

December 1, 2015

Chairman and Members of the Planning Committee  
City of Hamilton  
71 Main Street West  
Hamilton, Ontario, L8P 4Y5

Dear Committee Members:

**Re: Coordinated Provincial Plan Review  
Greenbelt Plan and Niagara Escarpment Plan Boundary Review  
Report PED15078(a)  
Special Planning Committee Meeting – December 3, 2015  
3727 Highway Six Inc. and 1906342 Ontario Inc.  
3727, 3737 and 3751 Highway 6  
Part Lot 6, Concession 6, City of Hamilton**

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Please be advised that Wellings Planning Consultants Inc. has recently been retained by the owner of the three (3) properties referenced above, being 3727 Highway Six Inc. and 1906342 Ontario Inc. The subject lands are adjacent and have similar but separate ownership. This letter has been prepared for consideration at the Special Planning Committee meeting scheduled for December 3, 2015.

The subject lands are located south of White Church Road East and east of Highway 6. Through correspondence dated October 1, 2015, Mr. Richard A. Wellenreiter, solicitor for the owner, requested that the City consider recommending to the Province that the subject lands be removed from the Greenbelt Plan.

3727 and 3737 Highway 6 are located directly southeast of the intersection of Upper James Street and the Highway 6 By-pass and comprise approximately 0.7 ha (1.73 ac). These properties are located in close proximity to the Mount Hope Urban Area, the Airport Employment Growth District and other commercial uses to the north, south and west. There is currently one (1) building on the subject lands containing a rural commercial use.

The 1906342 Ontario Inc. lands are approximately 12 ha (30 ac) in area and located immediately to the east of the 3727 Highway 6 Inc. lands. In his letter dated October 1, 2015, Mr. Wellenreiter advised that given the surrounding non-agricultural uses, a livestock operation is not feasible on the 12 ha parcel and the parcel size is not viable for cash crops.

The location of the subject lands is shown in Figure 1 below.

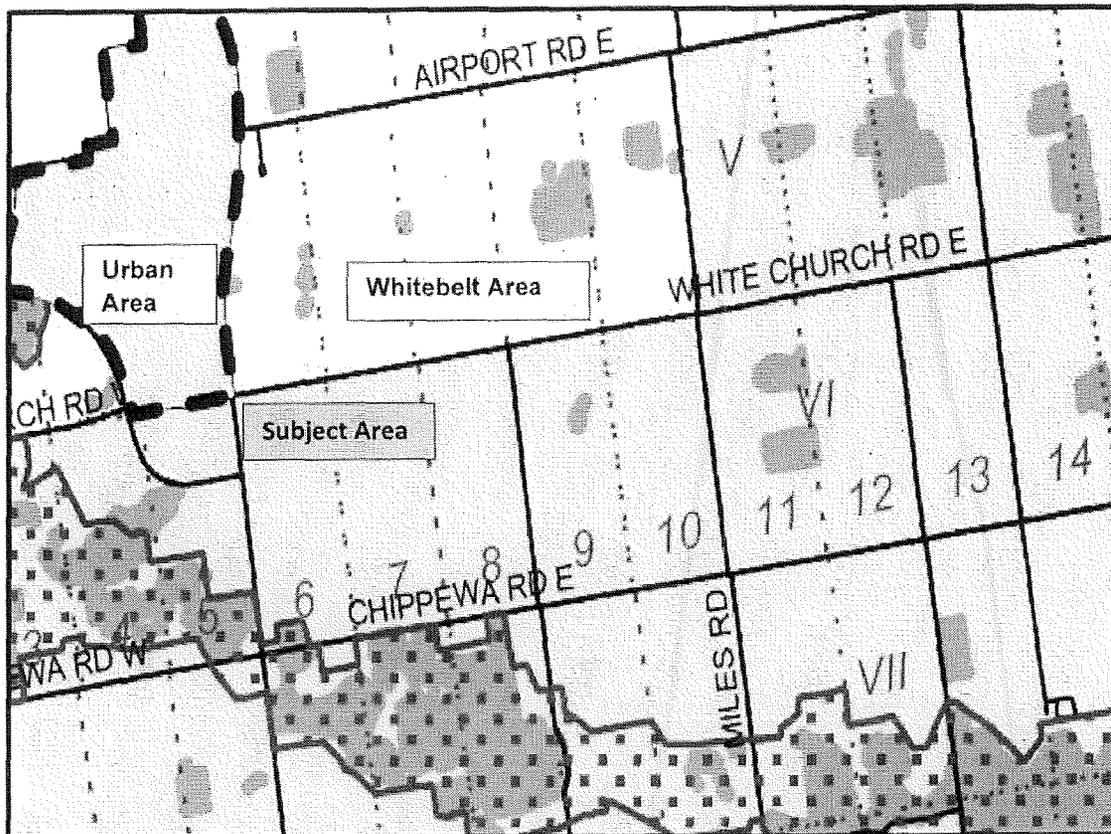


Figure 1: Extract from Schedule B to the Rural Hamilton Official Plan

We have reviewed Report PED15078(a) and provide the following comments.

Recommendation (b)(i) requests that the Province amend the Greenbelt Plan to allow municipalities to request boundary and policy changes at the conclusion of a Municipal Comprehensive Review (MCR) (legislated Five (5) Year Review of the Official Plan). Recommendation (b)(ii) requests that the Province defer any decisions on potential boundary changes to enable the City to complete a MCR.

Removing lands from the Greenbelt Plan may only be considered during the legislated ten (10) year review. The time frame for Provincial Reviews and MCRs do not align. Therefore, it is difficult for municipalities to evaluate requests for removal of certain lands outside of the context of a comprehensive planning exercise, i.e., full assessment of employment and residential land needs required to meet the Growth Plan (2013) forecasts, etc. Therefore, we agree that deferring decisions on proposed changes to both the Greenbelt Plan and the Niagara Escarpment Plan boundaries to the MCR makes land use planning sense.

Despite the recommendation to defer decisions to the MCR stage, Report PED15078(a) does recommend specific removals and additions to the Greenbelt Plan boundary. The staff report and its appendices also provide comments on the site-specific boundary revision requests made by landowners to date.

Appendix "G" to Report PED15078(a) is a chart that provides comments on the requests to add or remove lands from the Greenbelt Plan boundary with a brief statement as to "Why Areas Were Not Included for Removal". The requests for removal contained in Appendix "G" are not supported by City staff. Within Appendix "G", there is no reference to 3751 Highway 6, however, 3727-3737 Highway 6 are referenced. The reasons given for why these lands were not included in any further removal analysis are that the lands are distant from Urban and Whitebelt areas (areas potentially available for Urban Area expansion) and separated from existing urban areas by natural heritage system features.

As shown in Figure 1 above, the subject lands are not distant from the Urban Area and Whitebelt Area. The subject lands are in close proximity to the Mount Hope Urban Area and the Airport Employment Growth District. The Whitebelt is immediately to the north (north side of White Church Road East). The subject lands are also not separated from existing urban areas by natural heritage system features. As shown in Figure 2 above, the Greenbelt Natural Heritage Area is located to the south of the subject lands.

Appendix "C" to PED15078(a), Greenbelt Boundary Review Report prepared by Dillon Consulting (Dillon report) makes certain growth assumptions and includes an analysis of land available for future residential and employment uses. While the report states that further work is required, the Dillon report concludes that there may not be sufficient, suitable land in the Whitebelt to accommodate projected Greenfield residential growth from 2031 to 2041.

The Dillon report includes the statement that the report is not to be considered as a component of a MCR. However, it is difficult to see how it will not in some way inform a future Urban Area Review as part of a MCR. The Dillon report evaluates certain areas within the Greenbelt Plan that could be removed to accommodate primarily future residential growth (2031-2041) and areas that could be added to the Greenbelt Plan to ensure no net loss. Of concern to our client is the fact that the Dillon report eliminates certain areas from removal from the Greenbelt Plan and provides an analysis of five (5) significantly large areas for potential removal, referred to as areas R1 – R5, which do not include the subject lands.

The Owner has put forth a request for removal of the subject lands from the Greenbelt Plan. The staff recommendation is to defer any decisions on potential changes to the Greenbelt boundaries until the completion of a MCR. We agree that this is a fair recommendation but we do have concerns about the "precedent" created by recommending specific removals and additions at this time and the analysis which eliminates the subject lands from consideration for removal, prior to commencement of the MCR.

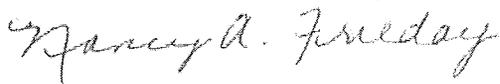
The areas identified for potential removal from the Greenbelt Plan have already been identified in the Dillon report and thereby presuppose a full assessment of the opportunities and constraints during a MCR. There should be an opportunity to re-examine the areas identified for potential removal from the Greenbelt Plan, including site-specific requests.

In our opinion, the subject lands and surrounding lands are suitable for removal from the Greenbelt Plan and meet most of the fourteen (14) Enhanced Evaluation Criteria within Table 4 of the Dillon report. The one evaluation criterion not met is the fact that the lands are designated "Agriculture" in the Rural Hamilton Official Plan. We note that the lands are not agriculturally viable on their own. Other areas recommended for removal from the Greenbelt Plan are also designated "Agriculture" in the Rural Hamilton Official Plan and in some cases "Specialty Crop" in the Greenbelt Plan and the Rural Hamilton Official Plan. The subject lands do not contain either Greenbelt Natural Heritage lands or City Natural Heritage lands and are located in close proximity to the Urban Area and the Whitebelt.

As you may be aware, the Owner has filed an appeal to OPA No. 9 and the Rural Area Zoning By-law. This appeal runs in conjunction with the request to remove the lands from the Greenbelt Plan.

I have registered as a delegation to speak to the Planning Committee on December 3, 2015 to briefly outline some of our concerns, as outlined in this letter.

Yours truly,  
**WELLINGS PLANNING CONSULTANTS INC.**



Nancy A. Frieday, MCIP, RPP

Copy: Richard A. Wellenreiter, Wellenreiter LLP  
Bill Gauthier, 3727 Highway Six Inc. and 1906342 Ontario Inc.  
Joanne Hickey-Evans, Manager, Policy Planning and Zoning By-law Reform