



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	September 6, 2016
SUBJECT/REPORT NO:	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)
WARD(S) AFFECTED:	City Wide
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SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That the City of Hamilton supports the Province’s general directions of the revised Growth Plan for the Greater Golden Horseshoe, the revised Greenbelt Plan, and the revised Niagara Escarpment Plan (NEP) to manage growth by strengthening the economy and population base through complete communities, strong transportation and infrastructure systems, and protecting agricultural lands and natural heritage systems.
- (b) That the City is supportive of the following key updates to the three plans:
 - (i) improved consistency in definitions and terminology (all Plans);

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- (ii) stronger policy linkages between the Growth Plan and the Greenbelt Plan to recognize the inter-relationship between growth management and protecting agricultural and natural heritage resources;
 - (iii) introduction of prime employment area policies, including restriction on institutional uses (Growth Plan);
 - (iv) additional exemptions for greenfield density calculations, including transportation and utility corridors and prime employment areas (Growth Plan);
 - (v) identification of *strategic growth areas* as areas to be the focus for accommodating intensification and achievement of the full continuum of public policy goals and investments, rather than encouraging intensification across the entire built-up area (Growth Plan);
 - (vi) expansion of natural heritage policies from the Greenbelt Plan into the ‘whitebelt’ lands (Growth Plan);
 - (vii) policy direction regarding management of excess soil and fill during the development process (Growth Plan and Greenbelt Plan);
 - (viii) introduction of the Agricultural Support Network, supporting agriculture by planning for economic development, infrastructure and goods movement for agriculture, agri-food strategies, near-urban agriculture, and agri-food and business (Greenbelt Plan);
 - (ix) encouragement of community hubs in rural settlement areas (Greenbelt Plan);
 - (x) clarification in the NEP regarding cultural heritage and existing uses (NEP);
 - (xi) emphasis on low impact development and energy planning, consistent with the City’s Community Climate Change Plan (all Plans);
 - (xii) greater recognition of the link between public health and land use planning (all Plans);
- (c) That the City of Hamilton is not in a position to support the increase in the intensification target from 40% to 60%, the increase in the persons and jobs per hectare for greenfield areas from 50 pjh to 80 pjh, and the static built boundary, until such time as the Province evaluates the impact on housing mix and demand in Hamilton, in conjunction with City and Provincial direction to ensure complete communities (Growth Plan);

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- (d) That the City of Hamilton provides the following suggestions / revisions regarding the revised Plans / policies:
- (i) Add a statement to the introduction section of the Growth Plan and the Greenbelt Plan to indicate these Plans are not land use plans in their entirety, as certain policies in the revised plans (e.g. agricultural support network, climate change) will require implementation at both the Provincial and local level through other tools, regulations, policies and guidelines;
 - (ii) In the event the Province proceeds with increases to the intensification and density targets (Growth Plan), the following changes are recommended to be undertaken as a package since the targets and built boundary are interrelated:
 - 1. Revise the built boundary to include developed “greenfield areas”, since they are more appropriate to be included within the built-up area;
 - 2. Amend policy 2.2.7.2 of the Growth Plan regarding the increase in the minimum greenfield density target to 80 persons and jobs per hectare (pjh) to indicate that this target shall not apply to greenfield areas which have already been developed, or undeveloped land in a Council-approved Secondary Plan;
 - 3. Amend policy 2.2.7.3 of the Growth Plan to add cemeteries, landfills, infrastructure (stormwater management ponds, roads) and public parks to the features to be excluded from the greenfield density calculation;
 - (iii) Revise the Growth Plan Policy requiring adherence to the 2031A forecasts to remove the reference to ‘A’ because the 2031A forecasts are outdated;
 - (iv) Add transition regulation policies to all Plans, including a policy to address existing planning matters before the Ontario Municipal Board;
 - (v) Amend policy 2.2.4.5 of the Growth Plan to add the words “Municipalities will identify” before the word “major”, to allow the City to identify which *major transit station areas* will be planned at the higher density, as follows:
 - “2.2.4.5 Municipalities will identify *major transit station areas* that will be planned to achieve, by 2041 or earlier, a minimum gross density target of:
 - b) 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit; or,

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- c) 150 residents and jobs combined per hectare for those that are served by express rail service on the GO Transit network”;
- (vi) Amend the definition of *major transit station area* to provide discretion as to where the additional level of density is appropriate by adding the following text to the end of the second sentence “or an alternate area as defined by the municipality”;
- (vii) Amend the definition of *frequent transit service* to provide greater flexibility to municipalities in how this term should be defined (e.g. daytime only and / or weekday only) and to recognize that frequency of service may evolve as demand increases and to respond to customer needs;
- (viii) Amend the definition of Active Transportation within the Growth Plan to be consistent with the definition from the Provincial Policy Statement (PPS) 2014;
- (ix) Amend policy 2.2.5.5(a) of the Growth Plan to add the word “major” before the word “office”, as follows, so it is clear the prohibition does not apply to small-scale, ancillary office uses:
 - “2.2.5.5 *Prime employment areas* identified in accordance with policies 2.2.5.3 and 2.2.5.4 will be designated in official plans and protected for appropriate employment uses over the long-term by:
 - a) Prohibiting residential and other sensitive land uses, institutional uses, and retail, commercial and *major office* uses that are not ancillary to the primary employment use”;
- (x) Maintain the definition of *major office* from the current Growth Plan, which refers to freestanding office buildings of 10,000 sq m or greater, which is consistent with the City’s employment area policies of the Urban Hamilton Official Plan (UHOP) and Airport Employment Growth District (AEGD) Secondary Plan;
- (xi) Provide clarity regarding policy 4.2.10 (Climate Change) of the Growth Plan with respect to how these policies can be implemented at the municipal level, including the direction to develop strategies to reduce greenhouse emissions and improve resilience to climate change through land use planning, and the direction to “reflect consideration of the goal of *net-zero communities*” in establishing emission reduction targets;

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- (xii) Add policy direction to Section 3.2.2 of the Growth Plan regarding support for electric vehicles and related infrastructure;
- (xiii) Amend policy 2.2.8.2(m) of the Growth Plan to provide guidance on the meaning and subsequent implementation of the term 'modest' (e.g. 5% of total land area, lands divided by major roads, watercourses, etc.) as it relates to the expansion of Towns/Villages in the Greenbelt Plan area, and the revised policy be incorporated into the Greenbelt Plan to ensure consistency between Plans;
- (xiv) Revise policy 3.4.4.1 of the Greenbelt Plan to indicate that Hamlets shall not be subject to the policies of the Growth Plan regarding complete communities, as rural Hamlets serve a different function in the overall planning structure than urban Towns and Villages, and due to size, population and servicing constraints, will not develop with full community services;
- (xv) Amend policy 3.2.5.9 of the Greenbelt Plan, which allows for the ability to vary the size of Vegetation Protection Zones (VPZs) for new agricultural buildings adjacent to certain stream types, to apply to all lands within the Protected Countryside and not only the Tender Fruit and Grape Area;
- (xvi) Amend the definition of *major development* in the Greenbelt Plan as related to development within *key hydrologic areas* to provide an exemption for agricultural buildings, or to increase the minimum ground floor area for agricultural uses;
- (xvii) Revise policy 3.2.5.6 of the Greenbelt Plan regarding *habitat of endangered species and threatened species* to be consistent with policy 2.1.7 of the PPS 2014;
- (xviii) That the list of permitted uses within the Escarpment Rural Designation of the Niagara Escarpment Plan be revised to remove Secondary Dwelling Units;
- (e) That the City of Hamilton does not support the creation of provincial mapping of the Agricultural System (LEAR study) for those municipalities that have already completed their own LEAR (Greenbelt Plan);
- (f) That the City of Hamilton re-affirms its previous recommendations from the June, 2015 Staff Report (Report PED15078), which have not been addressed in the May 2016 Draft revisions:

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- (i) Definitions of climate change and resilient communities should be added to all Plans;
- (ii) The Growth Plan forecasts should be developed with a range, and not one definitive number, and the forecasts should be updated every 10 years as part of the Plan review;
- (iii) The future A and T transit lines, in accordance with the directions of The Big Move, should be added to Schedule 5 of the Growth Plan;
- (iv) The minimum lot size for Prime Agricultural areas in the Greenbelt Plan should be reduced to 20 ha, or allow the municipality to identify smaller lot sizes in their Official Plans based on criteria;
- (v) Rural area policies in the Greenbelt Plan should be broadened to expand the list of uses that may be considered for existing planned highway commercial and industrial areas where the local planning permissions have not been fully implemented and based on site characteristics and other considerations the land will not revert to agricultural uses;
- (vi) The Greenbelt Plan policies should be amended to allow municipalities the flexibility to alter the size of the Vegetation Protection Zone (VPZ) on the basis of scientific studies;
- (vii) The definition of intermittent stream in the Greenbelt Plan should be clarified as the current definition is very broad and can include features such as agricultural ditches and swales;
- (viii) Additional or expanded definitions of natural heritage terms such as core area, linkage area, natural heritage system, vegetation protection zone, urban river valley, natural heritage evaluation and hydrologic evaluation should be added to the Greenbelt Plan to improve clarity and consistency amongst the Plans;
- (ix) Policy direction regarding severances and/or adaptive re-use of cultural heritage resources should be added to the Greenbelt Plan to provide for alignment between the consent policies of the NEP and the Greenbelt Plan with regard to designated heritage buildings;
- (x) The conflict between the NEP and the Growth Plan regarding intensification policies versus viewshed protection should be addressed to ensure that not only the policies within individual plans are reviewed, but also the policies between plans, to ensure a balanced approach is achieved;

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- (xi) Clarification should be provided in the NEP regarding the use of landscaping businesses and whether or not this use would be permitted and at what scale;
- (g) That the City of Hamilton re-affirms its previous recommendations on revisions to the Greenbelt boundaries from the December, 2015 Staff Report (Report PED15078(a)), as follows:
 - (i) to revise the applicable Greenbelt Plan policies in order to allow municipalities to request changes to Greenbelt Plan designations and boundaries at the conclusion of a municipal comprehensive review, provided the review is completed in accordance with the Provincial Policy Statement (2014), the Growth Plan for the Greater Golden Horseshoe and meets the goals and objectives of the Provincial Policy Statement and all other applicable Provincial Plans;
 - (ii) to defer any decisions on potential changes to the Greenbelt Plan boundaries in the City of Hamilton to allow the City to complete a municipal comprehensive review which will 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;
 - (iii) that upon completion of the municipal comprehensive review, City Council request the Province to revise the Greenbelt Plan boundaries prior to the City adopting the Official Plan Amendment relating to Growth Plan conformity and implementation of the Municipal Comprehensive Review;
 - (iv) that notwithstanding the above Recommendations, as part of the current Coordinated Provincial Plan Review, the City of Hamilton requests the Province to give consideration to the following modifications to Greenbelt Plan Protected Countryside area as follows:
 - 1. remove the Lower Stoney Creek lands (104 ha) and the lands north of Parkside Drive, east of Centre Road in Waterdown (28 ha) from the Greenbelt Plan, as indicated on Appendix “D” to Report PED15078(b);

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- (h) That the City of Hamilton re-affirms its previous recommendations from the Planning Committee and Council meetings of December, 2015 to add the following additional lands to the Greenbelt Plan:
- (i) south of Twenty Mile Creek, east of Miles Road, north of Airport Road, and west of Trinity Church Road (approximately 430 ha) to the Greenbelt Plan, as identified on Appendix “E” to Report PED15078(b);
 - (ii) Coldwater Creek Urban River Valley;
- (i) That the City of Hamilton re-affirms its previous recommendations from the June, 2015 Staff Report (Report PED15078) and December, 2015 Staff Report (Report PED15078(a)) regarding Niagara Escarpment Plan boundary revisions, as follows:
- (i) to redesignate the following lands from “Escarpment Rural” to “Urban Area”, as shown on the attached maps marked as Appendices “F1 to F4”:
 - 1. 385 Jerseyville Road West, Ancaster (Robert E Wade Park);
 - 2. 40 and 70 Olympic Drive, Dundas (Hydro One building and Olympic Park);
 - 3. 345 and 363 Jerseyville Road West, Ancaster;
 - 4. 294 and 296 York Road, Dundas;
 - (ii) to add the lands located on the Mountain Brow into the Niagara Escarpment Plan Open Space System (NEPOSS), as shown on the attached map marked as Appendix “E5” to Report PED15078(b), which would allow the City to undertake a Management Strategy / Plan for the lands to address maintenance, views from the Brow among other matters;
- (j) That the City of Hamilton does not support the following requested boundary changes, from private landowners, to the Niagara Escarpment Plan, as identified on Appendices “G1 to G7” to Report PED15078(b):
- (i) 658 Highway No. 8, Stoney Creek;
 - (ii) 1100 Mohawk Road East, Hamilton;
 - (iii) 513, 531, 537 and 545 Dundas Street East and 518 Parkside Drive, Flamborough;
 - (iv) 1105 Lower Lions Club Road, Ancaster;
- (k) That the City of Hamilton encourages the Province to immediately begin, in conjunction with municipalities, the development a land budget methodology with a target completion date of mid-2017;

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- (l) That the Province assists municipalities, both technically and financially, with the implementation of the Provincial Plans by:
 - (i) reviewing existing mandates of other Ministries to remove any barriers to implementation of the Provincial Plans;
 - (ii) working with the federal Government to establish long term funding models and investment strategies;

- (m) That the City Clerk's Office be requested to forward Report PED15078(b) to the Ministry of Municipal Affairs and this Report is considered the City of Hamilton's formal comments on the second phase of the Coordinated Provincial Plan Review.

EXECUTIVE SUMMARY

In May, 2016, the Province released proposed changes to the Growth Plan, the Greenbelt Plan and the Niagara Escarpment Plan (NEP) as part of its Co-ordinated Provincial Plan Review. This Report will provide the City's recommendations on the proposed revisions. The Report highlights policy revisions which are supported by the City, as well as proposed changes which require clarification and / or modification or are not supported by the City. The Report also re-affirms previous recommendations from Reports PED15078 and PED15078(a) regarding proposed policy revisions and mapping / boundary changes to the Greenbelt Plan and NEP.

Alternatives for Consideration – See Page 44

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A
Staffing: N/A
Legal: N/A

HISTORICAL BACKGROUND

The Province has several different Provincial Plans and the Provincial Policy Statement (PPS) that have been developed over different time periods, geographic areas and for different land use planning purposes.

Provincial Coordinated Land Use Planning Review

On February 27, 2015, the Ministry of Municipal Affairs and Housing announced the coordinated review of the following four Provincial Plans:

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- The Growth Plan for the Greater Golden Horseshoe (“Growth Plan”);
- The Greenbelt Plan;
- The Oak Ridges Moraine Conservation Plan; and,
- The Niagara Escarpment Plan.

Planning Committee / Council Directions

June 2015

On June 24, 2015, City Council provided formal comments to the Province on potential changes to the Growth Plan, Greenbelt Plan and the NEP. Changes to the Greenbelt Plan boundary were delayed until public consultation on proposed boundary changes was completed.

The comments focused on broad range of issues including: climate change, intensification, density, transportation and transit, rural areas, urban agriculture, cultural heritage and natural heritage.

This Report will include a review of how the Province’s proposed changes address the City comments presented in the June 24, 2015 Report.

December 2015

On December 8, 2015 City Council provided additional comments to the Province which focused on potential Greenbelt boundary changes and a process for dealing with changes to the Greenbelt Plan and the NEP boundaries.

Council recommended to the Province to amend the Greenbelt Plan to add lands (Nebo Road) and delete lands (lower Stoney Creek and Waterdown). Changes to the Niagara Escarpment Plan included areas around Robert E. Wade Park in Ancaster and York Road in Dundas. The recommendations further requested that the City be given an opportunity to further refine the boundaries of the Greenbelt Plan upon completion of the next municipal comprehensive review.

Provincial Response

In May 2016, the Province released its proposed changes to the above mentioned Provincial Plans. This Report will provide an overview of the proposed changes and will form the City’s response to the proposed changes. The Province has held technical stakeholder information sessions in both Toronto and Hamilton, which were attended by City staff. Further, the Province hosted a Public Open House in Downtown Hamilton on June 21, 2016, which was also attended by City staff.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

This Report is a follow-up report to Reports PED15078 and PED15078(a). A full policy review with regard to the Growth Plan, the Greenbelt Plan and the NEP was included in these reports and remains relevant and applicable to this Report.

RELEVANT CONSULTATION

Internal Consultation

Since the release of the proposed changes to the Provincial Plans, Planning staff have consulted with other staff across the corporation to obtain feedback on the proposed changes. Comments have been received from Public Health Services, Public Works (Transit and Sustainable Initiatives), and Community and Emergency Services. The comments received have been summarized below, with additional commentary on various issues throughout the report.

Public Health Services has provided comments from the Healthy Living Division, Planning and Business Improvement Division, and Health Protection Division:

Healthy Living Division: “The Activity Friendly Communities (AFC) work group supports the 2016 Draft Plans (Growth Plan / Greenbelt Plan) because each plan meets AFC’s goal of making Hamilton healthier by increasing sustainable physical activity opportunities that are available daily where people live, work, learn, and play. Regular physical activity provides health benefits and helps prevent several chronic diseases including cardiovascular disease, obesity, some cancers, Type 2 diabetes, osteoporosis, and some mental health issues.

Public Health Services uses upstream approaches to keep people healthy rather than focussing downstream where people require health care services to treat their illness. By addressing the built environment, Public Health Services takes a proactive, preventative health promotion approach. The focus is on health and wellness for the entire population across the lifespan. Subsequently, the way the built environment is planned, developed, maintained, and modified can support or prevent physical activity. Hence, AFC supports and encourages healthy, sustainable, complete communities as outlined in the Draft Plans that includes mixed use, mixed housing, density, compact design, and transit-oriented development.” (Recommendation (b)(xii)).

This section further notes that the definition of “Active Transportation” should be revised to be consistent with the Provincial Policy Statement definition, which focuses on human powered travel (Recommendation (d)(viii)).

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Planning and Business Improvement Division “supports the two 2016 Draft Plans for the following reasons: The Growth Plan 2016 and the Greenbelt Plan 2016 refer to Priority Populations, such as Aboriginals (First Nations and Métis Communities), newcomers, age-related groups, linguistic communities, low-income families, homeless, urban/rural communities, and people with disabilities, etc. Both Plans mention elements of the determinants of health (DOH), such as, social environment (e.g. recreation, tourism, cultural heritage) and physical environment (water, air quality, soil, local/healthy/affordable food options, housing, urban and rural communities, transit, and transportation modes and design). Other DOH elements include employment (economy and economic development opportunities). Both plans mention the aim of achieving social equity, social, economic, and cultural well-being of all communities.” (Recommendation (b)(xii)).

Health Protection Division: The Health Protection Division has provided extensive comments on topics ranging from climate change, energy planning, stormwater management, water and wastewater resources, and settlement area expansions.

With regards to climate change, this section supports the added emphasis on low impact development and green infrastructure (Recommendation (b)(xi)), but notes that additional direction could be provided on how compact growth could be designed to ensure impacts of extreme weather are minimized. The addition of policy regarding urban agriculture is positive, though this could be further expanded to include green or vegetative roofs. Additional policy direction regarding electric vehicles is suggested (Recommendation (d)(xi)). Definitions of climate change and resilient communities should be added to the Plans (Recommendation (f)(i)).

With regard to energy planning, staff note that Policy 4.2.9.1 will require the City to undertake a Community Energy Plan, which is also a recommendation of the City’s Community Climate Change Plan.

With regard to water resources, this Section has provided comments in relation to the Settlement Area boundary expansion policies of Section 2.2.8.2 of the draft Growth Plan, noting that water and wastewater master plans should be completed and that any boundary expansion should not impact on the water resource system and key hydrologic areas. In this regard, Planning staff note that these policies will be implemented by the City through the upcoming municipal comprehensive review process.

The Health Protection Section notes Policy 4.2.1 of the revised Growth Plan regarding watershed planning and the need for collaboration from Conservation Authorities in this regard.

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Finally, with regard to stormwater management, this Section recommends adding a section outlining the requirement to identify all Combined Sewer Overflows (CSOs) within the municipal jurisdiction and replacing whenever feasible. Staff notes that this recommendation will be reviewed during the update to the Infrastructure Master Plans and GRIDS.

Public Works (Sustainable Initiatives) has provided the following comments, with a particular emphasis on Key Hydrologic Areas, which is a newly defined term in the Plan.

The key hydrologic areas are added to the existing key natural heritage features and key hydrologic features. The definition of these areas is consistent with the areas identified in the Assessment Report as per the Clean Water Act mandate. From a risk mitigation perspective, the municipality is best served to exercise the highest level of protection and consider policies similar with the Source Protection Plan (SPP) policies. Therefore further studies may be necessary to determine what are the applicable threats within those areas and how the Source Protection Plan policies can be extrapolated to the key hydrological areas. Subsequently, further municipal guidelines should be adopted to provide direction to water balance assessment in rural areas (the current Stormwater Guidelines are mainly for urban areas) as well as Low Impact Development Guidelines.

Also it is worth mentioning that most of the SPP policies rely on continuous preventive measures such as Risk Management Plans, Septic Systems Inspection Programs and Salt Management Plans that need to be reviewed periodically. Otherwise, based on a typical one time review and one-stop approval planning process it will be difficult to ensure that “the quality of water infiltrating on the site will be maintained, improved or restored.”

The requirement for soil management practices touches onto this Section’s review as the import of fill has the potential to alter the on-site infiltration or to lead to groundwater contamination.

The shoreline area policies in the context of supporting the drinking water intakes are mentioned. There are a number of policies that could not be implemented in the SPP for the protection of municipal intakes as they relate to the federal government (i.e. highways). This may be an opportunity to revisit those policies or to further advance the scenario based modelling exercises that lead to development of policies.

Climate change policies are another topic that will require further studies and OP policies.

Public Works (Transit) indicate that increased direction is required to support well-functioning local transit, and note that local transit corridors should be identified on Schedule 5 of the Growth Plan (Recommendation (f)(iii)). Direction should also be

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provided related to a long term sustainable funding model for local and regional transportation funding to reflect the increased investments required to implement the Growth Plan objectives.

With regards to the proposed draft, the definition of *Frequent Transit* included in the Growth Plan is service that runs every 15 minutes in both directions throughout the day and into the evening every day of the week. Staff agree with the 15 minute threshold, however, Staff do not agree with the requirement that this frequency must continue into the evening and every day of the week. Many transit agencies will identify frequent service routes by time period (e.g. frequent service peak or daytime only). Also, many frequent services will begin at peak times and then be expanded based on service standards as demand increase. Therefore, staff would suggest that the definition be amended to include more flexibility (Recommendation (d)(vii)).

Priority Transit Corridors are defined as “Emerging *higher order transit* corridors identified as a focus for planning and *intensification*. *Priority transit corridors* are shown in Schedule 5 and can also be identified in accordance with policy 2.2.4.10.” Staff questions what is meant by *emerging* higher order transit corridors. The City of Hamilton has corridors such as the A and T lines that are planned rapid transit corridors. When are such corridors considered emerging? Schedule 5 of the Growth Plan only appears to include the funded B-Line.

Community Services and Emergency Services (Housing Services) supports the added emphasis on secondary suites as part of a diverse range and mix of housing, and the need to accommodate households of all incomes. This Section also supports affordable housing as a part of the increased density around transit corridors.

External Consultation

Staff have met with and / or received correspondence from the following additional individuals and / or organizations with regard to the Provincial Plan Review:

“Book Road West” Landowners

Planning staff met with representatives of the Book Road West Landowners Group. 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. The representatives of the Landowners Group maintain that the lands should not be included in the Greenbelt Plan and provided planning staff with a presentation outlining their position. Staff note that the Book Road West Landowners have also forwarded correspondence directly to the Province in this regard.

“ED Smith” Lands

Planning staff met with the owner and agent of the “ED Smith” lands (between Barton Street and Highway 8) in lower Stoney Creek. The City had recommended that these lands be removed from the Greenbelt Plan, but this recommendation was not carried forward by the Province. The owner and agent maintain that the lands should be removed from the Greenbelt Plan and discussed this position with staff.

Cootes to Escarpment

The City of Hamilton is a partner in Cootes to Escarpment. Staff understands that this organization will be forwarding comments directly to the Province regarding the Provincial Plan review.

In addition to the above, Planning staff met with staff from the Ministry of Municipal Affairs to have a discussion on the proposed changes and to receive clarification on select issues.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The purpose of this Section is to report on the impact of proposed changes to the Provincial Plans and how the changes relate to the recommendations and requests to the Province in Reports PED15078 and PED15078(a). This Section will be broken down into five discussion points:

- new policy directions proposed by the Province;
- new and expanded roles of the Province;
- a summary of how the Province did or did not respond to the previous City recommendations (also attached as Appendices “A” to “C” to Report PED15078(b));
- a discussion of the proposed Greenbelt Plan / NEP boundary changes in relation to the City of Hamilton; and,
- a review of requested mapping amendments to the NEP from private land owners.

1.0 New Additions to the Plans

There are several major policy changes and new policy directions in the Plans, as well as an expanded role for the Province in certain technical areas.

1.1 Change / New Policy Directions

1.1.1 All Plans

1. Greater Linkages between the Greenbelt Plan and Growth Plan

One of the recurring comments regarding the revisions to the Plans was to provide better linkages between the Growth Plan and the Greenbelt Plan to recognize that the two plans work together to guide growth and protect agricultural and natural heritage systems. Examples of how this inter-relationship has been strengthened include: the application of the natural heritage policies in the Greenbelt Plan to be applied to the ‘whitebelt’ area, and Growth Plan policies for ‘modest’ expansions being applied to expansions of Towns in the Greenbelt area (e.g. Waterdown and Binbrook), if expansion is warranted. Consistency between the Plans has also been improved in terms of terminology and definitions. The City is supportive of these changes (Recommendations (b)(i) and (ii)).

2. *Climate Change*

A new focus on climate change has been added to all three Plans. In terms of the Growth Plan, staff notes that a new guiding principle has been added regarding a direction to “integrate climate change considerations into planning and managing growth such as planning for more resilient *infrastructure* and moving towards *net-zero communities* by incorporating techniques to reduce greenhouse gas emissions.” There is a significant emphasis on integrating *green infrastructure* and *low impact development* into the planning of our communities (policies 2.2.1.3(f), 3.2.1.4, 3.2.7.1(c), and 3.2.7.2). Further, there is a direction that infrastructure planning must consider impacts of extreme weather (3.2.7.1(b)). The revised plans also have greater emphasis on active transportation, local food and agricultural supports, all of which contribute to adaptation and mitigation of climate change impacts.

The Greenbelt Plan contains similar policies, including an addition to the vision statement of the Greenbelt as a Plan which “builds resilience to and mitigates impacts of climate change”. There is a new Policy direction to integrate climate change considerations into planning and managing the Agricultural System, Natural Heritage System and Water Resource System in to reduce emissions and build resiliency to climate change (Policy 1.2.2.6). The NEP has included policies regarding the reduction of greenhouse gas emissions, improved air quality, and reduced energy consumption, to work toward the goal of net zero communities and building resilience to climate change.

However, staff notes that there are specific areas where the new direction regarding climate change is lacking. There is a lack of direction to municipalities on how to implement some of the policies, including the Policy direction to develop strategies to reduce greenhouse emissions and improve resilience to climate change through land use planning, and the direction to “reflect consideration of the goal of *net-zero communities*” in establishing emission reduction targets (Growth Plan policy 4.2.10

(c). Further, the revised Plans provide more direction on emission reduction and less on adaptation and mitigation strategies. Finally, certain terms remained undefined, including both “climate change” and “resilient communities”, despite the request from the City of Hamilton to include these definitions. In addition, the term *net zero communities* has been defined in the Greenbelt Plan and the Growth Plan, but not in the NEP.

On June 8, the Province released the Climate Change Action Plan, a five year plan to fight climate change and reduce emissions. This Plan identifies actions to be taken over the next five years, broken into ‘action areas’ including, but not limited to, land use planning, transportation, and buildings and homes. The following actions are included as land use planning actions in the Climate Change Action Plan:

- require electric vehicle parking in surface parking lots;
- setting green development standards including sustainable transportation management;
- amending the *Planning Act* to identify climate change as a matter of provincial interest;
- requiring municipalities to make climate change adaptation and mitigation policies mandatory in Official Plans; and,
- eliminating minimum parking requirements in municipal zoning by-laws, especially in transit corridors and high density communities.

Other actions identified in the Plan include amendments to the Building Code to support emission reductions, greater emphasis on electric vehicle charging in new homes and some workplaces, emphasis on cycling infrastructure and bicycle parking, low carbon fuels, education and grants and funding.

While there is overlap between the Growth Plan policies and the Climate Change Action Plan in some areas (e.g. requirement to develop Official Plan policies to address climate change adaptation and mitigation), there is overall a lack of clarity on how the two Plans will work together to assist municipalities with implementation of the climate change policies.

Recommendation (d)(xi):

Provide clarity regarding policy 4.2.10 (Climate Change) of the Growth Plan with respect to how these policies can be implemented at the local level, including the direction to develop strategies to reduce greenhouse emissions and improve resilience to climate change through land use planning, and the direction to “reflect consideration of the goal of *net-zero communities*” in establishing emission reduction targets.

Recommendation (f)(i):

Definitions of climate change and resilient communities should be added to all Plans.

3. *Excess soil management*

Policies have been added to the Growth Plan (4.2.9.2 and 4.2.9.3) and the Greenbelt Plan (3.4.2.5 and 3.4.2.6) regarding soil reuse and excess soil management. The policies encourage municipalities to develop soil reuse strategies which will integrate sustainable soil management into planning approvals. Further, municipalities and industries are required to use best management practices for excess soil and fill management during development and site alteration. The policies will encourage soil reuse and sustainable management practices which will reduce adverse effect on surrounding properties and the environment, and are supported by staff (Recommendation (b)(vii)). Staff note that additional policy direction regarding construction management, approvals / permits, and stormwater runoff could strengthen these policies further.

1.1.2 Growth Plan for the Greater Golden Horseshoe

1. *Changes in Built Boundary and Intensification Targets*

The intensification target, the greenfield density target and the built boundary work together for the purposes of establishing the distribution of development throughout the urban area.

The built boundary is the dividing line between the built-up areas, which are subject to the existing, in effect 40% intensification rate under the current Growth Plan, and the greenfield areas, which are subject to the 50 persons and jobs per hectare (pjh) under the current Plan.

The 40% intensification rate within the built boundary requires that 40% of all newly created units must be built within the built boundary. The 50 pjh is a different measure that is applied to development across all the greenfield areas (areas outside the built boundary); it measures the number of people and jobs that are planned for the greenfield area. The greenfield areas included lands that have been planned for many years at lower densities than 50 pjh but were not developed as of 2006. As a result, newly developing areas were required to make up the difference between older secondary plans and employment areas (37 pjh) to create an average of 50 pjh across the entire greenfield areas.

It appears the requirements of the municipality to conform to the intensification target would occur as part of the next municipal comprehensive review whereas the 80 pjh would be effective once the revised Growth Plan is in effect. Having different time frames for implementation will make it very difficult on existing planning processes.

Built boundary

The Province is not proposing any changes to the built boundary. Ten years have passed since the built boundary was established and many of the greenfield areas have been built or planned for future urban development. Over time, these developed greenfield areas have the potential to “intensify” yet they would still be considered as “greenfield”. Any intensification in these areas would not be considered in the intensification rate. Furthermore, this built boundary has a significant effect on the proposed 80 pjh because it includes lands that have been planned at densities far less than 50 pjh. (see discussion on greenfield targets)

Change in greenfield density target from 50 pjh to 80 pjh, and change in features removed from the greenfield density calculation

The Province is proposing a two pronged approach to greenfield densities. First, increasing the pjh target from 50 to 80; and two, changing the methodology for calculating greenfield densities.

The change in calculation for greenfield density is to remove *prime employment areas* (see discussion of this new term on page 23), hydro, rail, and transportation corridors from the density calculation, in addition to natural heritage lands which are already exempted. This change is intended to offset the increase in the pjh from 50 to 80. Staff are supportive of this policy change to include prime employment areas in density ‘takeouts’ (Recommendation (b)(iv)). However, it is noted that in Hamilton’s case, the ‘takeouts’, other than prime employment areas, do very little to offset the increase to 80 pjh, since many of these features are currently within the built boundary.

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Growth Plan Requirements (existing and proposed)	Hamilton’s greenfield densities (including approved Secondary Plans)
Existing Growth Plan (50 pjh, and only natural heritage features exempted)	47 pjh
Proposed Growth Plan (80 pjh, with additional exemptions)	57 pjh
Note: these calculations are not the same as a land budget calculation	

Based on the current 50 pjh and using the proposed growth plan methodology, the future Elfrida area will have to be planned to a density that would well exceed 80 pjh to make up for the lower densities planned and approved by Council for unbuilt greenfield areas such as Fruitland-Winona. At this point in time, it is difficult to determine the extent of the impact.

The rationale for the change from 50 to 80 pjh is based on the level of density that supports transit service; these numbers are part of the Province’s Transit Supportive Guidelines. Basic transit service (20-30 minutes) requires 50 pjh or 22 units per ha. Frequent transit service (a bus every 10-15 minutes) requires 80 pjh or 37 units per ha. These changes represent a 60% increase in the pjh and a 68% increase in the number of units per ha from the previous targets. As such, it is important that the Province provide a long term sustainable funding model to ensure that the full range of “hard” and “soft” infrastructure and services are provided to sustain the transit supportive community envisioned by the Growth Plan, as further discussed on page 31.

Change in intensification target from 40% to 60% within the built boundary

The Province is proposing to increase the intensification rate within the built boundary from 40% to 60% (policy 2.2.2.3). This change has a significant impact on the City.

In 2013, Hemson Consulting undertook technical background work for the Province which supported the 2031 B, 2036 and 2041 growth targets in the Growth Plan including the number of dwelling units that are required to meet the population targets on the basis of unit type (single/semi, townhouses, apartments). Based on 40% residential intensification (RI) rate, 14,628 units will have to be built within the built boundary; at a 60% RI rate, the units required are 21,942. Almost all the units to be built within the built boundary will be apartments, multiple dwellings in particular; Hemson calculated the demand for apartments to be 13,560 units. At

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the 60% RI rate the supply of apartments (21,942) would exceed demand (13,560) by 62%.

Furthermore, municipalities are required to provide for an appropriate range of housing to meet long term needs (Policy 1.1.1. b); PPS). Units built within the built boundary will be primarily in the form of apartments, with some limited opportunities for townhouses. To accommodate the remaining units, any future urban boundary expansion areas will be built for singles/semis and townhouses. A new urban area of singles/semis does not meet the Growth Plan requirement nor does it meet the requirement for complete communities (Policy 2.2.1.2)

Summary:

City staff has serious concerns about the changes to the intensification and density targets as well as the static built boundary since the targets and the built boundary are interrelated. These concerns would be reduced should the Province consider the following:

- The Province should provide statistical information to ensure that municipalities can meet the unit mix as identified in the background material prepared by Hemson Consulting which is the basis of the 2041 population and employment targets.
- If the built boundary were to be adjusted to include the recently developed greenfield areas in the built boundary, this change would increase the area available for intensification.
- The 80 pjh should not be applied to current Council-approved Secondary Plans since this target will require a density of well over 80 for newly developed areas to make up for the shortfall of the existing secondary plans. Instead, this new target should be required for Plans approved after a certain date.
- Cemeteries, landfills, infrastructure and public parks should be added to the list of greenfield density 'take outs'.

Recommendation (c):

That the City of Hamilton is not in a position to support the increase in the intensification target from 40% to 60%, the increase in the persons and jobs per hectare for greenfield areas from 50 pjh to 80 pjh, and the static built boundary, until such time as the Province evaluates the impact on housing mix

and demand in Hamilton, in conjunction with City and Provincial direction to ensure complete communities (Growth Plan).

Recommendation(d)(ii):

In the event the Province proceeds with increases to the intensification and density targets, the following changes are recommended to be undertaken as a package since the targets and built boundary are interrelated:

1. Revise the built boundary to include developed “greenfield areas”, since they are more appropriate to be included within the built-up area.
2. Amend policy 2.2.7.2 of the Growth Plan regarding the increase in the minimum greenfield density target to 80 persons and jobs per hectare (pjh) to indicate that this target shall not apply to greenfield areas which have already been developed, or undeveloped land in a Council-approved Secondary Plan.
3. Amend policy 2.2.7.3 of the Growth Plan to add cemeteries, landfills, infrastructure (stormwater management ponds, roads) and public parks to the features to be excluded from the greenfield density calculation.

2. *New Target regarding Major Transit Station Areas*

The new policy 2.2.4.5 requires a density of 160 pjh within 500 m of a LRT or bus rapid transit stop. The definition of *major transit station area* has been changed to include stops in addition to stations. There are 13 stops along the B-line LRT corridor, each at varying densities. In some cases the stops will exceed the 160 pjh and others may be below this threshold. In addition, there would be a requirement to do tertiary plans around these stops to identify if any land use changes are required.

The new policy also requires a minimum density of 150 pjh within 500 m of a GO Transit station. This density target would be applicable to all existing or future stations, including Centennial Parkway and Fifty Road, surrounded by low density land uses.

The City recommends that the wording of policy 2.2.4.5 be amended as below to provide discretion as to where this level of density is appropriate, and to amend the definition of *major transit station area* to provide greater flexibility:

Recommendation (d)(v):

Amend policy 2.2.4.5 of the Growth Plan to add the words “Municipalities will identify” before the word “Major”, which will allow the City to identify which *major transit station areas* will be planned at the higher density, as follows:

“2.2.4.5 Municipalities will identify *Major transit station areas* that will be planned to achieve, by 2041 or earlier, a minimum gross density target of:

- b) 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit; or
- c) 150 residents and jobs combined per hectare for those that are served by express rail service on the GO Transit network.”

Recommendation (d)(vi):

Amend the definition of *major transit station area* to provide discretion as to where the additional level of density is appropriate by adding the following text to the end of the second sentence “or an alternate area as defined by the municipality.”

3. *Transit Planning*

Further to the above regarding the density target around *major transit station areas*, there is also greater emphasis on transit planning through section 2.2.4 Transit Corridors and Station Areas. In addition to the density target, this section provides direction on planning around *major transit station areas*, including zoning and alternative development standards, affordable housing and mix of land uses.

Priority Transit Corridors is a new term defined as emerging higher order transit corridors identified on Schedule 5 and to be a focus for intensification. Staff note that the B-line is identified on Schedule 5 (as requested by staff), but other lines such as the A and T lines, as identified in The Big Move, are not shown. In this regard, staff re-iterate the recommendation from the June, 2015 Staff Report PED15078 below.

The term *frequent transit* service is a new term defined as a transit service that runs at least every 15 minute throughout the day into the evening, every day of the week. There is a policy direction to define areas with access to *frequent transit service* as *strategic growth areas* and establish minimum density targets.

With regards to the definition of *frequent transit service*, staff note that the City of Hamilton does not have a definition of “frequent service”, but note that generally

transit agencies use a period of 10 or 15 minutes as the threshold for minimum frequent service. As such, staff are in agreement with the 15 minute interval identified in the definition, but staff do not agree with the requirement that this frequency must continue into the evening and every day of the week. Many City of Hamilton routes provide 10 to 15 minute service during weekday, daytime hours, but the frequency is reduced to greater than 15 minutes in the evening, particularly on routes that cater to commuters. Many transit agencies will identify frequent service routes by time period (e.g. frequent service peak or daytime only), or frequent service may begin at peak times only but be expanded as demand increases. The operational needs of the customer / businesses being served by the route must be considered, for example a large commercial shopping centre would require different frequencies than an industrial / warehouse facility. Therefore, staff suggest that the definition be amended to include more flexibility, as per the Recommendation below.

Recommendation (f)(iii):

The future A and T transit lines, in accordance with the directions of The Big Move, should be added to Schedule 5 of the Growth Plan.

Recommendation (d)(vii):

Amend the definition of *frequent transit* service to provide greater flexibility to municipalities in how this term should be defined (e.g. daytime only and / or weekday only) and to recognize that frequency of service may evolve as demand increases and to respond to customer needs.

4. *Identification of Prime Employment Areas/Office Parks*

The Province has introduced a new definition – *prime employment areas* - which are areas designated in Official Plans for land extensive and low density employment uses such as warehousing, manufacturing and logistics, and which prohibit residential and institutional uses, and retail, commercial and office uses that are not ancillary to the primary employment use. These areas are to be located in the vicinity of major highway interchanges and goods movement facilities and corridors. Both the City and the Province may also identify additional *prime employment areas*. The City is generally supportive of the concept of *prime employment areas*, including the restriction on institutional uses, as per Recommendation (b)(iii), as this is consistent with the City's recommendation in Staff Report PED15078 (June, 2015).

However, staff have a concern with the blanket restriction on office uses (which are not ancillary to an employment use) within the *prime employment areas*. In this

regard, the definition of *major office* has been revised in the Growth Plan to include freestanding office buildings of 4,000 sq m or greater, whereas in the existing Plan this term is defined as office buildings of 10,000 sq m or greater. In keeping with this reduced threshold for *major office* classification, Staff would suggest that policy 2.2.5.5 be amended to prohibit *major offices* which are not ancillary to the employment use within the *prime employment area*, as opposed to the current prohibition on all offices, as per the recommendation below. Further, staff note that the approved Airport Employment Growth District (AEGD) Secondary Plan permits office uses to a maximum of 9,999 sq m within this *prime employment area*. It is also noted that the change in the definition of major office to include freestanding buildings of 4,000 sq m or greater will have an impact on how the City plans its employment lands, as previous planning and forecasts have been based on the 10,000 sq m or greater definition. As such, it is recommended that the definition of *major office* in the current Growth Plan be maintained.

Recommendation (d)(ix):

Amend policy 2.2.5.5(a) of the Growth Plan to add the word “major” before the word “office”, as follows, so it is clear the prohibition does not apply to small-scale, ancillary office uses:

“2.2.5.5 *Prime employment areas* identified in accordance with policies 2.2.5.3 and 2.2.5.4 will be designated in official plans and protected for appropriate employment uses over the long-term by:

- a) Prohibiting residential and other sensitive land uses, institutional uses, and retail, commercial and major office uses that are not ancillary to the primary employment use; and”

Recommendation (d)(x):

Maintain the definition of *major office* from the current Growth Plan, which refers to freestanding office buildings of 10,000 sq m or greater, which is consistent with the City’s employment area policies of the Urban Hamilton Official Plan (UHOP) and Airport Employment Growth District (AEGD) Secondary Plan.

In addition, the concept of Office Parks has been introduced. Office Parks are employment areas with significant concentrations of offices with high employment densities. Some of the City’s existing industrial parks have higher concentrations of offices (West Hamilton Innovation District, Stoney Creek). The Province has not determined how the City’s industrial parks with office components will be designated within the Official Plan.

5. *Strategic Growth Areas*

The Province has introduced *strategic growth areas*, defined as areas:

“Within *settlement areas*, nodes, corridors and other areas that have been identified by municipalities or the Province to be the focus for accommodating *intensification* and higher-density mixed uses in a more *compact built form*. *Strategic growth areas* include *urban growth centres*, *major transit station areas*, *mobility hubs* and other major opportunities that may include infill, *redevelopment*, *brownfield sites*, the expansion or conversion of existing buildings, or *greyfields*. Lands along major roads, arterials or other areas with existing or planned *frequent transit service* or *higher order transit corridors* may also be identified as *strategic growth areas*.”

Municipalities shall identify the type and scale of development in *strategic growth areas* to support achievement of the minimum intensification target of the Growth Plan, however there are no specific density requirements for these areas. The City supports this concept (Recommendation (b)(v)) as it addresses the previous concern identified by the City regarding policy recognition that intensification may not be appropriate in certain areas.

6. *Natural Heritage System Policies in Whitebelt area will be subject to the Greenbelt Plan policies on natural heritage system*

To provide for a better link between the Growth Plan and the Greenbelt Plan, the Province is proposing a consistent approach for natural heritage system policies for lands outside the urban area (both Greenbelt Plan and Whitebelt lands) by applying the natural heritage system policies to the whitebelt lands.

Staff support this change because it provides a consistent policy direction for rural lands and it is not a departure from the City’s existing OP policy framework (Recommendation (b)(vi)).

7. *Other New Policy Directions*

Other new policy directions include the introduction of urban agriculture and promoting local food, which is supported by the City and consistent with existing City policy direction.

1.1.3 Greenbelt Plan

1. Introducing Settlement areas as Complete Communities

The definition of *settlement areas* includes Urban Areas, Towns, Villages and Hamlets. Within Hamilton, Waterdown and Binbrook are considered Towns, and the Rural Settlement Areas (RSAs), which are identified on Schedule D of the Rural Hamilton Official Plan (RHOP), are considered Hamlets. There are a total of 19 RSAs in Rural Hamilton, and they vary greatly in terms of size, population, servicing and community facilities. Some of the RSAs, notably Greensville and Carlisle, contain a significant amount of historical residential development, and therefore have developed into small communities that contain institutional uses (schools, churches), community centres and services, and small scale commercial development. Other RSAs are comprised of only a small number of residential dwellings with no institutional or commercial uses. The majority of the RSAs fall somewhere between these two extremes, with residential uses, a school or church, and a handful of small commercial / service uses. In terms of servicing, the majority of the RSAs have developed fully on private services, with the exception of four RSA's which are on a municipal water supply. The planned function of these RSAs is to accommodate rural, non-farm development and to provide for a limited amount of small scale commercial / service and institutional uses to serve the needs of the local residents. Expansion of the RSAs beyond their current boundaries is not anticipated or permitted by the policies of the RHOP.

Within the revised Greenbelt Plan, all of the Hamlets (RSAs), are subject to the Growth Plan including the concept of complete communities. There are a number of Rural Settlement Areas (Hamlets) which will never develop to be complete communities, nor are they planned to become complete communities, due to servicing and population constraints noted above.

As such, staff recommend that Policy 3.4.4.1, which requires Hamlets to be subject to the Growth Plan, be revised to indicate that Hamlets will not be subject to the complete communities policies.

Recommendation (d)(xiv):

Revise policy 3.4.4.1 of the Greenbelt Plan to indicate that Hamlets shall not be subject to the policies of the Growth Plan regarding complete communities, as rural Hamlets serve a different function in the overall planning structure than urban Towns and Villages, and due to size, population and servicing constraints, will not develop with full community services;

Staff also note policy 3.4.2.2 which requires municipalities to incorporate policies in the official plan to facilitate the development of community hubs within settlement areas. Staff are supportive of this direction (Recommendation (b)(ix)) since some of the City's Rural Settlement Areas contain more than one public facility.

2. *Expansions to Towns and Hamlets*

Within Hamilton, and across the Greenbelt area, there is a wide range and diversity in the form, scale and function of Towns and Hamlets. Based on the Growth Plan, Binbrook and Waterdown are classified as Towns. Unlike other Towns within the Greenbelt Area, both Binbrook and Waterdown are on full municipal lake-based services. Proposed Policy 2.2.8.2.m) of the Growth Plan allows for modest expansion of these two areas. Modest has not been defined; therefore leaving the interpretation open and subject to potential OMB hearings on the extent of 'modest'. Staff propose a revision to policy 2.2.8.2 m) of the Growth Plan, as per below. Staff also suggest that the revised wording of policy 2.2.8.2 m), which is currently only in the Growth Plan, be added to the Greenbelt Plan for clarity.

Recommendation (d)(xiii):

Amend policy 2.2.8.2(m) of the Growth Plan to provide guidance on the meaning and subsequent implementation of the term 'modest' (e.g. 5% of total land area, lands divided by major roads, watercourses, etc.) as it relates to the expansion of Towns/Villages in the Greenbelt Plan area, and the revised policy be incorporated into the Greenbelt Plan to ensure consistency between Plans;

3. *Introducing the concept of an Agricultural Support Network*

The Province recognizes that protection of agricultural lands alone will not assist with the viability and economic prosperity of the agri-food/business sector. A new term, *agricultural support network*, has been introduced that promotes long term planning for economic development, infrastructure, goods movement for agriculture, preparing agri-food strategies, supporting near urban agriculture, agri-food, and agri-business.

This concept is very important and has a direct link to Employment Areas within the urban area as they also accommodate many agri-food and agri-businesses. It also recognizes that infrastructure, on-farm and agriculture related businesses are equally important elements of a strong agricultural sector. Staff support this change (Recommendation (b)(viii)).

4. *Requiring City to Identify Key Hydrologic Areas*

The new term of *Key Hydrologic Areas* has been added to the Greenbelt Plan, and is defined as areas which contribute to *hydrologic functions* of the Water Resource System, maintain ground and surface water quality and quantity, are sensitive to contamination and feed *key hydrologic features* and drinking water sources. *Key hydrologic areas* include: *Significant groundwater recharge areas; Highly vulnerable aquifers; and Significant surface water contribution areas.*

The new policies require *key hydrologic areas* to be identified, and restricts *major development* within a *key hydrologic area* subject to satisfying certain criteria (i.e. maintaining hydrologic function, infiltration rates, and water quantity and quality). *Major development* is defined as the creation of 4 or more lots; construction of a building with greater than 500 sq m ground floor area; or a major recreational use.

This new policy approach will require the City to undertake additional studies to identify the *key hydrologic areas*. Further studies may be necessary to determine what are the applicable threats within those areas and how the Source Protection Plan policies can be extrapolated to the *key hydrological areas*. The impact in terms of mapping resources and implementation of these policies is not known at this time. However, staff are concerned about the impact on the agricultural community as a result of this policy change. The development of a new agricultural building could be negatively impacted by these policies because the definition of *major development* includes a building with greater than 500 sq m ground floor area. Until mapping has been completed, the impact of this policy change is not known. To address this issue, it is recommended that:

Recommendation (d)(xvi):

Amend the definition of *major development* in the Greenbelt Plan as related to development within *key hydrologic areas* to provide an exemption for agricultural buildings, or to increase the minimum ground floor area for agricultural uses.

5. *Other Natural Heritage System Changes*

In addition to the new direction on key hydrologic areas, additional changes regarding natural heritage system policies are proposed. Additional policy direction has been added to clarify that on-farm diversified uses and agricultural-related uses are permitted in the natural heritage system, in addition to agricultural uses, and further, to provide clarity on the requirements that need to be satisfied when establishing such a use (a natural heritage evaluation will not be required within 120

m of a key natural heritage feature provided certain criteria are met). Staff has no concern with this change.

Staff note the addition of Policy 3.2.5.9 which allows for the reduction in the width of a Vegetation Protection Zone (VPZ) for new agricultural or agriculturally-related buildings when situated adjacent to a stream which is an agricultural swale, roadside ditch or municipal drain, only within the Tender Fruit and Grape Area, provided certain conditions are met. Staff are supportive of this concept, but recommend that it should be expanded to all lands within the Protected Countryside, as follows:

Recommendation (d)(xv):

Amend policy 3.2.5.9 of the Greenbelt Plan, which allows for the ability to vary the size of Vegetation Protection Zones (VPZs) for new agricultural buildings adjacent to certain stream types, to apply to all lands within the Protected Countryside and not only the Tender Fruit and Grape Area.

Staff further note that policy 3.2.5.6 has been updated in terms of protection for habitat of endangered and threatened species, however, staff would suggest that the wording of the PPS could be used to provide greater clarity.

Recommendation (d)(xvii):

Revise policy 3.2.5.6 of the Greenbelt Plan regarding *habitat of endangered species and threatened species* to be consistent with policy 2.1.7 of the PPS 2014, which is written with greater clarity and provides consistency between the Plans.

The revised policies strengthen the requirement for watershed planning and watershed management approaches to growth and development, which is consistent with the City's current practices and Official Plan policies.

6. *Growing the Greenbelt and Urban River Valley Policies*

The Province has provided clarification regarding opportunities to grow the Greenbelt, by including a new policy 5.7.1.4 – Municipal Requests. Municipalities may request to grow the greenbelt, provided certain criteria are met (including supportive council resolution and demonstrating connection to the Greenbelt).

Section 6, Urban River Valley Policies, has been added to the Plan, which recognizes the importance of connections to Lake Ontario and connections between urban and rural lands. However, the policies apply only to publically

owned lands, and therefore the additional protection to these lands beyond what is already provided in the PPS and the UHOP / RHOP is minimal.

Staff have no concerns with the above noted additions.

7. *Other New Policy Directions*

The Province has provided direction regarding *agricultural impact assessment* and the requirement for an *agricultural impact assessment* to be completed when a non-agricultural use is proposed in the prime or specialty crop area. Further, policy 3.1.3.5 indicates that land use compatibility must be promoted to minimize and mitigate adverse impacts on the agricultural system where agricultural and non-agricultural uses interface, based on provincial guidance. The nature of the provincial guidance has not been specified. Until further guidance is provided on this topic, staff support cannot be determined.

1.14 Niagara Escarpment Plan

1. *Policy Clarifications*

Updates to the NEP are largely in the form of policy clarifications to improve consistency between the NEP and other provincial plans in terms of natural heritage, cultural heritage, agricultural and agricultural-related uses and mineral aggregate uses.

Staff note that the Existing Use policies (sec. 2.3) have been updated to provide clarification on the expansion of existing uses and how these are to be evaluated. The permission for a 'minor' expansion has been clarified to refer to expansions which will not exceed 25% of the original building footprint, unless a greater expansion can be shown to have no negative impact on the escarpment environment. Staff are supportive of this change to provide additional clarity in this regard (Recommendation (b)(x)).

2. *Secondary Dwelling Units*

Staff note that Secondary Dwelling Units has been added to the permitted uses within the Escarpment Rural Designation, as well as development criteria related to the use. The development criteria restricts the number of secondary dwelling units on a single property to one, and shall only be permitted within a dwelling and not within an accessory building. The floor area of the second unit is to be proportionate to the size of the single dwelling and shall not have a negative impact on the Escarpment environment. Staff are not supportive of this addition, and note that the City's Rural Hamilton Official Plan does not permit secondary dwelling units (with the exception of a temporary farm labour residence or a temporary garden

suite) due to concerns over servicing impacts. Staff note that removal of Secondary Dwelling Units as a permitted use in the Escarpment Rural designation will not prohibit the establishment of a temporary farm labour residence, as that is a separately permitted use in the NEP.

Recommendation (d)(xviii):

That the list of permitted uses within the Escarpment Rural Designation of the Niagara Escarpment Plan be revised to remove Secondary Dwelling Units.

1.1.5 Beyond Land Use Planning

1. *Provincial Plans are more than land Use Plans*

Staff note that certain policy additions to both the Growth Plan and the Greenbelt Plan go beyond the traditional land use planning realm. For example, the policy direction surrounding the Agricultural Support Network includes a requirement to prepare agri-food strategies and to undertake long term planning for agricultural economic development. These directions will require implementation through strategies and guidelines that are not related to land use planning. Further, direction on climate change requires municipalities to develop greenhouse gas inventories for transportation, buildings, waste management, and municipal operations. Once again, implementation of this policy direction will require a means other than traditional land use planning tools. As such, staff recommend that a statement be added to the introduction section of the Growth Plan and the Greenbelt Plan to indicate that these Plans are not land use plans in their entirety, as certain policies in the revised plans go beyond land use planning and will require implementation through other means.

Recommendation (d)(i):

Add a statement to the introduction section of the Growth Plan and the Greenbelt Plan to indicate that these Plans are not land use plans in their entirety, as certain policies in the revised plans (e.g. agricultural support network, climate change) go beyond land use planning and will require implementation at both the Provincial and local level through other tools, regulations, policies and guidelines.

2. *Long-term Sustainable funding to implement Provincial Plans*

As noted in the section above, the Provincial Plans have evolved and they incorporate other strategies, tools, and regulations that are necessary to implement these Plans. The Growth Plan changes, in particular, require significant shifts in

people's market preference for housing, transportation choices and needs, business investment and opportunities. These shifts require substantial investment in transportation (increasing frequency of buses), and soft and hard infrastructure. Municipalities do not have the financial resources to increase bus service to many areas with a 10-15 minutes bus interval; build and maintain community infrastructure and programs; and invest in upgrading existing infrastructure to accommodate the increased number of units which are projected to be built inside the urban area. Schools are an essential part of a complete community, and provision of such facilities will be required to accommodate the increased population within the built boundary in addition to greenfield areas. There are also existing barriers in other Ministries (e.g. Ministry of Education) that are counterproductive to the implementation of the Growth Plan.

Recommendation (I):

The Province assists municipalities, both technically and financially, with the implementation of the Provincial Plans by:

1. reviewing existing mandates of other Ministries to remove any barriers to implementation of the Provincial Plans; and,
2. working with the federal Government to establish long term funding models and investment strategies.

3. *Transition Requirements*

Often when new Plans are introduced there are policies on transition to ensure that on-going planning processes can continue without reflecting new directions. When Amendment No. 2 (new growth forecasts) to the Growth Plan was adopted in 2013, the Plan included a specific policy on transition which indicated that if the Official Plan was at the Ontario Municipal Board (OMB), the new growth forecasts did not apply and the municipality must use the 2031A forecast. Staff recommend that this should be revised, as below.

Staff also note that transition regulations should be provided to address the situation of existing planning approvals before the OMB (e.g. secondary plans or draft plans of subdivision). Bill 51 indicates that OMB decisions must apply the Plan in affect as the time the decision is made. Transition regulations are needed which will provide clarity for municipalities in this situation as the new Plan could have an impact on existing planning matters before the OMB.

Recommendation (d)(iii):

Revise the Growth Plan policy requiring adherence to the 2031A forecasts to remove the reference to 'A' because the 2031A forecasts are outdated.

Recommendation (d)(iv):

Add transition regulation policies to all Plans, including a policy to address existing planning matters before the Ontario Municipal Board.

1.2 Expanded Roles of the Province

The Province is taking on a greater role in some areas, providing municipalities with direction (mandatory requirements) or guidance materials. More specifically:

1.2.1 Preparation of a common land budget methodology for employment and non-employment lands

Recommendation 14 of Staff Report PED15078 recommended the Province work with municipalities to develop a standardized methodology for both employment and non-employment land budgets.

A new policy 2.2.1.5 has been added which states that “The Minister will establish a methodology for assessing land needs to implement this Plan.” The City is supportive of the concept of the Province’s direction of a common land budget methodology as it will eliminate appeals to the OMB on land budget methodologies. However, it is not possible to determine if staff will support the methodology until the methodology is completed and staff have an opportunity to review it and how it will address the new density and intensification targets.

Staff encourage the Province to develop the methodology now, with input from the municipalities, since most of the municipalities have started their 2031-2041 municipal comprehensive review.

Recommendation (k):

That the City of Hamilton encourages the Province to immediately begin, in conjunction with municipalities, the development a land budget methodology with a target completion date of mid-2017.

1.2.2 Province will map the Agricultural System using a LEAR system

The Province is proposing to undertake a Land Evaluation Area Review (LEAR) system to determine prime agricultural lands. The City prepared their own LEAR using criteria suitable for Hamilton as well using the knowledge of the Agricultural and Rural Affairs Committee members. The Province did a LEAR for the Tender Fruit and Grape area that differed from the results that Hamilton had. Notwithstanding the City's robust LEAR, the Province made their own determination of not only specialty crop lands, but also other prime agricultural lands, and required the City to designate lands according to the provincial LEAR. In recent years, other municipalities have also undertaken LEARs. Staff feel it is not necessary, nor appropriate, for the Province to undertake a LEAR for those municipalities which have already completed their own LEAR, because the methodology and the scale they will use will not reflect Hamilton's or other municipalities' specific characteristics.

Recommendation (e):

The City of Hamilton does not support the creation of provincial mapping of the Agricultural System (LEAR study) for those municipalities that have already completed their own LEAR (Greenbelt Plan).

1.2.3 Minister/Province may identify additional prime employment areas, additional priority transit corridors, lands to be added to the Greenbelt

Policies have been added which give the Province and/or the Minister the authority to identify certain areas beyond those identified by the municipality, including additional *priority transit corridors or mobility hubs*; additional *prime employment areas*; and additional lands to be added to the Greenbelt.

1.2.4 Province will provide guidance on compatibility where agricultural and non-agricultural uses interface

The Province will be releasing guides in the future.

2.0 Provincial Response to City Comments

2.1 Response to Recommendations in Report PED15078 (June, 2015)

Staff Report PED15078 identified a series of recommendations to the Province to be considered as part of the Co-ordinated Provincial Plan Review. These recommendations were based on feedback from the public and staff consultation.

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Summary charts highlighting the key recommendations were attached to Report PED15078, and are attached to this Report as Appendices A, B and C. The charts have been updated to identify the response, if applicable, from the Province regarding each recommendation. Some of the responses to City comments have already been addressed on Section 1 of this Report. An overall summary of the additional key responses is provided below.

2.1.1 Positive responses to City recommendations:

The following is a list of key recommendations from the City which have been incorporated into the revised Plans. The City supports these changes, as noted in Recommendation (b):

- Improved consistency in terms of definitions and policy direction amongst the three plans (All Plans);
- Restriction of Institutional uses within *prime employment areas* (Growth Plan);
- Exclusion of *prime employment areas*, infrastructure, and transportation corridors from greenfield density calculation (Growth Plan);
- Identification of *strategic growth areas* (Growth Plan);
- Greater emphasis on *low impact development* (All Plans);
- Expansion of natural heritage policies from the Greenbelt Plan into the ‘whitebelt’ lands (Growth Plan);
- Stronger link between public health and land use planning (All Plans);
- Introduction of the *Agricultural Support Network* and inclusion of *on-farm diversified uses* as part of agriculture, consistent with PPS (Greenbelt Plan);
- Stronger emphasis on cultural heritage conservation, and consistency in definitions (all Plans); and,
- Clarity regarding existing uses (NEP).

2.1.2 City Recommendations that have not been addressed in the revised Plans:

The following is a summary of key recommendations from the City in Report PED15078 which have not been addressed in the revised plans, and which are re-affirmed to the Province as outstanding recommendations, as per Recommendation (f) of this Report:

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All Plans:

- Add definitions of ‘climate change’ and ‘resilient communities’ (Recommendation (f)(i)).

Growth Plan:

- The growth forecasts should be developed with a range and not one definitive number (Recommendation (f)(ii)).
- The population and employment forecasts should be reviewed as part of the ten year Plan review and not separately, as the forecasts work together with the policy framework for the purposes of planning and managing growth (Recommendation (f)(ii)).

Greenbelt Plan:

- The lot sizes for prime agricultural areas should be reduced to 20 ha in size, in line with the Specialty Crop policies of the Greenbelt Plan. In the alternative, allow the municipality to identify specific geographic areas where smaller lot sizes may be permitted based on a series of criteria (Recommendation (f)(iv)).
- The Rural area policies should be broadened to expand the list of uses that may be considered for existing planned highway commercial and industrial areas that have not been fully implemented but will not revert to agricultural uses (Recommendation (f)(v)).
- The Greenbelt Plan policies should be amended to allow municipalities to alter the VPZ on the basis of scientific studies (e.g. watershed / subwatershed studies and EIS), similar to the proposed policy 3.2.5.9 of the Greenbelt Plan regarding certain stream types in the Tender Fruit and Grape Area (Recommendation (f)(vi)).
- The term ‘intermittent stream’ in the Greenbelt Plan should be refined or criteria added to ensure a better categorization of stream types (Recommendation (f)(vii)).
- Additional or expanded definitions of natural heritage terms such as core area, linkage area, natural heritage system, vegetation protection zone, urban river valley, natural heritage evaluation and hydrologic evaluation should be added to the Greenbelt Plan to improve clarity and consistency amongst the Plans (Recommendation (f)(viii)).
- The Greenbelt Plan should be revised to add new policies, similar to the policies from the NEP, to allow for severances and / or adaptive reuse of buildings designated

under Part V of the *Ontario Heritage Act*, to provide for additional opportunities and tools for the long term protection of significant heritage resources in the rural area (Recommendation (f)(ix)).

- The Greenbelt Natural Heritage System map should be revised to reflect City of Hamilton mapping and to address the suggested additions and deletions identified by staff. In this regard, staff understand that further meetings will be held between the Province and City staff to discuss natural heritage system mapping.

Niagara Escarpment Plan

- Conflict between the NEP and the Growth Plan regarding intensification policies versus viewshed protection has not been addressed. This inconsistency should be addressed to ensure that not only are the policies within individual plans reviewed, but the policies are also reviewed between plans to ensure a balanced approach is achieved (Recommendation (f)(x)).
- Clarification is required regarding the use of landscaping businesses in the NEP and whether or not this use would be permitted and at what scale (Recommendation (f)(xi)).

2.2 Response to Report PED15078a (December, 2015) - Proposed mapping / boundary changes

Greenbelt Plan

In Report PED15078(a), staff recommended that the Province defer any decisions on potential changes to the Greenbelt Plan boundaries to allow the City to complete its municipal comprehensive review. Notwithstanding that recommendation, staff did make specific recommendations regarding limited areas to be added to and removed from the Greenbelt, as follows:

- (i) remove the Lower Stoney Creek lands (104 ha) and the lands north of Parkside Drive, east of Centre Road in Waterdown (28 ha) from the Greenbelt Plan; and,
- (ii) add the lands between Twenty Mile Creek and Airport Road, west and east of Nebo Road (approximately 231 ha) to the Greenbelt Plan.

At the Planning Committee meeting on December 3, 2015, recommendation (ii) above was modified slightly as follows:

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“(ii) add the lands south of Twenty Mile Creek, east of Miles Road, north of Airport Road, and west of Trinity Church Road (approximately 430 ha) to the Greenbelt Plan.”

The effect of this change was to enlarge the area to be added to the Greenbelt Plan by extending the proposed addition westward to Miles Road.

At the City Council meeting on December 9, 2015, the following additional recommendation regarding boundary changes was added:

“(l) That staff be directed to include Coldwater Creek as an addition into the Greenbelt, as part of the City of Hamilton’s submission of comments to the Coordinated Provincial Plan Review on the Greenbelt Plan and the Niagara Escarpment Plan Boundary Review.”

Following the December 9, 2015 Council meeting, the City forwarded all of the above recommendations to the Province for consideration related to potential Greenbelt Plan boundary changes.

The Province has released its draft Greenbelt boundary changes. With regard to potential removals, the Province has proposed to remove lands to the west of Glover Road, a small block south of Barton St and a portion of the lands north of Barton Street and south of Fifty Road, however staff note that these lands were already part of the urban boundary and therefore these removals represent technical changes only. None of the City recommended removals in the lower Stoney Creek or Waterdown areas have been implemented by the Province.

The City of Hamilton re-affirms its previous recommendations from December, 2015 (Report PED15078(a)) regarding removals from the Greenbelt Plan, as identified on Appendix “D” to Report PED15078(b) (recommendation (f)).

With regards to lands to be added, staff note that the Province has proposed to add the lands in the vicinity of Nebo Road as per the initial recommendation of staff in Report PED15078a, however, the addition does not extend westward to Miles Road as had been requested by Planning Committee at the December 3, 2015 meeting (Appendix “E” to Report PED15078(b)). As such, staff are re-affirming the request of Planning Committee in this regard, as per recommendation (g).

Staff further note that the Coldwater Creek lands have not been added. The City’s previous recommendation in this regard is re-affirmed.

It is also noted that a new Urban River Valley has been added to the Protected Countryside in the City of Hamilton at Fifty Creek.

Recommendation (g):

That the City of Hamilton re-affirms its previous recommendations on revisions to the Greenbelt Plan boundaries from the December, 2015 Staff Report (Report PED15078(a)) , as follows:

- (i) to revise the applicable Greenbelt Plan policies in order to allow municipalities to request changes to Greenbelt Plan designations and boundaries at the conclusion of a municipal comprehensive review, provided the review is completed in accordance with the Provincial Policy Statement (2014), the Growth Plan for the Greater Golden Horseshoe and meets the goals and objectives of the Provincial Policy Statement and all other applicable Provincial Plans;
- (ii) to defer any decisions on potential changes to the Greenbelt Plan boundaries in the City of Hamilton to allow the City to complete a municipal comprehensive review which will 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; and,
 - 3. to identify appropriate lands to be added to the Greenbelt Plan area;
- (iii) that upon completion of the municipal comprehensive review, City Council request the Province to revise the Greenbelt Plan boundaries prior to the City adopting the Official Plan Amendment relating to Growth Plan conformity and implementation of the Municipal Comprehensive Review;
- (iv) That notwithstanding the above Recommendations, as part of the current Coordinated Provincial Plan Review, the City of Hamilton requests the Province to give consideration to the following modifications to Greenbelt Plan Protected Countryside area as follows:
 - 1. remove the Lower Stoney Creek lands (104 ha) and the lands north of Parkside Drive, east of Centre Road in Waterdown (28 ha) from the Greenbelt Plan.

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Recommendation (h):

That the City of Hamilton re-affirms its previous recommendations from December, 2015 to add the following lands to the Greenbelt Plan:

- (i) south of Twenty Mile Creek, east of Miles Road, north of Airport Road, and west of Trinity Church Road (approximately 430 ha) to the Greenbelt Plan, as identified on Appendix “E”; and,
- (ii) Coldwater Creek Urban River Valley.

Niagara Escarpment Plan

Staff re-affirm the previous recommendations from Reports PED15078 and PED15078a regarding NEP amendments, identified on Appendices “F1” to “F5”, as per Recommendation (h). The Province has indicated that all proposed NEP amendments remain under review, and no decisions have been made in this regard at the present time.

Recommendation (i):

That the City of Hamilton re-affirms its previous recommendation from June, 2015 (Report PED15078) and December, 2015 (Report PED15078a) regarding Niagara Escarpment Plan boundary revisions.

3.0 Requests for Niagara Escarpment Plan boundary changes from private landowners

Through the Provincial Plan review process, several requests for changes to the Niagara Escarpment Plan (NEP) boundaries were received from private individuals (see Appendices “G1” to “G7” to Report PED15078(b)). A decision on these boundary amendment requests has not been made to date. As such, the City of Hamilton provides the following formal comments on these private landowner requests, as per Recommendation (j) of this Report.

658 Highway 8, Stoney Creek

A request has been received from the owner of this property to redesignate a 1.3 ha portion of the property (which is 11.6 ha in total) from Escarpment Protection Area to Urban Area in the NEP, to allow for the development of a residential subdivision. Staff note that these lands are outside of the urban boundary, and are designated “Specialty Crop” within the Greenbelt Plan and the Rural Hamilton Official Plan (RHOP). The policies of the Greenbelt Plan and the RHOP do not allow for redesignation of lands

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designated Specialty Crop for non-agricultural uses. As such, the proposed request would not comply with the RHOP, and therefore the City does not support this requested amendment.

1100 Mohawk Road East – Mohawk Sports Park

A request has been received from the East Hamilton Mountain Community Group to remove the easterly portion of the Mohawk Sports Park, which is currently designated Urban Area in the NEP, from the Urban designation, and to have the lands added to the Urban River Valley designation within the Greenbelt Plan. The proponents are concerned about a potential for more intensive recreational uses to be located in the park. The subject lands are identified as “Major Open Space on Schedule E – Urban Structure, and designated as “Open Space” on Schedule E-1 – Urban Land Use of the Urban Hamilton Official Plan (UHOP). Staff note that the park contains active recreational facilities and serves the urban area. Staff further note that the lands were added to the Urban Area designation within the NEP through a previous appeal, and the City of Hamilton maintains that the Urban Area is the appropriate designation, and does not support this request.

513, 531, 537 and 545 Dundas Street East and 518 Parkside Drive, Flamborough

The owners of the above noted parcels have made a request to redesignate the lands (26.4 ha) from Escarpment Rural Area to Urban Area within the NEP. The owners wish to have the lands included in the urban boundary. Staff note that the lands are designated “Rural” in the Rural Hamilton Official Plan, which permits only agriculture and agricultural-related uses. Staff are not supportive of the proposed redesignation, which would not comply with the RHOP.

1105 Lower Lions Club Road, Ancaster

A request has been received from the property owner, McMaster University, to permit a 5,000 sq ft education facility on the subject property to support experiential learning, including the instruction of ecology and earth science classes. The lands are currently designated Escarpment Protection Area and Escarpment Natural Area in the NEP, and designated “Open Space” and “Rural” in the RHOP. Staff note that in 2015, the applicant submitted a Formal Consultation application to the City of Hamilton regarding this proposal. Through the review of that application, it was noted that an amendment to the NEP and RHOP would be required to permit the proposed use. As part of those applications, the applicant would need to demonstrate that the proposed use was small scale and serving the rural community. Further, it was noted that additional studies would be required, including a geotechnical study, to confirm the erosion hazard limit to the satisfaction of the Hamilton Conservation Authority, as the lands are within the regulated area. Based on the above, staff are of the opinion that insufficient information

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has been provided to date to determine if the use is appropriate in the rural area, and that this proposal should be reviewed through the NEPA/RHOPA process, with the submission of the required studies.

1375 Stone Church Road East, Hamilton

The owner of the above noted property, Hamilton Conservation Authority, has made a request to redesignate a 2 ha portion of the property (which has a total area of 7.6 ha) from Escarpment Protection Area to Urban Area, to permit the severance of an existing building on the subject lands. Staff note that the subject lands are identified as “Major Open Space” on Schedule E – Urban Structure, and designated as “Open Space” on Schedule E-1 – Urban Land Use of the Urban Hamilton Official Plan (UHOP). Further, the lands are zoned Conservation/Hazard Land (P5) Zone in the City of Hamilton Zoning By-law 05-200. Staff note that any re-use of the existing building on the subject lands would require an amendment to the UHOP and Zoning By-law as the P5 Zone only permits conservation uses. Staff further note that prior to consideration of a UHOP and Zoning By-law Amendment application and / or a severance application, an EIS would need to be completed and approved to the satisfaction of staff.

296 York Road, Dundas

A request has been made to redesignate the subject property (0.8 ha) from Escarpment Natural Area and Escarpment Protection Area to Urban Area, or, to permit a site-specific amendment to allow a connection to municipal sewers. Staff note that this property has already been requested by the City to be redesignated to Urban Area (see Recommendation (f) of this Report). This property is directly across from the urban area of Dundas and the lands to the north are designated Urban in the NEP and the lands to the south have been recommended for a redesignation from Rural to Urban.

42 Springhill Street, Flamborough

A request has been made by the property owner to redesignate the lands from Escarpment Natural Area to Escarpment Protection Area within the Greensville Minor Urban Centre. Staff note that the subject lands are designated “Settlement Residential” with a small portion of “Natural Open Space” within the Greensville Rural Settlement Area (RSA) Plan (RHOP Volume 2). The lands are within the Development Control area of the NEP. Staff further note that the subject lands are developed with two dwellings, one of which is listed on the City’s Heritage Inventory, and a barn/garage structure. The property owners have recently applied to the NEC for a development permit to permit a Bed and Breakfast with a maximum of 3 rooms within the historic home. Staff would not object to the portion of the property which is currently designated “Settlement Residential” within the Greensville RSA Plan being re-designated to Escarpment Protection Area.

ALTERNATIVES FOR CONSIDERATION

The City does not provide any comments on the revised Growth Plan, Greenbelt Plan and Niagara Escarpment Plan.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN

Strategic Priority #1

A Prosperous & Healthy Community

WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.

Strategic Objective

- 1.1 Continue to grow the non-residential tax base.
- 1.3 Promote economic opportunities with a focus on Hamilton's downtown core, all downtown areas and waterfronts.
- 1.4 Improve the City's transportation system to support multi-modal mobility and encourage inter-regional connections.
- 1.6 Enhance overall sustainability (financial, economic, social and environmental).

Strategic Priority #3

Leadership & Governance

WE work together to ensure we are a government that is respectful towards each other and that the community has confidence and trust in.

Strategic Objective

- 3.1 Engage in a range of inter-governmental relations (IGR) work that will advance partnerships and projects that benefit the City of Hamilton.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A": Provincial Response to Growth Plan Recommendations
Appendix "B": Provincial Response to Greenbelt Plan Recommendations
Appendix "C": Provincial Response to Niagara Escarpment Plan Recommendations

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- Appendix “D”:
- Lands Recommended for Removal from Greenbelt Plan - Re-affirmed Recommendation from December, 2015 Staff Report PED15078(a)
- Appendix “E”:
- Lands Recommended for Addition to Greenbelt Plan – Re-affirmed Recommendation from December 9, 2015 Hamilton City Council Meeting
- Appendix “F1”:
- City of Hamilton Proposed NEP Revision – Robert E. Wade Park
- Appendix “F2”:
- City of Hamilton Proposed NEP Revision – 40 and 70 Olympic Dr.
- Appendix “F3”:
- City of Hamilton Proposed NEP Revision – 345 and 363 Jerseyville Rd.
- Appendix “F4”:
- City of Hamilton Proposed NEP Revision – 294 and 296 York Rd.
- Appendix “F5”:
- City of Hamilton Proposed Lands to be added to NEPOSS
- Appendix “G1”:
- NEP Amendment Requests from Private Landowner – 658 Highway 8
- Appendix “G2”:
- NEP Amendment Requests from Private Landowner – 1100 Mohawk Rd. E.
- Appendix “G3”:
- NEP Amendment Requests from Private Landowner – 513, 531, 537 and 545 Dundas St. E. and 518 Parkside Dr.
- Appendix “G4”:
- NEP Amendment Requests from Private Landowner – 1105 Lower Lions Club Rd.
- Appendix “G5”:
- NEP Amendment Requests from Private Landowner – 1375 Stone Church Rd. E.
- Appendix “G6”:
- NEP Amendment Requests from Private Landowner – 296 York Rd.
- Appendix “G7”:
- NEP Amendment Requests from Private Landowner – 42 Springhill St.