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October 12, 2016

Reply To: Joel D. Farber

Direct Dial: 416.365.3707

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Our File No. 06/4423

VIA EMAIL

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

Dear Mayor Eisenberger and Members of Council:

Re: Corporate Strategic Growth Initiatives (Staff Report CM16013)

We represent the owners of lands south of Twenty Road, between Upper James to the east and Glancaster to the west, known as the Twenty Road West Landowners Group. Our clients own lands within the AEGD, as well as approximately 79 gross ha. of Whitebelt lands located immediately south of Twenty Road.

We are supportive of the Corporate Strategic Growth Initiatives Project's goal of ensuring that all strategic growth related projects, including the City's next Municipal Comprehensive Review, are coordinated and completed in a timely manner. In this regard, we have previously submitted correspondence dated February 29, 2016 and September 12, 2016, in which we stressed the importance of the City moving forward expediently with its next Municipal Comprehensive Review, copies of which are attached hereto.

As confirmed by the work completed by Dillon Consulting in connection with the Greenbelt Review, there is an immediate need for the designation of new greenfield lands to meet the City's residential growth targets to 2031 and/or 2041. As mentioned in our previous correspondence, our clients' lands should be identified as a valuable and sensible residential urban growth area. The Twenty Road West lands are:

1. Located between the employment area to the south and the residential area to the north;
2. Not constrained by airport noise;
3. Can be immediately developed;

4. Can improve the potential for the development of the lands in the AEGD through new services and infrastructure, including Garth Street, which is presently undergoing significant upgrades north of Rymal Road;
5. Can be planned and developed along with the lands to the south in the AEGD as a "complete community" in accordance with modern planning principles as mandated by provincial policy – and does so in a manner that does not contribute to sprawl as it is filling in a gap between the existing urban boundaries;
6. Are not viable employment lands as confirmed in Malone Given Parsons Ltd.'s report titled "*Market Assessment for the Airport Employment Growth District (AEGD) Scondary Plan Boundary Review, Hamilton, ON*" dated October 2014 (which was filed by our clients as evidence in the AEGD hearing);
7. Dillon Consulting has identified a deficiency in residential growth areas, and a surplus of designated and future potential employment lands. Specifically, in Dillion's Greenbelt Boundary Review Report dated November 2015, it is indicated that up to 1109 gross ha. of land are required to plan for residential growth to 2041, which exceeds the available unconstrained Whitebelt lands (896 gross ha.), including our clients' Whitebelt lands (approximately 79 gross ha.); and
8. Expansion of the urban boundary to the Twenty Road West land is appropriate and needed from a planning perspective on both a local scale (to address the gap in the urban area) and on a City wide scale (to address growth requirements).

We look forward to a prompt completion of the City's next Municipal Comprehensive Review, and trust that we will be able to engage with staff in a timely manner to complete the secondary planning process for our clients' lands in conjunction with the Municipal Comprehensive Review.

Yours truly,

FOGLER, RUBINOFF LLP

"Joel D. Farber"

Joel D. Farber

JDF/ay

cc: Clients
Steve Robichaud
Joanne Hickey-Evans
Guy Paparella

Encl.



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September 12, 2016

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

VIA EMAIL

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

Dear Mayor Eisenberger and Members of Council:

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

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

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

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

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

Yours truly,

FOGLER, RUBINOFF LLP

“Joel D. Farber”

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cc: Clients



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February 29, 2016

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

VIA EMAIL

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

Attention: Joanne Hickey Evans,
Manager of Policy Planning

Dear Ms. Hickey-Evans:

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

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

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

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

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

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

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

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

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

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

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

Yours truly,

FOGLER, RUBINOFF LLP

"Joel D. Farber"

Joel D. Farber

JDF/sz

cc: Hamilton City Council
Twenty Road Landowner Group

letter to joanne hickey evans feb 29 2016 final.docx

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

Date:
January 2015

Revised By:
SFG

Reference File No.
AEGD

