

March 23, 2026

Sent via e-mail to: Lesley.kelsey@hamilton.ca

Lesley Kelsey, Legislative Coordinator
Hamilton Planning Committee
City of Hamilton
71 Main Street West
Hamilton, ON L8P 1P9

Dear Lesley Kelsey,

**Re: *City Initiated OPA for Phase 1 of the Employment Area Review
575 Highland Road West, 655 Pritchard Road, 1603 Rymal Road East, Stoney
Creek***

We are the planning consultant to Multi-Area Development Inc. (the “owner”) for their lands located at 575 Highland Road West, 655 Pritchard Road and 1603 Rymal Road East, Stoney Creek (the “subject site”) and we are writing to provide our comments on the recommendations in Staff Report (PED26034) and the draft Official Plan Amendments and related attachments regarding Phase 1 of the City’s Employment Area Review. For the reasons outlined herein, we respectfully request that Planning Committee consider the following:

1. Remove the subject site from the *Employment Area* designation.
2. Postpone and consolidate Phases 1 and 2 of the Employment Area Review.
3. Include a more fulsome transition policy that recognizes sites that have expanded the range of uses through a Planning Application.

1.0 Background

As you are aware, the subject site was the subject of a rezoning (City File No. ZAC-14-006) and draft plan of subdivision application (City File No. 25T-201402), which was approved by Council in 2016. The purpose of the rezoning application was to rezone the subject site from the Prestige Business Park (M3) and Open Space (P4) Zones to a site specific Business Park Support (M4) and Conservation/Hazard Lands (P5) Zones in Zoning By-law 05-200 (the “ZBL”). The effect of the rezoning application was to expand the range of uses on the subject site to include a variety of motor vehicle and employment supporting uses including conference facilities, financial establishments, medical clinics, personal services, restaurants, retail, etc.

2.0 Current Policy Framework

UHOP

The subject site is currently designated *Arterial Commercial, Business Park, and Open Space* on Schedule E-1 of the Urban Hamilton Official Plan (the “UHOP”) as outlined in the Figure 1 below:

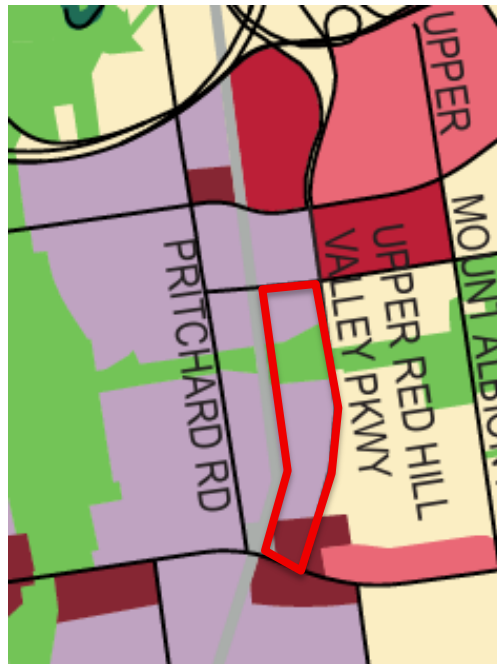


Figure 1 – UHOP Schedule E-1

In this regard, the *Business Park* designation permits a range of employment uses (see Policy E.5.4.3 a), employment supporting uses (see Policy E.5.4.3 b), and ancillary uses including hotels, health and recreational facilities, financial establishments, restaurants personal services, motor vehicle service stations, retail establishments and commercial parking facilities (see Policy E.5.4.3 c). In addition, limited agricultural, waste facilities and accessory uses are also permitted (see Policies E.5.4.3 d, e, and f).

Zoning By-law 05-200

The subject site is Zoned Conservation/Hazard Land (P5), special exception Arterial Commercial (C7, 748), and special exception Business Park Support (M4, 481) Zones. In this regard, the M4, 481 Zone permits a full range of business park supporting uses including:

- Commercial motor vehicle sales, rental and service

- Conference or Convention Centre
- Financial Establishment
- Hotel
- Medical Clinic
- Motor Vehicle repair and service uses
- Office
- Personal Service
- Repair service
- Research and development
- Restaurant
- Retail

Special Exception 481 states that the maximum gross floor area for office use within an individual building, excluding accessory office, shall be limited to 9,999 square metres; and the maximum combined gross floor area for accessory retail and showroom shall be 50% of the principal use.

3.0 Employment Area Review Draft OPA

Staff Recommendation Report PED25182 (the “**2025 Report**”) was received by the City’s Planning Committee on November 14, 2024 and the recommendations were ultimately endorsed by City Council. In this regard, the Report included a Draft Official Plan Amendment, which Staff was directed and authorized to engage in public consultation with, among others, industry and residents.

Staff Recommendation Report PED 26034 (the “**2026 Report**”) has been prepared and is to be received by the City’s Planning Committee on March 24, 2026. The 2026 Report includes a revised Draft Official Plan Amendment (the “**Draft OPA**”), which includes updated policy language and the removal of site specific lands from the Employment Areas designation.

The Draft OPA includes the following amendments:

- **Definitions** - Change to definition of “Employment Area” to align with the Provincial Planning Statement, which specifically exclude institutional and commercial uses, including retail and office uses not associated with the primary employment uses.
- **Confirmity of new uses in Employment Areas (Policy C.3.2.1 g)** – identifies that, notwithstanding the uses permitted in all land use designations, the establishment of new uses on lands designated “Employment Area” shall conform to the definition of “Employment Area”.

- **Lawfully Established (Policies E.2.8.2, E.2.8.3 and F.1.12.12)** – recognizes existing uses that are excluded from the new definition of “Employment Area” that were lawfully established on or before October 20, 2024 and notes that these lands continue to form part of an “Employment Area” and may be recognized in the Zoning By-law.
- **Restrict Non-Employment Area Uses (Policy E.2.8.4)** – prohibits the establishment of a new use which does not align with the definition of “Employment Area”.
- **Supersedes SPA, ASP and Site Specific Policies (Policy F.1.3.2)** – prohibits the establishment of a new use which does not align with the definition of “Employment Area” even if there is an existing Special Policy Area (**SPA**), Area Specific Policy Area (**ASP**), or Site Specific Policy Area.
- **Maintains Mapping of Employment Areas** – does not change the boundaries of any *Employment Areas* on Schedule E – Urban Structure of the UHOP.

4.0 Our Comments

We have reviewed the Draft OPA and provide the following comments:

1. The subject site went through a process to expand the range of uses in 2016, which was ultimately approved by City Council and the as-of-right zoning permission that apply to the subject site today allow for a range of uses beyond those that would be permitted in the Draft OPA.
2. The subject site should be removed from the *Employment Areas* designation in the UHOP, since the range of uses currently permitted go beyond the restricted range of uses permitted in the Draft OPA.
3. The City should combine phases 1 and 2 of the proposed Employment Area Review since:
 - It will need to update the definition of “Employment Areas” to align with provincial policy.
 - The Report acknowledges that it completed a Land Need Assessment for GRIDS2, which identifies that there is a surplus of employment land. This, in our opinion, outlines the need for additional land need assessment work (which should be made public) to determine how much existing and new *Employment Areas* lands are needed.

- The City will need to determine the amount of existing *Employment Areas* that should be maintained and what potential new areas will be needed.

Furthermore, in our opinion, the Draft OPA is premature and will have the effect of creating non-conformity for a significant amount of *Employment Areas* lands, which has as-of-right zoning that permits uses that go beyond the new definition of “Employment Area”. This includes lands like the subject site as well as other lands that may be under construction or recently constructed (post- October 20, 2024). At a minimum, the Draft OPA should be revised to include transition policies that acknowledge similar sites that have gone through a Planning Application process to expand the range of uses.

5.0 Concluding Thoughts and Next Steps

Given the foregoing, we respectfully request that the Planning Committee not support the staff recommendation and advance the Draft OPA to Council for approval and instead, combine phases 1 and 2 to apply a comprehensive approach to the Employment Area Review. Furthermore, the subject site should be removed from the *Employment Areas* designation, given the recent approvals to expand the range of uses on the subject site.

We would appreciate a meeting to discuss these comments further.

Respectfully Submitted,

Bousfields Inc.



David Falletta MCIP, RPP

cc. clerks
Staff

/DF:jobs