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September 12, 2016

Reply To: Joel D. Farber  
Direct Dial: 416.365.3707  
E-mail: jfarber@foglers.com  
Our File No. 06/4423

**VIA EMAIL**

Mayor Fred Eisenberger and  
Members of Council  
Hamilton City Hall  
2<sup>nd</sup> Floor – 71 Main Street West  
Hamilton, ON L8P 4Y5

Dear Mayor Eisenberger and Members of Council:

**Re: Coordinated Provincial Plan Review – City of Hamilton Comments on May 2016  
Draft Plans (Staff Report PED15078(b))**

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We represent the owners of lands south of Twenty Road, between Upper James to the east and Glancaster to the west, known as the Twenty Road West Landowners Group. Our clients own lands within the AEGD, as well as the Whitebelt lands immediately south of Twenty Road.

We have reviewed Staff Report PED15078(b) and we have been monitoring the Provincial Plan Review. We have previously submitted correspondence dated February 29, 2016, a copy of which is attached hereto.

We are generally supportive of staff recommendations (c) and (d)(ii) in Staff Report PED 15078(b) with respect to the intensification and greenfield density targets. We are of the view that staff have appropriately identified concerns related to the implementation of proposed Growth Plan targets in the context of the City's growth management.

Our clients look forward to a prompt completion of the City's next Municipal Comprehensive Review, which appears to now be substantially jeopardizing the City's growth opportunities.

Yours truly,

**FOGLER, RUBINOFF LLP**

*“Joel D. Farber”*

Joel D. Farber  
JDF/ay  
cc: Clients



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February 29, 2016

Reply To: Joel D. Farber  
Direct Dial: 416.365.3707  
E-mail: jfarber@foglers.com  
Our File No. 06/4423

**VIA EMAIL**

City of Hamilton  
71 Main St. West  
Hamilton, Ontario  
L8P 4Y5

Attention: Joanne Hickey Evans,  
Manager of Policy Planning

Dear Ms. Hickey-Evans:

**Re: CITY OF HAMILTON MUNICIPAL COMPREHENSIVE REVIEW –  
IMPLEMENTATION OF GROWTH PLAN 2041 TARGETS**

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We are the solicitors for owners of lands south of Twenty Road, between Upper James to the east and Glancaster Road to the west. As you will recall, certain areas of our client's lands were excluded from the AEGD and now form part of the Whitebelt, being the available growth areas for the City. The total Whitebelt lands within the Twenty Road block are approximately 79 gross ha. located on both the east and west sides of the recently designated future Garth Street corridor extension south of Twenty Road (Areas 4 & 6 shown on the attached Schedule). These Whitebelt lands within the Twenty Road block are not constrained by airport noise and are adjacent to an existing residential community on the north side of Twenty Road.

As you will also recall, at the AEGD Phase 3 hearing, the Board accepted the appellant's evidence that there was insufficient information available to determine the appropriate designations for the Twenty Road Whitebelt lands, and that such decision should be made in the context of the next Municipal Comprehensive Review. As everyone is aware, there are very significant demands for land outside the existing urban boundary to meet the Growth Plan targets for 2041.

Subsequent work completed by Dillon Consulting in connection with the Greenbelt Review demonstrates the need for the Whitebelt lands to meet Hamilton's 2041 growth targets as required by the Growth Plan.

In particular, the Dillon Greenbelt Boundary Review Report (November 2015), indicates that up to 1109 gross ha of land are required to plan for residential growth to 2041. This demand figure

exceeds the available unconstrained Whitebelt lands including our clients' lands (896 gross ha). On the other hand, the supply of Whitebelt lands that is available only for employment (constrained by noise contours) is nearly 3x the projected demand. Furthermore, it is apparent that the residential land supply deficit is likely greater than 200 ha given suitability issues for certain of the Whitebelt lands.

There are no suitability issues for the Twenty Road Whitebelt land. It is apparent that the Whitebelt lands within the Twenty Road block are needed for residential growth and represent an ideal opportunity to round out the existing urban fabric between Twenty Road and the AEGD with a well planned community.

Our previous planning studies have detailed that residential uses are the preferred land use for these lands, whereas the lands have little to no utility for employment uses. It is therefore appropriate that work commence at a City and community level to integrate the subject land into the urban area including through the preparation of a Secondary Plan as part of the Municipal Comprehensive Review process.

We have not yet been advised of the initiation of the City's required Municipal Comprehensive Review. Respectfully, on behalf of the Owners please ensure that we are kept up to date and notified on the City's progress in the City's upcoming process. We intend that these lands will play a substantial role in this planning initiative in terms of designing an appropriate transition to the AEGD by providing a vibrant community south of Twenty Road.

When combined with the AEGD permissions, settlement of the community design for the north part of the Twenty Road block would complete the comprehensive planning for the lands and could kick start the required infrastructure and development planning to open up the block, including the AEGD lands, for development.

We look forward to engaging with City staff to move forward with the completion of planning for the Twenty Road block and we look forward to Staff's support and initiative to complete the work.

Yours truly,

**FOGLER, RUBINOFF LLP**

*"Joel D. Farber"*

Joel D. Farber

JDF/sz

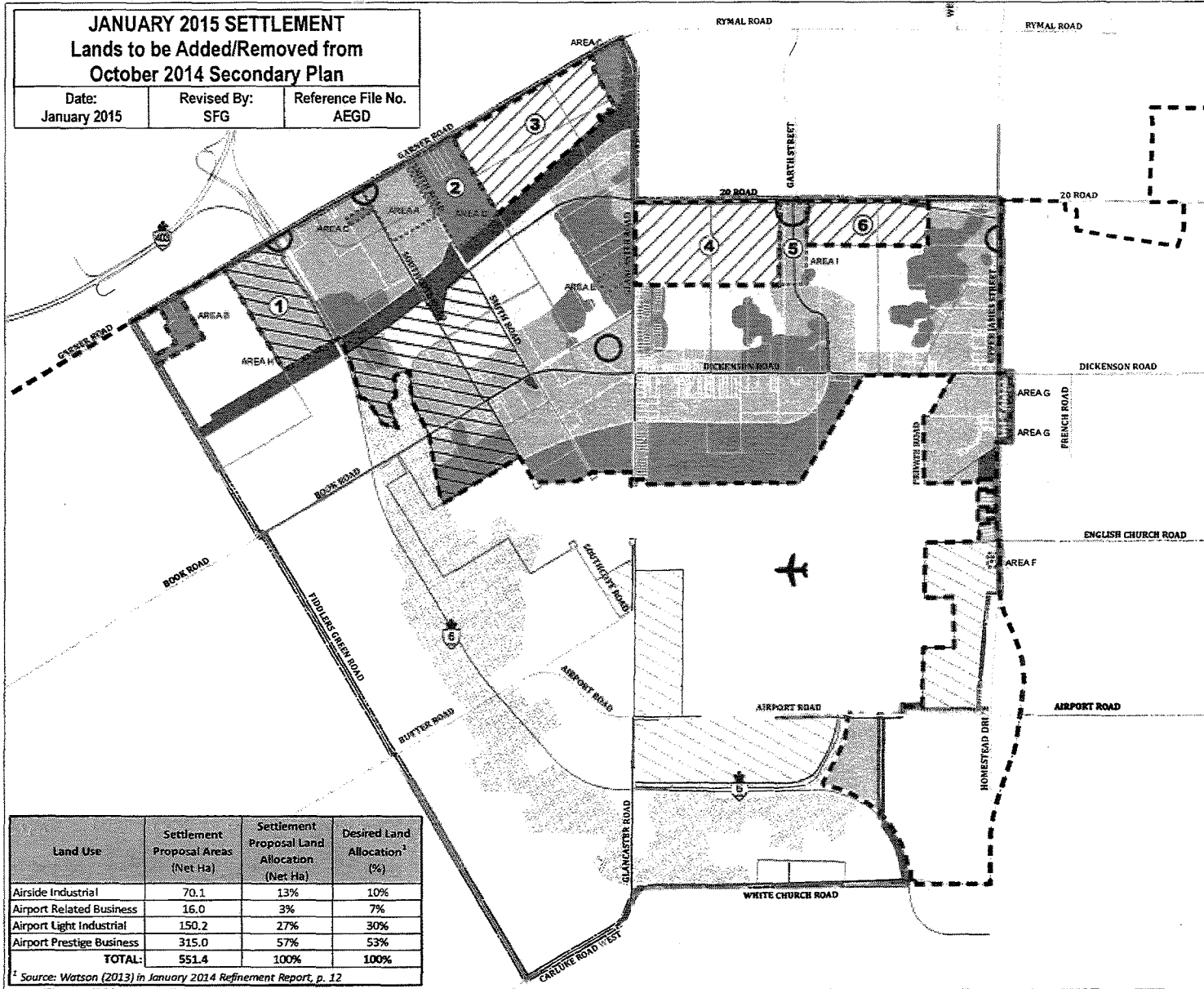
cc: Hamilton City Council

Twenty Road Landowner Group

letter to joanne hickey evans feb 29 2016 final.docx

# **JANUARY 2015 SETTLEMENT** **Lands to be Added/Removed from** **October 2014 Secondary Plan**

Date: January 2015  
 Revised By: SFG  
 Reference File No. AEGD



## **Lands Subject to January 2015 Minutes of Settlement**

- ① Silvestri Gateway Lands & Employment Supportive Centre
  - ② Site Specific Policy Area D
  - ③ Silvestri Lands Subject to Rural Official Plan
  - ④ Twenty Road West Lands Subject to Rural Official Plan
  - ⑤ Site Specific Policy Area I & Employment Supportive Centre
  - ⑥ Twenty Road West Lands Subject to Rural Official Plan
- Removed from October 2014 Secondary Plan Area  
 Added to October 2014 Secondary Plan Area

## **Land Use Designations**

- Airside Industrial
- Airport Related Business
- Airport Light Industrial
- Airport Prestige Business
- Institutional
- Natural Open Space
- Utility
- Airport Reserve

## **Other Features**

- Site Specific Policy Area
- Employment Supportive Centre
- Major Arterial Road
- Minor Arterial Road
- Major Collector Road
- Minor Collector Road
- John C. Munro Hamilton International Airport
- Greenbelt Natural Heritage System
- Lands in Rural Area
- Urban Boundary
- Airport Employment Growth District Study Boundary

Note:  
 Per Board Order: The January 2015 Settlement configuration reflects a need for 555 net ha of employment lands to be added to the Urban Boundary.

## **JANUARY 2015 SETTLEMENT** **Lands to be Added/Removed from** **October 2014 Secondary Plan**



0 250 500 750 m



January 2015

Planning and Economic Development Department

Land Use	Settlement Proposal Areas (Net Ha)	Settlement Proposal Land Allocation (Net Ha)	Desired Land Allocation <sup>1</sup> (%)
Airside Industrial	70.1	13%	10%
Airport Related Business	16.0	3%	7%
Airport Light Industrial	150.2	27%	30%
Airport Prestige Business	315.0	57%	53%
<b>TOTAL:</b>	<b>551.4</b>	<b>100%</b>	<b>100%</b>

<sup>1</sup> Source: Watson (2013) in January 2014 Refinement Report, p. 12