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September 8, 2016

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

Attn: Mayor and Member 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))**

Mayor and Members of City Council:

Anne Tennier Consulting Inc. (ATCI) represents the Book Road West Landowners Group (BRWLG). This is an organized community group representing approximately 1,400 acres of land in the southwest (Ancaster) area of Hamilton. There are more than 120 landowners within this area, and they have been active in protecting their land use planning interests over the past 10 years.

I am writing to you on their behalf regarding a resolution that was passed at the September 6<sup>th</sup> Planning Committee meeting to support the Province's inclusion of the Book Road West lands in the Greenbelt. This resolution, should it be ratified by Hamilton City Council at its upcoming meeting on September 14<sup>th</sup>, will be submitted to the province's Land Use Plan Coordinated Review Process as part of a package of comments from the City of Hamilton.

The BRWLG is very concerned that this resolution, if ratified by Council, will reverse an earlier resolution passed by Council on December 9<sup>th</sup>, 2015. Therefore, for reasons outlined below, the BRWLG respectfully requests that Council do one of two things:

1. Not ratify the resolution from the Planning Committee that supports adding the Book Road West lands to the Greenbelt and support the original staff report PED15078(b) as written, which recommends that any boundary amendments be deferred until the completion of the Municipal Comprehensive Review;

OR, alternatively,

2. Defer any decision on the resolution and refer the matter back to the next Planning Committee meeting on Tuesday, September 20<sup>th</sup> to allow for a full review of all the facts by the Committee and for public representation from the landowners group.

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**Background:**

When the Province released the draft amendments to the Greenbelt Plan in May of 2016, the Book Road West Lands had been penciled into the Greenbelt. This is in direct contradiction to City Council and staff direction in December 2015.

After detailed study, staff reports and discussion, the Planning Committee voted on December 3, 2015, NOT to include the Book Road West Lands in the Greenbelt. Council approved the recommendation from the Planning Committee on December 9, 2015.

This is a rare situation as these lands were not previously included in the Greenbelt and they were not proposed to be in Greenbelt by either City staff or Council. There was no technical process or due process to indicate that the lands were being considered for the Greenbelt by the Province, and no apparent reason for the inclusion.

70% of Hamilton's geographic land base is already in the Greenbelt. Once in the Greenbelt it's next to impossible to get lands out.

**Issues:**

If not corrected, this error will lead to major consequences for 120 landowners and negatively impact the broader business community. 120 landowners will, without warning, have their land use virtually frozen, property values will be severely impacted, as will tax revenues.

It is clear that these lands will be needed to meet the Province's growth projections for Hamilton – increasing the population by 260,000 to 780,000 residents by 2041, a fifty per cent increase.

The Provincial Policy Statement requires that municipalities maintain a 10-year supply of designated land for urban residential 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 likely needed as a candidate area to accommodate growth through the City's Municipal Comprehensive Review. Furthermore, these lands are in the white belt adjacent to retail, residential and employment lands, and they are in the future Garner Road rapid transit corridor. Inclusion of these lands within the Greenbelt will diminish the City's efforts to protect and enhance the existing and emerging employment base. These lands pose a strong present and future tax base to support the City.

There is enough population growth and anticipated growth to warrant keeping all lands presently in the white belt to meet future needs

### September 6, 2016 Planning Committee meeting

In discussions with Councillors and staff prior to the September 6 Planning Committee meeting, and indeed in the delegation that John Corbett from Corbett Land Strategies (who also represents the BRWLG) made to the Planning Committee on August 9<sup>th</sup>, we were very clear about our request – we were simply asking the City to reiterate its position from December 2015 in its comments to the Province on the land use plan coordinated review. We did not expect anything further and were well aware that we needed to work with the Province to make changes. However, making those changes are difficult without municipal support.

We discussed whether to move forward with a delegation at the September 6 meeting, but decided that since the staff report that was issued on September 1 very clearly articulated the recommended City position, there was no need to appear in front of the Committee. In particular, the staff report proposed to re-affirm the City's position from the December 2015 staff report (report PED15078(a) " to defer any proposed changes to the Greenbelt Plan boundaries in the City of Hamilton to allow the City to complete a municipal comprehensive review which would include a full assessment of the opportunities and constraints:

1. To determine the amount and location of land (both non-employment and employment) required to meet the 2031 to 2041 Growth Plan forecasts;
2. To identify appropriate lands to add to the Whitebelt area, in the event that additional land is required for an urban boundary expansion to meet targets and based on the principles of cost effective, complete and healthy communities;
3. To identify appropriate lands to be added to the Greenbelt Plan area."

The proposed staff report also re-affirmed the City's desire to remove certain lands in Stoney Creek and Waterdown from the Greenbelt, and add specific other parcels in the area of Twenty Mile Creek and Miles Road, and the Coldwater Creek Urban River Valley to the Greenbelt.

It was further noted in report PED15078(b) on page 14 that planning staff met with representatives of the Book Road West Landowners Group. Per the report, "the Book Road lands have been identified by the Province for inclusion in the Greenbelt Plan. **These lands were not recommended for inclusion by the City of Hamilton.**" This is significant, as it was stated several times during the September 6 Planning Committee meeting following the Ward 12 councillor's intervention, that staff didn't have a recommendation for Book Road. **Very clearly, staff had a position on these lands and it was articulated in the report, but for some reason was not addressed by councillors or when asked by the Chair, not identified by the GM of Planning and Economic Development that staff's position on these lands was clear in the report.**

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**The net effect of the Ward Councillor’s intervention was that the Planning Committee passed a motion to amend the recommendations from staff to include the Book Road Lands in the Greenbelt (and remove another parcel of unrelated land from the Greenbelt).**

The BRWLG is very concerned by this action, for the following reasons:

- Staff undertook a thorough review of Greenbelt and Niagara Escarpment plans in 2015 in anticipation of the Land Use Coordinated Review process – the result of that review was a comprehensive report by Dillon Consulting.
- The Book Road Lands were identified as an OPTION to be included in the Greenbelt boundary amendments, but were not recommended to be so.
- Planning Committee, on December 3<sup>rd</sup> 2015, received staff report PED15078(a) which made recommendations for boundary amendments to the Greenbelt plan. A motion was put forward at Committee to include ALL lands identified in the Dillon report in the Greenbelt – that motion was defeated by a vote of 6-2. Planning Committee further amended the staff recommendations to add/remove specific parcels of land, none of which were the Book Road lands.
- Council, on December 9<sup>th</sup>, had a further opportunity to make amendments to the Greenbelt recommendations and indeed included two further parcels in their approved resolution. None of the parcels were the Book Road Lands.
- It is inaccurate to say that there was no position on the Book Road lands. On the contrary, there were multiple opportunities both at the Planning Committee and full Council meetings to add these lands, and none of these opportunities were taken.
- Clearly, neither staff nor Council determined that these lands should be included in the Greenbelt.

The Province recognizes that an error was made in including these lands in the Greenbelt – why else would they have listened to the boundary amendments proposed by the City of Hamilton and not this one? The City’s position has been very clear – it wishes to undertake a Municipal Comprehensive Review to determine what their land needs are to meet the Growth Plan projections of a roughly 50% increase in population to 780,000 by 2041. That will assist them in a fact-based assessment of what Greenbelt boundary adjustments are needed, if any, to meet those needs.

We are trying to understand why the City of Hamilton position on these lands has changed from December 2015 to September 2016. It does not appear to be based in science or fact, as it is counter to the thorough review done by a professional consultant hired by the City of Hamilton and is not supportable from a planning perspective. Rather, it appears to be based on a “feeling” that these lands should be in the Greenbelt. That is hardly a justifiable or professional position to take.

Clearly intensification will play a large role in accommodating the 50% population growth that is expected by 2041. However, there will still be a significant need and desire for single family dwellings. How will the city accommodate that growth? Furthermore, while Ancaster has experienced “explosive”

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growth (per the Ward councillor), surely some of that population growth of 250,000 will be slated to occur in Ancaster. This should give the community pause to think what the village of Ancaster will look like should it not have lands at its disposal to accommodate growth.

While this submission is very much focused on the planning aspects of the Book Road lands, we must remind you that the owners of these lands are long-time Hamiltonians who have owned these lands for several generations in many cases. In some cases, there are businesses whose growth will be frozen as they will not be allowed to expand if in the Greenbelt. In other cases, these lands represent retirement funds for their owners, as they age and are no longer able or want to farm their lands. The consequences to these landowners will be severe. They are not “lottery winners”, as they were referred to in the Planning Committee meeting. They are hard-working Hamiltonians whose life has been dedicated to working their land and contributing to their community, and the fact that they might have an opportunity to sell these lands to fund their retirement should not be held against them.

We respectfully request that Hamilton City Council not approve the proposed amendment to staff recommendations, or in the alternative, refer the matter back to Planning Committee for further input from the BRWLG.

Thank you for your consideration.

Anne Tennier, P.Eng.  
President  
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CC: Book Road West Landowners Group  
John Corbett, Corbett Land Strategies

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