projected

growth up to the year 2051. In all intensification scenarios explored, it was determined that additional urban land would be necessary to accommodate projected growth. This includes the staff recommended Ambitious Density scenario, which currently estimates that 1,310 gross hectares of additional urban land will be necessary. The LNA provides a basis for evaluating whether growth can be accommodated within the existing urban boundary or whether expansion is required. While Council has not adopted the LNA to date, the work and staff recommendation provide the basis for considering whether an expansion of the urban boundary is needed. For the purposes of this submission, the analysis accepts the LNA and the recommended Ambitious Density scenario. This technical analysis demonstrates that there are not sufficient opportunities to accommodate all of the forecasted growth within the existing Settlement Area as required in Policy 1.1.3.8.a) of the PPS. The LNA provides the technical basis through which the proposed UBE can be requested.

Figure 4-1 shows that urban servicing, including water and wastewater, exists adjacent to the subject lands within the Parkside Drive ROW. Given the size of the proposed UBE, the lands would not represent a significant increase in demand to the existing services and therefore existing servicing is considered suitable as required in Policy 1.1.3.8.b) of the PPS.

The expansion lands are not designated Prime Agricultural and no livestock facilities exist nearby. In terms of impact on nearby agricultural operations, the subject lands exist as a generally isolated parcel of non-prime agricultural land which is divided from adjacent agricultural lands by Natural Heritage features. Therefore, the urban expansion would not have any major impact on agricultural operations as outlined in Policy 1.1.3.8.c), d) & e).

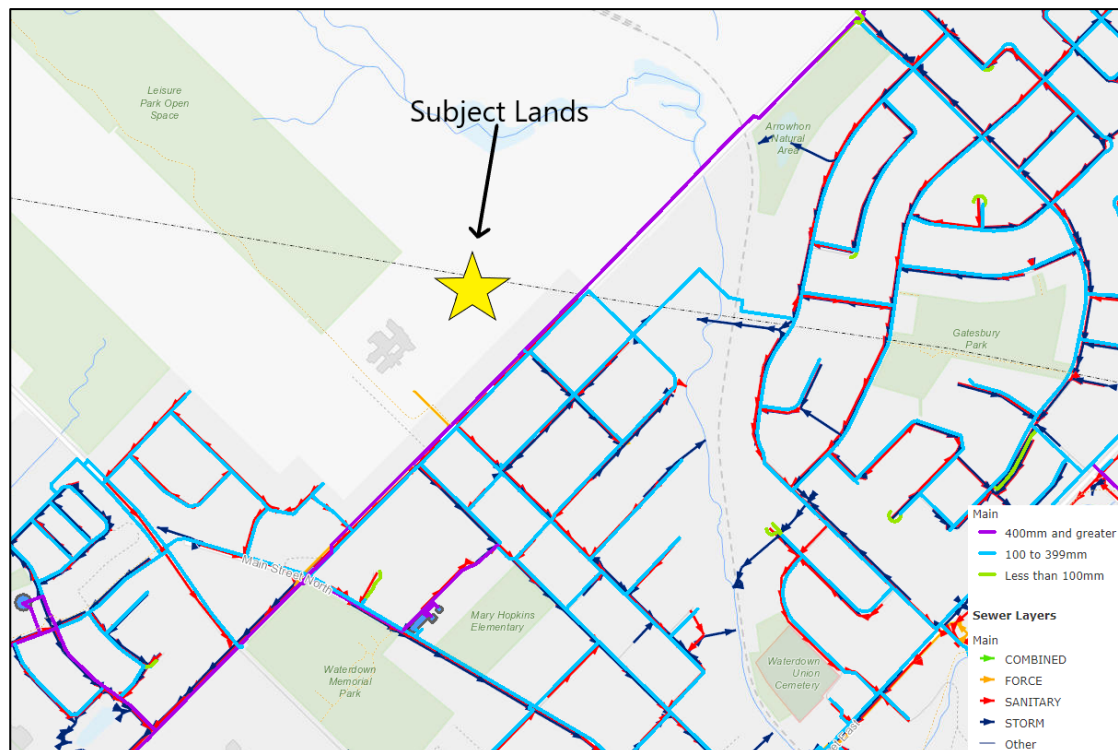


Figure 4-1: Water/Wastewater Map (City of Hamilton Water & Wastewater GIS)

4.2 Greenbelt Plan, 2017

The Greenbelt Plan was prepared and approved under the Greenbelt Act, 2005. It took effect on July 1, 2017 and is applicable to the subject lands. The Greenbelt Plan provides policies for the

protection of agricultural lands, water resources, and natural areas in Ontario's Greater Golden Horseshoe Region.

Section 3.1.4 provides policies for lands falling within Rural Lands of the Protected Countryside.

Policy 3.1.4.3. *Settlement area expansions may be permitted into rural lands, subject to the policies of section 3.4.*

Section 3.4.2 provides the General Settlement Area policies.

Policy 3.4.2.1. *Settlement areas outside the Greenbelt are not permitted to expand into the Greenbelt.*

Section 3.4.3 provides policies pertaining to lands within Towns/Villages within the Protected Countryside.

Policy 3.4.3.1. *Towns/Villages are subject to the policies of the Growth Plan and continue to be governed by official plans and related programs or initiatives and are not subject to the policies of this Plan, save for the policies of sections 3.1.5, 3.2.3, 3.2.6, 3.3 and 3.4.2.*

Policy 3.4.3.2. *Extensions or expansions of services to settlement areas within the Protected Countryside shall be subject to the infrastructure policies of section 4.2 of this Plan, including the requirements regarding environmental assessments and agricultural impact assessments.*

Policy 3.4.3.3. *As part of a municipal comprehensive review under the Growth Plan, an upper- or single-tier planning authority may allow expansions of settlement area boundaries in accordance with the policies 2.2.8.2 and 2.2.8.3 of the Growth Plan.*

Planning Comment: As can be seen in **Figure 4-2**, the expansion lands are designated Protected Countryside and the residential lands directly abutting to the south and further to the west are designated Towns and Villages within the Greenbelt Plan. The proposed UBE represents an expansion of a Settlement Area into the Protected Countryside from abutting Settlement Area lands to the south, which are within the Greenbelt and designated Towns and Villages. As per policies 3.4.2.1 and 3.4.3.3, the Towns/Villages designation can be expanded. The criteria for considering this expansion is provided by Growth Plan policies 2.2.8.2 and 2.2.8.3. These criteria are examined in **Sections 4.3** and **5.2** of this report.



Figure 4-2: Greenbelt Plan Interactive Mapping

4.3 A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019

The Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) 2019 was prepared and approved under the Places to Grow Act, 2005. The Growth Plan took effect on May 16, 2019. Amendment 1 to the Growth Plan took effect on August 28, 2020, which amended its policies to better align with PPS 2020. This included providing land use direction for a planning horizon up to 2051 and establishing a new Land Needs Assessment Methodology (LNA).

The Growth Plan provides policies to guide future growth and development, where the major goals are to provide a sufficient housing supply, improving transportation options, encourage a high quality of life and a strong economy, while ensuring a healthy natural environment. The Growth Plan guides development in the Greater Golden Horseshoe (“GGH”) to a time horizon to the year 2051. Overall, the Growth Plan has projected a 2051 population of 820,000 for the City of Hamilton

Section 2 of the Growth Plan provides direction on how and where development should occur. **Subsection 2.2** provides policies for Where and How to Grow.

Subsection 2.2.8 provides policies relating to the expansion of Settlement Areas.

Policy 2.2.8.2 A settlement area boundary expansion may only occur through a municipal comprehensive review where it is demonstrated that:

- a) based on the minimum intensification and density targets in this Plan and a land needs assessment undertaken in accordance with policy 2.2.1.5, sufficient opportunities to accommodate forecasted growth to the horizon of this Plan are not available through intensification and in the designated greenfield area:
 - i. within the upper- or single-tier municipality, and

- ii. *within the applicable lower-tier municipality;*
- b) *the proposed expansion will make available sufficient lands not exceeding the horizon of this Plan, based on the analysis provided for in policy 2.2.8.2 a), while minimizing land consumption; and*
- c) *the timing of the proposed expansion and the phasing of development within the designated greenfield area will not adversely affect the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan.*

Policy 2.2.8.3 *Where the need for a settlement area boundary expansion has been justified in accordance with policy 2.2.8.2, the feasibility of the proposed expansion will be determined and the most appropriate location for the proposed expansion will be identified based on the comprehensive application of all of the policies in this Plan, including the following:*

- a) *there is sufficient capacity in existing or planned infrastructure and public service facilities;*
- b) *the infrastructure and public service facilities needed would be financially viable over the full life cycle of these assets;*
- c) *the proposed expansion would be informed by applicable water and wastewater master plans or equivalent and stormwater master plans or equivalent, as appropriate;*
- d) *the proposed expansion, including the associated water, wastewater and stormwater servicing, would be planned and demonstrated to avoid, or if avoidance is not possible, minimize and mitigate any potential negative impacts on watershed conditions and the water resource system, including the quality and quantity of water;*
- e) *key hydrologic areas and the Natural Heritage System for the Growth Plan should be avoided where possible;*
- f) *prime agricultural areas should be avoided where possible. To support the Agricultural System, alternative locations across the upper- or single-tier municipality will be evaluated, prioritized and determined based on avoiding, minimizing and mitigating the impact on the Agricultural System and in accordance with the following:*
 - i. *expansion into specialty crop areas is prohibited;*
 - ii. *reasonable alternatives that avoid prime agricultural areas are evaluated; and*
 - iii. *where prime agricultural areas cannot be avoided, lower priority agricultural lands are used;*
- g) *the settlement area to be expanded is in compliance with the minimum distance separation formulae;*
- h) *any adverse impacts on the agri-food network, including agricultural operations, from expanding settlement areas would be avoided, or if avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment;*
- i) *the policies of Sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the PPS are applied;*
- j) *the proposed expansion would meet any applicable requirements of the Greenbelt, Oak Ridges Moraine Conservation, Niagara Escarpment, and Lake Simcoe Protection Plans and any applicable source protection plan; and*
- k) *within the Protected Countryside in the Greenbelt Area:*
 - i. *the settlement area to be expanded is identified in the Greenbelt Plan as a Town/Village;*

- ii. *the proposed expansion would be modest in size, representing no more than a 5 per cent increase in the geographic size of the settlement area based on the settlement area boundary delineated in the applicable official plan as of July 1, 2017, up to a maximum size of 10 hectares, and residential development would not be permitted on more than 50 per cent of the lands that would be added to the settlement area;*
- iii. *the proposed expansion would support the achievement of complete communities or the local agricultural economy;*
- iv. *the proposed uses cannot be reasonably accommodated within the existing settlement area boundary;*
- v. *the proposed expansion would be serviced by existing municipal water and wastewater systems without impacting future intensification opportunities in the existing settlement area; and*
- vi. *expansion into the Natural Heritage System that has been identified in the Greenbelt Plan is prohibited.*

Planning Comment: The Growth Plan permits settlement boundary expansions through an MCR. The City's GRIDS 2/ MCR process provides the opportunity to expand the settlement boundary to include the proposed UBE. Based on the LNA (**Section 5.1**), City staff have recommended the Ambitious Density scenario which estimates the need for 1,310 ha of additional urban land through settlement boundary expansions. This report accepts the findings and recommendations of the LNA as the technical basis for accommodating forecast growth to the year 2051.

The LNA demonstrates the need for additional urban land despite density and intensification targets in the Ambitious Density scenario that are above the minimum required by the Growth Plan. The proposed expansion lands, being a modest size of approximately +/- 9.63 ha, will not impede the achievement of the minimum density and intensification targets and instead supports the accommodation of projected growth up to 2051.

A key consideration is phasing, which will continue through the GRIDS 2/MCR process and be reflected in the final adoption of an OPA to specify phasing areas and policies. This will unfold through the remainder of the GRIDS 2/MCR process. The UBE proposed in this report can and should be incorporated into the first phase of adopted expansion.

Based on existing and future conditions of the subject lands, including the surrounding Natural Heritage features and the proposed ROW, the proposed expansion lands represent an underdeveloped pocket of land adjacent to existing urban development to the west and south. The LNA has demonstrated that growth cannot be reasonably accommodated within the existing settlement area. The expansion lands therefore represent an appropriate location for future growth and development as they will contribute towards creating a more complete community in association with the adjacent existing urban residential areas and will make more efficient use of existing and planned services, notably along Parkside Drive.

Policy 2.2.8.3 sets out feasibility criteria by which proposed expansions are evaluated. This includes expansion into lands within the Protected Countryside in the Greenbelt Area. Based on these policies, the City has established screening and evaluation criteria for the Waterdown and Binbrook areas that are to be analyzed and applied in two phases. Those criteria are outlined and discussed below in **Section 5.2**.

4.4 Rural Hamilton Official Plan, 2012

The Rural Hamilton Official Plan ("RHOP") was approved by the Ministry in 2006 and took effect in March 2012. It applies to lands in the rural area of the City of Hamilton. The RHOP contains

goals, objectives and policies that ensure that the City has a strong rural community, protects ecological systems, and makes wise use of its infrastructure services.

As illustrated in **Figure 4-3**, the subject lands directly abut the urban boundary and are designated Rural. Although portions of the expansion lands are currently utilized for agricultural purposes, they are not designated as Agricultural, and thus are not limited in future use by the protection of prime agricultural areas for agricultural uses.

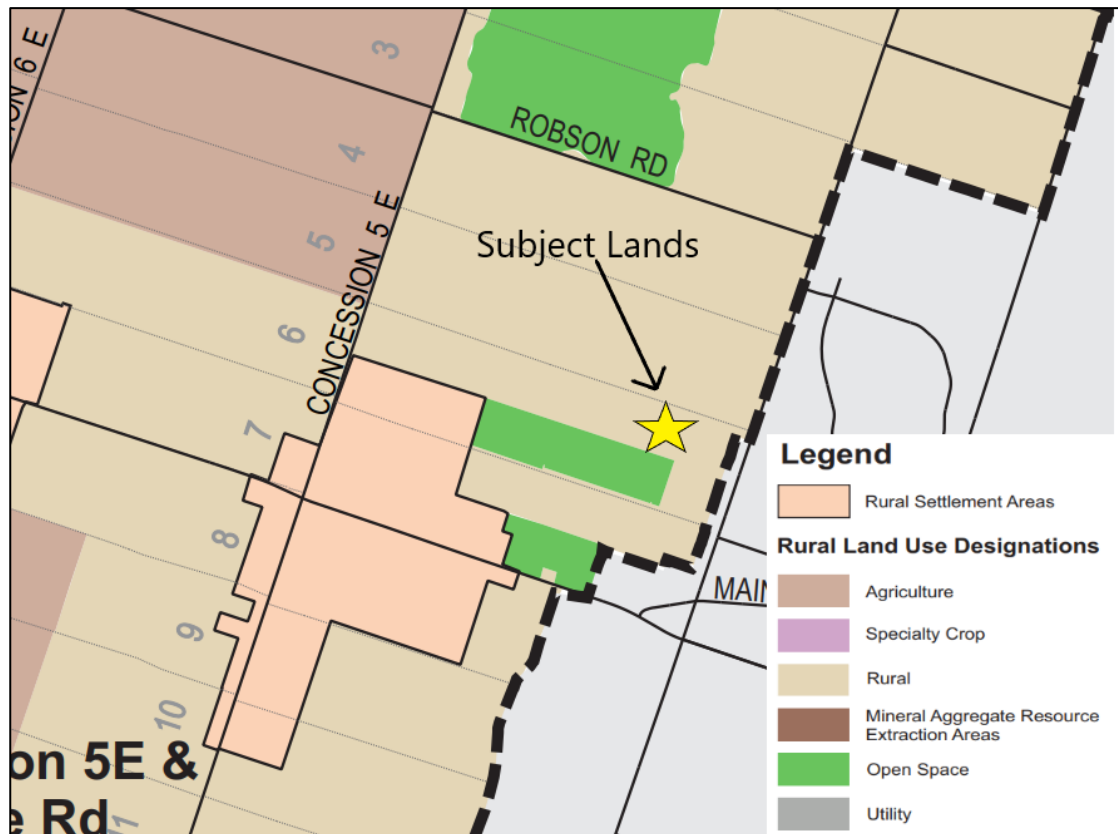


Figure 4-3: Schedule D- Rural Land Use Designation

In terms of Natural Heritage, **Figure 4-4** demonstrates the expansion lands are situated in a small pocket outside of Natural Heritage features such as Core Areas, Linkages, and the Greenbelt Natural Heritage System ("GBNHS"). The expansion lands therefore are located within the Greenbelt Protected Countryside designation but are surrounded by the GBNHS.

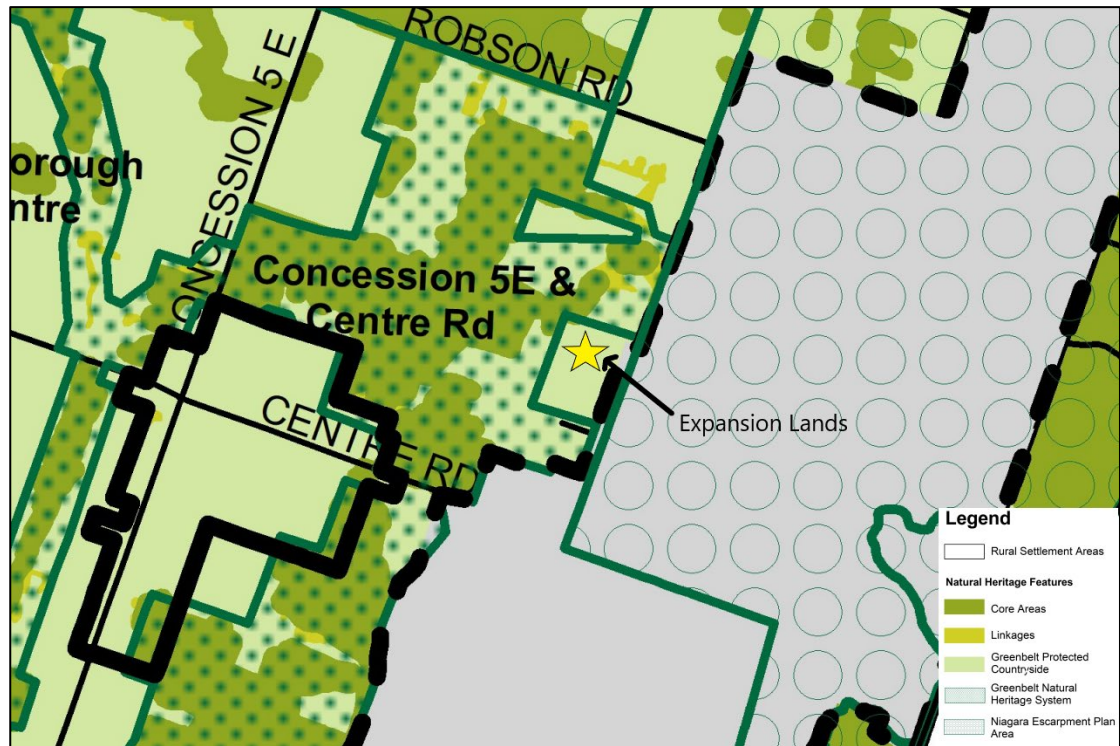


Figure 4-4: Schedule B- Natural Heritage System

A By-Pass Corridor is proposed to the north of the expansion lands, as described in greater detail earlier in this report. **Figure 4-5** identifies the proposed By-Pass Corridor as an Arterial Road. Policy 4.5.2 b) i) recognizes that Rural Arterial Roads will carry high volumes of intra-municipal and inter-regional traffic through the rural area. This proposed By-Pass Corridor therefore provides opportunity for further site access, but it also represents a limitation on the size of the UBE request. Given the guiding size criteria on expansion requests in the Waterdown/Binbrook area (i.e. 10 ha), expansion onto the subject lands north of the By-Pass Corridor would result in a small, orphaned area of potentially developable land less than 1 ha in size separated from the balance of the UBE by an arterial road. Including this orphaned land within the UBE makes little sense from a planning perspective, and so the By-Pass is a functional limitation that sets the upper limit of the boundary for the UBE. The By-Pass Corridor will also create a smaller and less functional pocket of rural/agricultural land cut off from the rest of the subject lands that, should it not be included in the urban boundary, would be of limited agricultural use potential on its own.

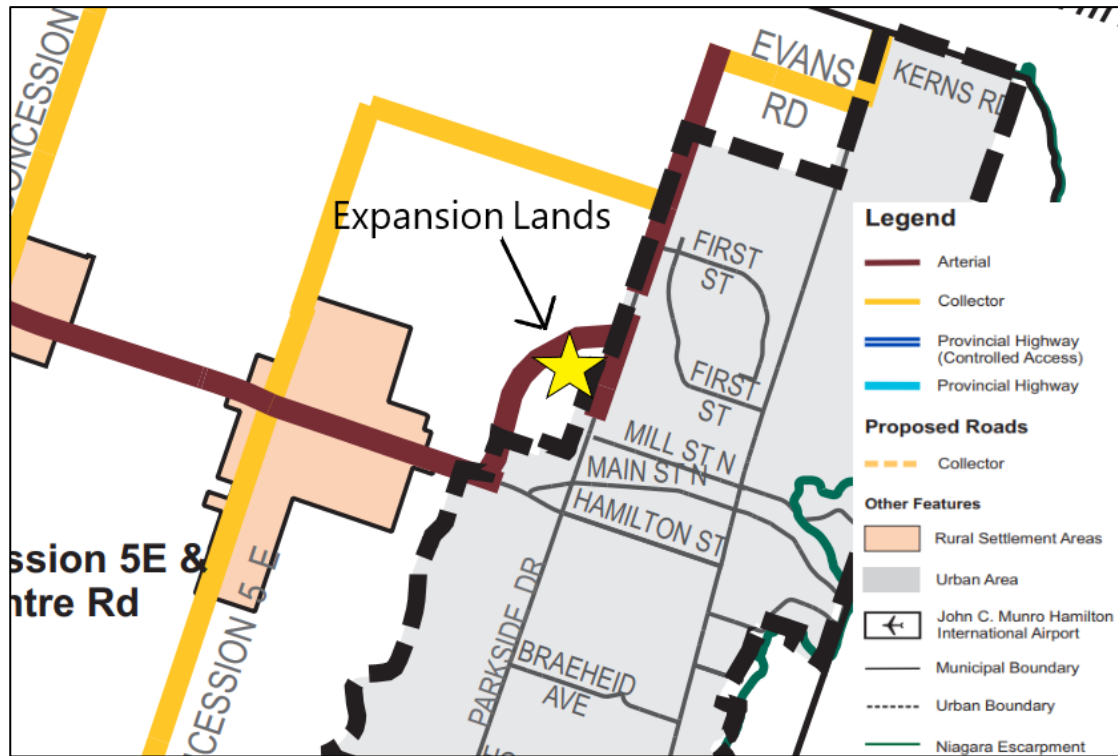


Figure 4-5: Schedule C- Rural Functional Road Classification

5 GRIDS 2/ MCR

At the time of writing this report, the GRIDS 2/MCR process remained ongoing. The City has not yet formally adopted the LNA. This report accepts the LNA and proposes a UBE to be included in the consideration and adoption of a preferred growth scenario through the MCR.

5.1 Draft Land Needs Assessment

The LNA was conducted by Lorus and Associates, with a Technical Working Paper completed in March 2021. It examined the urban land needs of the City of Hamilton over the period to 2051 and was completed based on the Provincial Land Needs Assessment Methodology, as required by the Growth Plan. A July 2021 technical update included Secondary Dwelling Units (“SDUs”) in Designated Greenfield Areas (“DGA”) and Rural Areas within the land needs assessment. The LNA is required to support the GRIDS2/MCR process, which are being updated in accordance with the Growth Plan.

The LNA analyzes urban land needs based on three scenarios which vary dependent on the applicable intensification target and dwelling unit densities. City of Hamilton staff have formally recommended the adoption of the Ambitious Density scenario which targets 50% intensification to 2031, 60% intensification to 2041, and 70% intensification to 2051. It also targets a density in new greenfield areas of 77 residents and jobs combined per hectare. This scenario was acknowledged to have strong growth management principles by the Ministry of Municipal Affairs and Housing.

The updated LNA determined that the Ambitious Density scenario would, despite its intensification targets, require an additional 1,310 gross hectares of land in order to adequately accommodate

the projected growth. Therefore, in accepting this analysis, there is a demonstrable need for urban boundary expansions in order to ensure that there is adequate land to accommodate projected 2051 growth. The proposed UBE would contribute ±9.63 ha of land towards achieving the demonstrated land need.

It should be noted that this justification only becomes more pronounced if one of the other growth scenarios presented is ultimately selected, given their less ambitious intensification targets. In those scenarios, even more additional land will be required to meet the anticipated population growth.

5.2 Waterdown and Binbrook Screening Criteria and Evaluation Tool

Staff report (PED17010(I)) was submitted to the General Issues Committee on August 4, 2021. Appendix B of that report sets out Screening Criteria and an Evaluation Tool to examine a potential UBE from each of the Waterdown and Binbrook areas respectively. These tools form a subcomponent of the broader GRIDS2/ MCR process. They were formulated based on a scaled down version of the *GRIDS2/ MCR Planning to Growth to 2051: Evaluation Framework and Phasing Criteria*, as staff noted that the broader criteria may not be appropriate for small expansion requests for Waterdown and Binbrook areas in light of the constraints on size and composition imposed by the Growth Plan. The creation of this screening criteria and evaluation tool points to a specific municipal consideration for growth accommodation to occur within the Waterdown and Binbrook area.

In order to determine the suitability of a proposed expansion area, each must first be assessed against the initial Screening Criteria (i.e. Phase 1), which analyzes their suitability based on the Growth Plan criteria identified in Policy 2.2.8.3(k). The lands must satisfy all of the criteria in order to continue to the more detailed evaluation phase. This phase (i.e. Phase 2) evaluates and identifies an expansion option based on a series of criteria that represent local and provincial planning priorities.

The following subsections evaluate the proposed UBE against the Screening Criteria and Evaluation Tool, respectively, to the extent possible at this stage of the planning process

5.2.1 Phase 1 - Initial Screening Criteria

The proposed UBE must satisfy all of the Phase 1 Screening Criteria in order to be considered as a candidate area through the Phase 2 Evaluation Tool and the subsequent selection of a preferred growth option.

Size/ Use

Is the proposed expansion area less than 10 ha in size? (Growth Plan Policy 2.2.8.3 k) ii.)

Yes. The area of the proposed expansion lands is a total of ± 9.63 ha.

Is residential development restricted to a maximum of 50% of the expansion area? (Growth Plan Policy 2.2.8.3 k) ii.)

Yes. The conceptual UBE maps illustrate a breakdown of uses within the expansion lands, showing that only 46% or ±4.44 ha has been identified for potential residential development. The proposed expansion area also includes the existing institutional use (long-term care home) and ±1.41 ha of vacant lands directly abutting the institutional use, which conceptually provides a vacant land buffer for determination of future land use. The concept also incorporates an existing utility easement and a hedgerow which is separated from adjacent Natural Heritage features, but which would nonetheless provide natural and potential SWM benefits within the urban boundary.

Given these parameters, when specific land uses within the proposed UBE are refined in future planning exercises (i.e. zoning), the delineations of uses can be further refined and designed to conform to the maximum 50% residential requirement.

Is there a demonstrated use / need for the non-residential portion of the expansion area? (Growth Plan Policy 2.2.8.3 k) ii.)

Yes. The proposed UBE concept includes the existing institutional use in the western portion along with adjacent vacant lands. This use is currently outside of the urban boundary and has site-specific rural zoning permissions. Incorporating the institutional use into the urban boundary therefore represents good land use planning. There is a general need for such uses to provide services to an ageing population. Bringing the institutional use into the urban boundary will provide future opportunities for expansion and development to meet the needs of existing and future residents and has the potential for expansion in the future onto the abutting vacant lands. As set out in **Section 2.2**, the nearby urban uses are predominantly residential with minimal commercial and institutional uses. There is a demonstrated need to ensure the viability and potential expansion of this institutional use, in order to contribute to creating a more complete community.

5.2.1.2 Complete Communities

Does the proposed expansion support the creation of a complete community or the local agricultural economy? (Growth Plan Policy 2.2.8.3 k) iii.)

Yes. In its current state the agricultural portion of the expansion lands are not designated Prime Agricultural and are restricted and slightly fragmented by Natural Heritage features. With the proposed addition of the By-Pass Corridor bisecting the existing agricultural lands, the farmable area will become even more fragmented. As established by the Ministry of Agriculture, Food, and Rural Affairs ("OMAFRA") Land Evaluation and Area Review ("LEAR") tool, agricultural land becomes less viable as the farmable area is fragmented. With the existing Natural Heritage features and the addition of the proposed By-Pass Corridor, the ability of the subject lands to support the agricultural economy in its current rural/agricultural form is already diminished. Their addition to the urban boundary will not represent a measurable loss to the local agricultural economy.

Conversely, the expansion lands are located adjacent to existing urban residential neighbourhoods to the west and the south. The introduction of the expansion lands into the urban boundary will provide an opportunity for increased synergy with the existing urban areas and support the creation of a more complete community. By coming as close as possible to achieving the 50% maximum permitted residential proportion, the proposed UBE will support the opportunity to achieve a complete community by increasing the residential population in the area and contributing to spatially balanced residential growth in Waterdown, while also providing a viable location for non-residential uses such as the institutional use (long-term care home). Public or private open space and recreational opportunities can be integrated to service both proposed and existing residents, and those potential uses will be able to serve both existing and conceptual communities.

Has it been demonstrated that the proposed uses cannot be reasonably accommodated within the existing urban boundary? (Growth Plan Policy 2.2.8.3 k) iv.)

Yes. As set out in **Section 5.1** the LNA demonstrates that in order to adequately accommodate the projected growth within the City of Hamilton to 2051, a UBE will be required. This was demonstrated for all three growth scenarios, including the staff recommended Ambitious Density scenario. The Ambitious Density scenario is projected to require 1,310 gross ha of land. This demonstrates that the City of Hamilton cannot reasonably accommodate projected growth within the existing boundary. Further, in the context of Waterdown, there are limited opportunities for new Designated Greenfield Areas ("DGA"), and while relatively small, the proposed UBE would

provide for future DGA growth in Waterdown. This is important to meeting other relevant policy objectives, such as providing housing to meet market-based choice.

5.2.1.3 Servicing Infrastructure

Can the proposed expansion area be serviced by existing water / wastewater systems without impacting future intensification opportunities in the existing urban area? (Growth Plan Policy 2.2.8.3 k) v.)

Yes. Municipal servicing exists adjacent to the expansion lands within the urban boundary, along the Parkside Drive ROW as seen in **Figure 4-1**. This includes a 400 mm watermain and 200 mm sanitary line. The existing institutional use is also currently serviced by a 100 mm sewer main. The inclusion of the conceptual uses on the expansion lands within the urban area would not represent a significant addition to the existing water/wastewater systems and are therefore not expected to negatively impact the system capacities nor future intensification opportunities in the existing urban area (i.e. only approximately 4.44 ha of new residential uses). With the Waterdown Village Built Heritage Inventory evaluations recommending that many of the buildings to the south of the subject lands be added to the Municipal Heritage Register, the area may not experience much potential for intensification. Further, modelling of potential servicing impacts can be carried out through the Phase 2 analysis, should this be required. Alternatively, the proposed UBE can be considered as part of the Preferred Growth Scenario, which is to be coordinated through the MCR process with updates to the Water and Wastewater Master Plan.

5.2.1.4 Natural Heritage

Does the proposed expansion area avoid the Natural Heritage system? (Growth Plan Policy 2.2.8.3 k) vi.)

Yes. As illustrated in the UBE concept, the subject lands contain and are abutted by multiple Natural Heritage features. A hedgerow strip bisects the centre of the subject lands. To protect the Natural Heritage features and systems, the proposed boundary in the UBE concept was delineated in a manner that creates a buffer around the Natural Heritage features and ensures that they are properly separated from any form of urban development. The hedgerow feature that bisects the expansion lands is currently physically separated from the other Natural Heritage features by the existing farm field, which provides a natural breakpoint for delineating the boundary line, and hence the reason the boundary moves through the gap. This ensures that features in and outside of the proposed boundary are protected and maintained, and that the feature within the boundary is adequately buffered and will be maintained, possibly with stormwater retention capabilities.

5.2.1.5 Phase 1 Conclusion

In order to be considered as a candidate for UBE within the Waterdown and Binbrook area, the proposed expansion lands have been screened against the Phase 1 criteria based on Growth Plan Policy 2.2.8.3 k).

The proposed expansion lands have a total size of ±9.63 ha and conceptually identifies 46% of the expansion lands as residential development. There is a demonstrated need for the non-residential existing institutional use and its inclusion within the urban boundary, which will support its ability to expand and provide services to the community. The proposed expansion lands do not represent a significant potential for supporting the agricultural economy and instead present an opportunity to contribute towards achieving a more complete community. The lands represent a potential extension of the existing urban communities to the west and south which would add further conceptualized residential units, non-residential uses, and recreational/open space opportunities to support a more compact and complete community in the surrounding

neighbourhoods and broader Waterdown community. This includes the limited opportunity for new Designated Greenfield Areas within the Waterdown area.

The aforementioned LNA provides a technical basis for the UBE, demonstrating that the projected urban land needs based on 2051 population and employment growth cannot reasonably be accommodated within the existing urban boundary. A full complement of services exist within the Parkside Drive ROW, and the proposed ±4.44 ha of new residential use will not represent a significant new burden on existing services. This can be further explored during a subsequent full Phase 2 analysis. Finally, conceptual design of the proposed expansion lands avoids and/or buffers Natural Heritage features.

Based on the above analysis of the Phase 1 screening criteria, we are of the opinion that the expansion lands satisfy those criteria and represent an appropriate candidate for further UBE consideration as a part of the GRIDS 2/MCR process.

5.2.2 Phase 2 Evaluation Criteria

This report also looks ahead to the Phase 2 Evaluation Criteria in order to provide consideration as to how the proposed UBE meets those additional criteria. The review of the Phase 2 Evaluation Criteria further supports the proposal as a viable expansion area based on local and provincial planning priorities. Given the stage of the planning process with respect to this request, should additional information or justification be required through the Phase 2 process it can be provided at the appropriate time. This includes a recognition that further studies may be required, as the discussion of the Phase 2 criteria only outlines preliminary planning comments. Table 1 below provides a simple matrix with preliminary planning commentary for each criterion.

Table 1: Preliminary Phase 2 Analysis

THEME/CRITERIA	PRELIMINARY JUSTIFICATION
<p>Efficient Servicing</p> <p><i>Can the expansion area be efficiently serviced based on existing water / wastewater and stormwater infrastructure?</i></p>	<p>Urban services exist adjacent to the expansion lands. The existing institutional use is already serviced, and the addition of ±4.44 ha of residential lands is not anticipated to have a significant impact on existing services. As noted, the area and potential uses could be included in the Water and Wastewater Master Plan updates coordinated through the MCR and selection of a preferred growth option. The necessary studies demonstrating capacity within servicing systems for specific land uses could also be completed at a later date, as part of the appropriate planning applications.</p>
<p>Transportation</p> <p><i>Does the expansion area align well with existing and planned road and active transportation networks?</i></p>	<p>The proposed expansion area fronts onto Parkside Drive, which is a Minor Arterial Road, and provides three site access points. It also aligns with the southerly edge of the proposed By-Pass Corridor to the north.</p> <p>The proposed expansion includes the existing institutional use, some vacant lands, and only ±4.44 ha of residential lands, which would not result in a significant increase in traffic on the capacity of the road network.</p> <p>A Transportation/Traffic Impact study has not been prepared at this time, but traffic flows and impacts could be conceptually modelled if required. The area and its potential uses could be included in the Transportation Master Plan updates coordinated</p>

<p><i>What is the impact of the expansion area on the capacity of the road network?</i></p>	<p>through the MCR and selection of a preferred growth option. The necessary studies demonstrating capacity within traffic systems for specific land uses could also be completed at a later date, as part of the appropriate planning applications.</p>
<p>Complete Communities</p> <p><i>Does the expansion area contribute to the surrounding area's completeness?</i></p> <p><i>Does the expansion area have access to community facilities or address gaps in currently available facilities?</i></p> <p><i>Would the expansion area impact the scenic resources of the Niagara Escarpment?</i></p>	<p>The proposed expansion area includes a conceptually delineated additional ±4.44 ha of residential land and ±1.41 ha of vacant lands. This provides the opportunity to refine land uses in the future and/or provide lands for expansion of the existing institutional uses, which will contribute to creating a more complete community.</p> <p>The proposed UBE is a natural expansion area due to its location within a pocket of minimally developed land that is defined by the adjacent urban neighbourhoods to the west and south. The introduction of the lands into the urban boundary creates the opportunity to establish a more complete community in a logical and efficient manner through the addition of the institutional use, new residential uses, and natural features, to support the adjacent community.</p> <p>The proposed expansion area introduces the institutional use of the long-term care home into the urban area, complementing multiple community facilities in close proximity to the subject lands including Mary Hopkins Public School (±550 m), Waterdown Memorial Park (±1 km), and Waterdown District Highschool (±1.4 km). Furthermore, the proposed expansion lands can include public or private amenity areas.</p> <p>The proposed expansion area is located north of the Niagara Escarpment Plan Urban Area. This area does not provide any scenic resources.</p>
<p>Climate Change</p> <p><i>Does the expansion area present any significant opportunities or risks associated with climate change?</i></p>	<p>As established throughout this report, the proposed boundary expansion represents an opportunity to create a more complete community through the introduction of urban uses adjacent to built-up urban area to the west and south. This will achieve a more compact urban form which will build off of existing infrastructure and services. It represents a controlled and measured expansion which will contribute towards reducing emissions related to infrastructure/service expansions and their broader efficiency.</p>
<p>Natural Heritage and Water Resources</p> <p><i>Does the expansion area demonstrate avoidance and / or mitigation of potential</i></p>	<p>The small size of the proposed expansion area is not anticipated to create any negative impacts on watershed conditions, particularly given that part of the lands are already</p>

<p><i>negative impacts on watershed conditions?</i></p> <p><i>Does the expansion area avoid key hydrologic areas?</i></p> <p><i>Does the expansion area maintain, restore or improve the functions and features of the area including diversity and connectivity of natural features and the long term ecological function of Natural Heritage systems?</i></p>	<p>developed for institutional uses. Further, the proposed UBE provides buffers around existing Natural Heritage features.</p> <p>No key hydrological areas have been identified on RHOP mapping within the proposed expansion area. Preliminary screening of Conservation Halton mapping indicates the expansion lands may be within a Highly Vulnerable Aquifer (HVA), and subject to the Source Protection Plan. This HVA appears to cover almost the entire northern boundary of the Waterdown Urban Area and much of the existing developed area within. The proposed UBE is of minor scale and includes existing development (i.e. long term care home) and thus is not expected to have any negative impacts on water quality or quantity. Measures to address these matters can be implemented through potential future development, including appropriate SWM and construction techniques and practices.</p> <p>The proposed expansion area concept was designed with buffers surrounding the Natural Heritage features. This is intended to maintain the existing functions and features while also providing a stable environment for long term ecological function that can be coordinated with future development, including landscape areas and planting, SWM design and controls (i.e. potential Low Impact Development), and other contemporary approaches to sustainable development.</p>
<p>Natural Hazards</p> <p><i>Does the Candidate Expansion Area contain any natural hazards?</i></p> <p><i>Does the Candidate Expansion Area contain a significant amount of hazardous lands that would make the area unfeasible for future development?</i></p>	<p>Preliminary screening of Conservation Halton mapping indicates a minor amount of floodplain area exists in the north-west corner of the proposed expansion lands (i.e. +/- 0.14 ha). This condition does not affect the development feasibility of the expansion lands.</p>
<p>Agriculture</p> <p><i>Does the expansion area minimize / mitigate impacts on the agricultural system, including the agri-food network, to support local food security?</i></p>	<p>The subject lands currently exist as a component of an isolated non-prime agricultural land with ±8.15 ha of cultivated land. The addition of the proposed By-Pass Corridor will remove part of this cultivated land. With the Natural Heritage features bounding the subject lands and the addition of the proposed By-Pass Corridor, the viability of the agricultural parcel will be significantly diminished. Therefore, the proposed UBE would not represent a significant removal or impact on the agricultural system.</p>

<p><i>Does the proposed expansion minimize land fragmentation?</i></p> <p><i>Is the proposed expansion in compliance with MDS guidelines?</i></p>	<p>With the addition of the proposed By-Pass Corridor, the subject lands will exist as an isolated and fragmented parcel of agricultural land. Therefore, its removal will not result in any significant additional fragmentation.</p> <p>A preliminary review shows that no livestock facilities exist near the subject lands.</p>
<p>Finance</p> <p><i>Does the proposed expansion have an unreasonable or unexpected financial impact on the City?</i></p>	<p>The proposed expansion is not expected to have an unreasonable financial impact on the City due to the limited size of the expansion and the adjacent existing urban services and infrastructure.</p>
<p>Cultural Heritage</p> <p><i>Does the Candidate Expansion Area contain significant cultural heritage resources including designated heritage properties and can they be conserved?</i></p> <p><i>Does the Candidate Expansion Area contain significant archaeological resources and can they be conserved?</i></p>	<p>A preliminary review indicates that the proposed expansion area does not contain any significant cultural heritage resources.</p> <p>The subject lands are located within the Archaeological Potential area as identified in the RHOP. This is typically addressed in the development stage through a site-specific archaeological assessment.</p>

6 Conclusions and Recommendations

As part of the GRIDS2/ MCR, we submit that the proposed UBE be included within the City's Urban Boundary. The purpose of this report has been to provide planning analysis and justification for the proposed UBE based on relevant provincial and municipal policy, including the specific evaluation criteria outlined by the City for the Binbrook and Waterdown areas.

The proposed UBE is consistent with the policies of the PPS. This includes its contribution to creating a liveable, healthy, and safe community as outlined in Policy 1.1.1 and its consistency with Policy 1.1.3.8 related to settlement area expansion criteria.

Conformity was also demonstrated with the Greenbelt Plan as the proposed UBE expands the Towns/Villages designation into the Protected Countryside during an MCR as defined in Policy 3.4.3.

Furthermore, the proposed UBE conforms with the Growth Plan in terms of settlement area expansion. Based on the results of the current LNA, a UBE is justified in conformity with Policy 2.2.8.2, as the LNA provides a need for 1,310 ha of additional urban land. With the justification established, the proposed expansion lands have been demonstrated to be feasible based on

conformity with Policy 2.2.8.3. Growth Plan conformity was further analysed using the Waterdown and Binbrook Screening Criteria and Evaluation Tool.

Phase 1 of this evaluation criteria outlined the ways the UBE satisfied the applicable criteria, including size (+/- 9.63 ha), avoidance or buffering and retention of Natural Heritage features, and the limited potential for agricultural use.

This report has also outlined how the proposal would satisfy the Phase 2 criteria based on a preliminary analysis. Should the proposal be considered further, additional work in Phase 2 could be completed if requested. Alternatively, the expansion area can be considered in the coordinated master plan reviews and updates alongside the GRIDS 2/MCR process.

In summary, the proposed UBE represents a logical extension of the existing boundary, as it would expand urban land use onto lands pocketed by adjacent urban areas to the west and south, with access to a range of infrastructure and services. The UBE would thus permit more efficient utilization of existing services on what would otherwise be increasingly isolated, fragmented and increasingly less viable agricultural land. This will also contribute to achieving identified land needs in order to accommodate forecasted growth, while providing a complete community.

We trust the information and plans contained herein are sufficient. If you require any additional information, or have any questions, please do not hesitate to contact the undersigned.

Yours Truly,

IBI Group



Mike Crough RPP MCIP
Associate Director – Planning Lead



Dean Todd
Planning Student

Submitted on Wednesday, April 13, 2022 - 1:13pm Submitted by anonymous user: 172.70.175.200
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

Will you be delegating in person or virtually? Virtually

Will you be delegating via a pre-recorded video? No

==Requestor Information==

Name of Organization (if applicable): Bay Area Climate Change
Council (BACCC)

Name of Individual: Bianca Caramento

Preferred Pronoun: She/her

Contact Number:

Email Address: b.caramento@bayareaclimate.ca

Mailing Address:

Reason(s) for delegation request: Present BACCC's 'Options for
Travel: Giving Residents a Real Choice report, in respect to
Councilor Danko's motion on May 4th.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? Yes



April 18, 2022

City of Hamilton,
General Issues Committee
Hamilton City Hall
71 Main Street West, 4th Floor
Hamilton ON L8R 2K3

ATTENTION: Stephanie Paparella, Legislative Co-Ordinator
Jason Thorne, General Manager, Planning & Economic Development
Steve Robichaud, Director of Planning and Chief Planner

Attention:	Chair and Members of the General Issues Committee
Re:	GRIDS 2 and Municipal Comprehensive Review – Item PED 17010 (P) GRIDS 2 and Municipal Comprehensive Review- Deferred Employment Lands Conversion Requests UPPER WEST LANDOWNER GRUP (Twenty Road West)

Corbett Land Strategies (CLS) represents the Upper West Side Group (formerly known as Twenty Road West) and has participated comprehensively in the GRIDS2 and Municipal Comprehensive Review process.

We received notice, and a detailed staff report related to the above noted item late last week, just ahead of the 4 day Holiday Easter weekend, which left stakeholders with interest in this very substantive issue with no insufficient time to review and respond to the recommendations in a comprehensive manner.

We suggest that now that the report has been issued to the public on the April 20th agenda the matter be deferred to the May 7th, General Issues Committee. This would allow sufficient time to allow a proper review and prepare a response to Committee.

Thank-you in advance for your co-operation and assistance.

Sincerely,

John Corbett

John B. Corbett, M.C.I.P., R.P.P.

Corbett Land Strategies Inc.

President

john@corbettlandstrategies.ca

cc. General Issues Committee
clients
Legal Counsel (Joel Farber)

Submitted on Thursday, April 14, 2022 - 12:02pm Submitted by anonymous user: 162.158.126.165
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

Will you be delegating in person or virtually? Virtually

Will you be delegating via a pre-recorded video? No

==Requestor Information==

Name of Organization (if applicable): Corbett Land Strategies
Inc.

Name of Individual: John Corbett and Nick Wood

Preferred Pronoun:

Contact Number: 416-806-5164

Email Address: john@corbettlandstrategies.ca; and nick@corbettlandstrategies.ca

Mailing Address:

5045 South Service Road, Suite 301

Burlington ON L7L 5Y7

Reason(s) for delegation request: Item 8.2 - Deferred Employment

Land Conversion Request

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

Submitted on Thursday, April 14, 2022 - 4:54pm Submitted by anonymous user: 162.158.126.185
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

Will you be delegating in person or virtually? Virtually

Will you be delegating via a pre-recorded video? No

==Requestor Information==

Name of Organization (if applicable): McMaster Innovation Park

Name of Individual: Frances Grabowski

Preferred Pronoun:

Contact Number: 289-237-8869

Email Address: fgrabowski@mcmasterinnovationpark.ca

Mailing Address: 175 Longwood South, Suite 101A, Hamilton, ON

Reason(s) for delegation request: While we appreciate the increase to the allowable 15% of Residential uses of GFA without a conversion, the requirement to restrict this to specific areas and number of buildings is too prohibitive for future options in an Innovation Park. We will have NBLC/McCallum Sather and MIP speak to these issues. This is also supported by the Land Use Compatibility Study with our Master Plan vision deemed appropriate.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

Submitted on Thursday, April 14, 2022 - 5:09pm Submitted by anonymous user: 162.158.126.207
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

Will you be delegating in person or virtually? Virtually

Will you be delegating via a pre-recorded video? No

==Requestor Information==

Name of Organization (if applicable): GSP Group Inc.

Name of Individual: Nancy Frieday

Preferred Pronoun: she/her

Contact Number: 365-336-3300

Email Address: nfrieday@gspgroup.ca

Mailing Address:

162 Locke Street South

Suite 200

Hamilton, ON L8P 4A9

Reason(s) for delegation request:

Representing landowners who requested an Evaluation of an Urban
Boundary Expansion

PED17010(q) (Ward 15) - April 20, 2022

513, 531 and 537 Dundas Street East

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No



SHAPING GREAT COMMUNITIES

April 19, 2022

File No. 19070

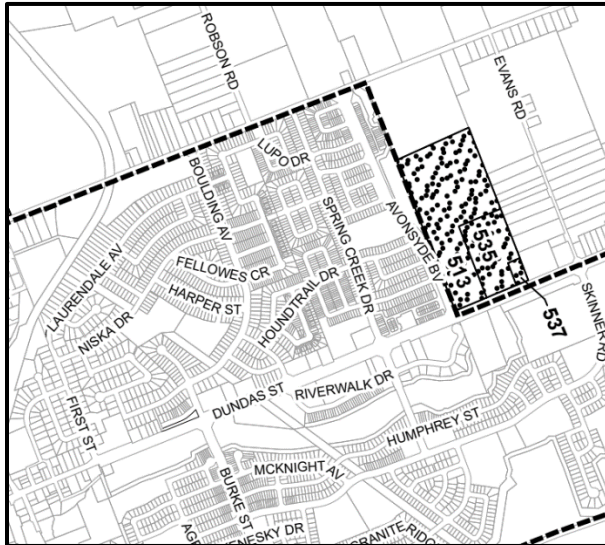
Chair and Members
 General Issues Committee (GIC)
 71 Main Street West, 4th Floor
 Hamilton, ON L8P 4Y5

Email Only: Stephanie Paparella, Legislative Coordinator

Dear Chair and Members of the General Issues Committee:

Re: **Evaluation of Urban Boundary Expansion Requests – Waterdown
 PED17010(q) (Ward 15)
 513, 531 and 537 Dundas Street East**

GSP Group represents the landowners (“Owners”) of 513, 531 and 537 Dundas Street East located on the north side of Dundas Street East immediately east of Avonsyde Blvd. (Subject Lands). The three (3) properties total 16.3 hectares in size. The west property line of 513 Dundas Street East is adjacent to the Waterdown Urban Area boundary (see extract below from Appendix “D” to Report PED17010(q)).



In this latest exercise, the Owners requested that their lands, or a portion thereof, be added to the Urban Area. This request followed over 30 years of navigating City of Hamilton, Provincial and Niagara Escarpment Commission (NEC) land-use planning procedures that ignored or side-stepped the inevitable land-use conflict, while the Owners tried to find a workable solution.

As in the past, these lands were not selected for the 5-hectare expansion to the Waterdown Urban Area boundary and were excluded from the Phase One process based on existing property size (rather than intention), and other assumptions that the City of Hamilton chose not to verify with the Owners.

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

72 Victoria St. S., Suite 201, Kitchener, ON, N2G 4Y9
 162 Locke St. S., Suite 200, Hamilton, ON, L8P 4A9
 gspgroup.ca

Owners Request to the GIC

There is a basic land use conflict between the existing and planned urban residential development, widened roads and new roads being constructed in Waterdown, and the continued ability to efficiently farm the Subject Lands. The existing poultry operation has already faced legal challenges for legitimate agricultural construction activities (manure sheds) as well as urban development proposals that failed to factor in Minimum Distance Separation requirements. To provide other examples of direct impact, the poultry operation lost access to groundwater (well water) in 2015 resulting in a dependence on trucked-in city water ever since. The farm at 513 Dundas Street has had access to its driveway impeded by the traffic light island created on Dundas Street East at the intersection with Avonsyde Boulevard making manoeuvrability dangerous.

The Owners have worked in good faith with all land-use decision-makers to try and overcome the ambiguous nature of Provincial Plan reviews, their relationship to Municipal Plan reviews and to try and address the fact that these processes do not align.

During the 2015 Co-ordinated Provincial Plan Review, the Owners made a request to remove their lands from the Niagara Escarpment Plan (NEP) such that they could become part of the Waterdown Urban Area. This request was met with refusal, but Provincial staff advised the Owners that the City should consider the Subject Lands as part of their Municipal Comprehensive Review (MCR). The City has done so, however, the City cannot add these lands to the Urban Area until a decision is made during a subsequent Provincial Plan Review. There does not appear to be clear direction on these types of requests and the two types of reviews do not align.

The Owners support the City staff's opinion that this circular process should be addressed.

The Owners respectfully request that the GIC pass a motion to direct City of Hamilton staff to support the Owners in finding a workable solution (in coordination with the Province) to affect the necessary change regarding the Subject Lands to address the land-use conflict that is now before them.

Concerns Regarding the Process

In May 2021 the Owners submitted written comments on the draft Screening Criteria and Evaluation Tool. The Owners also asked to be included in any future consideration of a minor expansion. At that time the proposed maximum area for consideration was ten (10) hectares.

In November 2021, City Council decided to proceed with no major expansions to the Urban Area. Council did retain the ability to consider requests for a minor expansion to the Waterdown Urban Area, to a maximum of five (5) hectares. No communication or correspondence was received by the Owners to explain why the maximum area was changed and the Owners were neither

informed about how the evaluation would be completed nor offered the opportunity to contribute any additional information based on the new criteria.

The staff report states that five properties did not pass the initial screening test and only one (1) request passed both the Phase One and Phase Two evaluation criteria. The properties selected to be added to the Urban Area are 329 and 345 Parkside Drive, which contain an existing long-term care facility (institutional use).

The Owners identified the following concerns with the City's evaluation process which they wish to outline for the Committee.

Phase One of the review included the Growth Plan policies "with an added screening criteria requiring an expansion to address a need for a non-residential use." Phase Two criteria are said to represent local priorities. The staff report states: "an expansion will only be recommended if there is a need for a logical rounding out of the boundary or a recognition of existing uses."

The recognition of an existing use in the Rural Area became the key criterion for evaluating a minor urban expansion. The Growth Plan does not refer to existing uses but rather proposed uses.

Of further concern to the Owners is the statement in the staff report that the reduction in the size from ten (10) hectares to five (5) hectares resulted in all but two of the areas being eliminated for consideration in Phase One.

The Owners land area totals 16.3 hectares. There would be certain natural features that would be netted out of that total. When the total area to be brought into the Urban Area changed from 10 hectares to 5 hectares, the Owners were not given the opportunity to propose a reduced area on the Subject Lands.

The results of the City's evaluation suggests that the Owners should have identified a non-residential use in their request. The Owners contend that City staff should have clarified this criterion with them rather than using it against them. The Owners did not identify a specific use knowing that need etc. would be evaluated during a separate land use planning process.

The staff report states that only the selected site could meet the criteria because there was an existing non-residential use on the lands (long term care facility). The staff report also states that support for the selected lands "does not imply support for a specific future development proposal as no details of the future development have been provided." This was the case for the other sites as well.

The staff report states that three (3) of the requests are for lands immediately adjacent to the existing urban area, and are being impacted by the east-west corridor (planned by-pass). Yet the

report could also have mentioned that the Subject Lands have been impacted by road works and are also immediately adjacent to the existing urban area.

Minimum Distance Separation (MDS) between urban uses and the existing poultry livestock operation have not been met in recent development applications which is a unique situation. Also, the farm located at 513 Dundas Street East and its viability have been impacted by urban growth and new / widened transportation facilities.

As mentioned above, the staff report is sympathetic to the Owners' dilemma of being part of the Niagara Escarpment Plan (NEP) Greenbelt Area. We agree with City staff that the process should be addressed with the Province and decisions made to co-ordinate the reviews. Surely, after thirty years of constructive dialogue, the Owners have earned the right to a better outcome.

Conclusion

In our opinion, other policies in the Growth Plan support the inclusion of the Subject Lands in the Urban Area, or a portion thereof, over the other sites. This is primarily due to the incompatibility of land uses caused by past decisions to expand the Waterdown Urban Area near existing farms, including a poultry farm, jeopardizing their continued viability.

We appreciate the opportunity to express our concerns, and we count on the support of the City of Hamilton and Provincial staff to resolve the land use conflict that now exists between agricultural and urban uses.

Yours truly,
GSP GROUP INC.



Nancy Frieday, MCIP, RPP
Senior Planner

Copy: Mayor Fred Eisenberger
Councillor Judi Partridge, Ward 15
S. Robichaud, Director of Planning and Chief Planner

Submitted on Monday, April 18, 2022 - 6:43am Submitted by anonymous user: 172.70.130.149
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

Will you be delegating in person or virtually? Virtually

Will you be delegating via a pre-recorded video? No

==Requestor Information==

Name of Organization (if applicable): IBI Group Hamilton

Name of Individual: Mike Crough

Preferred Pronoun: Mr

Contact Number: 9055461010

Email Address: mike.crough@ibigroup.com

Mailing Address: 360 James Street North, East Wing, Suite200

Reason(s) for delegation request: Speaking on behalf of my client, the Owner of 347 Parkside Drive, at the April 20, GIC meeting regarding item 8.3 - PED 17010 (q) - Evaluation of Urban Boundary Requests - Waterdown, and our submission to request an expansion onto these lands. I will be providing a brief presentation to highlight the lands and our request.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? Yes

Evaluation of Urban Boundary Expansion Requests – Waterdown

347 Parkside Drive



IBI GROUP
2441066 Ontario Inc.
347 Parkside Dr
April 20, 2022

We have submitted a request for expansion for 347 Parkside through the Waterdown-specific process

We have read the staff report and all appendices

347 Parkside meets most criteria and is a prime candidate for expansion

We respectfully request that Committee and Council direct staff to include 347 Parkside in the total Waterdown expansion area

Subject Lands



City Air Photo

Expansion Request



Conceptual Mapping

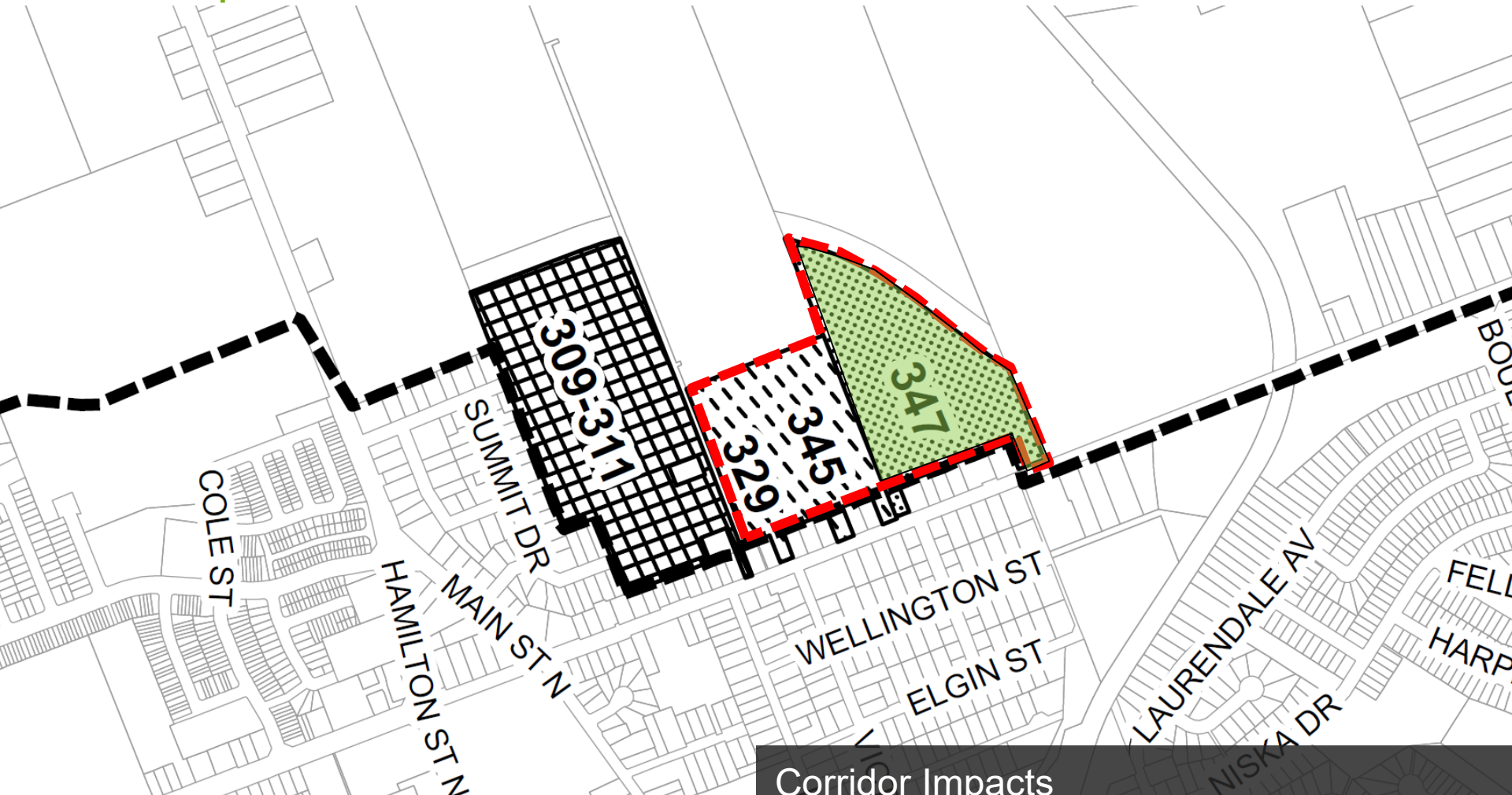
Request is small scale and within intent of minor expansions permitted by Growth Plan and Greenbelt Plan

Would provide lands for future development in Waterdown with uses of some lands to be determined later

Outside of mapped Natural Heritage System

Impacted by planned Transportation corridor; remnant lands would not be viable for farming and would be best suited for urban use

Adjacent to Urban Boundary and Impacted by Planned Transportation Corridor



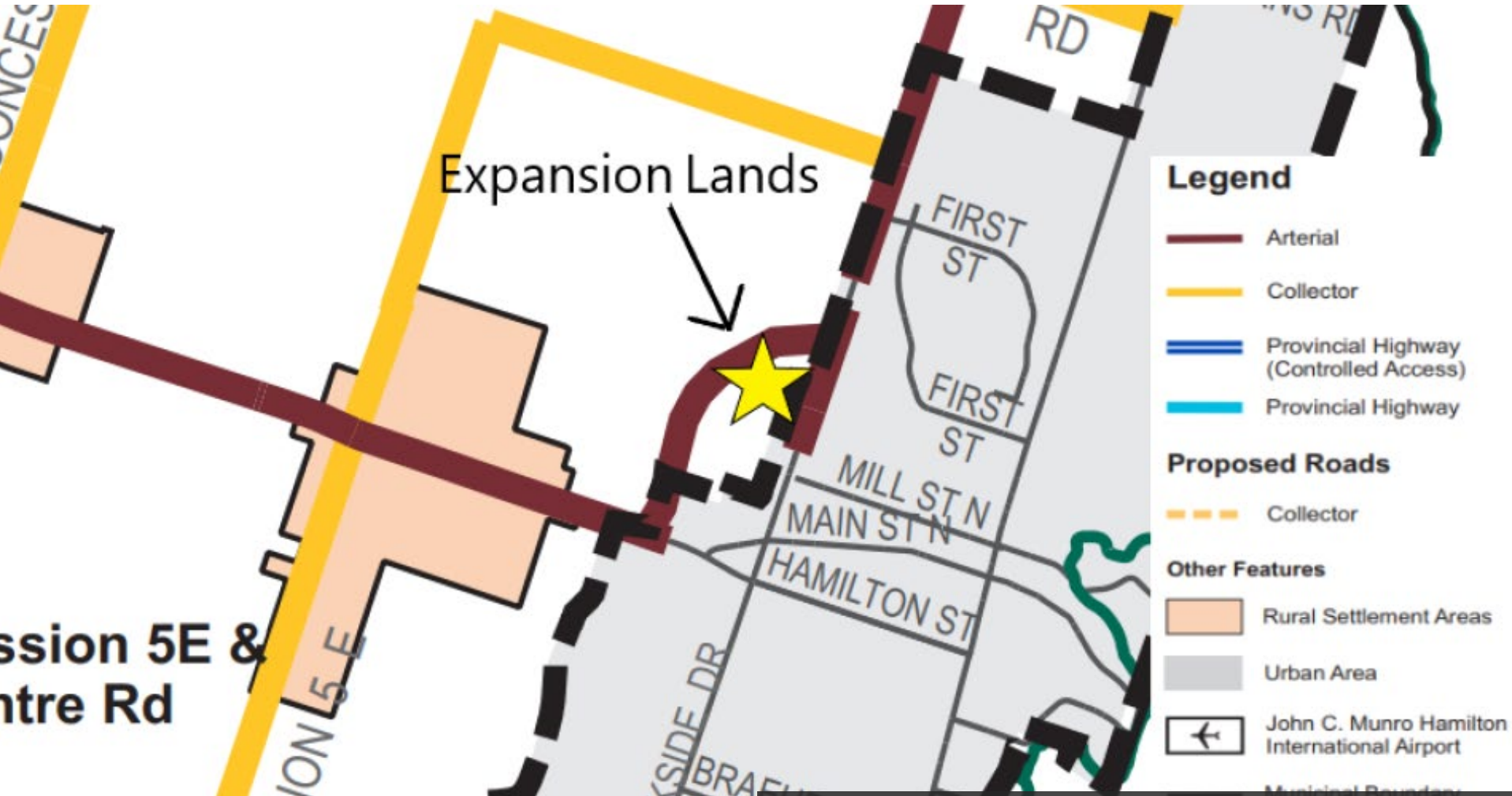
Corridor Impacts

Expansion Lands and NHS Boundary



Outside Established NHS Boundary

Impacted by Planned Transportation Corridor



Remnant Lands South of Corridor

Staff analysis re: 329-345 Parkside Phase 1 and 2 Criteria compliance also generally applies to 347 Parkside

Our submission illustrates consistency with this analysis

A combined expansion to include 347 Parkside is logical and represents good planning

- **Can be efficiently serviced**
- **No significant transportation impacts**
- **Can incorporate range of uses (i.e. retain natural feature, long term-care, etc.)**
- **Will contribute to a complete community**
- **Generally free of hazards**
- **Outside of current NHS boundary**
- **Are not Prime Agricultural lands**
- **Contain no built heritage resources**
- **Future development can be conditioned, etc.**

Inclusion of 347 Parkside in boundary expansion through MCR/GRIDS 2 is good planning – expansion can only happen through the MCR

Thank you!

Submitted on Monday, April 18, 2022 - 6:55am Submitted by anonymous user: 172.70.126.223

Submitted values are:

==Committee Requested==

Committee: General Issues Committee

Will you be delegating in person or virtually? In person

Will you be delegating via a pre-recorded video? No

==Requestor Information==

Name of Organization (if applicable): Hamilton100 Commonwealth Games Bid Committee

Name of Individual: Louis Frapporti and PJ Mercanti

Preferred Pronoun:

Contact Number: 905 512 0763

Email Address: Louis.Frapporti@Gowlingwlg.com

Mailing Address: 54 Forest Street, Guelph, Ontario n1g 1h9

Reason(s) for delegation request: To provide an an update on the 2030 Commonwealth Games Bid initiative, to answer any questions and to secure a further amended MOU between Hamilton100 and the City of Hamilton governing their collaboration through the submission of a final hosting proposal to government and beyond.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? Yes

Submitted on Monday, April 18, 2022 - 7:16am Submitted by anonymous user: 162.158.126.185
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

Will you be delegating in person or virtually? Virtually

Will you be delegating via a pre-recorded video? No

==Requestor Information==

Name of Organization (if applicable): Environment Hamilton

Name of Individual: Lynda Lukasik

Preferred Pronoun: She/Her

Contact Number: 9055490900

Email Address: llukasik@environmenthamilton.org

Mailing Address:

51 Stuart Street

Stuart Street

Reason(s) for delegation request: I am requesting to speak to

Item 8.3 Evaluation of Urban Boundary Expansion Requests -

Waterdown (PED17010(q)) (Ward 15) - on the April 20th GIC agenda.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

Submitted on Tuesday, April 19, 2022 - 10:15am Submitted by anonymous user: 162.158.126.207
Submitted values are:

==Committee Requested==

Committee: General Issues Committee
Will you be delegating in person or virtually? Virtually
Will you be delegating via a pre-recorded video? No

==Requestor Information==

Name of Organization (if applicable): Turkstra Mazza Associates
Name of Individual: Nancy Smith
Preferred Pronoun: She/Her
Contact Number: 9055293476
Email Address: nsmith@tmalaw.ca
Mailing Address:
15 Bold Street
Hamilton
ON L8P 1T3
Reason(s) for delegation request: To speak to the Committee concerning Staff Report PED17010(q) recommending approval of a minor urban boundary adjustment in Waterdown. We will request that the City use the unused portion of Growth Plan policy 2.2.8.3k) (5 ha) to approve a minor boundary adjustment for 309-311 Parkside Drive.
Will you be requesting funds from the City? No
Will you be submitting a formal presentation? Yes

Turkstra Mazza

Hamilton London Toronto

Nancy Smith

15 Bold Street

Hamilton Ontario Canada L8P 1T3

Receptionist 905 529 3476 (905 LAW-FIRM)

Facsimile 905 529 3663

nsmith@tmalaw.ca

VIA EMAIL

April 19, 2022

Attn: Chair and Members
General Issues Committee
City of Hamilton
71 Main Street West
Hamilton ON L8P 4Y5

Dear Members of the General Issues Committee

Re: Staff Report PED17010(q) – Alexander Place Boundary Adjustment

We represent Sidana Holdings and 2474314 Ontario Inc. (“**Consoli**”), part owners of 309-311 Parkside Drive, Waterdown (“**Property**”). We write in relation to Staff Report PED17010(q) recommending approval of a minor urban boundary adjustment (5.0 ha) for Alexander Place Long Term Care Facility (“**Alexander Place Boundary Adjustment**”). We support the staff recommendation. It represents a sound boundary adjustment for a portion of policy 2.2.8.3k) of the Growth Plan Boundary Adjustment Process. We write to request that you consider using the unused portion of policy 2.2.8.3k) (5 ha) to approve a minor boundary adjustment for the Property as well.

THE PROPERTY

For the last 40 years, the Property has undergone modest and incremental development: Summit South (1963), Summit North/Northlawn (1965) and Summit Extension (1979). In 2019, Consoli sold the By- Pass portion of the Property to the City with no conditions. What remains is approximately 11 ha south of the By-Pass and 14 ha north of the By-Pass. With the Alexander Place Boundary Adjustment, the 11 ha south of the By-Pass is boxed in by the By-Pass to the north and the urban boundary on all other sides. It essentially becomes a residential infill parcel but for the fact that it remains outside the urban boundary. It is this anomaly that we respectfully request you fix.

NANCY SMITH PROFESSIONAL CORPORATION
TURKSTRA MAZZA ASSOCIATES, LAWYERS



GREENBELT PLAN ADJUSTMENT PROCESS

In 2005, the Greenbelt Plan was approved and applied to the Property. In 2015, Consoli participated in the provincial Greenbelt Plan Review. What a process! Consoli met repeatedly with municipal staff, provincial staff and the Minister of Housing. All direction given culminated in a game plan led by the City's Real Estate Department for the acquisition of the By-Pass lands. Essentially, the City asked Consoli to sell the By-Pass unconditionally and prepare a Justification Package to remove the Property south of the By-Pass from the Greenbelt Plan. He did both. The By-Pass lands were sold to the City unconditionally. He submitted a comprehensive (and expensive!) Justification Package complete with numerous studies.

The City, with the full support of staff, accepted the Justification Package and supported the Greenbelt Plan Adjustment Request. Regrettably, the Province refused all Greenbelt Plan adjustment requests province wide, including the modest adjustment proposed by Consoli. The Province told Consoli that because the Property was next to the settlement boundary, he should engage the Growth Plan Boundary Adjustment Process during the next City municipal comprehensive review.

NANCY SMITH PROFESSIONAL CORPORATION
 TURKSTRA MAZZA ASSOCIATES, LAWYERS

GROWTH PLAN BOUNDARY ADJUSTMENT PROCESS

Policy 2.2.8.3k) of the Growth Plan envisions settlement area boundary adjustments for Greenbelt Plan lands like the Property. Up to 10 hectares can be added to the urban boundary with residential permissions on no more than 50% of the lands to be added. The Alexander Place Boundary Adjustment is 5 ha. We request that you use the remaining 5 ha available to implement the Greenbelt Plan Adjustment you supported in 2015.

CAPPING THE BOUNDARY ADJUSTMENT

The Property is not farmland nor are there any natural features on it. Consoli fully supports the City's commitment to Farmland for Future Generations. To assist the City with achieving this objective, Consoli will cap the boundary adjustment at 5.0 ha ("**Consoli Boundary Adjustment**") and gift the remaining 20 ha to the City ("**Gift to the City**"). With ownership, the City will control this boundary.



NANCY SMITH PROFESSIONAL CORPORATION
TURKSTRA MAZZA ASSOCIATES, LAWYERS

Please note that in the 2015 discussions with the City regarding the By-Pass lands, the City sought to buy the lands north of the By-Pass. Consoli and the City could not agree on price at that time. It is these very lands that comprise a significant portion of the Gift to the City.

Consoli has had ongoing discussions with the neighbouring community regarding the Gift to the City. The feedback has been very positive.

FIX THE ANOMALY

The unique history of the Property coupled with the Alexander Place Boundary Adjustment creates an anomaly. The Consoli Boundary Adjustment represents lands that are boxed in by urban lands and the new By-Pass. This is an infill site absent the underlying official plan designation. This boundary adjustment was supported by the City in 2015 as part of the Greenbelt Plan review. It achieves provincial policy while in no way offending the City's objectives to preserve farmland. To be blunt, the Consoli Boundary Adjustment makes good planning sense.

In addition to fixing the anomaly, your approval of the Consoli Boundary Adjustment will secure ownership of 20 ha of land for free. This gift will cap the boundary adjustment and offer potential open space opportunities for the residents of Waterdown. So, in addition to making good planning sense, the Consoli Boundary Adjustment is in the public interest.

OUR ASK

We respectfully request that you use the unused portion of Growth Plan policy 2.2.8.3k) (5.0 ha) to approve a minor boundary adjustment for the Property as outlined in this letter.

Yours truly,



Nancy Smith
ns/l



Deferred Employment Land Conversion Requests (City Wide)

Report PED17010(p)
General Issues Committee
April 20, 2022

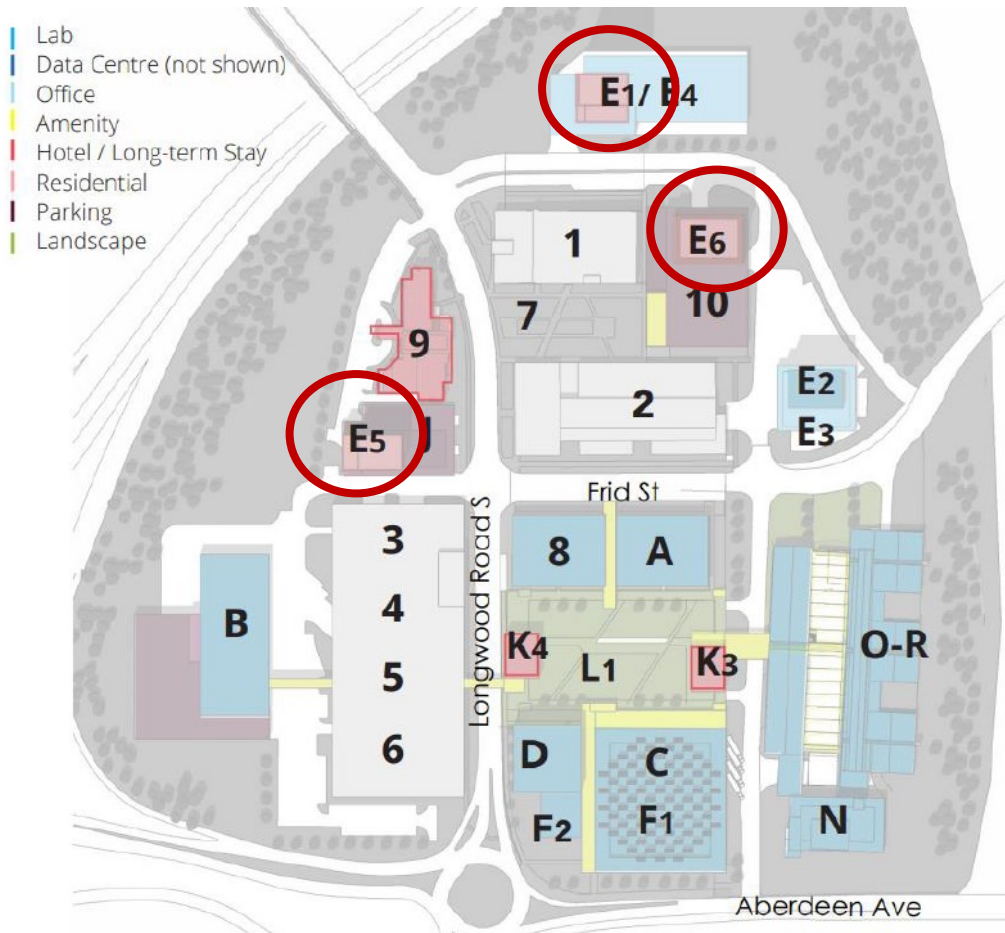
Background

- Employment Land Review Report PED17010(k) brought forward to GIC on August 4, 2021
 - City has an approximate surplus of 60 hectares of Employment Area designated lands to the year 2051 (as determined by the City's LNA)
 - 53.5 hectares of Employment Area designated lands were supported by GIC for conversion to non-employment designations
 - 6 requests for conversion from private landowners were deferred for consideration at a later date

Deferred Employment Land Conversion Requests (Report PED17010(p))

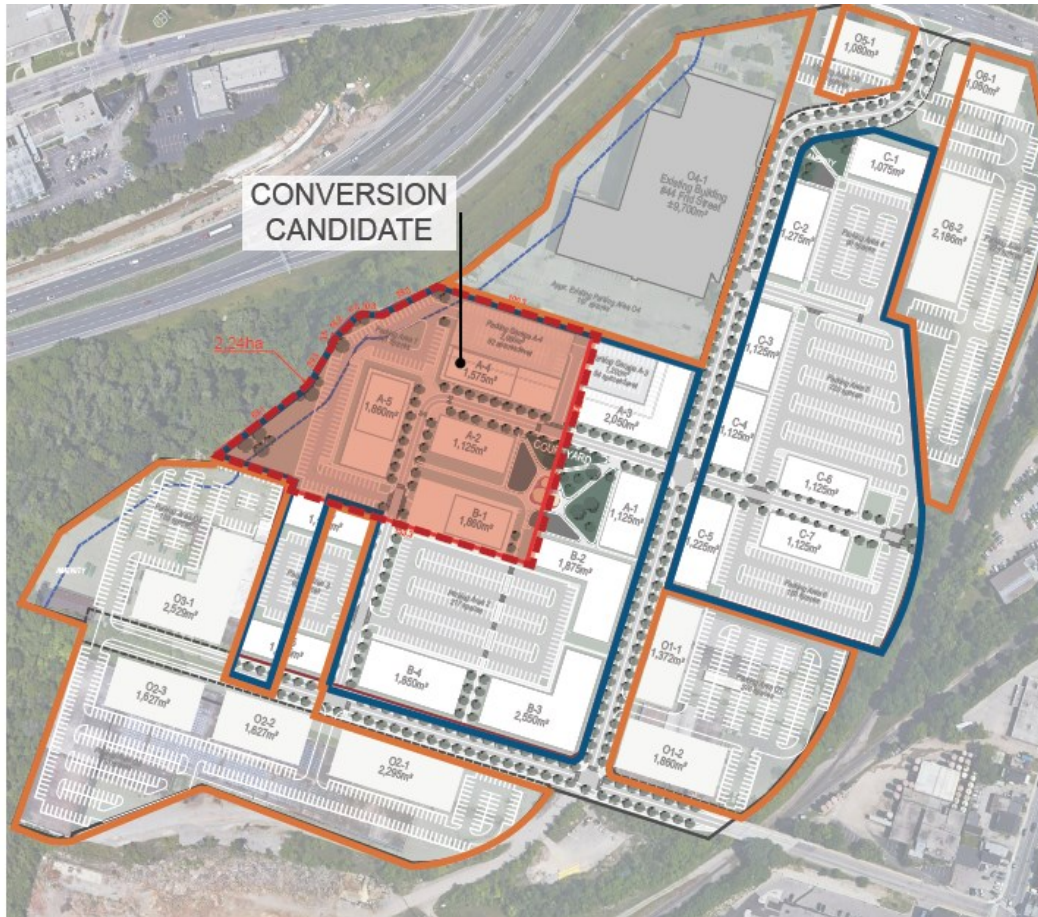
- Staff Report presents final recommendation to GIC for the 6 deferred employment land conversion requests
 - Support for one additional site for conversion (1725 Stone Church Rd E)
 - Refinement to a previous recommendation for conversion in Flamborough
 - Discussion of one additional request for conversion submitted in Feb. 2022
- Appendix “A” provides details on the proposed developments for the 6 deferred sites, analysis based on the Provincial and Local Conversion Criteria, and staff recommendations
- Appendix “B” provides an explanation for the proposed refinement to the previously supported minor refinement in the Flamborough Business Park

1. McMaster Innovation Park (MIP) – West Hamilton Innovation District



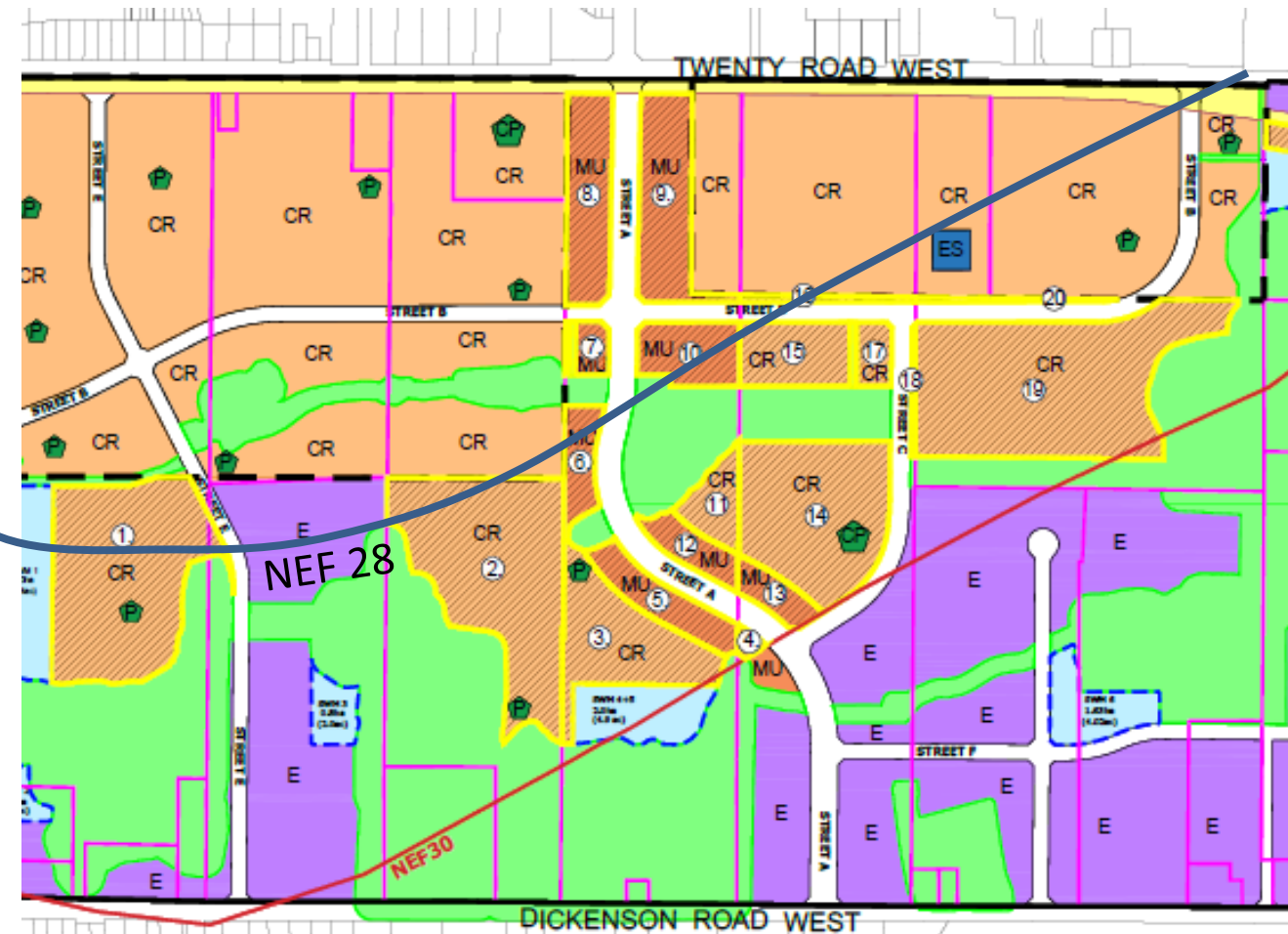
- Revised Master Plan for MIP
- Existing permissions allow for limited residential use (max 8% of Employment Use GFA, max. GFA 11,500m², 2 res. buildings)
- No conversion requested
- Request to increase permitted GFA for residential uses to allow development of 3 residential buildings
 - GFA 41,341m²
 - 17.5% of Employment Use GFA (proposed/existing)
 - 3 buildings (E1- 26 storeys, E6 – 22 storeys, E5, 14 storeys)
- Recommendation: permit increased residential GFA to a max. 15%, limited to 2 buildings (E1 & E6), revised SSP in WHID Secondary Plan

2. 70 – 100 Frid Street – West Hamilton Innovation District



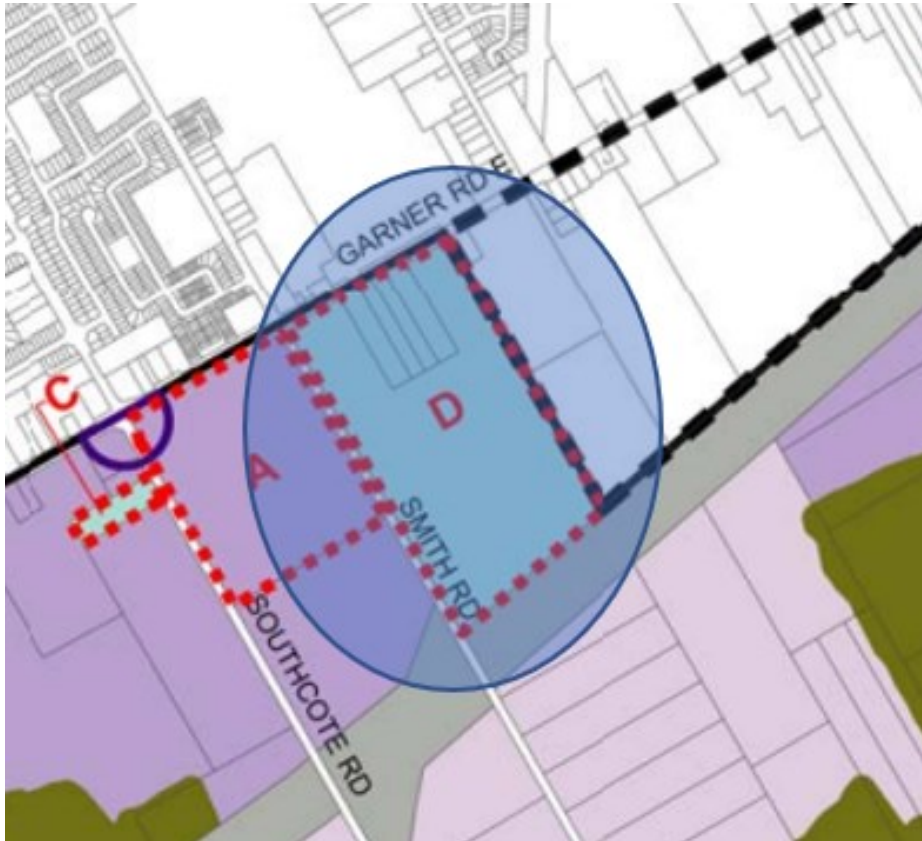
- Area of requested conversion: 2.24 ha
- Proposed development of mixed use buildings ranging from 4 – 24 storeys to support redevelopment of this section of WHID
- No existing residential permissions for this area of WHID
- Interior to the business park area
- Some remaining intensive industrial uses (asphalt plant) that compromise introduction of sensitive land uses
- Recommendation: No conversion
- Potential for City to conduct a fulsome review of WHID secondary plan in the future to consider the unique context of the Employment Area

3. Twenty Road West Area – Airport Employment Growth District



- Area 55.2 ha (areas shown in yellow boundary)
- Proposed Mixed Use (MU) development along Garth St. extension and Compact Residential (CR)
- Adjacent to rural lands not approved for inclusion in Urban Boundary
- Context with residential is not consistent with adjacent lands
- Area of land could result in Employment Area land supply deficit to 2051
- Recommendation: No conversion

4. 700 Garner Road East – Airport Employment Growth District



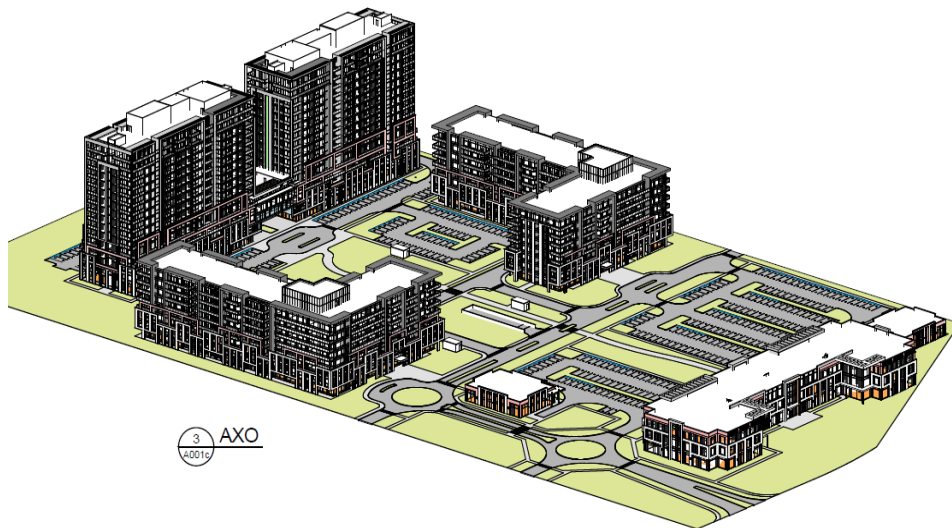
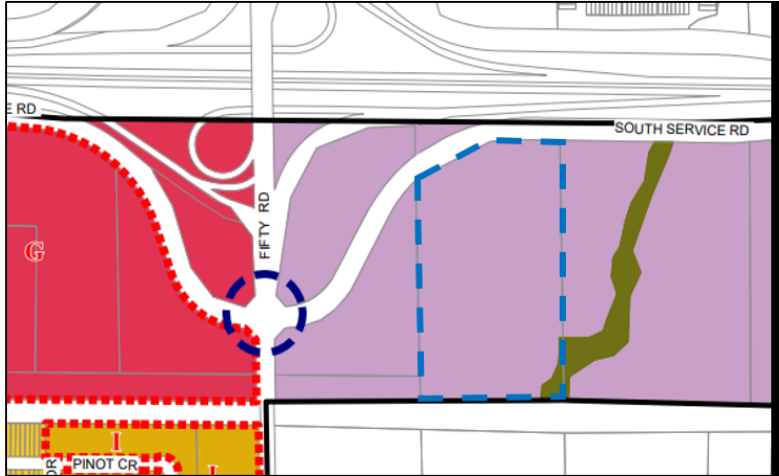
- Area: 26.6 ha
- Proposed development of mixed uses including residential, institutional, office, and commercial
- Designated Institutional in AEGD, but defaults to Airport Prestige Business if not developed for institutional purposes related to Redeemer College
- Adjacent to rural lands not approved for inclusion in Urban Boundary
- Context with residential is not consistent with adjacent lands
- Area of land could result in Employment Area land supply deficit to 2051
- Recommendation: No conversion
- Staff support revision to Policy B.8.7 of AEGD to remove reference to lands developing exclusively for Redeemer College

5. 1725 Stone Church Road East – Red Hill North Business Park



- Area: 7.4 ha
- Proposed development of commercial and retail uses similar to those in Heritage Green (located east of RHVP)
- No residential or major office uses are proposed
- Need for additional commercial space in the area demonstrated by assessment submitted, and existing sites are fully developed
- Existing mixed context
- Recommendation: Conversion to District Commercial is supported
- Site Specific Policy proposed to prohibit development of sensitive land uses, and to require submission of architectural and urban design guidelines for the site, to ensure consistency with Heritage Green development

6. 1400 South Service Road – Stoney Creek Business Park



- Area: 7.2 ha
- Proposed development of 4 multiple dwellings (two 16 storey and two 8 storey) with 986 units, 1 office building (3 storeys), and two 1-storey commercial buildings
- Lands to east and west of site not proposed for conversion
- Active application for OPA / ZBA
- Sanitary servicing and transportation capacity constraints have been identified
- Recommendation: No conversion
- Site Specific Policy proposed - lands may be considered for conversion in future provided servicing capacity can be demonstrated, and lands from Fifty Road to the creek are included (comprehensive development area)

Refinement to Flamborough Business Park Conversion



- Area 2.0 ha
- Lands are part of utility corridor adjacent to plan of subdivision for business park development
- Lands were mistakenly identified through OPA 107 (Housekeeping) as part of UFE-2
- No conversion is required for this linear area of land as utility designation already applies, and lands inside the employment area are not intended to be converted
- Recommendation: No conversion required

Additional Request for Conversion - 54 Dundas St. E, Flamborough



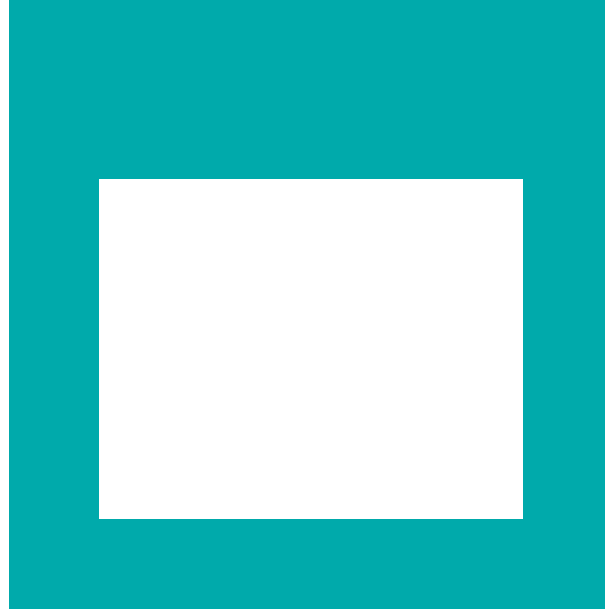
- Area 1.4 ha
- Request for conversion to District Commercial designation submitted on February 10, 2022
- Proposed development of Long Term Care
- Adjacent to Niagara Escarpment
- Insufficient time to review proposal in coordination with other agencies within MCR deadline
- Recommendation: No conversion

Summary of Recommended Employment Land Conversions

Conversions Analysis	Area (hectares)
ELR Conversions (Staff Identified)	35.1
Residential Enclaves	5
Request for Conversion (including deferrals)	9.5
Confederation GO Station	4.0
Council Directed Conversion (1280 Rymal Rd. E / 385 Nebo Rd)	5.3
Total Recommended Conversions	58.9

Next Steps

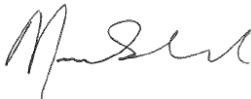
- Implementation of Employment Land Conversions through final MCR Official Plan Amendment
 - Municipal Comprehensive Review Public Meeting during Planning Committee on May 17, 2022
 - Submission of final MCR OPA to the Province following Public Meeting



THANK YOU



INFORMATION REPORT

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	April 20, 2022
SUBJECT/REPORT NO:	Summary Report on 2022 Hamilton Business and Workforce Survey (PED22080) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Adam Durrant (905) 546-2424 Ext. 4482
SUBMITTED BY:	Norm Schleeahn Director, Economic Development Planning and Economic Development
SIGNATURE:	

COUNCIL DIRECTION

Not Applicable

INFORMATION

1 - Relevant Context

The 2021-2025 Economic Development Action Plan identifies the facilitation of an adaptable workforce as the first of six key priorities. Within this priority, the design and delivery of an annual survey focused on local economic conditions and workforce needs is identified as action item #3.

The 2022 Hamilton Business and Workforce Needs Survey (HBWNS) was created in partnership with Workforce Planning Hamilton between November and December of 2021. The creation of this Survey occurred in coordination with an additional Workforce Survey sponsored by the Hamilton Chamber of Commerce and Mohawk College. Economic Development led in the coordination of these two projects such that participants for Chamber/Mohawk Survey were primarily comprised of volunteers who completed the HBWNS and opted-in for the completion of a second survey. This approach represented a best effort at mitigating the effect of survey fatigue among

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Summary Report on 2022 Hamilton Business and Workforce Survey (PED22080) (City Wide) - Page 2 of 7

Hamilton's employers – a paramount concern since the outset of the COVID-19 pandemic.

The timing of the HBWNS, which opened for data collection on January 11, 2022 and closed on February 11, 2022 was aligned to past employer surveys delivered by Economic Development and Workforce Planning Hamilton.

2 – Survey Distribution and Participation

Invitations to complete the Survey were delivered primarily through email. The contact database for this outreach combined mailing lists from Economic Development, Business Licencing, and Workforce Planning Hamilton to produce a target audience of approximately 10,000 Hamilton businesses. In coordination with Workforce Planning Hamilton, Economic Development staff prepared a robust social media and traditional media outreach campaign, securing two earned media placements with the Hamilton Bay Observer and one earned media placement with the Hamilton Spectator.

Overall, 1,576 respondents opened the Survey, which yielded 915 complete and partial responses that formed the backbone of Economic Development's analysis. This sample size reflects approximately 46,798 Hamilton employees. While this number is less than what was gathered in the 2021's delivery of the HBWNS, the timing of this Survey coincided with a number of unforeseen factors including extreme weather events, lockdowns and restrictions amid the Omicron-wave of the COVID-19 pandemic, and transitions from online to in-person learning – all of which can reasonably be expected to move business priorities away from data collection activities.

Despite below-expected levels of survey completion, the data collected remains a statistically viable sample for overall business trends at a 95% confidence level and a ± 4 confidence interval.

3 – Survey Findings**3.1 Industry Profile**

The industry sectors (Appendix "A" to PED22080, Fig. 1) that reported the greatest survey completion were accommodation and food service (18.6%) other services (12.8%) – N.B.: this sector typically includes businesses engaged in the repair or maintenance of machines, the provision of personal care services, the provision of funerary services, and all other services related to grant making or the advocacy of social causes – construction (12.7%) and retail trade (12.7%). These four industry sectors represent a total of 56.7% of respondents.

SUBJECT: Summary Report on 2022 Hamilton Business and Workforce Survey (PED22080) (City Wide) - Page 3 of 7

3.2 Employee Count

Survey respondents were asked to compare their employee count in January 2022 to a pre-pandemic count in January 2020 (Appendix “A” to Report PED22080, Table 1). Respondents reported employing a total of 49,238 employees in January of 2020, which fell by 5.0% to 46,798 employees in January of 2022. Respondents in accommodations and food service reported the sharpest decline in employees, in both absolute and proportional terms, with a 40% decline in their workforce that represents 1,781 fewer employees.

3.3 Business Outlook and Revenue Changes

A plurality of respondents (35.2%) reported their short-term business outlook (Appendix “A” to Report PED22080, Figure 2) over the next six months as “good – stable operations with stable/growth outlook”. A total of 50.1% of respondents rated their six-month outlook as either excellent, very good, or good, the three choices which reflected stable operations on a growth trajectory.

The second largest response cohort reported their outlook as “fair – relatively stable operations with a slightly negative outlook” (25.4%). Only 2.3% reported an emergency outlook, which foresaw imminent permanent closure. Economic Development reviewed all responses who reported either a “poor” or “emergency” outlook and identified cases for immediate follow-up by the Business Development Consultant team. Business outlook data were also provided to the Hamilton Business Centre to support targeted funding applications in support of Hamilton’s retail and personal service businesses.

While the HBWNS invited respondents to identify their wards, only 158 respondents (17% of total respondents) completed this question. Table 1a, offers a snapshot of business conditions by ward, such as the data permit. Given the relatively low response rate to this question, any ward-based analysis of these data will only be representative of the individual businesses completing the survey and cannot be responsibly extrapolated to reflect the business trends within the ward, itself. Economic Development will adjust its marketing and promotion leading up to the survey, as well as the survey design itself, in the 2023 delivery with the goal of at least doubling ward-identifiable data.

Approximately 64.3% of survey respondents noted that they suffered some level of revenue loss due to the COVID-19 pandemic (Appendix “A” to Report PED22080, Figure 3). To ensure the best possible lens on the pandemic’s economic impacts, this survey asked respondents to compare their 2021 revenues to those reported in 2019. Among all respondents, 13.3% reported no impact or change on their revenues and 15.7% reported an increase in revenue.

SUBJECT: Summary Report on 2022 Hamilton Business and Workforce Survey (PED22080) (City Wide) - Page 4 of 7

Among the 62 respondents who reported their business was less than two years old, approximately 12.9% reported they did not suffer any significant revenue loss compared to 87.1% who did. Although this subset of businesses is below what can be considered a representative sample, it offers a reasonable indicator toward how Hamilton's start-ups and newly established businesses were likely hit harder by the pandemic than established businesses, and underscores a need for further investigation on that point.

3.4 Staffing Cost Changes

The seventh stretch target in the 2021-2025 Economic Development Action Plan calls for the creation of a list of 1,000 living wage employers in Hamilton. This Survey acts as Economic Development's first step in creating such a list through a question that asked respondents to identify how the mandatory minimum wage increase had impacted their business (Appendix "A" to Report PED22080, Figure 4).

More than half of respondents reported that the change had either no impact on their business (31.8% of respondents) or that the minimum wage change had no impact because they were already a self-identified living wage employer (27.9%). In the coming months Economic Development will work with our community partners to determine next steps in working with these self-identified living wage employers to formally create a living wage employer list. Annual delivery of the HWBNS will allow this list to be updated each year until the completion of the 2021-2025 Economic Development Action Plan.

Slightly more than a quarter of respondents noted that the minimum wage increase had either a large negative impact on the business (10.9% of respondents) or a moderate negative impact on the business (17.4%). The three industry sectors that most frequently reported a negative impact of minimum wage increases were in accommodations and food service, retail trade, and other services.

3.5 Impacts of COVID-19

The HBWNS identified a list of COVID-19-related topics and asked respondents to assess the impact they had on their workforce during the pandemic. Among the topics identified as having a significantly negative impact (Appendix "A" to Report PED22080, Fig. 5) the top-three reported were, the recruitment of new employees (selected by 27.0% of respondents), the evolving/changing rules and protocols relating to business capacity limits (24.9%) and overall business stability (16.3%). With respect to capacity limits, this response was also frequently identified in the "other" responses to the survey's business outlook question as the reason why respondents could not forecast their next six months.

SUBJECT: Summary Report on 2022 Hamilton Business and Workforce Survey (PED22080) (City Wide) - Page 5 of 7

In terms of topics with a positive impact (Appendix “A” to Report PED22080, Fig. 6), respondents rated an increased demand for business products and services (25.8%), a sufficient availability of personal protective equipment for work locations (13.0%) and overall business stability (9.6%). It should be noted that significantly negative impacts were reported 2.3 times more frequently than positive impacts. A complete breakdown of all impacts and responses are seen in Appendix “A” to Report PED22080, Tables 2 and 3.

When respondents were asked to report on the productivity of their remote workforce (Appendix “A” to Report PED22080, Fig. 7), 56.4% of all respondents noted that their business was not capable of supporting remote work. Among the remaining businesses, a plurality reported their workforce was either more productive (9.4%) or seeing similar levels of productivity to working in the office (38.3%). Slightly more than one third of respondents (37.6%) noted remote work was less productive than in-person work. The remaining “other” responses captured a variety of sentiments but frequently reported that remote work or hybrid work was an existing status quo for their organization prior to the pandemic.

3.6 Business Priorities for 2022

Looking ahead, the HBWNS asked respondents to identify their business priorities for the balance of 2022 (Appendix “A” to Report PED22080, Table 4). Respondents were able to select from a matrix of priorities as well as offering their own, as a means of ensuring that the broadest possible scope of business priorities were captured. These priorities were then shared with the Business Development staff as potential leads for investment – particularly among the 130 respondents who identified business expansion as a key goal for 2022.

The priorities for 2022 most selected by respondents included: employee attraction (selected by 47.3% of respondents identifying at least one priority), increasing marketing and promotional activities to drive customer awareness (40.6%), increasing online presence and activity (37.2%), implementing new technologies and systems to automate or improve processes (29.1%) and finding and applying to current provincial and federal government funding programs (28.3%).

On a statistically improbable note, among the 774 businesses who identified at least one priority for 2022, zero indicated a plan toward obtaining a better understanding of current provincial government COVID-19 rules and zero indicated a plan toward obtaining a better understanding of current City of Hamilton government COVID-19 rules.

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3.7 Concerns for 2022

In addition to capturing business priorities, the HBWNS asked respondents to identify concerns and factors that might impact the health of their business in 2022. Once again respondents were provided with a matrix of responses from which to choose, as well as the capacity for providing their own responses.

Among the 779 respondents who responded to this question (Appendix “A” to Report PED22080, table 5), the most frequency cited were: the impact of inflation on both business and customers (selected by 55.8% of respondents), the mental and physical health of employees (50.3%), the inability to reasonably predict the short-term business environment (43.1%), the mental and physical health of business owners (39.4%), and global supply chain issues relating to receiving goods for resale (37.7%).

It is noteworthy that 16.3% of respondents to this question identified permanent closure as a concern for 2022. At the beginning of the survey 16.1% of respondents reported their 6-month outlook as unstable with a generally negative outlook and 2.3% reported facing imminent permanent closure. An addition, 18.1% of respondents noted that succession planning with respect to selling or transferring their business would be a concern for 2022. These data would suggest that even as Hamilton moves out of the worse impacts of the Omicron wave of the COVID-19 pandemic, potentially one business out-of-five will be facing a challenging year ahead. Indeed, only 5.9% of respondents to this question noted that they did not have any concerns for the 2022 business year.

3.8 BIPOC Business Ownership and EDI Policies

The consultations that informed the creation of the 2021-2025 Economic Development Action Plan (EDAP), identified a need for actions and insights supporting equity, diversity, and inclusion in Hamilton. As such, the findings of these questions provide boots-on-the-ground insights that will support and inform Economic Development’s existing work with the CITYLab program (EDAP action item #2) while providing valuable intelligence to the Division’s Emerging Workforce Development Strategy (EDAP action item #5).

The HBWNS asked respondents to identify if one or more owners of the business self-identified as a member of any equity seeking group (Appendix “A” to Report PED22080, Figure 8). Approximately 56.9% of respondents either left this question blank, did not identify as any equity seeking group, or declined to answer the question. The remaining 395 businesses (43.2% of the total survey sample size) reported at least one owner belonged to at least one equity seeking group, and 19.6% of survey respondents reported their ownership belonged to at least two equity seeking groups. The most

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frequently identified groups among respondents included, women (29.8% of total survey respondents), immigrants to Canada (16.8%), and youth aged 39 and under (13.7%).

The least identified groups among respondents were First Nations, Métis or Inuit peoples (1.4% of total survey respondents), members of the Black community (3.2%), and LGBTQ2AI+ individuals (4.5%).

An intersectional analysis of this data reports 5.1% of survey respondents identified their ownership as inclusive of both women and members of a visible minority, 3.4% of respondents identified their ownership as inclusive of both women and LGBTQ2AI+ individuals, 2.2% identified their ownership as inclusive of both women and members of the Black community, and 1.2% identified their ownership as inclusive of both women and First Nations, Metis, or Inuit peoples. Since the survey did not identify the number of owners within given respondents, these data should not be read as applying to a single individual owner within each respondent. However, they do provide some preliminary insights toward such information and inform follow-up survey work particularly as it applies to targeting City entrepreneurship programs, and marketing therein, toward members of equity seeking communities.

The HBWNS also asked respondents if they experienced any barriers to hiring and retaining immigrants and newcomers to Canada within their labour force. Among the 740 respondents to this question, 163 (22.0% of respondents to this question) reported no barriers to hiring immigrants and newcomers. The remaining 577 reported one or more barrier (Appendix “A” to Report PED22080, Fig. 9), the most frequently occurring of which was few immigrant/newcomer applicants (identified by 46.4% of respondents who identified one or more barrier) insufficient work experience (34.5%) and insufficient qualifications (28.8%).

Respondents were also asked if their organization had any policies or practices that encouraged hiring from historically under-represented populations (e.g. people with disabilities, LGBTQ2AI+ people, First Nations, Metis, or Inuit peoples, members of the BIPOC community). Among the 741 respondents that had at least one employee and also answered this question, 35.2% reported having policies or practices supporting the hiring of under-represented peoples. Of particular note is that among the 151 respondents who had at least one employee and reported no barriers to hiring immigrants and newcomers, only 38.4% reported having policies or practices in place to support hiring from underrepresented populations.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED22080 – Summary Tables and Charts

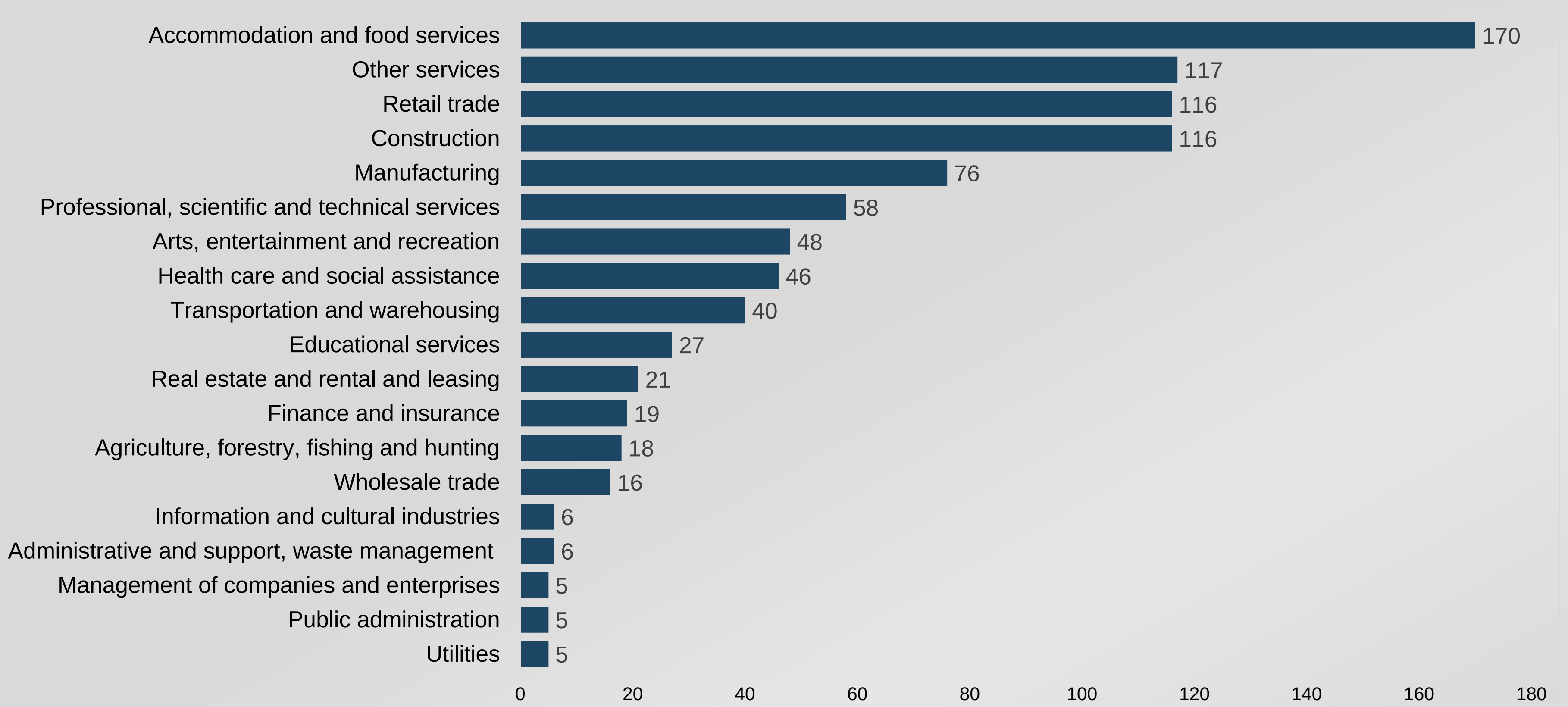


INVEST IN HAMILTON

2022 Business and Workforce Needs Survey **Appendix "A" to Report PED22080 - Summary Tables and Charts**

Sectoral Representation

Figure 1: Survey Respondents by Industry Sector, 2-digit NAICS, n=915



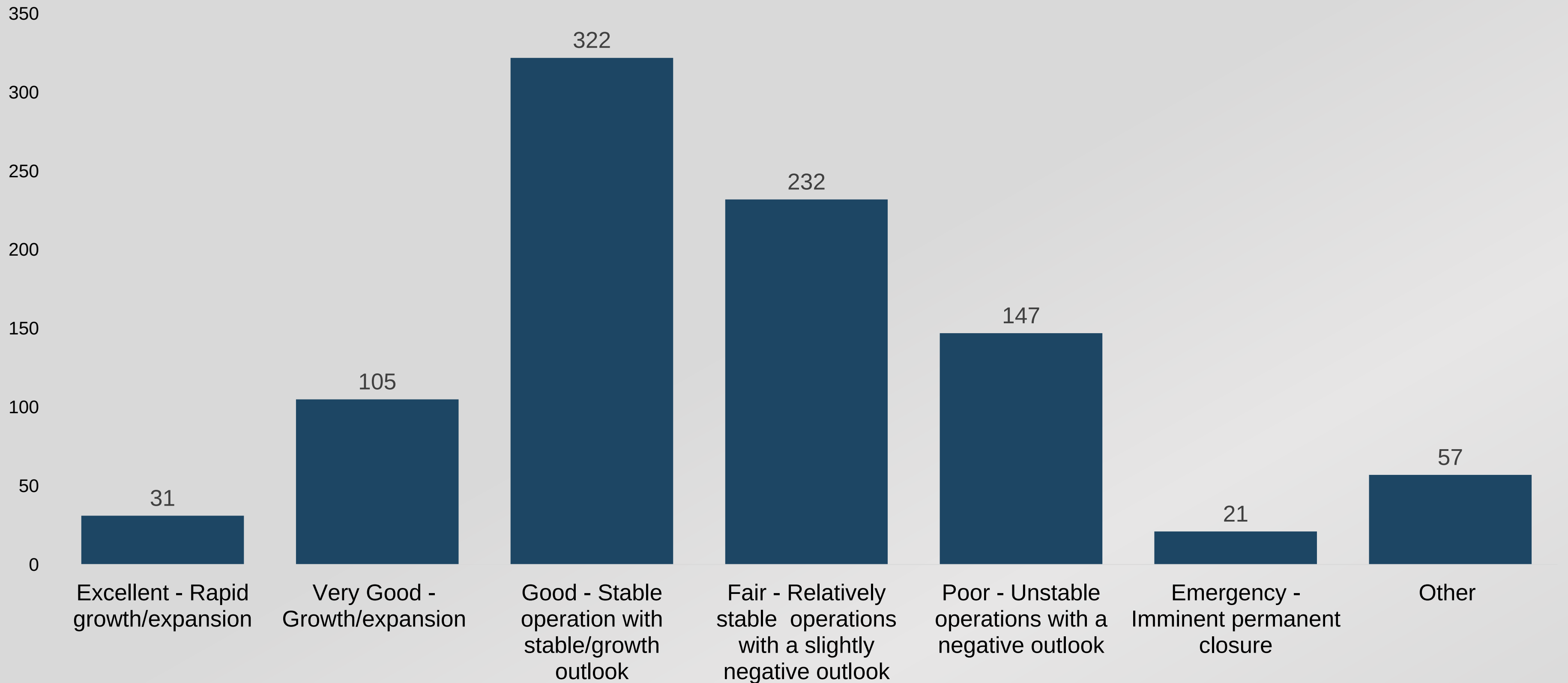
Employee Counts

Table 1: Survey Respondents by Industry Sector, 2-digit NAICS, n=915

Row Labels	Jan 2020 Employee Count	Jan 2022 Employee Count	Absolute Change	% Change
Manufacturing	13,049	12,252	-797	-6.1%
Educational services	9,167	9,135	-32	-0.3%
Other services (except public administration)	5,033	5,962	929	18.5%
Professional, scientific and technical services	3,566	3,621	55	1.5%
Health care and social assistance	2,899	3,125	226	7.8%
Construction	2,757	2,719	-38	-1.4%
Accommodation and food services	4,455	2,674	-1,781	-40.0%
Retail trade	2,213	2,068	-145	-6.6%
Transportation and warehousing	2,283	1,713	-570	-25.0%
Arts, entertainment and recreation	1,188	927	-262	-22.0%
Agriculture, forestry, fishing and hunting	579	599	20	3.5%
Finance and insurance	422	439	17	4.0%
Utilities	418	386	-32	-7.7%
Wholesale trade	346	274	-72	-20.8%
Real estate and rental and leasing	231	246	15	6.5%
Public administration	215	225	10	4.7%
Management of companies and enterprises	227	213	-14	-6.2%
Administrative and support, waste management and remediation services	161	183	22	13.7%
Information and cultural industries	29	37	8	27.6%

Business Outlook

Figure 2: Self-Identified Business Outlook over the next 6 months, n=915



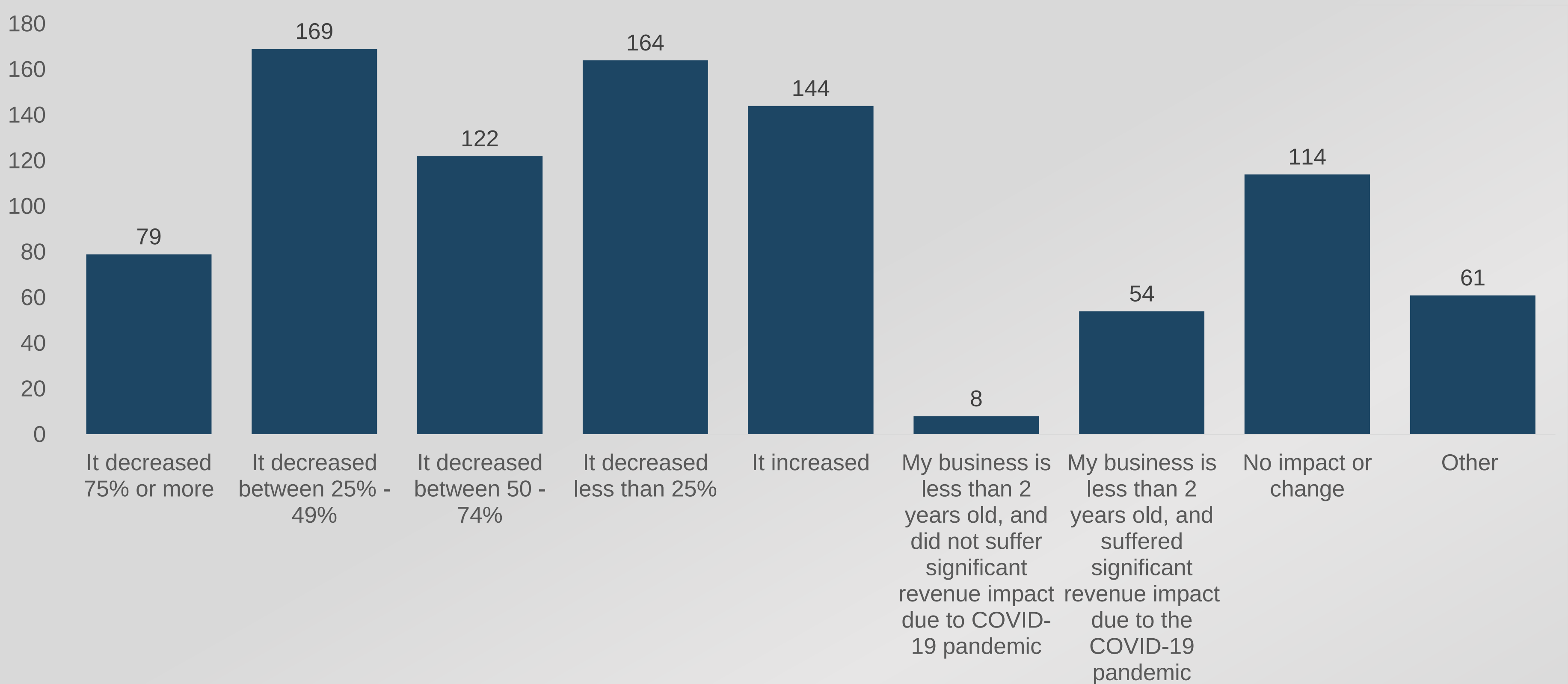
Business Outlook

Table 1a: Ward-based business outlook for the next 6 months n=158

Ward	Excellent - Rapid growth / expansion of business	Very Good - Growth / expansion of business	Good - Stable business operation with stable/growth outlook	Fair - Relatively stable business operations with a slightly negative outlook	Poor - Unstable business operations with a negative outlook	Emergency - Imminent permanent closure	Other - Please provide a description	Total
1	0.0%	21.4%	35.7%	28.6%	14.3%	0.0%	0.0%	14
2	0.0%	28.6%	64.3%	78.6%	50.0%	14.3%	21.4%	36
3	0.0%	7.1%	92.9%	35.7%	57.1%	0.0%	7.1%	28
4	7.1%	0.0%	14.3%	14.3%	28.6%	0.0%	7.1%	10
5	7.1%	7.1%	14.3%	35.7%	7.1%	7.1%	0.0%	11
6	0.0%	7.1%	7.1%	7.1%	0.0%	7.1%	14.3%	6
7	0.0%	0.0%	0.0%	7.1%	0.0%	0.0%	7.1%	2
8	0.0%	0.0%	42.9%	21.4%	14.3%	0.0%	0.0%	11
9	0.0%	7.1%	0.0%	0.0%	0.0%	0.0%	0.0%	1
10	0.0%	0.0%	35.7%	0.0%	7.1%	0.0%	7.1%	7
11	0.0%	14.3%	7.1%	0.0%	0.0%	0.0%	0.0%	3
12	0.0%	21.4%	14.3%	0.0%	0.0%	0.0%	7.1%	6
13	7.1%	28.6%	57.1%	14.3%	7.1%	0.0%	0.0%	16
14	0.0%	0.0%	7.1%	0.0%	0.0%	0.0%	0.0%	1
15	0.0%	7.1%	14.3%	14.3%	7.1%	0.0%	0.0%	6

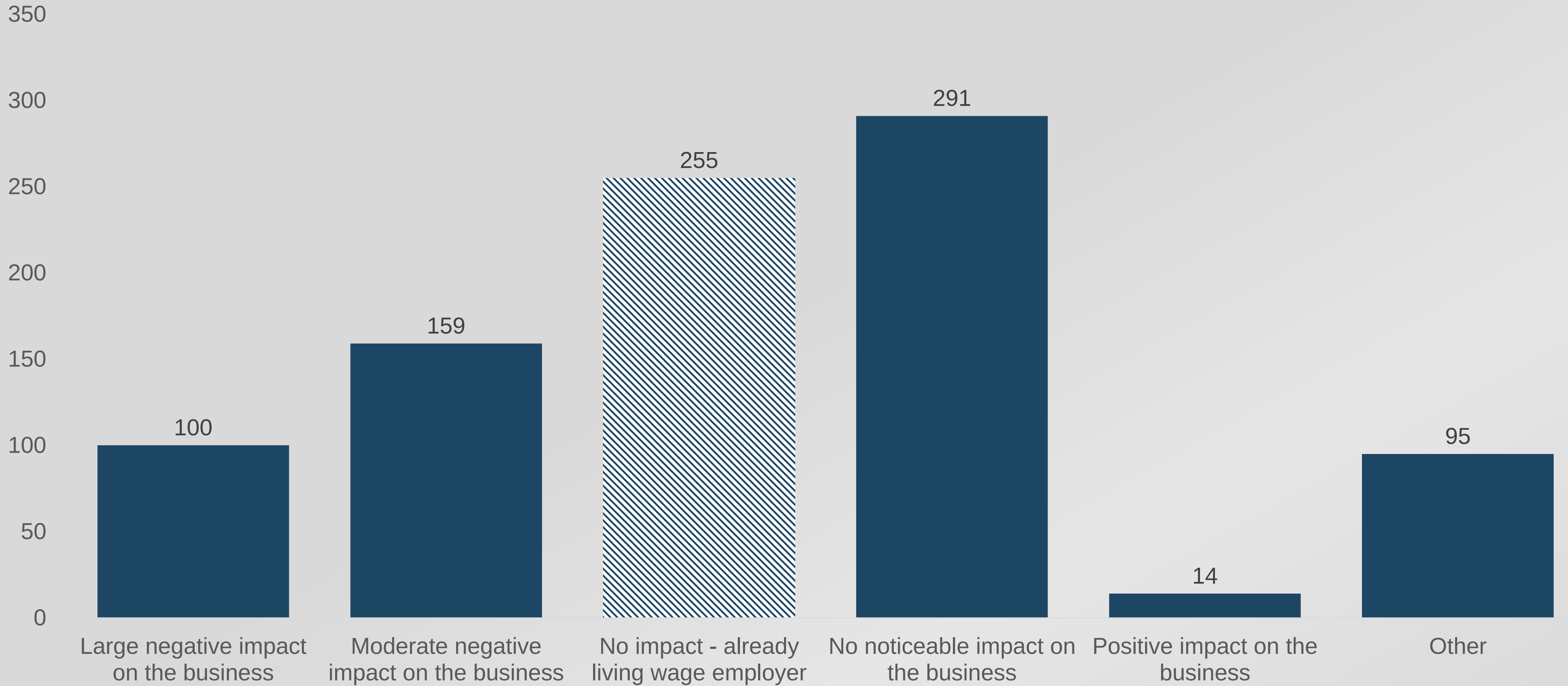
2019 vs 2021 Revenue Changes

Figure 3: Impacts of COVID-19 on business revenue in 2021 vs 2019, n=915



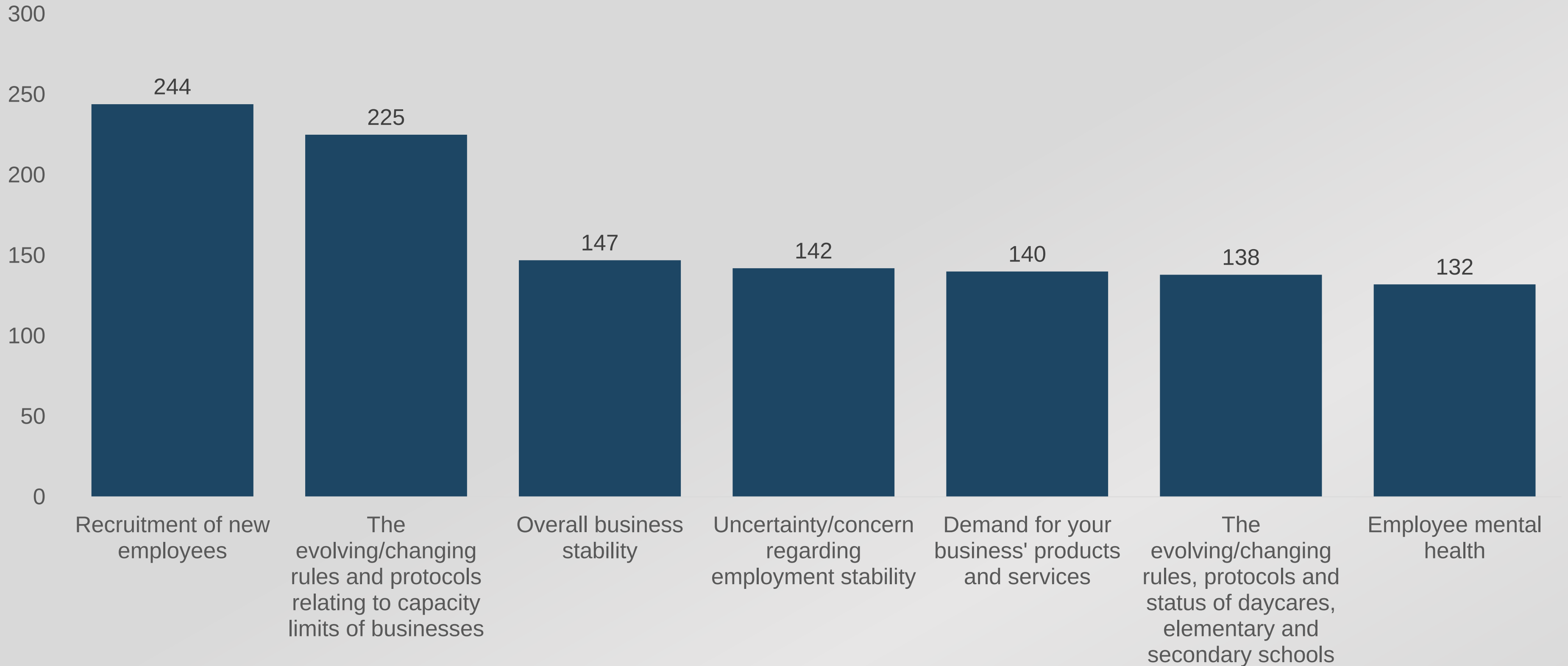
Minimum Wage Impacts

Figure 4: Impacts of the 2021 minimum wage change on businesses, n=914



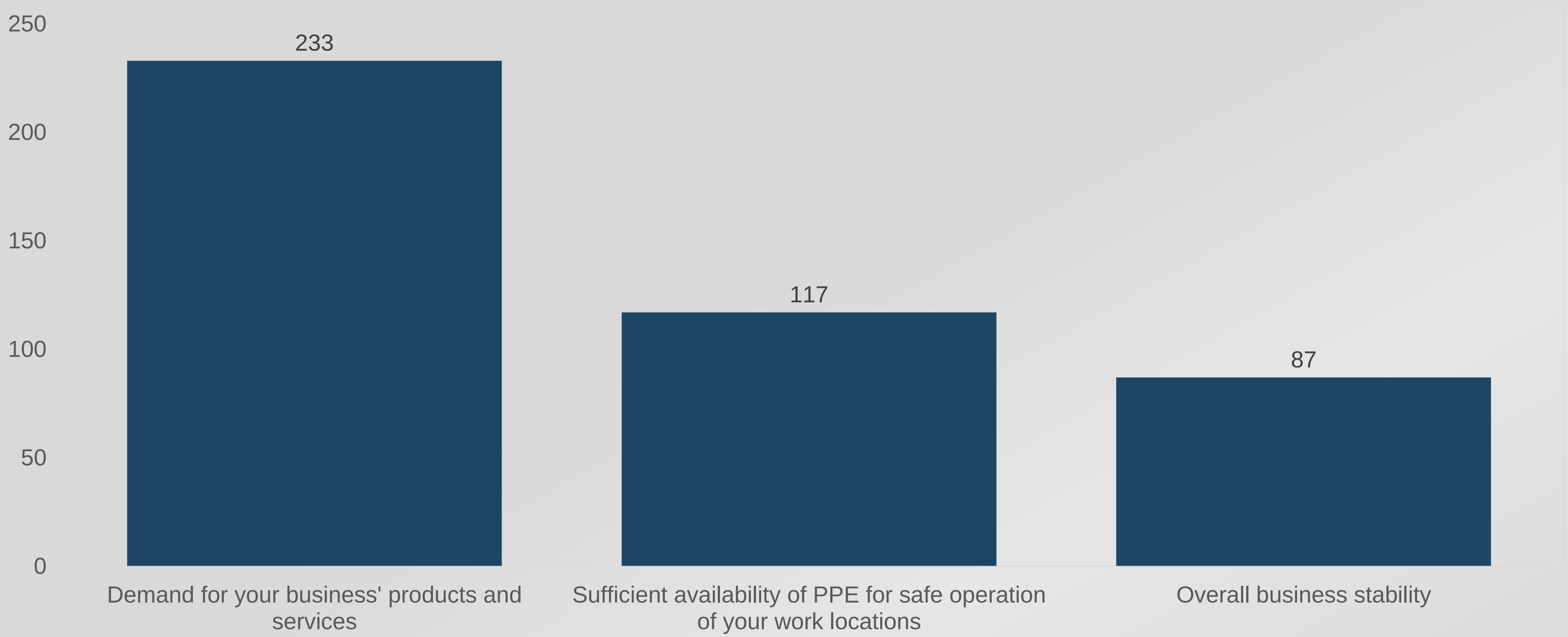
Negative Workforce Impacts

Figure 5: Significantly negative impacts on respondents' workforce during COVID-19, responses with greater than 100 employers identifying the factor as a significantly negative impact, n=903



Positive Workforce Impacts

Figure 6: Positive impacts on respondents' workforce during COVID-19, responses with greater than 50 employers identifying the factor as a positive impact, n=903



Overall Workforce Impacts

Table 2: Overall impacts on respondents' workforce during COVID-19, n=903

Impact	Public transportation Availability	Childcare availability for employees	Employee mental health	Uncertainty/concern regarding employment stability	Retention of existing employees	Recruitment of new employees	Employee productivity	Sufficient availability of PPE for work locations	Demand for your business' products and services	Overall business stability	Changing rules relating to capacity limits	Changing rules for daycares and secondary	Changing rules for post-secondary, trade, or adult education programs
Positive Impact	24	11	13	12	27	40	44	117	233	87	24	15	11
No change	473	147	196	297	427	202	344	464	211	262	210	190	310
Negative Impact	77	236	466	363	246	277	359	170	258	379	349	312	233
Significant Negative Impact	23	69	132	142	74	244	70	28	140	147	225	138	91
Not Applicable	288	423	80	78	117	126	75	107	54	19	82	234	244

Overall Workforce Impacts

Table 3: Overall impacts on respondents' workforce during COVID-19 (proportional), n=903

Impact	Public transportation Availability	Childcare availability for employees	Employee mental health	Uncertainty/concern regarding employment stability	Retention of existing employees	Recruitment of new employees	Employee productivity	Sufficient availability of PPE for work locations	Demand for your business' products and services	Overall business stability	Changing rules relating to capacity limits	Changing rules for daycares and secondary	Changing rules for post-secondary, trade, or adult education programs
Positive Impact	2.7%	1.2%	1.5%	1.3%	3.0%	4.5%	4.9%	13.2%	26.0%	9.7%	2.7%	1.7%	1.2%
No change	53.4%	16.6%	22.1%	33.3%	47.9%	22.7%	38.6%	52.4%	23.5%	29.3%	23.6%	21.4%	34.9%
Negative Impact	8.7%	26.6%	52.5%	40.7%	27.6%	31.2%	40.2%	19.2%	28.8%	42.4%	39.2%	35.1%	26.2%
Significant Negative Impact	2.6%	7.8%	14.9%	15.9%	8.3%	27.4%	7.8%	3.2%	15.6%	16.4%	25.3%	15.5%	10.2%
Not Applicable	32.5%	47.7%	9.0%	8.7%	13.1%	14.2%	8.4%	12.1%	6.0%	2.1%	9.2%	26.3%	27.4%

Work From Home Productivity

Figure 7: Work from home productivity among respondents who supported remote work during the COVID-19 pandemic (proportional), n=394

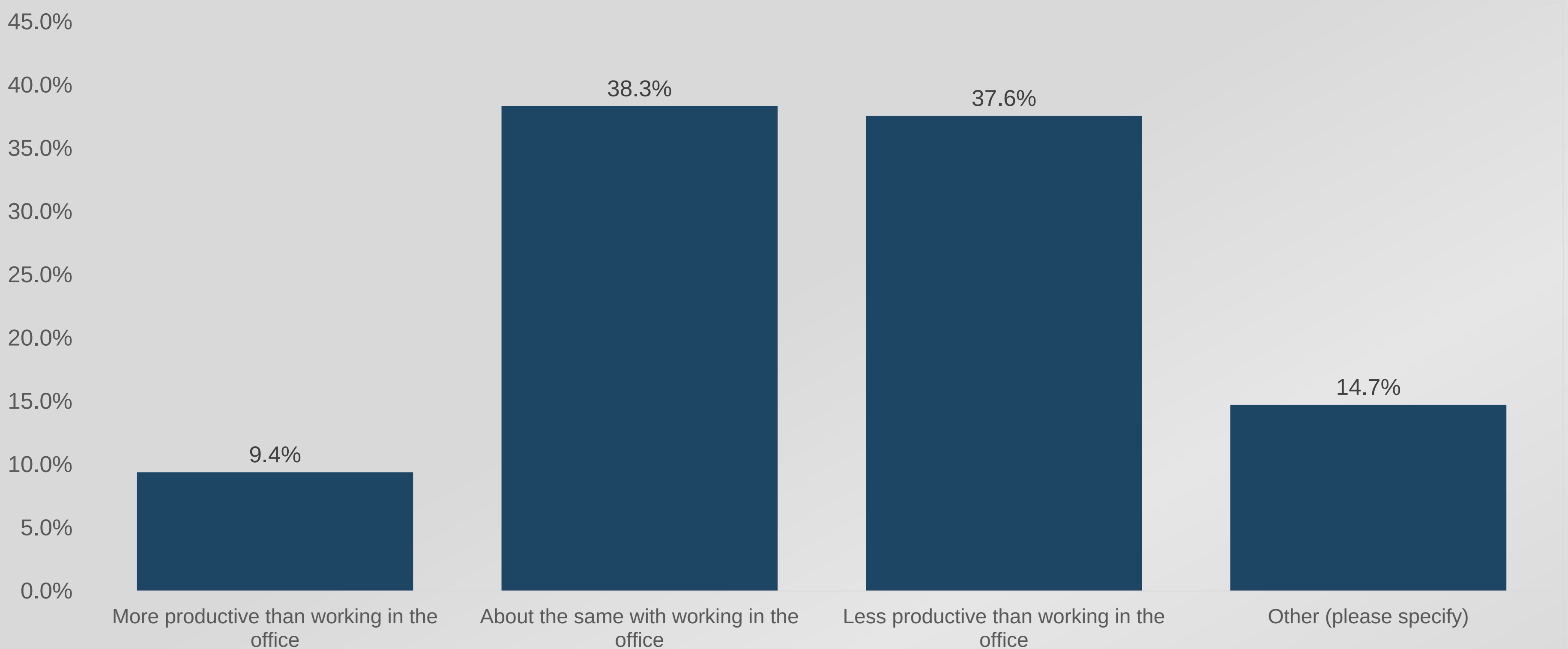


Table 4: Respondent business priorities for 2022, n=774

2022 Business Priority	Respondents	% of Respondents
Attracting new employees	366	47.3%
Increasing marketing / promotional activities to increase customer awareness	314	40.6%
Increasing the online presence / activity of your business	288	37.2%
Implementing new technologies/systems to automate or improve processes	225	29.1%
Finding and applying to current provincial and federal government funding programs	219	28.3%
Offering co-op, internship, apprenticeship and/or work placements	205	26.5%
Obtaining a better understanding of current provincial and federal government funding programs	194	25.1%
Forming local partnerships / buying local	181	23.4%
Providing external training or professional development opportunities for your staff (example digital skills)	155	20.0%
Increasing equity / diversity / inclusion (or EDI) practices in your business (hiring, staff training, client relations, etc.)	141	18.2%
Expanding my business (to a larger location or adding another location)	130	16.8%
Increasing diversity among employees (Sex/Gender, LGBTQ2AI+, Black, Indigenous, People of Colour, Newcomers, People with Disabilities, etc.)	126	16.3%
Seeking financing for my business (increasing debt or pursuing investment)	117	15.1%
Increasing environmental protection (or "Green") activities in your business	107	13.8%
Obtaining a better understanding of current government mandated COVID-19 rules	104	13.4%
Wanting help in accessing the immigrant/newcomer talent pool	93	12.0%
Examining and/or modifying the amount of office/storefront/warehouse space used by the business	76	9.8%
None of the above	70	9.0%
Undertaking research and development activities	70	9.0%
Winding down or transitioning business to a new owner	61	7.9%
Other (please specify)	50	6.5%
Finding local COVID-19 related suppliers and services providers	42	5.4%
Pursuing international export opportunities	27	3.5%
Obtaining a better understanding of current provincial government COVID-19 rules	0	0.0%
Obtaining a better understanding of current City of Hamilton government COVID-19 rules	0	0.0%

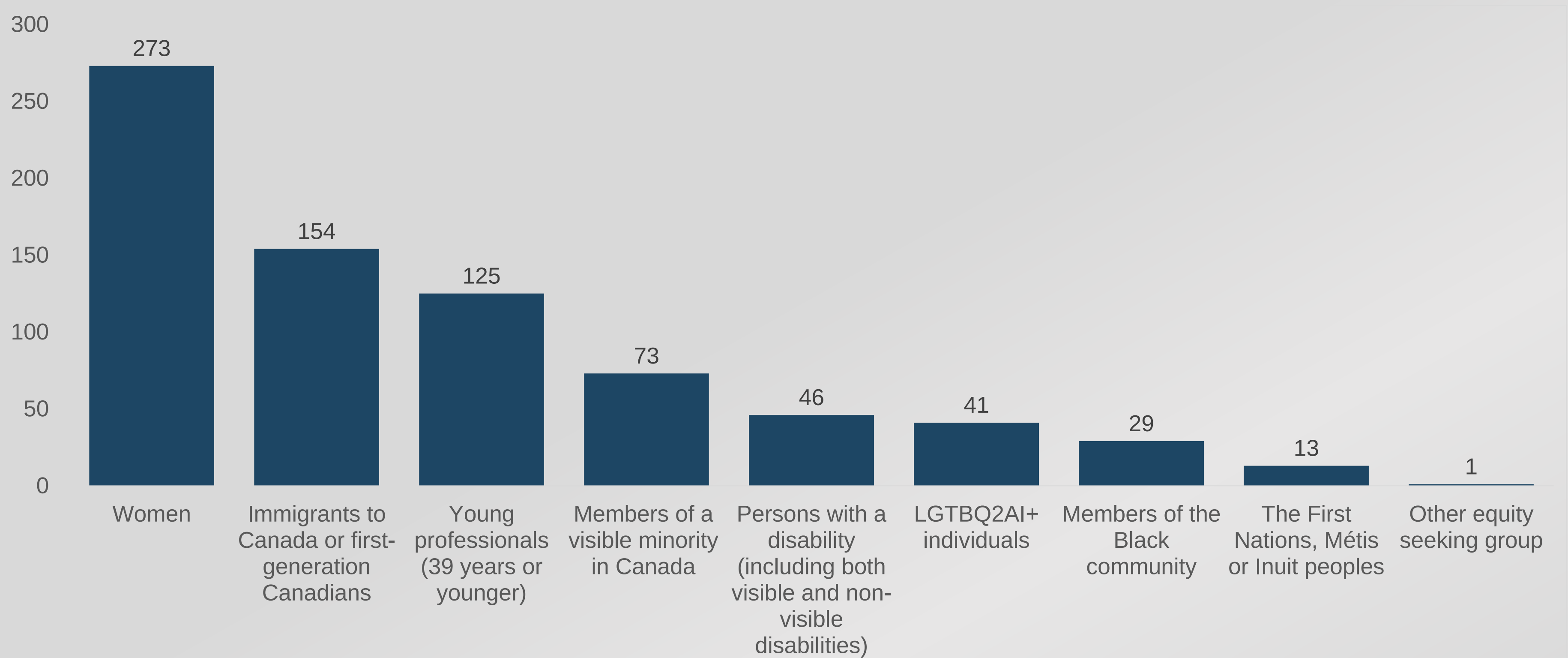
Concerns for 2022

Table 5: Respondent business concerns for 2022, n=779

2022 Business Concern	Respondents	% of Respondents
The impacts of inflation on my business and my customers	435	55.8%
The mental and physical health of the employees of the business	392	50.3%
The inability to reasonably predict the business environment in the short term	336	43.1%
The mental and physical health of the owners of the business (including myself)	307	39.4%
Global supply chain issues relating to receiving goods for resale from suppliers	294	37.7%
Global supply chain issues relating to shipping products to customers	200	25.7%
Existing business debt levels	186	23.9%
Managing uncooperative, non-compliant or aggressive customers/patrons related to mandated COVID-19 rules	177	22.7%
The rising level of personal debt directly related to the business	168	21.6%
Succession planning	141	18.1%
Ability to obtain financing to continue operating my business (either debt or equity financing)	136	17.5%
Having to downsize my business and reduce existing employment levels	130	16.7%
Having to permanently close my business	127	16.3%
Criminal activity and/or the perceived safety in the immediate area my business operates	90	11.6%
The impacts of climate change	83	10.7%
Availability of land or facilities to enable growth or expansion in Hamilton	76	9.8%
Other (please specify)	58	7.4%
I do not have any concerns	46	5.9%

Equity Seeking Ownership

Figure 8, Respondents where at least 1 owner is a member of an equity seeking group, n=915



Barriers to Hiring Immigrants and Newcomers

Figure 9, Identified barriers to hiring newcomers among respondents who identified at least one barrier, n=577



For additional insights please contact:

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905-546-2424 x5363





INFORMATION REPORT

TO:	Mayor and Members of Council General Issues Committee
COMMITTEE DATE:	April 20, 2022
SUBJECT/REPORT NO:	Labour Relations Activity Report & Analysis (2017 - 2021) (HUR22004) (City-Wide)
WARD(S) AFFECTED:	City-Wide
PREPARED BY:	Julie Shott (905) 546-2424 Ext. 4335 Matthew Sutcliffe (905) 546-2424 Ext. 2655
SUBMITTED BY:	Lora Fontana Executive Director Human Resources
SIGNATURE:	

COUNCIL DIRECTION

To provide Council with an overview of the City's labour relations activities for the period 2017-2021.

INFORMATION

This Report focuses on a five-year historical review of the data for period of 2017 to 2021 and reviews the general labour relations activities across unions and departments. The Report is intended to provide Council and other City stakeholders with an understanding of the state of labour relations as well as gain insights into indicators that may require a modified approach to managing labour relations service delivery.

Demographic Overview

The following Chart provides an overview of unionized headcount by department along with the number grievances filed respectively:

Chart 1 - 2021 Union Headcount by Department and Number of Grievances

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Labour Relation Activity Report & Analysis (2017 – 2021)
(HUR22004) (City-Wide)**

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Department	2021 Headcount	Unionized Headcount	% of Union Employee within Department	% of Union Employee within COH	Number of Grievances	% of Overall Grievances
CityHousing Hamilton	199	108	54.3%	1.3%	4	1.1%
City Manager's Office	135	5	3.7%	0.1%	0	0.0%
Corporate Services	501	281	56.1%	3.5%	11	3.1%
Healthy & Safe Communities	4156	3422	82.3%	42.1%	150	41.9%
Planning & Economic Development	870	472	54.3%	5.8%	30	8.4%
Public Works	2261	2073	91.7%	25.5%	155	43.3%
City-Wide Policy Grievances	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	8	2.2%
Total	8122	6361	N/A	78.3%	358	100.0%

Not surprisingly, the largest number of grievances filed in 2021 occurred in the two largest departments – Public Works and Healthy and Safe Communities. Further analysis of this is provided in the Grievances section (Chart 6 - Grievance by Department).

The following chart informs further analysis by providing bargaining unit breakdown relative to headcount and grievance activity:

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Chart 2 – 2021 Union Headcount by Bargaining Unit and Number of Grievances

Union Group	Headcount	% of Union Employees within COH	Number of Grievances	% of Overall Grievances submitted by Union	Grievance Rate per 100 Unionized Employees
ATU 107	798	12.5%	45	12.6%	5.6
CUPE 1041	329	5.2%	32	8.9%	9.7
CUPE 5167 Inside/Outside	3148	49.5%	174	48.6%	5.5
CUPE 5167 Lodges	671	10.5%	38	10.6%	5.7
GHVFFA 911	197	3.1%	1	0.3%	0.5
HOWEA	47	0.7%	8	2.2%	17.0
HPFFA 288	535	8.4%	15	4.2%	2.8
IUOE	8	0.1%	0	0.0%	0.0
ONA 50 Lodges	52	0.8%	20	5.6%	38.5
ONA 50 Public Health	208	3.3%	4	1.1%	1.9
OPSEU 256	368	5.8%	21	5.9%	5.7
Total	6361	100.0%	358	100.0%	5.6

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As expected, Chart 2 above, shows that the largest bargaining unit, CUPE 5167 (Inside/Outside), submitted the largest number of grievances. It should be noted that the grievance submission rate per 100 employees is lower than in other bargaining units much smaller in size (N = 5.5).

Grievance Activity (Overall)

The 2017-2021 Report identifies the degree of stability in the overall level of grievance activity and the state of labour relations across the City. As noted in Graph 1 and Chart 3 below, the total number of grievances in 2021 decreased slightly to 358, representing the lowest level of grievance activity during the historical period of this Report (2017-2021). The total grievances for 2021 fell roughly 11% below the 5-year average of 396 grievances per year.

Graph 1 – Total Grievance Activity 2017 – 2021

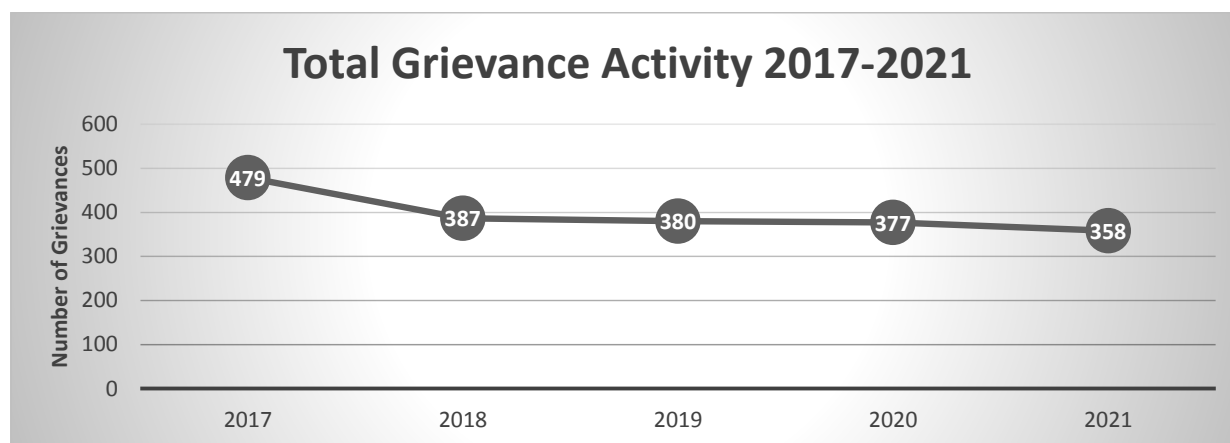


Chart 3 – Grievances Filed, Resolved, and Outstanding 2017 - 2021

Year	Number of Grievances Filed	Total Number of Grievances Resolved	Number of Outstanding Grievances
2017	479	368	111
2018	387	324	63
2019	380	305	75
2020	377	259	118
2021	358	134	224
Total	1981	1390	591

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Chart 4 – Number of Grievances Resolved 2017-2021

Year Grievance Filed	Number of Grievances Resolved in 2021
2017	6
2018	13
2019	62
2020	172
2021	134
Total	387

While the total number of grievances filed can be one general indicator of the state of labour relations, it is not the sole indicator of the labour-management relationship. The grievance activity is primarily a communication tool, indicating disagreement with an outcome or policy. Analysis beyond a direct count of grievances is always necessary, and caution should be given to drawing too many conclusions in relation to the data presented in this report. While the cause (and underlying issues) may not be immediately apparent, what is clear is that on the overall grievance volume, the submission rate has dropped, which is a positive signal for an organization.

In terms of the number of grievances resolved, these resolutions represent mediated settlements and those withdrawn by the unions. In 2020, COVID-19 significantly affected the regular union-management processes, resulting in deferred grievance meetings and cancelled mediation proceedings. Most of the 2020 hearing dates were rescheduled to 2021, which resulted in the higher-level of 2021 active grievances at year end. At the same time, many grievances from previous years were resolved in 2021, for a total of 387 grievances resolved (Chart 4).

Grievance Activity by Bargaining Unit

In addition to the overall rate of grievances remaining relatively stable, the same relative stability can be seen within the bargaining unit's activity. Graph 2 and Chart 5 show the level of grievance activity and compares them with the previous four years. Of the eleven bargaining units within the City, three show a reduction in grievance submission.

It should be noted that there was a significant increase in grievance activity for the ONA Lodges bargaining group. This increase in grievances for 2021 are mostly related to COVID-19 related matters, such as vacation scheduling and overtime call out, as well as Union Policy grievances related to COVID policies and bargaining unit scope matters. Many of these items have been resolved and a lower grievance rate for this bargaining unit is anticipated in 2022.

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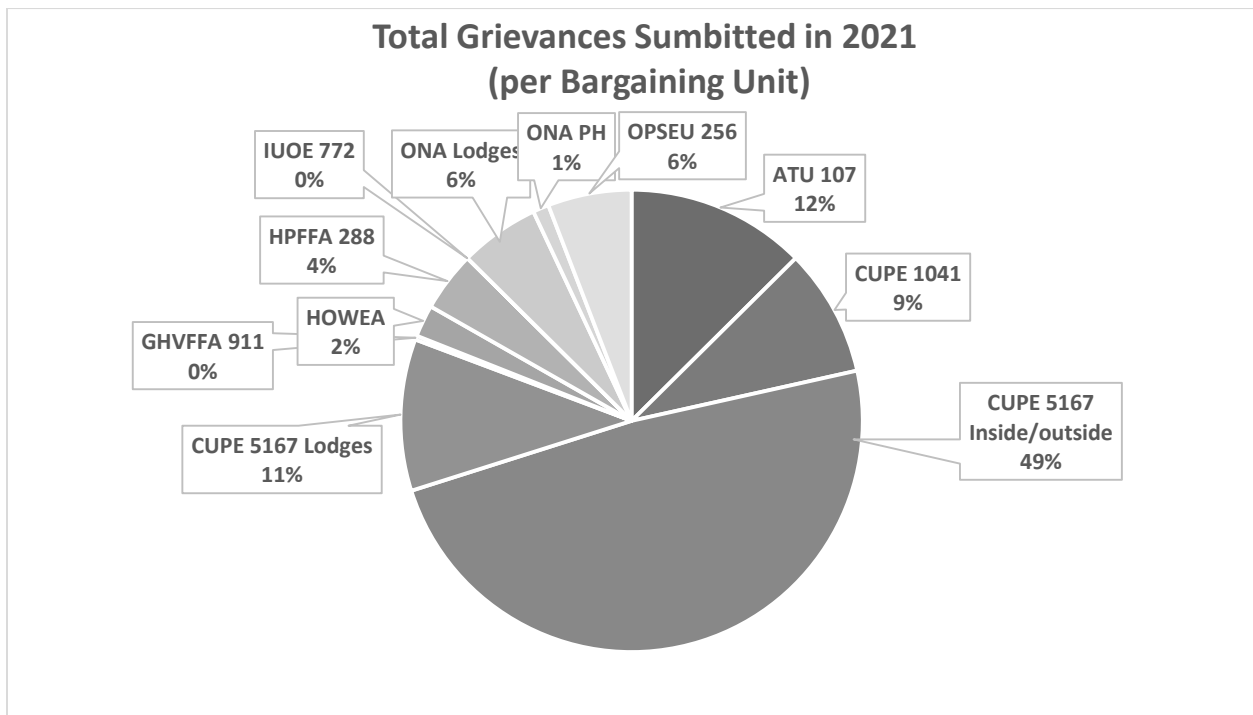
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**SUBJECT: Labour Relation Activity Report & Analysis (2017 – 2021)
(HUR22004) (City-Wide)**

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In contrast, there was a 24% decrease in grievance activity for the CUPE 5167 group. The decrease in grievances filed can be attributed to the positive working relationship between management, Labour Relations and the CUPE 5167 executive. In 2021, the parties made the effort to meet and discuss issues before grievances were filed, which had a positive impact on grievance activity. More specifically, the Labour Relations team made a concerted effort to meet with the City's various union partners with a view to pro-actively resolve issues prior to grievances being filed. For example, there was sixteen (16) non-grievance related agreements reached in 2021.

Graph 2 – Total Grievances Filed by Bargaining Unit 2021 (Rounded)



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Chart 5 – Total Grievances Filed by Bargaining Unit 2017 – 2021

Bargaining Unit	2017	2018	2019	2020	2021	% Change from 2020 to 2021
ATU 107	50	13	46	29	45	55.2%
CUPE 1041	62	28	31	38	32	-15.8%
CUPE 5167	211	214	192	229	174	-24.0%
CUPE 5167 Lodges	18	20	50	35	38	8.6%
GHVFFA 911	6	1	0	0	1	100.0%
HOWEA	9	26	15	5	8	60.0%
HPFFA 288	29	15	9	16	15	-6.3%
IUOE 772	0	0	0	0	0	0.0%
ONA Lodges	10	4	7	4	20	400.0%
ONA PH	2	3	2	3	4	33.3%
OPSEU 256	82	63	28	18	21	16.7%
Total	479	387	380	377	358	-5.0%

Grievance Activity by Department

Another indication of the state of labour-management relations outside of the broader organizational context, is a review of activity occurring in various City departments (Chart 6). Again, the grievance activity provides a favourable outlook with comparisons showing either relative stability or a reduction in grievances filed in most departments from 2020-2021.

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Chart 6 - Grievance Activity by Department 2017 – 2021

Department	2017	2018	2019	2020	2021
City Housing Hamilton	8	3	9	4	4
City Manager's Office	0	1	0	2	0
City-Wide	5	9	3	4	8
Corporate Services	16	9	18	11	11
Healthy & Safe Communities	210	145	148	146	150
Planning & Economic Development	32	32	27	28	30
Public Works	208	188	175	182	155
Total	479	387	380	377	358

Grievance Activity by Category

The issues most grieved at the City continue to be discipline, the income protection plan outcomes and hours of work. Having said that, harassment and discrimination, and corporate policy grievances increased significantly over the last year.

The increase in the number of harassment and discrimination related grievances have been found to be largely filed in response to performance management issues and evolving expectations within the departments rather than those considered to be *bona fide* cases that have been managed through Human Rights. Graph 3 and Chart 7 illustrate disputes by grievance category.

The increase in the number of corporate policy-related grievances can primarily be attributed to the implementation of the Mandatory COVID-19 Vaccination Verification Policy and Rapid Antigen Testing Program. These results are not surprising given the current COVID related circumstances.

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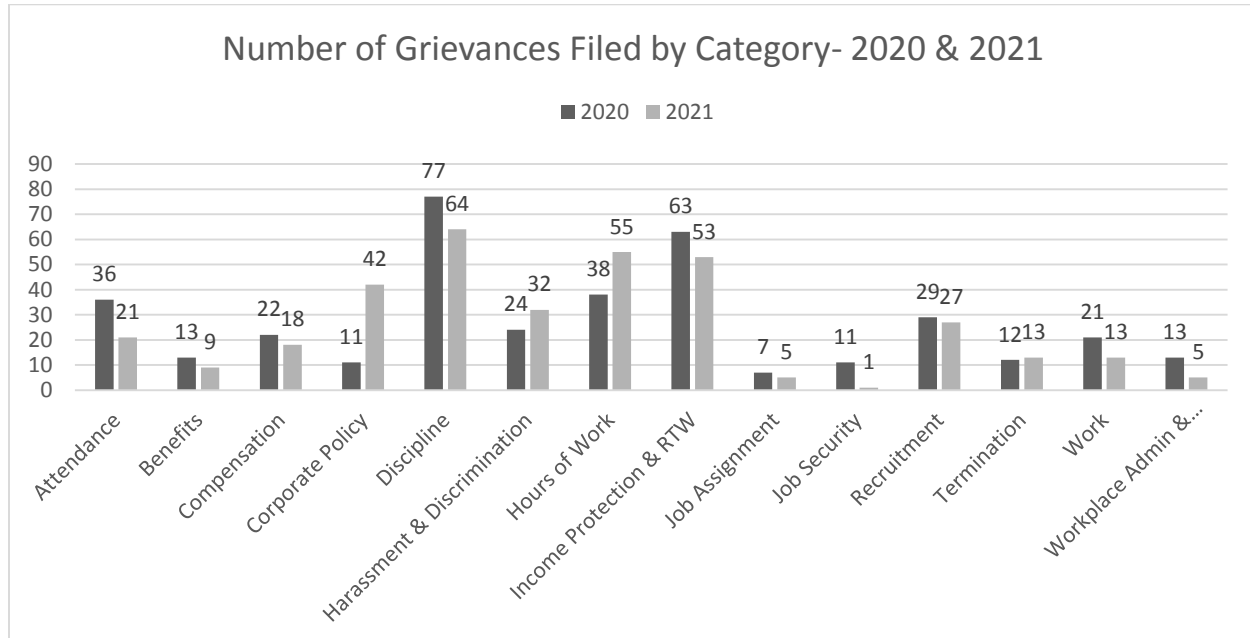
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Graph 3 – Grievances Filed by Category 2020 and 2021

Description of grievance categories can be found in Appendix “A” to Report HUR22004



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Chart 7 – Grievances Filed by Grievance Category 2020 and 2021

Grievance Category	Number of Grievances (2020)	Number of Grievances (2021)	% Change from 2020 to 2021
Attendance	36	21	-41.7%
Benefits	13	9	-30.8%
Compensation	22	18	-18.2%
Corporate Policy	11	42	281.8%
Discipline	77	64	-16.9%
Harassment & Discrimination	24	32	33.3%
Hours of Work	38	55	44.7%
Income Protection & RTW	63	53	-15.9%
Job Assignment	7	5	-28.6%
Job Security	11	1	-90.9%
Recruitment	29	27	-6.9%
Termination	12	13	8.3%
Work	21	13	-38.1%
Workplace Admin & Operations	13	5	-61.5%
TOTAL	377	358	-5.0%

In terms of grievance category activity, a few categories have experienced atypical results, while other categories remain relatively stable. There is often an inflated number of grievances after a new collective agreement is negotiated, where unforeseen issues arise and meaning must be given to new language, or an employee fails to comply with the new terms as a result of a lack of familiarity. This was the case in 2020 with increased income protection plan (IPP) and return to work (RTW) related grievances as a result of the changes made to the administration of the IPP (sick leave) language in the CUPE 5167 collective agreement. However, in 2021, there was a 15.9% decrease in IPP and RTW related grievances as employees became more familiar with the language. Labour Relations was also able to resolve a majority of the 2020 IPP and RTW grievances in 2021.

The increase in hours of work grievances can be largely attributed to self-isolation absences and absence coding disputes due to COVID-19. However, the City's decision to continue to pay employees when they are required to isolate by Public Health related to COVID-19 has assisted in decreasing the number of potential disputes. Without these leaves with pay, the grievance activity would likely have been higher in this category.

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In 2020, there were a high number of job security grievances related to mass layoffs and employees exercising their right to bump. This type of activity did not occur in 2021, resulting in a 90.9% decrease in job security grievances.

Labour Relations Legal Costs – 2020 and 2021

The following chart provides a summary of legal costs for 2021 in comparison to 2020.

	Mediator Fees	Arbitrator Fees	Legal Fees	Total Fees
2021 Totals	\$45,553	\$49,670	\$584,417	\$679,641
2020 Totals	\$31,010	\$45,552	\$573,043	\$649,605
Difference	\$14,543	\$4,118	\$11,374	\$30,036
Percentage Changes	46.9%	9.0%	2.0%	4.6%

As identified, there was an increase in mediation and arbitration related costs for the 2021 reporting period. This increase is predominately due to the COVID-19 related delays and the absence of mediation and arbitration hearing dates in 2020. Most 2020 hearing dates were rescheduled to 2021, which resulted in an increase in fees (and number of grievances to resolve) for 2021. This trend is expected to occur next year as well.

COVID-19 Related Impacts

Beyond virtual collective bargaining, all stakeholders continue to work well together to resolve pandemic-related issues in a collaborative and efficient manner. During 2021, virtual meeting usage continued for Labour Relations meetings such as consultations, labour-management meetings, fact findings, investigations, discipline activity, layoffs and bumping, terminations, grievance handling, mediations, arbitrations and collective bargaining during the pandemic.

Collective Bargaining

Despite the challenges resulting from the COVID-19 pandemic, virtual negotiations continued with the successful ratification of three renewal collective agreements. The GHVFFA 911 (CLAC) collective agreement was ratified on February 24, 2021, the HOWEA collective agreement was ratified on October 27, 2021 and lastly, the CUPE Lodges collective agreement was ratified on December 15, 2021. The OPSEU collective bargaining process remains ongoing.

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Non-Union Related Activity

In 2021, the non-union related activity declined with the reduction in consultation with outside legal counsel. The total non-union labour relation legal fees decreased by 10.6% in 2021, which was due to a decrease in non-union employee relations matters.

The Labour Relations Activity Report continues to provide valuable insight with a view to delivering contextual data and trend analysis within the City's labour relations environment. This year's report continues to highlight positive labour relations activity with stability and, in many cases, continued improvements in varying grievance activity categories. Through improved dialogue and training, as well as a demonstrated willingness from all stakeholders to work in a collaborative and efficient manner, labour relations continues to achieve positive indicators of success on a City-Wide basis.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report HUR22004 - Additional Data

Appendix "B" to Report HUR22004 - Infographic

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Appendix "A" to Report HUR22004

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Collective Agreement Activity

Collective Agreements	Term	Status
CUPE 5167 Inside/Outside (including Housing)	January 1, 2019 – December 31, 2022	Agreement Ratified 2019
ATU 107	January 1, 2019 – December 31, 2022	Agreement Ratified 2019
HPFFA 288	January 1, 2018 – December 31, 2022	Agreement Ratified 2019
ONA Lodges	April 1, 2019 – March 31, 2023	Agreement Ratified 2019
ONA Public Health	January 1, 2019 – December 31, 2022	Agreement Ratified 2019
CUPE 1041	January 1, 2019 – December 31, 2022	Agreement Ratified 2020
IUOE 772	January 1, 2019 – December 31, 2022	Agreement Ratified 2019
CUPE 5167 Lodges	April 1, 2019 – March 31, 2023	Agreement Ratified 2021
GHVFFA 911	January 1, 2020 – December 31, 2023	Agreement Ratified 2021
OPSEU 256	April 1, 2016 – March 31, 2020	Expired 2020 Negotiations underway
HOWEA	January 1, 2021 – December 31, 2024	Agreement Ratified 2021

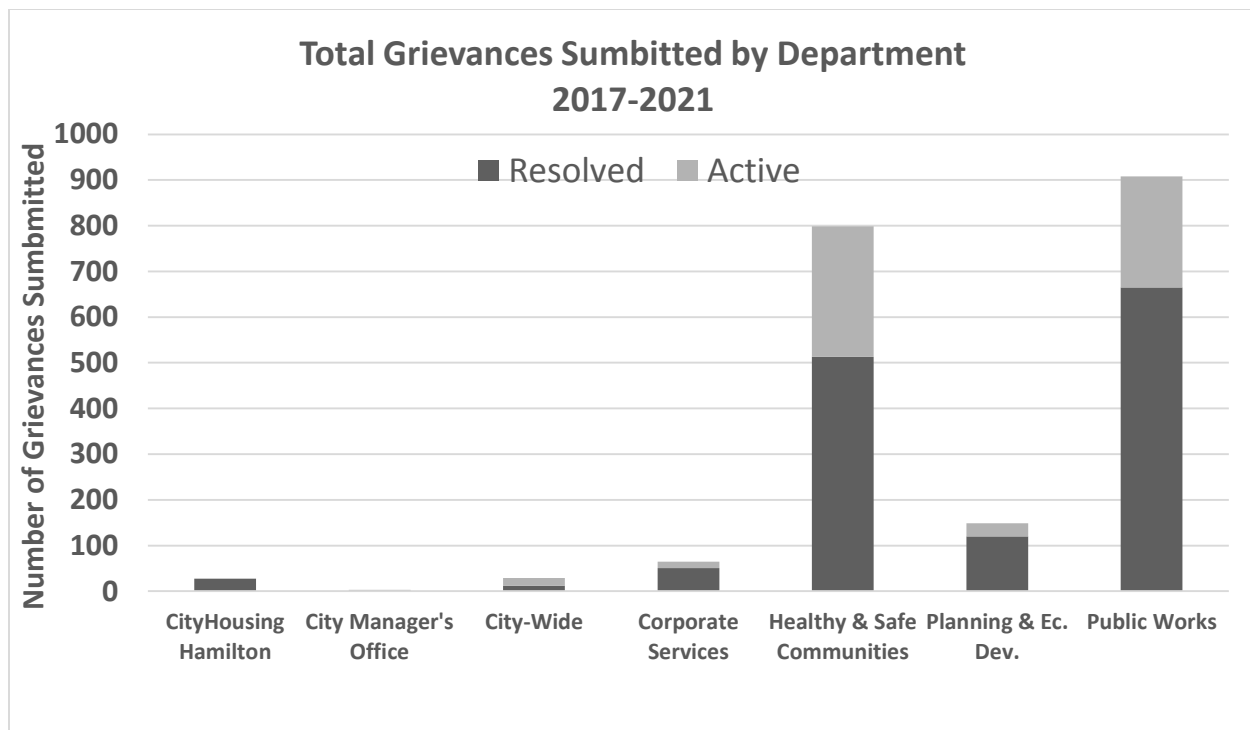
Appendix "A" to Report HUR22004

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Percentage of Overall Grievance Submission per Department (2021)

Department	2021 Headcount	Non-Unionized Headcount	Unionized Headcount	% of Union Employee within Dept.	% of Union Employee within COH	Number of Grievances	% of Overall Grievances
City Housing Hamilton	199	91	108	54.3%	1.3%	4	1.1%
City Manager's Office	135	130	5	3.7%	0.1%	0	0.0%
Corporate Services	501	220	281	56.1%	3.5%	11	3.1%
Healthy and Safe Communities	4156	734	3422	82.3%	42.1%	150	41.9%
Planning & Economic Development	870	398	472	54.3%	5.8%	30	8.4%
Public Works	2261	188	2073	91.7%	25.5%	155	43.3%
City Wide Policy Grievances	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>	8	2.2%
Total	8122	1761	6361	N/A	78.3%	358	100.0%

Total Grievances by Department



Total Grievances by Department Summary (2017-2021)

Department	2017	2018	2019	2020	2021	Total Grievances Submitted	Total Grievances Resolved	Total Active Grievances
CityHousing Hamilton	8	3	9	4	4	28	27	1
City Manager's Office	0	1	0	2	0	3	2	1
City-Wide	5	9	3	4	8	29	12	17
Corporate Services	16	9	18	11	11	65	51	14
Healthy & Safe Communities	210	145	148	146	150	799	513	286
Planning & Ec. Dev.	32	32	27	28	30	149	120	29
Public Works	208	188	175	182	155	908	665	243
Total	479	387	380	377	358	1981	1390	591

Grievance Categories

Attendance: Vacation, Stat Holidays, Absent Without Leave (AWOL), Leave of Absence, Bereavement, Attendance Support Program (ASP), Lieu Bank, Sick Bank, Flex Time

Benefits: Health Benefits, Life Insurance, OMERS, Accidental Death & Dismemberment (AD&D), Benefits

Compensation: Wages, Premium Pay, Shift Premiums, Meal Allowance, Compensation, Acting Pay, Job Evaluation, Retro Pay, Union Dues, Training Allowance, Pay-out Entitlements

Corporate Policy: Driver Safety & Compliance Manual, Corporate Policy

Discipline: Verbal, Written, Suspension, Discipline

Harassment/Discrimination: Harassment, Discrimination, Human Rights, Toxic/Poisonous Workplace

Hours of Work: Overtime, Call-in, Call-out, Standby, Continuation of the work day, shift schedule, hours of work

Income Protection & RTW: Short Term Disability (STD), Income Protection Plan (IPP), Long Term Disability (LTD), Work Accommodation, Return to Work, Doctors Note, Bridging

Job Assignment: Seniority, Conditions of Employment, Restructuring, Transfer, Job Location, Job Share, Shift Change

Job Security: Lay-off, Recall, Bumping,

Recruitment: Job postings & filling, Promotion, Demotion, Complement, Vacancies, Testing, temporary postings

Termination: Termination, Severance

Work: Duties, Scope, Work of the Bargaining Unit, Contracting Out, Union Representation, Technological Change, Workplace Safety, Meal Breaks

Workplace Admin & Operations Parking, Mileage, City Vehicle, Bus Pass, Confidentiality, Tuition Reimbursement, Performance Appraisal, Admin-other, Clothing Allowance, Cleaning Allowance, Clothing/Uniform, Safety Wear, Training, Missed Page, Seniority

13

Top five grieved categories in 2021, by Union

1. Discipline - Verbal, Written, Suspension, Discipline



Chart Data

Discipline	2017	2018	2019	2020	2021
ATU Local 107	14	1	13	4	17
CUPE Local 1041	7	3	3	6	2
CUPE Local 5167	68	54	51	54	35
CUPE Local 5167 Lodges	6	6	23	11	4
GHVFFA Local 911 Vol Fire	0	2	1	0	0
HOWEA Water Treatment Plant	0	0	0	1	0
HPFFA Local 288 Fire	0	0	1	1	0
ONA Local 50 Health	4	1	2	0	3
ONA Local 50 Lodges	0	1	0	0	1
OPSEU Local 256 EMS	0	0	0	0	2
Total	99	68	94	77	64

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2. Income Protection & RTW: STD, IPP, LTD, Work Accommodation, Return to Work, Doctors Note, Bridging

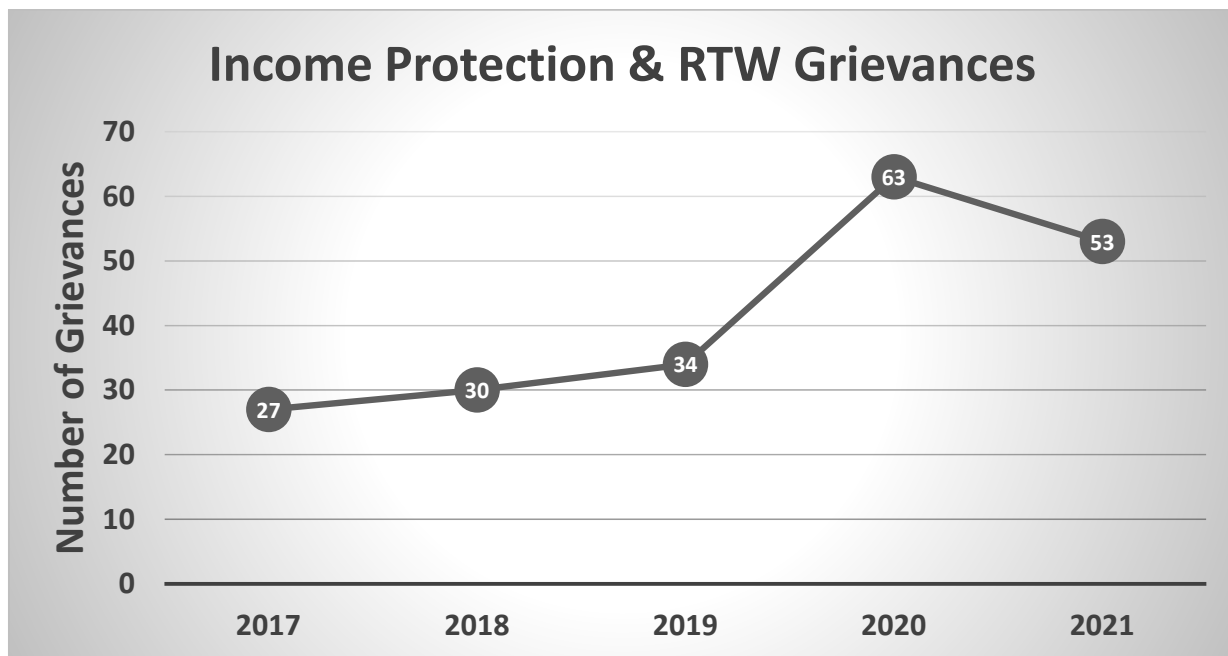


Chart Data

Income Protection & RTW	2017	2018	2019	2020	2021
ATU Local 107	2	0	5	5	14
CUPE Local 1041	0	3	3	8	7
CUPE Local 5167	17	10	9	35	18
CUPE Local 5167 Lodges	2	3	3	7	7
GHVFFA Local 911 Vol Fire	0	0	2	0	0
HOWEA Water Treatment Plant	1	2	0	1	1
HPFFA Local 288 Fire	0	2	0	2	2
ONA Local 50 Health	0	0	0	0	0
ONA Local 50 Lodges	5	10	12	5	0
OPSEU Local 256 EMS	0	0	0	0	4
Total	27	30	34	63	53

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3. **Hours of Work** - Overtime, Call-in, Call-out, Standby, Continuation of the work day, shift schedule, hours of work

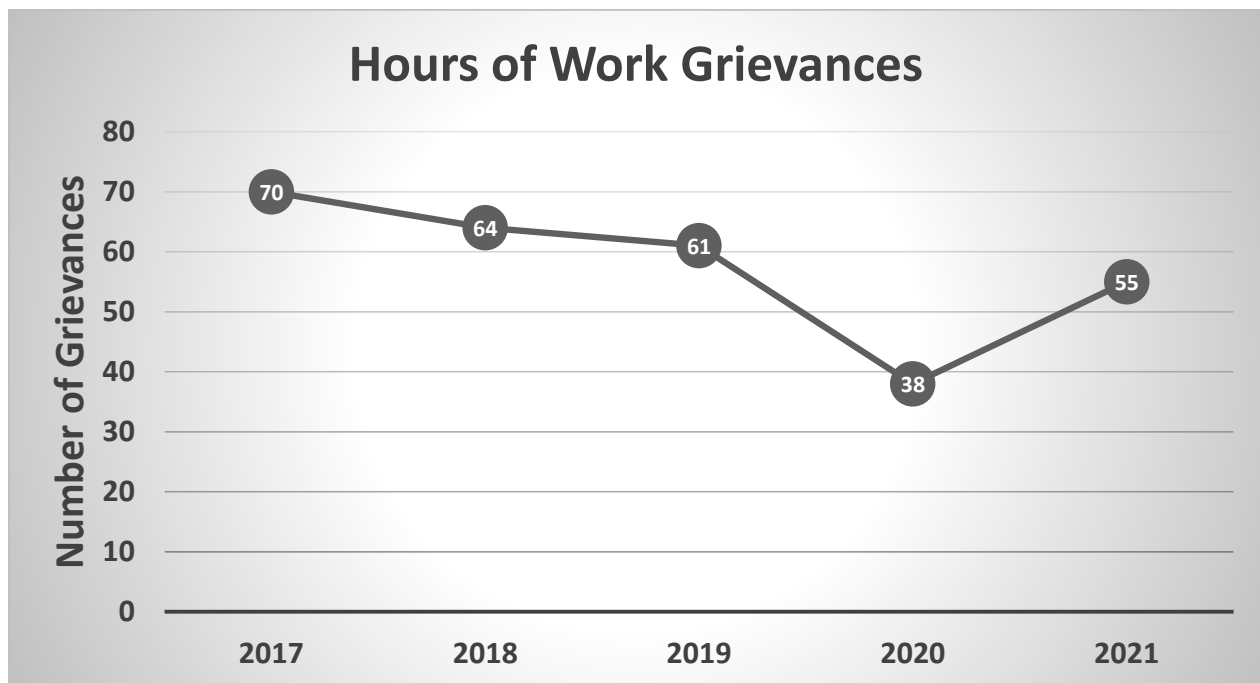


Chart Data

Hours of Work	2017	2018	2019	2020	2021
ATU Local 107	9	1	3	5	1
CUPE Local 1041	2	5	5	5	6
CUPE Local 5167	22	33	35	25	30
CUPE Local 5167 Lodges	3	4	8	1	3
GHVFFA Local 911 Vol Fire	2	7	7	0	0
HOWEA Water Treatment Plant	1	1	0	0	6
HPFFA Local 288 Fire	0	0	0	0	0
ONA Local 50 Health	4	1	1	1	0
ONA Local 50 Lodges	26	12	2	1	7
OPSEU Local 256 EMS	1	0	0	0	2
Total	70	64	61	38	55

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4. Corporate Policy: Driver Safety & Compliance Manual, Corporate Policy

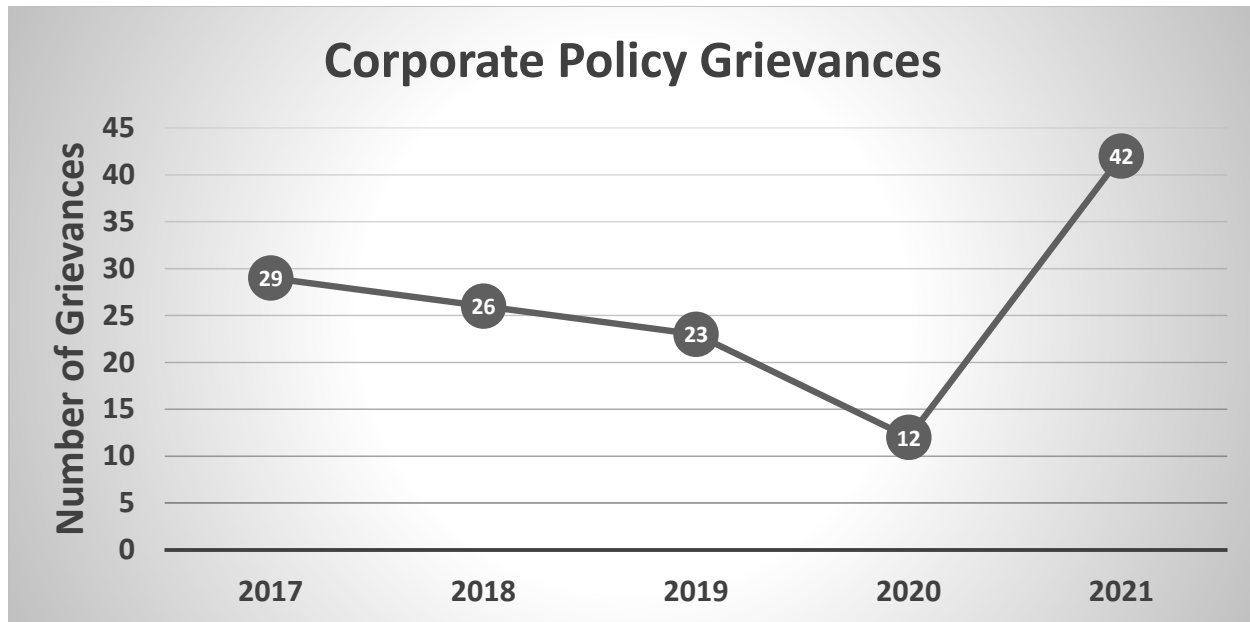


Chart Data

Corporate Policy	2017	2018	2019	2020	2021
ATU Local 107	2	0	5	2	3
CUPE Local 1041	2	1	0	0	2
CUPE Local 5167	24	24	13	9	25
CUPE Local 5167 Lodges	0	0	3	0	2
GHVFFA Local 911 Vol Fire	0	0	0	0	0
HOWEA Water Treatment Plant	1	1	2	1	0
HPFFA Local 288 Fire	0	0	0	0	4
ONA Local 50 Health	0	0	0	0	0
ONA Local 50 Lodges	0	0	0	0	1
OPSEU Local 256 EMS	0	0	0	0	5
Total	29	26	23	12	42

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5. Harassment/Discrimination: Harassment, Discrimination, Human Rights, Toxic/Poisonous Workplace



Chart Data

Harassment & Discrimination	2017	2018	2019	2020	2021
ATU Local 107	2	0	4	1	0
CUPE Local 1041	0	3	6	4	5
CUPE Local 5167	0	3	4	11	20
CUPE Local 5167 Lodges	0	0	2	6	4
GHVFFA Local 911 Vol Fire	0	0	0	0	1
HOWEA Water Treatment Plant	0	0	0	0	0
HPFFA Local 288 Fire	0	0	0	0	0
ONA Local 50 Health	0	0	0	0	0
ONA Local 50 Lodges	0	0	0	1	1
OPSEU Local 256 EMS	2	6	1	1	1
Total	4	12	17	24	32

Labour Relations Fees 2021

Labour Relations Total Costs (Grievance & Non-Grievance)

	Mediator Fees	Arbitrator Fees	Legal Fees	Total LR Fees
2021 Totals *	\$45,553	\$49,670	\$584,417	\$679,641
2020 Totals *	\$31,010	\$45,552	\$573,043	\$649,605
Difference	\$14,543	\$4,118	\$11,374	\$30,036
Percentage Changes	46.9%	9.0%	2.0%	4.6%

* the Legal Fee amount for 2020 and 2021 includes Inhouse legal cost and are rounded to the nearest dollar

Grievance Activity by Department

Grievance Costs by Department	Mediator Fees	Arbitrator Fees	Legal Fees	Total Labour Relations Fees	% of total fees per Department
City Housing Hamilton	\$0	\$0	\$0	\$0	0.0%
City Manager's Office	\$2,197	\$2,290	\$3,899	\$8,386	2.3%
Corporate Services	\$0	\$0	\$0	\$0	0.0%
Healthy and Safe Communities	\$21,572	\$17,795	\$60,700	\$100,067	28.0%
Planning & Economic Development	\$2,591	\$2,290	\$11,649	\$16,530	4.6%
Public Works	\$19,193	\$25,477	\$187,772	\$232,442	65.0%
Total Fees (2021)	\$45,553	\$47,851	\$264,020	\$357,425	

Appendix "A" to Report HUR22004

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<i>Total Fees (2020)</i>	\$31,010	\$40,260	\$218,089	\$289,359
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Grievance Activity by Category

Grievance Costs by Category	Mediator Fees	Arbitrator Fees	Legal Fees	Total Labour Relations Fees	% of total fees per grievance category
Attendance	\$5,285	\$254	\$4,718	\$10,258	2.9%
Benefits	\$0	\$0	\$363	\$363	0.1%
Compensation	\$2,497	\$0	\$2,888	\$5,386	1.5%
Corporate Policy	\$2,741	\$0	\$6,005	\$8,747	2.4%
Discipline	\$11,509	\$6,907	\$32,683	\$51,099	14.3%
Harassment & Discrimination	\$3,216	\$10,416	\$52,784	\$66,416	18.6%
Hours of Work	\$1,498	\$4,579	\$20,202	\$26,280	7.4%
Income Protection & RTW	\$9,328	\$3,562	\$6,395	\$19,285	5.4%
Job Assignment	\$789	\$0	\$0	\$789	0.2%
Job Security	\$315	\$0	\$0	\$315	0.1%
Recruitment	\$1,460	\$7,021	\$45,675	\$54,156	15.2%
Termination	\$3,923	\$6,411	\$33,477	\$43,810	12.3%
Work	\$1,831	\$6,665	\$55,414	\$63,910	17.9%
Workplace Admin & Operations	\$1,160	\$2,035	\$3,416	\$6,612	1.8%
Total Fees (2021)	\$45,553	\$47,851	\$264,020	\$357,425	

Appendix "A" to Report HUR22004

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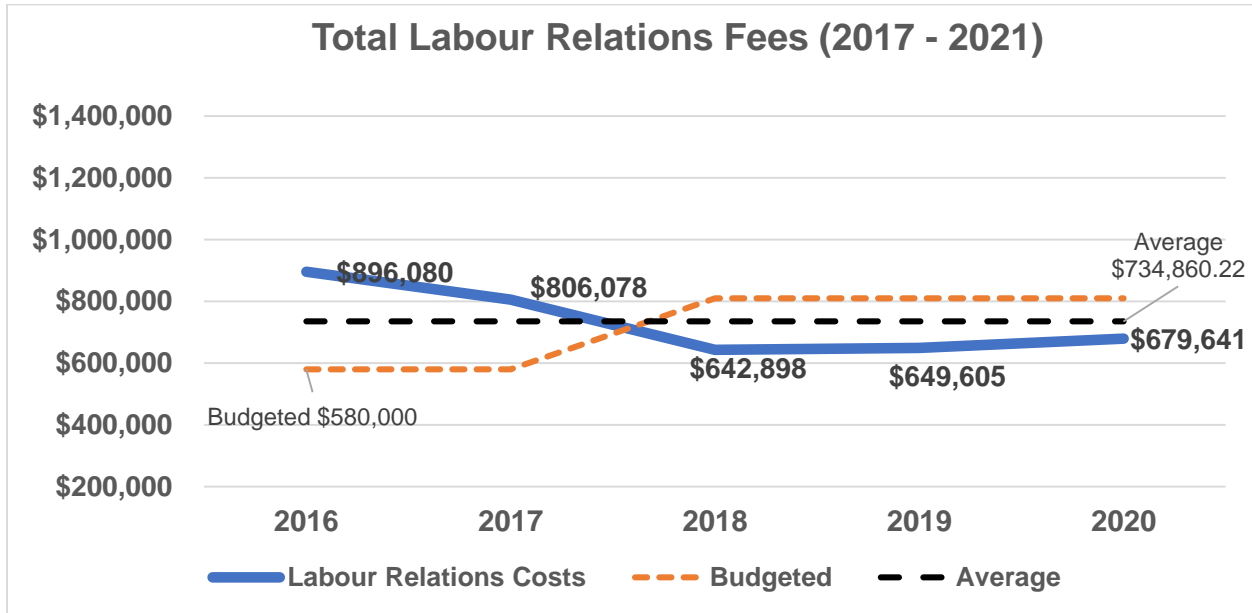
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<i>Total Fees (2020)</i>	\$31,010	\$40,260	\$218,089	\$289,359
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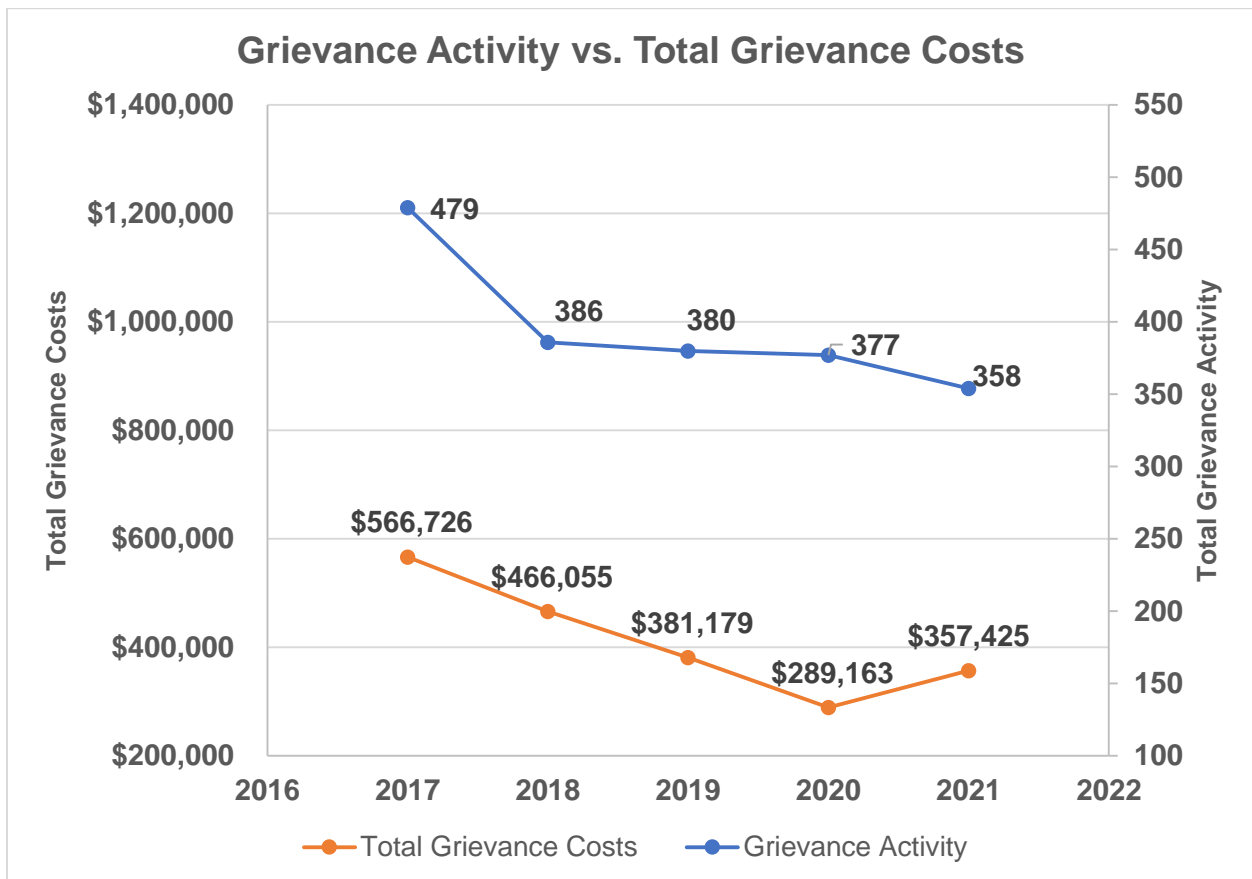
Non-Grievance Activity

Non-Grievance Costs by Description	Arbitrator Fees	Legal Fees	Total Labour Relations Fees	Percentage of Total Fees
Interest Arbitration	\$0	\$0	\$0	0.0%
Non-Union Termination	\$0	\$2,054	\$2,054	0.6%
Human Rights Claims	\$0	\$41,882	\$41,882	13.0%
Non-Grievance Legal	\$0	\$263,584	\$263,584	81.8%
Non-Union Grievance (Management rights)	\$1,819	\$12,876	\$14,695	4.6%
Total Fees - Non-Grievance (2021)	\$1,819	\$320,397	\$322,216	
<i>Total Fees - Non-Grievance (2020)</i>	\$5,292	\$355,149	\$360,441	
Percentage Change	-65.6%	-9.8%	-10.6%	

Total Legal, Mediation & Arbitration Fees



Total Grievance Costs (Legal, Mediation & Arbitration) vs. Grievance Activity



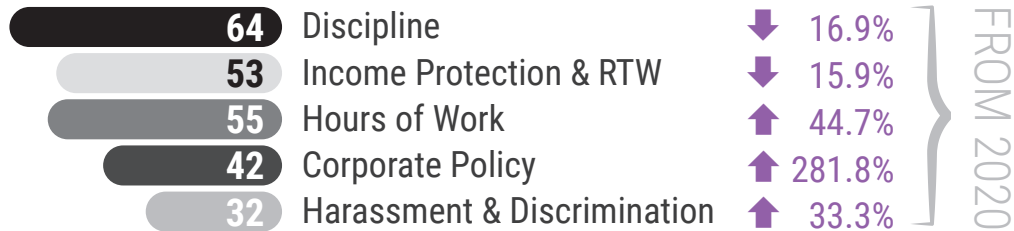
Annual Labour Relations

ACTIVITY REPORT

2021 HIGHLIGHTS

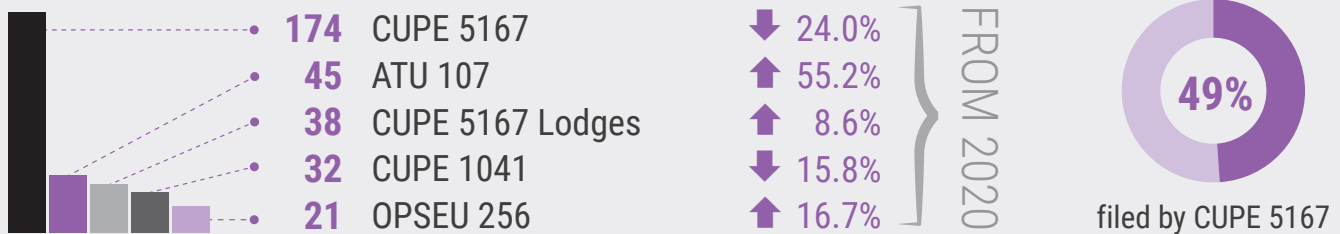
TOP 5

GRIEVANCE CATEGORIES

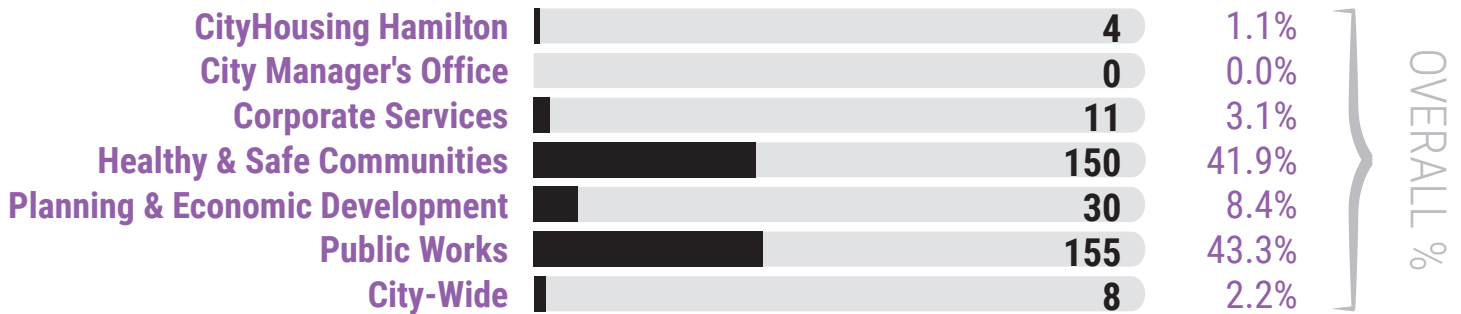


TOP 5

BARGAINING UNIT GRIEVANCE ACTIVITY



GRIEVANCES BY DEPARTMENT



SNAPSHOT OF LABOUR RELATIONS 2021



you
BE THE REASON...



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	April 20, 2022
SUBJECT/REPORT NO:	GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests (PED17010(p)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Lauren Vraets (905) 546-2424 Ext. 2634
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That the City of Hamilton Employment Land Review: Deferred Conversion Requests and Analysis, dated April 2022, attached as Appendix “A” to Report PED17010(p), be received;
- (b) That, in addition to the approved conversion of certain employment lands to non-employment designations through Report PED17010(k), the conversion of an additional 7.4 hectares of Employment Lands as identified in Appendix “A” to Report PED17010(p) through the Municipal Comprehensive Review process, be approved;
- (c) That the MCR Official Plan Amendment (UHOP Conformity Amendment) to be brought forward in May 2022 include the following amendments to implement the recommendations of the City’s Employment Land Review:
 - (i) The redesignation of 58.9 ha of employment lands to a non-employment designation, as recommended through Reports PED17010(k) and PED17010(p);

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**SUBJECT: GRIDS 2 and Municipal Comprehensive Review - Deferred
Employment Land Conversion Requests (PED17010(p)) (City Wide) -
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- (ii) Refinements to previously approved conversion for the lands located in the Flamborough Business Park, as identified in Appendix “B” to Report PED17010(p);
- (iii) Addition of a new Site Specific Policy in the Fruitland Winona Secondary Plan for the lands known as 1400 South Service Road, Stoney Creek;
- (iv) Revisions to the existing Area Specific Policy – A in the West Hamilton Innovation District Secondary Plan for McMaster Innovation Park;
- (v) Revision to the existing Institutional designation policies of the Airport Employment Growth District Secondary Plan as they relate to the future development of the lands at 700 Garner Road East.

EXECUTIVE SUMMARY

On August 4, 2021, Planning Staff presented Report PED17010(k) Employment Land Review as part of the City’s Growth Related Integrated Development Strategy (GRIDS) 2 and the Municipal Comprehensive Review (MCR). A total of 53.5 hectares of Employment Area designated land were approved for conversion to non-employment designations through the MCR. Final recommendations for six employment land conversion requests were deferred for further consideration through the MCR. Two additional requests for conversion were submitted after the presentation of Report PED17010(k), however one of the requests was subsequently withdrawn.

Report PED17010(p) presents the final recommendations for the six deferred Employment Land Review conversion requests, and one new conversion request. The deferred conversion request for lands at 1725 Stone Church Road East (7.4 hectares) is being recommended for conversion to a non-employment designation. Policy amendments for clarification purposes have been prepared for three Employment designated sites that are not recommended for conversion at this time but may warrant consideration in the future. Staff have also identified a refinement to the recommended area for conversion in the Flamborough Business Park from Report PED17010(k), resulting in 2.0 hectares of previously approved conversion land no longer requiring conversion.

The resulting total land area for all Employment conversions considered through the City’s current Municipal Comprehensive Review (MCR) is 58.9 hectares, which is within the anticipated 60 hectare surplus of employment lands to the year 2051, identified in the City’s 2021 Land Needs Assessment.

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The final MCR Official Plan Amendment will include the implementation of the proposed employment conversion amendments, as well as additions / refinements to the existing policy framework for three employment sites which are not currently being recommended for conversion.

Alternatives for Consideration – See Page 10

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: The recommendations of the Employment Land Review will be implemented through the GRIDS2 and MCR Official Plan Amendment, and the Province is the final approval authority for this forthcoming Official Plan Amendment (OPA).

HISTORICAL BACKGROUND

Report PED17010(k) – Employment Land Review

On August 4, 2021 Planning Staff brought forward Report PED17010(k) to the General Issues Committee, which provided the final recommendations for the Employment Land Review (ELR). A total of 48.2 hectares of lands designated as Employment Area in the Urban Hamilton Official Plan (UHOP) were recommended by Staff for conversion to allow for non-employment uses, including conversion of the Confederation Go Station lands. Council directed conversion of one additional 5.3 hectare site at 1280 Rymal Road East and 385 Nebo Road for non-employment uses. The total land area for employment land conversions endorsed by Council through the August 2021 ELR was 53.5 hectares.

Report PED17010(k) also identified four conversion requests which were recommended by Staff for deferral until a later date. Council directed Planning Staff to defer consideration of two additional sites, resulting in a total of six deferred Employment Land conversion requests. Report PED17010(p) provides the final evaluation and recommendation for these six deferred Employment Land conversion requests.

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Report PED17010(n) - Final Land Needs Assessment and Addendum and Peer Review Results

On November 9, 2021 Planning Staff provided Report PED17010(n) to the General Issues Committee to present the final Land Needs Assessment (LNA) and addendum as well as peer review results. With respect to Employment Area land need, the final LNA determined that the City had sufficient supply of employment land area to accommodate forecasted job growth to the year 2051. The LNA noted that there is potential for a small surplus of approximately 60 ha of employment area land over the 30-year planning horizon. Further discussion of the City's employment land supply is provided in the Analysis / Rationale for Recommendation section of this Report.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

A complete review of provincial and local employment policies was provided in Report PED17010(k). No provincial or local policies related to employment or employment conversions have been changed since that time.

RELEVANT CONSULTATION

Applicants for Deferred Requests for Conversion

Since the presentation of Report PED17010(k) in August 2021, Staff have met with several Applicants whose sites were deferred from decision at that time. In some cases, Applicants have provided additional material for staff to consider with respect to the conversion request. Staff have provided initial feedback about the supplementary material that was submitted and, in some cases, asked for further additional clarification.

City Department Consultation

Economic Development Division staff have reviewed the proposed conversion sites and confirmed that they are in support of the staff recommended conversions.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1.0 Summary of Deferred Employment Conversion Requests

Table 1 to Report PED17010(p) summarizes the deferred employment land conversion requests that were considered and staff's recommendation on each request. A detailed summary of each of the deferred employment conversion requests and the analysis and

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rationale for staff's recommendation on each request is provided in Appendix "A" attached to Report PED17010(p).

Table 1: Summary of Deferred Employment Conversion Requests

Location / Employment Area	Land Area	Requested Conversion	Recommendation (see details in Appendix "A" attached to Report PED17010(p))
McMaster Innovation Park West Hamilton Innovation District (WHID)	Undefined (residential uses not clustered)	Request for extension of existing limited residential permissions to approx. 15% site wide GFA, located within 3 buildings.	No conversion required as residential uses are already permitted within the existing Secondary Plan and zoning. Staff support limited extension of existing residential permissions to a maximum of 15% of the permitted employment use GFA, and concentration within two clustered mixed-use multiple dwellings.
70-100 Frid Street West Hamilton Innovation District (WHID)	2.24 ha	Conversion to permit the development of mixed use multiple dwellings ranging from 4 to 24 storeys in height.	Conversion not recommended. Site is interior to the existing business park and sensitive land uses would not be compatible with the current industrial use in the employment area.
Twenty Road West Lands, Glanbrook Airport Employment Growth District (AEDG)	55.2 ha	Conversion to permit the development of a mixed use corridor along the Garth Street extension and compact residential uses to the east and west of Garth Street.	Conversion not recommended. Adjacent lands were not supported by Council for inclusion within the City's Urban Boundary for Community Area land supply. The proposed conversion for residential uses is not consistent with the planned future development of the area.

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Location / Employment Area	Land Area	Requested Conversion	Recommendation (see details in Appendix "A" attached to Report PED17010(p))
			Conversion could result in a land supply deficit for employment lands to the year 2051.
700 Garner Road East, Ancaster Airport Employment Growth District (AEGD)	26.2 ha	Conversion to permit a comprehensive site development including residential, institutional, office, as well as community and institutional uses	Conversion not recommended. Adjacent lands were not supported by Council for inclusion within the City's Urban Boundary for Community Area land supply. The proposed conversion for residential uses is not consistent with the planned future development of the area. Conversion could result in a land supply deficit for employment lands to the year 2051. Staff do support minor amendments to the existing AEGD Secondary Plan as related to these lands to clarify the intended use.
1725 Stone Church Road East, 130 & 140 Mud Street East, Hamilton Red Hill North Business Park	7.4 ha	Proposed conversion to allow for additional commercial and retail uses to complement the existing commercial uses in the general area. No residential uses are proposed.	Conversion recommended to the District Commercial designation, with a site specific policy to prohibit residential uses.
1400 South Service Road, Stoney Creek	7.2 ha	Proposed conversion to mixed use high density to support the development of 986 residential dwelling	Conversion not recommended. Lands are interior to a block of employment land

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Location / Employment Area	Land Area	Requested Conversion	Recommendation (see details in Appendix “A” attached to Report PED17010(p))
Fruitland Winona Secondary Plan / Stoney Creek Business Park		units in four multiple dwellings (2 – 16 storey buildings, 2 – 8 storey buildings), as well as commercial and office buildings.	that extends beyond the creek to the municipal border. Review of additional material submitted indicated capacity issues for both sub-surface infrastructure (sanitary sewer) and the transportation network. Staff propose a site specific policy for these lands to clarify criteria that must be satisfied for conversion through a future MCR.

In summary, of the outstanding deferred employment conversion requests, Staff recommend support for the conversion of one additional site at 1725 Stone Church Road East for future commercial development. Two deferred employment conversion requests in the AEGD Business Park, adjacent to lands which were directed not to be included within the urban boundary through Council's adoption of the “No Urban Boundary Expansion” (No UBE) growth scenario, are not recommended for conversion. In the West Hamilton Innovation District (WHID), staff support limited extension of existing residential permissions for the McMaster Innovation Park area, however staff do not recommend conversion of the site on Frid Street due to the existing nearby incompatible employment land uses. Finally, staff do not support the conversion request for 1400 South Service Road in the Stoney Creek Business Park, as these lands are interior to a block of employment lands and servicing capacity limits the potential intensity of development in the future. Further details of the staff rationale for each recommendation are provided in Appendix “A” attached to Report PED17010(p).

2.0 New Requests for Employment Conversion

2.1 54 Dundas Street East, Waterdown – Flamborough Business Park (1.4ha)

On February 10, 2022, Staff received a request for employment conversion for 1.4 ha of land at 54 Dundas Street East in the Flamborough Business Park. The proposed

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conversion is requested to develop a portion of the site with a retirement home and long-term care facility. The Applicant has proposed the District Commercial designation for these lands to facilitate the intended use.

These lands are located within the Niagara Escarpment Plan area, and development of this site would need to be reviewed comprehensively with staff from external agencies including the Niagara Escarpment Commission. Given the deadline of July 2022 for the City's MCR, there is not sufficient time to circulate this conversion request to external and internal staff for comment and consideration. Staff encourage the applicant to request employment conversion through a subsequent MCR process.

3.0 Staff Identified Refinements

Through review of the staff identified conversion in the Flamborough Business Park (Appendix "C" attached to Report PED17010(k)), specifically portions of lands located at 56 Parkside Drive, 90 and 96 Parkside Drive and 546 Hwy 6, it was brought to staff's attention that an area that is currently zoned for light industrial uses and intended to be developed through a plan of subdivision was mistakenly included in an area for employment conversion. These lands are adjacent to a Utility corridor which is designated and zoned appropriately. Neither the Utility corridor nor the area immediately adjacent that is part of the plan of subdivision for industrial uses is proposed for conversion. This clarification and refinement results in a reduced conversion total by 2.0 hectares in the Flamborough Business Park, and a reduction in the Staff identified conversion total from 37.1 ha to 35.1 ha.

UHOP Volume 3, Chapter C – Urban Site Specific Policies contains a site specific policy for this area through policy UFE-2 (OPA 107). This Site Specific Policy incorrectly identifies the lands of the Utility corridor as part of the Business Park, and states that they shall only to be used for Open Space uses. This Site Specific Policy should be deleted in its entirety through the City's MCR OPA as there is no need for the Site Specific Policy once the appropriate lands are converted from the Employment Area – Business Park designation. The deletion of this Site Specific Policy will ensure that there is consistency between all policies and maps in the UHOP.

The revised boundaries of the proposed conversion in the Flamborough Business Park and the proposed amendments to site specific policy UFE-3 are identified on Appendix "B" attached to Report PED17010(p).

4.0 Next Steps

Staff will prepare the final OPA for the MCR to include the conversion requests supported through Report PED17010(k) as well as the site at 1725 Stone Church Road

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East supported through Report PED17010(p). The proposed site specific policy and refinements to existing policies related to certain employment lands will also be included in the final MCR OPA. A total of 58.9 hectares of Employment Land is recommended for conversion:

Table 2: Summary of recommended Employment Land conversions

Conversion Analysis	Area (ha)
ELR Conversions (Staff identified)	35.1
Residential Enclaves	5
Request for Conversion (including deferrals)	9.5
Confederation Go Station	4.0
Council directed conversion (1280 Rymal Road East / 385 Nebo Road)	5.3
Total Recommended Conversions	58.9

The final report presenting the Urban and Rural OPAs for the MCR will be presented in May 2022 at the statutory Public Meeting of Planning Committee to consider the proposed GRIDS2 / MCR Official Plan Amendment.

5.0 Impact of Employment Land Conversions on City's Employment Land Supply

The LNA completed as part of the GRIDS 2 and MCR (Report PED17010(o)) concluded that the existing supply and forecasted demand for Employment Area land in the City was roughly in balance. A small surplus of approximately 60 hectares of Employment Area land was identified through the LNA, which provides some limited flexibility to convert specific areas to allow for non-employment uses over the planning horizon.

However, it is important to reiterate that the Employment Area LNA is predicated on a very efficient use of the existing land and building supply. Of particular importance is a much more optimistic outlook for major office development and expectations for increased density and employment intensification within existing areas, in accordance with *Growth Plan* policy requirements (Section 2.2.5). Many factors could shift the current balance into a shortage position, including slower than anticipated major office growth, declines in the density of existing employment areas or delays in the redevelopment of the Stelco lands. As discussed in the November 2021 Addendum to Land Needs Assessment Report (Appendix "A1" attached to Report PED17010(n)), Employment Area land need would be higher if lower density expectations are incorporated into the analysis, potentially translating into a need for up to 650 additional

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gross ha. As a result, specific actions will need to be taken to maximize the potential of the land supply in both vacant and occupied areas going forward and will be assessed as part of the required future ten-year reviews of the City's Official Plans.

The total proposed land area for employment conversion through Reports PED17010(k) and PED17010(p) is 58.9 hectares, which effectively consumes the identified surplus. Under a No UBE growth scenario, pressure for conversion is likely to increase as a result of more limited greenfield opportunities to accommodate new housing growth. Should significant additional conversions be approved beyond the current recommended amount, there will be a need to offset this loss by providing additional employment lands to ensure the City's ability to accommodate growth to 2051. This would likely take the form of expansion to the Airport Employment Growth District (AEGD).

Accordingly, Planning staff will need to monitor the supply and demand for employment lands closely over the coming years, including conversion pressure, to ensure that the City maintains an adequate land base for future Employment Area development to 2051. Planning staff will report back to Council annually on the City's employment land supply as part of this process.

ALTERNATIVES FOR CONSIDERATION

Council could choose to endorse additional Employment Land conversions beyond those recommended by Staff. This approach is not recommended, as removal of additional employment lands may result in a deficit of employment land based on the 30-year planning horizon to 2051. An urban boundary expansion for employment lands may be required to offset the deficit resulting from additional conversions.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

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APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED17010(p) - City of Hamilton Employment Land Review:
Deferred Conversion Requests and Analysis

Appendix "B" to Report PED17010(p) - Refinements to Staff supported conversion in
Flamborough Business Park

LV:sd

CITY OF HAMILTON
EMPLOYMENT LAND REVIEW:
DEFERRED CONVERSION REQUESTS
AND ANALYSIS

APRIL 2022



CITY OF HAMILTON

EMPLOYMENT LAND REVIEW: DEFERRED CONVERSION REQUESTS AND ANALYSIS

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1.0 INTRODUCTION

1.1 BACKGROUND

On August 4, 2021, Planning Staff presented the findings of the City’s Employment Land Review to the General Issues Committee through Report PED17010(k). This report and appendices summarized staff identified candidate conversion sites, as well as requests for conversion from private landowners. Council approved conversion of 53.5 hectares of employment designated lands for non-employment uses. A total of six (6) requests for Employment Land Conversion were deferred from decision at the time, either to allow staff more time to review supplementary information from Applicants, or to wait for further direction on matters related to the City’s future growth strategy.

The purpose of this Report is to review the six outstanding deferred Employment land conversion requests and provide recommendations to Council for consideration. Analysis of each outstanding request for conversion will include an overview the site and surrounding context, summary of the proposed conversion, review of the conversion criteria provided through the Growth Plan for the Greater Golden Horseshoe 2019, as amended, review of the City’s additional criteria for conversion, and a concluding recommendation.

1.1.1 PROVINCIAL AND MUNICIPAL CONVERSION CRITERIA, AND MUNICIPAL COMPREHENSIVE REVIEW

Growth Plan 2019, as amended

The most recent version of the Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) was released in May 2019 and amended in August 2020. Policy 2.2.5.9 of the Growth Plan identifies criteria that must be met prior to the conversion of lands to non-employment uses. The Provincial conversion criteria, as outlined in the Growth Plan, are as follows:

- “2.2.5.9 The conversion of lands within employment areas to non-employment uses may be permitted only through a municipal comprehensive review where it is demonstrated that:
- a) There is a need for the conversion;
 - b) The lands are not required over the horizon of this Plan for the employment purposes for which they are designated;

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- c) The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;
- d) The proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and.
- e) There are existing or planned infrastructure and public service facilities to accommodate the proposed uses.”

The 2019 Growth Plan introduced the concept of Provincially Significant Employment Zones (PSEZs). PSEZs are employment areas identified by the Province for the purpose of long term employment planning and economic development. Additional direction regarding Employment Land conversion for lands outside of PSEZs prior to the next MCR are provided in Growth Plan policy 2.2.5.10:

“2.2.5.10 Notwithstanding policy 2.2.5.9, until the next municipal comprehensive review, lands within existing employment areas may be converted to a designation that permits non-employment uses provided the conversion would:

- a) Satisfy the requirements of policy 2.2.5.9 a), d) and e);
- b) Maintain a significant number of jobs on those lands through the establishment of development criteria; and,
- c) Not include any part of an employment area identified as a provincially significant employment zone unless part of the employment area is located within a major transit station area as delineated in accordance with the policies in subsection 2.2.4.”

While it is acknowledged that Growth Plan policy 2.2.5.10 permits employment land conversions outside of PSEZs to be considered in advance of the completion of the MCR, it is the City’s intention to consider all employment land conversion requests comprehensively as part of the current MCR.

City of Hamilton Employment Conversion Criteria

In accordance with Policy F.1.1.11 of the Urban Hamilton Official Plan (UHOP), the City of Hamilton has established additional criteria to guide the employment conversion analysis.

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Additional criteria established by the City of Hamilton are:

1. Site(s) are mixed use blocks and located along the edges of employment areas;
2. Conversion of the site(s) will not adversely affect the long-term viability and function of the employment areas;
3. Conversion of the site(s) will not compromise any other planning policy objectives of the City, including planned commercial functions;
4. Conversion of the site(s) will be beneficial to the community through its contribution to the overall intent and goals of the City’s policies and demands on servicing and infrastructure;
5. Conversion of the site(s) will not negatively affect the long-term viability of existing employment uses, including large, stand-alone facilities;
6. Conversion of the site(s) will not create incompatible land uses, including a consideration of the Ministry of Environment, Conservation and Parks Land Use Planning guidelines (D-series guidelines); and,
7. Conversion of the site(s) will result in a more logical land use boundary for an employment area.

City of Hamilton Criteria 1 was used as an initial screening of conversion requests to determine whether a site / area may warrant additional information / studies, such as a Planning Justification Report, Noise Impact Study, or other supporting studies. All of the above criteria, including Provincial criteria in the Growth Plan, must be met prior to staff recommending conversion of a site.

Municipal Comprehensive Review – Land Needs Assessment

The Employment Land conversion analysis serves as one component of the City’s Municipal Comprehensive Review (MCR). The City’s Land Needs Assessment (LNA) is a supply and demand analysis which identifies how much of the City’s forecasted population and employment growth to the year 2051 can be accommodated in the City’s existing land supply. Based on Provincial growth projections, Hamilton’s employment areas are forecasted to accommodate approximately 112,090 jobs by the year 2051. The calculated supply capacity of the employment areas across the City is approximately 114,420 jobs, which, when considered in combination with the City’s planned employment area density targets, equates to an approximate surplus of 60 hectares of employment land over the 30-year planning horizon.

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2.0 ANALYSIS OF DEFERRED CONVERSION REQUESTS

The following section of this report provides analysis of the six (6) requests for employment land conversion which were previously deferred through the recommendations of Report PED17010(k) as well as motions from Council. The deferred employment land conversion requests reviewed through the subsequent sections include the following sites:

- McMaster Innovation Park, Hamilton (West Hamilton Innovation District);
- 70-100 Frid Street, Hamilton (West Hamilton Innovation District);
- Twenty Road West, Glabrook (Airport Employment Growth District);
- 700 Garner Road East, Ancaster (Airport Employment Growth District);
- 1725 Stone Church Road East, Hamilton (Red Hill North Business Park); and,
- 1400 South Service Road, Stoney Creek (Stoney Creek Business Park).

Sites have been grouped by Business Park in the following sections. Each request for conversion is reviewed under both the Growth Plan Policy 2.2.5.9 criteria and the City’s criteria noted in Section 1.1 of this Report.

2.1 WEST HAMILTON INNOVATION DISTRICT

Two deferred requests for employment conversion are located within the West Hamilton Innovation District (WHID) Secondary Plan Area. Volume 2 of the City’s Urban Hamilton Official Plan contains policy direction and mapping for the WHID Secondary Plan. The WHID Secondary Plan was completed in 2013 and was informed by the planned future vision of the district at that time, including the 2009 McMaster Innovation Park (MIP) Master Plan. The two sites within WHID that have been considered for potential employment land conversion, but which were deferred in August 2021, include the McMaster Innovation Park area along Longwood Road South, and 70-100 Frid Street on the east side of the district.

2.1.1 MCMASTER INNOVATION PARK

Overview and Existing Context

Conversion Area: undefined

Location:

- North: Highway 403 and Main Street West;
- South: Aberdeen Avenue, rail yards and Chedoke Golf Course;

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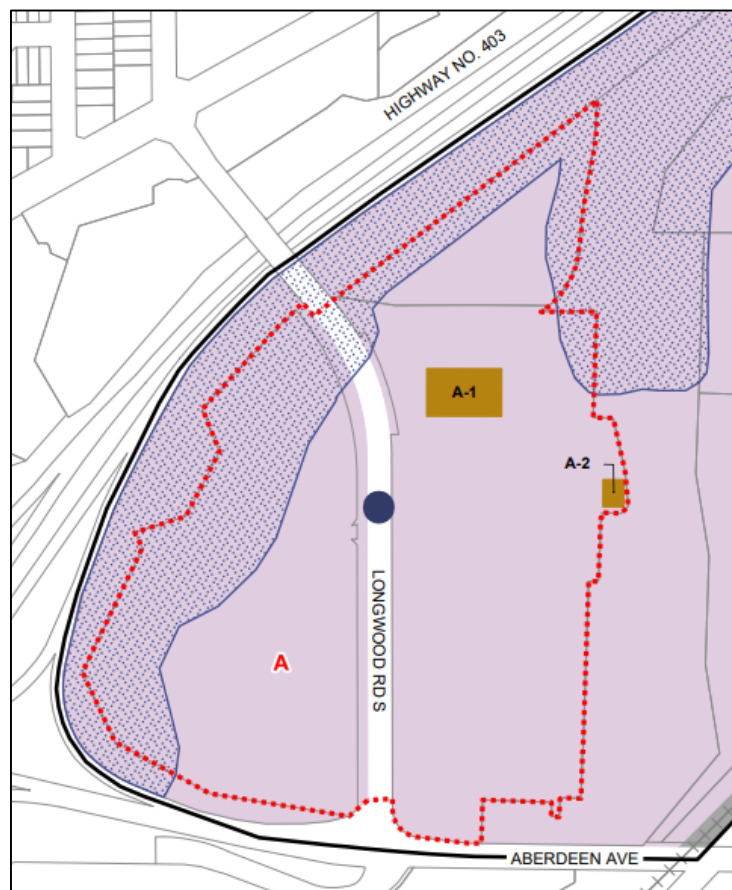
- East: Rail corridor, WHID employment lands on Frid Street; and,
- West: Highway 403.

Current Land Use:

- Research facilities, education facilities, offices, surface parking

Urban Hamilton Official Plan:

- Designated as Employment Area – Business Park on Vol. 1, Schedule E-1; and,
- Designated as Research District in WHID Secondary Plan which permits a range of research, office, medical and pharmaceutical industries, as well as hotel and conference facilities and limited supportive commercial uses to serve the employment area.
 - Identified as Site Specific Policy – Area A – permits limited development of educational, residential and commercial uses ancillary to MIP to encourage a research community.



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Figure 1 – McMaster Innovation Park (Area A) as shown on the West Hamilton Innovation District Secondary Plan – Land Use Plan

Zoning (By-law 05-200):

- M1 – Research and Development zone, with Special Exception (SE-7)
 - SE-7 permits multiple dwellings, to a maximum 11,500 square metres, provided that the Gross Floor Area (GFA) for multiple dwelling uses is limited to a maximum of 8% of the total GFA of all buildings used for other M1 Zone uses (excluding parking, multiple dwellings, educational establishments, and warehousing). The multiple dwelling use is limited to locating in a maximum of two (2) buildings.

Applicant’s Proposed Land Use and Rationale

The original McMaster Innovation Park (MIP) Master Plan was developed in 2009, and envisioned development of approximately 145,857 square metres (1,570,000 square feet) of employment area uses in the lands. Currently, 60,264 square metres (648,676 square feet) of employment related space has been developed on the lands in three buildings (The Atrium, CANMET, and MARC/BEAM). In 2021, MIP developed a proposed new Master Plan concept to guide the future development vision of the area. The proposed revised MIP Master Plan represents a significant increase in planned development for the lands. The total proposed GFA for the MIP area, including existing and proposed buildings (excluding parking) is 276,572 square metres (2,977,000 square feet), which is roughly double the GFA proposed through the 2009 MIP Master Plan. As a percentage of the overall GFA, the proposed new MIP Master Plan concept includes the following employment related uses:

- 67% GFA for lab/research space - 185,990 sq. metres (2,002,000 sq. feet);
- 9% GFA for office uses - 25,362 sq. metres (273,000 sq. feet);
- 5% GFA for hotel / long-term stay and hospitality uses - 13,192 sq. metres (142,000 sq. feet); and,
- 4% GFA for amenity areas within buildings - 10,590 sq. metres (114,000 sq. feet).

Among additional research, office and hospitality uses, the proposed new MIP Master Plan vision is to introduce three (3) multiple dwellings (identified as E1, E5, and E6 in Figure 2), ranging from 14 to 26 storeys in height, with a total of 524 residential units. The total GFA for the proposed residential uses at MIP is approximately 41,341 square metres (445,000 square feet), representing approximately 15% of the existing and proposed GFA of the site.

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MIP has submitted a Planning Justification Report (PJR) to support the proposed expansion to residential land use permissions, as well as an Environmental Noise and Vibration Feasibility Study. The PJR was prepared to justify that no conversion is required to facilitate the ancillary residential uses proposed for MIP, as residential uses are already permitted through Special Policy Area – Area A in the WHID Secondary Plan, and included within the applicable Special Exception SE-7 zoning.

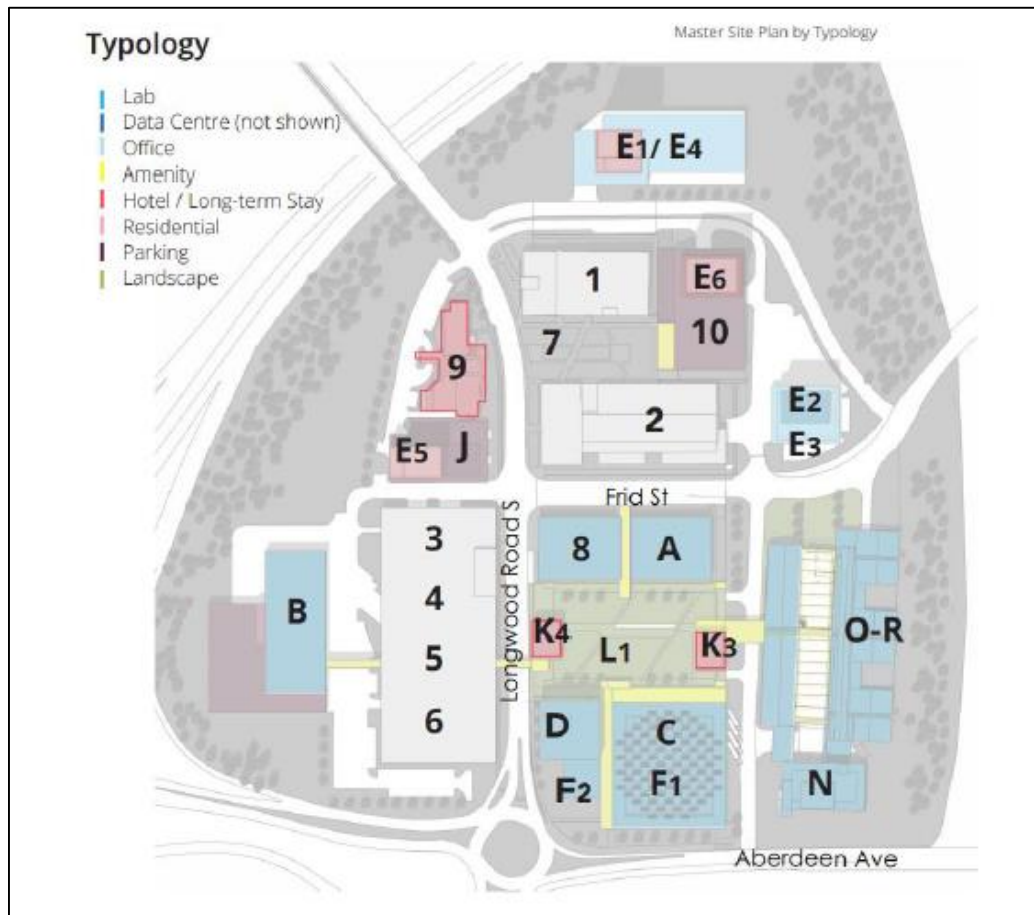


Figure 2 – McMaster Innovation Park Master Plan – Building Typologies (from Refined Master Site Plan prepared by McCallum Sather)

Analysis

Given that the existing WHID Secondary Plan and associated zoning permits residential uses ancillary to MIP, there may not be a need for employment land conversion but rather a refinement and clarification of existing Official Plan policy to allow for limited additional floor area for residential uses beyond what was contemplated in the original UHOP policy and zoning. Planning staff agree that limited residential uses ancillary to the Research District uses continue to be integral to the overall vision and function of

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MIP. For this reason, provincial conversion criteria and local conversion criteria are not provided as analysis for this proposal. Instead, the analysis focuses on the amount of increase to the existing residential use permissions within the policy and zoning that can be supported without triggering the requirement for employment land conversion.

Residential uses have been envisioned for MIP since the initial policy development for these lands, recognizing that the use will complement the Master Plan development of this section of the innovation district. Site Specific Policy Area A of the Secondary Plan states:

- “6.4.10.1 a) Educational, residential and commercial uses permitted ancillary to McMaster Innovation Park shall be developed in accordance with the long term vision to create a dynamic, integrated state-of-the-art research community that shall foster innovation, entrepreneurialism and creativity
- 6.4.10.1 b) Limited accommodations for visiting scholars, professors and/or professionals shall be permitted.”

As noted above, the site specific zoning on the lands defines the extent of the ancillary residential use permissions by limiting the GFA for residential uses to a maximum of 11,500 sq m, up to a maximum of 8% of total existing GFA for other permitted M1 zone uses within MIP, and a maximum of two buildings. Under the proposed revision to the MIP Master Plan, the GFA for residential uses (in three buildings) would increase to 15% of the total existing and proposed GFA for the site; or 17.5% of the GFA for all of the existing and proposed M1 zone permitted uses (lab, amenity, office, hotel).

Staff have reviewed the submitted PJR and Noise & Vibration Study. Staff concur with the general findings of the PJR which demonstrate that, given the existing local policy framework permits limited residential use as supportive to the research and innovation function, it may be appropriate to expand residential permissions without requiring an employment land conversion. Generally, land use compatibility has been considered through the placement of the residential uses at the northern end of the site, at a greater separation from the more intensive employment uses to the south.

Regarding the Noise and Vibration study findings, Staff concur that impacts on sensitive land uses from Stationary Sources (existing and proposed employment/office buildings) can generally be mitigated at the source, and through building façade features and design. However, proposed residential building E5 is located nearest to the MARC building, and mitigation from the loud rooftop noise sources from MARC may require that there be no outdoor living areas or operable windows on the entire south side of the tower, as well as partially on the west side.

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Staff are generally in agreement that there is ability to expand the existing residential permissions on the site but have concerns with the extent of the proposed residential uses as per the Master Plan (Figure 2). Residential uses at MIP are intended to be ancillary to the function of the site as a research and innovation district. Therefore, a development scenario where residential uses are limited to two (2) buildings (E1 and E6) is preferred for the following reasons:

- Limiting the residential uses to two buildings is consistent with the site specific zoning that currently applies which restricts multiple dwellings to being located in a maximum of two buildings;
- Residential buildings E1 and E6 are proposed to be clustered in the northeast quadrant of MIP and result in a concentrated land area for residential uses that is less likely to result in future incompatibility; and,
- Residential Building E5 is proposed to be located on the west side of Longwood Road, separated from the other residential buildings, and in proximity to the loud stationary noise sources from MARC, and is therefore less suitable for residential development.

Should the two Staff-supported residential buildings (E1 and E6) be constructed in accordance with the current proposed Master Plan for MIP, this would result in a GFA of approximately 31,215 square metres (336,000 square feet), representing 11.7% of the existing and proposed GFA of the development area. In accordance with the M1 zone SE-7 provisions, this would result in a percentage of residential use that is proportional to approximately 13% of the existing and proposed GFA for all other permitted M1 uses on the site. Staff are prepared to support a maximum of 15% GFA for residential uses as a proportion of the existing/proposed employment use GFA to support additional design flexibility for the residential uses in the two Staff supported buildings proposed for the north-east quadrant.

The chart below summarizes the current permissions for residential uses in MIP as per the Secondary Plan / zoning, the proposed expansion from MIP, and the staff supported recommendation:

	Current Residential Use Permissions	Proposed under new MIP Master Plan	Staff preliminary recommendation (removal of building E5 from residential)
Total GFA – multiple dwelling	5,750 sq m, but may increase to 11,500 sq m provided not	41,341 sq m	31,839 sq m

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	Current Residential Use Permissions	Proposed under new MIP Master Plan	Staff preliminary recommendation (removal of building E5 from residential)
	exceeding % total below		
GFA of multiple dwelling as % of total GFA for other M1 uses (excluding parking, multiple dwellings etc.)	8%	17.5%	15%
# of multiple dwelling buildings	2	3	2

The future development of the MIP Master Plan will require a privately initiated Official Plan Amendment and Zoning By-law Amendment Application to consider additional matters, including but not limited to proposed building heights (currently limited to 10 storeys), servicing and transportation capacity for the intensity of use, as well as the proposed increase in GFA for the multiple dwellings.

Recommendation

Staff recommend that an employment land conversion is not required if the proposed residential development is limited to a maximum of two buildings as per the existing zoning, a maximum 15% of the GFA for all existing/proposed M1 zone uses (excluding residential, parking, education, and warehousing), and is concentrated in one geographic area of the MIP lands (the north-east quadrant of the site). Staff further recommend that policies of Site Specific Policy – Area A in WHID be amended through the Municipal Comprehensive Review Official Plan Amendment, to clarify the permissions for residential uses on these lands. The proposed modifications to the existing Site Specific Policy – Area A are as follows (bold = addition, strikethrough = deletion):

“6.4.10.1 In addition to Policy B.6.4.3.1 – General Development Policies, the following policies shall apply to the lands shown as Site Specific Policy – Area A - McMaster Innovation Park on Map B.6.4-1 - West Hamilton Innovation District – Land Use Plan:

- a) Educational, residential **multiple dwellings** and commercial uses permitted ancillary to McMaster Innovation Park shall be developed in accordance with the long-term vision to create a dynamic, integrated

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state-of-the-art research community that shall foster innovation, entrepreneurialism and creativity. **Residential Uses shall be subject to the following policies:**

- i) Multiple dwellings in mixed use buildings shall be permitted;**
- ii) Multiple dwellings will be clustered in the North East quadrant of the site;**
- iii) A maximum of two multiple dwellings shall be permitted;**
- iv) The Gross Floor Area for multiple dwellings shall be limited to a maximum of 15% of the total gross floor area of all existing and proposed buildings, which are to be used for other permitted M1 uses, located on the said lands, save and except for the following uses:**
 - a. Educational Establishments;**
 - b. Multiple Dwelling(s);**
 - c. Commercial Parking Facilities; and,**
 - d. Warehouse (as a primary use);**
- v) The Zoning By-law shall regulate matters related to timing and sequencing of residential development to ensure that any residential use permitted on the site is proportional to the development of the established employment uses within McMaster Innovation Park; and,**
- iv) The Zoning By-law shall regulate matters for residential use, among other regulations as required – including, building heights, parking requirements, and other site-specific performance standards for development.”**

~~b) Limited accommodations for visiting scholars, professors and/or professionals shall be permitted.~~

(Note: Staff propose to remove sub-policy section b) because long term stay accommodations and hotels are permitted as of right in the Secondary Plan / zoning. Heritage resource policies contained in sub-policy sections c) and d) to remain unchanged)

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2.1.1.2 70-100 FRID STREET

Overview and Existing Context

Conversion Area: 2.2 hectares

Location:

- North: employment designated lands, former Spectator building, Main Street West;
- South: Recreational business, contractors establishments, vacant buildings formerly used for employment;
- East: Frid Street and additional business park uses and recreational facilities on the east side of Frid Street, active asphalt plant; and,
- West: Highway 403.

Current Land Use:

- Subject lands are developed with several buildings, including recreational facilities, offices, as well as manufacturing and distribution uses. Surface parking and loading for these uses is also provided on site.

Urban Hamilton Official Plan:

- Identified as Employment Areas on Vol. 1, Schedule E-1 – Urban Structure;
- Designated as Employment Area – Business Park on Vol. 1, Schedule E-1; and,
- Designated as Research District in WHID Secondary Plan which permits a range of research, office, medical and pharmaceutical industries, as well as hotel and conference facilities and limited supportive commercial uses to serve the employment area.

Zoning (By-law 05-200)

- M1 – Research and Development zone, which permits a range of manufacturing, research related industries, offices, limited production facilities, and supportive uses such as restaurants and retail. Sensitive land uses are prohibited, including dwelling units.

Applicant’s Proposed Land Use and Rationale

The Applicant proposes to develop a portion of the lands (2.24 ha) with mixed use multiple dwellings, ranging from 4 to 24 storeys, including ground floor uses permitted within the M1 zone. The introduction of residential uses is proposed to support a

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campus-like setting in the business park to attract new research and technology-based businesses, and to stimulate further investment.

The Applicant submitted a Planning Justification Report in support of the proposed conversion, detailing the rationale for the introduction of residential uses on the subject lands. The Applicant’s planning analysis argues that the proposed conversion is consistent with the policies of the PPS, conforms to the employment conversion and intensification policies of the Growth Plan, and satisfies the City’s additional employment conversion criteria. The planning justification further argues that the residential development is suitable for the area as it is within an area that is well served by public services, transit, and municipal infrastructure.

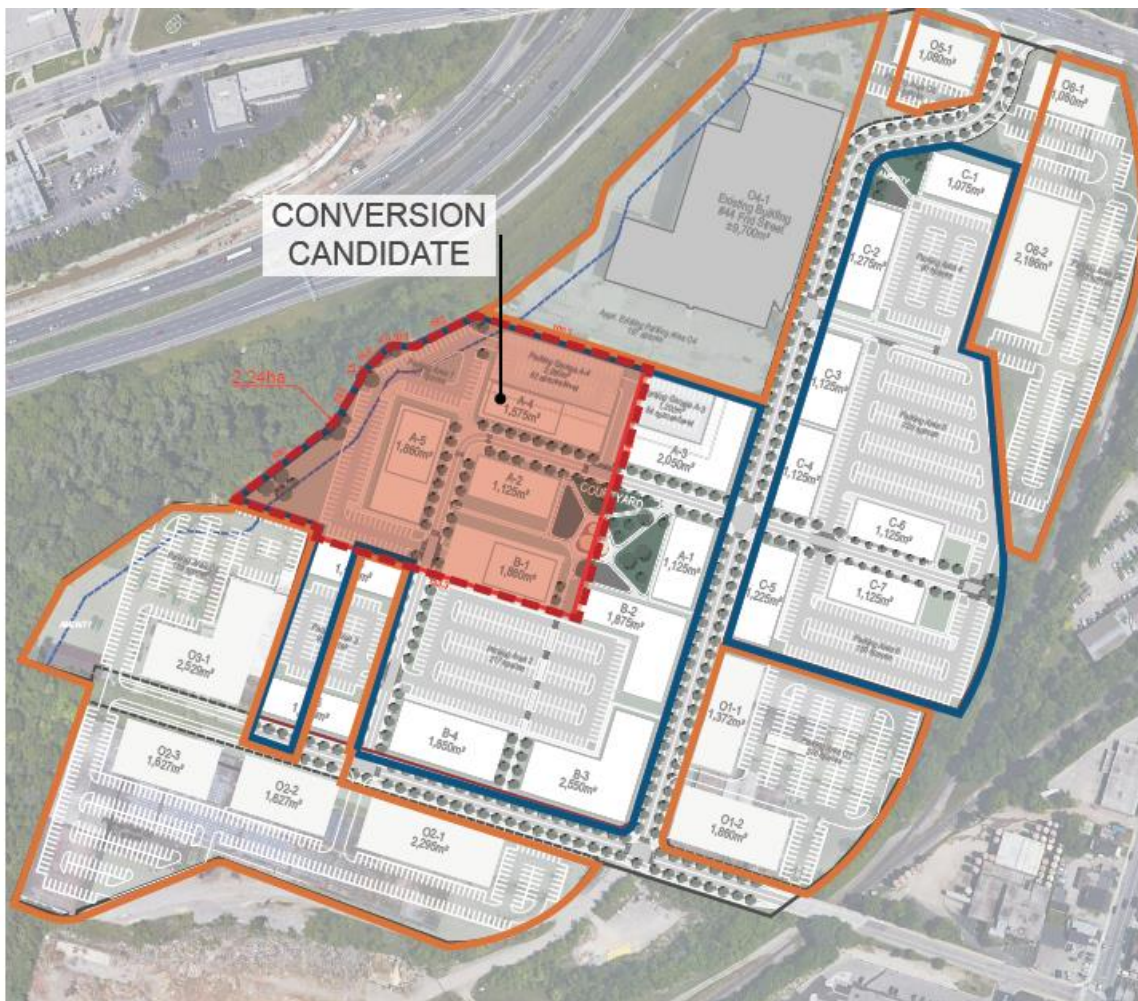


Figure 3 – 70-100 Frid Street Conversion Area (from Planning Justification Report prepared by GSP Group)

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Analysis

Table 1 – Analysis of 70-100 Frid Street using Provincial Conversion Criteria

Provincial Conversion Criteria	Analysis	Conversion Criteria Met?
There is a need for the conversion	<p>While there may be justification for the need to obtain permissions for additional uses on these lands in order to stimulate investment for further compatible business park uses, staff feel that the development of other supportive uses in the business park could also serve to enhance the attractiveness of the area.</p> <p>While residential use would assist in meeting the need for future residential intensification units in the City’s built boundary, staff have already identified priority areas for future residential intensification through the draft policy amendments for the current MCR.</p> <p>A future review of the West Hamilton Innovation District Secondary Plan may be initiated by the City at a future date to ensure the planning direction for the WHID Secondary Plan is consistent with the overall planning framework for the City, including review of potential additional uses that may be appropriate.</p>	Neutral
The lands are not required over the horizon of this Plan for the employment purposes for which they are designated	The lands are designated as “Business Park” in the Urban Hamilton Official Plan. The City has completed the Land Needs Assessment (LNA) to the year 2051 which has demonstrated that the City has sufficient employment land supply for the planning horizon. The removal of the lands for employment purposes	Yes

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Provincial Conversion Criteria	Analysis	Conversion Criteria Met?
	(2.24 ha in size) would likely not significantly impact the overall land supply for the uses for which it was designated.	
The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan	<p>The City’s current LNA indicates that there is sufficient supply of employment lands to accommodate forecasted growth to the year 2051, with a small surplus of approximately 60 hectares.</p> <p>However, if additional lands are identified for conversion beyond the 53.5 hectares supported through Report PED17010(k) in August 2021, the cumulative impact may result in an Employment Land shortfall, which will need to be evaluated and addressed through revised LNA calculations for employment land supply.</p>	Neutral
The proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan	The lands are located internal to an active industrial area / business park. Development of sensitive land uses on this property would not be compatible with certain land uses, including manufacturing, storage, and distribution uses that are near to the site. Further, the active asphalt plant in the immediate area restricts the development of these lands in accordance with Provincial land use compatibility guidelines (see criteria re D-Series D6 Guidelines in the City Criteria in Table 2).	No
There are existing or planned infrastructure and public service facilities to accommodate the proposed uses	The site is located in the urban area of the City of Hamilton, and infrastructure and facilities may be available to support the proposed use, but this has not been confirmed.	Neutral

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Table 2 – Analysis of 70-100 Frid Street using City Criteria

City Conversion Criteria	Analysis	Conversion Criteria Met?
The sites are mixed use blocks and located along the edges of employment areas	<p>The site is not within a mixed use block, as the primary uses of the lands surrounding the site continue to facilitate uses that are permitted in the business park, and are designated and zoned accordingly.</p> <p>The site is internal to an established area for employment uses, and therefore not along an edge.</p>	No
Conversion of the site(s) will not adversely affect the long-term viability and function of the employment areas	<p>The long term vision of the Research District designation is to promote areas for innovative technology sector jobs, as well as research and associated manufacturing of products.</p> <p>Unlike McMaster Innovation Park, on the west side of the WHID, this area of the business park does not have any established residential land use permissions through Official Plan policy or zoning. As such, the introduction of permissions for sensitive land uses is not appropriate for the current planned function of the employment area.</p>	No
Conversion of the site(s) will not affect the long-term viability of the existing employment uses, including large, stand-alone facilities	There are existing, stand-alone facilities that are in operation in the immediate area, including an active asphalt plant. Sensitive land uses on the subject lands would not be compatible with this use, or other employment uses in the area, such as contractors yards, and storage/warehousing facilities for local businesses.	No

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City Conversion Criteria	Analysis	Conversion Criteria Met?
<p>Conversion of the site(s) will not compromise any other planning policy objectives of the City, including planned commercial functions</p>	<p>The City has identified through existing and proposed UHOP policy that higher density, residential intensification is most appropriate in the City’s Nodes and Corridors. Intensification in other areas where residential uses are already present, is also encouraged.</p> <p>Residential intensification by way of conversion of these lands, should not be permitted at this time, as they are not a focal area for growth.</p>	<p>No</p>
<p>Conversion of the site(s) will not create incompatible land uses, including a consideration of the Ministry of the Environment, Conservation and Parks Land Use Compatibility (D-series) guidelines</p>	<p>There are existing, stand-alone facilities that are in operation in the immediate area, including an active asphalt plant (at 501 Main Street West). The asphalt plant would be classified as a Class III land use under the Province’s D-6 Guidelines and would result in an Area of Influence (AOI) of 1000 meters, and a recommended Minimum Separation Distance (MSD) of 300 meters. The proposed conversion area on the subject lands is within approximately 220 meters of the asphalt plant. Development of sensitive land uses within the MSD of this existing facility would not be compatible and would not meet provincial guidelines.</p>	<p>No</p>
<p>Conversion of the site(s) will be beneficial to the community through its contribution to the overall intent and goals of the City policies and demands on servicing and infrastructure</p>	<p>While the development may make use of existing servicing and infrastructure, residential development on these lands is not envisioned through the current policy framework. Continuous monitoring of the City’s land supply for employment lands as well as rates of intensification will dictate if further</p>	<p>Neutral</p>

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City Conversion Criteria	Analysis	Conversion Criteria Met?
	consideration of this area for a broader mix of uses is warranted.	
Conversion of the site(s) will result in a more logical land use boundary	The site located interior to an active business park and surrounded on three sides by lands designated for employment uses. The side that is not adjacent to the business park is the boundary of the Highway 403, which is not a local road that provides frontage. Conversion of this site does not create a more logical land use boundary for employment uses in WHID.	No

Recommendation

Planning Staff have reviewed the documentation submitted by the Applicant and have considered the existing and planned context of this eastern area of the WHID. The existing context of the Frid Street area of the business park is very different to that of the McMaster Innovation Park to the west, where limited residential use is permitted through existing policy and zoning. While the Frid Street area has diversified with the introduction of office and recreational facilities, there remain many active employment uses near the subject lands, including an active asphalt plant. At this time, the existing context of the area is not compatible with the proposed introduction of residential uses, interior to the business park.

Conversion of 70-100 Frid Street is not recommended.

However, given the changing land use context around the West Hamilton Innovation District through the planned introduction of the Light Rail Transit (LRT) and the unique location within the centre of the City, there may be a need to conduct a fulsome review and update to the policies and land use designations within the WHID Secondary Plan. Through a future review of the WHID Secondary Plan there may be opportunity to consider expansion of uses (which may include commercial and residential). Should there be an identified need to allow for a wider variety of uses in WHID, staff would consider implementation through a future MCR, if deemed appropriate.

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2.2 Airport Employment Growth District

There are two conversion requests within the Airport Employment Growth District (AEGD) which were deferred through report PED17010(k) in August 2021. These two sites are adjacent to the City’s urban boundary and abut rural lands on Twenty Road West and Garner Road East respectively. These adjacent rural lands are whitebelt lands which were once considered for potential urban boundary expansion under the “Ambitious Density” growth scenario presented in Report PED17010(o) in November 2021. However, Hamilton City Council has directed that the City shall pursue a “No Urban Boundary Expansion” growth scenario to accommodate community area land need and population growth to the year 2051. Therefore, the rural lands adjacent to these employment conversion request sites are no longer considered for accommodation of residential and community development over the planning horizon.



Figure 4 – AEDG Secondary Plan – Land Use Plan depiction of general area of two conversion requests (Twenty Road West and 700 Garner Road East)

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2.2.1 TWENTY ROAD WEST

Overview and Existing Context

Conversion Area: 55.2 hectares

Location:

- North: Twenty Road West and Garth Street intersection, mixed residential uses;
- South: Dickenson Road and additional lands for AEGD;
- East: Natural heritage lands, Upper James Street; and,
- West: Natural heritage lands, Glancaster Road.

Current Land Use:

- Subject lands are currently undeveloped. The subject lands are a collective of properties held by various land owners, including an area of the former Glancaster Golf and Country Club.

Urban Hamilton Official Plan:

- Identified as Employment Areas on Vol. 1, Schedule E-1 – Urban Structure;
- Designated Airport Employment Growth District and Open Space on Vol. 1, Schedule E-1 – Urban Land Use Designations;
- Designated Airport Prestige Business, Airport Light Industrial and Natural Open Space on AEGD Secondary Plan – Land Use Plan (Figure 5)
 - Partially identified as Site Specific Policy – Area I which restricts certain industrial and utility uses and permits certain non-employment uses; and,
 - Partially identified as an Employment Supportive Centre in the area of Garth Street and Twenty Road West as a gateway into the AEGD along the future Garth Street Extension. Non-employment uses such as retail, commercial schools, day nursery, medical offices and clinics are permitted exclusively in the Employment Supportive Centre;
- Identified as being affected by the Airport Noise Exposure Contours on Vol. 1, Appendix D (Figure 6) - The lands proposed for conversion are affected by the NEF 28 and NEF 30 noise contours from noise generated from the John C. Munroe Airport.

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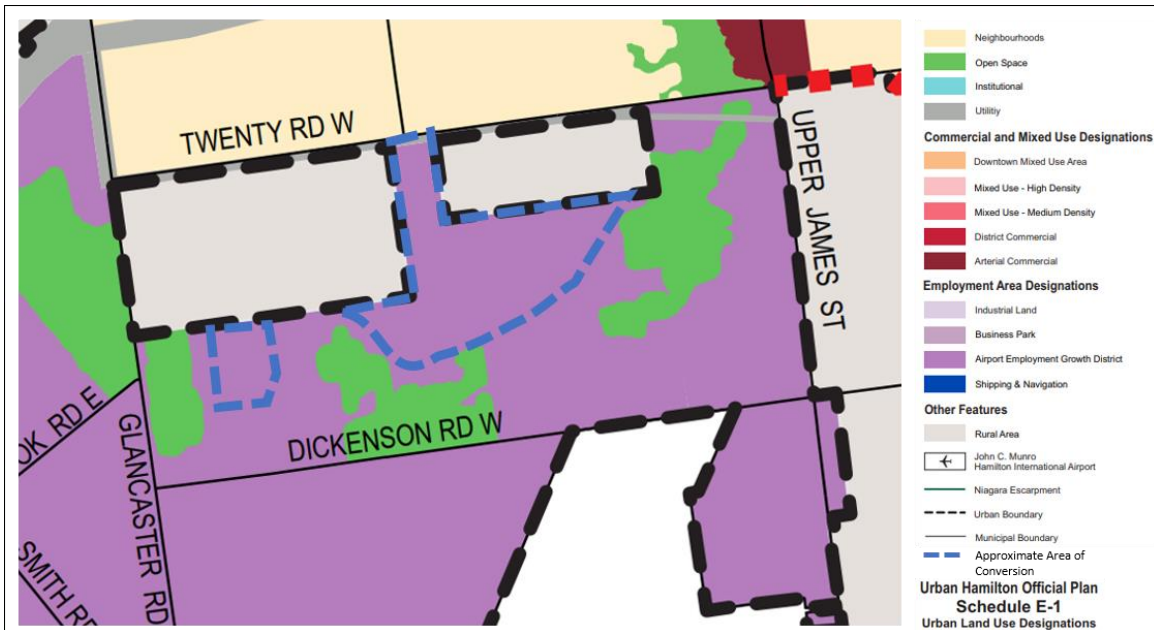


Figure 5 – Land Use designations for Twenty Road West and surrounding lands from UHOP Vol. 1 – Urban Land Use Designations and approximate boundary of conversion request area

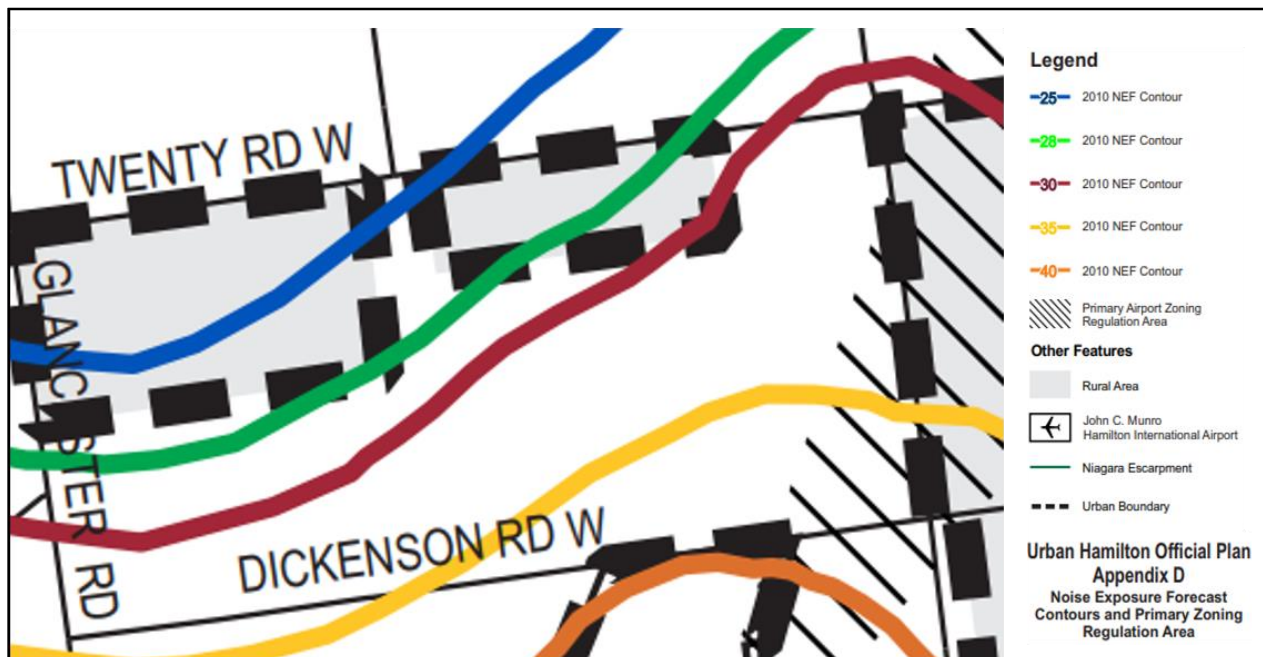


Figure 6 – Airport Noise Forecast Contours around Twenty Road West from UHOP Vol. 1 – Appendix D - Noise Exposure Forecast Contours and Primary Zoning Regulation Area

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Zoning (By-law 05-200):

- M10 Airport Light Industrial – Holding H37 – permits variety of light industrial uses with holding to ensure that lands have access to servicing and transportation infrastructure prior to site alteration;
- M11 Airport Prestige Business – Exception 36, Holding H37 – exception prohibits warehousing, transportation terminal, power generation and utility activities along the Garth Street extension, holding to ensure that lands have access to servicing and transportation infrastructure prior to site alteration; and,
- P5 – Conservation/Hazard Lands – passive recreational uses and flood and erosion control permitted

Applicant’s Proposed Land Use and Rationale

The proposed employment conversion request involves approximately 55.2 hectares (135.9 acres) of lands within the Airport Employment Growth District (AEGD). The requested conversion proposes the introduction of mixed-use development along the southerly extension of Garth Street, as well as compact residential uses such as townhouses, stacked townhouses, and low-rise multiple dwellings. Conversion areas are depicted in yellow outline and marked as ‘MU’ – Mixed -Use and ‘CR’ – Compact Residential on Figure 7. Natural heritage features are proposed to be retained and utilized as buffers separating the proposed lands for conversion from the lands to remain for employment use.

As noted, the lands proposed for conversion are located between two parcels of rural land that were identified as whitebelt lands and which could be considered for urban boundary expansion to accommodate future residential and community growth under the “Ambitious Density” growth scenario in Report PED17010(o). The Council decision to adopt the “No Urban Boundary Expansion” growth scenario has removed these lands from consideration for future development. Therefore, while Figure 7 depicts these adjacent rural lands as ‘CR’ – Compact Residential east and west of the conversion site, these lands are not supported by Council to develop as such and will remain rural to the planning horizon of 2051.

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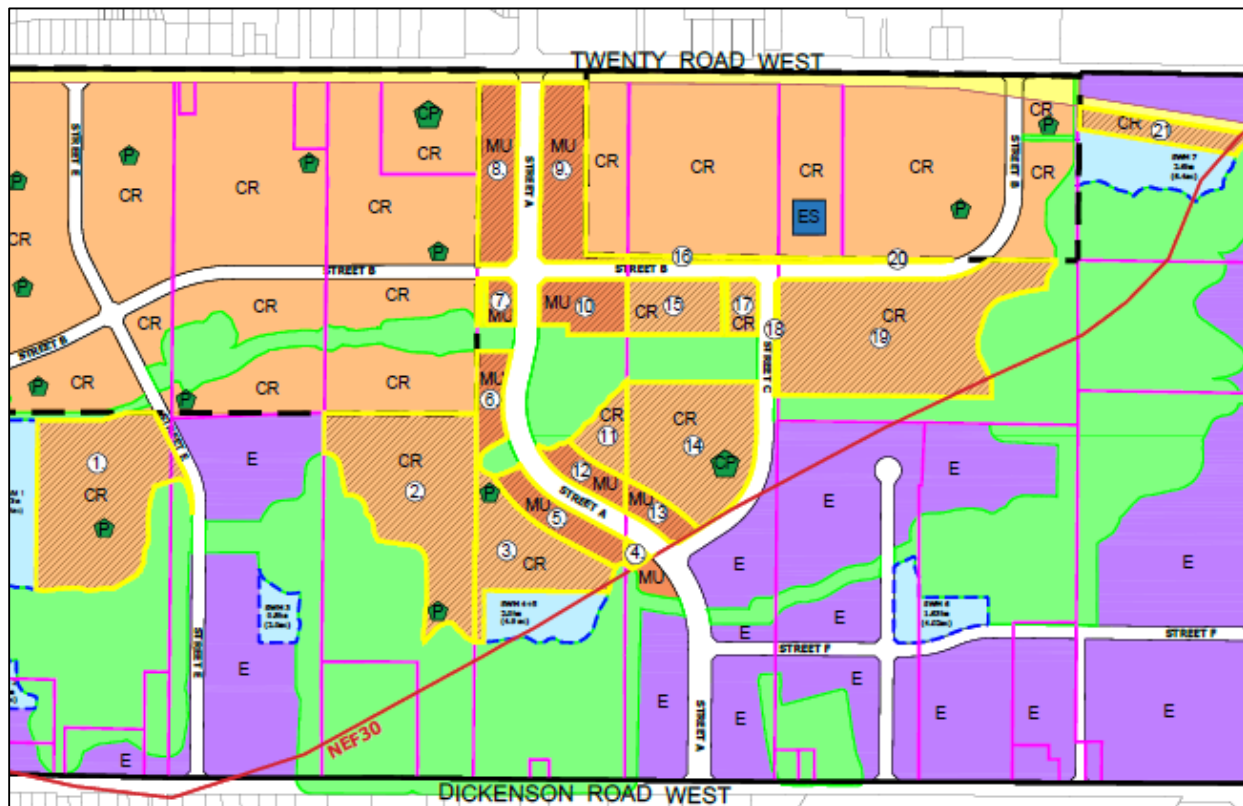


Figure 7 –Twenty Road West development concept plan (prepared by Corbett Land Strategies)

The Applicant has provided a Planning Justification Report to describe how their conversion request aligns with the policy framework of the Provincial Policy Statement (2020) and Growth Plan for the Greater Golden Horseshoe (2019, as amended), and how the proposal addresses the findings of the City’s recent Land Needs Assessment (LNA).

The Applicant has conducted their own review of the land needs assessment and estimates that the City’s oversupply of employment lands is approximately 245 hectares to 2051, whereas the City has determined this surplus to be approximately 60 hectares. The Applicant argues that proposed conversion of the subject lands would assist in reducing the City’s over-supply of employment lands indicated in their calculations.

The Applicant further justifies their proposal by stating that proposed land uses would enhance the overall profile of the AEGD lands by increasing their marketability for a variety of employment uses, serving the needs of the businesses and employees of the AEGD, and creating better visibility for future businesses in the area.

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Analysis

Table 3 – Analysis of Twenty Road West using Provincial Conversion Criteria

Conversion Criteria	Analysis	Conversion Criteria Met?
There is a need for the conversion	<p>The rural lands on Twenty Road West, immediately adjacent to the east and west subject lands, are no longer being considered as a candidate urban boundary expansion area, as Council has adopted a “No Urban Boundary Expansion” growth scenario to 2051. Therefore, there is no need to convert these lands to align with other community land uses.</p> <p>Planning staff have prepared a draft OPA that implements the Council direction to accommodate population growth within the existing urban boundary. Population growth is proposed to be directed to the City’s Node, Corridors, existing and planned Major Transit Station Areas, and existing residential neighbourhood communities. Conversion of employment land to accommodate growth was not considered as part of the City’s growth management plan within the existing urban boundary.</p>	No
The lands are not required over the horizon of this Plan for the employment purposes for which they are designated	<p>The City’s LNA has determined that the supply and demand of Employment Area lands are roughly in balance to the year 2051. A slight surplus of 60 hectares of Employment Area lands was identified.</p> <p>Through Council direction as a result of Report PED17010(k), 53.5 hectares of Employment Area lands was approved for conversion through the</p>	No

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Conversion Criteria	Analysis	Conversion Criteria Met?
	City’s current Municipal Comprehensive Review. The Applicant has requested conversion of 55 hectares of Employment designated lands, which, combined with the employment conversions already endorsed by Council in August 2021, may result in a deficient supply of employment land over the 2051 planning horizon.	
The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan	Removal of all of the requested conversion area (55 hectares) from the AEGD, in addition to other employment conversions endorsed by Council (53.5 hectares) may have the effect of putting the City into an Employment Land deficit over the planning horizon to 2051.	No
The proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan	The function of the AEGD is to support the growth of the City’s airport facilities as a strategic transportation and goods movement facility. The introduction of sensitive land uses, such as residential, would remove lands from an area that has been determined to serve the needs of airport related businesses, therefore affecting the viability of certain areas of the employment area.	No
There are existing or planned infrastructure and public service facilities to accommodate the proposed uses	The AEGD is subject to a Transportation Master Plan, Water and Waste Water Servicing Master Plan, and a Subwatershed Study and Stomwater Master Plan. The use of the lands for residential was not contemplated through these studies, and further review would be required to determine if there would be capacity.	Neutral

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Table 4 – Analysis of Twenty Road West using City Criteria

Conversion Criteria	Analysis	Conversion Criteria Met?
<p>The sites are mixed use blocks and located along the edges of employment areas</p>	<p>The lands subject to the employment conversion request are not located within a block of mixed use lands. Lands to the east and west of the subject lands are not within the City’s Urban Boundary and have not been approved for inclusion through any future urban boundary expansion.</p> <p>The lands are located at the northern end of the AEGD Business Park. A small area of the subject lands is adjacent to the intersection of Twenty Road West and Garth Street and is planned to act as a gateway to the employment area. These lands, while being at the northern edge of the employment area, are already permitted to have a limited amount of non-employment use without the need for conversion.</p>	<p>Neutral</p>
<p>Conversion of the site(s) will not adversely affect the long-term viability and function of the employment areas</p>	<p>The lands are planned to develop comprehensively as part of an area to support the airport use. Introduction of sensitive land uses such as residential would potentially affect the viability of adjacent employment lands to develop as envisioned through the AEGD.</p>	<p>No</p>

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Conversion Criteria	Analysis	Conversion Criteria Met?
Conversion of the site(s) will not affect the long-term viability of the existing employment uses, including large, stand-alone facilities	<p>The John C. Munroe Airport operates a 24 hour freight and passenger airport facility. These uses form the foundation of the AEGD and their viability shall be protected.</p> <p>The Applicant has proposed introduction of sensitive land uses up to the 30 NEF airport noise contour, whereas the City’s Urban Hamilton Official Plan only allows development of sensitive land uses up to the 28 NEF noise contour. The potential for noise disturbance for the proposed area for conversion is high, and therefore there may be increased complaints to the airport about the aircraft noise.</p>	No
Conversion of the site(s) will not compromise any other planning policy objectives of the City, including planned commercial functions	Planning objectives that may be in conflict with the proposal are related to the protection of airport related uses. With regard to this concern, staff will only support conversion of lands outside the 28 NEF contour for the introduction of sensitive land uses as per the policies of the UHOP.	No
Conversion of the site(s) will not create incompatible land uses, including a consideration of the Ministry of the Environment, Conservation and Parks Land Use Compatibility (D-series) guidelines	Planning staff will only support the development of sensitive land uses outside of the 28 NEF contour, as noted in the policies of the Urban Hamilton Official Plan. The proposed conversion may result in incompatible land uses between the residential uses and airport and airport industrial uses.	No

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Conversion Criteria	Analysis	Conversion Criteria Met?
Conversion of the site(s) will be beneficial to the community through its contribution to the overall intent and goals of the City policies and demands on servicing and infrastructure	Staff cannot confirm if the planned infrastructure in the AEGD is appropriate to support the intensity of use proposed through the conversion request.	Neutral
Conversion of the site(s) will result in a more logical land use boundary	The conversion of the lands will not result in a more logical land use boundary for the northern limit of the AEGD. Proposed residential uses will not be adjacent to other non-employment, community area lands, as adjacent rural lands are not proposed to be brought into the urban boundary for future residential development.	No

Recommendation

Planning Staff do not recommend conversion of the subject lands, as they are not adjacent to lands to be developed for community uses, and the proposed conversion area may result in an employment land supply deficit over the planning horizon.

2.2.2 700 GARNER ROAD EAST

Overview and Existing Context

Conversion Area: 26.6 hectares

Location:

- North: Garner Road East, Redeemer University College;
- South: Hydro electric corridor;
- East: Rural lands outside of the urban boundary; and
- West: Vacant lands designated for future AEGD development.

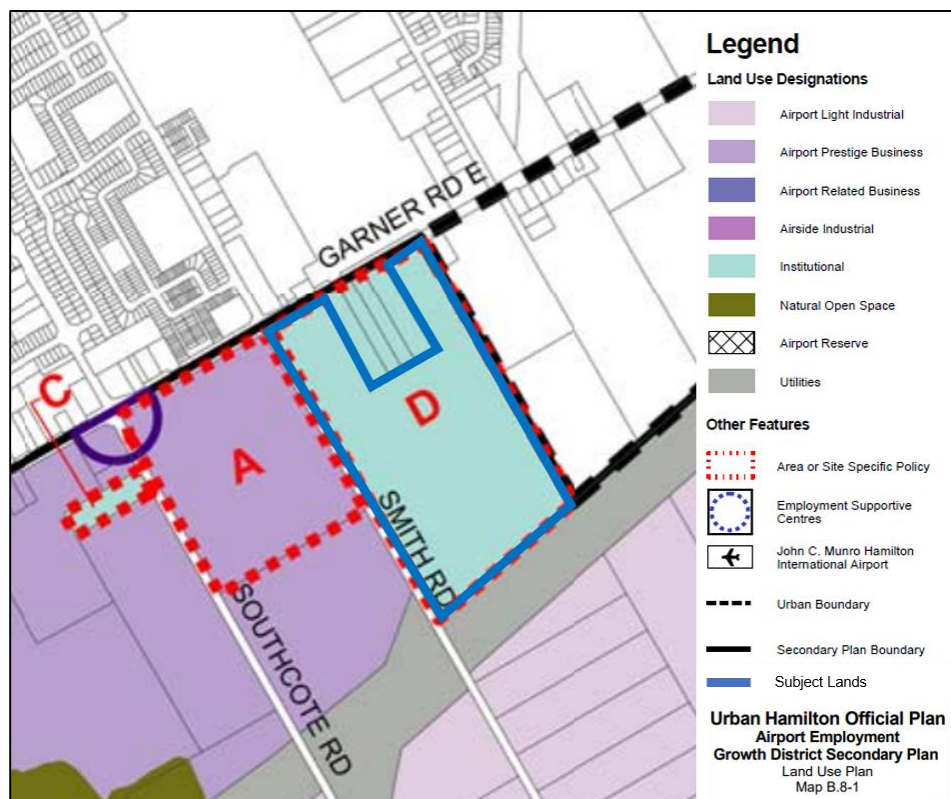
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Current Land Use:

- Subject lands are currently undeveloped and being used for agricultural purposes. The lands were previously planned to develop as an extension to the existing Redeemer University College campus, however this is no longer the development proposed for the lands. The landowner has submitted a plan of subdivision to the City for the future development of the lands (File 25T-202105 – see Figure 9 below).

Urban Hamilton Official Plan:

- Identified as Employment Areas on Vol. 1, Schedule E-1 – Urban Structure;
- Designated Institutional on Vol. 1, Schedule E-1 – Urban Land Use Designations;
- Designated Institutional on AEGD Secondary Plan – Land Use Plan (Figure 8), however Institutional policies (B.8.7.2) in the AEGD Secondary Plan direct that the lands be considered as “Airport Prestige Business” should the property not develop for institutional purposes.
 - Identified as Site Specific Policy – Area D which prohibits residential use, unless it is developed ancillary to an institutional use, such as student residences, convents or continuing care homes.



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**Figure 8 – Land Use designations for 700 Garner Road East (identified as Area D)
and surrounding lands from AEGD Secondary Plan – Land Use Plan**

Zoning (By-law 05-200):

- I3 – Major Institutional – Exception 27 – E27 prohibits all residential uses, except in the case that a multiple dwelling or lodging home is built in conjunction with an educational establishment, and provided the multiple dwelling or lodging home is only used for students from the educational establishment.

Applicant’s Proposed Land Use and Rationale

The subject lands are not proposed to be developed with the institutional uses for which they were originally designated. The AEGD secondary plan policy B.8.7.2 therefore applies, and the lands are to be considered as “Airport Prestige Business” for the purposes of determining future uses. The Applicant has requested that the 26.6 hectare parcel of land be considered for conversion from their default employment designation to a designation which would permit a mix of uses including residential, institutional (long-term care, educational facilities), office and commercial uses. They have indicated that these land uses would provide additional economic and housing opportunities. No specific non-employment designation has been proposed through the request.

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Figure 9 – Proposed development of 700 Garner Road East, as submitted through a current Subdivision Application (from Concept Plan prepared by MHBC Planning)

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Analysis

Table 5 – Analysis of 700 Garner Road East using Provincial Conversion Criteria

Provincial Conversion Criteria	Analysis	Conversion Criteria Met?
There is a need for the conversion	<p>The rural lands on Garner Road East, immediately east of the subject lands, are no longer being considered as a candidate urban boundary expansion area, as Council has adopted a “No Urban Boundary Expansion” growth scenario to 2051. Therefore, there is no need to convert these lands to align with other community land uses on neighbouring lands.</p> <p>The City’s draft MCR OPA contains residential intensification and development policies to locate residential growth to 2051 to strategic growth areas and existing neighbourhoods across the City.</p> <p>Conversion of employment land to accommodate growth was not considered as part of the City’s growth management plan within the existing urban boundary.</p> <p>While staff do not find a need for the conversion of the lands to permit uses other than the ‘Institutional’ or “Airport Prestige Business” use which are currently permitted, staff do find that an amendment to the AEGD Secondary Plan is warranted for clarity purposes. Amendment to existing AEGD Institutional policy B.8.7 to remove reference to the lands developing exclusively for Redeemer College would provide clarity on the permitted uses on the lands for the</p>	No

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Provincial Conversion Criteria	Analysis	Conversion Criteria Met?
	development for other institutional uses.	
The lands are not required over the horizon of this Plan for the employment purposes for which they are designated	<p>The City has completed the Land Needs Assessment to the year 2051 which has demonstrated that the City has sufficient employment land supply for the planning horizon.</p> <p>The subject lands at 700 Garner Road East included in the LNA calculations as part of the City’s employment land supply. The lands are identified as Employment Areas on Schedule E – Urban Structure (Volume 1), designated Institutional in the AEGD Secondary Plan, and default to the designation “Airport Prestige Business” in the AEGD Secondary Plan if the institutional uses for which they are designated are not developed.</p> <p>The removal of 26.6 hectares of employment designated land in the AEGD may impact the overall land supply for the uses for which it was designated.</p>	No
The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan	<p>The Land Needs Assessment completed as part of the MCR, indicates that there is sufficient supply of employment lands to accommodate forecasted growth to the year 2051, with a small surplus of approximately 60 hectares.</p> <p>Through Council direction as a result of Report PED17010(k), 53.5 hectares of Employment Area lands was approved for conversion through the</p>	Neutral

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Provincial Conversion Criteria	Analysis	Conversion Criteria Met?
	City’s current Municipal Comprehensive Review. The removal of 26.6 hectares of employment land from the City’s employment land base may result in a shortfall of employment designated lands over the planning horizon.	
The proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan	The proposed development of the site with sensitive land uses in the form of institutional uses (long term care) would not affect the overall viability of the employment area, as sensitive land uses were already considered within the current designation.	Yes
There are existing or planned infrastructure and public service facilities to accommodate the proposed uses	Extension of public sanitary sewer is required to facilitate the development, and water services can be provided by connection to existing infrastructure.	Neutral

Table 6 – Analysis of 700 Garner Road East using City Criteria

City Conversion Criteria	Analysis	Conversion Criteria Met?
The sites are mixed use blocks and located along the edges of employment areas	The site is located at the western edge of the AEGD Business Park, however the lands are not within a mixed use block, as rural lands to the east are not proposed to be developed for community uses over the planning horizon.	Neutral
Conversion of the site(s) will not adversely affect the long-term viability and function of the employment areas	The lands were originally intended to be developed with institutional uses, which included consideration of ancillary residential uses. Conversion of the lands would not adversely affect	Yes

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City Conversion Criteria	Analysis	Conversion Criteria Met?
	the overall viability the employment area.	
Conversion of the site(s) will not affect the long-term viability of the existing employment uses, including large, stand-alone facilities	There are no large stand-alone facilities in the vicinity of the subject lands. The Hamilton Airport is located further south-east, and the site is not significantly affected by airport noise.	Yes
Conversion of the site(s) will not compromise any other planning policy objectives of the City, including planned commercial functions	The City had determined that the lands should be developed for Airport Prestige Business uses, should it not develop for Institutional uses. If a broader range of institutional uses is permitted, it would not compromise the original planning objectives of the City, however standalone residential uses should continue to be developed in areas designated and zoned appropriately.	Neutral
Conversion of the site(s) will not create incompatible land uses, including a consideration of the Ministry of the Environment, Conservation and Parks Land Use Compatibility (D-series) guidelines	There are currently no land uses surrounding the site which would be incompatible with the uses proposed for the site.	Yes
Conversion of the site(s) will be beneficial to the community through its contribution to the overall intent and goals of the City policies and demands on servicing and infrastructure	The conversion to allow additional institutional uses on the subject lands, as well as standalone residential uses, may not be beneficial to the overall intent and goals of the City, as residential uses should be developed as part of a complete community. There are no current opportunities to connect the residential component of the proposed conversion to adjacent lands and the lack of connectivity may	No

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City Conversion Criteria	Analysis	Conversion Criteria Met?
	render them isolated from other residential uses.	
Conversion of the site(s) will result in a more logical land use boundary	Currently, the logical land use boundary for AEGD is the lands immediately east on Garner Road, which are outside of the City’s Urban Boundary. If the lands were to be removed from the AEGD, Smith Road may also be a logical land use boundary.	Neutral

Recommendation

Planning staff do not recommend conversion of the subject lands. The Planning Division will continue to review and process the active Plan of Subdivision Application for the lands (File 25T-202105) and assess the proposed development in consideration of future municipal servicing upgrades to the area.

Staff recommend that the existing UHOP Vol. 1 Institutional Policy B.8.7 be amended through the current MCR process to remove reference to the lands developing exclusively for Redeemer University College as the only institutional use. This minor amendment would clarify that the site would be eligible for development with additional institutional uses, with a continued restriction on residential uses, unless they are ancillary to institutional.

2.3 RED HILL NORTH BUSINESS PARK

There is one employment land conversion request within the Red Hill North Business Park which was deferred through motion of Council after the staff presentation of Report PED17010(k) in August 2021. The conversion request is located at 1725 Stone Church Road East and was previously not recommended by Planning staff for conversion through Report PED17010(k). The rationale by staff at that time was that there was not sufficient need demonstrated for the conversion, and there were concerns that there may be impacts on the commercial function of nearby commercial lands in the Heritage Greene Secondary Plan area. Further, the Applicant previously noted that residential uses were potentially contemplated for the site. After the motion for deferral, the Applicant provided additional justification to staff to respond to the initial concerns.

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2.3.1 1725 STONE CHURCH ROAD EAST, 130 & 140 MUD STREET EAST

Overview and Existing Context

Conversion Area: 7.4 hectares

Location:

- North: Lincoln Alexander Parkway (LINC), interchange of LINC and Red Hill Valley Parkway
- South: Stone Church Road East, mixed business park uses
- East: Upper Red Hill Valley Expressway, Mixed Use – Medium Density area of the West Mountain (Heritage Green) Secondary Plan, Stoney Creek
- West: Hydro electric corridor, business park office buildings, Arterial Commercial designated lands

Current Land Use:

- Subject lands are currently undeveloped.

Urban Hamilton Official Plan:

- Designated Business Park on Vol. 1, Schedule E-1 – Urban Land Use Designations
 - Partially designated Employment West Mountain Area (Heritage Green) Secondary Plan – Land Use Plan

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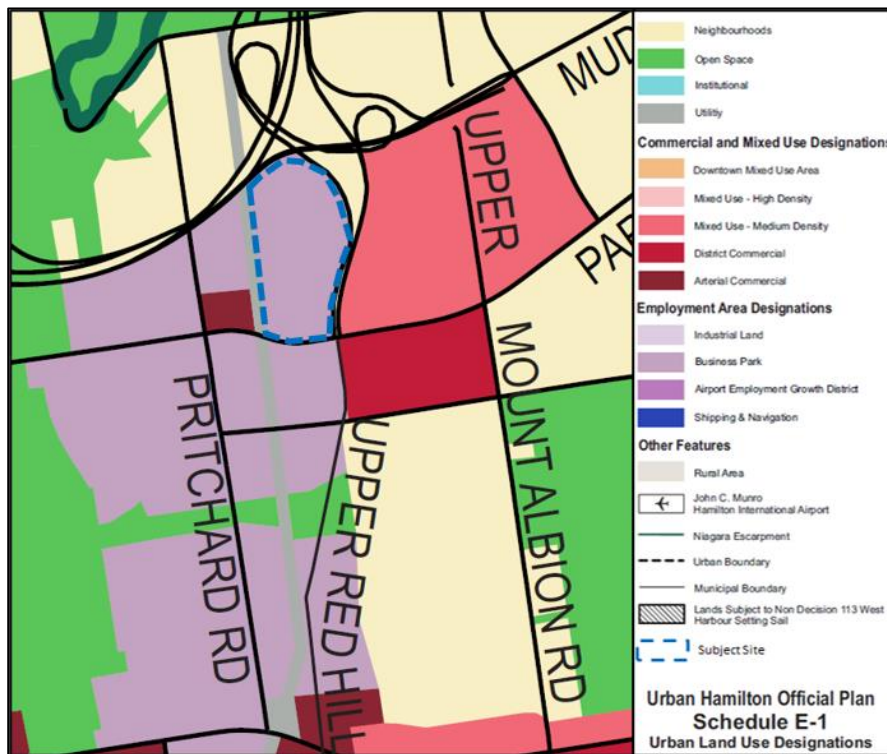


Figure 10 – Land use designations for 1725 Stone Church Road East

Zoning (By-law 05-200):

- M3 – Prestige Business Park – permits a wide range of employment area land uses, as well as office, hotel and restaurants, among others. Intensive industrial activities are prohibited (rock crushing, smelting, production of chemicals), as are sensitive land uses such as residential, places of worship and day nurseries.

Applicant’s Proposed Land Use and Rationale

Following the August 2021 General Issues Committee meeting for Report PED17010(k), and the subsequent Council motion for deferral of the conversion request for the subject land, the Applicant met with City staff and provided additional documents for clarification. The Applicant provided a Retail Commercial Demand and Impact Assessment to justify the need for the conversion, and an addendum letter to the original Planning Justification Report to clarify that residential uses and major office uses were no longer planned for the site.

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Analysis

Table 7 – Analysis of 1725 Stone Church Road East and 130 & 140 Mud Street East using Provincial Conversion Criteria

Provincial Conversion Criteria	Analysis	Conversion Criteria Met?
There is a need for the conversion	The Applicant’s Retail Commercial Demand and Impact Assessment has demonstrated that there is a demand for additional commercial opportunities in the immediate area, as the adjacent commercial centres are fully tenanted. There are also physical size restrictions, parking supply restrictions, and restrictive covenants in existing leases that do not allow for additional commercial uses to locate in the existing commercial areas in the vicinity.	Yes
The lands are not required over the horizon of this Plan for the employment purposes for which they are designated	The lands are designated as Business Park in the Urban Hamilton Official Plan. The City has completed the Land Needs Assessment to the year 2051 and it has forecasted that there will be a small surplus of employment lands over the planning horizon. While the 7.4 hectare conversion is a significant area of land, the conversion of this parcel will not have a significant effect on overall land need due to the available surplus of approximately 60 ha identified in the LNA.	Yes
The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan	The Land Needs Assessment completed as part of the MCR, indicates that there is sufficient supply of employment lands to accommodate forecasted growth to the year 2051. There is a small surplus of employment land of approximately 60 hectares.	Neutral

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Provincial Conversion Criteria	Analysis	Conversion Criteria Met?
	The inclusion of these lands for conversion as well as previously Council endorsed conversions of 53.5 ha through Report PED17010(k) is still within the range of the anticipated surplus and is acceptable.	
The proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan	The proposed use of the site for commercial purposes does not pose potential concern in terms of the viability of the employment area. There are no sensitive land uses proposed, and a clear prohibition on sensitive land uses will be included in a site specific policy for the lands.	Yes
There are existing or planned infrastructure and public service facilities to accommodate the proposed uses	Would require further study to confirm requirements.	Yes

Table 8 – Analysis of 1725 Stone Church Road East and 130 & 140 Mud Street East using City Criteria

City Conversion Criteria	Analysis	Conversion Criteria Met?
The sites are mixed use blocks and located along the edges of employment areas	The site is on edge of the Red Hill Business Park (North). The surrounding land uses are mixed, with commercial uses to the east, west, and south, industrial uses to the southwest, and a mix of road network, open space, and residential to the north.	Yes
Conversion of the site(s) will not adversely affect the long-term viability and function of the employment areas	The employment area in the immediate area is made up of a mix of land uses and is bordered by Mixed Use Medium Density and District Commercial designated lands. The	Neutral

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City Conversion Criteria	Analysis	Conversion Criteria Met?
	Applicant has clarified that the land owner does not intend to develop the site with residential uses, rather a mix of larger commercial units that are no longer able to be accommodated in the Heritage Green area to the east. Given the mix of uses in the area and the decision to not include residential in the development, it isn't likely that the long term viability of the employment are will be compromised by this development.	
Conversion of the site(s) will not affect the long-term viability of the existing employment uses, including large, stand-alone facilities	There are no existing large industrial facilities in the immediate area. Existing employment uses in close proximity to the subject lands include self-storage, tool manufacturing, uniform manufacturing, graphic design/embroidery/screen printing and are not anticipated to be negatively impacted by a conversion.	Yes
Conversion of the site(s) will not compromise any other planning policy objectives of the City, including planned commercial functions	The owner of the subject lands is also the owner of the commercial plazas in the immediate vicinity. Therefore, the development of the subject lands would not be planned in a way that would result in a detrimental impact to the commercial function of the other commercial areas in the vicinity. The Applicant's market needs assessment indicates that the conversion will likely increase the general consumer traffic to the area, increasing the trade area for the commercial quadrant.	Yes
Conversion of the site(s) will not create incompatible land uses, including a consideration of the Ministry of the Environment, Conservation and Parks Land	The Applicant has clarified that no residential uses are proposed for the lands, and as there are no large scale manufacturing uses in the immediate	Yes

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City Conversion Criteria	Analysis	Conversion Criteria Met?
Use Compatibility (D-series) guidelines	vicinity, a compatibility issue is not anticipated.	
Conversion of the site(s) will be beneficial to the community through its contribution to the overall intent and goals of the City policies and demands on servicing and infrastructure	The site is currently undeveloped. Development of the site would constitute intensification of a site within an area that is already developed, which would be a community benefit. While the employment land base is an important component of the City’s future growth, the conversion of the subject lands is not likely to result in a deficiency of employment lands for future job growth.	Neutral
Conversion of the site(s) will result in a more logical land use boundary	The Applicant proposes to shift the boundary to the hydro corridor directly west of the parcel. While Staff previously noted that the Red Hill Valley Parkway was a logical land use separator, Staff can support this shift of the employment boundary, as the proposed commercial function of the lands fits better with the uses in the commercial quadrant. The hydro corridor is a clear, linear boundary, and will remain intact for the long term.	Neutral

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Recommendation

Staff recommend conversion of the lands to the District Commercial designation, with a site specific policy prohibiting residential uses from developing on the lands. This prohibition will ensure long term land use compatibility between the employment land uses in the Red Hill Valley North Business Park and the subject lands. The proposed Site Specific Policy to be added to Vol. 3 of the UHOP, is drafted as follows:

“In addition to Section E.4.0 – Commercial and Mixed Use Designations, the following policies apply:

- a) Notwithstanding policies E.4.7.2 and E.4.7.9, sensitive land uses such as, but not limited to live work units, daycare uses, and residential uses shall not be permitted; and,
- b) As part of a complete Application for development, an Architectural and Urban Design Guidelines document shall be prepared and submitted to the satisfaction of the City, describing the overall community structure of the subject lands and providing built form and landscaping guidelines to ensure that the physical design of the site is consistent with the overall intended character and design vision for the neighboring Heritage Greene lands to the east. Specifically, the guidelines should address private and public realm components, including streetscape design, connectivity and enhancement of the pedestrian network, and the physical design of any proposed open space and built form. The submitted Architectural and Urban Design Guidelines shall also address policy C.3.3 - Urban Design Policies, and the City’s Site Plan Guidelines.”

The Site Specific Amendment will be included in the forthcoming MCR Official Plan Amendment.

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2.4 STONEY CREEK BUSINESS PARK

There is one request for conversion in the Stoney Creek Business Park that was deferred as a result of a Council motion following the presentation of Report PED17010(k) in August 2021. Following the deferral of the site, the Applicant submitted an Official Plan Amendment and Zoning By-law Amendment for the subject lands to initiate the development approvals process for the proposed site concept. Planning Staff have reviewed the development concept, as well as the supporting material submitted for the OPA / ZBA Application, including a Market Needs Assessment and Noise Study.

2.4.1 1400 SOUTH SERVICE ROAD

Overview and Existing Context

Conversion Area: 7.2 hectares

Location (Surrounding Context):

- North: QEW Highway;
- South: Railway corridor and agricultural lands in Rural area of Hamilton;
- East: Vacant lands, natural heritage feature (watercourse), and active outdoor aggregate operation serving the landscaping and contracting sector (DVC Aggregates); and,
- West: vacant lands owned by MTO, Fifty Road, and District Commercial development (Costco and other commercial uses).

Current Land Use:

- Subject lands are currently undeveloped.

Urban Hamilton Official Plan:

- Designated Business Park on Vol. 1, Schedule E-1 – Urban Land Use Designations; and,
- Designated Business Park on Vol. 2, Fruitland Winona Secondary Plan – Land Use Plan.

Zoning (By-law 05-200):

- M3 – Prestige Business Park with Special Exception 404 – SE404 permits the following uses in addition to the permitted uses of the M3 zone – Tourist

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Information Centre, Travel Plaza, Commercial recreation, financial establishments, medical clinics, restaurants accessory to all uses.

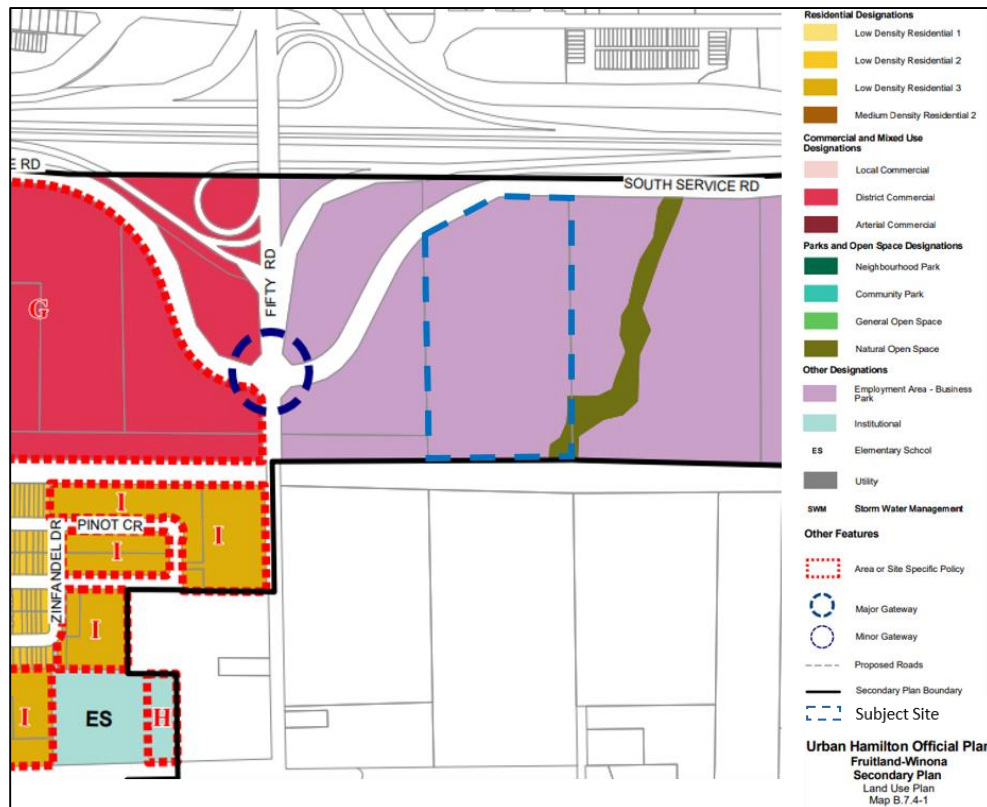


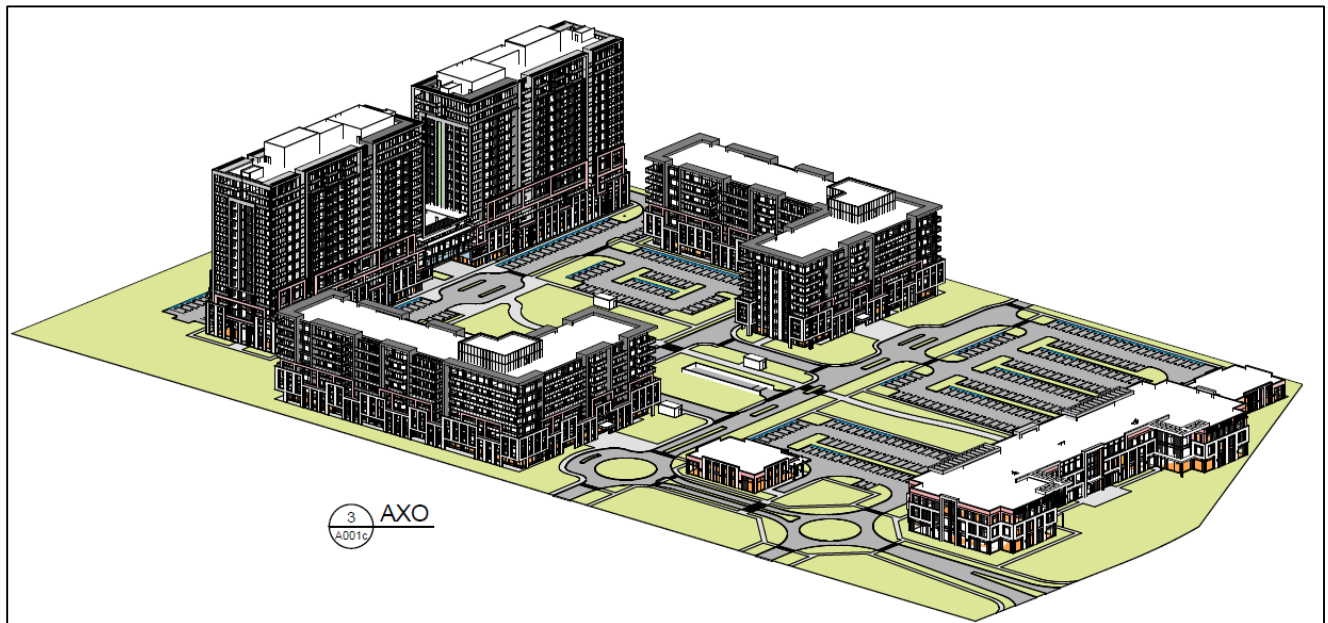
Figure 11 – Fruitland-Winona Secondary Plan area with 1400 South Service Road within Plan area

Applicant’s Proposed Land Use and Rationale

The Applicant proposes the redesignation of the lands at 1400 South Service Road from the current Business Park designation, to a Mixed Use – High Density designation. The proposed development of the lands consists of the following:

- Two 16 storey multiple dwellings;
- Two 8 storey multiple dwellings;
- 986 residential dwelling units;
- One 3 storey Office building with 10,233 square metres GFA;
- Two 1 storey commercial buildings with GFAs of 510 square metres and 456 square metres respectively; and,
- 1,882 parking spaces (444 surface, 1,438 underground).

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**Figure 12 – Rendering of proposed development for 1400 South Service Road
(prepared by MHBC Planning for submission of an OPA ZBA in 2021)**

Following the August 2021 Council motion to defer consideration of the employment conversion, the Applicant submitted a complete Application for Official Plan Amendment and Zoning By-law Amendment for the proposed development.

The Applicant’s rationale for the proposed conversion is that a high-density, mixed-use development on this parcel would support future transit facilities along the GTA-Niagara rail corridor, as well as local transit expansion. The Applicant has provided the opinion that the watercourse east of the parcel bisects the employment area and creates an edge condition for the employment area, and further that the block of employment lands is physically isolated from the greater area of the Stoney Creek Business Park to the west. Given the Council direction for a “No Urban Boundary Expansion Growth Scenario” the Applicant argues that the proposed development would assist in the City meeting its intensification and density targets within the urban boundary over the planning horizon. Similarly, the Applicant has presented the opinion that the City’s employment land demand has been overstated in the City’s Land Needs Assessment (LNA) and there is likely a larger surplus of employment land available beyond the 60 hectares noted in the LNA. Finally, the Applicant notes that the development of the site with a mix of uses will likely result in the lands being developed more quickly with jobs (in the proposed commercial and office buildings) than if it were to remain in the Business Park designation.

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Analysis

Staff previously presented a comprehensive analysis of the proposed conversion for 1400 South Service Road through Appendix “C” of Report PED17010(k) in August of 2021. The analysis provided in the following section builds on the previous analysis and references the additional material submitted by the Applicant in support of the conversion request.

Table 9 – Analysis of 1400 South Service Road, Stoney Creek Using Provincial Conversion Criteria

Provincial Conversion Criteria	Analysis	Conversion Criteria Met?
There is a need for conversion	<p>The need for conversion has not been established. There are no higher order transit facilities planned at the intersection of Fifty Road and the QEW that would necessitate the development of this parcel to support ridership. A future local transit hub in the Fifty Road and QEW area may be developed in the future, however the timing of providing transit services to this area is not definitive. The immediate area is well served with residential designated land in the Fruitland-Winona Secondary Plan and the nearby Urban Lakeshore Area Secondary Plan.</p> <p>The Applicant has submitted a Market Needs Assessment in order to establish the need for conversion to the Mixed Use – High Density designation. Within the City’s built-up area, areas for higher density, mixed use development to accommodate residential population growth have already been considered through the MCR process and have not included these lands as a potential growth area. The City has not identified that these lands are needed to assist in accommodating population growth to the year 2051.</p>	No

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Provincial Conversion Criteria	Analysis	Conversion Criteria Met?
	<p>The Applicant has noted the development of high density residential uses is needed as it will result in the lands developing with jobs in the office and commercial components faster than if it were developed solely for business park uses. While staff support a use of these lands that includes jobs, the proposed office building proposed far exceeds the 4,000 square metres and would be considered a Major Office use. The Growth Plan dictates that Major Office uses be located in Urban Growth Centres, Major Transit Station Areas, and strategic growth areas with existing or planned frequent transit.</p>	
<p>The lands are not required over the horizon of this Plan for the employment purposes for which they are designated</p>	<p>The lands are designated as “Business Park” in the Urban Hamilton Official Plan. The City has completed the Land Needs Assessment to the year 2051 which has demonstrated that the City has sufficient employment land supply for the planning horizon.</p> <p>While the removal of the lands alone for employment purposes may not significantly impact the overall land supply for the uses for which it was designated, there is a risk that conversion of the site would limit the business park development potential on adjacent lands and set a precedent for future conversions of adjacent parcels. City will closely monitor the supply of all types of employment land on an annual basis.</p>	<p align="center">Neutral</p>
<p>The municipality will maintain sufficient employment lands to accommodate forecasted</p>	<p>The Land Needs Assessment completed as part of the MCR indicates that there is sufficient supply of employment lands to accommodate</p>	<p align="center">Neutral</p>

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Provincial Conversion Criteria	Analysis	Conversion Criteria Met?
employment growth to the horizon of the plan	<p>forecasted growth to the year 2051, with a small surplus of approximately 60 hectares.</p> <p>The inclusion of these 7.2 hectare lands for conversion, in addition to previously Council endorsed conversions of 53.5 ha through Report PED17010(k), may still result in an employment land supply that is within the margin of error for the anticipated surplus. However, staff are concerned that conversion of these lands would set a precedent and result in additional request for conversion on nearby lands.</p> <p>Should additional lands be identified for conversion beyond those recommended in this Report, the cumulative impact may result in an Employment Land shortfall which will need to be evaluated and addressed through revised employment area land need calculations.</p>	
The proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan	<p>The lands are not located on the periphery of an industrial area. An active, open-air aggregate supply operation is located on lands to the east, separated by the natural heritage feature, but within the block of employment lands. While the creek separates the two parcels, there is no buffer from potential development of employment uses on vacant lands located to the west. Development of sensitive land uses on this property may compromise the development of future employment uses on adjacent parcels. Additional residential designated land is not needed in the Secondary Plan area. Development of this parcel with high-</p>	No

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Provincial Conversion Criteria	Analysis	Conversion Criteria Met?
	<p>density mixed-uses may compromise the ability of priority intensification areas of the City (Downtown Urban Growth Centre, MTSAs, Nodes and Corridors) to achieve their intensification goals set out in the UHOP.</p> <p>Similarly, while the Applicant notes that the development itself is a complete community, Planning Staff are not satisfied that it has sufficient pedestrian, active transit, or public transit connectivity to other community uses in the area. The result is a development that would require occupants to drive a private vehicle to accomplish most daily tasks.</p>	
<p>There are existing or planned infrastructure and public service facilities to accommodate the proposed uses</p>	<p>While the site is in the Urban Area of the City, there is no water, waste water or sanitary servicing extended to the frontage of this property at this time. The Applicant would be required to extend the servicing from the intersection of Fifty Road and South Service Road to the frontage of this property.</p> <p>Development Engineering staff reviewed the Applicant’s Functional Servicing Report submitted as part of their concurrent OPA/ZBA. Comments indicate that existing, newly constructed, sanitary sewer infrastructure is not sized to accommodate the population density that is proposed for the site (sized for 125pph, not 396 pph). Development Engineering staff did not support the OPA/ZBA submission.</p>	<p align="center">No</p>

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Provincial Conversion Criteria	Analysis	Conversion Criteria Met?
	Transportation Planning staff did also not support the development concept submitted for the OPA/ZBA as the proposed population density cannot be supported effectively by the existing road network without significant queuing and delays.	

Table 10 – Analysis of 1400 South Service Road using City Criteria

City Conversion Criteria	Analysis	Conversion Criteria Met?
The sites are mixed use blocks and located along the edges of employment areas	<p>The site is not located on a block that contains a mix of uses. The parcel is constrained by a rail corridor and Urban/Rural Boundary to the south, and the QEW to the north. Designations on either side of these corridors do not inform a mixed use condition due to a lack of connectivity to the parcel. Lands to the west and east of the parcel are designated employment lands.</p> <p>While lands are not contiguous with majority of the Stoney Creek Business Park to the west, they are part of a continuous block of employment lands leading into Grimsby (Niagara Region). Niagara Region, through it’s MCR, has proposed a designation of Core Employment Area on their employment lands on this block with a density of approx. 45 pjh for employment uses.</p> <p>While this employment block is bisected by a small area identified as a Core Natural Heritage Area on Schedule B of Vol. 1 of the UHOP, the presence of the linear natural heritage feature does not create an edge condition as the</p>	No

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City Conversion Criteria	Analysis	Conversion Criteria Met?
	employment area continues on lands to the east.	
Conversion will not adversely affect the long-term viability and function of the employment areas.	The lands are located interior to an employment area. The request for conversion only considers conversion of the subject lands, which is between two parcels designated for Employment uses. The lands on either side of the property are shown as conceptually functioning to assist the development of the site, but are not part of the development proposal, nor are they requested for conversion. Therefore, the conversion of the subject lands would not allow these adjacent parcels to develop with the uses for which they are currently designated. Conversion may affect the long-term viability of these adjacent employment lands.	No
Conversion will not negatively affect the long-term viability of existing employment uses, including large, stand-alone facilities.	There are no large, stand alone employment facilities located in the area of the subject lands. The introduction of sensitive uses on the property may preclude the development of adjacent lands for the employment purposes for which they were intended.	Neutral

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City Conversion Criteria	Analysis	Conversion Criteria Met?
<p>Conversion will not compromise any other planning policy objectives of the City, including planned commercial functions.</p>	<p>The conversion proposes mixed-uses for the property including high-density housing, office and commercial space. The commercial component would not represent a substantial addition of commercial uses to the area, and it is not anticipated to have an impact on planned commercial functions.</p> <p>The introduction of high density housing in this location may compromise UHOP intensification objectives in the priority intensification areas in the City (Downtown Urban Growth Centre, Major Transit Station Areas, Nodes and Corridors).</p>	<p>No</p>
<p>Conversion will not create incompatible land uses, including a consideration of MOECP Land Use Compatibility Guidelines.</p>	<p>The Applicant submitted a noise and vibration report as part of their concurrent Application for OPA / ZBA. The noise study found generally acceptable noise levels for the site. Warning clauses and mitigation measures for certain facades was recommended.</p> <p>Details about the operations from nearby DVC Aggregates to the east was not provided. Therefore, there may be land use compatibility issues resulting from the location near to the outdoor aggregates operations.</p> <p>Similarly, there was no confirmation about potential land use conflicts from potential employment land uses on the Business Park designated lands immediately to the west.</p>	<p>No</p>

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City Conversion Criteria	Analysis	Conversion Criteria Met?
<p>Conversion will be beneficial to the community through its contribution to the overall intent and goals of the City’s policies and demands on servicing and infrastructure.</p>	<p>Residential development in the form of complete communities is clearly stated as a desirable planning outcome in the UHOP. Complete communities have a high level of physical connectivity to other communities and public facilities. The development of an isolated parcel of land within an employment area would not assist in the achievement of complete communities.</p> <p>Comments from the circulation of the additional materials submitted for the OPA/ZBA for the development resulted in City Transportation and Development Engineering not supporting the increased intensity of use of the site, as proposed. This was due to capacity issues with the local road network and constructed sanitary sewer capacity in the area.</p>	<p align="center">No</p>

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City Conversion Criteria	Analysis	Conversion Criteria Met?
Conversion will result in a more logical land use boundary.	<p>Since the request for conversion is only for the subject lands and does not include employment lands to the east or west, the proposed redesignation would result in an isolated parcel of mixed use development within a block of land designated for employment uses. This would not create a more logical land use boundary for the employment area. While the Applicant has argued that the logical land use boundary could be the creek to the west, the development concept does not include these lands at this time, but rather refers to them developing with the project at a future date.</p> <p>Should all lands in the employment block from Fifty Road to the creek buffer boundary be converted, the amount of land removed from the employment land supply would be approx. 10.4 ha. The City has not identified these other parcels as being candidates for conversion, nor has there been any request to convert these adjacent lands from land owners.</p>	No

Recommendation

Staff do not recommend conversion of the lands at 1400 South Service Road to the Mixed Use - High Density designation at the present time. The City will continue to monitor the land supply for employment uses on an annual basis and may initiate a MCR for employment land supply refinements at a future date, if there is an identified need for more or less employment area lands.

The planned use of the MTO owned lands to the west of the site are unknown at this time. Should they be acquired by the Applicant or developed with uses that could support transit development to the immediate area, there may be a need to review the employment conversion request given the changed context.

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Planning Staff propose a Site Specific Policy for the subject lands to provide requirements for consideration of a future conversion of the lands. The proposed Site-Specific Policy for inclusion in the Fruitland Winona Secondary Plan is as follows:

“For the lands located on at 1400 South Service Road, designated Business Park, shown as Site Specific Policy – Area X on Map B.7.4-1 – Fruitland Winona Secondary Plan – Land Use Plan, the City shall assess of the appropriateness of these lands as Employment – Business Park designated lands during the next Municipally Initiated Comprehensive Review, and may consider a conversion to other non-employment uses. The assessment for conversion shall consider, but not be limited to the following factors:


- a) There is sufficient City-wide employment land supply;**
- b) Any proposed development would support planned local and/or regional transit services;**
- c) There is sufficient infrastructure capacity in the area, specifically with regard to sanitary servicing and transportation;**
- d) The development area includes adjacent lands on the block, from Fifty Road to Fifty Creek, and is developed as part of a complete community in a manner that is transit supportive; and,**
- e) The proposed development is able to satisfy provincial and local employment land conversion criteria.”**

The Site Specific Amendment will be included in the forthcoming MCR Official Plan Amendment.

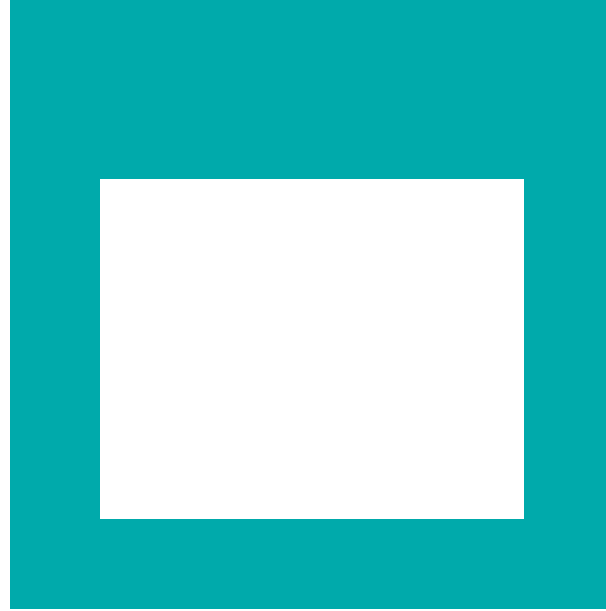
3.0 CONCLUSION

Staff have reviewed six (6) requests for conversion which were deferred from the Employment Land Review report presented to the General Issues Committee in August 2021 (Report PED17010(k)). Of the reviewed deferrals contained in this report, Staff recommend conversion of one site at 1725 Stone Church Road East (7.4 ha). Staff also recommend policy amendments with respect to the McMaster Innovation Park lands, 700 Garner Road East, and 1400 South Service Road. The policy and mapping changes to the Urban Hamilton Official Plan resulting from the recommendations of this report will be included in the City’s final draft Official Plan Amendment as part of the Municipal Comprehensive Review.

Refinements to Staff supported conversion in Flamborough Business Park

Proposed Changes	Why Change is Required
<p>Map depicting areas to be converted in Flamborough Business Park from Appendix C to Report PED17010(k) (August 2021):</p> 	<p>There is no conversion needed for this 2 ha area of land.</p> <p>These lands are correctly designated as ‘Utility’ and ‘Business Park’ on Vol. 1, Schedule E-1 Urban Land Use Designations in the Urban Hamilton Official Plan.</p> <p>Through OPA 107 (UHOP Housekeeping), the lands immediately adjacent to the Utility corridor, designated for employment, were approved to have the ‘Linkage’ identification removed on Vol. 1, Schedule B-2 0 Natural Heritage System.</p> <p>The appropriate changes were made to Schedule B-2, however the Site Specific Policy UFE-2 mis-identified the Utility corridor as part of the Employment Area and noted it should only be used for Natural Open Space.</p>

Proposed Changes	Why Change is Required
<p>The following Vol. 3, Chapter C Site Specific Policy (UFE-2) of the UHOP is recommended to be deleted in it’s entirety:</p> <p>UFE-2 A portion of the lands located at 56 Parkside Drive, 90 and 96 Parkside Drive and 546 Highway 6, former Town of Flamborough (OPA 107) (By-law No. 18-303)</p> <p>1.0 Notwithstanding Section E.5.4 – Employment Area – Business Park Designation of Volume 1, lands designated Employment Area – Business Park, located on a portion of 56 Parkside Drive, 90 Parkside Drive, 96 Parkside Drive and 546 Highway 6 and identified as Site Specific Policy Area UFE-2, shall only be used for Natural Open Space.</p> <div data-bbox="835 493 1163 850" style="text-align: center;"> <p>Site Specific Area UFE-2: 56, 90 and 96 Parkside Drive and 546 Highway 6, Flamborough</p> </div>	<p>The UFE-2 Site Specific Policy should be deleted in its entirety, as it will no longer be required once the appropriate lands are converted from the Employment Area – Business Park designation to the Open Space designation.</p>



Deferred Employment Land Conversion Requests (City Wide)

Report PED17010(p)
General Issues Committee
April 20, 2022

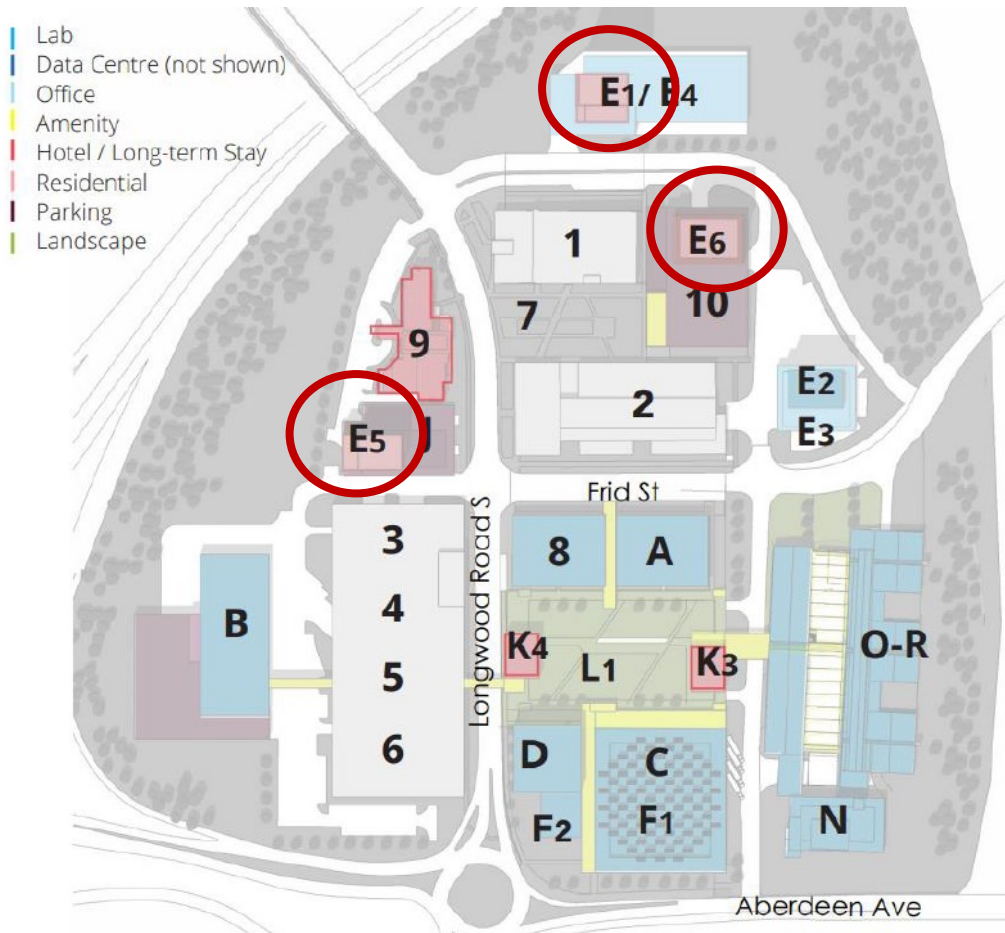
Background

- Employment Land Review Report PED17010(k) brought forward to GIC on August 4, 2021
 - City has an approximate surplus of 60 hectares of Employment Area designated lands to the year 2051 (as determined by the City's LNA)
 - 53.5 hectares of Employment Area designated lands were supported by GIC for conversion to non-employment designations
 - 6 requests for conversion from private landowners were deferred for consideration at a later date

Deferred Employment Land Conversion Requests (Report PED17010(p))

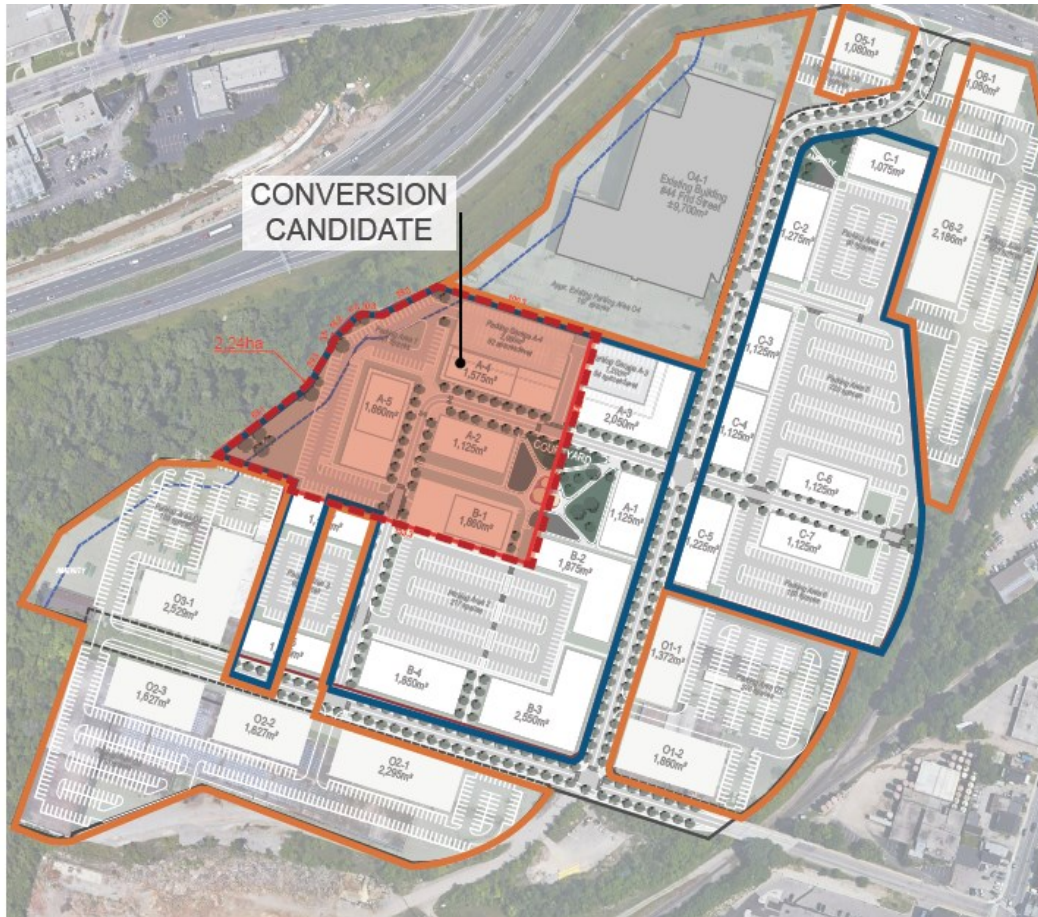
- Staff Report presents final recommendation to GIC for the 6 deferred employment land conversion requests
 - Support for one additional site for conversion (1725 Stone Church Rd E)
 - Refinement to a previous recommendation for conversion in Flamborough
 - Discussion of one additional request for conversion submitted in Feb. 2022
- Appendix “A” provides details on the proposed developments for the 6 deferred sites, analysis based on the Provincial and Local Conversion Criteria, and staff recommendations
- Appendix “B” provides an explanation for the proposed refinement to the previously supported minor refinement in the Flamborough Business Park

1. McMaster Innovation Park (MIP) – West Hamilton Innovation District



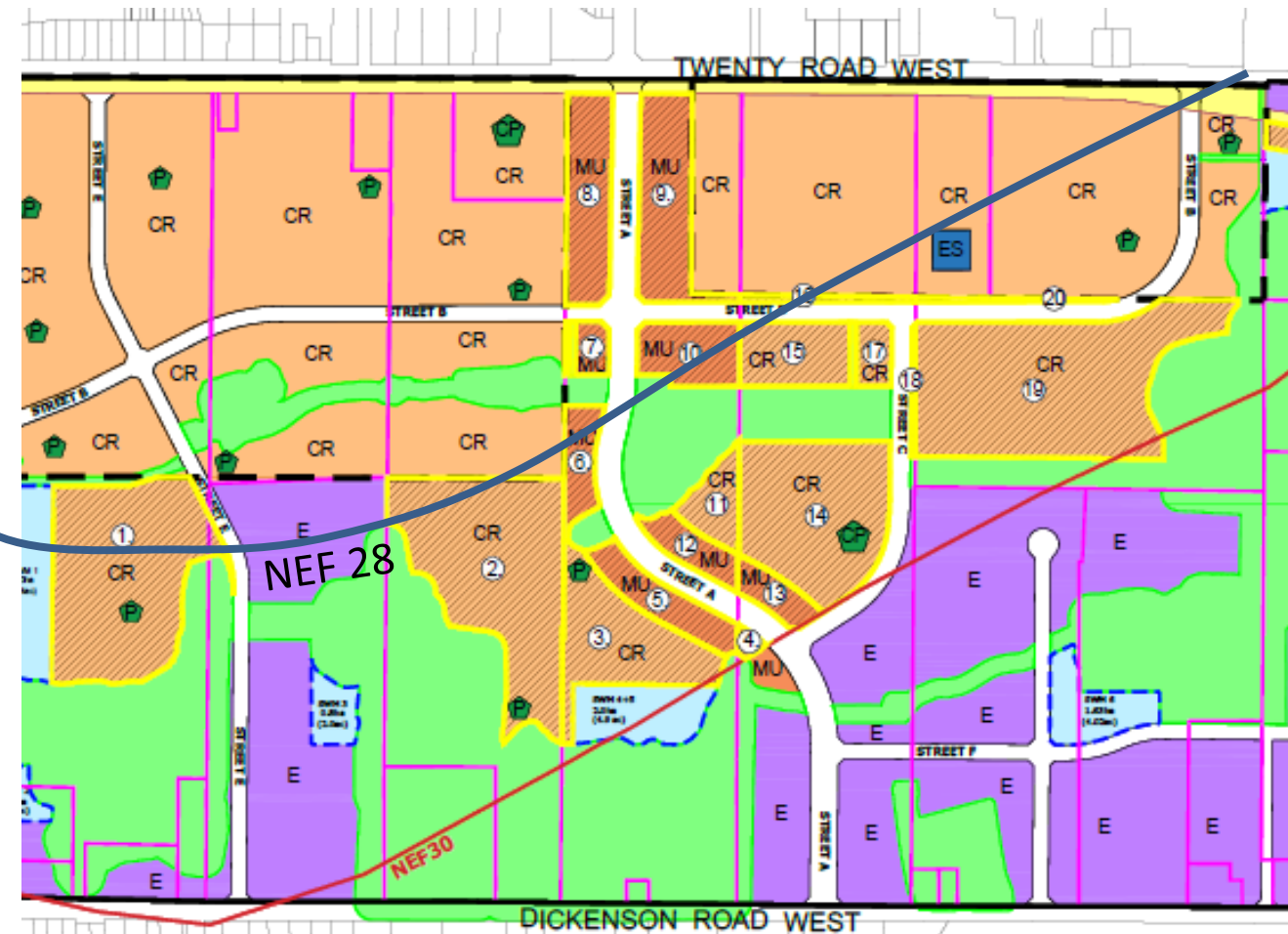
- Revised Master Plan for MIP
- Existing permissions allow for limited residential use (max 8% of Employment Use GFA, max. GFA 11,500m², 2 res. buildings)
- No conversion requested
- Request to increase permitted GFA for residential uses to allow development of 3 residential buildings
 - GFA 41,341m²
 - 17.5% of Employment Use GFA (proposed/existing)
 - 3 buildings (E1- 26 storeys, E6 – 22 storeys, E5, 14 storeys)
- Recommendation: permit increased residential GFA to a max. 15%, limited to 2 buildings (E1 & E6), revised SSP in WHID Secondary Plan

2. 70 – 100 Frid Street – West Hamilton Innovation District



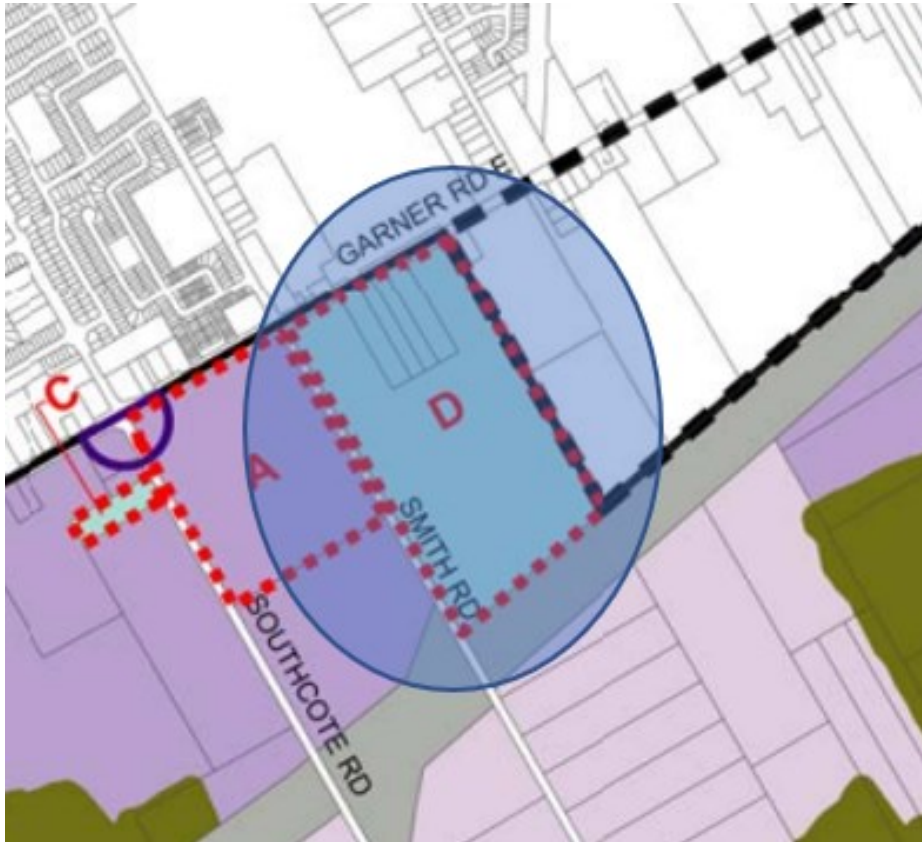
- Area of requested conversion: 2.24 ha
- Proposed development of mixed use buildings ranging from 4 – 24 storeys to support redevelopment of this section of WHID
- No existing residential permissions for this area of WHID
- Interior to the business park area
- Some remaining intensive industrial uses (asphalt plant) that compromise introduction of sensitive land uses
- Recommendation: No conversion
- Potential for City to conduct a fulsome review of WHID secondary plan in the future to consider the unique context of the Employment Area

3. Twenty Road West Area – Airport Employment Growth District



- Area 55.2 ha (areas shown in yellow boundary)
- Proposed Mixed Use (MU) development along Garth St. extension and Compact Residential (CR)
- Adjacent to rural lands not approved for inclusion in Urban Boundary
- Context with residential is not consistent with adjacent lands
- Area of land could result in Employment Area land supply deficit to 2051
- Recommendation: No conversion

4. 700 Garner Road East – Airport Employment Growth District



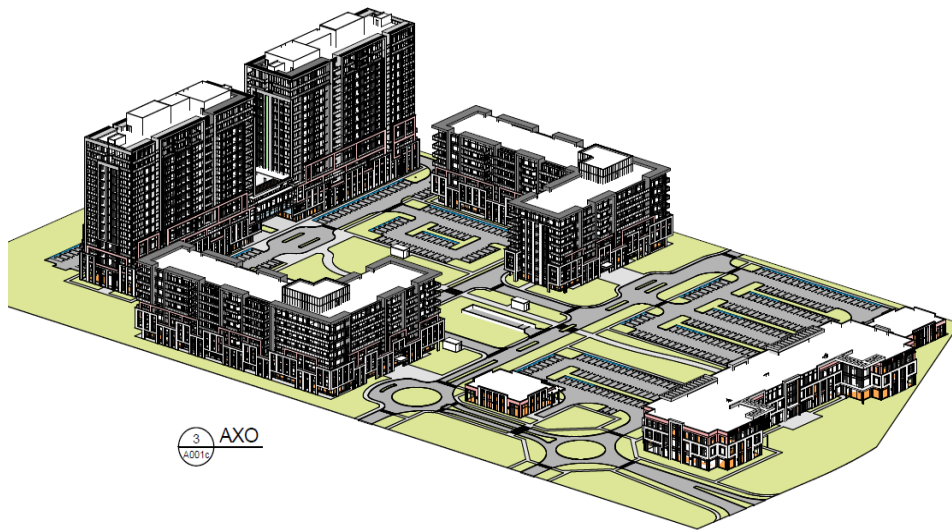
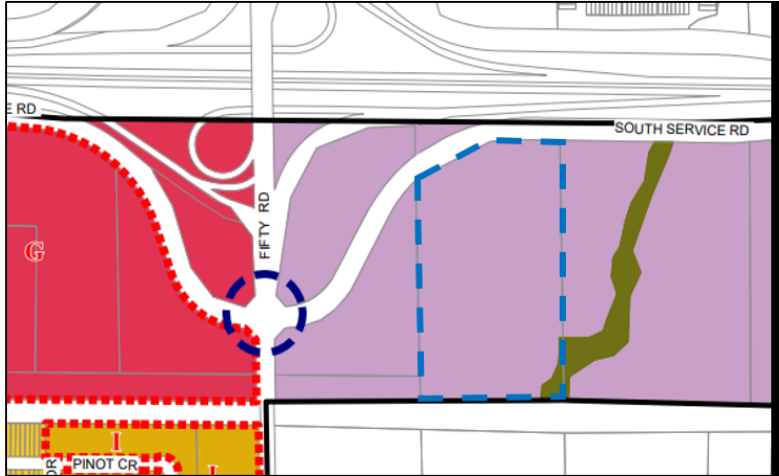
- Area: 26.6 ha
- Proposed development of mixed uses including residential, institutional, office, and commercial
- Designated Institutional in AEGD, but defaults to Airport Prestige Business if not developed for institutional purposes related to Redeemer College
- Adjacent to rural lands not approved for inclusion in Urban Boundary
- Context with residential is not consistent with adjacent lands
- Area of land could result in Employment Area land supply deficit to 2051
- Recommendation: No conversion
- Staff support revision to Policy B.8.7 of AEGD to remove reference to lands developing exclusively for Redeemer College

5. 1725 Stone Church Road East – Red Hill North Business Park



- Area: 7.4 ha
- Proposed development of commercial and retail uses similar to those in Heritage Green (located east of RHVP)
- No residential or major office uses are proposed
- Need for additional commercial space in the area demonstrated by assessment submitted, and existing sites are fully developed
- Existing mixed context
- Recommendation: Conversion to District Commercial is supported
- Site Specific Policy proposed to prohibit development of sensitive land uses, and to require submission of architectural and urban design guidelines for the site, to ensure consistency with Heritage Green development

6. 1400 South Service Road – Stoney Creek Business Park



- Area: 7.2 ha
- Proposed development of 4 multiple dwellings (two 16 storey and two 8 storey) with 986 units, 1 office building (3 storeys), and two 1-storey commercial buildings
- Lands to east and west of site not proposed for conversion
- Active application for OPA / ZBA
- Sanitary servicing and transportation capacity constraints have been identified
- Recommendation: No conversion
- Site Specific Policy proposed - lands may be considered for conversion in future provided servicing capacity can be demonstrated, and lands from Fifty Road to the creek are included (comprehensive development area)

Refinement to Flamborough Business Park Conversion



- Area 2.0 ha
- Lands are part of utility corridor adjacent to plan of subdivision for business park development
- Lands were mistakenly identified through OPA 107 (Housekeeping) as part of UFE-2
- No conversion is required for this linear area of land as utility designation already applies, and lands inside the employment area are not intended to be converted
- Recommendation: No conversion required

Additional Request for Conversion - 54 Dundas St. E, Flamborough



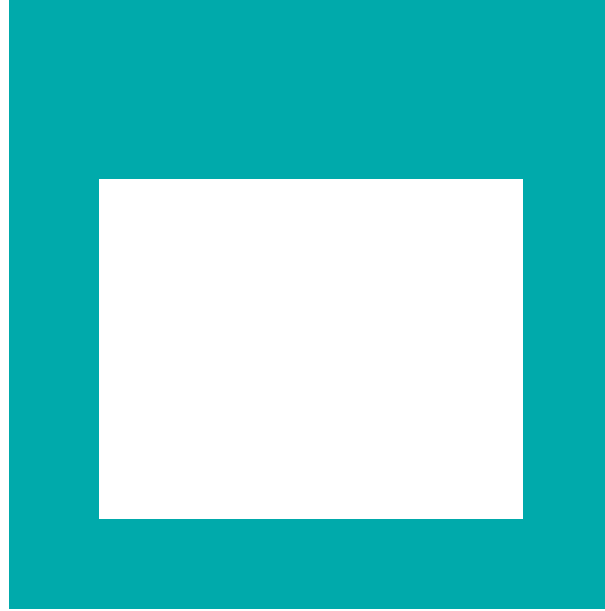
- Area 1.4 ha
- Request for conversion to District Commercial designation submitted on February 10, 2022
- Proposed development of Long Term Care
- Adjacent to Niagara Escarpment
- Insufficient time to review proposal in coordination with other agencies within MCR deadline
- Recommendation: No conversion

Summary of Recommended Employment Land Conversions

Conversions Analysis	Area (hectares)
ELR Conversions (Staff Identified)	35.1
Residential Enclaves	5
Request for Conversion (including deferrals)	9.5
Confederation GO Station	4.0
Council Directed Conversion (1280 Rymal Rd. E / 385 Nebo Rd)	5.3
Total Recommended Conversions	58.9

Next Steps

- Implementation of Employment Land Conversions through final MCR Official Plan Amendment
 - Municipal Comprehensive Review Public Meeting during Planning Committee on May 17, 2022
 - Submission of final MCR OPA to the Province following Public Meeting



THANK YOU



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members General Issues Committee
COMMITTEE DATE:	April 20, 2022
SUBJECT/REPORT NO:	Evaluation of Urban Boundary Expansion Requests - Waterdown (PED17010(q)) (Ward 15)
WARD(S) AFFECTED:	Ward 15
PREPARED BY:	Heather Travis (905) 546-2424 Ext. 4168
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That the following changes to the urban boundary for the Waterdown Urban Area be approved for implementation through the Municipal Comprehensive Review process:
- (i) A portion of the lands located at 329 and 345 Parkside Drive, with an area of approximately 5.0 ha, be added to the Urban Area and designated Neighbourhoods in the Urban Hamilton Official Plan, as identified on Appendix “A” attached to Report PED17010(q);
 - (ii) Minor adjustments to the urban boundary to correct mapping errors in the vicinity of 100 Sunnycroft Avenue to align the Urban Area boundary in the Urban Hamilton Official Plan with the Urban Area boundary in the Niagara Escarpment plan, identified on Appendix “B” attached to Report PED17010(q);
- (b) That the changes to the urban boundary be incorporated into the Municipal Comprehensive Review Official Plan Amendment to be considered at a statutory public meeting to be held on May 17, 2022.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Evaluation of Urban Boundary Expansion Requests - Waterdown
(PED17010(q)) (Ward 15) - Page 2 of 15**

EXECUTIVE SUMMARY

The policies of the Provincial Growth Plan, 2019, as amended, permit the City to consider a minor expansion of the urban boundary from a 'Town' identified in the Greenbelt Plan, subject to satisfying certain criteria. Within Hamilton, both Waterdown and Binbrook are identified as Towns in the Greenbelt Plan. The Growth Plan allows an expansion up to a maximum size of 10 ha, of which a maximum of 50% may be for residential uses.

On November 19, 2021, Council provided the following direction to staff through the amended approval of Report PED17010(o):

"That staff be authorized and directed to evaluate requests for expansion from Waterdown up to a maximum size of 5 ha of which 50% may be for residential use, as per the Screening Criteria and Evaluation Tool (Waterdown), and report back to Council with the results of the evaluation analysis."

The effect of this Council direction was to limit the review of expansion requests to Waterdown only, reduce the maximum size of the expansion to 5 ha, and maintain the requirement for the maximum 50% residential use of the expansion area.

The following report presents the analysis of the requests for expansion from the Waterdown area using the Council approved Screening Criteria and Evaluation Tool (Waterdown / Binbrook). Of the seven expansion requests received, one was discovered to be a technical mapping adjustment (100 Sunnycroft Avenue); five did not pass the initial screening; and one request (329 and 345 Parkside Drive) was determined to pass the screening and evaluation criteria. The lands known as 329 and 345 Parkside Drive are currently developed with a long-term care facility which is considered to be an institutional use in the Urban Hamilton Official Plan (UHOP).

Based on this analysis, staff are recommending the inclusion of the properties at 329 and 345 Parkside Drive into the urban area and the adjustment of the urban boundary in the vicinity of 100 Sunnycroft Avenue, to be implemented through the future Municipal Comprehensive Review (MCR) Official Plan Amendment (OPA) proceeding to Council in May 2022.

Alternatives for Consideration – See Page 14

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

**SUBJECT: Evaluation of Urban Boundary Expansion Requests - Waterdown
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Legal: N/A

HISTORICAL BACKGROUND

GRIDS 2 / MCR

GRIDS (Growth Related Integrated Development Strategy) 2 is a long-term growth strategy which allocates forecasted population and employment growth for the 2021 to 2051 time period in accordance with Provincial mandated requirements. The forecasts for Hamilton project a total 2051 population of 820,000 persons and total employment of 360,000 jobs. This is an increase of 236,000 people and 122,000 jobs in the 2021 to 2051 time period.

The MCR is being completed concurrently with GRIDS 2. The MCR is broad and encompasses many inter-related components and must be completed prior to any expansion of the urban area. The outcomes of the Growth Strategy and MCR will be implemented through the City's Official Plans (see section below on the City's draft MCR Official Plan Amendment to the Urban and Rural Hamilton Official Plans).

November 19, 2021 Council Direction and Draft Official Plan Amendment – No Urban Boundary Expansion growth scenario

On November 19, 2021, City Council approved the GRIDS 2 / MCR “No Urban Boundary Expansion” growth scenario to guide the City's population and job growth to the year 2051. The direction requires the City to plan to accommodate all population and job growth (with the exception of a small amount of infill in the Rural area) within the existing urban boundary (item 3.0):

- “(c) That the Growth Related Integrated Development Strategy (GRIDS 2) / Municipal Comprehensive Review (MCR) “How Should Hamilton Grow?” Evaluation, including associated technical supporting reports, attached as Appendix “A”, as amended, to Report PED17010(o), be received;
- (d) That staff be directed to report back to the General Issues Committee no later than January 2022 with a draft Official Plan Amendment (OPA), as part of the Municipal Comprehensive Review, that implements the following growth directions, and to seek approval to present the draft OPA to the Province for review, and to the public for consultation, as part of the City's Growth Plan conformity exercise:
 - (i) A projected household growth of 110,300 households;
 - (ii) An average intensification target of not less than 60% and not more than 80% between 2021 and 2051;

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- (iii) A planned minimum density of 60 persons and jobs per hectare (pjh) in existing Designated Greenfield Areas; and,
 - (iv) An Employment Area land need of 0 ha to 2051, to be confirmed subject to the finalization of the Employment Land Review, including deferred requests;
- (e) That the draft Official Plan Amendment include no expansion to the urban boundary;
- (f) That the draft Official Plan Amendment identify a Community Area Land need of 0 ha beyond 2031, to be reviewed at least every 10 years, as part of future Municipal Comprehensive Reviews, as required under the provincial *Planning Act and Places To Grow Act*; and,
- (g) That any determination on the Community Area Land need between 2021 and 2031, be deferred until the outcome of the GRIDS1 appeals of the Rural Hamilton Official Plan and Urban Hamilton Official Plan.”

Staff have prepared a draft OPA to implement this Council direction which was presented to Council on January 19, 2022 and is currently available for public consultation. Staff anticipate presenting the OPA for consideration at a statutory public meeting to be held on May 17, 2022. The recommendations from this Report will be implemented through the MCR OPA.

November 19, 2021 Council Direction – Waterdown Urban Boundary

In addition to the direction to support the No Urban Boundary Expansion growth scenario, Council also approved the following direction at the November 19, 2021 Council meeting (item 3(b)):

- “(b) That staff be authorized and directed to evaluate requests for expansion from Waterdown up to a maximum size of 5 ha of which 50% may be for residential use, as per the Screening Criteria and Evaluation Tool (Waterdown), and report back to Council with the results of the evaluation analysis;”

The direction above is in response to policies in the Provincial Growth Plan (see Policy Implications and Legislated Requirements Section below) which permit the City to consider a minor urban boundary expansion into the Greenbelt Plan Protected Countryside from a Town / Village.

In Report PED17010(o) (November 9, 2021), Staff had recommended that Council authorize staff to evaluate requests for expansion from Waterdown and Binbrook (both identified as Towns in the Greenbelt Plan) to a maximum size of 10 ha, of which 5 ha must be used for residential purposes. This recommendation was revised by Council to

**SUBJECT: Evaluation of Urban Boundary Expansion Requests - Waterdown
(PED17010(q)) (Ward 15) - Page 5 of 15**

apply to Waterdown only, and to reduce the size threshold to 5 ha (with a maximum 50% for residential uses).

This report responds to the Council direction above and evaluates expansion requests in the Waterdown area, using the Council approved Screening Criteria and Evaluation Tool.

Waterdown / Binbrook Evaluation Framework

In August 2021, through Report PED17010(l), Council approved the GRIDS 2 / MCR – Screening Criteria and Evaluation Tool (Waterdown and Binbrook) to be used to evaluate urban boundary expansion requests from Waterdown or Binbrook. This tool is attached as Appendix “C” to Report PED17010(q). The Screening Criteria and Evaluation Tool is based on the requirements of the Provincial Growth Plan and policies of the Urban and Rural Hamilton Official Plans. Further details on the evaluation tool are provided in the Analysis and Rationale for Recommendation Section of this report.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides direction on the considerations that a municipality must undertake prior to expanding a settlement area (urban area) boundary:

- “1.1.3.8 A planning authority may identify a *settlement area* or allow the expansion of a *settlement area* boundary only at the time of a *comprehensive review* and only where it has been demonstrated that:
- (a) Sufficient opportunities to accommodate growth and to satisfy market demand are not available through *intensification, redevelopment* and *designated growth areas* to accommodate the projected needs over the identified planning horizon;
 - (b) The *infrastructure* and *public service facilities* which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;
 - (c) In *prime agricultural areas*:
 - (i) The lands do not comprise *specialty crop areas*;

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(PED17010(q)) (Ward 15) - Page 6 of 15**

- (ii) Alternative locations have been evaluated, and
 - (1) There are no reasonable alternatives which avoid *prime agricultural areas*; and,
 - (2) There are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;
- (d) The new or expanding *settlement area* is in compliance with the *minimum distance separation formulae*; and,
- (e) Impacts from new or expanding *settlement areas* on agricultural operations which are adjacent or close to the *settlement area* are mitigated to the extent feasible.

In undertaking a *comprehensive review*, the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary expansion or development proposal.”

The PPS requires municipalities to assess availability of infrastructure and public service facilities including financial viability, and impacts on agricultural lands, prior to expansion of the urban boundary. This analysis is reflected in the evaluation attached as Appendices “E” and “E1” attached to Report PED17010(q).

Growth Plan 2019, as amended

Policies 2.2.8.2 and 2.2.8.3 of the Growth Plan identify a series of comprehensive criteria that must be considered prior to expansion of the urban boundary. Policy 2.2.8.2 requires a municipality to demonstrate that sufficient opportunities to accommodate projected growth through intensification and existing designated greenfield area lands are not available, based on minimum intensification and density targets of the Plan.

Policy 2.2.8.3 outlines that, where the need for a *settlement area* boundary expansion has been justified in accordance with policy 2.2.8.2, the feasibility of the proposed expansion will be determined and the most appropriate location for the proposed expansion will be identified based on the comprehensive Application of all of the policies in the Plan. Policy 2.2.8.3(k) provides particular direction on potential settlement area boundary expansion within the Protected Countryside of the Greenbelt. Policy 2.2.8.3(k) restricts expansions into the Greenbelt Protected Countryside to a minor expansion of up to 10 ha (of which no more than 50% may be used for residential purposes) from a defined Town / Village only (in Hamilton, both Waterdown and Binbrook are considered ‘Towns’ in the Greenbelt Plan).

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“2.2.8.3. Where the need for a *settlement area* boundary expansion has been justified in accordance with policy 2.2.8.2, the feasibility of the proposed expansion will be determined and the most appropriate location for the proposed expansion will be identified based on the comprehensive Application of all of the policies in this Plan, including the following:

- (k) Within the Protected Countryside in the *Greenbelt Area*:
 - (i) The *settlement area* to be expanded is identified in the Greenbelt Plan as a Town/Village;
 - (ii) The proposed expansion would be modest in size, representing no more than a 5% increase in the geographic size of the *settlement area* based on the *settlement area* boundary delineated in the applicable official plan as of July 1, 2017, up to a maximum size of 10 hectares, and residential *development* would not be permitted on more than 50% of the lands that would be added to the *settlement area*;
 - (iii) The proposed expansion would support the achievement of *complete communities* or the local agricultural economy;
 - (iv) The proposed uses cannot be reasonably accommodated within the existing *settlement area* boundary;
 - (v) The proposed expansion would be serviced by existing *municipal water and wastewater systems* without impacting future *intensification opportunities* in the existing *settlement area*; and,
 - (vi) Expansion into the Natural Heritage System that has been identified in the Greenbelt Plan is prohibited.”

The GRIDS 2 / MCR – Screening Criteria and Evaluation Tool (Waterdown and Binbrook), attached as Appendix “C” to Report PED17010(l) responds to this policy direction.

Urban Hamilton Official Plan

Within Section B.2.2 (policies under appeal), the UHOP contains policies regarding urban boundary expansion and, specifically, the studies and criteria that must be considered prior to the City expanding its urban boundary. It is noted that within the draft MCR OPA to implement the Council No Urban Boundary Expansion decision, the

**SUBJECT: Evaluation of Urban Boundary Expansion Requests - Waterdown
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policies of Section B.2.2 are proposed to be deleted and replaced with policy direction citing a firm urban boundary to the year 2051.

Should Council approve a minor urban boundary expansion in Waterdown, this expansion would be implemented through the MCR OPA to be presented to Council on May 17, 2022. Upon adoption of the MCR OPA, the OPA will be forwarded to the Province for approval.

RELEVANT CONSULTATION

Input into the Screening Criteria and Evaluation Tool was provided by the following City Divisions and outside agencies, and is reflected in the completed evaluation attached as Appendix "E1" to Report PED17010(q):

- Public Works Department, Hamilton Water Division;
- Planning & Economic Development Department, Growth Management Division and Transportation Planning and Parking Division;
- Conservation Halton; and,
- Niagara Escarpment Commission.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1.0 Overview of Evaluation Tool

The Council approved Screening Criteria and Evaluation Tool is based on the policy direction of the Provincial Growth Plan, as discussed in the section above. The Growth Plan allows for a minor expansion of the urban boundary of up to 10 ha into the Greenbelt Protected Countryside from lands identified as a Town or Village within the Greenbelt Plan. If an expansion from one of these areas is to occur, the Growth Plan requires that the expansion be limited to no more than 10 ha in size, and further, that no more than 50% of the expansion area be used for residential purposes. Other criteria identified in the Growth Plan which must be satisfied for such an expansion to occur are the requirement for the expansion to support the achievement of a complete community or support the local agricultural economy, demonstration that the proposed use cannot be reasonably accommodated within the urban boundary, servicing by existing water and wastewater systems, and prohibition of expansion into the Natural Heritage System.

Based on the Council direction received in November 2021 (see Historical Background section above), minor expansion requests will be considered from Waterdown only, and will be limited to a maximum size of 5 ha (as opposed to the Growth Plan maximum of 10 ha). A maximum of 50% of the 5 ha may be used for residential purposes.

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Staff prepared a two-phase evaluation framework for the evaluation of any requests for expansion from Waterdown which was approved by Council in August 2021 (see Appendix “C” attached to Report PED17010(q):

- Phase One includes the evaluation of all expansion requests from Waterdown against a set of screening criteria based on Growth Plan policy 2.2.8.3(k). The screening criteria direction reflect the Growth Plan criteria outlined in policy 2.2.8.3(k), with an added screening criteria requiring an expansion to address a need for a non-residential use. These criteria are mandatory, and an expansion area will only be screened through to the second phase of evaluation if the mandatory screening criteria are all satisfied; and,
- Phase Two evaluates each proposed expansion area that remains against a series of criteria which represent local and provincial planning priorities. The criteria identified in the GRIDS 2 / MCR – Draft Screening Criteria and Evaluation Tool (Waterdown and Binbrook) were selected to ensure that, in addition to the mandatory criteria identified in the Growth Plan, other local priorities are also evaluated and considered in the decision-making process, including logical expansion, agricultural, fiscal and transportation impacts.

It should be noted that there is no requirement for the City to expand the urban boundary from Waterdown, and approval of an expansion will only be recommended if there is a need for a logical rounding out of the boundary or a recognition of existing uses. Further, as the Growth Plan policy and the November 2021 Council direction restrict the expansion area in not only size, but also in use, with a restriction on a maximum of 50% of the expansion area to be used for residential purposes, the City must be satisfied of a need and / or use for the remaining 50% of the lands (non-residential portion) prior to consideration of expansion (as reflected in the screening criteria).

2.0 Expansion requests

In total, staff received seven requests related to potential urban boundary expansion in the Waterdown area. One of these requests (100 Sunnycroft Avenue) was identified as a mapping correction and urban boundary adjustment to align the City’s Urban Area boundary with the Niagara Escarpment Plan boundary, and was not considered further as an expansion request. Further information on this mapping correction is provided in section 5.0 below.

**SUBJECT: Evaluation of Urban Boundary Expansion Requests - Waterdown
(PED17010(q)) (Ward 15) - Page 10 of 15**

The remaining requests are summarized as follows, and identified on Appendix “D” to Report PED17010(q):

- 0 and 63 Parkside Drive: approximately 57 ha in total area (0 Parkside: approximately 18 ha; 63 Parkside: approximately 39 ha); proposed uses not indicated;
- 309 – 311 Parkside Drive: expansion area totals 8.1 ha; proposed uses not indicated;
- 329 and 345 Parkside Drive: expansion area totals approximately 5.2 ha; proposed uses are the existing long term care facility (institutional use) plus an expansion to include a retirement home or multiple dwelling geared to seniors;
- 347 Parkside Drive: expansion area totals approximately 6.6 ha, but with stormwater facility and natural heritage features netted out, area is reduced to approximately 4.4 ha; proposed uses are residential;
- 513 and 535 - 537 Dundas St E: approximately 16.3 ha in total area (513 Dundas: 12.3 ha; 535-537 Dundas: 4 ha); proposed uses are not indicated; and,
- 151 Highway 5W – approximately 10.8 ha in total area; proposed use is employment lands.

3.0 Phase One Screening

Staff completed a screening of the above noted expansion requests against the Phase One Screening Criteria in the evaluation tool. The completed screening is attached as Appendix “E” to Report PED17010(q). The results of the screening identified that of the six expansion requests noted above, only the request for the lands located at 329 and 345 Parkside Drive passed the initial screening.

The primary areas of concern which resulted in the other request areas not passing the screening relate to:

- The size of the overall expansion area exceeding the 5 ha size limit – while several of the submitted requests would have also exceeded the Growth Plan criteria of 10 ha, the reduction in the permitted size to 5 ha resulted in all but two of the areas being eliminated from consideration. While it is acknowledged that the proposed expansion areas could be scoped to conform to the maximum size permission, no information to demonstrate conformity with this requirement was provided. Further, staff are concerned that identifying only a portion of larger sites to be brought into the urban area could result in land fragmentation or remnant parcels;
- No identification of a non-residential use – only the expansion request for the lands at 329 to 345 Parkside which contains an existing long term care facility (classified as an institutional use) was able to meet this requirement;

**SUBJECT: Evaluation of Urban Boundary Expansion Requests - Waterdown
(PED17010(q)) (Ward 15) - Page 11 of 15**

- Inability to demonstrate that the proposed use cannot be accommodated within the urban area - the Council direction to accommodate all of the City's growth to the year 2051 within the existing urban area removes any justification for expanding the urban boundary to accommodate residential or employment uses. The lands at 329 and 345 Parkside Drive are already developed with a long term care use which should be located in the urban area; and,
- Intrusion into the Greenbelt Natural Heritage System.

While it is demonstrated that five of the six requests did not pass the screening criteria for the reasons noted above, staff acknowledge the circumstances in the Waterdown area which are challenging for these landowners. Three of the requests (0 and 63 Parkside Drive, 309 – 311 Parkside Drive, and 347 Parkside Drive) are for lands which are immediately adjacent to the existing urban area, and which are being impacted by the east-west corridor (North Waterdown Drive) being constructed to alleviate traffic problems in the Waterdown area. The development of North Waterdown Drive will result in the portion of these parcels located south of the corridor being bisected from the remainder of the rural area. The lands will be remnant rural lands located between the corridor and the urban boundary. Through the most recent Coordinated Provincial Plan Review in 2015, the City had recommended the removal of the portion of the lands located south of the corridor at 309 – 311 Parkside, 329 and 345 Parkside and 347 Parkside from the Greenbelt Plan area. Staff note that these lands should be reviewed through the next Co-ordinated Provincial Plan Review to determine the appropriate land use policy regime to apply to these areas.

Further the lands at 513 and 535 – 537 Dundas Street East are lands which are currently in active agricultural production (poultry) but are being impacted by encroaching urban uses to the west and south which is creating challenges for the viability of the poultry operation. These lands are further challenged by being located within the Niagara Escarpment Plan (NEP) area which identifies the lands as Escarpment Rural. Through the previous 2015 Coordinated Provincial Plan Review, the property owners requested to have their lands redesignated to Escarpment Urban Area within the NEP. The Provincial response through that review indicated that the lands could not be considered for redesignation until a Municipal Comprehensive Review was completed. However, the City cannot propose an expansion into the NEP area outside of a Coordinated Provincial Plan Review. This appears to be a circular process which should be addressed at the Provincial level prior to the next Coordinated Review to provide clarity to these landowners.

4.0 Phase Two – Evaluation Tool

The singular expansion request which passed the Phase One screening, being the lands at 329 and 345 Parkside Avenue, was evaluated against the Phase Two

**SUBJECT: Evaluation of Urban Boundary Expansion Requests - Waterdown
(PED17010(q)) (Ward 15) - Page 12 of 15**

evaluation tool. The completed Phase Two evaluation tool is attached as Appendix "E1" to Report PED17010(q).

The lands total approximately 5.6 ha in area (including both 329 and 345 Parkside Drive). However the area of proposed expansion would equate to approximately 5.2 ha, as portions of the two properties fronting onto Parkside Drive are already located within the urban area and zoned for the single residential uses (the property at 345 Parkside Drive contains a single detached dwelling fronting onto Parkside Drive), as shown on Appendix "A" attached to Report PED17010(q). The majority of the subject lands are located within the rural area and are currently designated Rural in the Rural Hamilton Official Plan and zoned Rural (A2, 179) Zone which allows a long term care facility and retirement home on the property.

The lands contain an existing long term care facility (Alexander's Place) and parking area. Approximately 50% of the site is currently vacant. The Applicant has indicated a future intention for expansion on the site to accommodate a retirement home or senior's oriented multiple dwelling. Staff note that an expansion for a retirement home is permitted as of right under the current zoning, but a multiple dwelling would not be permitted. No detailed expansion plans have been provided to date. Any future development of the property would be subject to the normal development approvals process at which time detailed technical studies would be required.

In summary, the results of the Phase Two evaluation tool identify the lands at 329 and 345 Parkside Drive to be an appropriate site for expansion, as follows:

- The site is serviced with existing water and sewer servicing with anticipated capacity to accommodate future development; though studies will be required at the development approvals stage for any future expansions to confirm capacity requirements;
- While no storm sewer currently exists on Parkside Drive, it is anticipated that SWM can be accommodated on the property using low impact development techniques and on-site controls (a legal storm outlet would be required);
- From a transportation perspective, it is anticipated that capacity exists on Parkside Drive to accommodate a future expansion on the lands and the proposal aligns with existing road and active transportation networks;
- Expansion will facilitate future development of the site to permit seniors-oriented housing (retirement home and / or seniors' apartments) providing an aging-in-place option in the Waterdown community;
- The lands are located outside of the Greenbelt Natural Heritage System (NHS) and provided future development is setback from the wetland, the potential seepage area/spring and NHS appropriately, impacts may be avoided and/or mitigation measures may be required;

**SUBJECT: Evaluation of Urban Boundary Expansion Requests - Waterdown
(PED17010(q)) (Ward 15) - Page 13 of 15**

- No impacts to the agricultural system are anticipated given the lands are not currently in agricultural production and there are no facilities triggering Minimum Distance Separation concerns in the vicinity;
- There are no unreasonable financial impacts anticipated to the City; and,
- There are no cultural heritage resources present on the lands. Archaeological assessment would be required prior to any future development of the lands.

Staff note that support for the expansion of the urban boundary to accommodate these lands does not imply support for a specific future development proposal as no details of future development have been provided. To ensure that any future proposed development aligns with the evaluation criteria, including the requirement for non-residential uses and the technical studies identified by city staff and outside agencies, staff propose the inclusion of a site specific policy area to apply to these lands as per below:

“UFN-X Lands Located on a portion of 329 and 345 Parkside Drive,
Flamborough

- 1.0 Notwithstanding Policy E.3.2.3 of Volume 1, permitted uses shall be limited to the following:
 - a) Multiple dwelling;
 - b) Retirement home; and,
 - c) Long term care facility.
- 2.0 A maximum of 50% of the area of the expansion lands shall be used for residential purposes limited to a multiple dwelling and / or retirement home.
- 3.0 Prior to any future development of the subject lands, the following studies shall be required to the satisfaction of the City to demonstrate appropriateness of the proposed development:
 - a) Planning Justification Report;
 - b) Functional Servicing Study;
 - c) Environmental Impact Study;
 - d) Karst / Geotechnical Study;
 - e) Water Resources Assessment;
 - f) Archaeological Assessment;
 - g) Traffic Impact Study; and,
 - h) Visual Impact Assessment.

Other studies may be required and will be identified at the Formal Consultation stage.”

**SUBJECT: Evaluation of Urban Boundary Expansion Requests - Waterdown
(PED17010(q)) (Ward 15) - Page 14 of 15**

It is noted that the technical study requirements identified in the proposed site specific policy area are typical studies required for a development application given the site characteristics.

The modification to the urban boundary and redesignation of the lands to Neighbourhoods with the Site Specific Policy Area would be implemented through the MCR OPA to be brought before Council in May, 2022.

5.0 Urban Boundary Adjustment – Vicinity of 100 Sunnycroft Court

Through the review of submitted requests for expansion in the Waterdown area, a request was received related to lands in the vicinity of 100 Sunnycroft Court. This property was recently the subject of a Formal Consultation Application (file # FC-20-136) which proposed the development of a multiple dwelling on the lands.

Through that review, it was discovered that the Niagara Escarpment Commission (NEC) Urban Area boundary and the City's urban boundary do not align on this property. A portion of the lands that are designated Urban Area in the Niagara Escarpment Plan (NEP) are rural in the City's mapping. On further review, it appears this may be a mapping error on the City's side as the lands were previously identified as Urban under the former Regional Official Plan.

To correct this issue and align the City's urban boundary with the NEC Urban Area boundary, an adjustment to the urban boundary is proposed, as identified on Appendix "B" attached to Report PED17010(q). This boundary adjustment would be implemented through the MCR OPA to be brought forward in May 2022. Staff of both the NEC and Conservation Halton have been consulted on this adjustment of the City's urban boundary and have expressed no concerns.

It is noted that the adjustment of the boundary line in this vicinity does not indicate support for any future development of these lands, and future development proposals would continue to be subject to the development approvals process and all associated approvals and requirements.

ALTERNATIVES FOR CONSIDERATION

1. Council could recommend no expansions and / or adjustments to the City's urban boundary in the Waterdown area. If this alternative is selected, the lands at 329 and 345 Parkside Drive would remain in the rural area. Limited expansion opportunities are available for the property owner under the current zoning.

Financial: N/A

**SUBJECT: Evaluation of Urban Boundary Expansion Requests - Waterdown
(PED17010(q)) (Ward 15) - Page 15 of 15**

Staffing: N/A

Legal: N/A

2. Council could recommend a different property / area for expansion from Waterdown.

Financial: N/A

Staffing: N/A

Legal: N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED17010(q) - Location map of lands located at 329 and 345 Parkside Drive

Appendix “B” to Report PED17010(q) - Map of proposed urban boundary adjustment for lands located in vicinity of 100 Sunnycroft Court

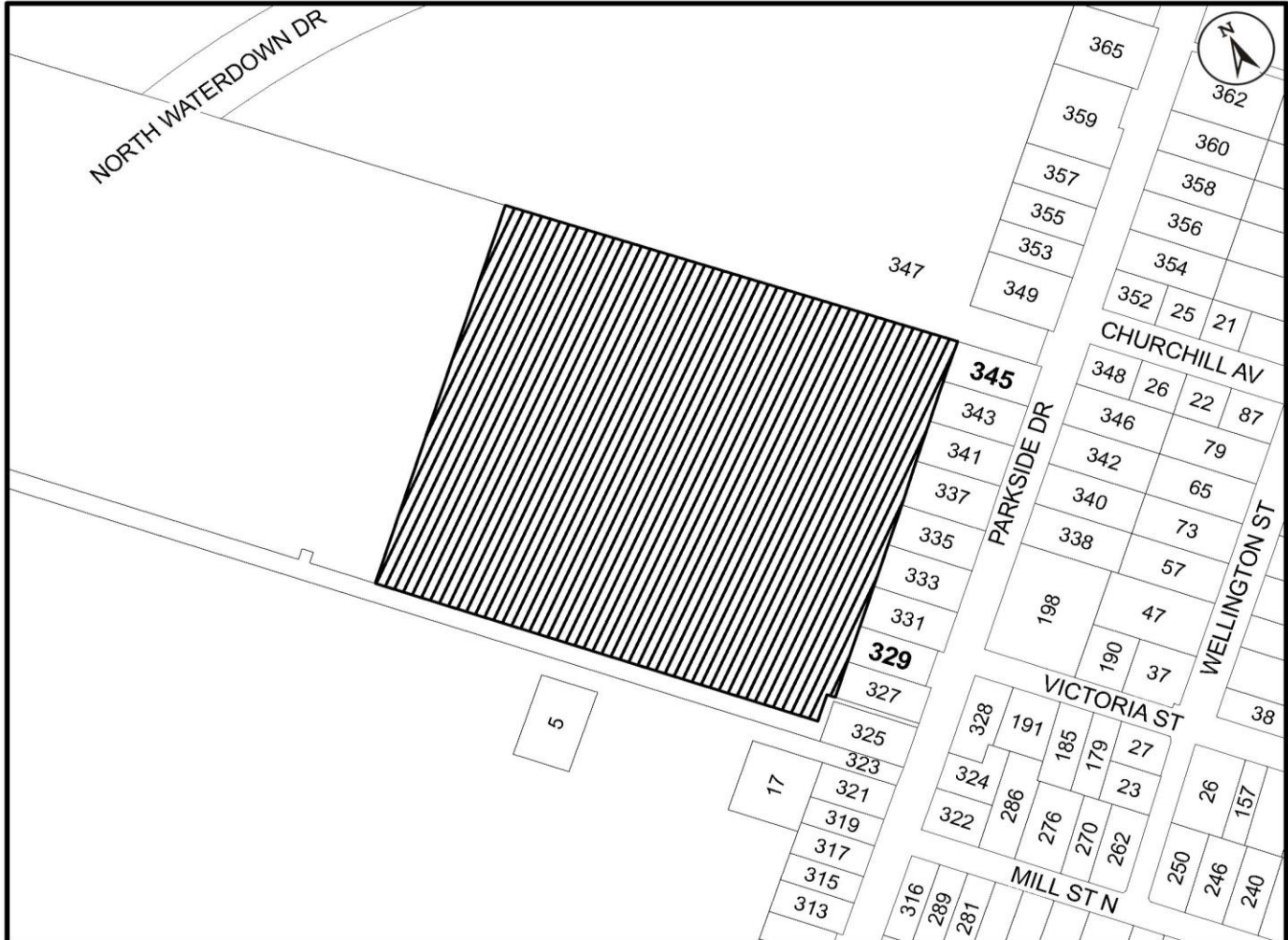
Appendix “C” to Report PED17010(q) - Waterdown / Binbrook Screening Criteria and Evaluation Tool (August 2021)

Appendix “D” to Report PED17010(q) - Map and description of expansion requests

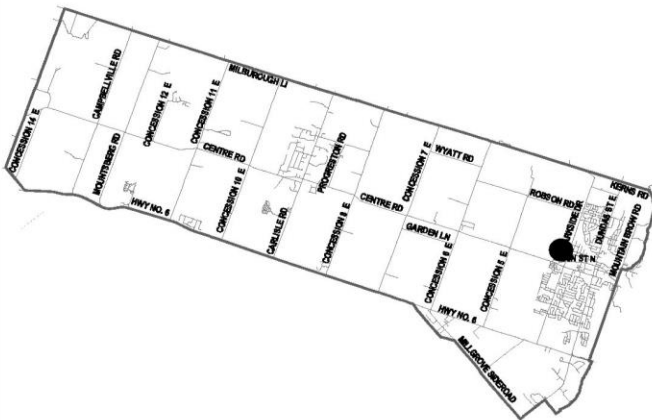
Appendix “E” to Report PED17010(q) - Phase One Screening Criteria: Expansion Requests

Appendix “E1” to Report PED17010(q) - Phase Two Evaluation Tool: 329 – 345 Parkside Drive

HT:sd



● Site Location



Key Map - Ward 15

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
GRIDS 2 / MCR

Date:
March 25, 2022

Appendix "A"

Scale:
N.T.S

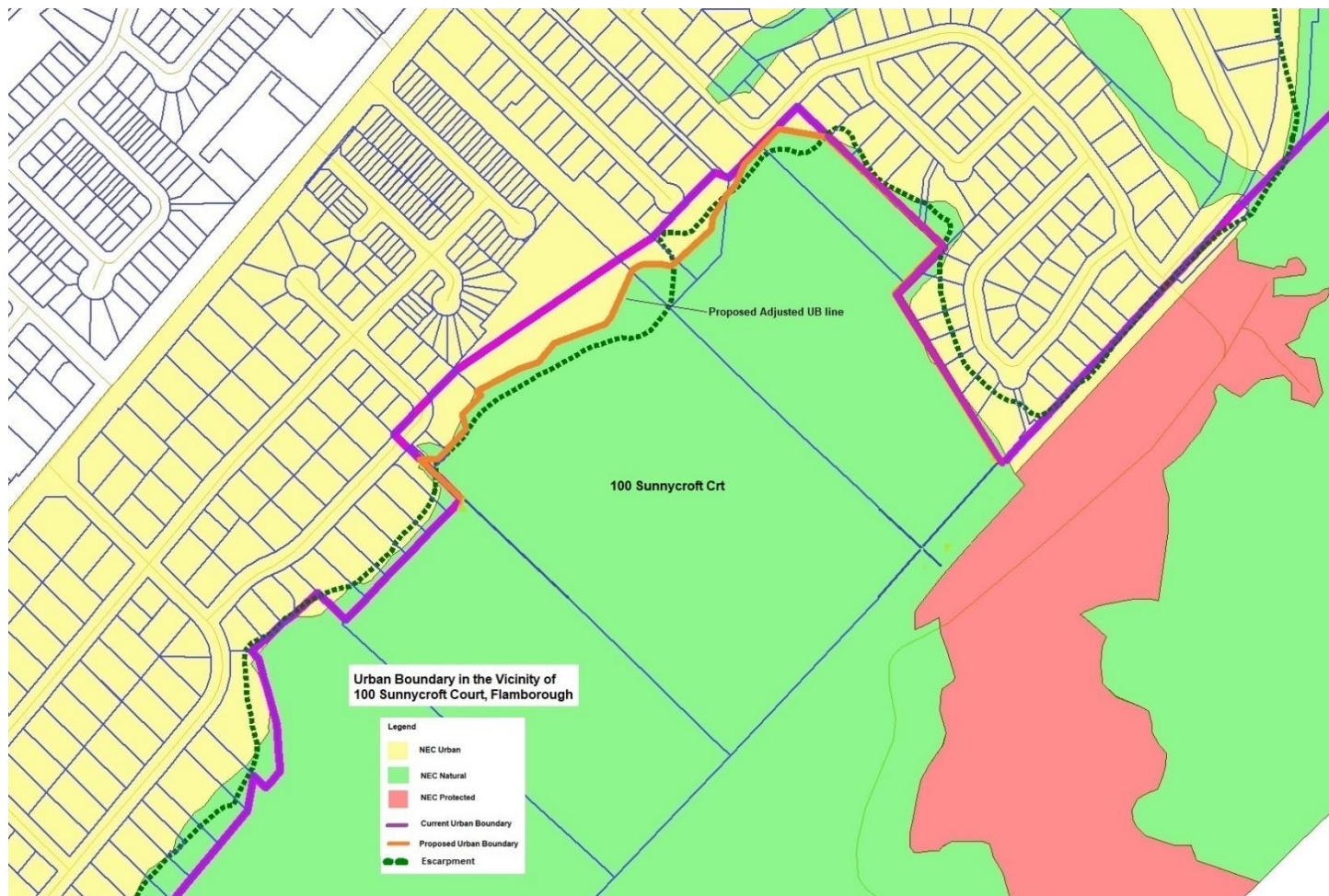
Planner/Technician:
HT/VS

Subject Property



Portion of 329 & 345 Parkside Drive to be added to the Urban Area

Urban Boundary Correction – Vicinity of 100 Sunnycroft Court, Waterdown



**GRIDS 2 / MCR – SCREENING CRITERIA AND
EVALUATION TOOL**

(WATERDOWN AND BINBROOK)

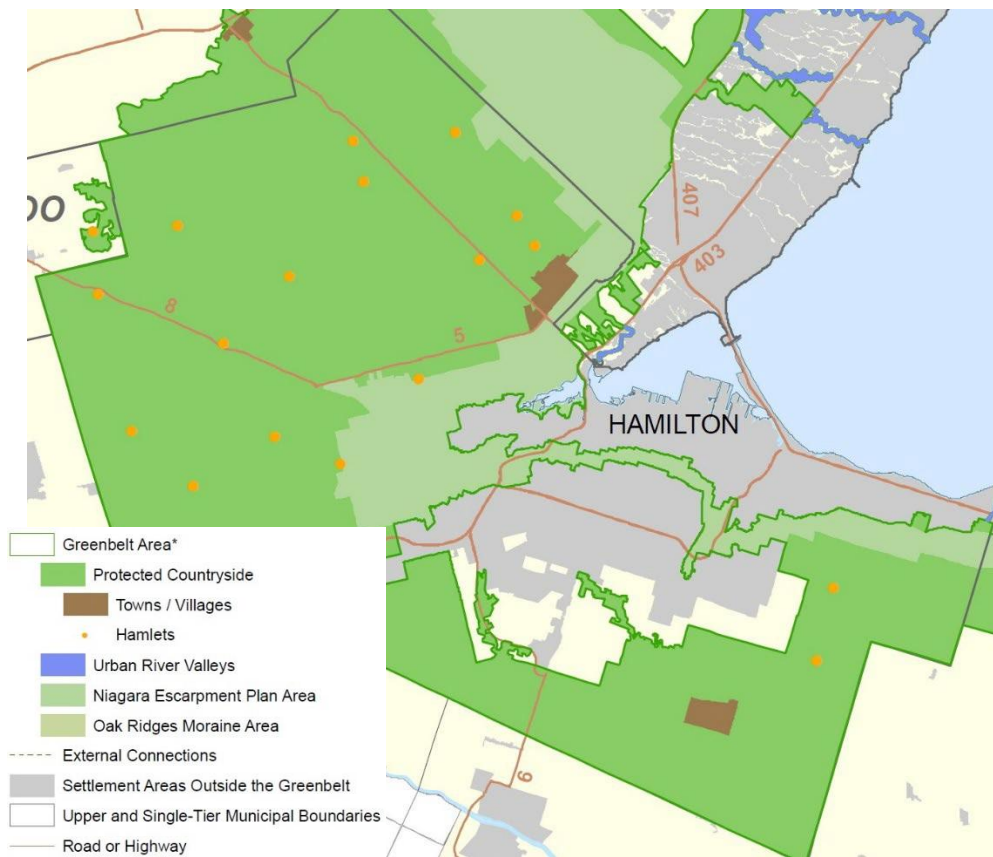


August 2021

URBAN BOUNDARY EXPANSION EVALUATION – WATERDOWN AND BINBROOK

The Provincial Growth Plan 2019, as amended, allows for minor expansions of a settlement area boundary into the Greenbelt Plan Protected Countryside from areas that are identified as a Town or Village in the Greenbelt Plan. Within the City of Hamilton, both Waterdown and Binbrook are classified as ‘Towns’ within the Greenbelt Plan.

The expansion permitted by the Growth Plan policy in these areas, as noted below, is minor in size, being restricted to only 10 ha of land in total, with a maximum of 50% of that area permitted to be used for residential development. Because of the size restriction on expansions from these areas, the City has developed a special evaluation tool to be used for the consideration of expansions from Binbrook or Waterdown.



Source: Province of Ontario, Greenbelt Plan, 2017

The tool is a scaled down version of the GRIDS 2 / MCR Planning for Growth to 2051: Evaluation Framework and Phasing Criteria being used as part of the evaluation of the City’s whitebelt growth areas. Certain criteria that are included in the whitebelt evaluation are not appropriate for the evaluation of the small expansion requests from Waterdown and / or Binbrook due to

the size restriction, including the restriction on residential development, the Growth Plan policy direction, and the existing conditions in these areas.

Policy 2.2.8.3 (k) of the Growth Plan 2019, as amended, identifies the following criteria for the consideration of settlement area boundary expansion within the Greenbelt Plan area:

- k. within the Protected Countryside in the *Greenbelt Area*:
 - i) the *settlement area* to be expanded is identified in the Greenbelt Plan as a Town/Village;
 - ii) the proposed expansion would be modest in size, representing no more than a 5 per cent increase in the geographic size of the *settlement area* based on the *settlement area* boundary delineated in the applicable official plan as of July 1, 2017, up to a maximum size of 10 hectares, and residential *development* would not be permitted on more than 50 per cent of the lands that would be added to the *settlement area*;
 - iii) the proposed expansion would support the achievement of *complete communities* or the local agricultural economy;
 - iv) the proposed uses cannot be reasonably accommodated within the existing *settlement area* boundary;
 - v) the proposed expansion would be serviced by existing *municipal water and wastewater systems* without impacting future *intensification* opportunities in the existing *settlement area*; and
 - vi) expansion into the Natural Heritage System that has been identified in the Greenbelt Plan is prohibited

To assist the City with evaluation requests to expand the urban boundary in Waterdown and / or Binbrook, the evaluation framework on the following pages will be used.

The first phase of the evaluation is a screening tool. Each proposed expansion area will be evaluated against screening criteria based on the Growth Plan policy 2.2.8.3(k). Any expansion areas that cannot meet the screening criteria will not be considered further for expansion.

Expansion requests that pass the screening criteria will be evaluated in phase two against a series of criteria representing both provincial and local priorities to identify the preferred expansion option, if any.

It is noted that there is no requirement for the City to expand the urban boundary from Waterdown and / or Binbrook. Consideration of such an expansion will only be undertaken if there is a demonstrated need for the expansion (eg. logical rounding out of the boundary or recognition of existing uses), including an identified need for the non-residential portion of the expansion area.

PHASE ONE: INITIAL SCREENING:

All potential expansion areas from Waterdown and Binbrook will be screened against the Growth Plan criteria identified in Policy 2.2.8.3(k).

Any areas that do not pass ALL of the screening criteria will be excluded from consideration in the second phase of the evaluation.

This phase of the evaluation is an individual evaluation of each potential expansion area.

PHASE ONE: SCREENING CRITERIA:

THEME	SCREENING CRITERIA	AREA 1	AREA 2	AREA 3
Size / Use	Is the proposed expansion area less than 10 ha in size?	✓	✓	✗
	Is residential development restricted to a maximum of 50% of the expansion area?			
	Is there a demonstrated use / need for the non-residential portion of the expansion area?			
Complete Communities	Does the proposed expansion support the creation of a complete community or the local agricultural economy?			
	Has it been demonstrated that the proposed uses cannot be reasonably accommodated within the existing urban boundary?			
Servicing Infrastructure	Can the proposed expansion area be serviced by existing water / wastewater systems without impacting future intensification opportunities in the existing urban area?			
Natural Heritage	Does the proposed expansion area avoid the natural heritage system?			

PHASE TWO: EVALUATION CRITERIA AND IDENTIFICATION OF PREFERRED EXPANSION OPTION

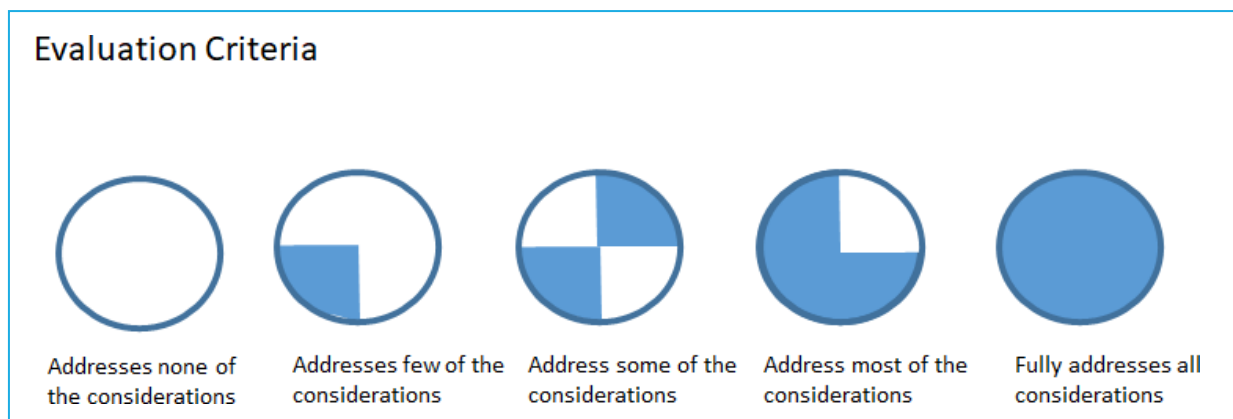
The second phase of the evaluation will evaluate each proposed expansion area that remains after the initial screening against a series of criteria which represent local and provincial planning priorities, including the GRIDS 2 10 Directions to Guide Development.

Each expansion area will be evaluated against the criteria and identified as fully addressing, mostly addressing, partially addressing or not addressing the criteria. Following the evaluation, the areas will be ranked against each other, and the expansion area that best satisfies the criteria will be identified as the preferred expansion option. If deemed necessary, proposed expansion areas may be divided into smaller areas for the purposes of evaluation.

If no expansion areas perform well against the criteria (i.e. only partially address or do not address all or most of the criteria), no areas will be identified as the preferred expansion area.




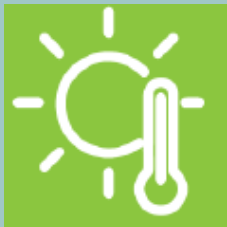
Only one expansion may take place from each of Waterdown and Binbrook.




The following is an example of the proposed evaluation tool:





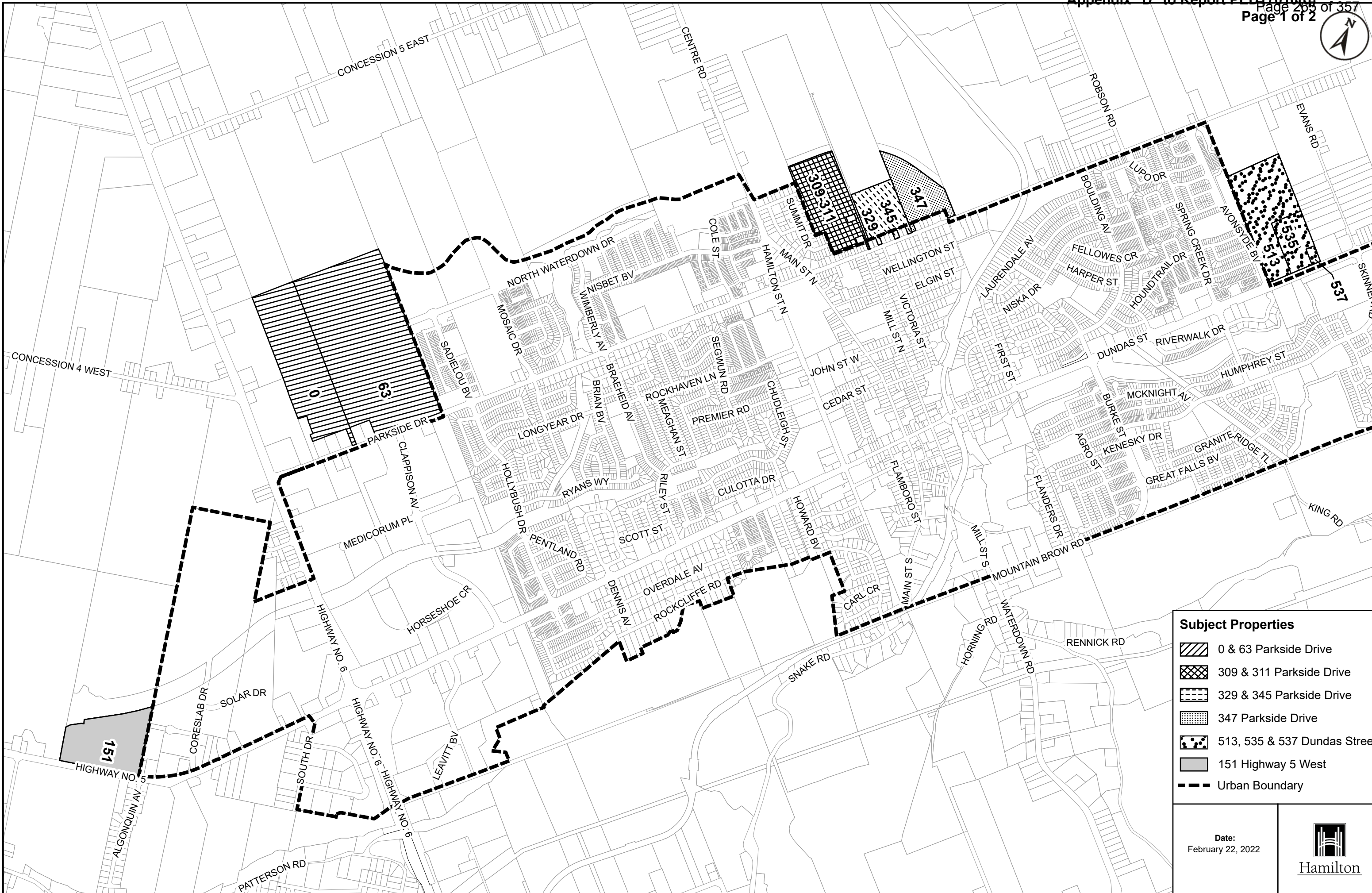
The chart on the next page summarizes the criteria to be considered in relation to the Phase 2 evaluation of expansion areas from Waterdown and Binbrook.

PHASE 2 EVALUATION CRITERIA:

Theme	Criteria	Area 1	Area 2	Area 3
Efficient Servicing 	Can the expansion area be efficiently serviced based on existing water / wastewater and stormwater infrastructure?			
Transportation 	Does the expansion area align well with existing and planned road and active transportation networks?			
	What is the impact of the expansion area on the capacity of the road network?			
Complete Communities 	Does the expansion area contribute to the surrounding area's completeness?			
	Does the expansion area have access to community facilities or address gaps in currently available facilities?			
	Would the expansion area impact the scenic resources of the Niagara Escarpment?			
Climate Change 	Does the expansion area present any significant opportunities or risks associated with climate change?			

Theme	Criteria	Area 1	Area 2	Area 3
<p data-bbox="154 241 397 357">Natural Heritage and Water Resources</p> 	Does the expansion area demonstrate avoidance and / or mitigation of potential negative impacts on watershed conditions?			
	Does the expansion area avoid key hydrologic areas?			
	Does the expansion area maintain, restore or improve the functions and features of the area including diversity and connectivity of natural features and the long term ecological function of natural heritage systems?			
<p data-bbox="154 917 386 949">Natural Hazards</p> 	Does the Candidate Expansion Area contain any natural hazards?			
	Does the Candidate Expansion Area contain a significant amount of hazardous lands that would make the area unfeasible for future development?			
<p data-bbox="154 1299 321 1331">Agriculture</p> 	Does the expansion area minimize / mitigate impacts on the agricultural system, including the agri-food network, to support local food security?			
	Does the proposed expansion minimize land fragmentation?			
	Is the proposed expansion in compliance with MDS guidelines?			

Theme	Criteria	Area 1	Area 2	Area 3
<p>Finance</p> 	<p>Does the proposed expansion have an unreasonable or unexpected financial impact on the City?</p>			
<p>Cultural Heritage</p> 	<p>Does the Candidate Expansion Area contain significant cultural heritage resources including designated heritage properties and can they be conserved?</p>			
	<p>Does the Candidate Expansion Area contain significant archaeological resources and can they be conserved?</p>			



Subject Properties

- 0 & 63 Parkside Drive
- 309 & 311 Parkside Drive
- 329 & 345 Parkside Drive
- 347 Parkside Drive
- 513, 535 & 537 Dundas Street
- 151 Highway 5 West
- Urban Boundary

Date:
February 22, 2022

Hamilton

Address	0 & 63 Parkside	309 - 311 Parkside	329 - 345 Parkside	347 Parkside	513, 535 & 537 Dundas E	151 Highway 5 W
Property Size	63 Parkside = 39.5 ha; 0 Parkside = 18 ha; Total area = 57.5 ha	26.45 ha	5.6 ha	37 ha	513 Dundas = 12.3 ha; 535-537 Dundas = 4 ha; Total area = 16.3 ha	10.8 ha
Area of Proposed Expansion	expansion area not identified	8.1 ha (lands south of future corridor)	5.2 ha (portion of properties in rural area)	6.6 ha (including SWM and natural heritage) 4.44 ha (excluding SWM, nat. her and hydro corridor)	Expansion area not identified	10.8 ha
Current Rural Hamilton Official Plan Designation	Rural	Rural	Rural	Rural	Rural	Rural
Current Zoning	Rural (A2) Zone	Rural (A2) Zone	Rural (A2, 179) Zone – special exception permits long term care facility and retirement home	Rural (A2) Zone	Rural (A2) Zone	Rural (A2, 715) Zone – special exception permits an increased gfa for farm product supply dealer
Existing Use	vacant, agricultural, natural heritage feature, east-west corridor bisects property	vacant, natural heritage features, east-west corridor bisects property	Long Term Care facility, vacant lands, existing single detached dwelling	vacant, agricultural, natural heritage, east-west corridor bisects property	agricultural, existing single detached dwelling, poultry farm	farm supply dealer, vacant
Proposed Use(s)	not identified	Neighbourhoods designation	Existing Long Term Care facility, new retirement home / seniors apartments	residential, SWM / natural heritage	not identified	warehousing, employment uses

Phase One: Screening Criteria - Review of Expansion Requests

	0 & 63 Parkside Drive	309 - 311 Parkside	329 - 345 Parkside	347 Parkside	513, 535 & 537 Dundas East	151 Highway 5 West
Is the proposed expansion area less than 5 ha in size?	No - both property areas are greater than 5 ha each. Scoped area of expansion has not been indicated.	No - proposed area of expansion is 8.1 ha	Yes - site is approximately 5.0 ha.	Yes, but confirmation on land areas required. Appears to be 6.6 ha (including SWM and natural heritage); 4.44 ha (excluding SWM, natural heritage and hydro corridor)	No - sites total 16.3 ha. Scoped area of expansion has not been indicated.	No - lands total 10.8 ha
Is residential development restricted to a maximum of 50% of the expansion area?	Unknown. A non-residential use has not been demonstrated.	Unknown. A non-residential use has not been demonstrated.	Yes - existing long term care facility is institutional use - occupies 50% of site. Expansion proposal for retirement home or multiple dwelling is residential use and would occupy no more than 50% of site.	No - appears to propose residential on entire site. (Note: Planning Justification Report had identified the lands to be combined with 329 Parkside, which provided the non-residential component, but analysis of sites is being conducted separately).	Unknown. A non-residential use has not been identified.	Yes - proposal is for employment uses. No residential uses proposed.
Is there a demonstrated use / need for the non-residential portion of the expansion area?	No - A non-residential use has not been demonstrated.	No - A non-residential use has not been demonstrated.	Yes - recognition of existing long term care facility to add to the Urban Area.	No - A non-residential use has not been demonstrated.	No - A non-residential use has not been demonstrated.	No - Lands are proposed for employment uses. Based on the City's Land Needs Assessment to 2051, there is no need for additional employment lands to 2051..

Phase One: Screening Criteria - Review of Expansion Requests

	0 & 63 Parkside Drive	309 - 311 Parkside	329 - 345 Parkside	347 Parkside	513, 535 & 537 Dundas East	151 Highway 5 West
Does the proposed expansion support the concept of a complete community or the local agricultural economy?	Neutral - location of lands directly north of employment and commercial area could support additional housing opportunities in the area to create mixed use, walkable community. Proposed uses not indicated.	Neutral - expansion could extend existing road network. Location directly adjacent to existing Waterdown urban area could provide housing options to support population growth and local services. Proposed uses not indicated.	Yes - expansion would provide for an opportunity to expand the existing Long Term Care (LTC) facility to accommodate a retirement home or multiple dwelling geared to seniors, providing seniors housing options within the community. Would rectify the existing situation of the urban use being located in the rural area.	Neutral. Location directly adjacent to existing Waterdown urban area could provide housing options to support population growth and local services but details on proposed residential uses and types not provided.	Neutral - lands are currently in agricultural use but facing difficulties due to encroaching urban area and compatibility concerns. Location directly adjacent to existing Waterdown urban area could provide housing options to support population growth and local services. Proposed uses not indicated.	No - the existing farm supply dealer supports the agricultural community, but it is permitted as a rural use. Proposal for warehousing does not support agricultural community or contribute to complete community.
Has it been demonstrated that the proposed uses cannot be reasonably accommodated within the existing urban boundary?	No, proposed uses not indicated. If residential uses are proposed, Council's No Urban Boundary Expansion growth decision has determined that all future residential growth within the City to the year 2051 can be accommodated within the existing urban area. Expansion to the urban boundary to accommodate residential uses is not required.	No, proposed uses not identified. If residential uses are proposed, Council's No Urban Boundary Expansion growth decision has determined that all future residential growth within the City to the year 2051 can be accommodated within the existing urban area. Expansion to the urban boundary to accommodate residential uses is not required.	Yes - the LTC is an existing use and therefore cannot be accommodated with the existing urban area. The expansion of the use to accommodate a retirement home creates an aging in place option for seniors housing.	No. Residential uses are proposed. Council's No Urban Boundary Expansion growth decision has determined that all future residential growth within the City to the year 2051 can be accommodated within the existing urban area. Expansion to the urban boundary to accommodate residential uses is not required.	No, proposed uses not identified. If residential uses are proposed, Council's No Urban Boundary Expansion growth decision has determined that all future residential growth within the City to the year 2051 can be accommodated within the existing urban area. Expansion to the urban boundary to accommodate residential uses is not required.	No - Lands are proposed for employment uses - no demonstrated need for employment lands to 2051

Phase One: Screening Criteria - Review of Expansion Requests

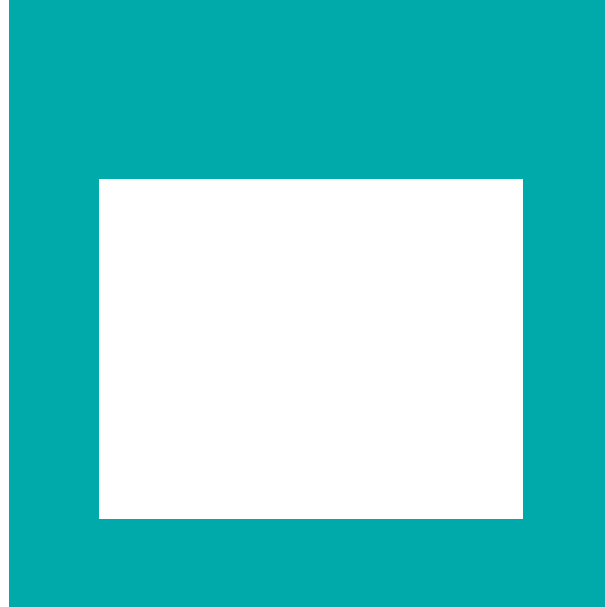
	0 & 63 Parkside Drive	309 - 311 Parkside	329 - 345 Parkside	347 Parkside	513, 535 & 537 Dundas East	151 Highway 5 West
Can the expansion area be serviced by existing water / wastewater systems without impacting future intensification opportunities in the existing urban area?	More information required to determine compliance.	More information required to determine compliance.	Services available on Parkside Drive - detailed studies would be required at future stage to confirm capacity.	Services available on Parkside Drive - detailed studies would be required at future stage to confirm capacity.	More information required to determine compliance.	Cannot be determined based on available information.
Does the proposed expansion area avoid the natural heritage system (NHS)?	Neutral - more information would be required prior to any development occurring. Portions of subject lands adjacent to Parkside Drive are not within Greenbelt NHS. Lands contain "Lake or Littoral Zone" (Sch B-5) identified on portion of property close to Parkside Drive. No EIS submitted.	No, lands are located entirely within the Greenbelt Natural Heritage System. Submitted EIS identifies natural heritage features to be protected. If refinements to the Natural Heritage System are proposed in future, expansion could be considered in future.	Yes - lands are located outside the Greenbelt NHS and contain no Core Areas identified on Sch. B. A Core Area (unevaluated wetland) has been identified north of 329 Parkside Drive. It is located within 120 metres of the subject properties. An EIS may be required prior to future development on site.	Partial - lands adjacent to Parkside Dr are located outside the Greenbelt NHS and no Core Areas identified on Sch. B. EIS may be required prior to future development on site. Northerly lands are located within Greenbelt NHS and could not be considered for urban expansion.	No - lands are within Niagara Escarpment Plan - Escarpment Rural (Greenbelt NHS not applicable). Core Areas have been identified (Significant Woodlands (B-2), Lakes & Littoral Zones (B-5), Streams (B-8)).	Yes - lands are not within Greenbelt Natural Heritage System. Core area and linkage located to the north of property. EIS may be required prior to future development on site.
Property Meets All Screening Criteria and Progress to Phase 2 (Y/N)?	No	No	Yes	No	No	No

Phase 2 Evaluation - 329 - 345 Parkside Drive		
Topic Area	Evaluation Criteria	Staff Response
Servicing	Can the expansion area be efficiently serviced based on existing water / wastewater and stormwater infrastructure?	<p>Water / wastewater: The development area currently has water and sewer servicing along Parkside Dr. Comprehensive modelling of spare capacity along Parkside watermain and sewer has not been completed, however, it is anticipated that the expanded area can be efficiently serviced through existing infrastructure.</p> <p>Stormwater: There are no storm sewers on Parkside Drive however site could potentially drain directly to watercourse receivers - is at split of watersheds between Borer's (HCA) and Grindstone (CH). There will be a need to add legal storm outlet under servicing. The lands appear to have adequate space to provide an on-site facility if required.</p>
	Does the expansion area align well with existing and planned road and active transportation networks?	Map B.4.4-2 – Transportation and Connections of the Waterdown Community Node Secondary Plan shows that Parkside Drive is a minor arterial road and that bike lanes are proposed in the future along the portion of Parkside Drive providing access to this property. As such the proposed expansion area appears to align well with the existing and planned road and active transportation networks. In addition, the area is serviced by on-demand transit.
	What is the impact of the expansion area on the capacity of the road network?	There is adequate capacity in the existing and planned multimodal network to support this area expansion. However, localized impacts (i.e., additional turn lanes, intersection upgrades, et al.) can be determined as part of a site-specific traffic impact assessment through a future development application.
Complete Communities	Does the expansion area contribute to the surrounding area's completeness?	The property is adjacent to the proposed Waterdown Community Node Secondary Plan area. There are no anticipated conflicts between the land use designations within the Secondary Plan and this property. The existing long term care facility provides for an institutional use serving seniors in the Waterdown and surrounding area. Detailed plans of proposed expansion have not been provided, but owner has indicated intention for future expansion for retirement or seniors housing which would provide increased housing options for seniors in the community and a continuum of care arrangement on the site.
	Does the expansion area have access to community facilities or address gaps in currently available facilities?	Location of subject lands is in proximity to trails (adjacent to property); parks / open space (approx. 350 m); and commercial / personal service uses (approx. 500 m). The expansion of seniors-oriented housing on the site would facilitate aging in place options in the Waterdown community.

Phase 2 Evaluation - 329 - 345 Parkside Drive		
Topic Area	Evaluation Criteria	Staff Response
	Would the expansion area impact the scenic resources of the Niagara Escarpment?	The subject lands are not located within the Niagara Escarpment Plan (NEP) area, however, lands on the opposite side of Parkside Drive are within the NEP area and designated as NEP Urban Area. At a future development stage, a Visual Impact Assessment will be required to the satisfaction of the Niagara Escarpment Commission and the City to demonstrate no negative visual impact to the scenic resources of the Escarpment.
Climate Change	Does the expansion area present any significant opportunities or risks associated with climate change?	There are no identified significant opportunities or risks associated with climate change. In terms of opportunities, if development proceeds, there are opportunities to include green roofs and/or other green infrastructure and low impact development techniques to handle a possible increase in rainwater and allow for carbon sequestration. In terms of risks, it is noted that Conservation Halton's 2020 Flood Hazard Mapping Report for the Grindstone Creek Watershed evaluated climate change as part of the future conditions analysis. The study predicted on average 20% higher peak flows for the 100-year storm by the 2050s based on future climate forecasts. The 100-year storm peak flow rates however remain substantially lower than the Regional storm peak flow rates in the subject area and it is unlikely that riverine flooding during this size storm will impact the subject lands. As the applicable regulatory storm (i.e., the regional storm) is based on a specific historical event, it is currently anticipated the regulatory floodplain will not change within the subject lands due to climate change.
Natural Heritage and Water Resources	Does the expansion area demonstrate avoidance and / or mitigation of potential negative impacts on watershed conditions?	An Environmental Impact Statement would be required at the future development stage. There is a Headwater Drainage Feature (HDF) on the site. Based on air photo interpretation, there may be a seepage area/spring associated with this HDF. Provided the development is setback from the wetland, the potential seepage area/spring and Natural Heritage System appropriately, impacts may be avoided and/or mitigation measures may be required. Further study to be required prior to any further development of the subject lands. From a stormwater management perspective, it appears that the expansion area should be able to mitigate any potential negative impacts. A Functional Servicing Study is recommended to demonstrate that the site can provide adequate stormwater management, including possible infiltration, and have no negative impacts on watershed conditions.
	Does the expansion area avoid key hydrologic areas?	The proposed expanded urban area intersects both Highly Vulnerable Aquifers and Significant Groundwater Recharge areas. A Water Resources Impact Assessment will be required to identify any impacts to water resources, any mitigative measures required and any impacts on surrounding uses and private wells.

Phase 2 Evaluation - 329 - 345 Parkside Drive		
Topic Area	Evaluation Criteria	Staff Response
	Does the expansion area maintain, restore or improve the functions and features of the area including diversity and connectivity of natural features and the long term ecological function of natural heritage systems?	The Natural Heritage System associated with the Greenbelt Plan is adjacent to the subject property. As the NHS is not located on the subject property, the NHS would be maintained. Opportunities for restoration and improvement could be determined as part of an EIS.
Natural Hazards	Does the Candidate Expansion Area contain any natural hazards?	The expansion area contains a small portion of the regional storm flood plain and the associated 15 metre regulatory allowance. Note that all development must be located outside of the flood plain and 15 metre allowance. However, given the location and size of the flood plain, it is unlikely to present a significant constraint to development. The site is in an area with potential karst/unstable bedrock (hazardous site). Further study would be required to confirm the presence of hazardous karst and any resulting restrictions to development and/or mitigation measures.
	Does the Candidate Expansion Area contain a significant amount of hazardous lands that would make the area unfeasible for future development?	The site is in an area with potential karst/unstable bedrock (hazardous site). Further study would be required to confirm the presence of hazardous karst and any resulting restrictions to development and/or mitigation measures.
Agriculture	Does the expansion area minimize / mitigate impacts on the agricultural system, including the agri-food network, to support local food security?	The majority of the lands are disturbed with an existing building and parking area. No portion of the lands are currently in agricultural production. The soils are classified as Class 2 in the Canada Land Inventory. No agricultural or agri-food network facilities are located on or adjacent to the subject lands.
	Does the proposed expansion minimize land fragmentation?	The lands proposed to be added are already a separate parcel and will not increase land fragmentation if added to the urban area.
	Is the proposed expansion in compliance with MDS guidelines?	No livestock facilities triggering a minimum distance separation in accordance with MDS guidelines have been identified in proximity to the subject lands.
Finance	Does the proposed expansion have an unreasonable or unexpected financial impact on the City?	There are no known unreasonable financial impacts to the City.
Cultural Heritage	Does the Candidate Expansion Area contain significant cultural heritage resources including designated heritage properties and can they be conserved?	329 - 345 Parkside Drive does not contain significant cultural heritage resources including designated heritage properties. The residential dwellings on the north side of Parkside Drive were constructed circa the mid- to late-1940s.

Phase 2 Evaluation - 329 - 345 Parkside Drive		
Topic Area	Evaluation Criteria	Staff Response
	Does the Candidate Expansion Area contain significant archaeological resources and can they be conserved?	<p>The subject property meets six (6) of the ten criteria used by the City of Hamilton and Ministry of Heritage, Sport, Tourism and Culture Industries for determining archaeological potential: 1) Within 250 metres of known archaeological sites; 8) In areas of pioneer EuroCanadian settlement; 2) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody; 9) Along historic transportation routes; 6) In the vicinity of distinctive or unusual landforms; and, 5) In an area of sandy soil in areas of clay or stone. These criteria define the property as having archaeological potential. Municipal heritage planning Staff require that City Staff inform the owners of the subject property in writing of the following: "The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbance, in addition to any areas impacted by the installation of services, such as water, electricity and ground-source heat pumps, and the proponent is advised to conduct an archaeological assessment prior to such impacts in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI). All archaeological reports shall be submitted to the City of Hamilton concurrent with their submission to the MHSTCI. Should deeply buried archaeological materials be found on the property during any of the above development activities the MHSTCI should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MHSTCI and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499)."</p>



WELCOME TO THE CITY OF HAMILTON

GENERAL ISSUES COMMITTEE

April 20, 2022

PED17010(q) – Evaluation of Urban Boundary Expansion Requests – Waterdown

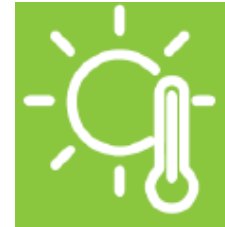
Presented by: Heather Travis

Waterdown Evaluation Tool

- Growth Plan allows a provision for a minor expansion (up to 10 ha) from a “Town / Village” in the Greenbelt Plan.
- Waterdown and Binbrook are classified as “Towns” in the Greenbelt Plan.
- Staff prepared an evaluation tool for the evaluation of any requests for expansion from Binbrook or Waterdown which received Council approval in August 2021.

Waterdown Evaluation Tool

THEME	SCREENING CRITERIA	AREA 1	AREA 2	AREA 3
Size / Use	Is the proposed expansion area less than 10 ha in size?	✓	✓	✗
	Is residential development restricted to a maximum of 50% of the expansion area?			
	Is there a demonstrated use / need for the non-residential portion of the expansion area?			
Complete Communities	Does the proposed expansion support the creation of a complete community or the local agricultural economy?			
	Has it been demonstrated that the proposed uses cannot be reasonably accommodated within the existing urban boundary?			
Servicing Infrastructure	Can the proposed expansion area be serviced by existing water / wastewater systems without impacting future intensification opportunities in the existing urban area?			
Natural Heritage	Does the proposed expansion area avoid the natural heritage system?			

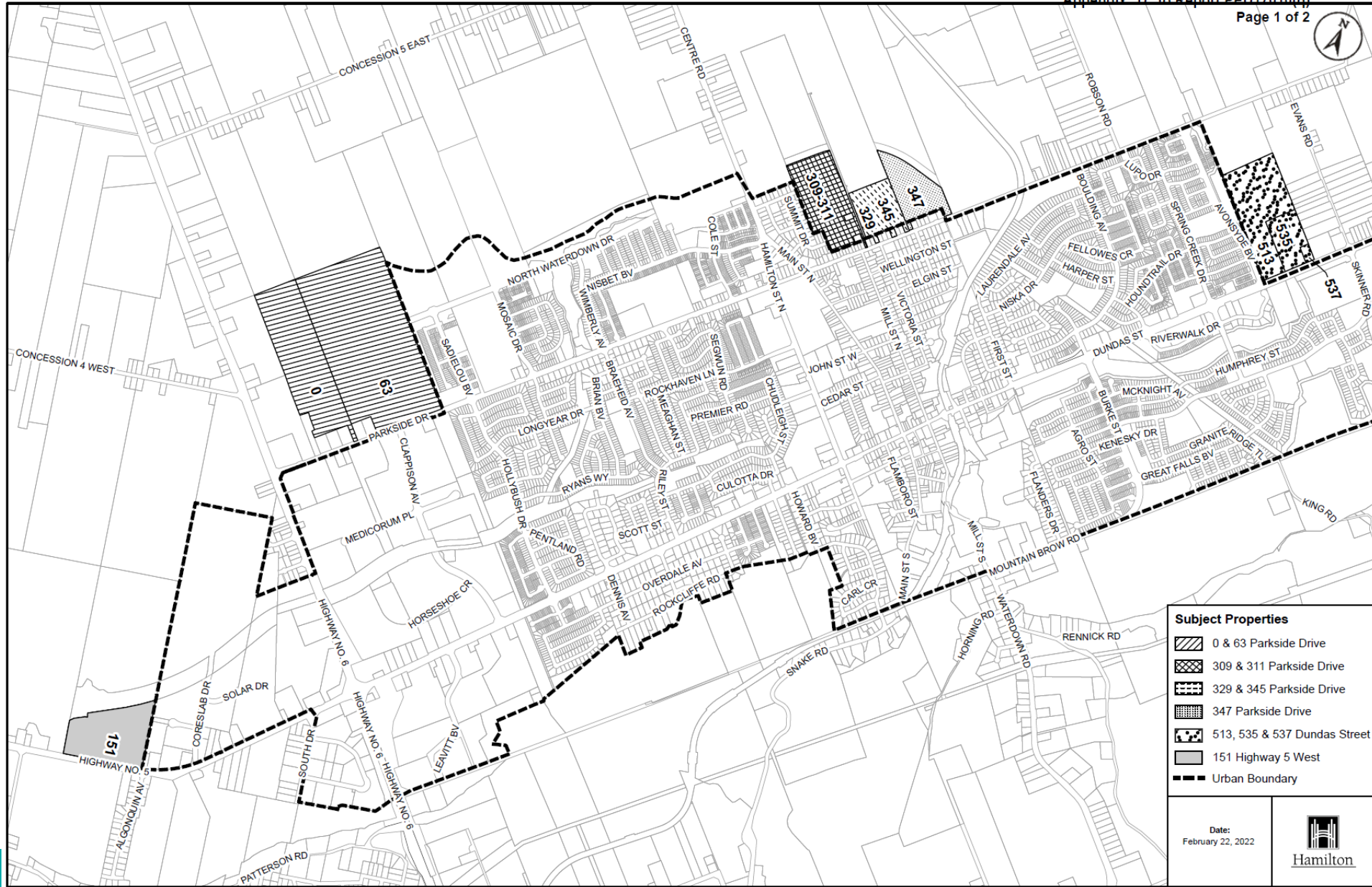


Background

On November 19, 2021, Council provided the following direction to staff through the amended approval of Report PED17010(o):

“That staff be authorized and directed to evaluate requests for expansion from **Waterdown** up to a maximum size of **5 ha** of which 50% may be for residential use, as per the Screening Criteria and Evaluation Tool (Waterdown), and report back to Council with the results of the evaluation analysis.”

Expansion Requests – Waterdown

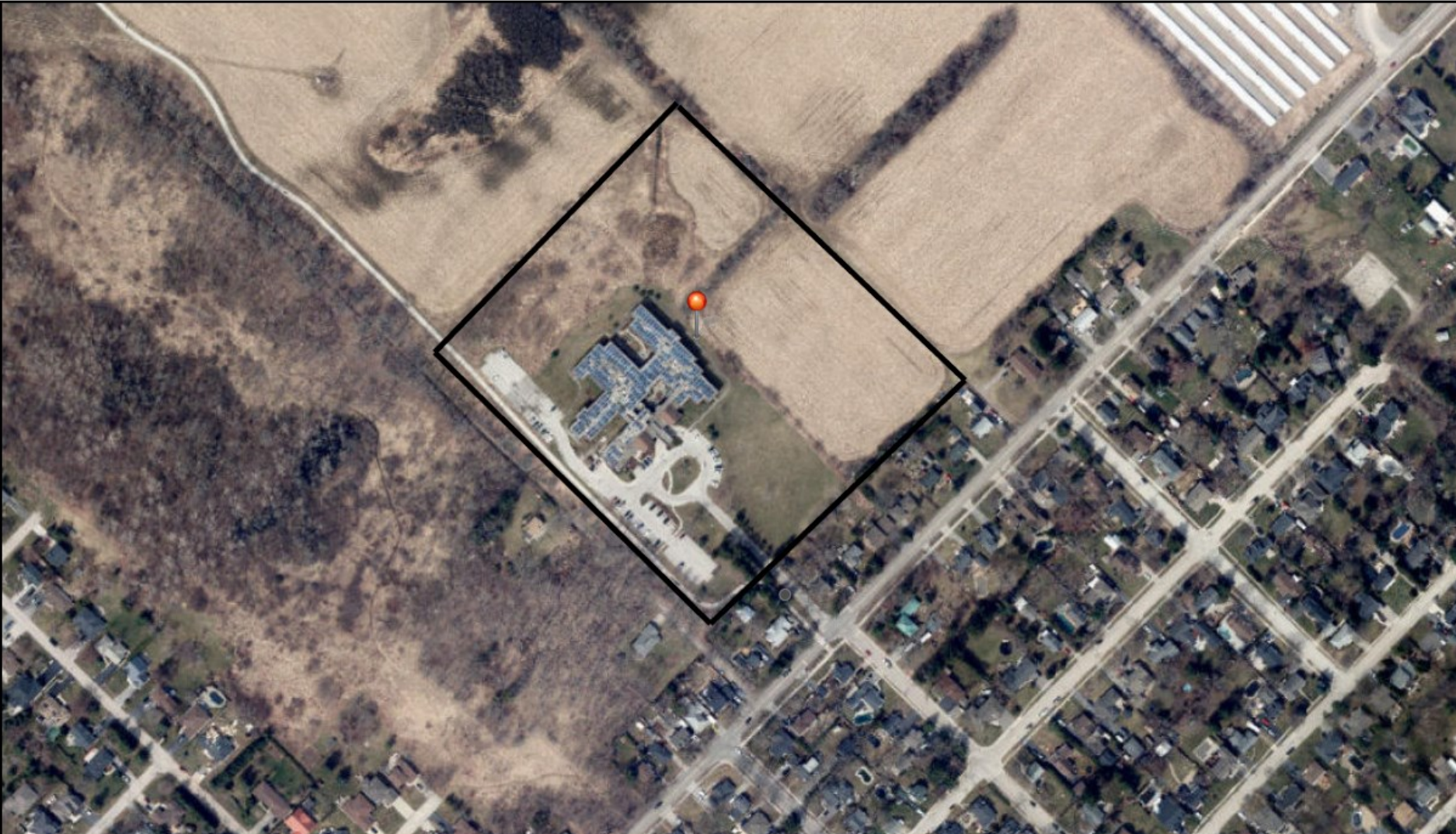


Subject Properties	
	0 & 63 Parkside Drive
	309 & 311 Parkside Drive
	329 & 345 Parkside Drive
	347 Parkside Drive
	513, 535 & 537 Dundas Street
	151 Highway 5 West
	Urban Boundary

<p>Date: February 22, 2022</p>	
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Stage One Screening Criteria

Criteria	0 & 63 Parkside	309 – 311 Parkside	329 & 345 Parkside	347 Parkside	513, 535 – 537 Dundas	151 Highway 5W
Is proposed expansion area less than 5 ha in size?	X	X	√	√	X	X
Is residential development restricted to a maximum of 50% of the expansion area?	Unknown	Unknown	√	X	Unknown	√
Is there a demonstrated use / need for the non-residential portion of the expansion area?	X	X	√	X	X	X
Does the proposed expansion area support the concept of a complete community or the local agricultural economy?	Neutral	Neutral	√	Neutral	Neutral	X
Has it been demonstrated that the proposed uses cannot be reasonably accommodated within the existing urban boundary?	X	X	√	X	X	X
Can the expansion area be serviced by existing water / wastewater systems without impacting future intensification opportunities in the existing urban area?	Unknown	Unknown	Available: need to confirm capacity	Unknown	Unknown	Unknown
Does the proposed expansion area avoid the natural heritage system (NHS)?	Neutral	X	√	Partial	X	√
Does the property meet all Screening Criteria to proceed to Phase 2? (Y/N)	NO	NO	YES	NO	NO	NO



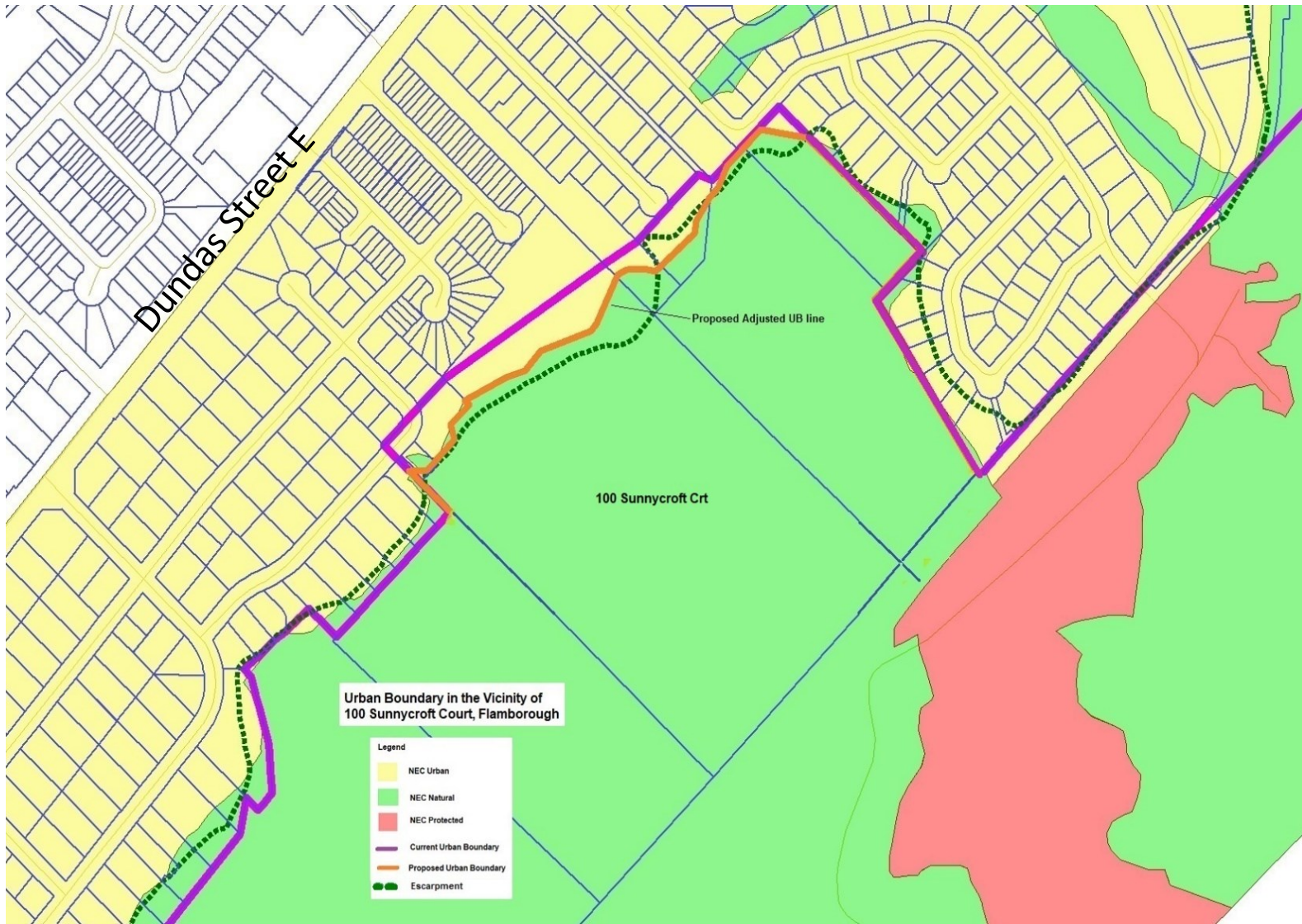
329 & 345 Parkside Drive – Phase 2 Evaluation

- **Servicing:** Site is serviced with existing water and sewer servicing with anticipated capacity to accommodate future development; anticipated that SWM can be accommodated on the property using low impact development techniques and on-site controls (a legal storm outlet would be required);
- **Transportation:** anticipated that capacity exists on Parkside Drive to accommodate a future expansion on the lands and the proposal aligns with existing road and active transportation networks;
- **Complete communities:** Expansion will facilitate future development of the existing use to permit seniors-oriented housing (retirement home and / or seniors' apartments) providing an aging-in-place option in the Waterdown community;
- **Climate change:** no significant risks or opportunities identified;

329 & 345 Parkside Drive – Phase 2 Evaluation

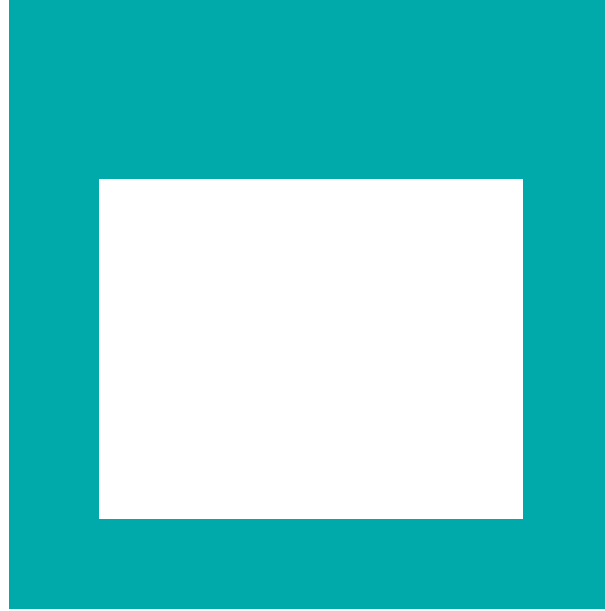
- **Natural heritage:** The lands are located outside of the Greenbelt Natural Heritage System (NHS) and provided future development is setback from the wetland, the potential seepage area/spring and NHS appropriately, impacts may be avoided and/or mitigation measures may be required;
- **Natural hazards:** unlikely to constrain development;
- **Agriculture:** No impacts to the agricultural system are anticipated given the lands are not currently in agricultural production and there are no facilities triggering Minimum Distance Separation concerns in the vicinity;
- **Financial:** There are no unreasonable financial impacts anticipated to the City; and,
- **Cultural heritage:** There are no cultural heritage resources present on the lands. Archaeological assessment would be required prior to any future development of the lands.

100 Sunnycroft Court – urban boundary correction



Next Steps

- Should the staff recommendation be approved, changes to the urban boundary will be incorporated into the Municipal Comprehensive Review (MCR) Official Plan Amendment
- The MCR Official Plan Amendment will be considered at a statutory public meeting to be held at Planning Committee on May 17, 2022.




THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	April 20, 2022
SUBJECT/REPORT NO:	Barton Kenilworth Tax Increment Grant Program - 110 Barton Street East, Hamilton (PED22089) (Ward 2)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Carlo Gorni (905) 546-2424 Ext. 2755
SUBMITTED BY:	Norm Schleeahn Director, Economic Development Planning and Economic Development
SIGNATURE:	

RECOMMENDATION

- (a) That a Barton Kenilworth Tax Increment Grant Program application submitted by Jose Alejandro Lopez, for the property at 110 Barton Street East, Hamilton, estimated at \$1,522.36 over a maximum of a nine-year period, and based upon the incremental tax increase attributable to the renovations of 110 Barton Street East, Hamilton, be authorized and approved in accordance with the terms and conditions of the Barton Kenilworth Tax Increment Grant Program;
- (b) That the Mayor and City Clerk be authorized and directed to execute a Grant Agreement together with any ancillary documentation required, to give effect to the Hamilton Tax Increment Grant for Jose Alejandro Lopez for the property known as 110 Barton Street East, Hamilton, in a form satisfactory to the City Solicitor;
- (c) That the General Manager of the Planning and Economic Development Department be authorized and directed to administer the Grant and Grant Agreement including but not limited to: deciding on actions to take in respect of events of default and executing any Grant Amending Agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Barton Kenilworth Tax Increment Grant Program, as approved by City Council, are maintained.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Barton Kenilworth Tax Increment Grant - 110 Barton Street East,
Hamilton (PED22089) (Ward 2) - Page 2 of 6**

EXECUTIVE SUMMARY

The Barton Kenilworth Tax Increment Grant Program (BKTIGP) application for the renovation of 110 Barton Street East, Hamilton, was submitted by Jose Alejandro Lopez. At the time of application, the property contained a single-family townhouse. Improvements to the building were carried out to create a second dwelling unit within the structure.

Development costs are estimated at \$51,754 and it is projected that the proposed redevelopment will increase the assessed value of the property from its current value of \$214,000 to approximately \$235,000. This will increase total annual property taxes generated by the property. The municipal share of this property tax increase (municipal tax increment) will be approximately \$217.48 of which 100% would be granted to the owner during years one to five, 80% or approximately \$173.98 in year six, 60% or approximately \$130.49 in year seven, 40% or approximately \$86.99 in year eight and 20% or approximately \$43.50 in year nine. The estimated total value of the Grant is approximately \$1,522.36. Note that every year the tax increment is based on actual taxes for that year.

Alternatives for Consideration – See Page 6

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The City will collect full property taxes on the property and, in turn, provide a Grant for nine years, declining each year after the first five years by 20%, based on the increase in the municipal portion of the taxes, post-development completion of 110 Barton Street East, Hamilton. Following year five of the Grant payment, the City will start to realize the positive results of the Program from a financial perspective. Based on the projected figures, the estimated tax increment over nine years totals \$1,957.32, of which the applicant would receive a Grant totalling approximately \$1,522.36 and the City retaining taxes totalling approximately \$434.96.

Staffing: Applicants and subsequent Grant payments under the BKTIGP are processed by the Commercial Districts and Small Business Section and Taxation Division. There are no additional staffing requirements.

Legal: Section 28 of the *Planning Act* permits a municipality, in accordance with a Community Improvement Plan, to make loans and grants which would otherwise be prohibited under Section 106(2) of the *Municipal Act*, to registered/assessed owners and tenants of lands and buildings. A Community Improvement Plan can only be adopted and come into effect within a designated Community Improvement Project Area. Changes to a

**SUBJECT: Barton Kenilworth Tax Increment Grant - 110 Barton Street East,
Hamilton (PED22089) (Ward 2) - Page 3 of 6**

Community Improvement Plan or Community Improvement Project Area require formal amendments as dictated by the *Planning Act*.

The applicant will be required to execute a Grant Agreement prior to the Grant being advanced. The Grant Agreement will be developed in consultation with Legal Services.

As construction projects move forward, it is sometimes necessary to amend previously approved Grant Agreements and any ancillary documentation. Therefore, staff recommends that the General Manager of Planning and Economic Development be authorized to amend Grant Agreements and any ancillary documentation, provided that the terms and conditions of the BKTIGP are maintained.

HISTORICAL BACKGROUND

The Barton/Kenilworth Tax Increment Grant (BKTIG) Program was first established by City Council on May 11, 2016 through the approval of an amendment to the Downtown and Community Renewal Community Improvement Plan (2016). The BKTIG Program is currently established through the updated Revitalizing Hamilton's Commercial Districts Community Improvement Plan (RHCD CIP) which was approved by City Council on September 29, 2021 via By-law 21-164.

The BKTIG Program is intended to incentivize property owners located along the Barton Street East and Kenilworth Avenue North commercial corridors (including properties within the Barton Village Business Improvement Area) to develop, redevelop or otherwise improve properties and/or buildings in a manner that will support the broader revitalization of these districts as well as generate new municipal property tax revenue through increased property assessments. The exact geographic boundaries within which the BKTIG Program is available are defined through the associated Revitalizing Hamilton Community Improvement Project Area By-law (21-163).

The BKTIG Program Grant is to be in an amount which does not exceed 100% of the municipal realty tax increase during the first five years, 80% in year six, 60% in year seven, 40% in year eight, and 20% in year nine.

The project at 110 Barton Street East, Hamilton, is an eligible project under the terms of the BKTIGP. The applicant will qualify for the BKTIGP Grant upon completion of the renovations. At the time of application, renovation costs were estimated at \$51,754. The total estimated Grant over the nine-year period is approximately \$1,522.36.

**SUBJECT: Barton Kenilworth Tax Increment Grant - 110 Barton Street East,
Hamilton (PED22089) (Ward 2) - Page 4 of 6**

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Urban Hamilton Official Plan

The site is municipally known as 110 Barton Street East and is located within the “Neighbourhoods” structural element on Schedule E – Urban Structure and designated “Neighbourhoods” on Map E-1 – Urban Land Use Designations which is intended to support a full range of residential dwelling types and densities as well as supporting commercial uses that will serve local residents.

The existing use of the site conforms to the above designation.

Former City of Hamilton Zoning By-law No. 6593

Under the Former City of Hamilton Zoning By-Law No. 6593, the site is zoned “D/S-378 (Urban Protected Residential – One- and Two-Family Dwellings Etc.) which permits low-rise residential dwellings with no more than two dwelling units.

The use of the site for the purposes of containing two dwelling units is permitted via Committee of Adjustment decision HM/A-19:157.

RELEVANT CONSULTATION

Staff from the Finance and Administration Division, Corporate Services Department and the Legal Services Division, City Manager’s Office was consulted, and the advice received is incorporated into Report PED22089.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Commercial Districts and Small Business staff, in co-operation with staff from the Taxation and Legal Services Divisions, developed an estimated schedule of Grant payments under the terms of the Program. The final schedule of Grant payments will be contingent upon a new assessment by MPAC following completion of the project. The applicant will be required to sign a Grant Agreement. The Grant Agreement contains provisions for varying the Grant payment in each and every year based on MPAC’s assessed value. By signing, the applicant will accept the terms and conditions outlined therein prior to any Grant payments being made. The Agreement outlines the terms and conditions of the Grant payments over the nine-year period.

**SUBJECT: Barton Kenilworth Tax Increment Grant - 110 Barton Street East,
Hamilton (PED22089) (Ward 2) - Page 5 of 6**

The estimated Grant shall be calculated according to the following formulas:

Grant Level:		100%	
Total Eligible Costs (Maximum):	\$	51,754	
Pre-project CVA: RT (Residential)	\$	214,000	Year: 2020
Municipal Levy:	\$	2,216.21	
Education Levy:	\$	<u>327.42</u>	
Pre-project Property Taxes	\$	2,543.63	
*Estimated Post-project CVA: RT (Residential)	\$	235,000	Year: TBD
Post-Project Property Taxes			
**Estimated Municipal Levy:	\$	2,433.69	
**Estimated Education Levy:	\$	<u>359.55</u>	
**Estimated Post-Project Property Taxes:	\$	2,793.24	

*The actual roll number(s) assessed value(s), tax classification(s) and value partitioning (where applicable) are to be determined by the Municipal Property Assessment Corporation (MPAC).

**2020 tax rates have been used for calculation of the estimated post-development property taxes.

Pre-project Municipal Taxes = Municipal Levy = \$2,216.21
Municipal Tax Increment = \$2,433.69 - \$2,216.21 = \$217.48
Payment in Year One = \$217.48 x 1.0 = \$217.48

**SUBJECT: Barton Kenilworth Tax Increment Grant - 110 Barton Street East,
Hamilton (PED22089) (Ward 2) - Page 6 of 6**

**ESTIMATED GRANT PAYMENT SCHEDULE for 110 BARTON STREET EAST
(Subject to re-calculation each year and up to the total eligible costs)**

Year	Grant Factor	Tax Increment*	Grant
1	100%	\$217.48	\$217.48
2	100%	\$217.48	\$217.48
3	100%	\$217.48	\$217.48
4	100%	\$217.48	\$217.48
5	100%	\$217.48	\$217.48
6	80%	\$217.48	\$173.98
7	60%	\$217.48	\$130.49
8	40%	\$217.48	\$86.99
9	20%	\$217.48	\$43.50
Total		\$1,957.32	\$1,522.36

*Note that the tax increment is based every year on actual taxes for that year. The figures above are estimates. In other words, for each year a Grant payment is paid, the actual taxes for the year of the Grant payment will be used in the calculation of the Grant payment.

ALTERNATIVES FOR CONSIDERATION

Declining a Grant and/or approving a reduced amount would undermine the principles of the BKTIGP and regeneration efforts in general. This alternative is not recommended.

Financial: Grants totalling \$1,522.36 over a nine-year period would not be issued.

Staffing: Not applicable

Legal: Not applicable

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

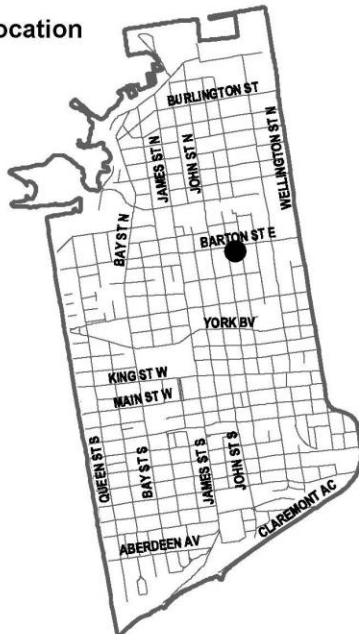
Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED21089 – Location Map



● Site Location



Key Map - Ward 2

Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
110 Barton St E

Date:
October 16, 2020

Appendix "A"

Scale:
N.T.S


Planner/Technician:
CG/AL

Subject Property

 110 Barton Street East



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	April 20, 2022
SUBJECT/REPORT NO:	Lease Extension – Royal Canadian Mounted Police (RCMP), 777 Highway No. 8, Stoney Creek (PED22053) (Ward 10)
WARD(S) AFFECTED:	Ward 10
PREPARED BY:	David McCullagh (905) 546-2424 Ext. 1647
SUBMITTED BY:	Norm Schleeahn Director, Economic Development Planning and Economic Development Department
SIGNATURE:	

Discussion of Confidential Appendix “B” to Report PED22053 in closed session is subject to the following requirement(s) of the City of Hamilton’s Procedural By-law and the *Ontario Municipal Act, 2001*:

- A proposed or pending acquisition or disposition of property for City or a local board purpose.

RATIONALE FOR CONFIDENTIALITY

Appendix “B” to Report PED22053 proposes a real estate transaction, and therefore it is appropriate to address in-camera, pursuant to the *Ontario Municipal Act, 2001*.

RATIONALE FOR MAINTAINING CONFIDENTIALITY

Appendix “B” to Report PED22053 is to remain Confidential as real estate transactions involve commercially confidential information and the outcome of negotiations, pending approval of Council.

RECOMMENDATION (CLOSED SESSION)

None.

RECOMMENDATION (OPEN SESSION)

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Lease Extension – Royal Canadian Mounted Police (RCMP), 777
Highway No. 8, Stoney Creek (PED22053) (Ward 10)- Page 2 of 5**

- (a) That an Agreement of Annual Rent For Lease Extension Term between the City of Hamilton (Lessor) and Her Majesty The Queen In Right Of Canada, as represented by the Minister of Public Safety and Emergency Preparedness Canada, responsible for the Royal Canadian Mounted Police (Lessee), for the subject premises located as identified in attached Appendix “A” to Report PED22053, and based substantially on the terms and conditions outlined in Appendix “B” to Report PED22053, and such other terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, be entered into by the City of Hamilton;
- (b) That all rental proceeds continue to be received into Dept. ID Account No.46035-791514;
- (c) That all costs related to the Agreement of Annual Rent For Lease Extension Term with Her Majesty The Queen In Right Of Canada, as represented by the Minister of Public Safety and Emergency Preparedness Canada, responsible for the Royal Canadian Mounted Police (Lessee), including the real estate and legal costs of \$77,951.39, be funded from Dept. ID Account No. 55778-791514 and credited to Dept. ID Account No. 55778-812036 (Real Estate – Admin Recovery);
- (d) That the General Manager, Planning and Economic Development Department or designate, acting on behalf of the City as Lessor, be authorized to administer the existing Lease and the Agreement of Annual Rent For Lease Extension Term with Her Majesty The Queen In Right Of Canada, as represented by the Minister of Public Safety and Emergency Preparedness Canada, responsible for the Royal Canadian Mounted Police (Lessee) and provide any requisite consents, approvals, and notices related to the Agreement of Annual Rent For Lease Extension Term;
- (e) That the City Solicitor be authorized to amend and waive terms and conditions on such terms as considered reasonable to complete the leasing transaction, respecting the Agreement of Annual Rent For Lease Extension Term with Her Majesty The Queen In Right Of Canada, as represented by the Minister of Public Safety and Emergency Preparedness Canada, responsible for the Royal Canadian Mounted Police (Lessee);
- (f) That the Mayor and Clerk be authorized and directed to execute the Agreement of Annual Rent For Lease Extension Term with Her Majesty The Queen In Right Of Canada, as represented by the Minister of Public Safety and Emergency Preparedness Canada, responsible for the Royal Canadian Mounted Police (Lessee), or such other form and all other necessary associated documents with all such documents to be in a form satisfactory to the City Solicitor;

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

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SUBJECT: Lease Extension – Royal Canadian Mounted Police (RCMP), 777 Highway No. 8, Stoney Creek (PED22053) (Ward 10)- Page 3 of 5

- (g) That Appendix “B” to Report PED22053, respecting Lease Extension – Royal Canadian Mounted Police (RCMP), 777 Highway No. 8, Stoney Creek, remain confidential and not be released as a public document.

EXECUTIVE SUMMARY

By way of a Notice Letter dated November 1, 2021, the Lessee, pursuant to the relevant provision of the Lease, did exercise the Lessee’s option to extend the Lease for a further five years commencing June 1, 2022 and being on the same terms and conditions, save and except the rent which was to be negotiated as set forth in the Lease.

This Report seeks approval to finalize the rental terms that have been negotiated as set forth in the Lease.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Transaction as outlined in Appendix “B” to Report PED22053 attached;

That all rental proceeds continue to be received into Dept. ID Account No. 46035-791514; and,

That all costs related to the Agreement of Annual Rent For Lease Extension Term, including the real estate and legal costs of \$77,951.39, be funded from Dept. ID Account No. 55778-791514 and credited to Dept. ID Account No. 55778-812036 (Real Estate – Admin Recovery).

Staffing: N/A

Legal: Legal Services will be required to assist in the preparation of the contemplated Agreement of Annual Rent For Lease Extension Term and any necessary documents required to complete this leasing transaction.

HISTORICAL BACKGROUND

The Royal Canadian Mounted Police (RCMP) had been looking to consolidate their various locations to better service the Hamilton area as well as the Niagara Region and had selected the former Stoney Creek City Hall as a possible site.

Council, on July 13, 2005, in approving Committee of the Whole (COW) Report 05-011 Item No. 23, approved Joint Report PED05091/PW05031/FCS05054 authorizing the

**SUBJECT: Lease Extension – Royal Canadian Mounted Police (RCMP), 777
Highway No. 8, Stoney Creek (PED22053) (Ward 10)- Page 4 of 5**

completion and entering into a Lease Agreement with Her Majesty The Queen In Right Of Canada, as represented by the Minister of Public Safety and Emergency Preparedness Canada, responsible for the Royal Canadian Mounted Police (Lessee) for a 15-year term, commencing June 1, 2007 and expiring May 31, 2022.

The Lessee, during the term has continuously occupied and operated its business from the leased premises and, consistent with its exercising for a further term, in early 2021 completed renovations and improvements to the leased premises.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Portfolio Management Strategy – Real Estate Management Plan

City Council, at its meeting of November 24, 2004, adopted the City's Portfolio Management Strategy Plan, which established a formalized process to be consistently applied across all areas of the City to guide the management of the City's real property.

RELEVANT CONSULTATION

- Public Works, Facilities Planning and Business Solutions;
- Corporate Services Department, Legal and Risk Management Services Division; and,
- Financial Planning Administration and Policy Division.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The RCMP has kept the Lease and their tenancy in good standing and has continuously occupied and conducted business from the leased premises.

Not being or having been in default, the Lessee appropriately exercised its available option to extend the Lease for a further five-year term. Thereby granting a further leasehold interest to the Lessee for this five-year extension term as exercised.

The recommendations in this Report are consistent with the provisions associated with the extension option exercised by the Lessee.

The terms and conditions outlined in confidential Appendix "B" to Report PED22053 attached are deemed fair, reasonable and at market value.

**SUBJECT: Lease Extension – Royal Canadian Mounted Police (RCMP), 777
Highway No. 8, Stoney Creek (PED22053) (Ward 10)- Page 5 of 5**

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Built Environment and Infrastructure

Hamilton is supported by state-of-the-art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity

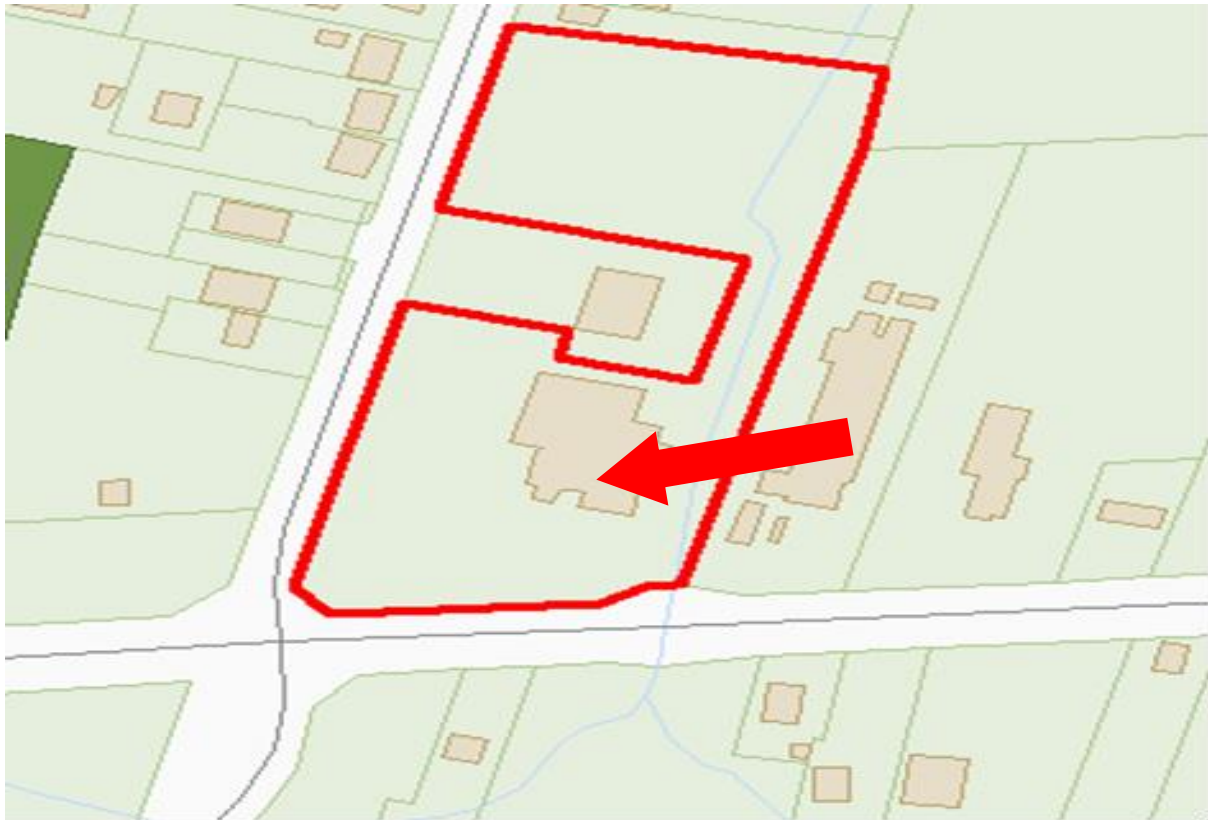
Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

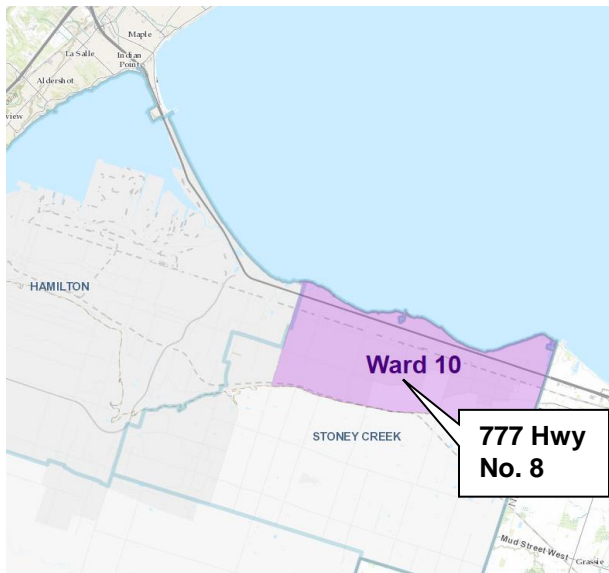
Appendix “A” to Report PED22053 – Location Map, Identification of Building containing
the Leased Premises

Appendix “B” to Report PED22053 – Confidential - Major Terms and Conditions

DM/jd



KEY MAP



LOCATION, IDENTIFICATION OF OFFICE BUILDING

RCMP Offices
Stoney Creek Civic Centre
777 Highway No. 8, Stoney Creek
Planning and Economic Development Department
Corporate Real Estate Office

LEGEND



**SUBJECT RCMP OFFICES LOCATION
(Stoney Creek Civic Centre)**

SCALE
NOT TO SCALE

DATE
2022-04-04

REFERENCE FILE NO: **2004-163**



CITY OF HAMILTON
CITY MANAGER'S OFFICE
Digital & Innovation Office

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	April 20, 2022
SUBJECT/REPORT NO:	Intergovernmental Partnership to Improve Digital Infrastructure and Address the Digital Divide (CM22007) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Cyrus Tehrani (905) 546-2424 Ext. 2261
SUBMITTED BY:	Cyrus Tehrani Chief Digital Officer & Director of Innovation City Manager's Office
SIGNATURE:	

RECOMMENDATION(S)

- (a) That of Hamilton Council request the Federal Government (specifically Infrastructure Canada, Industry, Science and Economic Development (ISED):
- (i) Ensure that incremental investments in broadband from other orders of government are made in urban areas and directed to fill gaps in the GTHA;
 - (ii) Recognize high-speed internet as an essential service, including a definition for affordability that combines fixed and mobile costs as a percentage of household income; and,
 - (iii) Collect and share local level data on assets, internet speeds, and service terminations/collection activities, in cooperation with internet service providers;
- (b) That the Hamilton Council request the Canadian Radio-television and Telecommunications Commission (CRTC) examine supports for municipal carriers who wish to promote access to their fibre broadband networks for public and private service providers;
- (c) That the City of Hamilton Council request the Province of Ontario, specifically Infrastructure Ontario (Ministry of Infrastructure) and Ministry of Finance or appropriate designate be requested to:
- (i) ensure that incremental investments in broadband from other orders of government are made in urban areas and directed to fill gaps in the GTHA, and

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SUBJECT: Intergovernmental Partnership to Improve Digital Infrastructure and Address the Digital Divide (CM22007) (City Wide) - Page 2 of 5

- (ii) identify provincially owned fibre assets that can be leveraged to help close the digital divide such as schools, hospitals and traffic corridors;
- (d) That the Minister of Infrastructure or appropriate designate be requested to review existing legislation to include provisions on open access to telecommunications cabling and trenching activities for all developments; and,
- (e) That a copy of Report CM22007, respecting Intergovernmental Partnership to Improve Digital Infrastructure and Address the Digital Divide, be forwarded to for information to the Federation of Canadian Municipalities (FCM) and the Association of Municipalities of Ontario (AMO)

EXECUTIVE SUMMARY

GTHA municipalities have identified key policy, legislative and regulatory changes that could be made by the provincial and federal governments to better enable all governments to address the digital divide. Provincial and federal policy objectives, such as healthcare, education, economic development, and access to justice – are enhanced when more residents and businesses are connected to high-speed internet.

This report recommends City of Hamilton Council make requests to the provincial and federal governments to improve the City's ability to address the digital divide – the gap between households who have reliable and affordable access to digital technologies and the internet, and those who do not – through improved digital infrastructure, as well as for other orders of government to make policy changes and investments that will improve digital connectivity for residents and businesses.

Access to high-speed internet is necessary for residents to equitably participate in the economy and in day-to-day life. Not all residents have sufficient internet service. According to the CRTC, households in the lowest income quintile spend 5X more on telecommunications services than those in the highest income quintile. This represents approximately 9% of annual household income in the lowest tier versus 1.8% in the highest. The inability to access high-speed internet impairs residents' ability to participate in the economy, receive essential services such as education and healthcare, and participate fully in their communities. The pandemic has highlighted gaps, vulnerabilities and the need for adequate internet services to be more accessible and affordable for everyone.

Urban and rural communities are both impacted by the digital divide. In urban areas, the challenge is predominantly one of affordability and of lower quality services provided in communities where there are limited market incentives for internet service providers to invest in high capacity, and more costly infrastructure. In rural areas, in addition to affordability challenges, there is often a lack of primary digital infrastructure necessary

SUBJECT: Intergovernmental Partnership to Improve Digital Infrastructure and Address the Digital Divide (CM22007) (City Wide) - Page 3 of 5

to connect households to high-speed internet. This is despite significant federal and provincial government investments in expanding rural digital infrastructure as well as their policy decisions and modest ongoing programs that lower costs for consumers including low-income households. Targeted investments are needed in broadband across the GTHA's urban and rural communities, including incremental investments into urban areas that are not currently benefiting from provincial and federal funding for improved digital infrastructure.

Municipal, provincial, and federal governments have an opportunity to work in partnership with each other and the private sector to bridge the digital divide and better enable residents to participate in the economic and social fabric of the region. Municipalities have a role in achieving this by leveraging municipally-owned fibre in partnership with the broader public and private sectors while ensuring deployment in the right-of-way continues to balance multiple policy objectives.

The recommendations in this report also align to existing City of Hamilton advocacy positions focused on broadband and digital equity that have been shared with government representatives including ministerial and political meetings held at both Rural Ontario Municipal Association (ROMA), the Association of Municipalities of Ontario (AMO) through delegations and annual conferences. These are also advocacy positions shared by the Federation of Canadian Municipalities and Ontario Big City Mayor's Caucus.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: None

Staffing: None

Legal: None

BACKGROUND

Throughout the pandemic, the City of Hamilton, joined other municipalities in the GTHA, the Ontario Big City Mayor's Caucus, The Association of Municipalities of Ontario and Federation of Canadian Municipalities to advocate on issues of common interest including community safety and financial support as well as post-pandemic economic recovery.

The GTHA Chief Administrative Officers (CAO's) and City Managers have been meeting to discuss common issues related to the pandemic emergency response and recovery. There is a recognition that there are many shared regional municipal interests and there

SUBJECT: Intergovernmental Partnership to Improve Digital Infrastructure and Address the Digital Divide (CM22007) (City Wide) - Page 4 of 5

are benefits to bringing related staff together to share data, expertise and ideas to inform new approaches and actions on key issues that will advance recovery. Group participation includes Brampton, Burlington, Hamilton, Mississauga, Oakville, Toronto and the regions of Durham, Halton, Peel and York.

From above group a Digital Infrastructure Working Group was formed in May 2021. This report contains the outcomes of the shared review and policy recommendations from the GTHA working group specifically as it relates to Digital Equity.

The participatory members of the GTHA working group over the next few months will be bringing these common sets of recommendations for endorsement to their respective councils to help provide a common advocacy position for the GTHA.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Not applicable.

RELEVANT CONSULTATION

- GTHA Digital Infrastructure Working Group
- GTHA City Managers and CAOs
- Federation of Canadian Municipalities (FCM)
- Association of Municipalities of Ontario (AMO)
- Planning & Economic Development
- Legal

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

The recommendations in this report are the output of nine months of collaborative work via the members of the GTHA Digital Infrastructure working group. The recommendations take into account the background research, shared input, and various consultations undertaken that formed the recommendations presented in this report and are further detailed in Appendix A.

It is important to note that the recommendations are broadly focussed on digital equity, both urban and rural, and the City of Hamilton has and will continue to advocate and advance digital equity across our entire community.

ALTERNATIVES FOR CONSIDERATION

Not Applicable

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

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SUBJECT: Intergovernmental Partnership to Improve Digital Infrastructure and Address the Digital Divide (CM22007) (City Wide) - Page 5 of 5

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Built Environment and Infrastructure

Hamilton is supported by state-of-the-art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" – Additional Supporting Information to Report CM22007.

Additional Supporting Information

Impact of the Digital Divide

Digital equality – the equal opportunity for all individuals to benefit from the economic, social, and educational potential of digital technologies and internet connectivity – is a precondition for the health and well-being of our residents, visitors and for cities as a whole. Precarious and unaffordable internet connectivity makes finding employment, obtaining education, and accessing essential services more challenging. It compounds the risk of broader, knock-on costs associated with poverty, including costs absorbed by healthcare, social, and housing services.

Digital access and affordability barriers correlate to underlying issues of social equity; with low-income, racialized, and elderly communities having fewer options for reliable broadband access available to them. The COVID-19 pandemic has highlighted and amplified the consequences of precarious and insufficient access to household internet; with significant costs absorbed by public schools and libraries through their efforts to bridge connectivity gaps in low-income communities.

Specifically:

- Families on fixed income, such as Ontario Works or Ontario Disability Support Program, are forced to make difficult decisions between rent, food, and internet.
- Low-income households are often forced to choose between fixed or mobile connectivity when faced with combined costs that exceed their ability to pay
- The cost of connectivity is not equitable across the region, with some residents in remote locations forced to use expensive cellular services because wired internet services are poor quality or non-existent
- While internet service providers offer reduced rate programs for low-income households, these services do not support the download and upload speeds to support working remotely or participate in online schooling
- During lockdown periods students were directed to online schooling. Families with no internet service found the only way for their children to participate in online school was to take their van full of kids – even in inclement weather – to the local public library or restaurant and remain in their parked cars and access the Wi-Fi services of these establishments.
- The digital divide can create heightened feelings of isolation. Community members can become disengaged with places of worship and community culture centres when they have no means to join virtually. Seniors living in long-term care feel isolated when they cannot have in-person visits with loved ones and have no access to a computer to connect virtually.

- Community organizations face barriers in delivering services to their clients when the community organization itself cannot access high-speed internet.
- GTHA municipalities continue to learn of the issues that our communities and residents face on a daily basis.

Municipal Role

Municipalities are well positioned to improve digital equity by leveraging public assets for public good. Although municipalities have traditionally been absent in oversight and public policy surrounding Canada's broadband service market, cities do have a vital role to play in achieving digital equality, and ensuring their communities are well served. Municipalities have an opportunity to adopt a forward-looking policy position that recognizes broadband internet as an essential service, one that must be available regardless of financial means or circumstances. This policy position is not intended as a means of overseeing, competing with, or compromising the activities of incumbent internet service providers; these entities are strictly regulated by the federal government. Adopting the principle that broadband internet is an essential service signals a municipality's intention to leverage its assets and expertise in public service delivery to work within the CRTC's regulatory framework in an effort to enhance local competition and support digital access for communities in need. Inequality in the availability and affordability of essential services are issues highlighted across a range of existing municipal operations and activities; including in public transportation, education, housing, and public health. Municipal policy and planning activities have recognized the interconnected nature of the services traditionally delivered by municipalities. For example, the public health outcomes associated with lack of affordable housing and transportation inequity. Municipal investment in digital infrastructure and services has the potential to enhance efficiencies in municipal operations and services, facilitate job creation in industries that rely on high-quality broadband, and create a supportive environment for economic growth and prosperity.

Municipalities across the Greater Toronto and Hamilton Area (GTHA) have been working together to build back better. Municipal staff have been having focused discussions and collaboration to determine how the region can best address the digital divide, in partnership with other governments and the private sector. Through this partnership, senior staff of GTHA municipalities have shared their experiences, approaches and rationales for the deployment of fibre broadband infrastructure. They have also shared data and resources to better understand gaps in broadband availability and affordability across the GTHA, as well as reviewed delivery models for Municipal Broadband Network (MBN) deployment.

GTHA municipalities have identified key policy, legislative and regulatory changes that could be made by the provincial and federal governments to better enable all

governments to address the digital divide. Provincial and federal policy objectives, such as healthcare, education, economic development, and access to justice – are enhanced when more residents and businesses are connected to high-speed internet.

Invest in the GTHA

There is an opportunity for the provincial and federal governments to ensure that incremental investments in broadband are made in urban areas and directed to fill gaps in the GTHA. The provincial and federal governments have made positive, much needed investments in broadband, including:

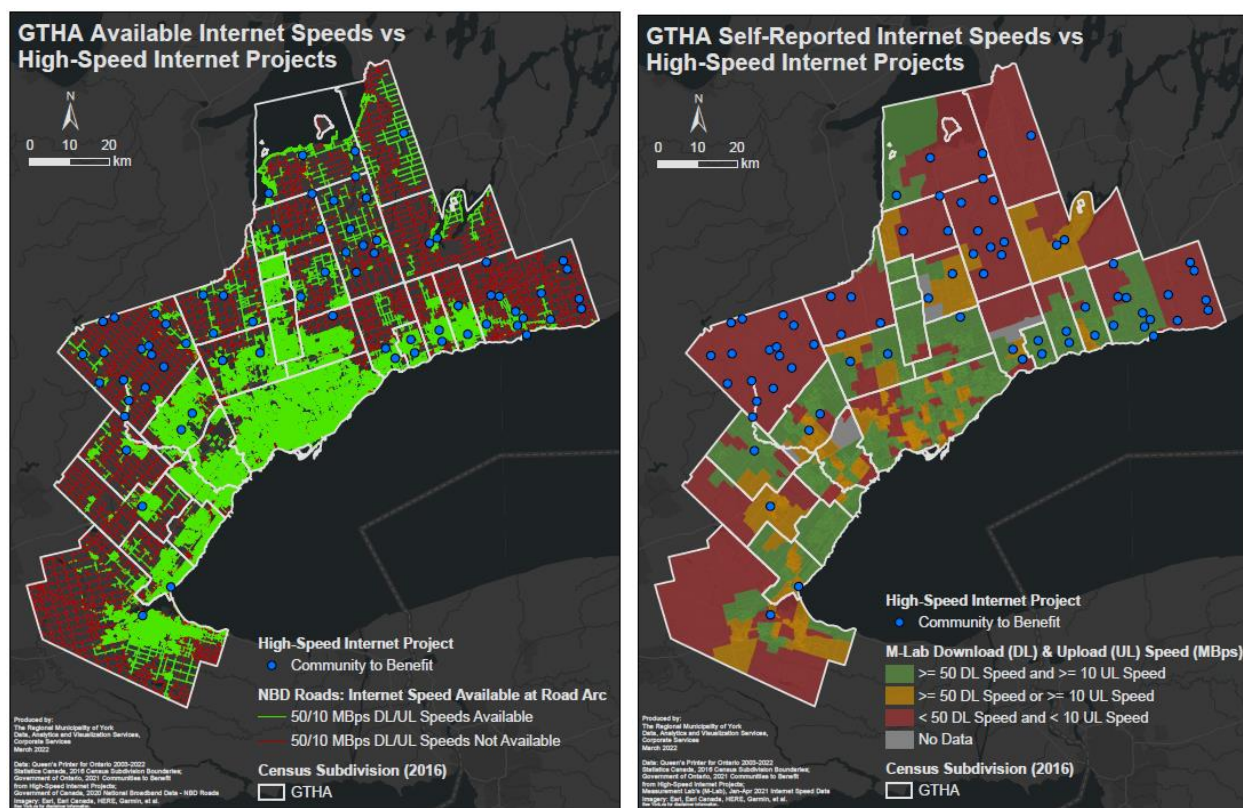
- a commitment of nearly \$4 billion by the provincial government to achieve universal connectivity across Ontario;
- a Joint investment of \$362 million to enhanced delivery of high-speed internet in Eastern Ontario, and;
- \$14.7 million in approved funding for rural and First Nations high-speed internet through Ontario's Improving Connectivity for Ontario (ICON) program.

Investments are largely focused on rural communities, which have more limited broadband access compared to urban centres. Residents in urban centres also face significant barriers to obtaining and maintaining household connectivity. Affordability in urban areas remains problematic, with low-income households (>\$30,000 per year) devoting an average of 10% of their incomes to maintaining connectivity (Communications Monitoring Report, 2019; Brookfield Institute, 2021). Data collected in Toronto in partnership with Ryerson University indicates that 75% of the responding, low-income households without broadband services reside in multistory buildings, cite cost as a barrier, and that the lowest levels of connectivity are amongst residents over the age of 60. Though no similar specific data has been collected for Hamilton, it can be inferred that similar situations exist both in Hamilton and across the GTHA. While governments have implemented programs to provide more affordable internet services to low-income households, these often take the form of discounted service packages with reduced internet speeds. These initiatives have not been sufficient to meaningfully address the affordability challenge faced by many households. Private ISP's have no obligations to maintain these programs over the long-term, posing a risk for low-income households who may come to depend on them.

The federal government's Connectivity Strategy has set 50/10 Mbps (upload/download) as a minimum speed for Canadians. Many residents in the GTHA receive speeds below this minimum. As shown in Figure 1, residents in significant portions of the GTHA indicate gaps in the availability of 50/10Mbps internet service in urban areas, despite the existence of digital infrastructure in neighbourhoods that have the capacity to provide these internet speeds. The map on the left depicts where 50/10 Mbps internet

speeds area available,¹ while the map on the right depicts residents' self-reported internet speeds using public diagnostic tools.² In addition to rural communities that are generally known to lack high-speed internet access, large areas in urban centres also lack adequate connectivity. In August 2021, the Governments of Canada and Ontario announced an investment of \$230 million to bring high-speed internet to Central Ontario. The blue dots on the below maps indicate communities benefiting from this funding in the GTHA.³ While many rural communities are receiving needed investments, there is an opportunity to make incremental digital infrastructure investments in urban areas of the GTHA.

Figure 1: Internet Speeds across the GTHA⁴



There are opportunities to make investments in broadband infrastructure in the GTHA to improve broadband access, quality, and affordability. Broadband funding is most impactful when it is non-discretionary, directed at communities where there is evidence-based and demonstrable need, and where local competition between service providers

¹ Data was derived from the [National Broadband Data - Roads](#) dataset downloaded from the Canadian Government's [Open Data Portal](#) (data extract last updated March 2020)

² Data retrieved from Measurement Lab's (M-Lab) Network Diagnostic Tool between January and April 2021, which collects speed test data from a variety of common speed test platforms.

³ Data retrieved from <https://news.ontario.ca/en/backgrounder/1000678/ontario-and-canada-bringing-high-speed-internet-to-central-ontario>

⁴ See Figures 2 and 3 for enlarged graphics

is enhanced. Many rural areas of the GTHA meet these criteria and provincial and federal investments are needed. In addition, in many urban areas it can be cost prohibitive for ISPs to deploy higher capacity fibre infrastructure, especially in neighbourhoods comprised of older multi-dwelling units. In these scenarios, incumbent service providers have few market incentives to upgrade legacy infrastructure where higher cost services are otherwise unaffordable for low-income households. This dilemma is compounded where there are little to no local competitors. Investments from provincial and federal governments to subsidize upgrading of legacy infrastructure, and incentivize new ISPs to deploy additional fibre, can improve the affordability of high-speed internet for low-income urban households.

Enable municipalities to invest in and use existing fibre more effectively

GTHA municipalities own broadband fibre across the GTHA. Municipalities across the GTHA have identified and mapped municipally owned fibre that may be leveraged, to help close the digital divide. The purpose and use of municipally-owned fibre varies across the region. Some municipalities primarily utilize their fibre to support municipal operations, such as transit systems and traffic management systems. Other municipalities have developed delivery models to allow private internet service providers to lease the use of municipally-owned fibre to provide high-speed internet services to residents without incurring the significant costs of deploying "middle mile" fibre infrastructure themselves. These cost savings can then be passed on to the customer. Open access models such as this, where private ISP's provide residential and business services by connecting to municipally owned fibre broadband networks, are examples of public sector investments being leveraged to provide affordable high-speed internet to residents. Municipalities are not taking on the role of an ISP, but rather working within the existing competitive market to enhance competition and lower costs.

Identify provincially owned fibre that can be leveraged to help close the digital divide

GTHA municipalities would benefit from the province identifying provincially owned fibre assets that can be leveraged to help close the digital divide. Provincially-owned fibre – for example at hospitals, universities, colleges, and regional transit – can be used for to help address the digital divide. By identifying where provincially-owned fibre exists across the GTHA, municipalities could work with the broader public sector to leverage our collective fibre assets. The Province could play a leadership role by supporting the identification and mapping of this fibre. In turn, the Province could work with municipalities to leverage collectively owned fibre and work in partnership with internet service providers to address the digital divide.

Collect and share local level data

GTHA municipalities would be better positioned to invest in and use municipally-owned fibre more effectively if the federal government collects and shares local level data on assets, internet speeds, and service terminations/collection activities, in cooperation with internet service providers (ISPs). Internet service disconnections resulting from inability-to-pay are problematic, especially for low-income households with children. Research indicates internet service disconnections can compromise a low-income household's ability to work within already strained household budgets.] Cities do not have access to this data from ISPs. This inhibits municipalities' ability to make data-informed decisions on how to most effectively leverage municipal resources and municipally-owned fibre to address the digital divide. Having access into ISPs assets, internet speeds available across the region, and data on service terminations, along with mapping of provincially owned fibre, would better enable municipalities to make targeted investments and work with service providers more effectively to ensure residents receive adequate internet connectivity. The competitive interests of ISPs – who benefit from significant investments of public capital and resources – can still be maintained with data sharing agreements containing appropriate non-disclosure provisions.

Enable municipalities to more easily promote access to their fibre

The federal government has an opportunity to enable municipalities to more easily promote access to their fibre for public and private services by requesting the CRTC to define municipal entities as a special class of carrier subject to exemption from sections of the Telecommunications Act, and with specific conditions related to service capacity. The CRTC has the authority under the Telecommunications Act to exempt classes of carriers from obligations under the Act if it deems doing so is in the public interest. Currently, cities can be perceived as having an undue advantage compared to ISPs when using their broadband to provide access to residents. Defining municipal entities as a special class of carrier subject to exemptions under the Telecommunications Act would create more options and flexibility for cities in providing broadband services on their own networks, especially in markets dominated by incumbents.

No revisions to the Telecommunications Act are requested, rather, GTHA municipalities request clear guidelines for the CRTC in adjudicating on matters related to municipal carrier entrants to the internet service market (i.e. as facilities-based resellers). This could be accomplished through an exemption order made by the CRTC. Non-dominant service providers constitute a fraction of revenues from national telecommunications services. Municipal carrier entrants, operating under strict capacity and revenue conditions, would not enjoy undue advantage nor pose a risk of disrupting competition in their local markets.

Ensure that new developments include digital infrastructure

GTHA residents would benefit from the provincial government reviewing legislation to include provisions on open access to telecommunications cabling and trenching activities for all developments. This could be achieved by amending the Planning Act Section 41, Site Plan Approval, and Section 51, Subdivision Approval. Developers currently submit development coordination plans, but there is no requirement for this plan to include details about how a new development will be connected to the internet. Currently, developers may negotiate exclusive access agreements with preferred ISPs, which reduces competition and options available to residents. In the case of multi-unit dwellings, these agreements risk contravening provisions in the Telecommunications Act meant to prevent anti-competitive practices.

Amending the Planning Act Section 41, Site Plan Approval, and Section 51, Subdivision Approval to require internet connectivity as a component of development approvals would give municipalities the ability to ensure all new development includes the digital infrastructure that residents and businesses need to thrive and compete in the digital economy. GTHA municipalities will collaborate with appropriate stakeholders to ensure these changes are implemented effectively. Requiring internet connectivity could take the form of ensuring that all new development have adequate conduits that can be used for fibre optic cable, along with the usual duct bank. This would give municipal planners a role in closing the digital divide by ensuring that all developments have proper connectivity. Well planned developments typically include adequate internet connectivity; however, making it a requirement would ensure high-speed internet in all new developments and prevent anti-competitive practices. New, innovative technology, such as 5G, will require expansive hard-wired fibre optic connectivity. This proactive requirement would avoid further risk to already congested public rights-of-way, particularly in the region's downtowns and urban centres.

Given the essential nature of an internet connection, it is important that connectivity be recognized as an important planning feature, in the same way that we plan for other essential infrastructure such as sewer and water connections. Adding connectivity to the planning approval process will also enable municipalities to help deliver on key provincial policy objectives including remote delivery of health care services and accelerated access to justice with expansion of remote hearings and digital case management.

Recognize broadband as an essential service

A firm federal position is still required to recognize high-speed internet access as an essential service, with a commitment to ensure access regardless of financial means. Such a declaration is most effective coming from the CRTC, as opposed to provincial or municipal governments who have little to no regulatory authority in telecommunications. The CRTC has the most impactful legislative and policy tools available to ensure

access. In 2016, CRTC defined broadband as a "basic" service, signalling the commission's intention that the service should be universally available to households. However, the CRTC did not exercise its authority to direct network deployments and has not compelled ISPs to provide broadband to all households. By declaring broadband access as an essential service, it would be given the prominence of other services deemed vital to health, safety and societal functioning, and provide a rationale for direct statutory intervention in its provisioning and pricing.

A focused effort on the affordability of high-speed internet is critical to address the digital divide. Across the region, and especially in urban areas, the inability for residents to access adequate connectivity is often a result of unaffordable prices for low-income households. A foundational step in addressing affordability is creating a definition for affordability that combines fixed and mobile costs as a percentage of household income. This should be set by the federal government. Currently, there is no accepted definition of affordable internet service. Unlike parallel essential utilities and services (e.g., electricity), retail broadband pricing does not benefit from direct regulatory oversight. However, a definition of affordability would create a critical target for government and private sector partners to drive towards. According to the CRTC, fixed and mobile internet costs average 6% for low-income households versus 1.5% for higher-income users.

Sources

Brookfield, 2021: Mapping Toronto's Digital Divide.

<https://brookfieldinstitute.ca/mapping-torontos-digital-divide/>

Communications Monitoring Report, 2019.

<https://crtc.gc.ca/eng/publications/reports/policymonitoring/2019/cmr1.htm#a3>

Map Attribution

Produced by:

The Regional Municipality of York

Data, Analytics and Visualization Services,

Corporate Services

March 2022

Data: Queen's Printer for Ontario 2003-2022

Statistics Canada, 2016 Census Subdivision Boundaries; Government of Ontario, 2021

Communities to Benefit from High-Speed Internet Projects; Measurement Lab's (M-

Lab), Jan-Apr 2021 Internet Speed Data; Government of Canada, 2020 National

Broadband Data - NBD Roads

Imagery: Esri, Esri Canada, HERE, Garmin, et al.

See York.ca for disclaimer information.

Figure 2: Available Internet Speeds across the GTHA

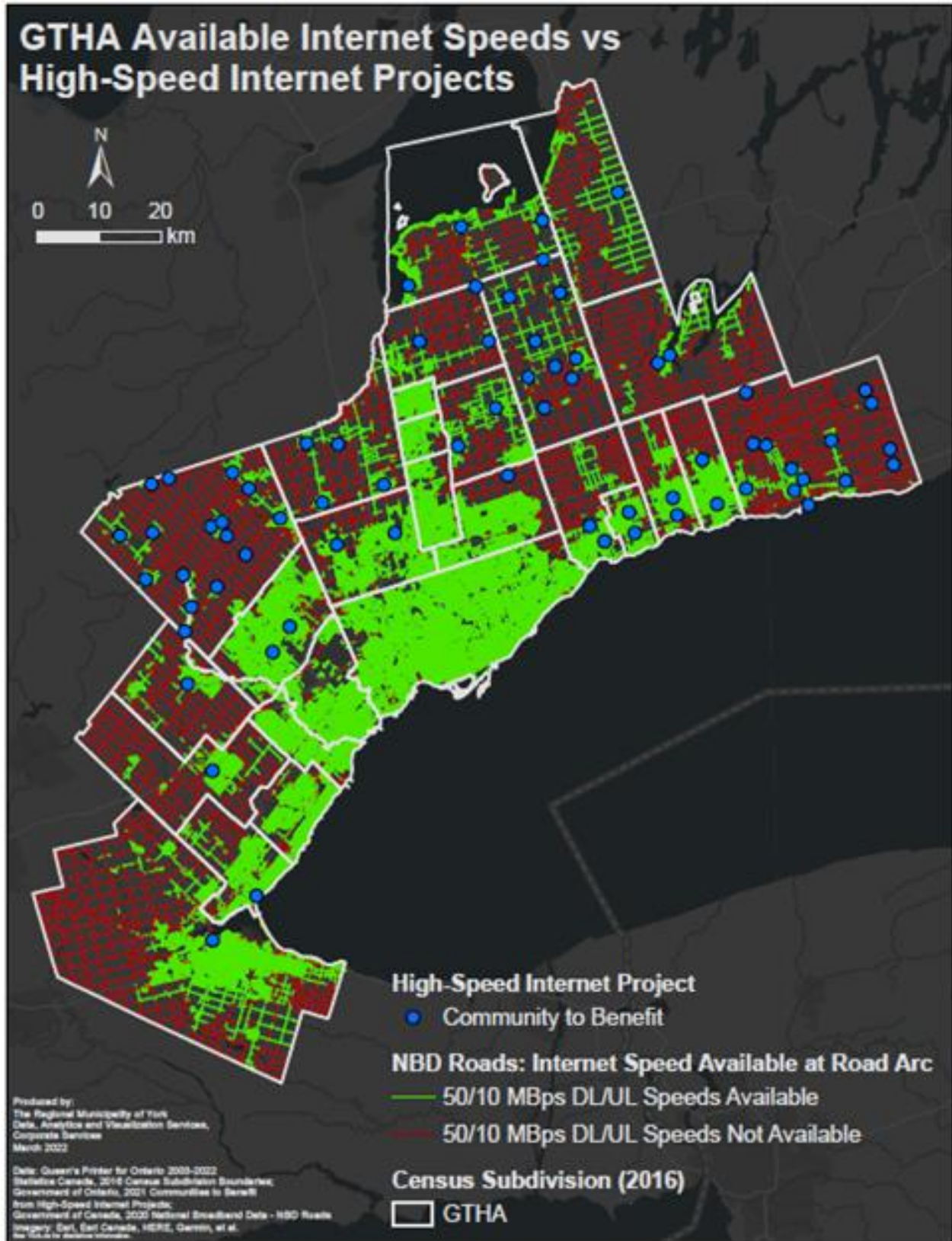
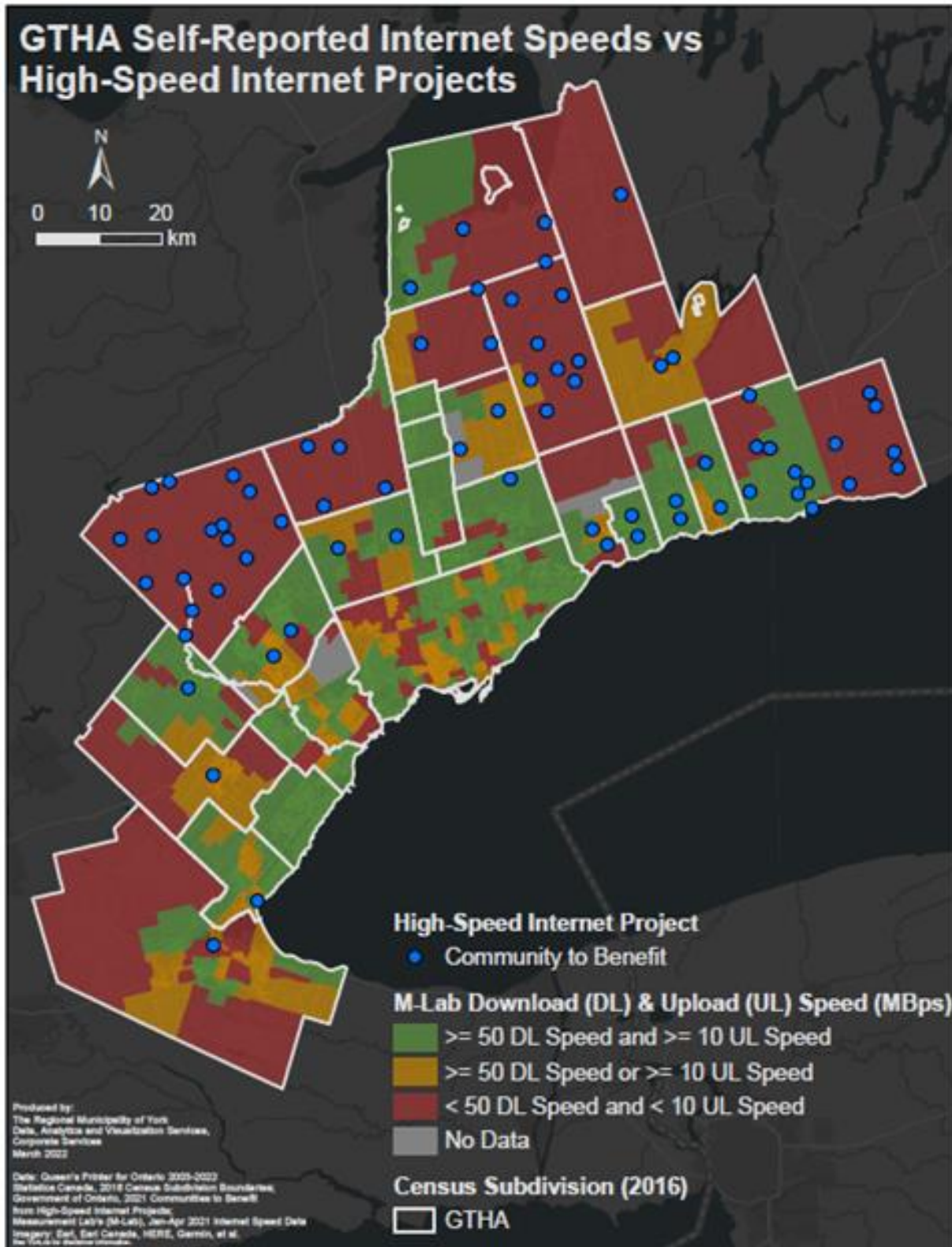




Figure 3: Self-reported Internet Speeds across the GTHA





CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	April 20, 2022
SUBJECT/REPORT NO:	Lease Agreement - 1579 Burlington Street East, Hamilton (PED22084) (Ward 4)
WARD(S) AFFECTED:	Ward 4
PREPARED BY:	Brad Thomas (905) 546-2424 Ext. 7044
SUBMITTED BY: SIGNATURE:	Norm Schleeahn Director, Economic Development Planning and Economic Development 
SUBMITTED BY: SIGNATURE:	Raymond Kessler Chief Corporate Real Estate Officer Planning and Economic Development 

Discussion of this Confidential Report in closed session is subject to the following requirement(s) of the City of Hamilton's Procedural By-law and the *Ontario Municipal Act, 2001*:

- A proposed or pending acquisition or disposition of property for City or a local board purpose.

RATIONALE FOR CONFIDENTIALITY

This Report proposes a potential real estate transaction, and therefore it is appropriate to address in-camera, pursuant to the *Ontario Municipal Act, 2001*.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Lease Agreement - 1579 Burlington Street East, Hamilton (PED22084)
(Ward 4) - Page 2 of 5**

RATIONALE FOR MAINTAINING CONFIDENTIALITY

The report is to remain confidential as real estate transactions involve commercially confidential information and/or the outcome of negotiations, pending approval of Council and the closing of the transaction.

RECOMMENDATION (CLOSED SESSION)

None.

RECOMMENDATION (OPEN SESSION)

- (a) That a Lease Agreement between the City of Hamilton (Lessor) and GFL Environmental Solutions Inc. (Lessee) for the occupancy and use of a building located at 1579 Burlington Street East as depicted in Appendix "A" to Report PED22084, based substantially on the terms and conditions outlined in Appendix "B" to Report PED22084, and on such other terms and conditions deemed appropriate by the General Manager of Planning and Economic Development Department or designate, be approved;
- (b) That the General Manager, Planning and Economic Development Department or designate, acting on behalf of the City of Hamilton (Lessor), be authorized to provide any consents, approvals, and notices related to the Lease Agreement - 1579 Burlington Street East;
- (c) That the City Solicitor be authorized to amend and waive such terms and conditions to the Lease Agreement - 1579 Burlington Street East as considered reasonable;
- (d) That the Base Rent outlined in Appendix "B" to Report PED22084 be credited to Account No. 791907;
- (e) That the transactional costs, including real estate and legal fees of \$210,136 be funded from Account No. 791907 and credited to Dept. ID Account No. 45408-812036;
- (f) That the Mayor and Clerk be authorized and directed to execute the Lease Agreement - 1579 Burlington Street East or such other form and all other necessary associated documents, and all such documents to be in a form satisfactory to the City Solicitor;
- (g) That Appendix "B" to Report PED22084 remains confidential and not be released as a public document.

**SUBJECT: Lease Agreement - 1579 Burlington Street East, Hamilton (PED22084)
(Ward 4) - Page 3 of 5**

EXECUTIVE SUMMARY

1579 Burlington Street East is currently used by the City as a Material Recycling Facility. The west building located at this address, in addition to some of the surface parking surrounding the facilities on site, is underutilized and deemed available for lease.

Terrapure Environmental, which was recently acquired by GFL Environmental Solutions, has been in discussions with the City to relocate their paint recycling operation from a leased site that the City has acquired through expropriation. The Corporate Real Estate Office, in consultation with various Public Works Department divisions, has determined an appropriate accommodation solution for GFL Environmental Solutions at the subject location.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: As outlined in Appendix “B” to Report PED22084

Base Rental outlined in Appendix “B” to Report PED22084 to be credited to Account No. 791907 (Terrapure-1579 Burlington).

Transactional costs including real estate and legal fees of \$210,136 are to be funded from Account No. 791907 (Terrapure-1579 Burlington).

Staffing: N/A

Legal: Legal Services will be required to assist in the preparation of the necessary documents required to complete the transaction.

HISTORICAL BACKGROUND

1579 Burlington Street East was purchased from Philips Environmental in December 2001. It is currently being operated as a Materials and Recycling Facility, The City Blue Box Program, Waste Yard Collections and storage for multiple City Departments. The City was approached by the proposed Lessee as a potential relocation site to continue its operations. GFL Environmental Solutions Inc. are currently under contract to operate some of the City’s recycling programs from this site as well.

**SUBJECT: Lease Agreement - 1579 Burlington Street East, Hamilton (PED22084)
(Ward 4) - Page 4 of 5**

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Portfolio Management Strategy – Real Estate Management Plan

City Council, at its meeting of November 24, 2004, adopted the City's Portfolio Management Strategy Plan, which established a formalized process to be consistently applied across all areas of the City to guide the management of the City's real property.

RELEVANT CONSULTATION

- Public Works Department, Facilities Planning and Business Solutions Section; and,
- Corporate Services Department, Legal and Risk Management Services Division.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Terrapure Environmental (now part of GFL Environmental Solutions) has been operating a paint recycling facility at a leased site that the City expropriated in May 29, 2020. As part of the relocation discussions, Terrapure and the City have been discussing the subject property as a possible option. The west building, located at 1579 Burlington Street East, is currently used for storage for various equipment and material by a number of City departments. This space, and some surrounding parking, can be made available for lease.

With the proposed Lease Agreement, GFL Environmental Solutions aim to continue operations of their paint recycling business, which includes supporting existing contracts with the City of Hamilton, among others. The west building requires major renovation which will be completed by the Lessee. The Lessee will also complete environmental due diligence, geotechnical investigations, legal property surveys and other important studies to inform the detailed design of said renovation.

The terms and conditions outlined in Appendix "B" to Report PED22084 are deemed fair, reasonable and at market value.

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

**SUBJECT: Lease Agreement - 1579 Burlington Street East, Hamilton (PED22084)
(Ward 4) - Page 5 of 5**

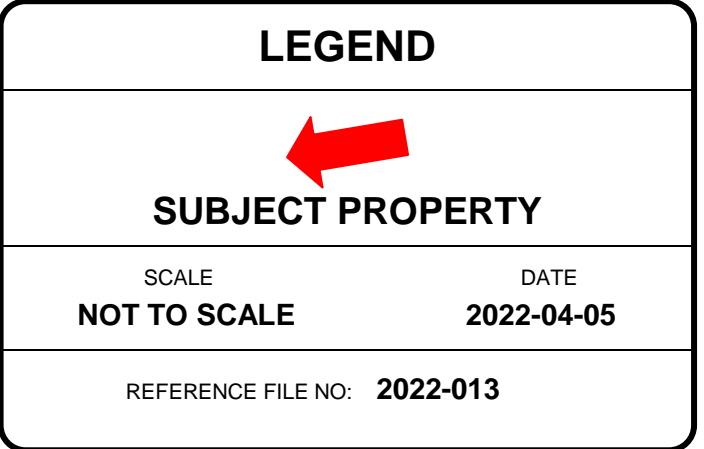
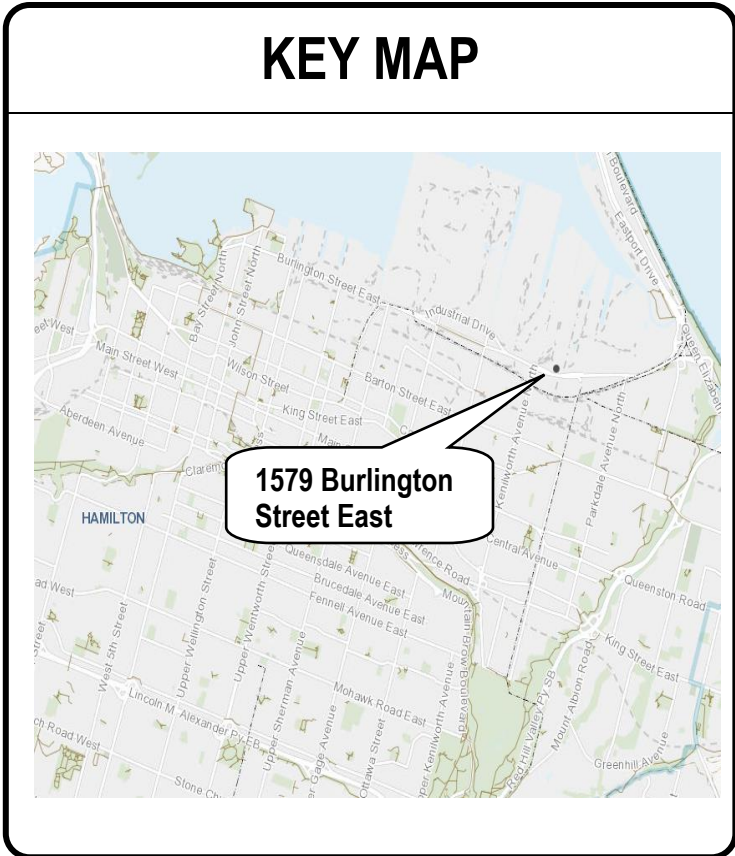
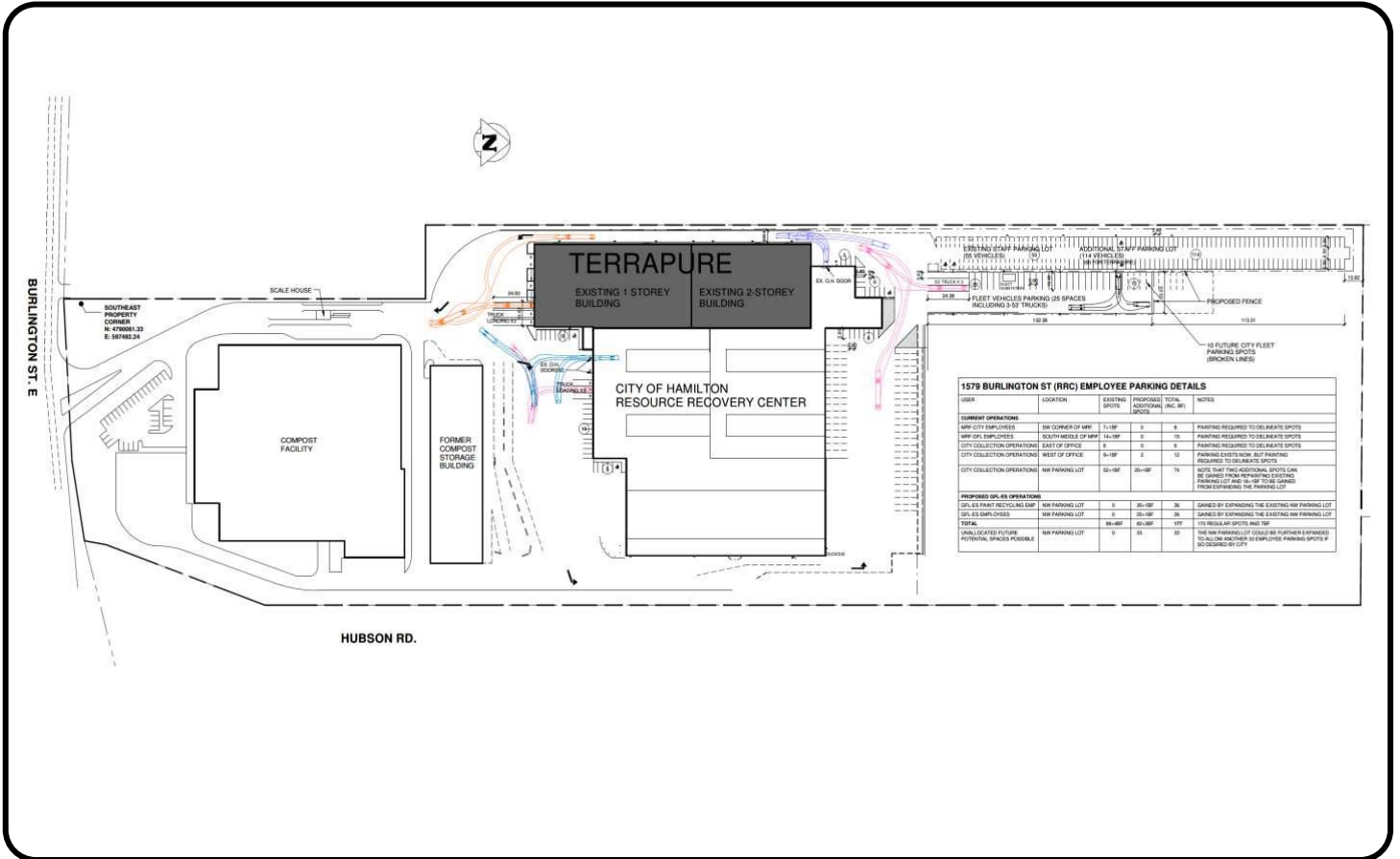
APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED22084 – Location Plan and Key Map

Appendix "B" to Report PED22084 – Confidential Major Terms and Conditions

BT/jd

Appendix "A" to Report PED22084
Page 1 of 1





Hamilton

**ADVISORY COMMITTEE FOR PERSONS WITH
DISABILITIES**

REPORT 22-003

4:00 p.m.

Tuesday, March 8, 2022

**Due to COVID-19 and the Closure of City Hall,
this meeting was held virtually.**

Present: A. Mallett (Chair), J. Kemp (Vice-Chair)
S. Aaron, P. Cameron, J. Cardno, M. Dent,
L. Janosi, P. Kilburn, T. Manzuk, M. McNeil,
T. Murphy, T. Nolan, R. Semkow

Absent

with Regrets: Mayor F. Eisenberger, L. Dingman,
A. Frisina, S. Geffros, C. McBride, K. Nolan,

Chair Mallett called the meeting to order and recognized that the Committee is meeting on the traditional territories of the Erie, Neutral, HuronWendat, Haudenosaunee and Mississaugas. This land is covered by the Dish with One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabek to share and care for the resources around the Great Lakes. It was

further acknowledged that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation. The City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and it was recognized that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners and caretakers.

THE ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES PRESENTS REPORT 22-003 AND RESPECTFULLY RECOMMENDS:

- 1. Delegation to the General Issues Committee Respecting Support for the Advisory Committee for Persons with Disabilities and its Working Groups (Added Item 12.2)**

WHEREAS, a request for Support for the Advisory Committee for Persons with Disabilities and its Working Groups is expected to be considered at a future meeting of the Advisory Committee for Persons with Disabilities; and

WHEREAS, the General Issues Committee is expected to consider the request for Support for the Advisory Committee for Persons with Disabilities and its Working Groups as part of the Advisory Committee for Persons with Disabilities Report at a future meeting.

General Issues Committee – April 20, 2022

THEREFORE, BE IT RESOLVED:

That Tim Nolan be authorized to delegate at a meeting of the General Issues Committee on behalf of the Advisory Committee for Persons with Disabilities to speak in favour of the request for Support for the Advisory Committee for Persons with Disabilities and its Working Groups.

**2. Ability First – Accessibility Event, October 5, 2022
(Added Item 12.3)**

WHEREAS, the Outreach Working Group of the Advisory Committee for Persons with Disabilities requests to organize and host an event to educate and increase awareness respecting accessibility and abilities;

WHEREAS, representatives of the Outreach Working Group of the Advisory Committee for Persons with Disabilities, as well as representatives from various community organizations and stakeholders (such as the Canadian National Institute for the Blind, Multiple Sclerosis Society, Canadian Hard of Hearing Association, L'Arche Hamilton, Hamilton Region Indian Centre etc.), will be invited to take part in the event to highlight abilities and accessibility.

THEREFORE, BE IT RESOLVED:

- (a) That members of the Outreach Working Group of the Advisory Committee for Persons with Disabilities be authorized to organize and host an in-person event with a virtual component on October 5, 2022, including presentations, interactive programs and information tables for agencies and services related to ability and accessibility.
- (b) That the Advisory Committee for Persons with Disabilities be authorized to use up to \$8,000 from the Volunteer Committee Reserve (#112212) for advertising, presenters, ALS interpreters, set up and take down and other elements for running the event.

FOR INFORMATION:**(a) CHANGES TO THE AGENDA (Item 2)**

The Committee Clerk advised of the following change to the agenda:

8. PRESENTATIONS

The following agenda items will be considered following Item 4.1:

8.1 Verbal Presentation from the City of Hamilton Chief of Police respecting Topics of Interest to the Advisory Committee for Persons with Disabilities related to Police Services

The agenda for the March 8, 2022 meeting of the Advisory Committee for Persons with Disabilities, was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 4)

(i) February 8, 2022 (Item 4.1)

The minutes of the February 8, 2022 meeting of the Advisory Committee for Persons with Disabilities, were approved, as presented.

(d) CONSENT ITEMS (Item 7)

(i) Built Environment Working Group Update (Item 7.1)

(1) Built Environment Working Group Meeting Update

The verbal update from T. Manzuk respecting the Built Environment Working Group Meeting, was received.

(2) Hamilton Strategic Road Safety Committee Update

The verbal update from T. Manzuk respecting the February 23, 2022 meeting of the Hamilton Strategic Road Safety Committee, was received.

(ii) Housing Issues Working Group Update (Item 7.2)**(1) Housing Issues Working Group Meeting Notes – January 18, 2022 (Item 7.2(a))**

The Housing Issues Working Group Meeting Notes of January 18, 2022, were received.

(iii) Outreach Working Group Update (Item 7.3)

The verbal update from P. Kilburn respecting the Outreach Working Group Meeting, was received.

(iv) Transportation Working Group Update (Item 7.4)

(1) Transportation Working Meeting Notes – January 22, 2022

The Transportation Working Group Meeting Notes of January 22, 2022, were received.

(v) Strategic Planning Working Group Update (Item 7.5)

A. Mallett relinquished the Chair to J. Kemp to provide an update respecting the Strategic Planning Working Group (Item 7.5).

The verbal update from A. Mallett respecting the Strategic Planning Working Group Meeting, was received.

A. Mallett assumed the Chair.

(vi) Accessible Open Spaces and Parklands Working Group Update (Item 7.6)

(a) That items respecting the current operation of the Outdoor Dining Patio Program be dealt with by the Built Environment Working Group; and

- (b) That items respecting new guidelines of the Outdoor Dining Patio Program related to design be addressed by the Accessible Open Spaces and Parklands Working Group.

The above motion was DEFEATED.

The determination of which Working Group will deal with items respecting the Outdoor Dining Patio Program, was referred to the Strategic Planning Working Group for further discussion and report back to ACPD.

The verbal update from T. Nolan respecting the Accessible Open Spaces and Parklands Working Group, was received.

(e) STAFF PRESENTATIONS (Item 8)

- (i) **Verbal Presentation from the City of Hamilton Chief of Police respecting Topics of Interest to the Advisory Committee for Persons with Disabilities related to Police Services (Item 8.1)**

City of Hamilton Police Chief, Frank Bergen, addressed ACPD and answered questions from Committee members.

The verbal presentation from City of Hamilton Police Chief, Frank Bergen, respecting topics of interest to the Advisory Committee for Persons with Disabilities related to police services, was received.

(f) MOTIONS (Item 11)

A. Mallett relinquished the Chair to J. Kemp to introduce the following Motion:

(i) Roles, Responsibilities and Expectations of New Members to the Advisory Committee for Persons with Disabilities (Item 11.1)

WHEREAS, all established Advisory Committees are to prepare, prior to the end of each term of Council, a detailed Roles, Responsibilities and Expectations of New Members, to be available to potential applicants during the recruitment process;

WHEREAS, the Advisory Committee for Persons with Disabilities requires a significant level of commitment;

WHEREAS, the Advisory Committee for Persons with Disabilities represents persons with all disabilities.

THEREFORE, BE IT RESOLVED:

General Issues Committee – April 20, 2022

That the Roles, Responsibilities and Expectations of New Members of the Advisory Committee for Persons with Disabilities include the expectations that Advisory Committee for Persons with Disabilities members:

- (a) Are expected to participate in at least one Working Group and dedicate a minimum of four hours per month to their responsibilities on the Advisory Committee for Persons with Disabilities and their associated Working Groups;
- (b) Clearly understand that they should share their knowledge and ideas through their input during Advisory Committee for Persons with Disabilities meetings and Working Group meetings; and
- (c) Commit to remaining on the Advisory Committee for Persons with Disabilities for the four-year term.

The motion respecting Roles, Responsibilities and Expectations of New Members to the Advisory Committee for Persons with Disabilities was referred to the Strategic Planning Working Group for further discussion and report back to ACPD.

A. Mallett assumed the Chair.

(g) NOTICES OF MOTION (Item 12)

(i) Support for the Advisory Committee for Persons with Disabilities and its Working Groups (Added Item 12.1)

T. Nolan introduced the following Notice of Motion:

WHEREAS, the restructuring of the City's Access and Equity Division has reduced the full-time staff who supported and devoted a great deal of their full-time work obligations to the Advisory Committee for Persons with Disabilities (ACPD) to two full-time staff members who are now required to devote only a portion of their work obligations to ACPD;

WHEREAS, the restructuring of the City's Access and Equity Division has limited and compromised the meaningful and fruitful work of the ACPD on behalf of the City over the past four (4) years;

WHEREAS, the restructuring of the Access and Equity Division and the emergence of the COVID-19 Pandemic has affected staff's ability to consult with one another outside of formal meetings on matters of accessibility and disability;

WHEREAS, members of ACPD are volunteers performing critically important work on behalf of the City;

WHEREAS, as volunteers, the members of ACPD are compelled to use their own personal resources, where they can, to conduct work on behalf of the City receiving no compensation or support for their work in the process;

WHEREAS, each member of ACPD lives with a disability that makes it most difficult to expend the time and resources necessary to accomplish the work of ACPD on City's behalf;

WHEREAS, the City has an obligation to support the work of the ACPD, beyond the resources it expends now, as an accommodation and at the very least as a demonstration of goodwill and appreciation for the work of the ACPD;

WHEREAS, the ACPD is required under the *Accessibility for Ontarians with Disabilities Act* to act as an advisory body to City Council on matters of accessibility and disability;

WHEREAS, the establishment, composition, and structure including rules of procedure of the ACPD is considered in the same manner as all

other citizen committees despite the very clear legislative difference; and

WHEREAS, the ACPD's relationship to City Council in order to achieve positive outcomes for citizens with disabilities in this City have been compromised by Council's indifference to the importance of the ACPD.

THEREFORE, BE IT RESOLVED:

- (a) That the Advisory Committee for Persons with Disabilities (ACPD) Terms of Reference attached as Appendix 'A', be amended to reflect the following:
 - (i) requiring every member of the ACPD to be a member of at least one (1), and no more than two (2) Working Groups;
 - (ii) establishment of a fixed number of Working Groups with a specific purpose for the Term of Council;
 - (iii) establishment of time-limited Working Group(s) with a fixed purpose and fixed task or outcome when necessary;
- (b) That Human Resources be directed to hire one, preferably two, additional full-time staff, prior to the commencement of the 2022-

2026 Term of Council, as an accommodation to the ACPD and its members, to support the work of ACPD and its Working Groups to assist with, but not limited to, the following:

- (i) Facilitating ACPD Working Group meetings by:
 - (a) booking meeting rooms;
 - (b) maintaining meeting schedules;
 - (c) preparing agendas;
 - (d) forwarding invitations to members;
 - (e) preparing minutes;
 - (f) assist with the preparation of motions;
 - (g) forwarding pertinent information to the ACPD's Legislative Coordinator for inclusion in ACPD's agendas;
 - (h) conducting research;
 - (i) contacting staff from various City departments

- (ii) Facilitating ACPD by:
 - (a) contacting staff from various City departments;
 - (b) conducting research; and
 - (c) providing any or all other duties necessary to support ACPD's work on behalf of the City.

(c) That Human Resources be directed to ensure that the staff hired to support ACPD and its Working Groups remain in place in perpetuity.

(ii) Delegation to the General Issues Committee Respecting Support for the Advisory Committee for Persons with Disabilities and its Working Groups (Added Item 12.2)

The Rules of Order were waived to allow for the introduction of a Motion respecting a request from Tim Nolan to delegate to the General Issues Committee respecting support for the Advisory Committee for Persons with Disabilities and its Working Groups.

For further disposition of this matter, refer to Item 1.

(iii) Ability First – Accessibility Event, October 5, 2022 (Added Item 12.3)

The Rules of Order were waived to allow for the introduction of a Motion respecting Ability First – Accessibility Event, October 5, 2022.

For further disposition of this matter, refer to Item 2.

(h) GENERAL ISSUES / OTHER BUSINESS (Item 13)**(i) Accessibility Complaints to the City of Hamilton (Item 13.1)**

Jessica Bowen, Supervisor of Diversity and Inclusion, advised that 25 accessibility complaints were received in February. Of the accessibility complaints, four were related to parking, one related to lack of an accessible doorway at a private business and one related to mask wearing.

The verbal update from Jessica Bowen, Supervisor of Diversity and Inclusion, respecting Accessibility Complaints to the City of Hamilton, was received.

The following items were deferred to the April 12, 2022 Advisory Committee for Persons with Disabilities meeting due to time constraints:

- (1) *Accessibility for Ontarians with Disabilities Act, 2005 (AODA) Update (Item 13.2)*
- (2) Presenters List for the Advisory Committee for Persons with Disabilities (Item 13.3)
- (3) Advisory Committee Procedures Respecting Communication (Item 13.4)

- (a) Communicating with Council
- (b) Communicating with Outside Agencies,
Including Other Levels of Government and
the Media.

(i) ADJOURNMENT (Item 15)

There being no further business, the Advisory Committee for Persons with Disabilities adjourned at 6:17 p.m.

Respectfully submitted,

Aznive Mallett, Chair
Advisory Committee for
Persons with Disabilities

Carrie McIntosh
Legislative Coordinator
Office of the City Clerk



CITY OF HAMILTON
CITY MANAGER'S OFFICE
Human Resources Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	April 20, 2022
SUBJECT/REPORT NO:	Amendment to the Mandatory COVID-19 Vaccination Verification Policy (HUR21008(b)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Lora Fontana (905) 546-2424 Ext. 4091 Matthew Sutcliffe (905) 546-2424 Ext. 2655
SUBMITTED BY:	Lora Fontana Executive Director Human Resources
SIGNATURE:	

RECOMMENDATIONS

- (a) That the City suspend its Mandatory COVID-19 Vaccination Verification Policy requiring proof of full vaccination in the workplace, and that the following provisions in the current policy, be amended by:
- (i) removing the general requirement to provide proof of vaccination or participate in rapid antigen testing program as an ongoing condition of employment, thereby eliminating the termination of employment for those employees failing to provide evidence of vaccination by May 31, 2022;
 - (ii) discontinuing the requirements for employees who have not disclosed their vaccination status (or who are subject to an accommodation) to participate in rapid antigen testing, effective May 2, 2022; and,
 - (iii) removing citizen appointees from the application of the Policy.
- (b) That the conditions put into place to support provincial Directives in three specific areas be maintained as follows:

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Amendment to the Mandatory COVID-19 Vaccination Verification Policy (HUR21008(b)) (City Wide) - Page 2 of 11

- (i) That the City Lodges maintain the requirement to be fully vaccinated, and those employees not disclosing proof of vaccination will remain on an unpaid leave of absence;
 - (ii) That the City Lodges maintain the daily Rapid Antigen Testing program that was put in place under the provincial Directives; and,
 - (iii) That the Hamilton Paramedic Services maintain the Rapid Antigen Testing program in place for unvaccinated employees put in place under provincial Directives;
- (c) That the Red Hill Childcare Centre maintain the Rapid Antigen Testing program that was put in place for unvaccinated employees under provincial Directives;
 - (d) That all new hires continue to be required to provide proof of full vaccination as a condition of employment with the City; and
 - (e) That staff continue to monitor the COVID related environment with respect to any changes and/or necessary increased measures that may require further amendments or reinstatement of policy, and report back to the General Issues Committee, as required.

EXECUTIVE SUMMARY

Throughout the Pandemic, the City of Hamilton has been committed to providing a safe working environment for all our employees as well as the community we serve. Ensuring high rates of vaccination remains one of the most important ways we can protect our employees and community. Equally important is that the City retains the flexibility to respond to changes in the environment and scientific literature to continue to provide a measured and reasonable response in the circumstances.

Given the changes in the current environment, including the evolution of COVID-19, it is recommended that the City suspend the Mandatory COVID-19 Vaccination Verification Policy, including changes to the following provisions of the existing Policy:

- Eliminate the condition that “full vaccination” as a condition of continued active employment at the City of Hamilton, including that those not fully vaccinated by May 31, 2022 will be subject to disciplinary action, up to and including termination on June 1, 2022;
- Remove “citizen appointees” from the application of this Policy

SUBJECT: Amendment to the Mandatory COVID-19 Vaccination Verification Policy (HUR21008(b)) (City Wide) - Page 3 of 11

- The City Lodges will maintain the provision of proof of “full vaccination” as a condition of employment and amend the Policy to place non-compliant employees on an unpaid leave of absence until further notice;
- Suspend Rapid Antigen Testing of unvaccinated City of Hamilton employees, effective May 2, 2022, with the following exceptions:
 - The City Lodges will maintain its Rapid Antigen Testing Program for all employees, requiring daily Rapid Antigen Testing
 - The Hamilton Paramedic Services will maintain its Rapid Antigen Testing program of unvaccinated employees prior to the start of each shift;
 - The Red Hill Child Care Centre will maintain its Rapid Antigen Testing program of unvaccinated employees, requiring testing of employees three times per week;
- Maintain the requirement for provision of proof of “full vaccination” for new hires as a condition of employment with the City
- Provide the flexibility to return to seek Council direction regarding elements of the Policy if the environment changes and increased measures are again justified and/or required by circumstance or as a result of legislation/Public Health direction

Currently there are 441 employees participating in the Rapid Antigen Testing along with another 64 employees that have been placed on an unpaid leave of absence for non-compliance with the Policy (ie. non-disclosure of vaccination status and non-participation in the rapid antigen testing program). These recommended changes would see these non-disclosure employees returned to the workplace from an unpaid leave, and the ongoing employment (i.e. no termination of employment) of those unvaccinated employees that have been complying with the Policy through rapid antigen testing since November 4, 2021. It is anticipated that employees who have remained noncompliant with the Policy from the outset will return to work effective May 2 (subject to operational considerations).

More specifically, employees who have not disclosed their “fully vaccinated” status would no longer face termination of their employment on June 1, 2022, as the Policy currently provides. Those employees currently on an unpaid leave of absence would return to work the week of May 2 (except for those employees in the Lodges who remain non-compliant with the Policy) and the rapid antigen testing of unvaccinated employees would also end at that time, save and except those unvaccinated employees in the City Lodges, Hamilton Paramedic Services and Red Hill Child Care Services.

SUBJECT: Amendment to the Mandatory COVID-19 Vaccination Verification Policy (HUR21008(b)) (City Wide) - Page 4 of 11

Moving forward, all employees will continue to be expected to comply with all health and safety measures put into place to protect employees and our community.

Alternatives for Consideration – See Page 10**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: To date, the City has received the majority of Rapid Antigen Tests from the Province free of charge. In early 2022, the Province advised that there would be an inability to meet certain orders, and a third-party vendor was engaged to provide a quantity of rapid antigen tests to enable the Rapid Antigen Testing Program to continue without pause at an expense of approximately \$80,000. Employees have received the tests from the City free of charge.

Staffing: N/A

Legal: Refer to Confidential Report HUR21008(c)- Amendments to the Mandatory COVID-19 Vaccination Verification Policy – Legal Assessment

HISTORICAL BACKGROUND

On August 26, 2021, Council approved the COVID-19 Mandatory Vaccination Verification Policy ('the Policy') requiring proof of full vaccination in the workplace for all employees, that included a component for a comprehensive testing program, education and communication plan for unvaccinated staff, including those staff choosing not to disclose their vaccination status. This mandatory COVID-19 Mandatory Vaccination Verification Policy applies to all City employees, including permanent, temporary, full-time, part-time, casual, volunteers, students, members of Council, and members of Council appointed committees.

On January 7, 2022, Council amended the Policy to include termination of employment for those employees who fail to disclose their status as fully vaccinated by May 31, 2022. In doing so, Council additionally clarified that the Policy would also be applied to both Members of Council and citizen appointees to boards and committees. For clarity, it was determined that while "termination" could not apply in the case of an elected representative, the Policy (i.e. mandatory vaccination) would apply to members of Council and citizen appointees. In other words, the policy would clearly apply to Members of Council and citizen appointees, however, the outcome would be reached through a different mechanism (i.e. because they cannot be "terminated," a different approach is required to remove noncompliant elected representatives or citizen appointees).

SUBJECT: Amendment to the Mandatory COVID-19 Vaccination Verification Policy (HUR21008(b)) (City Wide) - Page 5 of 11

The following provides an overview of the 441 employees who would be directly impacted by the January amendment to the policy implementing termination provisions, and the 64 Employees already on Unpaid Leave of Absence that would be terminated as a result of that amendment to the Policy:

Employee Status:

7149 Vaccinated Active Employees
505 Undisclosed Active Employees
 441 Rapid Antigen Testing Active Employees
 64 Noncompliant Employees (on Unpaid Leave)

In response to the COVID-19 climate, on February 17, 2022, the Ontario Government, in consultation with the Chief Medical Officer of Health, moved to the next phase of its plan to reopen the province, easing a number of restrictions related to capacity limits (among other elements). The Government of Ontario made this decision in light of improving public health and health system indicators, such as decreased positivity rates and a decline in admissions to hospitals and ICUs.

This move came ahead of the Government of Ontario's plan to lift the proof of vaccination requirements in many public facing businesses, as well as the plan to lift all remaining capacity limits for indoor public settings on March 1, 2022 (excluding hospitals, congregate care and public transit). Furthermore, the Ontario government continued to move forward to lift additional mitigation measures, such as requirements to wear masks. Many of these legislated restrictions came to an end as of March 21, 2022, although it remains available to businesses to continue to take precautions such as still requiring proof of vaccination and mandatory mask use. As an example, the City of Hamilton has extended its requirement for staff to wear masks at work until April 30, 2022, which may be subject to change as a result of continued monitoring of the environment.

The policy has had a significant positive impact upon the vaccination rates, with an almost 94% vaccination rate amongst City staff. In being flexible and responsive to the continually changing landscape, it is recommended that the time has come for an additional series of policy changes to best reflect the circumstances and the environment. Not all employers will take identical measures in response to changes in circumstances.

Finally, the Medical Officer of Health (MOH) for the City of Hamilton continues to endorse the benefits of vaccinations and the value of a Mandatory COVID-19 Vaccination Verification Policy in the workplace. Understanding the current

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circumstances and legal challenges, the MOH is supportive of the recommended changes to the Policy.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Arbitrators and/or the Courts would look to ensure that an employee's rights are balanced against the interests of the Employer in ensuring the health and safety of employees and the public. Adjudicators will also critically evaluate the reasonableness of the policy in relation to these rights to ensure that they are respected, and that other reasonable, less intrusive options were not available. Our approach within the workplace must take into consideration this balance between an employer's rights and the employees' rights.

RELEVANT CONSULTATION

External legal counsel was consulted in relation to the suggested amendments to the policy, and a legal opinion has been included as Appendix "A" of Report HUR22005.

A communication was sent to all Union Leaders advising them of the City's intention to make changes to the Mandatory COVID-19 Vaccination Verification Policy as a result of changes in the environment. All bargaining agents were invited to meet to discuss options for moving forward given recent resource challenges and the impact upon the rapid antigen testing program. Meetings have been scheduled/were held with groups across several days. Each of these meetings provided an opportunity for the unions to ask questions, raise concerns, seek clarity on options for consideration, as well as any additional consultation required. The City remains committed to continuing to work with the union leaders to support them and our employees in moving forward with any proposed changes, as appropriate.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

In the current context, the reasonableness of the Policy's objectives in protecting the health and safety of employees and the community are subject to mounting challenges. As is commonly known, COVID-19 can be acquired and transmitted by vaccinated individuals (in "breakthrough" cases), so the rationale of providing protection from transmission carries significantly less weight than in the past. This is particularly true when balanced against the strongest measure that an employer can take: the ending of the employment relationship.

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Vaccines do prevent the worst outcomes of COVID-19, and vaccination should continue to be encouraged, given that the likelihood of becoming hospitalized, admitted to an ICU and/or dying as a result of COVID is significantly higher for unvaccinated individuals (based upon current, publicly available COVID reporting). The continued encouraging trends, however, mitigate against the strongest response available from an employment perspective.

Finally, there are practical matters that have been discussed that should be highlighted in this report. The termination of several hundred employees will require substantial efforts to hire and train a large number of new employees across the organization. The other practical consideration, regardless of the likelihood of success, are the costs associated with litigation of grievances at arbitration, and in litigation before the courts in cases involving non-unionized employees. While it is difficult to provide an estimate as to the entire cost associated with retaining appropriate counsel for these matters, it would be a substantial outlay of City resources.

Of course, should trends emerge that indicate that stronger measures are required, all elements of this policy can be brought back to Council for further consideration to re-introduce policy measures. As the COVID-19 pandemic continues to evolve across the world, the City will continue to follow the situation and if the Province and/or public health leaders advise on a need for more measures, including a return to mandating vaccination/proof of vaccination, then the City would further propose changes to the policy to protect the health and safety of employees and the community that the City serves. Such considerations would be brought back to Council for further consideration and approval.

As many employees of the City plan for returns to office environments in April, the City will continue to take every precaution reasonable in the circumstances to protect the health and safety of employees. This is the general duty owed by employers to employees at law, and the City will continue to meet its obligations in that regard. In brief, the environment has shifted, and it is recommended that the City shift with the environment.

Prior to March 14, 2022, the City's Long-Term Care Homes ("the Lodges") were not subject to the Policy directly as a result of specific legislated Directives applying to Long-Term Care Homes, which required vaccination and rapid antigen testing. As of March 14, 2022, those Directives have been revoked. As a result of the specific COVID-vulnerable client population at the Lodges, the amendments sought would provide that vaccination would continue to be a term and condition of employment, with those failing to comply to remain on unpaid personal leave (and not subject to termination) until some future date. Rapid antigen testing of all staff would also

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continue as described below. These measures are solely directed to maximize the protection afforded to the residents of the Lodges.

Two other operational areas of the City were also subject to provincial Directives providing measures to manage employees in specific circumstances: Hamilton Paramedic Services and Red Hill Child Care. These Directives are no longer in force (as with the Lodges). Staff recommend the continuation of the mitigation requirements endorsed under the provincial Directives for the foreseeable future, namely, the continuation of the Rapid Antigen Testing Programs in effect in each of those operational areas. This would require the ongoing testing of unvaccinated employees in Paramedic Services and Red Hill Child Care.

Rapid Antigen Testing

Rapid antigen testing, previously a second option for employees to pursue to maintain compliance with the Policy, is recommended to be discontinued (with exceptions for the Lodges, Paramedic Services, and Red Hill Child Care). Continuing to provide the testing procedures that were in place under provincial Directives is recommended until further notice, as the targeted Directive measures (particularly in relation to Rapid Antigen Testing) are manageable within current resources and provide a greater level of protection in designated areas serving more vulnerable populations. While there may be some utility in continuing Rapid Antigen Testing, its effectiveness requires continuous adaptation of the of the frequency of testing and testing methods in relation to the rates of disease locally and emergent variants. Currently, there is no internal capacity to support a rapid testing program any larger than the current population, or with increased frequency of testing, and given the changes in the environment, rapid antigen testing is recommended to be discontinued for all employees, subject to the exceptions noted.

For clarity, this recommendation would not apply to the Lodges, Hamilton Paramedic Services, or Red Hill Child Care, as their rapid antigen testing programs that existed under the provincial Directives remains an effective measure to monitor the status of the City's employees in these three areas.

The Lodges

With respect to the recommended amendments that deal specifically with the Lodges, it is clear that Long-Term Care Home residents are a particularly vulnerable population. The province has seen the impact of COVID-19 upon several Long-Term Care Homes, and City staff believe that these residents should be provided additional safeguards for the foreseeable future. Requirements to be vaccinated and the provision of daily rapid antigen testing and active screening provides an additional level of protection for this

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specific group of citizens (and those employees who provide their care), by allowing more reliable information regarding potential staff infections.

Hamilton Paramedic Services

Hamilton Paramedic Services was also subject to provincial Directives to address COVID. These Directives were revoked effective March 14, 2022. As with the Lodges and the continued application of mitigation strategies that align with the previous provincial Directives, it is recommended that Hamilton Paramedic Services also maintain its Directive measures to test unvaccinated employees at the start of their shifts. Hamilton Paramedic Services management has confidence in the levels of protection that this approach provided in relation to both staff and patient safety and believes that continued application of their testing process will continue to do so. Accordingly, it is recommended that this approach be continued for the foreseeable future.

Red Hill Child Care Centre

As with the Lodges and Hamilton Paramedic Services, Red Hill Child Care was also subject to provincial Directives with respect to the workplace until March 14, 2022. Similar to Hamilton Paramedic Service, management has confidence in the levels of protection that this approach provided in relation to both staff and child safety. Accordingly, it is recommended that rapid testing continue (with a frequency of three times per week) for those unvaccinated employees in Red Hill Child Care in order to maintain the levels of risk mitigation that occurred under the provincial Directive. This would continue for the foreseeable future.

New Hires

In all cases, because vaccination remains encouraged as a “cornerstone” of COVID management, it is recommended that the full vaccination requirement remain a condition of employment for new hires. New hires would have the knowledge that they are required to be “fully vaccinated” in advance of becoming employees with the City, and would not be subject to such notice requirements, being made aware prior to hire of the conditions required by the City. It should be noted that one area of significant (almost complete) agreement across municipalities is the application of the vaccination requirement for new hires.

This condition can also be applied to “new” members of boards (citizen appointees) and “new” volunteers. This would provide advanced notice of the expectations of the City

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regarding these positions moving forward, and not interrupt work that is currently occurring. Further, representation from City citizens may be disadvantaged as a result of removing members who do not comply with the policy requirements. For example, at least one local committee has noted that reaching quorum is sometimes a challenge on its own, and that additional challenges arising from the inability of some members to participate as a result of their personal health decisions may result in an inability for such groups to contribute, or to “be heard,” as a result. Equity considerations may also mitigate against this policy applying to citizen volunteer committee members: marginalized groups have been disadvantaged by medical mandates historically, and hesitancy arising from this history may reduce participation disproportionately among such groups.

ALTERNATIVES FOR CONSIDERATION

1. Suspend the Policy, with no exceptions for specific operational areas

While the recommended approach allows for the three operational areas above to continue with the approaches taken under various provincial Directives, a corporation-wide policy with no variations could be implemented. This is not a recommended course of action, as it disregards elevated measures that were put into place through the force of legislation designed to protect specific populations.

2. Indefinite Unpaid Leave of Absence (instead of termination) pending a decision as to employment status (at a date to be determined)

An alternative for consideration could be a slight variation of the recommended termination option, but without an effective date of termination. Rather than implement this change with a “hard stop” date, this would accomplish a number of objectives:

- The City would continue to meet its obligations to protect the health and safety of its employees, by continuing to prevent unvaccinated employees from attending at work
- The City would reduce the likelihood of potential litigation associated with any challenges to the policy and outcomes resulting from an unpaid leave of absence.
- The City would have the additional benefit of witnessing the legal outcomes of similar policy-based approaches in other municipalities, and adjust the City policy to continue to align with the jurisprudence and avoid potential costly missteps
- This approach would more appropriately align with the collective agreement obligations found in several of the City’s collective agreements

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By avoiding the specified date at this time, this preserves the flexibility of the City of Hamilton to respond to continuing changes in the landscape, particularly those arising in the context of related jurisprudence. However, such an approach (as with termination) would result in significant staffing challenges, including the need to hire new employees on a temporary basis, in order to maintain service levels. Given the potential legal exposures associated as a result of this approach, and the potential impact upon service delivery, this option is not recommended.

3. Maintaining the current Policy, and proceeding with terminations

The COVID 19 Vaccine Verification Policy, including its provision for the termination of the employment relationship, could remain as currently drafted, with an effective date to provide evidence of vaccination of May 31, 2022, including a termination date of June 1st, 2022. However, given the potential risk associated with this approach, this option is not recommended.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities


Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Our People and Performance


Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report HUR21008(b) - Mandatory COVID-19 Vaccination Verification Policy

Corporate Human Resources Policy	 Hamilton	Content Updated: 2022-04-05
Health, Safety and Wellness		Supersedes: Pandemic Response Procedure - Staff Vaccination for COVID-19 - COH-P-018
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Mandatory COVID-19 Vaccination Verification Policy	
POLICY STATEMENT	<p>The City of Hamilton (the City) has an obligation under Provincial legislation to take all necessary precautions to protect the health and safety of its workforce and is committed to providing excellent service to our community and to building trust and confidence in local government.</p> <p>To help reduce the risk of COVID-19 transmission and the impact of COVID-19 upon employees, vaccination is an important measure that complements other workplace health and safety measures in place including such measures as daily health screening, masking, physical distancing, hand hygiene and enhanced cleaning.</p> <p>This policy is in line with Public Health guidance and supports the direction that vaccines provide a high level of protection against COVID-19 and related variants. Getting fully vaccinated against COVID19 is the best defense against the virus, including the variants.</p> <p>The City is demonstrating its commitment to promoting vaccinations to ensure the health and safety of all members of its workforce and the broader City of Hamilton community.</p>
PURPOSE	<p>The purpose of this policy is to outline the City's requirements with regard to COVID-19, suspending mandatory vaccination provisions, provide direction to employees and Members of Council on the recommendation to receive a COVID-19 vaccine and identify areas of the organization that will continue to require participation in Rapid Antigen Testing and/or provision of proof of vaccination (or a bona fide exemption).</p>
SCOPE	<p>This policy applies to all employees of the City of Hamilton, including full-time, part-time, permanent, temporary, casual, volunteers; and students, and including Members of Council.</p> <p>New employees will also be subject to this policy as a condition of their employment contract with the City.</p> <p>The Policy requires new employees to be fully vaccinated against the COVID-19 virus as a condition of employment.</p>

<p>Corporate Human Resources Policy Health, Safety and Wellness</p>	 Hamilton	<p>Content Updated: 2022-04-05 Supersedes: Pandemic Response Procedure - Staff Vaccination for COVID-19 - COH-P-018</p>
<p>Policy No: HR-66-21</p>		
<p>Page 2 of 8</p>		<p>Approval: TBD</p>
	<p>Vaccination requirements are subject to bona fide medical and human rights exceptions. All exemption requests will be reviewed on a case by case basis and are subject to the City's accommodation process.</p> <p>In addition to this policy, some workplace groups may have (or are continuing with) additional mandates or directives or reporting requirements from provincial or federal authorities. These operational areas are identified within this policy and the specific requirements for each listed area are addressed below.</p>	
<p>DEFINITIONS</p>	<p>The following terms referenced in this Policy are defined as:</p>	
<p>COVID-19</p>	<p>A virus belonging to a large family called coronavirus which includes the virus that causes the common cold and more severe disease such as Severe Acute Respiratory Syndrome (SARs) and Middle East Respiratory Syndrome (MERS-COV). The virus that causes COVID-19 is a novel coronavirus, named SARS-CoV-2.</p>	
<p>Vaccine</p>	<p>For the purposes of this Policy, a Vaccine is defined as a substance used to stimulate the production of antibodies and provide protection from SARS-CoV-2</p>	
<p>Fully Vaccinated</p>	<p>Having received the full series of a COVID-19 vaccine or combination of COVID-19 vaccines as defined by the Ontario Ministry of Health and Long-term Care and the employer.</p>	
<p>Proof of Vaccination</p>	<p>Documentation issued by the Ontario Ministry of Health, other province or territory or international equivalent indicating individual immunization status against the COVID-19 virus.</p>	
<p>Proof of Medical Exemption</p>	<p>Written proof of a medical reason, provided by a physician or nurse practitioner in the extended class that sets out: (i) a documented medical reason for not being fully vaccinated against COVID-19, and (ii) the effective time-period for the medical reason.</p>	
<p>TERMS & CONDITIONS</p>	<p>The following apply to this Policy:</p> <ul style="list-style-type: none"> Employees who have not provided proof of vaccination will continue to participate in the Rapid Antigen Testing Program (testing Mondays and Thursdays) until May 2, 2022 when Rapid Antigen Testing will be suspended (except where 	

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noted, below).

- Employees who are on an unpaid leave of absence as a result of failure to comply with this Policy will be returned to the workplace effective May 2, 2022, not including those staff on unpaid leaves of absence at the Lodges. It is understood that there may be some adjustment of this date to accommodate an orderly return of these employees to the City.
- As a condition of employment, new hires are required to provide proof that they are fully vaccinated or provide proof of valid exemption satisfactory to the employer prior to their start date. By signing the conditional offer letter, they acknowledge and agree to comply with any future vaccine policy requirements as an ongoing condition of employment at the City.

1. Operational Area Exemptions:

- Employees in the following three operational areas will be subject to the following differential terms and conditions under the policy as follows:
 - Employees at the Lodges remain required to provide proof of vaccination in order to attend at work, with those employees failing to provide such evidence to remain on an unpaid leave of absence until further notice, and with employees at the Lodges required to continue participation in daily Rapid Antigen Testing until further notice;
 - Employees at Hamilton Paramedic Services who have failed to disclose proof of vaccination remain required to participate in Rapid Antigen Testing prior to commencing each shift until further notice;
 - Employees at the Red Hill Child Care Centre who have failed to disclose proof of vaccination remain required to participate in Rapid Antigen Testing three times per week until further notice;
- Should circumstances warrant, or should the City receive guidance, direction, or recommendations from public health,

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the Province, or the Federal government, the City may alter the rapid antigen testing process in place in any one of the above operational areas (i.e. by changing testing frequency, the method of testing, reporting requirements, etc.),

2. Providing Proof of COVID-19 Vaccination Status


- Employees and Members of Council who are required to provide proof of their vaccination series approved by Health Canada and recommended by Ontario Ministry of Health by providing one of the following:
 - Proof of COVID-19 vaccine administration as per the following requirements:
 - Proof of all required doses of a COVID-19 vaccine approved by Health Canada and recommended by Ontario Ministry of Health.

3. Providing Proof of An Approved Exemption

- The City will comply with its human rights obligations and accommodate employees and Members of Council who are legally entitled to accommodation.
- Exemptions will be made for grounds protected by the Ontario Human Rights Code which includes confirmed medical reasons. Human Resources will assist with accommodation questions, concerns and requests.
- Employees and Members of Council are required to provide proof of their medical exemption by providing one of the following:
 - Written proof of a medical reason, provided by either a physician or nurse practitioner in the extended class that sets out:
 - That the person cannot be vaccinated against COVID-19 and;
 - The effective time period for the medical reason (i.e., permanent or time- limited).

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- The City will work with those who receive an exemption to connect them with the appropriate resources to develop a reasonable and appropriate accommodation plan including health and safety measures to protect all workers, up to the point of undue hardship.
- 4. Vaccination Status Reporting and Documentation**
- Vaccination status information will be collected and protected in accordance with relevant legislation.
- 5. Non-compliance with the Mandatory COVID-19 Vaccination Verification Policy**
- In accordance with City Human Resources policies, collective agreements and applicable legislation, directives, and policies, any non-compliance with the requirements of the Mandatory COVID-19 Vaccination Verification Policy will result in disciplinary measures, up to and including termination of employment.
- 6. Access to the Rapid Antigen Test Program**
- In the event that an employee cannot participate in the City's rapid antigen testing program as a result of the inability of the City to provide rapid test kits, the employee will be placed upon a paid leave of absence until they are able to meet the requirements of the next test date in the program (i.e. the City has made test kits available).
 - Employees are required to return to work at the earliest possible opportunity once testing kits are made available, and the employee can test, on the next applicable testing date.
- 7. Access to COVID-19 Vaccination Clinics**
- Reasonable arrangements will be made to allow for staff to attend COVID-19 vaccination clinics during work time.
 - Employees must have approval from their supervisor in advance before attending a clinic during work time.
 - All efforts should be made to allow the employee to use time at the beginning or end of their shift day or to extend lunch

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	<p>and break times as operationally feasible with work schedules to attend vaccination clinics.</p> <ul style="list-style-type: none"> Where employees are unable to attend a vaccination clinic during their regularly scheduled work hours, the City will compensate staff for a period of 30 minutes outside of work time to receive a vaccination subject to any limitations under a collective agreement or policy. <p>8. Continued Adherence to Public Health Measures</p> <ul style="list-style-type: none"> Fully vaccinated employees are required to practice Public Health measures to control the spread of COVID-19. Employees must adhere to the City’s health and safety protocols while in the workplace, including daily health screening, mandatory masking, physical distancing, hand hygiene, enhanced cleaning and the use of Personal Protective Equipment as required by their position. In the event that circumstances change, such that Public Health, the province, the federal government, and/or other sources of information indicate that reintroduction of elements of this Policy are required or recommended, such changes will be proposed and brought before Council for Direction. 	
<p>RESPONSIBILITIES (if applicable)</p>	<p>The following positions and/or departments are responsible for fulfilling the responsibilities detailed in this Policy as follows:</p> <p>Management/Supervisors</p> <ul style="list-style-type: none"> Follow and comply with any federal or provincial mandates or directives regarding the vaccination of staff Continue to enforce workplace precautions that limit the spread of COVID-19 virus Ensure that employees are aware of the importance of getting vaccinated against COVID-19 Provide staff with access to information on COVID-19, health and safety precautions, and on the efficacy of the COVID-19 vaccine Provide staff with information on location and scheduling of 	

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vaccination clinics when available


- Where feasible, support time from regular duties for staff to attend vaccination clinics in accordance with relevant collective agreement language and/or Corporate Policy

Employees

- Continue to follow health and safety protocols to ensure personal safety and prevent the spread of COVID-19 before and after vaccination.
- Remain informed about COVID-19 and COVID-19 vaccination as it relates to your role, personal health and/or professional requirements.
- Adhere to any additional mandates or directives or reporting requirements from provincial or federal authorities.
- Identify opportunities to obtain COVID-19 vaccination through community clinics or from health care professionals
- If additional booster doses of the COVID-19 vaccine are required, ensure subsequent doses are also received.
- Employees not fully vaccinated against COVID-19 or who have not yet disclosed their vaccination status are required to participate (or continue to participate) in the City’s rapid antigen testing program until May 2, 2022 (when the program will come to an end, with the exception of the operational areas identified where testing will continue beyond this date).
- In the event of an interruption to the City’s rapid antigen testing program (e.g. due to a lack of supply) and an employee is placed on a paid leave of absence; the employee is expected to return to active duty at the employer’s determination once testing kits are made available, and the employee can test, on the next applicable testing date.

Human Resources

- Assist management with any labour relations and health and safety issues arising from application of this policy including liaising directly with Union leadership.

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	<ul style="list-style-type: none"> • Create procedure for collecting and storing documentation on employee vaccination status. • Assist management with accommodation questions, concerns and requests. <p>Occupational Health Nurse</p> <ul style="list-style-type: none"> • Provide information and guidance to leaders and employees on COVID-19 vaccination. • Ensure that any records of COVID-19 vaccination held by the City are stored and used in compliance with privacy legislation and corporate policies. 	
<p>COMPLIANCE</p>	<p>In accordance with City Human Resources policies, collective agreements and applicable legislation, directives, and policies, any non-compliance with the requirements of the Mandatory COVID-19 Vaccination Verification Policy will result in disciplinary measures, up to and including termination of employment.</p>	
<p>HISTORY</p>	<p>The following stakeholders were consulted in the creation or revisions made to this Policy:</p> <p>City of Hamilton’s Senior Leadership Team External Legal Counsel Human Resources Leadership Team Union Representatives from each of the City’s unions.</p> <p>This policy replaces the former policy named Mandatory COVID-19 Vaccination Verification Policy dated 2022-01-06.</p> <p>This policy was approved by Council on April 20, 2022.</p>	

CITY OF HAMILTON NOTICE OF MOTION

General Issues Committee: April 20, 2022

MOVED BY COUNCILLOR J. P. DANKO.....

Climate Change Action – Bay Area Climate Change Council Options for Travel Recommendations

WHEREAS, the City of Hamilton recognizes that Climate Change is an emergency and a threat to municipalities across the world and urgent climate action is needed;

WHEREAS, Hamilton City Council declared a climate emergency on March 27, 2019, and directed staff to form a Corporate Climate Change Task Force;

WHEREAS, over 12% of Hamilton emissions come from the transportation sector and low carbon forms of transportation facilitate our collective efforts to decarbonize; and,

WHEREAS, transportation connectivity and the safety of residents are priorities for the City of Hamilton, as reflected in the Ten-Year Local Transit Strategy, Vision Zero, and the Cycling Master Plan;

THEREFORE, BE IT RESOLVED:

That the General Manager of the Planning and Economic Development Department be directed to work with staff to review how each recommendation in the Bay Area Climate Change Council’s Options for Travel report could be actioned, and report back to the General Issues Committee by September 21, 2022.