January 22, 2007

City of Hamilton
71 Main Street West
Hamilton, ON L8P 4Y5

Attention: Mayor Fred Eisenberger, and Members Hamilton City Council

The Twenty Road East Group represents 27 properties and approximately 800 acres of land which we strongly feel should have been included for development through the GRIDS process. Our group is committed and has the resources to have our lands properly assessed by the appropriate experts and are committed to follow all the processes available to demonstrate to the Province of Ontario that our lands are the most rational, efficient and supportable area of urban expansion in the City of Hamilton.

My name is Carmen Chiaravalle, and I represent the Twenty Road East Group. As the members of Hamilton’s former City Council are aware, I submitted a number of reports to them concerning the GRIDS process. There were many flaws in the analysis of the GRIDS process, which, if corrected would result in a conclusion that would include the Twenty Road East lands in the urban area. I have pointed out these flaws on numerous occasions.

During the whole GRIDS process we had been told by the Planning Department and by staff, that the Twenty Road East area could not be developed because there was no sewer capacity for this area. However, Council has passed Motion 7.8 on September 13, 2006 that says that the new sewer being constructed on Dickenson Road will be designed and sized to accommodate the future growth of the lands on Twenty Road East. This area now has the sewer capacity for development. It is in close proximity to the central mountain and therefore close to services and communities. It can be connected to the existing services and infrastructure. This area should be developed now and not 25 years from now.

The City of Hamilton has submitted a “New Official Plan for Rural Hamilton”. The Twenty Road East Group has sent a letter of objection to the Minister of Municipal Affairs and Housing, the Honourable John Gerretsen. I am including a copy of this letter. A planning firm was contacted, who has done a planning opinion. SAR Planning Inc. has evaluated the Twenty Road East area and the conclusion of that planning report states, “The subject lands represent an appropriate location for new residential growth to meet anticipated demand for the City of Hamilton into the future. A land use option that includes these lands identified through GRIDS represents a better response to the issues and planning considerations arising from a review of the policies guiding the GRIDS process. The City of Hamilton has not adequately linked necessary planning
considerations together in a comprehensive fashion that would respond to important planning and policy considerations."

The Twenty Road East Group submits that our lands are the most rational, efficient and supportable area of urban expansion in the City of Hamilton. These lands should be shown as part of the urban area of Hamilton when the “Urban Official Plan” is adopted. We have also retained the services of Bousefields Inc., another pre-eminent planning firm in the province of Ontario. We are in the process of retaining a team of experts in the areas of servicing, agricultural land assessment, population and demographic planning and environmental planning. We will also be providing in-depth planning reports examining the relationships of the GRIDS process and the preferred urban expansion scenarios in conjunction with the new Ontario Growth Plan and its objectives, as well as the 2005 Provincial Policy Statement. These reports will be forwarded to the Province upon their completion.

The new “Official Urban Plan” has not yet been submitted by the City of Hamilton to the province of Ontario. The new urban growth plan is still an ongoing process and the City of Hamilton has the opportunity and responsibility of reversing the direction of future growth for the City of Hamilton. I encourage the City of Hamilton to re-evaluate the designation of the Twenty Road East lands.

Yours sincerely,

Carmen Chiaravalle

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October 24, 2006

The Honourable John Gamble,
Minister of Municipal Affairs and Housing,
777 Bay Street, 17th Floor,
Toronto, Ontario
M5G 2E5

Honourable Minister:

Re: Adoption by the City of Hamilton of a "New Official Plan for Rural Hamilton"
Objection and Request for Notice of Decision

We represent some 20 owners of some 27 parcels of land in the area of Twenty Road East in the City of Hamilton. The lands are located generally south of the urban boundary to roughly the 1996 NEF 20 contour in the area west of Mile Road, and from the urban boundary south to Dickerson Road in the area east of Mile Road, west of the North Glanbrook Industrial Business Park (the "Twenty Road East Area"). The owners and the legal description of the parcels of land that they own are set out in the Schedule attached to our letter.

The landowners have been closely following and have been involved in making representations to staff and to Council with respect to the ongoing GRIDS urban boundary expansion studies in the City of Hamilton. During the study, the lands owned by our clients were under consideration as a potential area for urban expansion.

The City has now adopted a preferred expansion scenario. The preferred scenario does not include any of the lands in the area of Twenty Road East. Our clients view the process by which the preferred scenario was adopted, as fundamentally flawed, particularly in view of the fact that a substantial area of land which had not been part of the study was added in the final selection stage.

In addition, our clients take the position that their concerns about the preferred scenario have not been properly addressed. In particular, it is our clients view that the preferred scenario fails in the face of current provincial policies and plans, and that the information in respect to the lands in the area of Twenty Road East was not properly represented during the GRIDS growth study.

When the City of Hamilton passed its new Rural Official Plan, our clients' lands were shown as being located outside the urban boundary for the City of Hamilton. Please be advised that our clients take issue with that treatment of their lands in the new Hamilton Rural Official Plan. Our clients' position is as follows:
1. Following the LEAR process in the GRIDS growth study the lands in the Twenty Road East area were identified as rural, but not prime agricultural, whereas many of the lands proposed to be included within the urban boundary are identified as prime agricultural.

2. The lands in the Twenty Road East area are designated rural in the current Official Plan, whereas many of the lands proposed to be included within the urban boundary are currently designated agricultural or prime agricultural.

3. The City of Hamilton raised servicing issues around the Twenty Road East area, when there are at least three road extensions proposed into this area, (proposed extensions of both Upper Wentworth Street, Upper Gage Avenue and Upper Ottawa Street,) and a large sewer pipe is slated for construction along Dickenson Road south of our client’s lands. The sewer pipe has been oversized in order to service the lands in the Twenty Road Area. Thus, this area can be readily serviced.

4. Many of the lands proposed to be included within the urban boundary are in an area of Karst topography and areas affected by the Twenty Miler Creek Watershed Plan.

5. The Twenty Road East area is in close proximity to parks, schools, libraries, transit, and community facilities.

6. Given that the new Rural Official Plan contains maps designating lands which formed part of the City of Hamilton GRIDS growth study, it is premature at this time to designate lands which formed part of that study as part of the Rural Official Plan; at least until that study and the related Official Plan policies are finalized.

Our clients are in the process of retaining a study team to provide a more detailed professional analysis and report on these concerns. We will provide that to you as soon as it is available.

We therefore ask that the designation of these lands be deferred at this time. In the meantime, we request that we be kept apprised of the processing of the new Hamilton Rural Official Plan by the Ministry of Municipal Affairs as we prepare more detailed submissions. In particular we ask that we receive written notice of any decision of the Minister with respect to this Official Plan when and if such a decision is made.

Yours truly,
TOWNSEND ROGERS LLP

Susan D. Rogers
Partner

c.c. Clerk City of Hamilton
    C. Charvalie
    J. Demit
    J. Bethune