

Thursday, September 08, 2016

City of Hamilton – City Council  
71 Main Street West  
Hamilton, ON – L8P 4Y5

Attn: Mayor and Members of City Council  
Re: September 6<sup>th</sup>, 2016 Planning Committee Item 8.4 '***Coordinated Provincial Plan Review (Growth Plan for the Greater Golden Horseshoe, Greenbelt Plan, Niagara Escarpment Plan) – City of Hamilton Comments on May 2016 Draft Plans (PED15078(b))(City Wide)***'

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**Mayor and Members of City Council:**

Corbett Land Strategies (CLS) represents the Book Road West Landowners Group. This is an organized community group representing approximately 1,400 acres of land in south-west Hamilton (refer to Map 1). There are over 120 landowners within this area, and they have been active in protecting their land use planning interests over the past 10 years. During the City of Hamilton (City) Planning Committee meeting of September 6<sup>th</sup>, 2016, a recommendation was passed to place their Book Road West lands into the Greenbelt Plan.

**OUR REQUEST**

We respectfully request that City Council reconsider the Planning Committee minutes and recommendation of September 6<sup>th</sup>, 2016 and offer the following two options:

1. **THAT** the Book Road West lands are not to be considered in the draft Greenbelt plan and staff report PED16176 be amended as such and for City Council to support staff's position and allow the Municipal Comprehensive Review;

or, alternatively:

2. **THAT** the minutes of the September 6<sup>th</sup>, 2016 Planning Committee be deferred to the next meeting of Planning Committee (Tuesday, September 20<sup>th</sup>) to allow for a full review of all the facts by the Committee and public representation to allow for a fair and transparent vote on the matter to occur.

The recommendation at Planning Committee was passed precipitously in direct contradiction to the previous position of City Council (December 2015) and the City staff report recommendations as presented on September 6<sup>th</sup>, 2016. The impact of this decision on the Book Road Community will be grievous if City Council does not reconsider this matter and change this Planning Committee recommendation. The land ownership of the Book Road Community *is not developer based*. In fact, the affected landowners are largely generational Hamiltonians that will have their livelihoods seriously compromised if this recommendation is ratified by City Council.

It appears that the residents of the Book Road Community were denied their rights to natural justice on September 6<sup>th</sup>, 2016 by virtue of the precipitous decision making process that ensued at the City's Planning Committee last Tuesday. To be clear, an ultimate Council recommendation to the Province on Greenbelt designations will have an enormous impact on property rights, land use permissions and valuations. As such, thorough consideration of scientific fact (agricultural/environmental) and planning justification must be made (through a statutory Municipal Comprehensive Review process) prior to rendering such a recommendation. In this regard, the discussion and ultimate recommendation of Planning Committee on September 6<sup>th</sup>, 2016 was absent of such consideration.

### **BASIS FOR OUR CONCERNS**

We believe that City Council should pursue either of these two aforementioned options based on the following circumstances:

1. The decision of Planning Committee of September 6<sup>th</sup>, 2016 is contrary to previous decisions made by Council on this very issue (December 2015 PED15078(a)):
  - i. In June 2015, The City of Hamilton provided comments to the Province, which did not include recommended changes to the Greenbelt Plan;
  - ii. The City delayed formal recommendations on the Greenbelt Plan to allow for a public consultation process on proposed boundary changes;
  - iii. During this public consultation period, the Book Road West lands were considered as an option for the Greenbelt as were other lands;
  - iv. The City commissioned Dillon Consulting to provide the technical background for City Council's consideration of Greenbelt related issues. The Dillon report did not recommend the Book Road lands for inclusion in the Greenbelt;
  - v. This process was concluded in the fall of 2015 and City staff prepared a report (PED15078) for Planning Committee which did not recommend the Book Road West lands for consideration in the Greenbelt;

- vi. This report and the minutes from Planning Committee of December 3<sup>th</sup>, 2015 were subsequently ratified and approved at the Council meeting of December 9<sup>th</sup>, 2015; and,
  - vii. There were several motions related to Greenbelt boundary changes that were voted on December 9<sup>th</sup>, 2015, one of which specifically considered all lands in question to be included in the Greenbelt (including Book Road), which was denied on a 2-6 vote by City Council.
2. The Planning Committee decision of September 6<sup>th</sup>, 2016 is contrary to the associated City staff report and its recommendations;
  3. As a direct consequence of Greenbelt designation, expansions of existing business and agricultural operations will be impeded based on related statutory regulations under Greenbelt designation;
  4. As a consequence of Greenbelt designation, residents must endure overly restrictive development controls over their land holdings, impeding their right to the quiet enjoyment of their properties;
  5. City Council will lose planning jurisdiction and control over the Book Road West Lands to Provincial land use policy and regulations;
  6. The City will experience significant financial impact if the real estate valuation of the Book Road West land area is diminished through Greenbelt designation;
  7. The viability of existing retail centres (specifically the SmartCentre and Trinity Centre shopping facilities at Wilson Street West and Garner Road West) may be impacted by reduced growth potential of this area as a consequence of Greenbelt designation;
  8. The recommendation ignores staff's primary recommendation to finalize the Municipal Comprehensive Review that will provide the basis for future land use decisions prior to making any decisions on Greenbelt matters. In this regard, the public interest would best be protected by reserving all land use allocation decisions until the Municipal Comprehensive Review is completed;
  9. The recommendation may conflict with the implementation of the Provincial Growth Plan insofar as Hamilton will be challenged to accommodate forecasted growth targets to 2041 of 780,000 people and 350,000 jobs without the option of considering these lands for development in the long term. Also, removal of these lands from future development

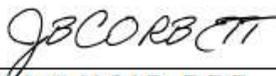
consideration will force greater concentrations of intensification on other communities within Hamilton in order to satisfy Growth Plan requirements;

10. The Provincial Policy Statement requires that municipalities maintain a 10-year supply of designated land for urban purposes and a 3-year supply of zoned lands for residential development. In order to conform with this requirement, the Book Road West lands are needed as a candidate site to ensure that growth/intensification is not concentrated in other areas of the City; and,
11. There is no scientific fact or land use planning basis to support the designation of the Book Road West lands within the Greenbelt Plan. In this regard, the Book Road West Landowners Group have retained specialized engineering, environmental and agricultural impact consultants (HGC Engineering; Beacon Environmental and Colville Consulting) to assess the land use potential of the community. Study findings do not indicate any definitive technical basis for Greenbelt designation.

**CONCLUSION:**

We respectfully submit that the September 6<sup>th</sup>, 2016 recommendation of Planning Committee with respect to the inclusion of the Book Road West lands in the Greenbelt Plan is not defensible based on established technical justification and staff recommendations rendered to date. Council's ratification of this recommendation would unfairly compromise the future of the Book Road West residents and Hamilton as a whole. Such a decision would also have serious planning implications on a city wide basis in the absence of the finalization of the Municipal Comprehensive Review. We strongly urge Council to not ratify the Planning Committee recommendation with respect to this matter and pursue either of the two alternative courses of action set out in this report.

Respectfully submitted;



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

**APPENDIX A**  
Map 1

# Appendix A – Map 1

