

INFORMATION REPORT

TO: Chair and Members Public Works Committee	WARD(S) AFFECTED: WARDS 9 & 11
COMMITTEE DATE: October 3, 2011	
SUBJECT/REPORT NO: Rymal Road Planning Area (ROPA9) Transportation Master Plan Update (PW11070) - (Wards 9 & 11)	
SUBMITTED BY: Gerry Davis, CMA General Manager Public Works Department	PREPARED BY: Alan Kirkpatrick (905) 546-2424, Extension 4173
SIGNATURE:	

Council Direction:

Not Applicable

Information:

This update has been prepared to provide the Committee with the current status of the Rymal Road Planning Area, Transportation Master Plan (TMP) study. Public Works and the Planning and Economic Development Departments are currently working together on this matter.

In 2006, the City completed the Rymal Road Planning Area Class Environmental Assessment Master Plan and identified the transportation, water and wastewater infrastructure improvements required to service the "ROPA 9" lands and lands known as Special Policy Area 'C'.

The purpose of this report is to outline the following:

- provide a brief overview on the studies that have been completed and finalized following the adoption of the 2006 Rymal Road Planning Area CEA Master Plan
- provide an overview on the key issues
- outline the next steps and timing for the Rymal Road Planning Area TMP Update

Background

In June 2001, the Ontario Municipal Board issued an interim decision approving Amendment No. 9 to the Region of Hamilton-Wentworth Official Plan (ROPA 9), to re-designate approximately 190 hectares (470 acres) of land from rural to urban, to allow residential and related urban development (approximately 3,590 housing units and 21.4 hectares (53 acres) of commercial uses).

In March 2002, the Ontario Municipal Board proceeded to approve Amendment No. 36 to the Former Township of Glanbrook Official Plan, comprised of the Rymal Road Secondary Planning Area, to set out the detailed policy framework for development of the subject lands for urban purposes. As a first phase of development, the Secondary Plan allows for the construction of up to 500 dwelling units and 19,000 square metres of general commercial space prior to external transportation improvements and Class Environmental Assessment studies being finalized. Without specific supporting studies (e.g. traffic impact studies), additional residential or general commercial development may not occur within the Secondary Plan area until the required environmental assessments and respective capital budgets are finalized, funding mechanisms are approved for cost recoveries, and improvements are included in the capital budget, where required.

In August 2003, City of Hamilton Council approved the recommendation to initiate a Master Plan Class Environmental Assessment in accordance with Section A.2.7 of the Municipal Engineers Class Environmental Assessment June 2000 for the Rymal Road Secondary Planning Area.

1. OVERVIEW OF COMPLETED STUDIES

Trinity West Secondary Plan and the Trinity East Amendments

In 2006, the City initiated a secondary planning process for the Trinity Neighbourhood. The Eramosa Karst Natural Science ANSI area had been identified and the Karst Core Area, Core Area buffer, and identified feeder creeks (73 hectares) had been deeded by the Province to the Hamilton Conservation Authority for the creation of the Eramosa Karst Conservation Area. The original neighbourhood plan was no longer valid as the karst area restricts the development of the collector road and the interior lands. The existing secondary plan had to be revised to reflect this large no-build open space area in the centre of the Trinity Neighbourhood. The Secondary Planning area included lands east to Second Road West and west to the proposed Trinity Church Road extension.

During the secondary planning process, the City and the Hamilton Conservation Authority requested completion of technical studies by the Ontario Realty Corporation (the major land owner), to allow staff to determine whether future development (including the construction of a road) on the lands to the east of the Conservation Area would negatively impact the integrity of the core karst area. The Secondary Plan review and the City's Environmental Assessment Study for an internal collector road within the east area of the Trinity Secondary Planning Area, were placed on hold pursuant to Council direction.

Subsequently, the Trinity Secondary Planning Area was divided in two areas, Trinity West and Trinity East. The Secondary Plan review continued for the Trinity West lands, i.e. the lands bound by Upper Mount Albion to the east, Trinity Church Arterial Corridor (TCAC) to the west, Highland Road to the north and Rymal Road to the south. Trinity East which is the lands from the Eramosa Karst Conservation Area to Second Road West continues to be on hold.

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In June 2010 (see Appendix A-2), the Trinity West Secondary Plan was approved and identified as the future land use plan for the area, including residential development at a range of densities mixed use development, parks, and open space areas and recognized the core karst area that was deeded to the Conservation Authority.

Also, in June 2010 (see Appendix A-3), Council passed a resolution directing staff to redesignate and rezone the Trinity East lands to Open Space. In February 2011 (see Appendix A-1), Council approved Official Plan Amendments No. 163 (to the former City of Stoney Creek Official Plan) and an amendment to the Urban Hamilton Official Plan for the Trinity East lands located south of Highland Road, north of Rymal Road, and west of Second Road. These amendments designated these lands as "Open Space" and "Natural Open Space" (Stoney Creek Official Plan) and "Major Open Space" (Urban Hamilton Official Plan) and established a specific policy area to require additional studies to address any potential impact on the karst prior to permitting any municipal infrastructure or consideration of any future land use changes. In addition, Council passed a Zoning By-law amendment to rezone the subject lands to the "Conservation/Hazard Land (P5)" Zone. These amendments were not appealed and are now in force and effect.

Rymal Road Planning Area Class Environmental Assessment (EA) Master Plan Study (2006)

In 2006, City of Hamilton Council endorsed Phases 1 and 2 of the Rymal Road Planning Area Class Environmental Assessment (EA) Master Plan Study. The study addressed the infrastructure improvements required to service the "ROPA 9" lands and Special Policy Area 'C'. The purpose of the EA was to address the short and long term transportation and water/wastewater infrastructure needs to allow development of the "ROPA" 9 lands for urban land uses. The Master Plan Study recommended a number of Schedules A, B, and C transportation projects, including proposed measures to address traffic concerns in the Trinity Neighbourhood.

The major projects/improvements recommended through the Rymal Road Planning Area TMP outlined in staff report PW06073 included:

- Widen Rymal Road from Trinity Church Road to Regional Road 56 (required as early as 2007). Widen Regional Road 56 from Rymal Road to approximately 900 m to the south. The Phases 3 & 4 study process for this project was completed in 2007.
- Constructing a new road, Trinity Church Arterial Corridor (TCAC), with two lanes in each direction, from the intersection of Stone Church Road and the Red Hill Valley Parkway ramp towards the south, crossing Rymal Road East at midway between Pritchard and the existing Trinity Church Road, and connecting to the proposed Twenty Road realignment. The Phases 3 & 4 of the EA process was completed in 2008. This new road section north of Rymal was identified as needed by 2011 to accommodate the projected traffic and to support new developments. Subject to opening of this new road, the Upper Mount Albion (UMA) road was recommended for closure at Rymal Road.

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- Road widening and intersection improvements to Stone Church Road East/Paramount Dr. and Winterberry Dr. surrounding the Special Policy Area "C". These improvements have been completed by developers prior to the development occurred in the Special Policy Area "C".
- A new collector road Trinity Neighbourhood Collector Road (TNCR) connecting Gatestone Road at Second Road West to Highland Road was also identified as a required road link to provide capacity in the north-south direction, and partially to support the ROPA 9 developments. This new road alignment was proposed through the lands east of the Karst area which is owned by Infrastructure Ontario (IO), formerly Ontario Realty Corporation (ORC). However, the Phases 3 & 4 Municipal Class EA process for this project was suspended at the direction of the Council based on the concerns of potential adverse impact on the Karst.

Improvements to Rymal Road (Dartnall Road to New Trinity Church Corridor) Municipal Class Environmental Assessment, Schedule 'C'

In March 2011 the City of Hamilton Council endorsed the Phases 3 and 4 EA work completed for Rymal Road improvements from Dartnall Road to the New Trinity Church Arterial Corridor (report PED11044). The study followed the applicable planning process for Schedule 'C' projects under the Municipal Class EA. Schedule 'C' projects are approved under the Environmental Assessment Act once the required four phase process is complete and subject to a public review period.

The preferred alternative for this Class EA is widening Rymal Road to a five-lane cross-section, with two lanes in each direction and a continuous left-turn lane, within the existing road Right-of-Way. The preferred option includes a Right-of-Way width between 30.5 to 36.6 m.

Staff are currently finalizing the ESR report and plan on placing the ESR on public record in the fall, for review by the public and review agencies with opportunity to request a Part II Order.

Improvements to Dartnall Road (Rymal Road to Stone Church Road) Municipal Class Environmental Assessment, Schedule 'C'

In March 2011 the City of Hamilton Council endorsed the Phases 3 and 4 EA work completed for Dartnall Road improvements from Rymal Road to Stone Church Road (report PED11043). The study followed the applicable planning process for Schedule 'C' projects under the Municipal Class EA. Schedule 'C' projects are approved under the Environmental Assessment Act once the required four phase process is complete and subject to a public review period.

The preferred alternatives for this Class EA are as follows:

Section 1 - Dartnall Road between Rymal Road East and the Hitch Factory (520 m north of Rymal Road East)

- Five (5) lane urban cross-section with no bike lanes and sidewalk on the west side. Control alignment shifted to the west of the existing road alignment.

Section 2 - Dartnall Road between the Hitch Factory (520 m north of Rymal Road East) and Stone Church Road East

- Five (5) lane semi-urban cross section with no bike lanes, sidewalk on the west side, and the control alignment shifted to the west side. Stormwater quality treatment using enhanced swale (ditch system) along the east side.

Intersection Improvements – Dartnall Road and Rymal Road East / Dartnall Road and Stone Church Road East

- Signalized intersections using auxiliary lanes are preferred for the short/medium term at both intersections, and roundabouts are preferred for the potential long-term.

Staff are currently finalizing the ESR report and plan on placing the ESR on public record in the fall, for review by the public and review agencies with opportunity to request a Part II Order.

2. OVERVIEW OF KEY ISSUES

Second Road West closure issue

Second Road West residents have been waiting for a resolution of these planning issues as the residents had been previously been advised that once the Trinity Neighbourhood Collector Road (TNCR) was constructed and opened, Second Road West would be closed to through traffic, north of Gatestone Drive. This proposed new two-lane collector road has been planned from Second Road West, opposite Gatestone Drive to Highland Road, at Glenhollow Drive, and would be a portion of a ring-road system in the area.

The original plan includes the Second Road West section, south of Gatestone Drive to Rymal Road, as a Local Collector road along with the TNCR to complete the north-south connection. At this time, it would appear that the TNCR will NOT be constructed. Several traffic issues have been reported by the residents of the Second Road West road (*not from Friends of the Eramosa Karst*) and they continue their efforts to have the road closed. The residents claim that the City promised this road closure when they moved to this area for which we have not seen any documented evidence. Traffic engineering section monitors and reviews the traffic issues on a continuous basis.

Therefore, at this time, Second Road West will remain open from Highland Road to Rymal Road. The Rymal Road Planning Area TMP Update will include Second Road West along with the overall area as part of transportation network solutions.

With respect to the 2006 Rymal Road Planning Area CEA Master Plan, it recommended road improvements, implementing new road connections was to provide north-south capacity along the corridor between Pritchard Road and Upper Centennial. The road closures were to mainly address the localized traffic issues and to operate the road consistent with its “Local Road” designation.

The major solution to address the north-south capacity deficiency is the construction of the TCAC road, specifically the section north of Rymal Road. Improvements

recommended for the Rymal Road are also crucial in achieving the identified capacity increase.

The Transportation Planning section in Public Works Department is in the process of initiating a review of the ROPA 9 TMP completed in 2006. It is estimated that the review and update will take until June 2012 to be completed.

Upper Mount Albion Road

The ROPA 9 TMP approved the closure of Upper Mount Albion Road at Rymal Road, subject to construction and opening of the new Trinity Church Arterial Corridor Road. This road closure was requested by the residents during the study and public consultation process and was approved for implementation.

Trinity Church Arterial Corridor (TCAC)

The major capacity increase for this area is expected by constructing the new TCAC Road and the Rymal Road improvements recommended in the ROPA 9 TMP. The feasibility of identifying an alternative alignment for a north-south collector between Rymal Road and Highland Road within the Trinity corridor, instead of the one proposed through the Karst land, will be problematic based on the existing constraints in this area.

To address the traffic issues in the Trinity Neighbourhood and surrounding areas, Phases 3 & 4 of the Environmental Assessment process for the TCAC was completed in 2008. Funds for the design and construction of the TCAC was approved in the 2011 Capital budget. The design of the road is underway, however, there are issues concerning stormwater management that have been unresolved. City staff and their consultants are working with the HCA staff to resolve the issues.

The Trinity Church Arterial Corridor Road will be a four-lane arterial road extending southerly from the Red Hill Valley Parkway ramp terminals at Stone Church Road to Rymal Road, and then continuing southerly through the future North Glanbrook Industrial Business Park. The road is a critical link in the future road network providing required north-south traffic capacity. This additional capacity will be necessary with the future closure of Upper Mount Albion Road to through traffic and to support the ROPA 9 area developments and industrial business park. The Environmental Study Report for this multi-year road project is approved, and a capital budget submission has been prepared in order to proceed with land acquisition and detailed design in 2010 for the Stone Church Road to Rymal Road section. The estimated cost (2007) is \$6.0 million (excluding land costs). Overall, there are a number of transportation issues which have yet to be resolved. There is the need for additional capacity and network connectivity in the north-south direction through the area. There are greater system-wide matters to be addressed if this road is not provided in the short term, due to the growing traffic congestion on Second Road West, Upper Mount Albion, and other roads related to development in Summit Park and vicinity.

In order to consider future roadway capacity needs related to increasing residential and commercial developments, and new employment area, i.e. Glanbrook Business Park, new roads have also been considered, including the proposed Trinity Church Neighbourhood Collector and the Trinity Church Arterial Road. However, based on the

Eramosa Karst West of Second Road West, the opportunity to construct the previously proposed Trinity Church Neighbourhood Collector seems unlikely.

The Eramosa Karst lands currently belong to Infrastructure Ontario - IO [formerly the Ontario Realty Corporation (ORC)] who had previously expressed an interest in selling the lands for development purposes. The City of Hamilton and the Hamilton Conservation Authority (HCA) petitioned the Ministry of the Environment with a Part II Order, placing the redevelopment of the Eramosa Karst lands on hold, pending further investigation.

Recently, IO published a Notice of Addendum to their Environmental Study Report Class EA for the Land adjacent to the Eramosa Karst Conservation Area, stating that the Ministry of Municipal Affairs (MMA) indicated “a decision is withheld on the publically owned lands in the Eramosa area within the Trinity Neighbourhood, in particular lands located south of Highland Road, north of Rymal Road, and west of Second Road in the former City of Stoney Creek to allow the province the opportunity to work with the City and local conservation Authority to ensure the most appropriate long-term land uses for these publically owned lands.”

Potential risks associated with the decisions on Trinity East Land

Overall, preserving the Eramosa Karst lands has been a key factor in this entire process and therefore, this is why efforts have been made to maintain the Trinity East lands as Open Space. However, in doing so, this poses a major constraint and challenge in identifying solutions for the transportation issues in the Trinity Neighbourhood and adjacent areas. The Trinity Neighbourhood Collector Road proposed under the 2006 ROPA 9 TMP is not a viable solution any longer. The issue is also exacerbated with the ongoing and planned developments in the ROPA 9 area, Special Policy Area C, and the Binbrook area. In practical terms, there is no land available in the corridor between Pritchard Road and Upper Centennial for a new north-south collector road to provide for the additional capacity needs and connectivity. Under this situation, the ROPA 9 Transportation Master Plan Review process may take into consideration the following as part of the solutions:

- Revisiting the recommendation to close Upper Mount Albion and the Second Road West. The alternative would be to keep it as it is now or even improve to take more traffic. There could be huge objection to this from the Public and potential Part II Order request, delay etc.
- Accept a reduced Level of Service for traffic in the Trinity and adjacent areas. This can be examined in detail through the master plan review process. This would also invite objection from the public and developers.

To control the continuous increase in traffic on the existing roads, consideration may be given to put a temporary freeze on the developments in the Trinity and surrounding areas, at least until the approved TCAC and Rymal Road improvement projects are implemented.

3. NEXT STEPS

Based on a number of complex issues involved with this situation, staff is providing the following estimated timelines (from the date of this report):

ROPA 9 Transportation Master Plan Update	9 -12 months
Resolution of the Eramosa Karst lands	1 - 3 months
Construction of the proposed Trinity Church Arterial Corridor	18 - 24 months
Future capital improvements for Rymal Road	No funds included in the Capital Budget forecast

Staff will continue to update Committee as the identified projects proceed.

Appendix A-1

February 1, 2011

**Trinity East - Official Plan Amendment and Zoning By-law Amendment
(Ward 9) (PED07236(d)) (Item 6.1)**

- (a) That approval be given to Official Plan Amendment to the former City of Stoney Creek Official Plan, for the lands located south of Highland Road, north of Rymal Road, and west of Second Road (Stoney Creek), as shown on Appendix "A" to Report PED07236(d), to change the land use designation from "Low Density Residential", "Medium Density Residential", "Local Commercial", and "Elementary School" to "Open Space" and "Natural Open Space"; and to establish Special Policy Area 'J' to require additional studies to address any potential impact on the Karst prior to permitting any municipal infrastructure or consideration of any future land use change, as set out in Appendix "B" to Report PED07236(d).
- (b) That approval be given to Official Plan Amendment to the Urban Hamilton Official Plan (Ministerial approval pending), for the lands located south of Highland Road, north of Rymal Road, and west of Second Road (Stoney Creek), to change the land use designation from "Neighbourhoods" to "Major Open Space"; and to establish Area Specific Policy USC-4 to require additional studies to address any potential impact on the Karst prior to permitting any municipal infrastructure or consideration of any future land use change, as set out in Appendix "C" to Report PED07236(d).
- (c) That the Province be requested to modify the Urban Hamilton Official Plan for lands located south of the Highland Road, north of Rymal Road, and west of Second Road (Stoney Creek), to designate the lands Open Space, as defined in Appendix "C" to Report PED07236(d).
- (d) That approval be given to amend Zoning By-law No. 05-200 by incorporating the lands located south of Highland Road, north of Rymal Road, and west of Second Road (Stoney Creek) to be zoned "Conservation/Hazard Land (P5)" Zone, as set out in Appendix "D" to Report PED07236(d).

Trinity East lands related requests to the Province of Ontario (Added Items 9.1 and 9.2)

- (a) That the City of Hamilton request the Government of Ontario and the Ontario Realty Corporation to transfer the ownership of the Trinity East lands, located south of Highland Road, north of Rymal Road and west of Second Road in Ward 9 of the City of Hamilton, to the Hamilton Conservation Authority for a nominal fee of two dollars with the intent to protect these environmentally sensitive lands into the future.
- (b) That staff be directed to report back to the Planning Committee in respect to requesting the Province increase the subject lands Area of Natural and Scientific Interest (ANSI) rating.

Appendix A-2

June 9, 2010

Trinity West Secondary Plan and Official Plan Amendments (PED07236(d)) (Ward 9) (Item 6.7)

- a) That Official Plan Amendment **No.** to the former City of Stoney Creek Official Plan, and Official Plan Amendment **No** to the former City of Hamilton Official Plan, be approved to adopt the Trinity West Secondary Plan, and that the By-law, attached as Appendix "A" to Report PED07236 (d), which has been prepared as a By-law of adoption, in former satisfactory to the City Solicitor, be approved and forwarded to Council for approval.
- b) That the Official Plan Amendment/Modification **No** to the Urban Hamilton Official Plan be approved to adopt the Trinity West Secondary Plan, attached as Appendix "B" to Report PED07236(d); and should Council's decision on these amendments occur prior to the final decision on the Urban Hamilton Official Plan by the Province, the City request the Ministry of Municipal Affairs and Housing to include these amendments in the Urban Hamilton Official Plan and defer it until the Official Plan Amendment to the former City of Stoney Creek is final and binding.

Appendix A-3

June 9, 2010

**Trinity East - Future Land Use Options and Transportation Studies
(PED07236(c) / PW07112(c)) (Wards 6, 9, and 11) (Outstanding Business
List Item) (Item 7.2)**

- a) That no development be permitted on the Trinity Neighbourhood lands east of the Eramosa Karst feeder creeks, as illustrated on Appendix “A” to Report PED07236(c) / PW07112(c);
- b) That Planning and Economic Development Department staff be directed to prepare an Official Plan Amendment and Zoning By-law Amendment to re-designate and rezone the land identified in Recommendation (a) as “Open Space” in the Stoney Creek Official Plan, and to prepare an amendment to the new Hamilton Urban Official Plan;
- c) That the General Manager of the Public Works Department be authorized to utilize previously approved funds in the 2008 Capital Budget to review and update the Transportation Master Plan studies for the ROPA 9 and Trinity Neighbourhood areas;
- d) That the subject matter be identified as completed and removed from the Outstanding Business List.

Appendix A -4

March 23, 2010

**Ontario Realty Corporation Class EA Environmental Study Report for Trinity East
(Eramosa Karst) (PED07236(b) / PW07112(b) (Wards 6, 9, and 11)**

That Public Works Department and Planning and Economic Development Department staff be directed to request the Minister of the Environment to make an order for the Ontario Realty Corporation's project to comply with Part II of the Environmental Assessment Act, which addresses individual environmental assessments for the ORC Lands located east of the Eramosa Karst feeder creeks in the City of Hamilton, as per Report PED07236(b) / PW07112(b)

Appendix A – 5

August 28, 2007

Trinity Neighbourhood Secondary Plan and Trinity Neighbourhood Collector Road Class Environmental Assessment (PED07236 / PW07112) (Wards 6, 9, 11)

- a) That the General Manager, Planning and Economic Development be authorized and directed to put on hold the Secondary Planning process for those lands east of the Eramosa Karst area in the Trinity Neighbourhood;
- b) That the General Manager, Planning and Economic Development be authorized and directed to undertake the Secondary Planning process for the lands west of the Eramosa Karst area and north of Rymal Road;
- c) That the General Manager, Public Works be authorized and directed to suspend the Class Environmental Assessment process for the Trinity Neighbourhood Collector Road;
- d) That the General Manager of the Public Works Department be authorized and directed to include \$200,000 in the 2008 Capital Budget submission for a revised Transportation Master Plan for the ROPA 9 and Trinity Neighbourhood area;
- e) That Planning and Economic Development Department staff and Public Works staff be directed to report back to Economic Development and Planning Committee upon their review of the Ontario Realty Corporation's Technical Reports regarding development potential of the lands east of the Eramosa Karst, or at the final Economic Development and Planning Committee meeting of 2007, whichever comes first, with recommendations regarding whether or not the Secondary Planning work outlined in Recommendation “A” and the Class Environmental Assessment work outlined in Recommendation “C” can resume;
- f) That a copy of Report PED07236/PW07112 be forwarded to Premier Dalton McGuinty and that a formal request for transfer of the remaining karst lands in the Trinity Neighbourhood be sent by Council to the Premier's Office.

Appendix A - 6

September 13, 2006

Trinity Neighbourhood Collector Road Approval to Undertake Property Acquisition (PW06116) (Ward 9) (Item 12.1)

- (a) That the General Manager of Planning and Economic Development be authorized and directed to negotiate the purchase of the property located at 337 Highland Road West;
- (b) That the cost for the property acquisition be front-ended from the Roads Development Charges Reserve and from 2006 Capital Accounts for Annual Municipal Act (Accounts 5180625107 and 5140625307) ;
- (c) That subject to approval of sub-section (b), staff be authorized and directed to prepare a Municipal Act cost recovery By-law for the new Trinity Neighbourhood Collector road to include the cost of the road, any necessary land acquisition, underground services, and other future costs for benefiting developable properties in the Trinity Neighbourhood ;
- (d) That should negotiations be unsuccessful in the acquisition of the lands located at 337 Highland Road West, the City Solicitor be authorized and directed to proceed with the necessary steps to expropriate the property located at 337 Highland Road West, with funding for the expropriation as noted in (b);
- (e) That in the event that part of the properties are declared surplus and are sold, that the net proceeds be used to repay the Roads Development Charges Reserves and the 2006 Capital Accounts for Annual Municipal Act;
- (f) That Report PW06116 remain confidential as the report contains information with respect to property acquisition for municipal purposes.

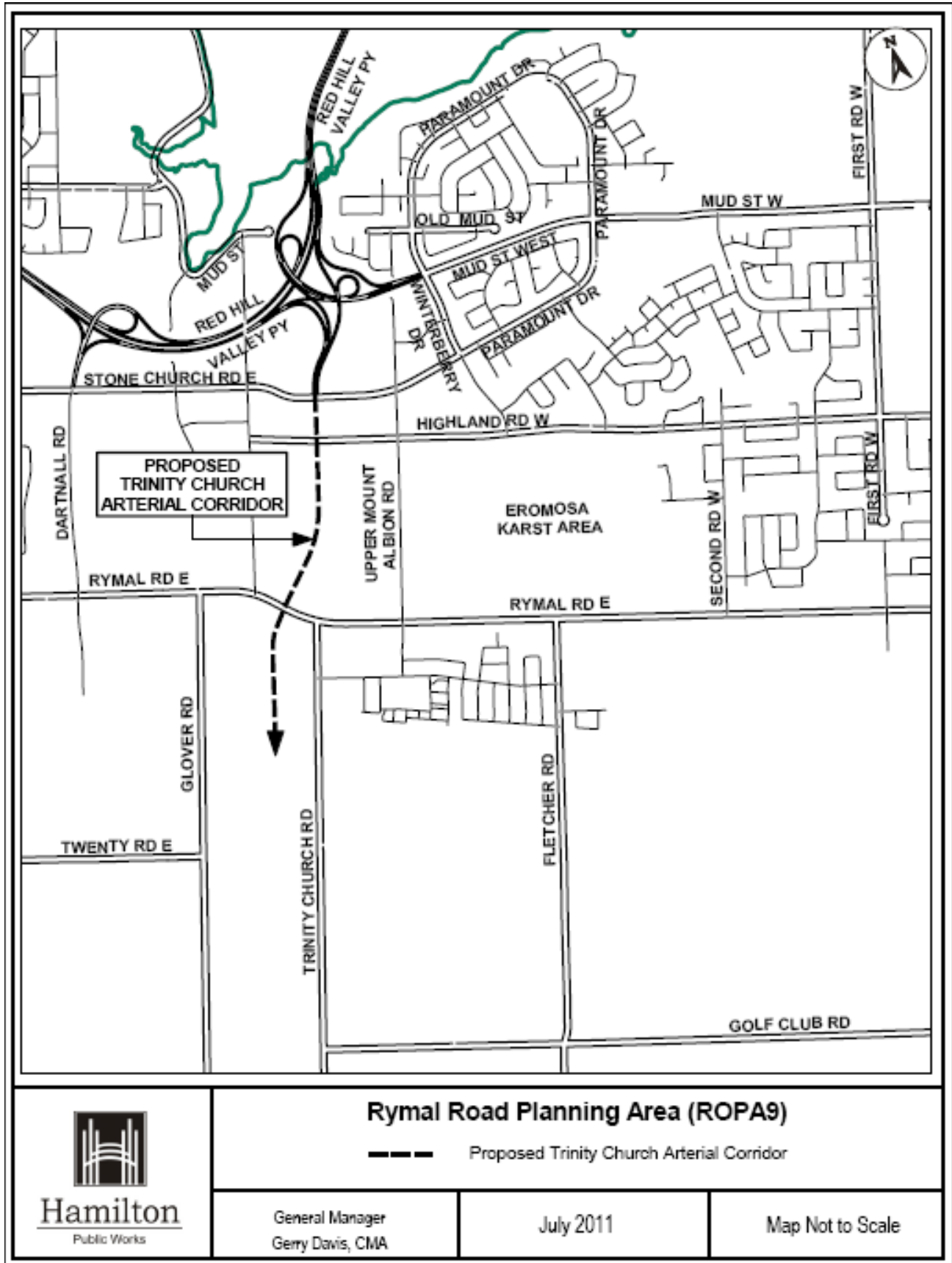
Appendix A - 7

June 14, 2006

**Rymal Road Planning Area Class Environmental Assessment Master
Plan - (PW06073) - (Wards 9 and 11) (Item 8.7)**

- (a) That the Rymal Road Planning Area Class Environmental Assessment Master Plan be endorsed;
- (b) That the General Manager, Public Works Department, be authorized and directed to file the Rymal Road Planning Area Class Environmental Assessment Master Plan Schedule “B” projects with the Municipal Clerk for a minimum thirty (30) day public review period;
- (c) That subject to finalization of the minimum 30-day public review, the General Manager, Public Works Department, be authorized and directed to proceed with the implementation of the Rymal Road Planning Area Class Environmental Assessment Master Plan Schedule “B” projects.

Appendix "B" Report PW11070
Rymal Road Planning Area



Appendix "C" Report PW11070
Letter from Ministry of the Environment
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Ministry of the Environment

Environmental Assessment and
Approvals Branch

2 St. Clair Avenue West
Floor 12A
Toronto ON M4V 1L5
Tel.: 416 314-8001
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Ministère de l'Environnement

Direction des évaluations et des
autorisations environnementales

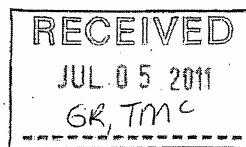
2, avenue St. Clair Ouest
Étage 12A
Toronto ON M4V 1L5
Tél. : 416 314-8001
Télec. : 416 314-8452



LOG: ENV1283MC-2010-2759

June 27, 2011.

Mr. Gerry Davis
General Manager, Public Works
City of Hamilton
320-77 James Street North
Hamilton ON L8R 2K3



Dear Mr. Davis:

Thank you for your letter to the Minister of the Environment (Minister) in which you requested that the Ontario Realty Corporation (ORC) be required to prepare an individual environmental assessment (EA) under the *Environmental Assessment Act* (EAA) for the proposed Lands Adjacent to the Eramosa Karst (Project) planned as a Schedule C project under the Ministry of Energy and Infrastructure (MEI) Class Environmental Assessment Process (Class EA).

On June 6, 2011 Infrastructure Ontario (IO – formerly the ORC) informed the Ministry of the Environment (MOE) that it is making changes to the Project and intends to file an Addendum to the Environmental Study Report (ESR). IO has therefore asked the MOE to defer its review of your request, so that it may take the time necessary to assess proposed changes to the Project.

In accordance with the Class EA, a Notice of Filing of Addendum will be issued by IO advising the public of the changes to the Project and the availability of the Addendum. The Addendum will be available for public comment for a minimum of 30 days. During this period, members of the public should bring any concerns with the proposed modifications to the Project to the attention of IO.

Where concerns with the proposed modifications cannot be resolved by IO, the person raising the concerns can request that the Minister require IO to prepare an individual EA for the undertaking. The Notice of Filing of Addendum will advise the public of this opportunity. Such requests must be made within the timelines of the comment period as set out in the Notice.

Following the end of the comment period for the Addendum, the MOE will review your original Part II Order request, and any new requests received during that period. In light of IO's proposal to modify the Project, I encourage you to continue your involvement in the Class EA process and review the Addendum to determine if IO has resolved the concerns you raised in your Part II Order request and to assess whether there are any new concerns. Once you have reviewed the Addendum, you have the following three options.



Gerry Davis
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1. Do nothing. Your outstanding request will be reviewed by the ministry and a decision made by the Minister.
2. Revise your request, if the information in the Addendum raises additional concerns to those identified in your outstanding request or resolve some, but not all, of the concerns described in your outstanding request, you may submit an addendum to your original request. This must be submitted to the Minister and copied to IO by the expiry date of the Notice of Filing of Addendum comment period.
3. Withdraw your Part II Order request, if the concerns you raised in your request for the original ESR have been resolved, whether through the additional information presented in the Addendum or through other means. This must be done by letter to the MOE and copied to IO. If you withdraw your request and if there are no other outstanding requests, the Project can proceed under the Class EA process to completion.

To revise or withdraw your Part II Order request, please send your request to both Imshun Je and Dawnett Allen using the contact information below.

Questions or concerns about the Project can be forwarded directly to IO care of Ms. Je, Environmental Specialist at 416-325-2619 or Imshun.Je@infrastructureontario.ca. If you have any questions regarding the MOE's review process, please call Ms. Allen, Project Evaluator of this Branch at 416-314-7754 or Dawnett.Allen@ontario.ca.

Yours sincerely,

Agatha Garcia-Wright
Director
Environmental Assessment and Approvals Branch

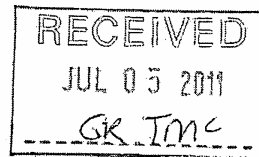
c: EA File No. EA02-04-03 Lands Adjacent to the Eramosa Karst

Appendix "D" Report PW11070
Letter re: Infrastructure Ontario - Planning Approvals and Class EA
Page 1 of 2



June 30th, 2011

Mr. Gerry Davis
General Manager
City of Hamilton
Public Works
71 Main St. West
Hamilton, ON L8P 4Y5



**RE: INFRASTRUCTURE ONTARIO - PLANNING APPROVALS AND CLASS
ENVIRONMENTAL ASSESSMENT: CATEGORY C
NOTICE OF FILING OF ADDENDUM**

PLANNERS

URBAN DESIGNERS

LANDSCAPE ARCHITECTS

Dear Mr. Davis:

Infrastructure Ontario (IO; recently merged with Ontario Realty Corporation), on behalf of the Ministry of Infrastructure (MOI), previously completed a Planning and Class Environmental Assessment study regarding the possible disposition of four parcels of Provincially-owned land in the City of Hamilton (former City of Stoney Creek). In January 2010, an Environmental Study Report (ESR) was prepared and filed on the Public Record for review and comment.

The alternatives to the undertaking have been re-evaluated in the context of the recently approved Official Plan amendments and the new Urban Official Plan for the City of Hamilton. The new preferred alternative has been identified as, "Disposal or Lease of the Lands for the Land Uses Identified in Approved Planning Documents [Parcels G and H (totalling 33 ha) currently designated Open Space and zoned Conservation/Hazard Lands and Parcel E (0.1 ha) currently designated Natural Open Space and zoned Neighbourhood Development and Parcel F (0.7 ha) designated Mixed Use - Medium Density, subject to Natural Heritage and Area Specific policies and zoned Neighbourhood Development]".

MOI and IO intend to approach the Hamilton Conservation Authority and/or the City of Hamilton to determine disposal or leasing options for this land, if the proposed Addendum is approved and upon the decision by the Minister of the Environment on the outstanding Part II order requests received on this Class EA project.

This project has been assessed as a Category C Class EA in accordance with the requirements of the MEI Class EA process. The ESR Addendum has been prepared to document the changes that have been made since the ESR was filed, present a revised evaluation of land disposition options and the rationale for the change in the preferred alternative and present a revised summary of potential environmental effects and proposed mitigation measures.

The purpose of this notice is to advise that an ESR Addendum has been prepared for the project. The ESR Addendum will be made available for a 30 day public review period from **July 7, 2011 to August 8, 2011**, at the locations listed below. The report will also be available on the study website at <http://www.ontariorealty.ca/Major-Projects/Lands-Adjacent-to-the-Eramosa-Karst--Hamilton/Consultation.htm>

KITCHENER OFFICE

GSP Group Inc.
72 Victoria Street S., Suite
201
Kitchener, ON N2G 4Y9
P 519.569.8883
F 519.569.8643

HAMILTON OFFICE

GSP Group Inc.
29 Rebecca Street, Suite
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Hamilton, ON L8R 1B3
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Appendix "D" Report PW11070
Letter re: Infrastructure Ontario - Planning Approvals and Class EA
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Ministry of the Environment
West Central Region Office
119 King St. W., 12th Floor
Hamilton, Ontario L8P 4Y7
Toll Free: 1-800-668-4557

Sherwood Library
467 Upper Ottawa Street
Hamilton, Ontario L8T 3T3
Ph: (905) 546-3249

Infrastructure Ontario
1 Dundas Street West
Suite 2000
Toronto, Ontario M5G 2L5
Ph: (416) 327-3937

Valley Park Library
970 Paramount Drive
Hamilton, Ontario L8J 1Y2
Ph: (905) 573-3141

City of Hamilton
Office of the City Clerk
71 Main Street West, 1st Floor
Hamilton, Ontario L8P 4Y5
Ph: (905) 546-2489

Interested persons may provide comment to either of the contacts listed below:

Mr. Eric Saulesleja, MCIP, RPP, Planning Consultant, GSP Group Inc.
201-72 Victoria Street South, Kitchener, Ontario, N2G 4Y9
Ph: (519) 569-8883, Fax: (519) 569-8643
Email: erics@gspgroup.ca

Ms. Imshun Je, M.Sc., P.Geo., Environmental Specialist, Infrastructure Ontario
1 Dundas Street West, Suite 2000, Toronto, Ontario, M5G 2L5
Ph: (416) 325-2619, Fax: (416) 212-1131
Email: stoneycreekproject@infrastructureontario.ca

If there are unresolved concerns after speaking to IO, you may request that the Minister of the Environment (the Minister) make an order for the project to comply with Part II of the Environmental Assessment Act (referred to as a Part II Order), which addresses individual environmental assessments. Requests must be received by the Minister at the address below within 30 days from the date of this notice. A copy of this request must also be sent to the project contacts listed above. If you have previously submitted a Part II Order request you can:

1. Do nothing. Your outstanding request will be reviewed and a decision made by the Minister.
2. Revise your request, if the information in the Addendum raises additional concerns to those identified in your outstanding request or resolve some, but not all, of the concerns described in your outstanding request.
3. Withdraw your Part II Order request, if the concerns you raised in your original request have been resolved, through the additional information presented in the Addendum or through other means.

If you withdraw your request and if there are no other outstanding requests, the Project can proceed under the Class EA process to completion, the project will proceed as outlined in the ESR Addendum.

Minister of the Environment
135 St. Clair Avenue West, 12th Floor
Toronto, Ontario M4V 1P5

Information will be collected in accordance with the *Freedom of Information and Protection of Privacy Act*. With the exception of personal information, all comments will become part of the public record.

To obtain additional information or to provide comments, please contact the undersigned.

Yours very truly,
GSP GROUP INC.



Mr. Eric Saulesleja, MCIP, RPP
Associate, GSP Group Inc.

Cc. Imshun Je (IO), Peter Reed (IO)