

**CASE NO(s). PL101300, PL090114 & PL110331**

**ONTARIO MUNICIPAL BOARD**

IN THE MATTER OF subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

**PROCEEDINGS COMMENCED UNDER** subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellants: 456941 Ontario Ltd., 1263339 Ontario Ltd., Lea Silvestri, Lea Silvestri Investments Ltd ("Silvestri Investments")  
Sullstar Twenty Limited, 909940 Ontario Inc., Lynmount Developments Ltd., Twenty Road Developments Inc., Spallacci & Sons Limited, 2051205 Ontario Inc. and Mr. Yehezkel Zahavy ("Twenty Road West")  
Environment Hamilton Incorporated  
Freeland Developments Limited  
Ontario Conference of the Seventh-Day Adventist Church  
Marvin Wasserman, Bernard Wasserman, 1315501 Ontario Inc. and David Wasserman ("Wasserman")  
Alex Milojevic  
Larry Notarandrea  
MacStar Developments Ltd.  
Hamiltonians for Progressive Development

Municipality: City of Hamilton  
Subject and OMB File Nos.: ROPA 41 (PL101300)  
OPA 135 (PL101301)  
OPA 82 (PL101302)

**PROCEEDINGS COMMENCED UNDER** subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellants: 456941 Ontario Ltd., 1263339 Ontario Ltd., Lea Silvestri, Lea Silvestri Investments Ltd ("Silvestri Investments")  
Sullstar Twenty Limited, 909940 Ontario Inc., Lynmount Developments Ltd., Twenty Road Developments Inc., Spallacci & Sons Limited, 2051205 Ontario Inc. and Mr. Yehezkel Zahavy ("Twenty Road West")  
Environment Hamilton Incorporated  
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Ontario Conference of the Seventh-Day Adventist Church  
Marvin Wasserman, Bernard Wasserman, 1315501 Ontario Inc. and David Wasserman ("Wasserman")  
Alex Milojevic  
Larry Notarandrea  
MacStar Developments Ltd.  
Hamiltonians for Progressive Development

Subject : By-law No. 10-288  
Municipality: City of Hamilton  
Subject and OMB File Nos.: ROPA 41 (PL101300)  
OPA 135 (PL101301)  
OPA 82 (PL101302)

**PROCEEDINGS COMMENCED UNDER** subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellants: 456941 Ontario Ltd., 1263339 Ontario Ltd., Lea Silvestri, Lea Silvestri Investments Ltd ("Silvestri Investments")  
 Subject: Rural Official Plan  
 Issues Group 10 (Volume 3 – Special Policy Area C – Airport Employment District)  
 Municipality: City of Hamilton  
 OMB File No.: PL090114

**PROCEEDINGS COMMENCED UNDER** subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellants: 456941 Ontario Ltd., 1263339 Ontario Ltd., Lea Silvestri, Lea Silvestri Investments Ltd ("Silvestri Investments")  
 Sullstar Twenty Limited, 909940 Ontario Inc., Lynmount Developments Ltd., Twenty Road Developments Inc., Spallacci & Sons Limited, 2051205 Ontario Inc. and Mr. Yehezkel Zahavy ("Twenty Road West")  
 Carmen Chiaravelle, 1694408 Ontario Ltd., John Edward Demik, Peter Demik, Demik Brothers Hamilton Ltd. and Elaine Vyn ("Twenty Road East")  
 Landmart Homes and Landmart Realty Corp.  
 Subject: Urban Official Plan  
 Issues Group:  
 • 3 (Airport Noise)  
 • 10 (AEGD Secondary Plan) – Issues 1-3  
 • 20 (Area/Site Specific – 2012 Upper James Street)  
 Municipality: City of Hamilton  
 OMB File No.: PL110331

## **MINUTES OF SETTLEMENT AEGD Phase 3 Hearing**

### **RECITALS**

1. On October 13, 2010, the City of Hamilton passed By-law No. 10-287 approving the Airport Employment Growth District ("AEGD") Secondary Plan through the adoption of Official Plan Amendment No. 41 to the former Region of Hamilton-Wentworth Official Plan, Official Plan Amendment No. 135 to the former Town of Ancaster Official Plan, and Official Plan Amendment No. 82 to the former Township of Glanbrook Official Plan ("2010 AEGD Secondary Plan"). This decision was subsequently appealed to the Ontario Municipal Board by the parties to these Minutes of Settlement (except Craig Smith who was added as a Party in support of the City of Hamilton position) and others.

2. On July 3, 2013 the Board issued its Phase 2 AEGD Decision. The Board ruled that 555 net hectares of employment land is needed to the year 2031 for the City of Hamilton's Airport Employment Growth District ("AEGD").
3. Based on this ruling, the parties to these Minutes of Settlement ("Minutes") carried out planning and technical expert reviews and filed witness statements with respect to the subject matter of the AEGD Phase 3 Hearing: the appropriate boundary configuration and designation for, and zoning amendments to implement, the AEGD Secondary Plan.
4. Following exchange of expert witness statements, the parties have undertaken discussion to resolve the outstanding issues as between them with respect to the AEGD Phase 3 Hearing.
5. Based on these discussions, the parties to these Minutes ("Parties") have reached an agreement on the proposed form of a modified AEGD Secondary Plan and implementing zoning by-law.
6. The Parties have concluded, based on expert planning and technical advice, that both the agreed-upon modified Secondary Plan and implementing zoning by-law is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, represents good planning, addresses the Board's Phase 2 ruling with respect to the need for employment lands in the City of Hamilton, and resolves all issues raised by the Parties with respect to the Phase 3 Hearing.
7. Based on the above, the Parties are desirous of entering into Minutes of Settlement to document their agreement with respect to this matter.

**THEREFORE, THE PARTIES HEREBY AGREE AS FOLLOWS:**

8. The recitals set out above are true and correct.
9. The Parties will jointly request that the Board allow the Appeal in part, and issue an Order:
  - a. Modifying the policies and schedules of the 2010 AEGD Secondary Plan in accordance with Schedule A to these Minutes;
  - b. Modifying the boundaries to the AEGD Secondary Planning Area in accordance with Schedule B to these Minutes.
  - c. Modify the Rural Hamilton Official Plan in accordance with the Policies set out in Schedule C.

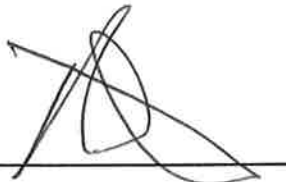
10. The Parties confirm that the changes addressed in Section 9 result in a Secondary Plan boundary that:
- a. Reflects the Noise Exposure Forecast 28 (Noise Impact and Evaluation Study, John C. Munro Hamilton International Airport, Final Report, 2006) and addresses good planning, implementing planned infrastructure and orderly development;
  - b. Includes the Gateway Lands to the west of Highway 6;
  - c. Includes the Ancaster Christian Reformed Church lands, Smith Farm, Hossack Farm and DeRubeis property;
  - d. Includes lands immediately south of Redeemer College, in a site specific Institutional Designation which permits Post Secondary School uses, but removes section E.6.2.6 which prevents future conversion to residential uses;
  - e. Includes 555 net ha of employment lands;
  - f. Includes the Garth Street Corridor with a depth of 350 feet on either side.
11. The Parties will, within two (2) weeks of the signing of these Minutes of Settlement file with the Board all planning instruments required to implement Section 9.
12. 456941 Ontario Ltd., 1263339 Ontario Ltd., Lea Silvestri and Lea Silvestri Investments Ltd. (collectively, "Silvestri Investments") and Twenty Road Developments Inc., Spallacci & Sons Limited, Sullstar Twenty Limited, 909940 Ontario Inc., Lynmount Developments Ltd., ~~2054205 Ontario Inc.~~ and Yehezkel Zahavy (collectively, the "Twenty Road West Landowners") will not object, directly or indirectly, to the recognition of the Elfrida area as identified in Section B.2.2.1 of the Urban Hamilton Official Plan and as shown in Schedule D to these Minutes. In furtherance of this:
- a. Silvestri and the Twenty Road West Landowners, upon Board approval of these Minutes of Settlement, will withdraw their appeals in respect of the Urban Hamilton Official Plan and the Rural Hamilton Official Plan except for the Silvestri Appeal as that appeal relates to the Silvestri lands located outside the AEGD with the following legal description: Pt Lts 8 & 9, Con 1 Glanford , Part 1 , 62r1261 , T/W AB332743, Glanbrook City Of Hamilton ("Silvestri Twenty Road East Lands");
  - b. Silvestri, except as it relates to the Silvestri Twenty Road East Lands, and the Twenty Road West Landowners will neither be parties to the Ontario Municipal Board ("OMB") hearing in respect of Group 9 of the Urban Hamilton Official Plan appeals (OMB Case No. PL110331), nor parties to the OMB hearing(s) in

respect of Groups 4, 6 and 8 of the Rural Hamilton Official Plan appeals (OMB Case No. PL090114);

- c. Silvestri and the Twenty Road West Landowners will not object, directly or indirectly, to the manner in which the Elfrida area is recognized as the City of Hamilton's area for further urban boundary expansion to accommodate the population growth targets for 2031, whether that be by way of an urban boundary expansion, identification of a future urban growth district, or some other manner;
  - d. For greater certainty, nothing in this agreement shall be interpreted as in any way limiting the Silvestri Appeal or participation in the hearing on the Urban or Rural Hamilton Official Plan appeals as it relates to the Silvestri Twenty Road East Lands.
  - e. These obligations are based on the version of the Urban Hamilton Official Plan attached hereto as Schedule E.
13. The City of Hamilton will forthwith commence work on a City-wide Municipal Comprehensive Review comprising a review of the City's future employment, commercial, institutional, residential land needs within and beyond the present urban boundary of the City (2031-2041). The Silvestri and Twenty Road West Lands identified in Schedule C will be included in this review.
  14. The Parties agree that it is the intent of the City of Hamilton that:
    - a. It will continue to look to the AEGD former study area as its first priority for employment lands;
    - b. The Elfrida lands are its first priority for non-employment lands; and
    - c. The Twenty Road East lands as shown in Schedule D are the City's next priority for non-employment lands after the Elfrida lands.
  15. The City, Silvestri and Twenty Road Landowners agree that infrastructure and servicing corridors in the Secondary Plan will be dedicated to the municipality upon request in accordance with the City's financial policies and municipal land dedication procedures.
  16. The Parties understand that all lands that are not included in the Secondary Plan and remain subject to the Rural Hamilton Official Plan will be subject to the City's New Rural Zoning By-law. The process for its consideration is underway.
  17. These Minutes shall enure to the benefit of, and be binding upon the Parties and their respective successors and assigns.

18. The Parties shall be responsible for their own costs with respect to these proceedings.
19. The Parties acknowledge and confirm that these Minutes may be executed in counterparts, each of which when executed and delivered shall be deemed to be an original, and taken together constitute one and the same Minutes of Settlement. For the purposes of these Minutes, the delivery of scanned or facsimile copy of these Minutes shall be deemed to be a valid execution and delivery of these Minutes. The Party shall deliver an original copy of these Minutes as soon as possible after delivering the scanned or facsimile copy.
20. The Parties agree that these Minutes address all of the terms and conditions of their agreement and that there are no other written or oral terms which amend or modify or otherwise affect the provisions of this agreement.


Dated this 3 day of February, 2015



PETER PICKFIELD

of counsel to 456941 Ontario Ltd., 1263339 Ontario Ltd., Lea Silvestri, Lea Silvestri Investments Ltd ("Silvestri Investments") on behalf of my clients and with no personal liability whatsoever

Dated this 3 day of February, 2015



JOEL FARBER

of counsel to Sullstar Twenty Limited, 909940 Ontario Inc., Lynmount Developments Ltd., Twenty Road Developments Inc., Spallacci & Sons Limited, ~~2051205 Ontario Inc.~~ and Mr. Yehezkel Zahavy ("Twenty Road West Landowners Group"), on behalf of my clients and with no personal liability whatsoever

Dated this 3<sup>rd</sup> day of February, 2015



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ANTHONY WELLENREITER

of counsel to Craig Smith, on behalf of my  
client and with no personal liability  
whatsoever

Dated this 3<sup>rd</sup> day of February, 2015



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NANCY SMITH

of counsel to the City of Hamilton, on behalf  
of my client and with no personal liability  
whatsoever

**SCHEDULE A**

**MINUTES OF SETTLEMENT**

**AEGD SECONDARY PLAN POLICY MODIFICATIONS**

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1. The applicable permitted uses and design policies for both Airport Prestige Business and Employment Supportive Centres will be subject to the Permitted Uses and Design policies found in the October 2014 version of the Secondary Plan provided in the Phase 3 Hearing document book (October 2014 Secondary Plan). The following policies would apply to all those lands designated Airport Prestige Business or Employment Supportive Centre in Schedule B.

**Permitted Uses**

*8.4.5.1 Notwithstanding Section E.5.5– Employment Area – Airport Employment Growth District of Volume 1, the following policies shall apply to the lands designated Airport Prestige Business on Map B.8-1 – Airport Employment Growth District Land Use Plan:*

- (i) *The Airport Prestige Business designation shall permit manufacturing, assembly, warehousing, repair service, transportation terminals, research and development, office, communication establishment, private power generation, and high technology industry.*
- (ii) *The Airport Prestige Business designation shall also permit uses which primarily support industry including labour association halls, hotels, trade schools, training facilities, commercial motor vehicle and equipment sales, commercial rental establishments, and utility activities benefiting from proximity to airport services.*
- (iii) *Outdoor storage, salvage yards, waste processing facilities, waste transfer facilities, and other uses which are unsightly or otherwise incompatible with the design policies and image for the Airport Prestige Business designation shall be prohibited.*
- (iv) *Small-scale accessory uses which primarily support employees such as cafes, fitness centres, or personal service uses which are developed integrally with the principal building on a site may be permitted.*

**Employment Supportive Centres**

*8.4.5.2 The following locations within the Airport Employment Growth District Secondary Plan, as shown on Map B.8-1 – Airport Employment Growth District Land Use Plan, are identified for the development of Employment Supportive Centres, within a 100 metre radius of:*

- a. *The southwest and southeast corners of Garner Road and Southcote Road;*



- b. *The southwest and southeast corners of Twenty Road West and Garth Street;*
- c. *The northwest corner of the future realigned Book Road East and Glancaster Road; and,*
- d. *The west side of Upper James Street, approximately 500 metres south of Twenty Road West.*

*8.4.5.3 In addition to the uses permitted in Section B.8.4.5.1 above, the following uses may be permitted in an Employment Supportive Centre subject to a Zoning By-law amendment:*

- a. *convenience stores;*
- b. *private health and recreational facilities;*
- c. *financial establishments;*
- d. *restaurants;*
- e. *personal services; and,*
- f. *gas bars and/or car washes, but no truck wash.*

*8.4.5.4 The additional land uses permitted in Policy B.8.4.5.3 of this Secondary Plan shall not exceed a total gross floor area of 2,500 square metres per centre. All adjacent parcels and parcels at the intersection of roadways developed in an Employment Supportive Centre shall be considered as one Employment Supportive Centre.*

*8.4.5.5 The gross floor area for any individual additional use permitted in Policy B.8.4.5.3 of this Secondary Plan shall not exceed 1,250 square metres, except for convenience stores which shall not exceed 500 square metres.*

### **Design**

*8.4.5.6 Airport Prestige Business uses shall be developed in accordance with the supporting policies, principles and requirements of Section B.8.4.5.7 and Section B.8.4.5.8 of this Secondary Plan and the Airport Employment Growth District Eco-industrial Design Guidelines and Urban Design Guidelines. Development within the Airport Prestige Business designation shall be subject to minimum standards for urban design (such as high quality and attractive materials and landscaping) and a high level of sustainable design. Development shall integrate natural features into their landscaping and buffering to minimize impacts on adjoining areas.*

*8.4.5.7 Employment development that effectively integrates with nearby residential uses, by minimizing and/or mitigating potential impacts through specific urban design, is encouraged. The following policies apply to Airport Prestige Business uses:*

- a. *Development abutting Twenty Road shall not have access to Twenty Road and shall be screened from nearby residential development by using fencing and landscaping along Twenty Road;*
- b. *Development abutting Twenty Road shall incorporate the utility corridor as a continuous buffer and shall be encouraged to incorporate a multi-use trail in the utility corridor;*

- c. *Development abutting Twenty Road shall be setback from Twenty Road with a rear yard as specified in the zoning by-law;*
- d. *Development abutting Twenty Road shall ensure all lighting and neon signs be directed away from the abutting Twenty Road lands;*
- e. *Development abutting Glancaster Road shall have limited access to Glancaster Road which shall be achieved through a minimum frontage requirement in the zoning by-law;*
- f. *Development abutting Glancaster Road shall have parking and loading spaces oriented to the side or rear yards, and away from adjacent residential uses;*
- g. *Development fronting Glancaster Road shall be low rise building forms and incorporate a landscaped area in the front yard specified in the zoning by-law;*
- h. *Development abutting Glancaster Road shall ensure all lighting and neon signs be directed away from the abutting Glancaster Road lands;*
- i. *Development abutting Garner Road shall have limited access to Garner Road which shall be achieved through a minimum frontage requirement in the zoning by-law;*
- j. *Development abutting Garner Road shall have parking and loading spaces oriented to the side or rear yards, and away from adjacent residential uses;*
- k. *Development fronting Garner Road shall be low rise building forms and incorporate a landscaped area in the front yard as specified in the zoning by-law;*
- l. *Development abutting Garner Road shall ensure all lighting and neon signs be directed away from the abutting Garner Road lands;*
- m. *The Airport Employment Growth District Urban Design Guidelines should be referred to for guidance on building orientation, landscape treatment, building materials, illumination, and location of parking and loading spaces to achieve an appropriate transition between the residential development fronting Twenty Road / Glancaster Road / Garner Road and the non-residential development in the interior of the Airport Employment Growth District;*
- n. *The recommendations in the Province of Ontario Ministry of Environment Guideline D-6 respecting minimum separation distances and undertaking of special studies for noise, dust, and odour in advance of development shall be*

*treated as requirements for all development abutting Twenty Road, Garner Road or Glancaster Road; and,*

- o. The City of Hamilton, in accordance with the recommendations in the Province of Ontario Ministry of Environment Guideline D-6, may require an agreement and/or financial assurance from the developer regarding mitigation measures required in the findings of the special studies.*

*8.4.5.8 In addition to the design policies for Airport Prestige Business uses, the following design policies apply to Employment Supportive Centres:*

- a. Uses in Employment Supportive Centres are encouraged to be developed in mixed use buildings with convenience stores and personal services on the main floor and employment uses on the upper floors, or as a main street configuration with multiple Employment Supportive Centre uses;*
  - b. The Airport Employment Growth District Urban Design Guidelines should be referred to for guidance on building orientation, landscape treatment, building materials, illumination, and location of parking and loading spaces to achieve transit-oriented development and appropriate integration of the Employment Supportive Centres with the Airport Employment Growth District;*
  - c. New Employment Supportive Centre uses shall be planned and designed to be integrated with and easily accessible from the surrounding Airport Prestige Business and industrial land uses. Where there are issues with access, precedence shall be given to accessibility by pedestrians, cyclists and transit vehicles over the private automobile; and,*
  - d. No parking, drive-throughs, or stacking lanes shall be permitted between buildings and the public sidewalk.*
- 2. Post-secondary schools have been removed from the October 2014 Secondary Plan policy B.8.4.5.1a) due to the settlement regarding Site Specific Policy Area D (Paragraph 4).*
  - 3. The 2010 Secondary Plan is amended by adding a new Site Specific Policy – Area D. The policy below applies to those lands labeled Area D in Schedule B.*

*8.17.4 For the lands designated Institutional, located on the southeast corner of Garner Road East and Smith Road, and identified on Map B.8-1 – Airport Employment Growth District Land Use Plan as Site Specific Policy – Area D, the following additional policies shall apply and be regulated by the Zoning By-law:*

- a) Residential uses shall be prohibited, except for ancillary uses, in accordance with Section E.6.2.4 of Volume 1,*

- b) *In addition to the permitted uses in Section E.6.2.2 of Volume 1, a trade school may be permitted, and*
  - c) *Section E.6.2.6 of Volume 1 shall not apply.*
4. Lands removed from the approved 2010 Secondary Plan area are retained in the Rural lands designation subject to the Rural Hamilton Official Plan and a pending Municipal Comprehensive Review.
5. The October 2014 Secondary Plan is amended by the following addition to policy B.8.4.5.2 of the October 2014 Secondary Plan for the addition of an Employment Supportive Centre at Highway 6 and Garner Road:
- e) *The southwest and southeast corners of Garner Road and Highway 6.*
6. The 2010 Secondary Plan is amended by adding a new Site Specific Policy – Area H for the Silvestri Gateway Lands. The policy below applies to those lands labeled Area H in Schedule B.
- B.8.17.7 In addition to the permitted uses in Policy B.8.4.5.1b) – Airport Prestige Business and B.8.4.5.3 – Employment Supportive Centre, for lands located at the southwest corner of Highway 6 and Garner Road, designated Airport Prestige Business and the lands located at the intersection of Garner Road East and Highway 6 identified as an Employment Supportive Centre,*
- a) *the following additional uses shall be permitted on the Airport Prestige Business lands at the southwest corner of Highway 6 and Garner Road:*
    - (v) *Banquet facility;*
    - (vi) *Conference and/or convention centre;*
  - b) *the following additional uses shall be permitted within the Employment Supportive Centre area located at the intersection of Highway 6 and Garner Road only:*
    - (i) *Commercial entertainment;*
    - (ii) *Retail stores;*
    - (iii) *Medical office and medical clinic; and*
  - c) *Notwithstanding Policy B.8.4.5.5., a retail store shall not exceed 500 square metres.*
7. The 2010 Secondary Plan is amended by adding a new Site Specific Policy – Area I for the Twenty Road West Garth Street Corridor. The policy below applies to those lands labeled Area I in Schedule B including the Employment Supportive Centre.
- B.8.17.8 The following policies apply to the lands south of Twenty Road West, east and west of the future Garth Street extension to be added to the urban boundary and*

*designated as Airport Prestige Business and the identified Employment Supportive Centre located at the corner of future Garth Street extension and Twenty Road as shown on Map B.8.1,*

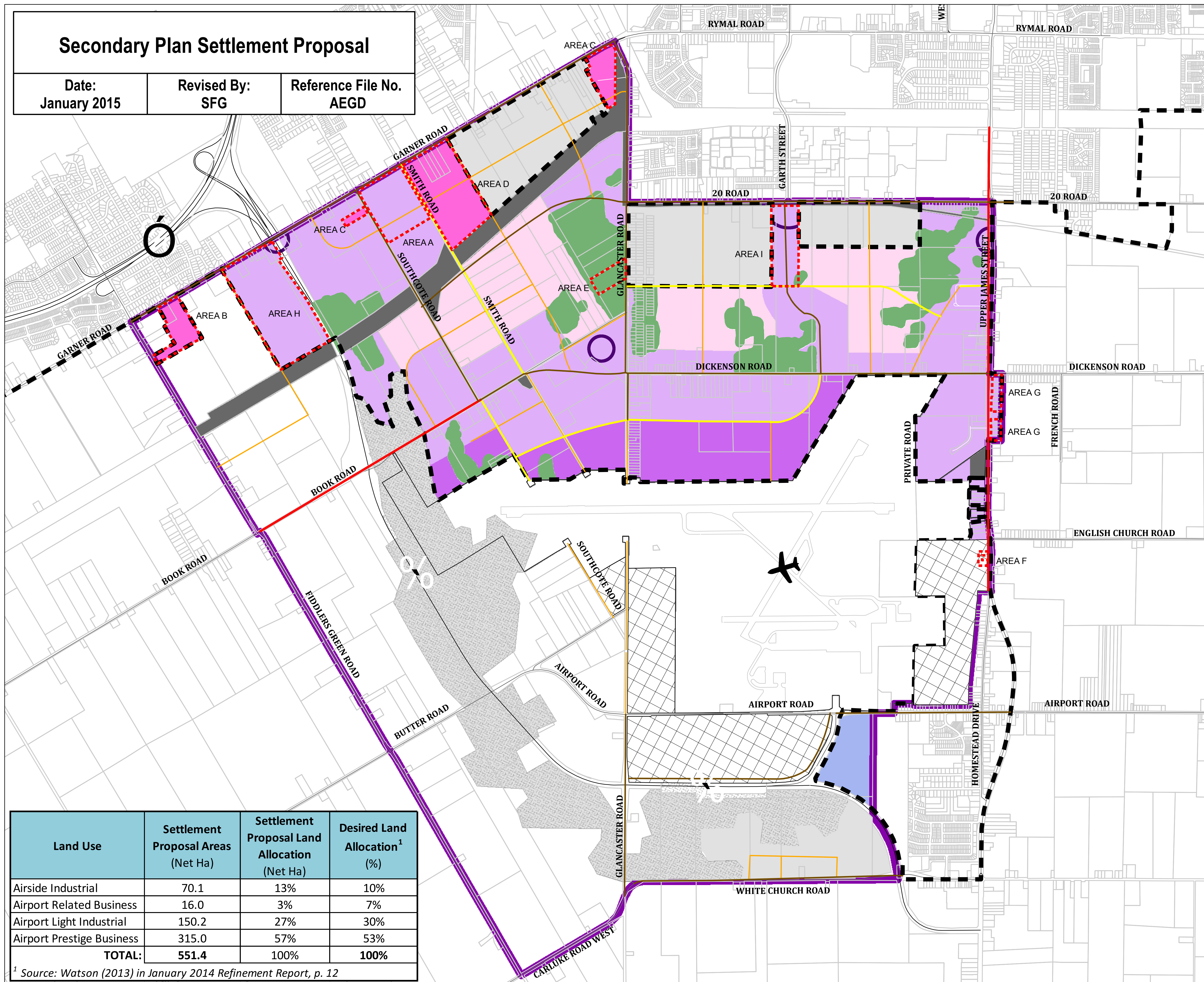
- a) *Notwithstanding Policy B.8.4.5.1a), the following uses shall not be permitted in the Airport Prestige Business area along the future Garth Street extension south of Twenty Road east:
  - (i) *Warehousing;*
  - (ii) *Transportation Terminals;*
  - (iii) *Private Power Generation; and*
  - (iv) *Utility Activities,**
  
- b) *Notwithstanding Policy B.8.4.5.2, Employment Supportive Centre located at the corner of Garth Street and Twenty Road shall have a radius of 200 metres,*
  
- c) *Notwithstanding Policies B.8.4.5.3, the following additional uses shall be permitted within the Employment Supportive Centre located at the intersection of Garth Street and Twenty Road:
  - (i) *Retail stores;*
  - (ii) *Commercial school;*
  - (iii) *Day nursery; and*
  - (iv) *Medical office and medical clinic,**
  
- d) *Notwithstanding Policy B.8.4.5.4, the total gross floor area of the employment supportive centre shall not exceed 5,000 square metres per centre.*
  
- e) *Notwithstanding Policy B.8.4.5.5, a retail store shall not exceed 500 square metres.*

# Secondary Plan Settlement Proposal

Date:  
January 2015

Revised By:  
SFG

Reference File No.  
AEGD



### Land Use Designations

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

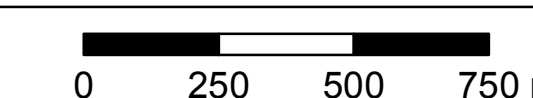
### Other Features

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

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

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

## Secondary Plan Settlement Proposal Land Use Plan Map B. 8-1

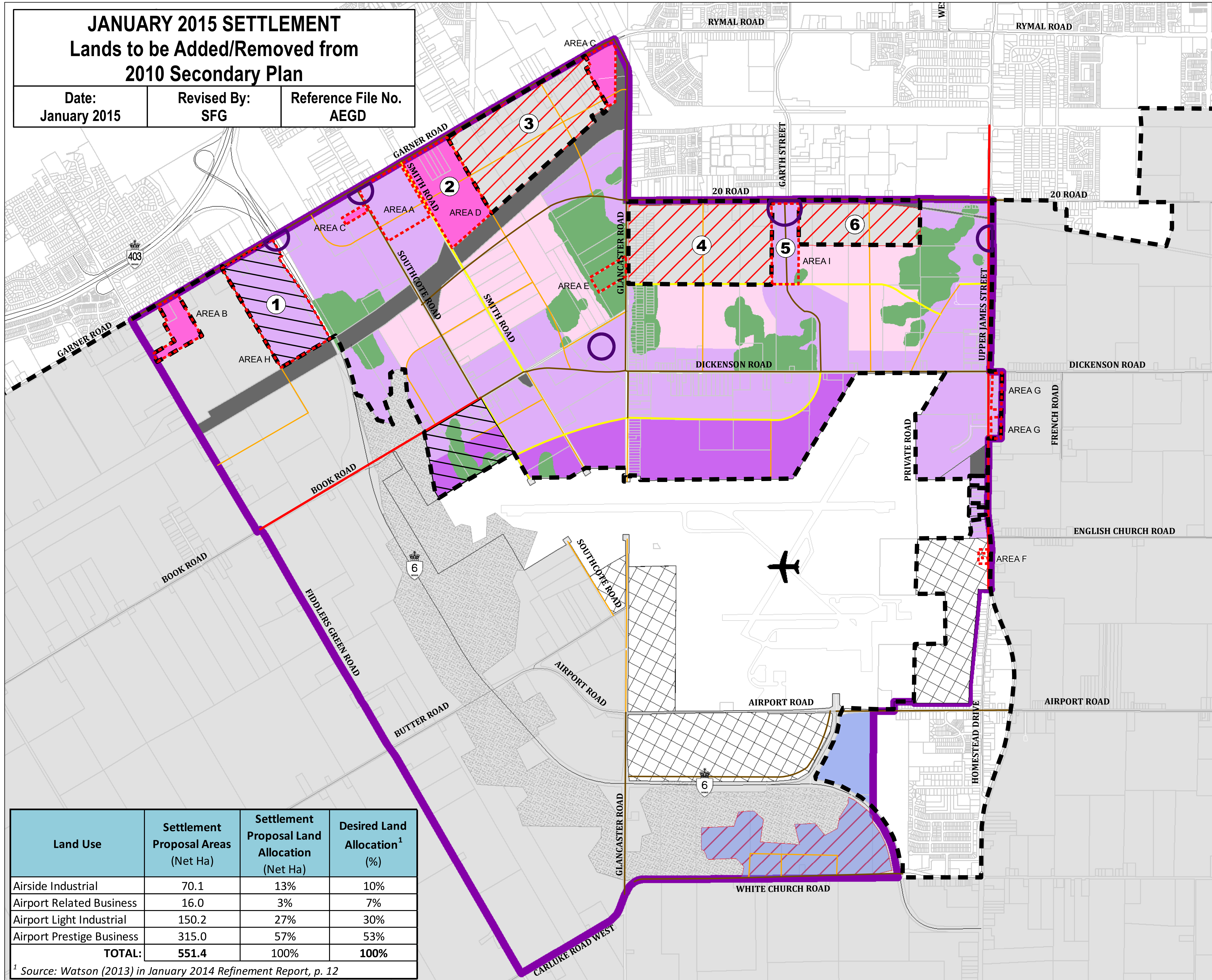


January 2015

Planning and Economic Development Department

# JANUARY 2015 SETTLEMENT Lands to be Added/Removed from 2010 Secondary Plan

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



## Lands Subject to January 2015 Minutes of Settlement

- ① Silvestri Gateway Lands & Employment Supportive Centre
  - ② Site Specific Policy Area D
  - ③ Silvestri Lands Subject to Rural Official Plan
  - ④ Twenty Road West Lands Subject to Rural Official Plan
  - ⑤ Site Specific Policy Area I & Employment Supportive Centre
  - ⑥ Twenty Road West Lands Subject to Rural Official Plan
- Removed from Approved 2010 Secondary Plan Area  
 Added to Approved 2010 Secondary Plan Area

- ### Land Use Designations
- Airside Industrial
  - Airport Related Business
  - Airport Light Industrial
  - Airport Prestige Business
  - Institutional
  - Natural Open Space
  - Utility
  - Airport Reserve

- ### Other Features
- Site Specific Policy Area
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  - Major Arterial Road
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Note:  
Per Board Order, the January 2015 Settlement configuration reflects a need for 555 net ha of employment lands to be added to the Urban Boundary.

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

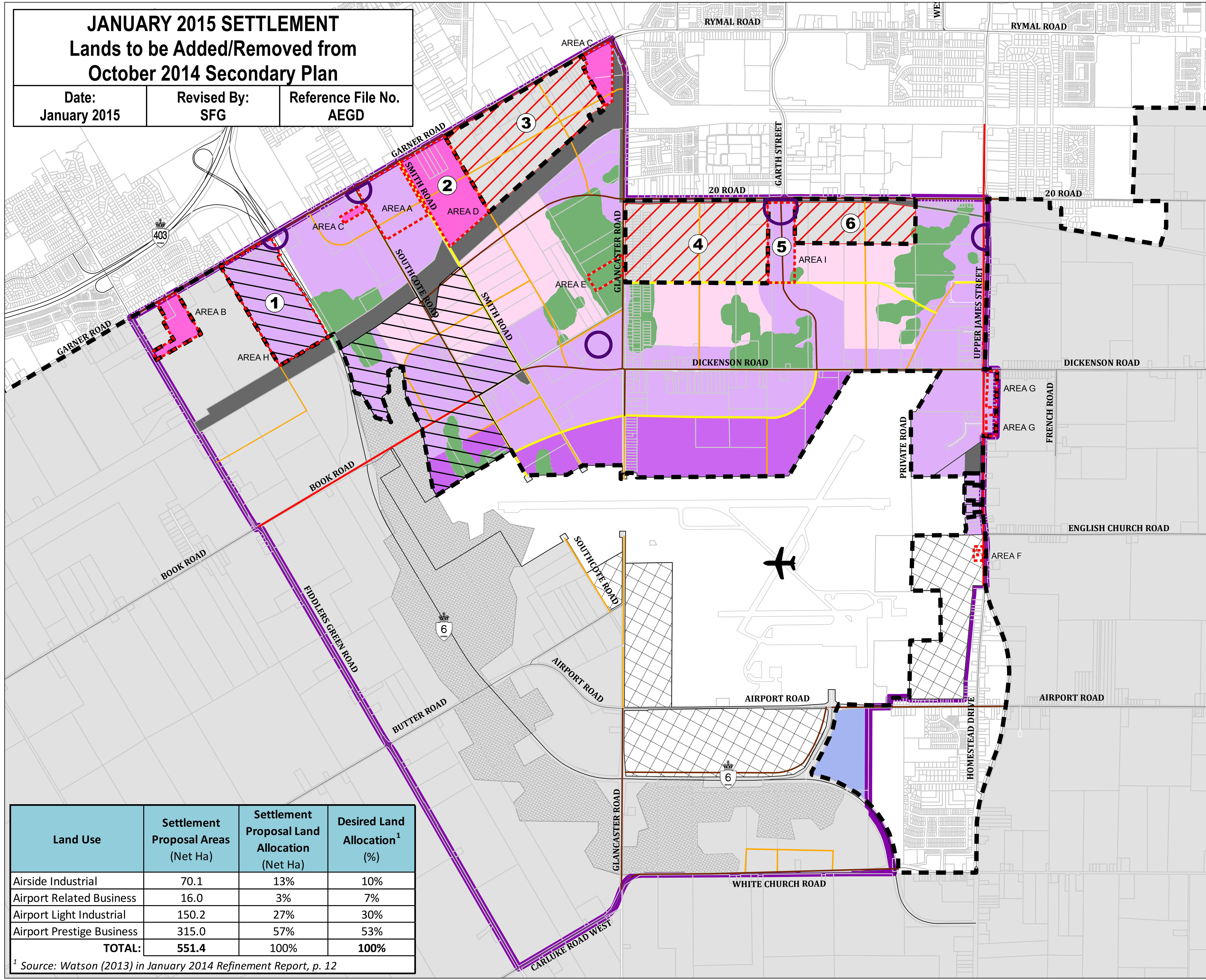
## JANUARY 2015 SETTLEMENT Lands to be Added/Removed from 2010 Secondary Plan

January 2015

Planning and Economic Development Department

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

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



## Lands Subject to January 2015 Minutes of Settlement

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

## Land Use Designations

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

## Other Features

- Site Specific Policy Area
- Employment Supportive Centre
- Major Arterial Road
- Minor Arterial Road
- Major Collector Road
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<sup>1</sup> Source: Watson (2013) in January 2014 Refinement Report, p. 12

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

January 2015

Planning and Economic Development Department



**SCHEDULE C**

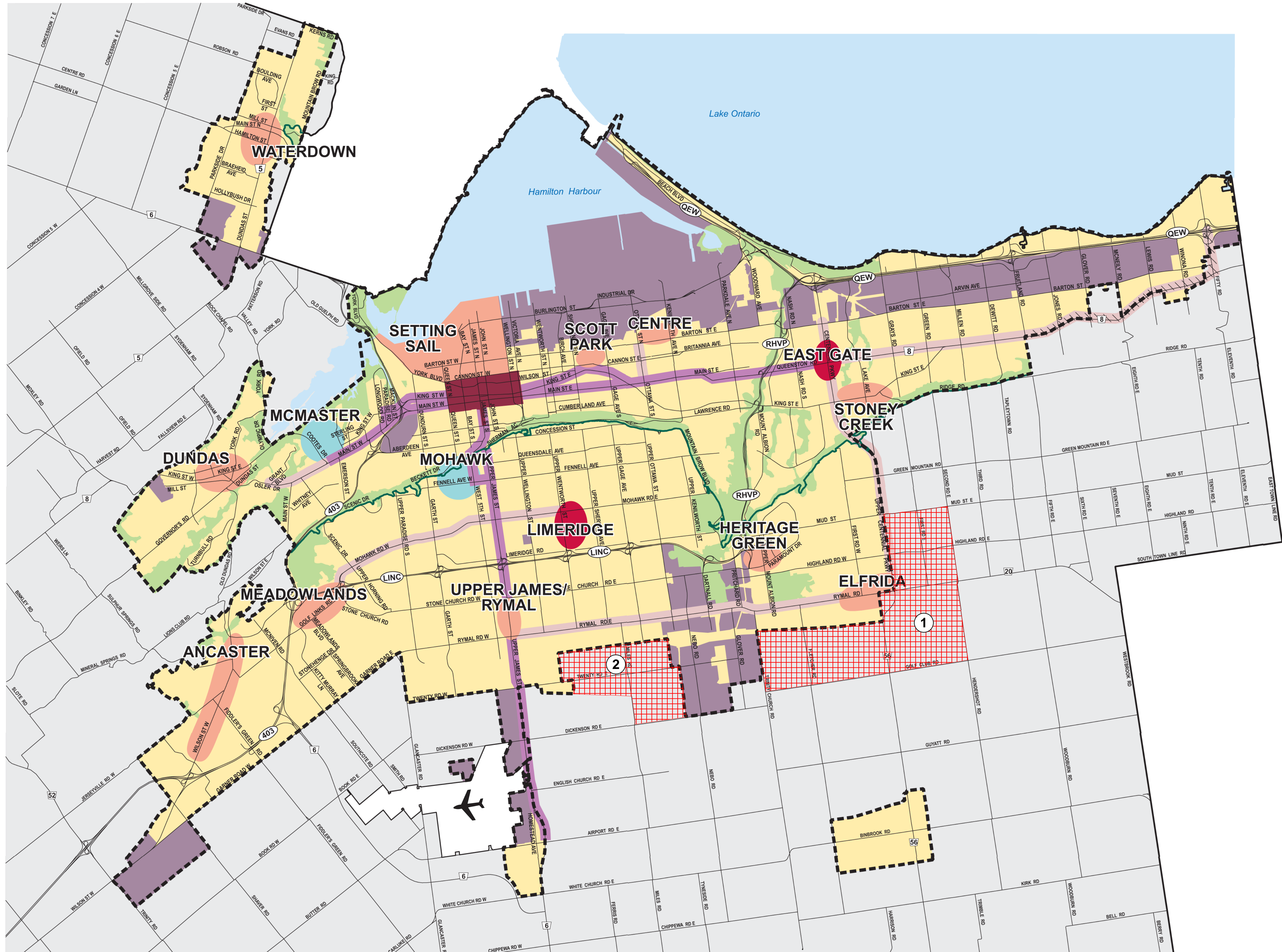
**Wording to be added to the AEGD Rural OPA**

R-xx For the lands located south of Twenty Road West, east and west of the future Garth Street extension, and identified as Site Specific Policy Area xx, non-agricultural uses or urban uses shall be prohibited.

**Map to be inserted in Rural OP**

R-xx For the lands bounded by Garner Road East on the north, the hydro corridor on the south and located between Nos. 792 to 1100 Garner Road East, and identified as Site Specific Policy Area xx, non-agricultural uses or urban uses shall be prohibited.

**Map to be inserted in Rural OP**



**Legend**

- ① Elfrida
- ② Twenty Road East

**Urban Structure Elements**

- Neighbourhoods
- Employment Areas
- Major Activity Centres
- Major Open Space

**Nodes**

- Downtown Urban Growth Centre
- Sub Regional Service
- Community

**Corridors**

- Primary
- Secondary
- Potential Expansion of Secondary Corridor

**Other Features**

- Rural Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary

**Urban Structure**

Not To Scale

Date: Sept. 2013

## SCHEDULE E

*Note: Text that has been crossed out is City of Hamilton text. Bold text indicates the Provincial modifications.*

### B.2.0 DEFINING OUR COMMUNITIES

#### 2.1 Urban Boundary

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.

#### 2.2 Urban Boundary Expansions

~~2.2.1~~ Hamilton's Growth Strategy (GRIDS) identified the following two [areas for future *urban boundary* expansion to accommodate the population and employment growth targets for 2031]:

- ~~a)~~ Future Airport Employment Growth District, identified as Special Policy Area C in the Rural Hamilton Official Plan, is generally bounded by the existing *urban boundary* adjacent to Upper James Street to the east, White Church and Fiddler's Green Roads on the south, Garner Road on the west and Glancaster Road, and Twenty Road West on the north.
- b) Future Urban Growth District is generally bounded by Mud Street, Second Road and Hendershot Road on the east, Golf Club Road on the south, Trinity Church Road on the west, and the existing *urban boundary* (west side of Centennial Parkway) on the north. **Future Urban Growth District in the vicinity of Elfrida, located generally in the area of Upper Centennial Parkway, Rymal Road East, Highway 20 and Highway 56.** [Mod 4(a)]

~~2.2.2~~ 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.

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

~~2.2.4~~ 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;
- 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.
- h) **the *urban boundary* expansion makes available sufficient lands for a time horizon not exceeding 20 years, based on the analysis provided for in Policy ~~B.2.2.4 a)~~B.2.2.3 a) [Mod 4 (e)]**

~~2.2.5~~ **2.2.4** The City shall establish a comprehensive public participation process that will include a community liaison committee comprised of landowners, public agencies and appointed City Councillors to oversee the development of the secondary plan referred to in Policy ~~B.2.2.4.~~ B.2.2.3.

### **2.3 ~~Future~~ Airport Employment Growth District [Mod 5(a)]**

**2.3.1** ~~The City shall undertake a municipally initiated comprehensive review and secondary plan for the lands identified in Policy B.2.2.1 a) above.~~ **The City shall undertake a *municipally initiated comprehensive review* and secondary plan for an Airport Employment Growth District, identified as Special Policy Area C in the Rural Hamilton Official Plan, generally bounded by the existing *urban boundary* adjacent to Upper James Street to the east, White Church and Fiddler's Green Roads on the south, Garner Road on the west and Glancaster Road, and Twenty Road West on the north [Mod 5(b)].**

**2.3.2** Upon completion of the secondary plan, including the phasing of development for the future Airport Employment Growth District, the City shall initiate an Official Plan amendment:

- a) to include specific lands within the *urban boundary*;
- b) to add new parent and secondary plan policies and mapping for the lands identified in Policy ~~B.2.2.1 a)~~ B.2.3.1 [Mod 5(c)]; and,
- c) ~~to protect and reserve any additional lands deemed necessary for future employment growth.~~ [Mod 5 (d)]

**2.3.3** **The City recognizes the long-term economic importance of the John C. Munro International Airport and associated highway infrastructure for its unique role as a catalyst for airport related and other employment uses. These future employment lands shall be subject to Policies B.2.2.1 to B.2.2.4 – Urban Boundary Expansions. Lands in the vicinity of the John C. Munro International Airport should be designated for employment purposes that rely on this infrastructure [Mod 5(d)].**