

Comments from Community Organizations and Landowner Groups with Staff Responses

This appendix provides a summary of comments from community organizations and staff's response. A copy of all community organization comments are included from in Appendix "G" to Report PED24109(b).

West End Home Builders Association	Comment	Staff Response
	<p>Many of WE HBA's previous concerns remain since we provided comments on the Framework last August, including concerns related to requiring that Financial Impact Assessment ("FIA") "be prepared by a qualified urban land economist or municipal finance practitioner with clearly demonstrable experience in fiscal impact analyses prepared for public sector clients"; the quantification of ecological service value for the FIA; a lack of TORs for many of the required studies; the additional requirement for a Secondary Plan after the OPA is decided upon; and that the FIA consider "that the time horizon assessed in any analysis extend past the lifecycle replacement costs of new infrastructure". WE HBA encourages the previously submitted comments be considered before the final adoption of the Framework. Our submission from August has been attached as Appendix A.</p>	<p>Staff and Dillon Consulting have considered these comments and are now recommending:</p> <ul style="list-style-type: none"> • The qualifications for the Financial Impact Analysis be a Professional Land Economist (PLE) or a qualified financial consultant with experience in preparing fiscal impact assessments. • Removing the requirement from the Financial Impact Analysis that the applicant is required to determine the ecological service value of natural areas within the expansion area. The City's approach to ecological service valuations is discussed in Section 3.2 of Report PED24109(b).

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	<p>It is noted in the report that “UBE applications are unique, and the submission requirements may differ than what is submitted as part of a typical development application”. This raises serious concerns for the industry, as clearly laying out study requirements prior to submission for any Formal Consultation is paramount for community builders to make property decisions and come to the City fully informed. The City must prepare detailed Terms of Reference for all potential studies that may be required for accountability and transparency. WE HBA was engaged in the first phase of the City’s Terms of Reference consultation in 2022. We encourage the City to initiate phase two of the Terms of Reference and would like to participate in a fulsome review of each document.</p>	<p>As part of Report PED24109(b), staff are recommending Council’s approval of several new Terms of References specific to urban boundary expansion applications to provide clarity to applicants on submission expectations. These Terms of References are based on previous guidance provided by Dillon Consulting which was commented on by the West End Home Builders Association and refined based on community feedback.</p>
	<p>As per the City’s previous Lands Need Assessment and opinion of professional planning staff at the City of Hamilton, additional land is required to accommodate Hamilton’s projected growth. Those initial projections were based on the Growth Plan Schedule #3 forecasts, which are now out of date and have been replaced by Ministry of</p>	<p>The purpose of a Housing Assessment to be submitted as part of an urban boundary expansion application is to assess whether there is a need for the mix and type of housing proposed for the urban boundary expansion area that cannot be accommodated within the existing urban area and what the impact of the proposed expansion would be to the Urban Hamilton</p>

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	<p>Finance projections based on the much higher levels of growth that Canada and Ontario have experienced these past few years. Demographic pressures have only increased with the gap between housing supply and population demand having grown further. According to the Financial Accountability Office of Ontario, single detached housing starts are at a 69-year low across the Province. There has been a decline in starts of ground-related housing at a time where there is escalating demand for family-friendly housing typologies. The Dillon memo notes that “work undertaken as part of the March 2021 LNA concluded that delivering the necessary number of larger, family-sized apartments and ground-related units within existing areas would be a challenge.” Requiring developers to provide additional study to demonstrate the need for additional housing is superfluous.</p>	<p>Official Plan’s growth policies. Staff note that as part of the City’s and Province’s approval of Official Plan Amendment No. 167, which established a firm urban boundary, was an increase in residential land use permissions throughout the City to meet future housing needs.</p>
	<p>Demand for ground-related housing such as townhomes and singles is largely unrelated to demand for studio, one- and two-bedroom apartments in Downtown towers. Between 2016 and 2021, Hamilton built 5,990 3+ bedroom dwellings, while rural-exurban areas such as County of Brant built 2,815, at a much</p>	<p>The potential for an increase in the number of households leaving Hamilton for other municipalities further away from the GTHA due to housing affordability under a firm urban boundary growth strategy was thoroughly reviewed and debated in the lead up to City Council and the Province of Ontario approving Urban Official Plan</p>

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	<p>higher per capita rate. Families are increasingly leaving the GTHA to find attainable, family-friendly housing that meets their needs in the form of ground-related housing and are typically not looking for units in tower apartments. There should be an explicit recognition that ground oriented housing types will be displaced to neighbouring communities (such as Brant County) if they are not accommodated in Hamilton. Additionally, due to the location and distance from Downtown and Intensification Corridor of any potential UBE areas, it will be difficult to determine impacts of UBE on these areas</p>	<p>Amendment No. 167 which established this strategy.</p> <p>The Planning Division is currently preparing a family friendly housing strategy to respond to the issue of the private sector not constructing multiple bedroom dwellings.</p> <p>In addition, Staff note that the City tracks interprovincial migration to and from Hamilton through its annual housing monitoring report.</p>
	<p>The City should adhere to the new Provincial Planning Statement requirements for minimum Greenfield Density. Achieving ground-related ambitious densities while limiting form and function presents a challenge to community builders.</p>	<p>The Provincial Planning Statement encourages large and fast growing municipalities including Hamilton to plan for a target of 50 residents and jobs per hectare for greenfield areas. The Provincial Planning Statement represents minimum standards and the Urban Hamilton Official Plan states that designated greenfield areas shall be planned to accommodate a minimum of 60 people and jobs per hectare.</p>

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	<p>In Part B, the Framework notes the following consideration: “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 the UHOP are not available. (Former UHOP Policy deleted by OPA 167)”. As previously stated, the need for a UBE is clear; population projections have risen dramatically since the March 2021 staff recommendation to adopt the Ambitious Density Scenario, “which included an urban expansion of approximately 1,300 net ha combined with aggressive targets for residential intensification and greenfield density” (Dillon Memo). The City’s Land Needs Assessment and a third-party review of that Land Needs Assessment clearly demonstrated the City requires a boundary expansion to accommodate the forecasted population growth and projections in the City’s Official Plan. Again, the City’s in force Official Plan is based on outdated Schedule 3 Growth Plan population projections which</p>	<p>Staff note that the City’s 2021 Land Need Assessment was completed under the Growth Plan for the Greater Golden Horseshoe (Growth Plan) which provided a specific methodology on how land needs are to be calculated. This methodology was removed with the repeal of the Growth Plan. The Ministry of Municipal Affairs and Housing has indicated that updated guidance is being developed for municipalities in undertaking this work; however, to date nothing has been released and the Provincial Planning Statement allows municipalities to establish their own intensification targets.</p> <p>The Provincial Planning Statement states that municipalities must begin basing population and employment growth projections on Ministry of Finance projections (2.1.1), but this policy document also states:</p> <ul style="list-style-type: none"> - Municipalities “may modify projections, as appropriate”; and, - Municipalities may continue to use the previous forecast issued by the Province until its next Official Plan review.

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	<p>identified Hamilton growing at a significantly slower rate than the region is ultimately experiencing. UBE Applications should be received and analyzed based on the Ministry of Finance 2046 population projection for Hamilton</p>	<p>The City of Hamilton will be required to update both its population and employment forecasts based on this direction when it undertakes its next conformity review of the Urban Hamilton Official Plan. The timing of this review had not yet been determined.</p> <p>It is important to note that the Ministry of Finance projections do not take into account planning policy, infrastructure capacity, housing affordability, land supply or other matters that influence the pattern of growth in southern Ontario. The results also tend to vary from year to year, given that the method is based on a continuation of recent patterns of migration and population growth rather than a forecast of longer-term trends.</p> <p>Hamilton's population growth is driven almost entirely by international immigration and staff anticipate that the recently announced Federal cuts to immigration levels, which had been at record highs, will have a direct impact on future Ministry of Finance population projections for Hamilton.</p>

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	<p>In October 2024, Hamilton Council adopted the Green Building Standards (GBS) which will apply to all new residential and non-residential development in the City. It is understood that the City is currently consulting internally regarding the implementation of the Standards and will be bringing a report forward in February 2025 to Planning Committee regarding implementation, as per Update on Green Building Standards Consultation (Report PED24228). It is noted in Appendix "A" to Report PED24114 that "there may be an opportunity to require GBS as a component of" the submission of an Energy and Environmental Assessment report. WE HBA strongly encourages the City prevent the duplication of study and review and ensure that the requested information within the Energy and Environmental Assessment are aligned with and not extraneous to GBS requirements.</p>	<p>The recommended Terms of Reference for the Energy and Climate Change Assessment allow an applicant to reference the impact implementation of the City's Green Building Standards will have on the proposed expansion area. The Assessment also allows applicants to identify specific land use policies, measures or actions beyond these standards proposed for the expansion area to mitigate climate change impacts. This will ensure there is no duplication. The Green Building Standards will be applied at the Draft Plan of Subdivision stage.</p>

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	<p>WE HBA is increasingly concerned and alarmed by a shifting political landscape in the City of Hamilton that caters to local political concerns of existing incumbent homeowners at the expense of younger generations, families, and those desperately trying to get into the housing market. The housing crisis will only get worse if we don't legalize more housing options of all types and tenures in both in existing and new communities. To put it bluntly - there is no pathway to middle class housing affordability with lengthy, costly and uncertain planning processes designed to prevent needed housing from being constructed.</p> <p>The City of Hamilton is increasingly debating and passing policies that are both anti-housing and anti-intensification which despite political commentary to the contrary further supports planning and demographic justification for UBE. The City's stated preference for a no-UBE scenario stands in stark contrast to the City's own public and political policy, including the phase-out of Downtown CIP incentives, a 30-storey height limit city-wide, the rejection of many intensification projects and subsequent OLT cases, and</p>	<p>These comments are noted. Staff note that some of the suggestions fall outside of the scope of the Framework for Processing and Evaluating Urban Boundary Expansions.</p>

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	<p>the need to use Strong Mayor powers to move forward affordable housing projects.</p> <p>As widely cited by many politicians, “Don't tell me what you value, show me your budget, and I'll tell you what you value.” – the City cannot simply state it values intensification over boundary expansion, while devaluing opportunities for intensification and housing supply through planning and fiscal policy. All levels of government and industry should be working together to spur construction of desperately needed housing of all types and tenures to close Canada's housing deficit. WE HBA looks forward to continuing to work in partnership with the City of Hamilton to achieve the City's housing targets through a variety of forms of growth.</p>	

Hamilton Naturalist's Club	Comment	Staff Response
	<p>HNC feels that the City's 2022 growth strategy should be followed before any development happens in greenfield areas, particularly in areas that have not been planned for development and therefore do not have services (road, water, sewer). It is</p>	<p>Comment received. Under the recent provincial changes to policies and legislative governing urban boundary expansion applications the City must receive and consider urban boundary expansion applications.</p>

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	<p>far more efficient and cost effective in terms of resources and construction capacity to build new homes in already built up areas. This means it is more affordable for new owners or tenants. Increased efficiency also means more homes can be built faster. Hamilton already has a lot of planned development and we do not feel there is enough construction capacity for new, unplanned development.</p>	
	<p>HNC suggests allowing for more mid-rise development within the current urban boundary which will increase efficiency and cost-effectiveness while providing a range of housing opportunities. In order to support mid-rise development, minimum parking requirements could be eliminated and the mandatory step back requirements could be removed for buildings six stories or less. In addition, establishing a dedicated staff team to work with mid-rise developers would increase the appeal of this type of development.</p>	<p>Comment received.</p>
	<p>There are a number of warehouses being proposed in Hamilton's white belt and HNC suggests that developers should follow the vertical warehouse model being implemented in several other countries. This type of warehouse helps with</p>	<p>Comment received. As discussed in Repot PED24203, the City must also undertake a review and update of its employment policies to be consistent with the Provincial Planning Statement, through which there will be opportunities for community input on employment densities.</p>

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	<p>automation which is the goal for a number of the warehouse companies.</p>	
	<p>The planning justification must show that expansion is required for the City to meet housing targets and that no other sites within the urban boundary (including underutilized spaces like brownfield, parking lots, vacant former commercial lots, etc.) could be a viable alternative site for the development of similar mix of units, taking into account not only housing price point but also lifetime cost to the municipality of providing services.</p>	<p>These comments are to be addressed through the City review of the required Housing Assessment which the applicant must provide to show the impact of the proposed expansion on the City meeting its intensification targets (including specifically within the Downtown, Community Nodes etc.) and Financial Impact Analysis.</p>
	<p>Hamilton has made positive strides in protecting and enhancing biodiversity, and HNC is concerned that UBE applications will negate the positive steps that have been made. We would like to know how the proposed developments will help to grow the urban tree canopy, and how they will contribute to the protection and enhancement goals in the Biodiversity Action Plan (BAP). The BAP has not been mentioned in the Draft Framework and we are wondering how the City plans to meet its commitments to protect and restore biodiversity if random developments are permitted outside of the urban boundary? We feel the BAP should be included in the</p>	<p>Part B of the Framework has been updated to include a specific consideration of whether the applicant is proposing measures that would strengthen protection of biodiversity in both rural and urban contexts.</p>

Hamilton Naturalist's Club	Comment	Staff Response
	<p>Natural Heritage and Water Resources section.</p>	
	<p>Urban boundary expansion applications need to submit an Environmental Impact Statement to demonstrate how it will not impact our important natural heritage. This should include mapping Ecological Restoration Zones (ERZs) that describe how Significant Woodlands will be expanded through substantive plantings and that linkages to adjacent Core Areas will be rebuilt. This would be a new designation in the Official Plan but can easily be supported by existing Natural Heritage policies and/or Natural Heritage sections of the Provincial Policy Statement such as Significant Wildlife Habitat - i.e., bat maternity areas or significant bird species. Wood Thrush and Eastern Wood Peewee are often identified around development areas, opening the door to requiring a larger forest, required by identifying a ERZ area.</p>	<p>The Framework requires the applicant to submit a Subwatershed Study (Phase 1) which identify and map all existing natural features/functions, hydrologic features and hazard lands including the related hydrologic functions and conditions. The information gathered in this phase will be the foundation for identifying measures such as buffers and restoration areas within subsequent phases of the Subwatershed Study. These phases (2 and 3) would be completed through the Secondary Plan process should the urban expansion be approved. Staff note that the City is scheduled to undertake a comprehensive review and update to its Natural Heritage System policies and mapping in both the UHOP and RHOP.</p>

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	<p>We are concerned about the increased pressure from urban boundary expansion development to existing infrastructure throughout the rest of the city such as the increased stormwater runoff from the larger impermeable surface area. We noticed there is no mention of the upcoming Green Building Standards and suggest that any proposed development needs to exceed the standards and that all rainwater needs to be managed on-site to not impact the rest of the city.</p>	<p>The recommended Terms of Reference for the Energy and Climate Change Assessment allow applicant's referencing the impact implementation of the City's Green Building Standards at the Draft Plan of Subdivision and Site Plan stage will have on the proposed expansion area. The Assessment also allows applicants to identify specific land use policies, measures or actions beyond these standards proposed for the expansion area to mitigate climate change impacts.</p>
	<p>The public consultation area for urban boundary expansion applications should be all Hamilton residents as it was Hamilton residents who pushed for the firm urban boundary in 2022. Residents need to be made aware of what's happening through this process and of the applications that come in. HNC looks forward to seeing what the process will be.</p>	<p>The Draft Framework proposes enhanced public notification requirements including providing written notice of an application being deemed complete and of the statutory public meeting to all landowners and residents within the proposed urban expansion area and within 400 metres of the subject lands.</p> <p>Any members of the public who sign up to the Urban Boundary Mailing list will receive notification of an Urban Boundary Expansion application being deemed complete and notification of the statutory public meeting.</p> <p>In addition, the City has created a new Urban Boundary Expansion Application</p>

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		webpage that will include all application materials for public review.

Landwise (on Behalf of Vantage Group)	Comment	Staff Response
	<p>Landwise has been retained by 2113522 Ontario Inc. (related to Vantage Group), to prepare a submission for the on-going consultation of the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications on their behalf. 2113522 Ontario Inc. owns approximately 23 hectares (57 acres) of land south of the Hamilton International Airport lands and east of the newly leased lands. The lands are located to the west of the southernmost boundary of the Airport Employment Growth District Secondary Plan boundaries in the Rural area. The purpose of this letter is to formally request consideration on establishing priorities for the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications and to highlight the strategic importance of the subject lands and their contribution to the overall economic growth objectives of the City of Hamilton.</p>	<p>The letter from Landwise is related to a specific area of land south of the Hamilton International Airport that is outside of the urban boundary.</p> <p>It is not within the scope of this project to provide recommendations or establish site specific policies for area of land where an urban boundary expansion application may be received. Each urban boundary expansion application received will be considered on its own merits through the process established under the Framework.</p> <p>Staff note that for smaller urban boundary expansion applications there is an opportunity to scope the submission requirements for an urban boundary expansion application by proceeding through the Formal Consultation process.</p>

<p>Landwise (on Behalf of Vantage Group)</p>	<p>The Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications should address the importance of creating, supporting, and promoting the logical expansion of employment areas. Urban Boundary Expansions that aim to close gaps and create more cohesive employment area boundaries should be recognized as when it can be demonstrated that they support the long-term objectives of employment areas and more specifically the success of the Hamilton International Airport.</p>	<p>See above comment.</p>
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<p>Corbett Land Strategies (on behalf of Upper West Side Landowners Group)</p>	<p>Comment</p>	<p>Staff Response</p>
	<p>The graphics within the proposed UBE Framework should be modified to distinguish the UWSLG lands from lands located on Garner Road given their geographic separation and lack of affiliation to the UWSLG (See Appendix A). The graphic suggests that the three parcels are linked together given the black/bold linework attached to them.</p>	<p>The three areas on the graphic have historically been referred to as the “Twenty Road West” lands and staff do not recommend renaming them in City of Hamilton materials at this time. By numbering the three distinct areas outside of the urban boundary, staff can clearly illustrate which areas are subject to specific urban boundary expansion applications.</p>
	<p>The graphic should be further modified to include a specific colouring scheme and labels for candidate expansion areas</p>	<p>The Twenty Road West lands are not within the urban boundary and the Urban Hamilton Official Plan has no policies referring to</p>

<p>Corbett Land Strategies (on behalf of Upper West Side Landowners Group)</p>	<p>which are “white belt” (lands on the periphery of urban boundaries) and the lands which are “infill” (found interior to and are generally surrounded by the urban boundary) (See Appendix A). This distinction is important when evaluating the 79 ha of the UWS “infill” lands that are surrounded by urban boundary against the 4,320 hectares of the City’s total “white belt” land.</p>	<p>these specific areas as being ‘infill’ or distinct from other whitebelt lands.</p>
	<p>The framework to evaluate urban expansion applications should be modified to permit sensitive land uses up to the 30 NEF, in accordance with Transport Canada, Provincial Planning Statement and MOE policy. The application of the 30 NEF, when considering sensitive lands uses in proximity to airports, is common amongst airports in the GTA and beyond. The City of Hamilton should look to other world class cities that have maximized their residential development potential around airport areas, either through the introduction of exemption areas, or adoption of NEF policies in line with the Province and Federal guidelines as noted above. This should be considered in the context of the ongoing housing crisis.</p>	<p>Staff note that the Upper West Side Landowners Group have several Official Plan amendment applications related to urban boundary expansions and Noise Exposure Forecast contours that are currently under appeal at the Ontario Land Tribunal. As a result, staff have refrained from commenting.</p>
	<p>The recent implementation of the Provincial Planning Statement introduced the Ministry of Finance population</p>	<p>The Provincial Planning Statement states that municipalities must begin basing</p>

<p>Corbett Land Strategies (on behalf of Upper West Side Landowners Group)</p>	<p>projections as the guide for setting housing targets. As part of their framework, as well as position on Urban Boundary expansions, the city should consider the Ministry of Finance projections to 2051 (903,270 people) as they have increased by 83,270 people compared to those currently included in the Urban Hamilton Official Plan (820,000 people).</p>	<p>population and employment growth projections on Ministry of Finance projections (2.1.1), but this policy document also states:</p> <ul style="list-style-type: none"> - Municipalities “may modify projections, as appropriate”; and, - Municipalities may continue to use the previous forecast issued by the Province until its next Official Plan review. <p>The City of Hamilton will be required to update both its population and employment forecasts based on this direction when it undertakes its next conformity review of the Urban Hamilton Official Plan. The timing of this review had not yet been determined.</p> <p>It is important to note that the Ministry of Finance projections do not take into account planning policy, infrastructure capacity, housing affordability, land supply or other matters that influence the pattern of growth in southern Ontario. The results also tend to vary from year to year, given that the method is based on a continuation of recent patterns of migration and population growth rather than a forecast of longer-term trends.</p> <p>Hamilton’s population growth is driven almost entirely by international immigration and staff anticipate that the recently announced Federal cuts to immigration</p>
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<p>Corbett Land Strategies (on behalf of Upper West Side Landowners Group)</p>		<p>levels, which had been at record highs, will have a direct impact on future Ministry of Finance population projections for Hamilton.</p>
	<p>Council should consider the recent updates to legislation, which permit the expansion of the urban boundary, as an opportunity and prepare the framework accordingly. The framework should be prepared to establish a process which is focused on allowing the City to deliver missing middle housing and resolve outstanding and historical staff recommendations regarding the need to expand the settlement area.</p>	<p>The need to create the Framework is in direct response to recent provincial policy and legislative changes, including the repeal of the Growth Plan which the City had to previously conform to in considering urban expansions, which allow privately initiated urban boundary expansion applications to be appealed.</p>
	<p>In evaluating urban boundary expansion, Council should consider making a mandatory affordable housing contribution part of the evaluation criteria. This would ensure that new communities being formed are already contemplating the development of affordable housing and planning accordingly.</p>	<p>The <i>Planning Act</i> allows the City to adopt Inclusionary Zoning policies to mandate affordable housing only for lands within Protected Major Transit Station Areas, lands subject to a Community Planning Permit System or through a Minister's Zoning Order. As a result, the City cannot mandate affordable housing be included as part of an urban boundary expansion application.</p> <p>Staff are recommending that the final Framework include a consideration under Part B of whether the proposed expansion would have a positive impact on housing affordability within the City.</p>