



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	October 6, 2020
SUBJECT/REPORT NO:	Application for a City-wide Amendment to the Urban Hamilton Official Plan and an Area-specific Amendment for Lands Located in the Twenty Road West Area (PED20163) (City-wide)
WARD(S) AFFECTED:	City-wide
PREPARED BY:	Heather Travis (905) 546-2424 Ext. 4168
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That **Urban Hamilton Official Plan Amendment Application UHOPA-20-011, by Corbett Land Strategies Inc. (Applicant), on behalf of Sullstar Twenty Limited (Starward Homes), Spallacci & Sons Limited, Oxford Road Developments, Lynmount Developments Inc, The Parente Group, Twenty Road Developments Inc. and Liv Communities**, for a City-wide amendment to the Urban Hamilton Official Plan to add policies to enable privately-initiated urban boundary expansion applications and an Area-specific amendment to identify lands in the Twenty Road West area as candidate areas for future urban boundary expansion, be **DENIED** on the following basis:

- (a) The application is proposing to update the City's Urban Hamilton Official Plan (UHOP) policies to conform to policy directions and forecasts of the Growth Plan 2019, as amended, which is a Provincial Plan conformity exercise that should be completed by the municipality as part of the Municipal Comprehensive Review (MCR) and not through a privately initiated application;

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- (b) The application undermines the City's comprehensive and integrated Growth Related Integrated Development Strategy (GRIDS) 2 / MCR process by:
- (i) Prematurely identifying specific lands for future urban expansion to accommodate residential growth to the year 2031; and,
 - (ii) Proposing a set of policies, along with the identification of specific studies for the completion of a secondary plan, that would be used to evaluate urban boundary expansion applications for that specific area of the City outside of the larger growth management process;
- (c) The combination of the City's existing Vacant Residential Land Inventory (VRLI) and intensification opportunities satisfies the land supply requirements of the Provincial Policy Statement (PPS). The City's VRLI identifies a total unit supply of approximately 31,900 units (year end 2019) and there is an additional immediate intensification unit supply of at least 30,000 units based on preliminary MCR estimates, which satisfies the 15 year PPS land supply requirement. There is no need to bring additional lands into the urban boundary prior to the completion of the MCR that will provide for a full and comprehensive review of options to accommodate growth;
- (d) There are land use, servicing and transportation issues, amongst other matters that are more appropriately assessed and evaluated as part of a comprehensive update to City's infrastructure master plans, that must be considered and evaluated prior to identifying the lands in the Twenty Road West area as a candidate future urban growth area;
- (e) The application is proposing to amend UHOP policies that are the subject of appeals to the UHOP currently before the Local Planning Appeal Tribunal (LPAT) for which no decision has been rendered. It is premature to amend these policies in advance of a decision from the LPAT which could result in changes to the section under consideration.

EXECUTIVE SUMMARY

The application is proposing both a city-wide and an area-specific amendment to the Urban Hamilton Official Plan (UHOP) to implement the direction of Growth Plan policy 2.2.8.5 which allows urban boundary expansions to occur in advance of the MCR, subject to criteria. Specifically, the application is proposing to:

- Amend UHOP section A.2.3 to include updated 2031 and new 2041 population and employment forecasts;

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- Amend UHOP Section B.2.2. (currently under appeal) of the UHOP to:
 - 1) identify the Twenty Road West area as a ‘candidate area’ for urban boundary expansion subject to policies discussed in points 2) to 5) below (see Appendix “A” to Report PED20163 for location of the lands subject to this proposed area-specific amendment);
 - 2) add policies 2.2.8.5 and 2.2.8.6 of the Growth Plan which reference urban boundary expansion requirements and requests;
 - 3) add new policy directions, over and above the Growth Plan requirements, to establish criteria that would be used for the evaluation of urban boundary expansions. Some of the criteria relate only to the Twenty Road West area;
 - 4) add policy direction on developer cost sharing agreements;
 - 5) allow for a secondary plan to be completed for the Twenty Road West lands subject to the completion of certain studies and funded by the land owners.
- Amend Section F.1 – Planning Act Implementation tools to remove policy F.1.1.6 relating to LPAT appeals against urban boundary expansions.

The draft Official Plan Amendment prepared by the applicant is attached as Appendix “B” to report PED20163.

There are no urban boundary expansions proposed as part of this application. Expansions would be considered through future additional *Planning Act* applications. Three separate UHOP applications have been received by the City to add a total of approximately 96 ha (237 acres) to the Urban Area through an expansion of the urban boundary. As of August 31, 2020 these applications have not been deemed complete.

The application is recommended to be denied as it is proposing to update the UHOP to conform to provincial policy direction which is an exercise that should be undertaken as part of the City’s MCR process. Enabling urban boundary expansions in advance of the completion of the MCR will undermine the City’s comprehensive and integrated GRIDS 2 / MCR process. There has been no justification provided by the applicant which indicates a need to expand the urban boundary for housing supply purposes prior to the completion of the MCR. There are servicing, transportation and land use concerns that must be addressed prior to identifying the Twenty Road West lands as candidate areas for future residential growth. Further, the application is proposing to amend policies (Section B.2.2) in the UHOP which are currently subject to appeal at the LPAT and for which no decision has been rendered. It is premature to amend these policies, or any

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matters in relation to the urban boundary, in advance of a decision from the LPAT which could result in changes to the section under consideration.

Alternatives for Consideration – See Page 43

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: Existing Appeals of the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plans (RHOP):

Sections of the UHOP / RHOP addressing future growth areas and urban boundary expansion remain under appeal since the time of adoption of the Official Plans.

At the time of approval of the RHOP, the Province removed Special Policy Area “B” references both in text and mapping to Elfrida as a future urban growth district. The Elfrida area had been identified in GRIDS as the City’s future growth area for residential purposes to accommodate growth to 2031. The City did not oppose this Ministry modification since the Elfrida area could be identified in the UHOP. However, other land owners did appeal the Ministry modifications.

At the time of approval of the UHOP, the Province modified the UHOP to remove the text references to Elfrida. Several parties appealed the Official Plans and the Ministry Modifications with respect to urban boundary expansion policies and the identification of the Elfrida area, including the City and several landowner groups.

These appeals have yet to be resolved, and at present, it remains Council approved direction that Elfrida is the City’s next growth area to accommodate residential growth to the year 2031.

Airport Employment Growth District (AEGD) Minutes of Settlement:

The Minutes of Settlement (MOS) was signed by multiple parties, including the City and the Twenty Road West landowners’ group, at the conclusion of the AEGD Ontario Municipal Board hearing (note: not all of the applicants on the current application were signatories to the Minutes of

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Settlement, which is attached as Appendix “E” to Report PED20163). The Minutes of Settlement stipulated that at the conclusion of the hearing the City would commence work on the MCR and the Twenty Road West lands would be included in that process. Through the MCR the appropriate land use and designation of the lands would be determined.

In the Formal Consultation document issued in relation to Formal Consultation application FC-19-126 (which preceded the current application) it was noted that, depending on the form of the future Official Plan Amendment – Urban Boundary Expansion applications, the applicant may be “indirectly” going after the priority status of both the Elfrida lands and the Twenty Road East lands as the first non-employment lands to be added to the urban boundary, as identified in the Minutes of Settlement.

Planning Act timelines:

As required by the *Planning Act*, Council shall hold at least one Public Meeting to consider an application for an amendment to the Official Plan. The *Planning Act* requires that Council make a decision on the application within 120 days of the application being deemed complete, being October 22, 2020 (taking into account the lifting of Ontario Regulation 149/20: Special Rules Relating to Declared Emergency which suspended *Planning Act* timelines).

HISTORICAL BACKGROUND

1.0 Planning History

The Twenty Road West lands were previously identified by the City as part of the AEGD Secondary Plan for employment uses. In the Council-approved AEGD Secondary Plan, the lands were designated as Light Industrial and Prestige Business and a small portion of Natural Open Space. Through negotiations and the Ontario Municipal Board decision, the Twenty Road West lands (along with another pocket of land along Garner Road further west) were removed from the AEGD Secondary Plan and retained in a rural land use designation. The Minutes of Settlement signed at the conclusion of the AEGD hearing noted that the City would commence work on the MCR and the Twenty Road West lands would be included in that process.

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2.0 GRIDS 2 / MCR (ongoing)

The City is undertaking an update to GRIDS, known as GRIDS 2, which is a long term growth strategy to allocate forecasted population and employment growth from 2031 to 2051. The forecasts for Hamilton project an increase of 40,000 jobs and 100,000 people between 2031 and 2041 and 10,000 jobs and 40,000 people between 2041 and 2051. A municipal comprehensive review (MCR) is a requirement of the Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement (PPS) at the time of an Official Plan review to bring the City's Official Plans into conformity with the Provincial planning documents. The MCR is broad and encompasses many inter-related components. Many of the studies that are required as part of the MCR are also part of a growth strategy, and as such, the MCR is being completed concurrently with GRIDS 2. The City is required to complete the MCR and bring its Official Plans into conformity with revised Provincial Plans by July 2022.

3.0 Employment Land Conversion Request

Through the MCR staff are also reviewing a request for Employment Land Conversion submitted by the applicant for the lands immediately south of Twenty Road on both sides of the future Garth Street extension. The request is proposing to convert the lands from an employment designation to a Mixed Use designation to facilitate future mixed commercial / residential development. It is appropriate to consider the requests comprehensively through the MCR process.

4.0 Report Fact Sheet:

Application Details	
Applicant:	Corbett Land Strategies (John Corbett)
Owners:	Sullstar Twenty Limited (Starward Homes), Spallacci & Sons Limited, Oxford Road Developments, Lynmount Developments Inc, The Parente Group, Twenty Road Developments Inc. and Liv Communities
File Number:	UHOPA-20-011
Type of Application:	Official Plan Amendment
Proposal:	To amend the Urban Hamilton Official Plan to: <ul style="list-style-type: none">• update the City's population and employment forecasts to the year 2041;

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	<ul style="list-style-type: none"> • add City-wide policies to enable urban boundary expansions to occur outside of the MCR process; and, • add area-specific policies identifying lands in the Twenty Road West area for future urban boundary expansion.
Property Details (Area-specific Amendment):	
Municipal Addresses:	Lands south of Twenty Road West, within the area bounded by Glancaster Road, Upper James Street, and Dickenson Road, including 9285, 9445, 9511, 9625, and 9751 Twenty Road West and 555 Glancaster Road
Area:	158.0 ha approx.
Frontage:	1100 m approx.
Servicing:	Subject lands do not currently have municipal services.
Existing Uses:	Single detached residential, agriculture, former golf course.
Documents	
Provincial Policy Statement (PPS):	The proposal is not consistent with the PPS policies regarding settlement area boundary expansion, but the policies of the Growth Plan take precedence in this regard.
A Place to Grow:	The proposal does not meet the intent of the Growth Plan direction which encourages integrated land use, infrastructure and transportation planning through the MCR process. The proposal generally conforms to A Place to Grow policies 2.2.8.5 and 2.2.8.6 (with some modifications required).
Rural Hamilton Official Plan Existing (Area-specific Amendment):	Rural and Open Space (Note; The subject lands are governed by the Rural Hamilton Official Plan. No amendment to the Rural Hamilton Official Plan has been requested.)
Official Plan Proposed:	<ul style="list-style-type: none"> • City-wide policy Amendment to the Urban Hamilton Official Plan to update population and employment forecasts and add policies to permit urban boundary expansion outside of the MCR process.

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	<ul style="list-style-type: none"> Area-specific Amendment to identify lands in the Twenty Road West area as a candidate area to accommodate future residential growth to the year 2031.
Zoning Existing:	<ul style="list-style-type: none"> Rural (A2) Zone Open Space (P4) Zone Conservation / Hazard Land – Rural (P7) Zone
Zoning Proposed:	<ul style="list-style-type: none"> No changes proposed through this application.
Processing Details	
Received:	January 13, 2020
Deemed Complete:	May 22, 2020
Notice of Complete Application:	Posted in the Hamilton Spectator June 9, 2020 and the Hamilton Community News June 11, 2020.
Public Notice Sign:	N/A
Notice of Public Meeting:	Posted in the Hamilton Spectator and the Hamilton Community News on September 17, 2020.
Public Consultation:	N/A
Public Comments:	41 comments received (see Appendix “D” to Report PED20163).
Processing Time:	107 days (following the lifting of Ontario Regulation 149/20: Special Rules Relating to Declared Emergency which suspended <i>Planning Act</i> timelines).

5.0 Existing Land Use And Zoning (Area-Specific Amendment):

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands:</u>	Residential, Agricultural, Vacant, Natural areas	Rural (A2) Zone, Open Space (P4) Zone, Conservation / Hazard Land – Rural (P7) Zone
<u>Surrounding Lands:</u>		
North	Single detached dwellings, Townhouses, Open space	Residential Multiple “RM3-284” Zone, Modified, Residential “R4-

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		302” Zone, Modified, Existing Residential “ER” Zone, Existing Residential “ER-264” Zone, Modified, Residential “R4-318” Zone, Modified, Residential Multiple “RM2-317” Zone, Modified, Residential Multiple “RM3-162” Zone, Modified, Private Open Space “OS1-162” Zone Modified, Residential Multiple “RM3-002” Zone, Modified, Community Commercial (C3, 654) Zone, Modified, Conservation / Hazard Land (P5) Zone
East	Single detached dwellings, Agricultural, Natural areas	Airport Prestige Business Park – Holding (M11, 36, H37) Zone, Modified, Airport Prestige Business Park – Holding (M11, 28, H37) Zone, Modified, Airport Prestige Business Park – Holding (M11, H37) Zone, Airport Prestige Business Park – Holding (M11, H37, H93) Zone, Conservation / Hazard Land (P5) Zone
South	Single detached dwellings	Airport Prestige Business Park – Holding (M11, H37) Zone, Airport Light Industrial – Holding (M10, H37), Zone, Conservation / Hazard Land (P5) Zone
West	Single detached dwellings	Airport Prestige Business Park – Holding (M11, 36, H37) Zone, Airport Prestige Business Park – Holding (M11, H37) Zone, Conservation / Hazard Land (P5) Zone, Conservation / Hazard Land (P5, 45) Zone, Modified

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POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

1.0 Provincial Policies

1.1 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended)

The *Planning Act* requires that all municipal land use decisions affecting planning matters must conform to the Growth Plan for the Greater Golden Horseshoe (A Place to Grow 2019). The Province approved Amendment 1 to the Growth Plan on August 28, 2020.

The following policies are relevant to the consideration of this application. A discussion of conformity of the application with these policies is included in the Analysis / Rationale for Recommendation section of this report.

Municipal Comprehensive Review / Integrated Planning:

“2.2.1.1 Population and employment forecasts contained in Schedule 3 will be used for planning and managing growth in the *GGH* to the horizon of this Plan in accordance with the policies in subsection 5.2.4.

2.2.1.3 Upper- and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will:

- b) be supported by planning for *infrastructure* and *public service facilities* by considering the full life cycle costs of these assets and developing options to pay for these costs over the long-term;
- e) be implemented through a *municipal comprehensive review* and, where applicable, include direction to lower-tier municipalities.

3.2.1.1 *Infrastructure* planning, land use planning, and *infrastructure* investment will be co-ordinated to implement this Plan.

3.2.1.2 Planning for new or expanded *infrastructure* will occur in an integrated manner, including evaluations of long-range scenario-based land use planning, environmental planning and financial planning, and will be supported by relevant studies and should involve:

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- a) leveraging *infrastructure* investment to direct growth and development in accordance with the policies and schedules of this Plan, including the achievement of the minimum intensification and density targets in this Plan;
- b) providing sufficient *infrastructure* capacity in *strategic growth areas*;
- c) identifying the full life cycle costs of *infrastructure* and developing options to pay for these costs over the long-term; and,
- d) considering the impacts of a changing climate.

3.2.2.1 *Transportation system* planning, land use planning, and transportation investment will be co-ordinated to implement this Plan.

5.2.1.2 A *municipal comprehensive review* that is undertaken in accordance with this Plan will be deemed to fulfill the requirements in the PPS to undertake a comprehensive review.

5.2.4.2 All upper- and single-tier municipalities will, through a *municipal comprehensive review*, apply the forecasts in Schedule 3 for planning and managing growth to the horizon of this Plan.”

Land Supply:

“2.2.6.4 Municipalities will maintain at all times where development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units. This supply will include, and may exclusively consist of, lands suitably zoned for *intensification* and *redevelopment*.”

Settlement Area Boundary Expansion:

“2.2.8.2 A *settlement area* boundary expansion may only occur through a *municipal comprehensive review* where it is demonstrated that:

- a) based on the minimum intensification and density targets in this Plan and a land needs assessment undertaken in accordance with policy 2.2.1.5, sufficient opportunities to accommodate forecasted growth to the horizon of this Plan are not available through *intensification* and in the *designated greenfield area*:
 - i. within the upper- or single-tier municipality, and,
 - ii. within the applicable lower-tier municipality;

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- b) the proposed expansion will make available sufficient lands not exceeding the horizon of this Plan, based on the analysis provided for in policy 2.2.8.2 a), while minimizing land consumption; and,
- c) the timing of the proposed expansion and the phasing of development within the *designated greenfield area* will not adversely affect the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan.

2.2.8.5 Notwithstanding policies 2.2.8.2 and 5.2.4.3, a *settlement area* boundary expansion may occur in advance of a *municipal comprehensive review*, provided:

- a) the lands that are added will be planned to achieve at least the minimum density target in policy 2.2.7.2 or 2.2.5.13, as appropriate;
- b) the location of any lands added to a *settlement area* will satisfy the applicable requirements of policy 2.2.8.3;
- c) the affected *settlement area* is not a *rural settlement* or in the *Greenbelt Area*;
- d) the *settlement area* is serviced by *municipal water and wastewater systems* and there is sufficient reserve *infrastructure* capacity to service the lands; and,
- e) the additional lands and associated forecasted growth will be fully accounted for in the land needs assessment associated with the next *municipal comprehensive review*.

2.2.8.6 For a *settlement area* boundary expansion undertaken in accordance with policy 2.2.8.5, the amount of land to be added to the *settlement area* will be no larger than 40 hectares.”

Employment areas / Land use compatibility:

“2.2.5.8 The development of *sensitive land uses*, *major retail uses* or *major office uses* will, in accordance with provincial guidelines, avoid, or where avoidance is not possible, minimize and mitigate adverse impacts on industrial, manufacturing or other uses that are particularly vulnerable to encroachment.”

Summary:

The OPA application generally conforms to the policy direction of policies 2.2.8.5 and 2.2.8.6 of the Growth Plan, but amendments to the OPA would be required to achieve full conformity with those policies (including clarification that expansion cannot occur in

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the Greenbelt Plan area and requirement for a minimum density target amongst other matters).

However, staff maintain the position that has previously been expressed that applications that affect the City's growth management strategy and / or urban boundary expansions should only occur through the MCR to implement the policy direction of the Growth Plan relating to integrated, comprehensive and sustainable growth management planning.

1.2 Provincial Policy Statement

All planning decisions must be consistent with the Provincial Policy Statement (PPS). However, where another Provincial Plan also applies (e.g. Growth Plan), the policies of the other Provincial Plan take precedence over the policies of the PPS to the extent of any conflict.

The following policies are relevant to the consideration of this application. A discussion of conformity of the application with these policies is included in the Analysis / Rationale for Recommendation section of this report.

Land Supply:

"1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area. Within *settlement areas*, sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas*. Nothing in policy 1.1.2 limits the planning for *infrastructure, public service facilities* and *employment areas* beyond a 25-year time horizon.

Within Hamilton, the policies of the Growth Plan apply establish a planning horizon to the year 2051.

1.4.1 To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through *residential intensification* and *redevelopment*

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and, if necessary, lands which are *designated and available* for residential development; and,

- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.”

Settlement Area Boundary Expansion:

“1.1.3.8 A planning authority may identify a *settlement area* or allow the expansion of a *settlement area* boundary only at the time of a *comprehensive review* and only where it has been demonstrated that:

- a) sufficient opportunities to accommodate growth and to satisfy market demand are not available through *intensification*, *redevelopment* and *designated growth areas* to accommodate the projected needs over the identified planning horizon;
- b) the *infrastructure* and *public service facilities* which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;
- c) in *prime agricultural areas*:
 - 1. the lands do not comprise *specialty crop areas*;
 - 2. alternative locations have been evaluated, and,
 - i. there are no reasonable alternatives which avoid *prime agricultural areas*; and,
 - ii. there are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;

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- d) the new or expanding *settlement area* is in compliance with the *minimum distance separation formulae*; and,
- e) impacts from new or expanding *settlement areas* on agricultural operations which are adjacent or close to the *settlement area* are mitigated to the extent feasible.

In undertaking a *comprehensive review*, the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary expansion or development proposal.”

Integrated Planning:

- “1.2.1 A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including:
 - a) managing and/or promoting growth and development that is integrated with infrastructure planning;
 - c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
 - d) *infrastructure, multimodal transportation systems, public service facilities and waste management systems*;
 - g) population, housing and employment projections, based on *regional market areas*; and,
 - h) addressing housing needs in accordance with provincial policy statements such as the Policy Statement: Service Manager Housing and Homelessness Plans.
- 1.6.1 *Infrastructure and public service facilities* shall be provided in an efficient manner that prepares for the *impacts of a changing climate* while accommodating projected needs.

Planning for *infrastructure* and *public service facilities* shall be coordinated and integrated with land use planning and growth management so that they are:

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- a) financially viable over their life cycle, which may be demonstrated through asset management planning; and,
- b) available to meet current and projected needs.

1.6.6.1 Planning for *sewage and water services* shall:

- d) integrate servicing and land use considerations at all stages of the planning process;”

Protection of Employment Lands / Airport:

“1.2.6.1 *Major facilities and sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.

1.3.2.1 Planning authorities shall plan for, protect and preserve *employment areas* for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs.

1.6.9.1 Planning for land uses in the vicinity of *airports, rail facilities and marine facilities* shall be undertaken so that:

- a) their long-term operation and economic role is protected; and,
- b) *airports, rail facilities and marine facilities and sensitive land uses* are appropriately designed, buffered and/or separated from each other, in accordance with policy 1.2.6.

1.6.9.2 *Airports* shall be protected from incompatible land uses and development by:

- a) prohibiting new residential *development* and other sensitive land uses in areas near *airports* above 30 NEF/NEP;
- b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the *airport*; and,
- c) discouraging land uses which may cause a potential aviation safety hazard.”

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Summary:

The proposal is not consistent with the PPS policies regarding settlement area boundary expansion, but the Growth Plan takes precedence over the policies of the PPS to the extent of any conflict. As noted, the Growth Plan allows that settlement area boundary expansions may occur in advance of an MCR subject to criteria. A more detailed review of these policies is contained within the Analysis and Recommendation Section of this Report.

2.0 Municipal Official Plans

2.1 Urban Hamilton Official Plan (UHOP)

Growth Management:

A.2.3.1 Population Forecasts – City Wide

Hamilton's 2031 population forecasts are as follows:

Table A.1 - Population Forecasts, 2001-2031

Year	Population
2001	510,000
2011	540,000
2021	590,000
2031	660,000
Change 2001 - 2031	150,000

A.2.3.2 Employment Forecasts – City Wide

Hamilton's employment forecasts for 2001-2031 by type are as follows:

Table A.2. Employment Forecasts

Year	Total
2001	210,000
2011	230,000
2021	270,000
2031	300,000
Change 2001 - 2031	90,000

Urban Boundary Expansion: (note policies in this section are under appeal so they are a Council direction only)

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“B.2.1.1 The *urban boundary* defines the area where all urban *development* occurs. Lands within the *urban boundary* are already serviced or planned to be serviced with major roads, transit and full municipal services. The land within the *urban boundary* includes both the area within the *built-up area* and *greenfield area*. Lands within the *urban boundary* represent a 20 year supply of designated urban land and are intended to accommodate the majority of the City’s projected growth.

~~**B.2.2.2**~~ **B.2.2.1** The exact limits of the lands to be included as part of the *urban boundary* expansion shall be determined as part of a *municipally initiated comprehensive review* and secondary plan. (under appeal)

~~**B.2.2.3**~~ **B.2.2.2** No *urban boundary* expansion shall occur until a *municipally initiated comprehensive review* and secondary plan have been completed. (under appeal)

~~**B.2.2.4**~~ **B.2.2.3** Prior to the initiation of an *urban boundary* expansion, the City shall undertake a *municipally initiated comprehensive review* and secondary plan, in accordance with the policies of the Growth Plan for the Greater Golden Horseshoe. As part of these processes, the City shall complete background studies and conduct community planning and public consultation events including the establishment of a community liaison committee. The background studies and consultation processes shall assist in identifying the layout of future land uses, determining more precise needs, land supply and infrastructure requirements, and development of community growth management policies and designations. More specifically, a *municipally initiated comprehensive review* and secondary plan shall include the following elements:

- a) a comprehensive review and land budget analysis is required to determine the need for an *urban boundary* expansion, which includes an assessment of occupied and vacant urban land, brownfield availability, greenfield densities, and *intensification* targets **to determine if sufficient opportunities to accommodate forecasted growth contained in Policy A.2.3.1 and Policy A.2.3.2 are not available [Mod 4(b)]**;
- b) a *sub-watershed plan* to address storm water infrastructure and natural heritage system impacts, in accordance with Section F.3.1.6 – Watershed and Sub-watershed Plans;

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- c) Environmental Impact Statement(s) pertaining to the natural heritage system, as required by applicable Official Plan and provincial policies;
- d) an assessment of agricultural capability which considers directing urban growth onto those lands which are or are not on lower priority lands, which are designated Agriculture **in prime agricultural areas, the lands do not comprise specialty crop areas, there are no reasonable alternatives that avoid prime agricultural areas and there are no reasonable alternatives on lower priority agricultural lands [Mod 4(c)];**
- e) demonstrating that impacts from new or expanding *urban areas* on agricultural operations which are adjacent or close to the *urban areas* are mitigated to the extent feasible; and,
 - i) the designation of appropriate land uses and policies pertaining to the design and density of such uses;
 - ii) completion of Class Environmental Assessments for major urban servicing infrastructure deemed to be essential for commencement or completion of *development* of all or part of the lands; and,
 - iii) an urban *development* staging, phasing or implementation strategy in keeping with City-wide master plan priorities and secondary plan objectives.
 - iv) the timing of the urban boundary expansion and the phasing of development within the greenfield areas shall not adversely affect the achievement of the *residential intensification* target and Greenfield density targets [Mod 4(d)].**
- f) completion of a financing policy for urban services and other community infrastructure; and,
- g) other studies and policies which the City deems necessary for the development of the future urban growth district as a sustainable transit oriented urban community.

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F.1.1.6 In the absence of a Municipal Comprehensive Review as defined by Growth Plan for the Greater Golden Horseshoe, there shall be no appeal with respect to the refusal or failure of the City to adopt an Official Plan amendment for:

b) the expansion of all or part of the urban boundary.”

Integrated Planning:

“C.4.2.3 All land use planning and design decisions shall be coordinated with, and consider, the integrated transportation network goals and policies of Section C.4.0 – Integrated Transportation Network.

C.5.3.14 Expansion of water and wastewater systems within the *urban area*, shall be in accordance with the Water and Wastewater Master Plan and Staging of Development Plan as well as supporting the City’s density and intensification targets as detailed in Sections A.2.3.3 – Other Targets and B.2.4 – Residential Intensification.”

Protection of Airport:

“C.4.8.5 The City shall minimize future conflicts between operation of the Airport and surrounding land uses to ensure:

a) there shall be no negative impact on the long-term operations of the Airport;

b) the opportunities for expansion of airport operations shall not be limited; and,

c) there are no land uses in the vicinity which may cause a potential aviation hazard.

d) *development* that is noise or land use sensitive to airport operations or will limit the opportunities for expansion of airport operations shall be restricted.

C.4.8.8 Proposals for *development*, *infill development* and *redevelopment* of residential or other *sensitive land uses* shall comply with the following requirements in Table C.4.8.1 – Requirement for Development in the Vicinity of John C. Munro International Airport, based on all applicable locational criteria. Proposals may meet more than one locational criteria and thereby be subject to more than one set of requirements.

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C.4.8.9 Any amendment to expand the *urban boundary* into the Airport Influence Area designated on Schedule G – Airport Influence Area of the Rural Hamilton Official Plan, shall comply with all Airport Influence Area policies and the Rural Hamilton Official Plan.”

Official Plan Amendments:

“F.1.1.5 When considering amendments to this Plan, including secondary plans, the City shall have regard to, among other things, the following criteria:

- a) the impact of the proposed change on the City’s vision for a sustainable community, as it relates to the objectives, policies and targets established in this Plan; and,
- b) the impact of the proposed change on the City’s communities, environment and economy and the effective administration of the public service.

Land Supply:

“F.3.5.1 The City shall monitor the designated urban land supply to ensure there is sufficient land available to accommodate a mix and range of housing types, employment opportunities, and other land uses to meet the projected needs for up to a 20 year time horizon. The monitoring shall include:

- a) the achievement of the greenfield density, the urban growth centre target and *intensification* targets, including the range and mix of housing types; and,
- b) employment land absorption.”

Summary:

The proposed amendment does not conform with the intent of the UHOP. Policy F.1.1.5 identifies criteria to be considered when evaluating amendments to the UHOP. The criteria speak to the need to consider the impact of the amendment on the City’s overall vision and the objectives and targets of the UHOP. Further, the impact of the policy change on the environment and economy must also be considered. The amendment proposed by the applicant has the potential to undermine the City’s integrated planning process (GRIDS 2 / MCR) which will comprehensively evaluate the City’s growth options in light of the City’s vision, as well as economic, environmental and social impacts. The effect of the Amendment would be to facilitate and enable urban boundary expansions to occur in advance of the long range planning exercise

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being completed which may impact on the City's ability to achieve objectives of sustainable, efficient and fiscally responsible growth. Further analysis is provided in the Analysis / Rationale for Recommendation Section below.

2.2 Rural Hamilton Official Plan (RHOP)

The subject lands are designated Rural and Open Space within the RHOP. The Rural designation permits a range of agricultural and agricultural-related uses, as well as limited additional uses to serve the rural community. The Open Space designation is applied to the lands that were formerly used as a golf course.

RELEVANT CONSULTATION

Departments and Agencies:

A complete summary of comments received from City Departments and outside agencies is attached as Appendix "C" to Report PED20163. A summary is provided below:

Development Engineering:

Infrastructure Planning: The water, wastewater servicing and stormwater management strategies for the area have been included in the Upper West Side Master Drainage Plan & Servicing Study by the landowners group. However, the study is not completed yet and therefore, the contents of the water, wastewater servicing and stormwater management overview report are premature. The section recommends not to consider urban boundary expansion for these white belt areas until the Upper West Side Master Drainage Plan & Servicing Study initiated by landowners group is complete and approved by all agencies.

Public Works – Water Servicing: A comprehensive water servicing study will be required to demonstrate adequate supply for the proposed development(s), including conclusions establishing that the existing water infrastructure (including watermains, pump stations and storage) has sufficient spare capacity for the subject lands in addition to capacity for anticipated development within the existing urban lands in the Pressure Zone 6 boundary (up to 2041 / 2051).

Development Engineering: The City's existing strategy for future servicing of the subject lands requires completion of major new infrastructure, including the planned Dickenson Road trunk sewer, Battlefield trunk sewer, and Woodward WWTP capacity expansion before the subject lands can be developed.

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It will be 7 to 10 years before this infrastructure is all completed and in service. This section recommends that the proposed urban boundary expansion is premature based on the above noted comments from the servicing point of view.

Growth Management (Legislative Approvals)

Appropriate separation and transitioning of land uses (employment lands and sensitive land uses) should be included per Provincial Policy Statement 2020.

Transportation Planning:

Transportation Planning does not support the proposed amendment without the inclusion of additional provisions related to transportation concerns, such as: inclusion of complete community design incorporating mixed-use neighbourhoods, meeting minimum density requirements; inclusion of a higher degree of active transportation facilities and connectivity between communities; evaluation of infrastructure capacity from a Transportation perspective relating to roadway capacity and the need for future improvements through a Transportation Impact Study; feasibility review for connectivity and opportunities considering public transit as well as Light Rail Transit (LRT) BLAST corridors.

Transportation Planning recommends the application not proceed to formal application until the road network shown on the concept plan submitted with formal consultation applications is revised to the satisfaction of the Manager of Transportation Planning.

City of Hamilton staff is actively reviewing the Airport Employment Growth District (AEGD) Road Network which has been previously revised in the AEGD Transportation Master Plan (AEGD-TMP) Implementation Update, dated December 2017. As part of this review, the City of Hamilton is exploring potential reconfiguration, designation and alignment of the previously recommended road network within the AEGD lands. The applicant shall coordinate amendments made to the AEGD road network as a result of the ongoing AEGD-TMP update process, with Transportation Planning, before proceeding to formal application.

A Transportation Impact Study (TIS) will be required to support the proposed Official Plan Amendment application, however Transportation Planning will not accept a TIS prior to road network revisions for the subject lands and adjacent central and western lands.

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HSR

At the present time there are no plans to introduce the conventional fixed route transit network as outlined in earlier TMP's. In order to improve transit operational productivity, thereby reducing net operating costs, the full development of lands within a corridor (400m on either side of Upper James Street) between the Glanbrook boundary and Twenty Road should take place, prior to development of the subject lands.

Landscape Architectural Services

This section should be consulted on any future park and open space development matters, including adding these lands to the Recreational Trails Master Plan update in 2021 and to the upcoming Parks Master Plan for park planning / development, particularly the land allocated for residential development.

Hamilton International Airport

Lands fall within the Airport Zoning Regulations (AZR), particularly the Outer Surface, and a portion of the land under the Approach Surfaces for Runway 24 and are subject to building/structure height restrictions, vegetation growth controls and compliance with prohibition of interference with aircraft communications and navigational facilities.

Additionally, the proposed residential areas are located within the Airport Noise Exposure Forecast (NEF 25-30) contours which is highly susceptible to aircraft noise. Thus, the Airport is not in favour of the proposed Urban Hamilton Official Plan Amendment (UHOPA) 20-011 to allow for residential dwellings on these lands. However, should the proposed development proceed, the Airport strongly recommends that noise mitigation measures be implemented including appropriate warning clauses.

Hamilton Wentworth Catholic District School Board

In conformity with the Growth Plan and Policies for Settlement Area Boundary Expansions, the proponents shall include as part of their analysis confirmation of sufficient capacity in existing and planned public service facilities and infrastructure, specifically, the need and availability for lands to accommodate future school sites.

The school board has no objection to the present applications to expand the Urban Boundary provided the required background studies and concept planning are completed to address the need and availability for future school sites.

For the information of the City and the proponents, please note that the Board owns a 10 acre parcel of land located on Twenty Road, abutting the lands proposed for

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development. The Board reserves the right to make submissions on future Planning applications which could potentially affect their land, including the establishment of the internal road pattern for the area and the provision of infrastructure.

Niagara Peninsula Conservation Authority:

The NPCA has no issues with the proposed Policy Amendments. The NPCA will review the required studies mentioned through the Formal Consultation processes in detail and provide more detailed site specific comments when specific applications involving mapping changes are submitted.

Public Consultation

In accordance with the provisions of the *Planning Act*, for this proposed City-wide Official Plan Amendment, Notice of Complete Application and Preliminary Circulation of the proposal was posted in the Hamilton Spectator on June 9, 2020 and the Hamilton Community News on June 11, 2020.

The Notice of Public Meeting was given in accordance with the provisions of the *Planning Act* through notice in the Hamilton Spectator and the Hamilton Community News on September 17, 2020.

More than 40 comments were received from members of the public in response to the application. The comments are attached as Appendix “D” to Report PED20163 and summarized below:

Theme	Comment	Staff Response
Population and Employment Forecasts	<ul style="list-style-type: none"> Forecasts from Province are overstated and should not be updated into UHOP 	<ul style="list-style-type: none"> The City is required to implement and plan to accommodate the additional population and jobs identified by the Provincial forecasts, but it is staff’s opinion that the update should occur through the MCR.
Privately-initiated Urban Boundary Expansion	<ul style="list-style-type: none"> There is a recognition of the provincial policy direction, but a strong opposition to the allowance for privately-initiated piecemeal urban boundary expansion 	<ul style="list-style-type: none"> Opposition is noted. Staff concur and recommend that urban boundary expansion should be considered only through the MCR process.

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	<ul style="list-style-type: none"> • Oppose any private applications that can upset municipal process • City of Hamilton maintains final decision rights and should oppose all such applications • Decisions on urban boundary expansion should be led by city in a comprehensive manner and with consultation – need for a careful and cohesive plan • Piecemeal urban expansion undermines legitimacy of City’s Official Plan • Make the process onerous and expensive to applicants to deter applications 	
<p>Compact / Mixed Use / Higher Density Development and Complete Communities</p>	<ul style="list-style-type: none"> • Encourage compact / mixed use development to discourage reliance on automobiles and reduce new roads • Accommodate growth through higher density development in existing urban boundary - secondary suites, laneway housing, and 3 – 5 storey apartments (‘missing middle’) • No public transit in outlying areas and therefore alternative transportation options will be limited • Build complete communities to live, work and play • Build on empty parking lots, surplus school sites, unused office space, malls etc. 	<ul style="list-style-type: none"> • Through GRIDS 2 / MCR, staff are reviewing the City’s intensification supply and demand and will be recommending a target for the percentage of future growth to be accommodated through intensification and redevelopment within the built-up area. • Staff are also reviewing the City’s existing greenfield land supply to identify opportunities for higher density development.

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	<ul style="list-style-type: none"> • Build up, not out – focus on intensification – cost effective and will better use existing services 	
Protection of Natural Environment	<ul style="list-style-type: none"> • Need to protect wetlands, forests and unique and fragile ecosystem, which offer many benefits (reduce flooding, filter water, biodiversity, carbon sinks, species habitat) • Conserve green space and open space lands for parks • Preserve ‘close to nature’ feeling in Hamilton • Questions surrounding infilling of aquatic features and tree removal on the former golf course lands 	<ul style="list-style-type: none"> • Both provincial and local planning policy require that the water resource system and natural heritage system are protected and development must avoid these areas and mitigate potential impacts. • Prior to any expansion of the urban boundary, numerous studies will be required to demonstrate compliance with the above, including Environmental Impact, Linkage and Hydrogeological Studies. • The portion of the Twenty Road West lands that are designated Open Space were previously used for a golf course which explains the designation. The lands have never been identified for park uses. • Pond filling on the golf course occurred due to liability issues. The ponds were not natural heritage features. • Tree removal was not part of a woodland. The removal was investigated but no action was required.
Climate Change	<ul style="list-style-type: none"> • Need to model for extreme weather events in new development • Air quality considerations 	<ul style="list-style-type: none"> • Staff acknowledge the importance of the City’s climate change emergency and the need to make

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	<ul style="list-style-type: none"> • Increase building efficiency and consider embodied carbon in new development • Interim urban boundary expansions are inconsistent with the City’s climate emergency • Pollution will be increased and green space lost if boundary is expanded • A firm urban boundary will reduce carbon footprint • Make decisions with a climate lens • Reducing greenhouse gas emissions will improve health 	<p>planning decisions through a climate lens.</p> <ul style="list-style-type: none"> • Evaluation of growth options through GRIDS 2 / MCR will incorporate a climate change lens, among many other considerations.
“Urban Sprawl”	<ul style="list-style-type: none"> • Urban boundary expansions, particularly privately initiated expansions outside of the MCR, can encourage urban sprawl • City should commit to a firm urban boundary • Urban sprawl encourages car dependence • Plan in areas where infrastructure, jobs, transit are existing • Unplanned urban sprawl increases City’s costs • Provincial policy direction re lower greenfield densities and privately initiated urban expansion will facilitate sprawl 	<ul style="list-style-type: none"> • Staff concur that the appropriate means to evaluate urban boundary expansion is through the GRIDS 2 / MCR process which will include consideration of the most efficient and financially sustainable use of services, infrastructure and transportation options when considering growth options.
Preserve Rural / Agricultural Lands	<ul style="list-style-type: none"> • Conserve agricultural lands for local food production and local food security / stability 	<ul style="list-style-type: none"> • Provincial policy direction requires that prime agricultural areas be avoided where possible for

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	<ul style="list-style-type: none"> • Concern that growth is the imperative over protection of agricultural lands • Do not want to lose farmland to urban sprawl 	<p>development. Alternative, lower priority lands must be prioritized and alternatives reviewed.</p> <ul style="list-style-type: none"> • The Twenty Road West lands are not classified as prime agricultural lands.
Financial burden	<ul style="list-style-type: none"> • City cannot afford to support additional low density development – increase tax burden on existing residents – not fiscally responsible • Infrastructure costs etc will outweigh Development Charges • Already have infrastructure deficit, sewers in need of repair, transit system in need of funding etc – urban boundary expansion will not help these issues 	<ul style="list-style-type: none"> • Evaluation of growth options through GRIDS 2 / MCR will include a fiscal impact assessment to identify financial implications of growth options and options for how the City may finance future growth. • Staff concur that it is important to consider these factors in evaluating growth. • Staff note that the applicant, in the draft OPA, is proposing the requirement for a Developer Cost Sharing Agreement to equitably share costs of approvals and infrastructure / community facilities amongst landowners.
Homelessness / Affordable Housing	<ul style="list-style-type: none"> • Will not address housing crisis or create affordable housing 	<ul style="list-style-type: none"> • Regarding housing supply, please see comments in the Analysis / Rationale for Recommendation section. • Regarding affordable housing, staff have no information at present on inclusion of affordable housing within the proposed expansion area.

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<p>Relationship to other applications / studies / planning decisions</p>	<ul style="list-style-type: none"> • How does this application fit with UHOPA-18-016 / ZAC-18 – 040, and ongoing Environmental Assessment (EA)? • Plans for Glancaster Road, Dickenson Road? • AEGD Plan had identified lands as rural / airport expansion / employment? – why is residential now proposed? • Objection to City’s process to previously identify the Elfrida lands for urban expansion – the Elfrida decision should be reset to allow for a full MCR process • Twenty Road West landowner group is attempting to leapfrog over the AEGD Minutes of Settlement • Proposed OPA would challenge Elfrida’s priority status which is not acceptable and it would be premature to identify these lands in advance of Elfrida • The matter of where 2031 growth should be directed is the subject of an ongoing LPAT hearing and this application seeks to circumvent that process 	<ul style="list-style-type: none"> • UHOPA-18-016 / ZAC-18-040 applies to the adjacent lands already within the urban area and designated for employment uses. • EA is being undertaken for Dickenson Rd between U. James and Glancaster to address long term transportation requirements • The lands had been included in the council-approved AEGD secondary plan and identified for employment uses. The Secondary Plan was appealed to the OMB. Through settlement discussions and signing of a Minutes of Settlement, the lands were left out of the Board-approved Secondary Plan and remain in a rural designation. The ultimate decision on the future use of the lands was to occur through the MCR (underway). • The LPAT hearing regarding the UHOP / RHOP is ongoing and staff cannot comment on the outcome of that process.
<p>Adjacency to Employment Lands and Airport</p>	<ul style="list-style-type: none"> • Commercial or light industry would be more appropriate in this location if expansion is to occur • How will Hydro One easement be addressed? 	<ul style="list-style-type: none"> • Any consideration of residential development on the Twenty Road West lands would need to consider appropriate transition to adjacent

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		<p>employment and transportation uses. This would be addressed through a future planning process.</p> <ul style="list-style-type: none"> • No residential development is permitted above the 28 NEF contour. • Hydro One was circulated on this application and had no concerns, and will be kept involved on any future applications.
Lack of Information / Notification	<ul style="list-style-type: none"> • Need more detail to provide comments • More notice should be provided and perspectives heard 	<ul style="list-style-type: none"> • Due to the City-wide nature of this OPA, application, notice of complete application was provided in the newspaper. Any future applications for urban boundary expansion impacting the Twenty Road West area will be circulated to all property owners within 120 m of the subject lands. • It is anticipated that more detailed information will be provided at the time of future planning applications (e.g. detailed concept plan).
Servicing / Stormwater	<ul style="list-style-type: none"> • Future development will need proper management of stormwater runoff • Why is there a lack of information on the application form regarding water, sewage, storm servicing? 	<ul style="list-style-type: none"> • Detailed review of all technical studies including stormwater management and servicing will occur through future applications and would be required to be approved by the City and agencies prior to any expansion of the urban boundary.

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Roads and Traffic	<ul style="list-style-type: none"> • Control of truck traffic • Provision of sidewalks, bike lanes • Road urbanization • Access to lands should be restricted to Twenty Rd, Garth St, Dickenson Rd 	<ul style="list-style-type: none"> • Detailed consideration of truck routes, sidewalks, bike lanes etc will take place through future planning phases should the lands be approved for development. Prior to any expansion of the urban boundary, approval of a Transportation Impact Study would be required as well as a conceptual road network confirming compatibility with the AEGD secondary plan and adjacent uses.
Errors / Omissions in Application	<ul style="list-style-type: none"> • Application form fails to note previous golf course use, filling of ponds at golf course, pesticide use, existing industrial businesses to the east, identification of significant features • Heritage assessment has not been provided • Additional lands should be included in proposal 	<ul style="list-style-type: none"> • Noted. • Cultural Heritage assessment would be required with future planning applications. • The current application identifies all lands in the Twenty Road West area as a 'candidate area' for growth. Future applications will be property-specific.
Questions on Draft OPA	<ul style="list-style-type: none"> • Process – when should secondary plan be approved? • Studies identified as required for Secondary Plan should be required prior to urban boundary expansion 	<ul style="list-style-type: none"> • Approval of a secondary plan would be required prior to development occurring on the subject lands.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The application is proposing both a city-wide and an area-specific amendment to the Urban Hamilton Official Plan (UHOP) to implement the direction of Growth Plan policy 2.2.8.5 which allows urban boundary expansions to occur in advance of the MCR, subject to criteria. Specifically, the application is proposing to:

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- Amend UHOP section A.2.3 to include updated 2031 and new 2041 population and employment forecasts;
- Amend UHOP Section B.2.2. (currently under appeal) of the UHOP to:
 1. identify the Twenty Road West area as a ‘candidate area’ for urban boundary expansion (area-specific amendment) subject to policies discussed in points 2) to 5) below;
 2. add policies 2.2.8.5 and 2.2.8.6 of the Growth Plan which reference urban boundary expansion requirements and requests;
 3. add new policy directions, over and above the Growth Plan requirements, to establish criteria that would be used for the evaluation of urban boundary expansions. Some of the criteria relate only to the Twenty Road West area;
 4. add policy direction on developer cost sharing agreements;
 5. allow for a secondary plan to be completed for the Twenty Road West lands subject to the completion of certain studies and funded by the land owners.
- Amend Section F.1 – Planning Act Implementation tools to remove policy F.1.1.6 relating to LPAT appeals against urban boundary expansions.

There are no urban boundary expansions proposed as part of this application. Expansions would be considered through future additional *Planning Act* applications.

2. The proposal does not have merit and cannot be supported for the following reasons:
 - (i) The application is proposing to update the City’s UHOP policies to conform to policy directions and forecasts of the Growth Plan 2019 which is a Provincial Plan conformity exercise that should be completed by the municipality as part of the MCR and not through a privately initiated application;
 - (ii) The application undermines the City’s comprehensive and integrated GRIDS 2 / MCR process by:
 - (a) Prematurely identifying specific lands for future urban expansion to accommodate residential growth to the year 2031; and,

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- (b) Proposing a set of policies, along with the identification of specific studies for the completion of a secondary plan, that would be used to evaluate urban boundary expansion applications for that specific area of the City outside of the larger growth management process;
- (iii) The combination of the City's existing Vacant Residential Land Inventory (VRLI) and intensification opportunities satisfies the land supply requirements of the Provincial Policy Statement (PPS). The City's VRLI identifies a total unit supply of approximately 31,900 units (year end 2019) and there is an additional 30,000 to 50,000 intensification unit supply potential based on preliminary MCR estimates. As such, the 15 year PPS land supply requirement is met including both intensification and greenfield lands). There is no urgent need to bring additional lands into the urban boundary prior to the completion of the MCR;
- (iv) There are outstanding land use, servicing and transportation issues, amongst other matters, that are more appropriately assessed and evaluated as part of a comprehensive update to City's infrastructure master plans, that must be considered and evaluated prior to identifying the lands in the Twenty Road West area as a candidate future urban growth area; and,
- (v) The application is proposing to amend UHOP policies that are the subject of appeals to the UHOP currently before the Local Planning Appeal Tribunal (LPAT) for which no decision has been rendered. It is premature to amend these policies in advance of a decision from the LPAT which could result in changes to the section under consideration.

The following sections provide greater detail on the above points.

3. Land Supply:

In the cover letter submitted by the applicant in support of the OPA application, as well as in the basis section of the OPA prepared by the applicant, there is a reference to the need to allow urban boundary expansions in advance of the MCR "to help meet housing demands throughout Ontario", and to ensure adequacy of land supply and housing stock.

There has been no need demonstrated by the applicant to bring additional land supply into the urban area in advance of the MCR.

The Provincial Policy Statement 2020 (policy 1.4.1) outlines the land supply requirements for municipalities. Municipalities shall maintain:

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- Land with the ability to accommodate residential growth for a minimum of 15 years through intensification and redevelopment and on lands designated for residential development (i.e. greenfield lands); and,
- Land with servicing capacity to provide a minimum 3 year supply of residential units in draft and registered plans of subdivision / condominium, and through intensification and redevelopment.

15 year Land Supply to Accommodate Residential Growth:

With regard to the 15 year land supply requirement (which includes both intensification and greenfield lands), the City's Vacant Residential Land Inventory (VRLI) identifies a total unit supply of approximately 31,900 units (year end 2019). The VRLI includes lands in Registered and Draft Approved Plans, as well as 'Pending' Plans of Subdivision / Condominium which are still under review, and 'Potential Development' parcels which are currently vacant but for which no application has yet been received.

In addition to units on the VRLI (which includes only vacant and designated lands), there is significant land supply for intensification and redevelopment units, with exact intensification supply numbers to be determined through the ongoing MCR. Preliminary estimates of intensification unit supply potential to 2041 range from 30,000 to more than 50,000 potential intensification units.

The anticipated unit growth over the next 15 years (to meet the population forecasts of the current Growth Plan Schedule 3) is approximately 60,000 units. Between the VRLI and the intensification supply opportunities, the City is meeting this requirement.

3 year serviced land supply:

Looking at serviced land supply, according to the year-end 2019 VRLI, the City has a total of approximately 14,800 units in registered and draft approved plans of subdivision. Lands within registered and draft approved plans are generally considered to have servicing capacity to accommodate growth, as per the requirement of the second bullet point above. In addition, the City has significant land supply for intensification and redevelopment units, with exact intensification supply numbers to be determined through the ongoing MCR.

Based on the units in the VRLI and the potential intensification / redevelopment units, the City has more than met the 3 year serviced land supply requirement.

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There is a need to continue to meet these land supply requirements and ensure the City has a sufficient supply of units to satisfy local demand and contribute to the City's future growth. Through the MCR process, the City will be reviewing future growth allocations to the year 2051, land supply requirements, and phasing considerations. Staff further acknowledge the length of time required to bring lands on stream following identification as a growth area. Appeals, Secondary Plan approval, Block Servicing Strategy approval, *Planning Act* applications etc. can create 6 – 8 years of delay before lands are available for development. Staff are working to complete the MCR in a timely manner to ensure that land supply requirements will be met.

Based on the above, there is no requirement to amend the City's UHOP to establish a framework to facilitate urban boundary expansions in advance of the MCR for the purposes of increasing land supply.

4. MCR and Conformity Exercise

The application is proposing to amend sections of the UHOP to bring the Plan into conformity with the Growth Plan 2019. Specifically, the applicant is proposing to:

- Update the population and employment forecasts in UHOP policies A.2.3.1 and A.2.3.2 to conform to the revised forecasts for 2031 and the updated forecasts to 2041 identified in Schedule 3 of the Growth Plan 2019;
- Update UHOP section B.2.2 to include policy directions supported by specific studies that will be used when considering urban boundary expansion applications in advance of the MCR. These proposed policies are intended to reflect the direction of policy 2.2.8.5 of the Growth Plan 2019.

The requirement to bring a municipal Official Plan into conformity with revised Provincial Plans and the PPS is the responsibility of a municipality to complete as part of the Municipal Comprehensive Review. This requirement is made clear in policies of the Growth Plan noted previously, specifically policies 2.2.1.3 (e), 5.2.1.2, and 5.2.4.2.

The City's MCR conformity exercise will be implemented with the passage of an OPA under section 26 of the *Planning Act*. OPAs under section 26 are required to adhere to special public notice requirements and are not subject to appeal provided decisions are made within a certain timeframe. Further, the MCR OPA passed under section 26 must be municipally initiated. A privately initiated application does not meet the definition of a municipal comprehensive review. These updates will be

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carried out through the MCR process which is the intent of the *Planning Act* and the Growth Plan.

Through the MCR, the City can determine how it will implement the direction of Growth Plan policy 2.2.8.5 in the UHOP. If the City determines that it is appropriate to include criteria in the UHOP for the consideration of interim urban boundary expansion(s), the criteria will be determined through the MCR process and will reflect a city-wide approach and not a focus on a specific area as proposed in the application. Further, the City has the right to elaborate on the Growth Plan policies and modify them to include local specific requirements in evaluating urban boundary expansions. Consideration of an appropriate policy framework will require evaluation and consideration through the MCR process.

Finally, staff acknowledge that applications to amend the urban boundary may be submitted in advance of the MCR, and the City must accept and process these applications if they meet all requirements for a complete application. When future applications are received, they will be evaluated and reviewed and staff will put forward a recommendation. There is no requirement to amend the parent policies of the UHOP to include policies 2.2.8.5 and 2.2.8.6 of the Growth Plan prior to the evaluation of specific urban boundary expansion applications being considered.

5. Lack of Comprehensive and Integrated Planning Approach

Adhoc and incremental urban boundary expansions or identification of future urban boundary expansion areas in the absence of a growth management strategy can be considered as 'sprawl'.

Both the policies of the PPS (1.2.1, 1.6.1, 1.6.6.1) and the Growth Plan (2.2.1.3, 3.2.1.1, 3.2.1.2, 3.2.2.1) direct municipalities to plan for growth through the MCR in a manner that integrates land use, infrastructure and transportation planning. The Growth Plan notes that municipalities should take an integrated approach to land use planning, infrastructure investments and environmental protection to achieve the outcomes of the Plan. Co-ordination of planning, transportation and infrastructure investments will allow municipalities to identify cost-effective and efficient options for sustainably accommodating forecasted growth.

However, as noted above, the Growth Plan does allow municipalities to consider urban boundary expansions in advance of the completion of an MCR. It does not require municipalities to approve them, nor does it require municipalities to implement an enabling framework for such expansions in their Official Plans.

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The UHOP also contains similar policies (C.4.2.3, C.5.3.14) to require an integrated approach to land use, infrastructure and transportation planning.

GRIDS 2 / MCR is a comprehensive and integrated long range planning process which will evaluate how and where the City will grow to the horizon planning year, which achieves the following objectives:

5.1 Consideration of intensification and increased density of development:

Through GRIDS 2 / MCR, the City will examine how much of the forecasted population and employment growth can be accommodated through intensification and increased density of development within the existing urban area. Further, if urban expansion is required, the City will identify an appropriate target density for future development which will encourage the creation of compact, transit-supportive communities. Identifying how much of the City's growth can be reasonably accommodated within the existing urban area is the first step in allocating future growth and should be considered and evaluated prior to urban boundary expansion.

5.2 Comprehensive evaluation framework:

If it is determined that a portion of the City's forecasted growth cannot be accommodated within the existing urban area, the next phase of GRIDS 2 / MCR will be the evaluation of growth options. Through consultation with staff, outside agencies, stakeholders and the public, a comprehensive evaluation framework will be established to comparatively evaluate options to accommodate the expansion growth. The evaluation framework will be informed by the GRIDS 2 10 Directions for Development, which was developed and will be updated based, in part, through public consultation. Further, the framework will reflect provincial and local planning policies and goals. The evaluation framework will broadly consider how different growth scenarios fit within the City's urban structure established in the UHOP. Consideration of good planning objectives including the ability of expansion areas to form or contribute to complete communities will be undertaken. A full consideration of financial, environmental, servicing, transportation and other impacts of all growth options will be assessed and evaluated.

Importantly, the evaluation undertaken as part of GRIDS 2 / MCR will be a comparative evaluation of different growth options. It will assess impacts of each option and recommend a preferred growth scenario for the City going forward. The comparative evaluation will allow the City to plan for a growth option that is the most sustainable from an environmental, social, servicing and economic perspective. This type of comprehensive and comparative evaluation is not possible if the City is

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faced with individual expansion applications which must be evaluated without the full benefit of the GRIDS 2 / MCR evaluation.

5.3 Phasing considerations:

Through the GRIDS 2 / MCR process, staff will recommend a phasing approach as part of the preferred growth option. If urban boundary expansion is required, the phasing approach will identify the preferred timing and order for development. The preferred order will be based on servicing, infrastructure and public service availability / capacity, financing options, and ability to contribute to the development of complete communities.

Further, through phasing considerations, there may be opportunity to phase future expansion growth in such a manner that requires the City to meet certain intensification targets prior to expansion occurring. Again, similar to above, this type of phasing consideration is not possible if the City's urban boundary is expanded through individual, piecemeal applications.

5.4 Integration with Master Plans, DC updates:

GRIDS 2 / MCR is being completed in an integrated manner with updates to the Water / Wastewater, Stormwater, and Transportation Master Plans. Integrating long range planning considerations with servicing and transportation infrastructure requirements is consistent with the policy direction of the PPS and the Growth Plan. Further, combining these processes allows for an accurate and fulsome picture of required infrastructure and transportation upgrades to facilitate future growth to be utilized during the GRIDS 2 / MCR evaluation process. High level cost estimates of future infrastructure requirements will be used to evaluate financial impacts of each growth scenario. Further, the Master Plan updates benefit from the identification of city-wide population and employment allocations to the planning horizon to assign necessary infrastructure upgrades, including sequencing and timing of when upgrades will occur, as part of the updated Master Plan. The integrated nature of the process allows for active participation of staff in multiple divisions and departments offering expertise and information to inform the comprehensive process.

The Master Plan updates will in turn inform the next Development Charge By-law update through the identification of required upgrades / works and the timing associated with each requirement. An additional component of GRIDS 2 / MCR is a fiscal impact assessment of growth options which will include a review of financing options for future growth. This information will also inform the next Development Charge By-law Update.

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5.5 Public participation:

GRIDS 2 / MCR is a process which invites participation of members of the public to provide input and opinion on intensification and density targets, employment land review, and evaluation of growth options, among other matters. Members of the public are engaged through open houses and on-line information / questionnaires. Further, a multi-disciplinary stakeholder group has been established to provide input throughout the process, including representatives from environmental groups, the development industry, BIAs, conservation authorities, school boards, the agricultural community, amongst others. The GRIDS 2 / MCR process provides an avenue for members of the public to voice an opinion about the future growth of the City in a defined and open process, with sufficient information available to offer informed opinions on future growth evaluation / options. With piecemeal interim expansion applications, it is difficult for members of the public, as well as staff and agencies and stakeholders, to be in a position to offer informed comments on the proposals.

In summary, the OPA under consideration in this report is proposing to amend the City's UHOP to enable and facilitate piecemeal urban boundary expansion applications, subject to criteria identified by the applicant. The proposed OPA, if approved, would open the door for future applications that would undermine the GRIDS 2 / MCR process and the many benefits derived from that integrated process which are outlined above.

Allowing urban boundary expansions to occur in advance of the integrated GRIDS 2 / MCR process does not meet the intent of the Growth Plan, PPS and UHOP policy directions for integrated planning. Staff cannot complete an integrated planning process and recommend the most sustainable and efficient growth option if the process is undermined by urban expansions that have occurred outside of this process.

6. Identification of 'candidate area' (Area-specific Amendment)

Within the City-wide amendment, the applicant is proposing to identify lands in the Twenty Road West area as a candidate area to accommodate future residential growth to the year 2031. The OPA is structured to identify these lands as a candidate area for future urban boundary expansion subject to satisfaction of certain criteria / conditions including a community concept plan demonstrating a complete community development, delivery of necessary road infrastructure, submission of an agricultural impact assessment, complete water and wastewater servicing strategy, establishment of a natural heritage system and a developer cost sharing agreement. Detailed review of the cost sharing agreement would take place at a future planning phase and it has not yet been determined if the approach put forward by the

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applicant will be followed. The OPA further proposes that a Secondary Plan will be undertaken, at the cost of the landowner group, with numerous supporting studies to be required.

To approve the OPA as proposed by the applicants, the City would be required to identify the Twenty Road West lands in the UHOP as a candidate urban expansion area, but would not actually amend the urban boundary to add the lands to the urban area. Additional Urban Boundary Expansion applications are required to amend the urban boundary and add the expansion lands.

There are several concerns with the identification of the Twenty Road West lands as a candidate area for future urban boundary expansion through this proposed amendment. The concerns noted below need to be evaluated and addressed prior to any lands being identified for future urban expansion. The process to evaluate and address these concerns is through GRIDS 2 / MCR. This approach is consistent with the approach the City took in the GRIDS study whereby a servicing / transportation capacity, environmental, and economic analysis was completed prior to the City identifying the Elfrida lands as a future urban growth area.

6.1 Servicing

Prior to identifying the lands for future residential development, a comprehensive water servicing study will be required including a district-wide watermain hydraulic analysis, functional design of watermains, fire flow analysis, and conclusions establishing that the existing water infrastructure (including watermains, pump stations and storage) has sufficient spare capacity for the subject lands in addition to capacity for anticipated development within the existing urban lands (up to 2051).

The City's existing strategy for future servicing of the subject lands requires completion of major new infrastructure, including the planned Dickenson Road trunk sewer, Battlefield trunk sewer, and Woodward Wastewater Treatment Plant capacity expansion before the subject lands can be developed.

It will be 7 to 10 years before this infrastructure is completed and in service.

6.2 Transportation

There are concerns and discrepancies between the Airport Employment Growth District Transportation Master Plan (AEGD TMP) Implementation Update, dated December 2017, and the approved road network for the AEGD and the preliminary transportation study and concept plan submitted by the applicant. To ensure adequate access and traffic circulation is provided, the local network is efficiently

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and safely connected to the arterial system, and consistency is maintained for all development parcels throughout the subject block, it is recommended the applicant implement the approved road network in the UHOP and AEGD Secondary Plan.

Transportation Planning will require a Transportation Impact Study (TIS) after the proposed road network is supported by Transportation Planning. Upon conformity with the road network within the AEGD and to review the complete impacts, a TIS shall be conducted to review the impact on the surrounding network of the entire westerly, central and easterly subject lands, which must be evaluated and approved prior to identifying lands for candidate urban expansion.

6.3 Residential or Employment Land Use

The proposed OPA proposes to accommodate population growth to the year 2031 on the subject lands. It is understood the proposed land uses include a mix of housing types as well as natural heritage and infrastructure requirements.

The Twenty Road West lands were previously identified by the City as part of the AEGD Secondary Plan for employment uses. Through negotiations at the Ontario Municipal Board hearing, the Twenty Road West lands (along with another pocket of land along Garner Road further west) were removed from the AEGD Secondary Plan and retained in a rural land use designation. The Minutes of Settlement signed at the conclusion of the hearing identified that the City would commence work on the MCR and that the Twenty Road West lands would be included in that process whereby the appropriate land use and designation of the lands would be determined.

Therefore, in advance of the conclusion of the MCR, it is premature to identify the subject lands for future residential use. Staff have not determined the appropriate future land use for the lands, nor has it been determined if, and how much, additional land is required for employment and / or residential purposes to satisfy future growth.

6.4 Compatibility, Noise and Protection of the Airport

As detailed in the policy section above, the policies of the PPS (1.2.6.1, 1.3.2.1, 1.6.9.1, 1.6.9.2) provide direction on land use compatibility between employment areas, major facilitates (including the airport) and sensitive land uses. Any consideration of residential development on the Twenty Road West lands would need to consider appropriate transition to adjacent employment and transportation uses. Further, regarding the airport, the policies of the PPS do not allow new residential development above the 30 NEF contour.

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The UHOP and RHOP stress the importance of protecting the long term operations of the John C. Munroe International Airport. Table C.4.8.1 identifies that no new sensitive land uses are permitted above the 28 NEF contour (more restrictive than the PPS). A portion of the subject lands are located above the 28 NEF contour. The comments from the HIA recognize this concern. Staff cannot support a proposal for residential development above the 28 NEF contour.

6.5 Summary

The process to address the concerns noted above, as well as others including natural heritage impacts, agricultural impact, and fiscal impact, and conduct a comprehensive evaluation of growth options, is through the MCR once the Land Needs Assessment (LNA) has been completed. If the LNA identifies a need for additional residential and employment land to accommodate growth, through the MCR, staff will comparatively evaluate multiple growth scenarios to determine the appropriate areas for the City to grow, and the appropriate phasing of growth to ensure that the City is growing in the most financially, environmentally and socially sustainable manner possible. Approving a candidate area for future growth is premature in advance of this process.

ALTERNATIVES FOR CONSIDERATION

The alternatives for consideration are listed below for the information of Council. Staff do not support any of the below alternatives.

1. Council may approve the Official Plan Amendment application as prepared by the applicant, but staff recommend that errors in the content and formatting of the OPA be fixed prior to the OPA being brought to Council. Errors / omissions / insufficient information that need to be corrected include formatting, incorrect reference to Growth Plan policy 2.2.8.4, modification to address water, sanitary and stormwater infrastructure as well as road infrastructure, requirement for minimum density as a criteria, clarification that expansion may not occur in the Greenbelt area, removing the proposal to delete policy F.1.1.6(b), and correction of issues / errors / omissions related to natural heritage and urban design requirements, amongst other matters. Staff could be directed to work with the applicant to amend the OPA prior to bringing the OPA to Council. If staff and the applicant could not come to an agreement, the issue could be brought before Planning Committee for direction. Any OPA adopted by Council could be appealed to the LPAT by the applicant or a third party.
2. Council may approve the Official Plan Amendment application, but remove the 'area specific' reference to the Twenty Road West lands as a candidate area for future growth to the year 2031, and any other area specific references within the OPA.

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This would result in only the city-wide portion of the OPA being approved which would establish an enabling framework for future applications, but would not identify any candidate areas. Errors within the applicant's OPA would also need to be fixed (see above). Staff could be directed to work with the applicant to amend the OPA prior to bringing the OPA to Council. If staff and the applicant could not come to an agreement, the issue could be brought before Planning Committee for direction. Any OPA adopted by Council could be appealed to the LPAT by the applicant or a third party.

3. Council may approve the Official Plan Amendment application, but amend the OPA to not only identify the Twenty Road West lands as a candidate area, but to identify all of the City's non-Greenbelt rural lands (the 'whitebelt' lands) as future candidate areas. This approach would have the effect of not predetermining one preferred candidate area over another and would simply identify that expansion can only occur into whitebelt lands. Errors within the applicant's OPA would also need to be fixed (see above). Staff could be directed to work with the applicant to amend the OPA prior to bringing the OPA to Council. If staff and the applicant could not come to an agreement, the issue could be brought before Planning Committee for direction. Any OPA adopted by Council could be appealed to the LPAT by the applicant or a third party.
4. Council may deny the application (as per the staff recommendation), but include a direction to staff to confirm the Twenty Road West lands are part of the consideration of future growth options (residential or employment) as part of GRIDS 2 / MCR.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

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Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Location Map (Twenty Road West lands)

Appendix “B” – Draft Official Plan Amendment prepared by Applicant

Appendix “C” – Summary of Department / Agency Comments

Appendix “D” – Public Comments

Appendix “E” – AEGD Minutes of Settlement

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