

CITY OF HAMILTON

NOTICE OF MOTION

PLANNING COMMITTEE DATE: December 7, 2021

MOVED BY COUNCILLOR DANKO.....

Hamilton Psychiatric Lands – Request to Rescind Minister’s Zoning Order (MZO)

WHEREAS the former Hamilton Psychiatric Hospital lands at West 5th and Fennel are owned by the Province of Ontario, and the Provincial Government is intending to sell the lands for redevelopment;

AND WHEREAS the City's Official Plan has long-identified these lands as forming part of a Major Activity Centre to accommodate critical commercial, institutional and environmental uses which may include new long term care facilities;

AND WHEREAS in February 2017 in anticipation of the Provincial Government disposing of the lands, Council directed staff to undertake comprehensive due diligence and development planning for the property to confirm a holistic vision and plan for the property;

AND WHEREAS in the spring of 2017, staff undertook extensive community consultations including stakeholder interviews with seven major local institutional leaders, a community information meeting, and a stakeholder and community design workshop, to explore potential land use concepts for the redevelopment of the subject lands

AND WHEREAS in October 2017, staff presented the findings of the community consultations through Report PED16254(c) which reaffirmed and extended the City's vision for the lands as described in the City's Official Plan, including a focus on institutional uses, building heights and massing compatible with the Niagara Escarpment and the surrounding lower density residential neighbourhoods, the adaptive reuse of Century Manor, and protecting site lines through the property to the Escarpment Brow;

AND WHEREAS the 2017 review confirmed that the existing I3 Zoning which permits a range of institutional, education and residential uses was appropriate to guide the redevelopment of the HPH lands based on the City's vision for these lands articulated in the City's Official Plan as a Major Activity Centre comprised of institutional, educational and supporting residential uses

AND WHEREAS the Provincial Government, notwithstanding the City's position, and without consultation with the City or any prior notice, approved a Ministers Zoning Order for the subject lands in August 2020 that granted drastically extended zoning

permissions to allow a wide range of residential uses including, single family dwelling, semi-detached dwelling, townhouse dwelling, street townhouse dwelling and multiple dwelling development that are incompatible with the City's vision for the property.

AND WHEREAS in December 2021 the Office of the Auditor General released the 2021 Annual Report which concludes: "the use of and lack of transparency in issuing Minister's Zoning Orders (MZOs) is inconsistent with good land-use planning principles and the purposes of the Planning Act and Places to Grow Act, 2005, which are to provide for planning processes that are fair; encourage cooperation and co-ordination among various interests; and recognize the decision-making authority and accountability of municipal councils in planning."

AND WHEREAS it is anticipated that the Provincial Government will soon be offering the lands for sale for redevelopment;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton formally requests the Provincial Government to rescind the Minister's Zoning Order issued for the former Hamilton Psychiatric Hospital lands and reinstate local planning and site-plan control prior to taking the lands to market;
- (b) That if the Provincial Government refuses to rescind the MZO, that the Province be requested to include the necessary restrictions and requirements within any offering for the former Hamilton Psychiatric Lands that will ensure that the City's vision for the lands is realized, including the adaptive reuse of Century Manor;
- (c) That the Province be requested to undertake community consultation with respect to the terms and conditions of any disposition of the former Hamilton Psychiatric Lands prior to taking the lands to market; and,
- (d) That the Mayor be authorized and directed to share the above resolution with the Premier, the Minister of Municipal Affairs and the local MPPs.