SUBJECT: Proposed Urban Hamilton Official Plan (City Wide) (PED09164)

RECOMMENDATION:

(a) That approval be given to Official Plan Amendment No.____ of the former Region of Hamilton-Wentworth, Official Plan Official Plan Amendment No.____ of the former Town of Ancaster Official Plan; Official Plan Amendment No.____ of the former Town of Dundas Official Plan; Official Plan Amendment No. ____ of the former Town of Flamborough Official Plan; Official Plan Amendment No. ___ of the former Township of Glanbrook Official Plan, and, Official Plan Amendment No.____ of the former City of Stoney Creek Official Plan, to delete the existing policies and land use designations, as contained in Appendix “A” to Report PED09164.

(b) That approval be given to the adoption of a new Official Plan, to establish new land use designations and policies for Urban Hamilton, as contained in Appendix “B” to Report PED09164.

(c) That the General Manager, Planning and Economic Development Department, be hereby authorized and directed to prepare the requisite by-law to amend the Official Plans and to adopt a new Official Plan, in a form satisfactory to the City Solicitor, for presentation to Council.

(d) That the items in regard to Community Beach Ponds be identified as complete and be removed from the Economic Development and Planning Committee’s Outstanding Business list.

Tim McCabe
General Manager
Planning and Economic Development Department

EXECUTIVE SUMMARY:

The purpose of this Report is to highlight the new Official Plan (OP) policies as follows:

Volume 1 - Parent Plan:
This Volume includes policies related to:
- Growth Management;
- Residential Intensification;
- Urban Structure;
- Six land use designations – Neighbourhoods, Commercial and Mixed Use; Employment; Open Space; Institutional and Utilities;
- Supporting policies including strong economy, cultural heritage, housing, urban design, natural heritage, community facilities and services, air quality and climate change; energy and environmental design; and,
- Implementation.

Volume 2 - Secondary Plans
The 24 urban secondary plans have been updated to remove redundant and out of date policies, include digitized maps and to provide consistent terminology (Example: former municipality referenced the designation Highway Commercial and now it is termed Arterial Commercial). The intent of all the policies with respect to permitted uses, densities and heights have been retained.

Volume 3 Area specific and Site specific Policy Areas
Area and site specific policies, which include specific requirements for individual or groupings of properties outside the Secondary Plan areas and recognizing past approvals. Volume 3 is organized by former municipalities

The Plan is both consistent with and conforms to Provincial legislation.
The OP was undertaken using a phased approach. As various topic areas were completed, draft policies were presented to the Economic Development and Planning Committee (ED&PC), various stakeholders and the general public. The policies were redrafted and presented at non statutory public meetings of ED&PC. Appendix “C” to this Report provides full detail of the public consultation process including the comments received from the open houses in 2009. Public comments from 2008 and earlier were incorporated into previous staff reports. In addition, staff undertook separate consultation processes with Six Nations Elected Council and technical staff leading up to the preparation of the Plan. Other First Nations groups were also contacted.

The major areas of interest arising from public consultation or from outstanding matters from ED&PC include:

**Growth Management**

- The addition of a node at Upper James Street and Rymal Road – Staff do not support the request for a variety of reasons as summarized in Section 4, Areas of Major Interest, under the Analysis/Rationale of this Report.

- The land budget for the Airport Employment Growth District (AEGD) and the future Elfrida Node will be determined as part of the Municipally Initiated Comprehensive Review and Secondary Plan for those areas and are not contained in the parent plan. There are no urban boundary expansions proposed at this time.

- Policy E.2.3.19 commits the staff to review the Downtown Urban Growth Centre Target of 250, at the time of the Downtown Secondary Plan review.

**Removal of Lands from the Employment Designation**

In addition to the 48.5 ha of land identified for removal from the employment land designations, Council selected four additional parcels of land for non-employment uses. Depending on the location of the lands, the respective designations are Neighbourhoods, Arterial or District Commercial or Mixed Use. Some of the sites are subject to site specific development applications and any specific requirements proposed as part of the consideration of the applications may result in changes to the new OP or amendments to include the additional requirements. These sites include: Smart Centres (Centennial Parkway/Warrington), Penady (Fifty Road and the QEW) and the 17 Ewen Road apartment project.

**High Density Category – Neighbourhoods Designation**

The draft of the OP included a density range of between 101-300 units per hectare for the High Density category in the Central Hamilton area. A further evaluation of the existing urban fabric revealed the density was in fact higher. Twenty-seven percent of the apartment units in this area have a density range of between 300 to 500 units per ha. Staff is suggesting the High Density category’s upper limit be increased from 300 to 500 units per ha.
Natural Heritage System
Concerns were raised about setbacks from streams, valley lands, and vegetation protection zones. Policies have been changed to clarify the setbacks. The information about the stream layer, in particular on Schedule B, was a concern. The map has had substantial modifications to reflect the most up to date information.

The Eramosa Karst has been divided into the core area and the feeder area. The feeder areas include area specific policies that are contained in Volume 3.

Cultural Heritage Policies
The public and Six Nations Elected Council are supportive of these policies. Staff have committed to working with the Hamilton-Halton Home Builders to using a reasonable approach to the implementation of the OP policies.

Arts and Culture
The OP policies address many of the factors that lead to “creative cities”. Important elements for the growth and development of creative cities include: strong urban design policies, compact urban forms, pedestrian friendly streets, preservation of natural features and cultural heritage, innovative design between built form and public spaces. The Plan was revised to include greater recognition of arts and culture in the preamble of several sections as well as adding new specific policies (Section B.3.1 – Strong Economy and Section F.1.9 - bonusing).

The Plan, once adopted by Council, will be forwarded to the Ministry of Municipal Affairs and Housing for approval.

BACKGROUND:

The new Urban Official Plan (OP) is a culmination of a multi-year project which has resulted in a progressive, comprehensive up-to-date OP that provides land use planning directions to manage growth and change until 2031. This Plan conforms to the recent provincial planning directions. It is the first comprehensive Plan following the amalgamation of the Region and the six area municipalities.

1.0 Changes to Provincial Planning Legislation

Over the last 7 years the Province has taken a renewed interest in providing stronger legislation on matters related to Provincial planning matters. More specifically, the Provincial plans relevant to Hamilton’s OP are:

- Greenbelt Plan (new - February 2005)
- Provincial Policy Statement (updated - March 2005)
- Planning Act – Bills 26 and 51 (updated – December 2003 and January 2007)
Changes to Provincial legislation have a direct impact on the City’s planning policy directions and processes. Staff is supportive of the Provincial policy directions since they support many of the goals and policies of Hamilton’s Plan.

1.1 Growth Plan for The Greater Golden Horseshoe

The Growth Plan is based on a series of guiding principles which are aimed at building compact, complete and vibrant communities; managing growth to support a strong competitive economy; making more efficient and effective use of infrastructure; and by protecting and enhancing our natural resources including land, air and water. OPs must conform to the policies, and implement the directions of Growth Plan for the Greater Golden Horseshoe (GGH).

More specifically, the Growth Plan prescribes:

- the population and employment targets for Hamilton. The population is expected to grow to 660,000 people (an increase of 150,000 from 2001 to 2031) and 300,000 jobs broken down by major office, employment and population related (an increase of 90,000 from 2001 to 2031);

- a density target of fifty (50) persons and jobs per hectare (pjh) for Greenfield development for lands outside the built boundary (limits of the development of the urban area as of June 2006);

- that 40% of new dwellings be accommodated within the built boundary after 2015;

- a density target of two hundred (200) persons and jobs per hectare for the Urban Growth Centre (Downtown);

- the prohibition on the re-designation of Employment lands (formerly industrial lands) to a non-employment use until a municipal comprehensive review is undertaken;

- the prohibition of major retail uses within employment areas; and,

- that municipalities bring their OP’s into conformity with the Growth Plan for the GGH by June 2009.

1.2 Planning Act Changes

Two amendments to the Planning Act, December 2003 and January 2007, introduced significant changes. The legislation:

- prohibits any privately initiated urban boundary expansions;

- prohibits Official Plan Amendment (OPA) and zoning by-law appeals for second dwelling units provided OP policies for second dwelling units have been adopted;
prohibits the conversion of Employment lands to non-employment land uses provided OP policies for employment land conversions have been adopted;

introduces the requirements for complete applications and pre-consultation for Planning Act applications; and,

allows municipalities to include urban design elements as part of site plan control (e.g. colours, materials, architectural features).

1.3 Provincial Policy Statement

The Provincial Policy Statement (PPS) sets the policy foundation for regulating the development and use of land. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. OPs must be consistent with the policies of the PPS. The PPS has been updated to strengthen matters related to:

- Cultural heritage resources – protect archaeology, built heritage and cultural heritage landscapes; to evaluate impacts of redevelopment on adjacent cultural heritage resources;
- Natural heritage system - promote protection of natural heritage on a system wide basis vs. individual protection alone;
- Housing – includes the establishment and implementation of affordable housing targets for low to moderate income; and requires municipalities to address special needs housing (housing with supports);
- Energy and air quality – new sections protect air quality, promote the use of renewable energy sources; and,
- Employment land – requests a municipal comprehensive review prior to converting lands to non-employment land uses.

1.4 Summary

The new Urban Hamilton OP is both consistent with and conforms to Provincial legislation and planning directions.

ANALYSIS/RATIONALE:

The City of Hamilton is only one of two municipalities (the other is Toronto) that is a single tier municipality within the Greater Toronto-Hamilton Area (GTAH). Therefore, this new Plan is a hybrid of a regional and local municipal Official Plan.
The new Plan is divided into three volumes:

**Volume 1** – Parent Plan includes City-wide land use goals, designations and policies, policies to support land uses (e.g. cultural heritage, infrastructure and implementation).

**Volume 2** – Secondary Plans for 24 smaller geographic areas throughout the City. Volume 2 is organized by former municipality.

**Volume 3** – Area and site specific policies which include specific requirements for individual or groupings of properties outside the Secondary Plan areas and recognizing past approvals. Volume 3 is organized by former municipalities.

### 1.0 Parent Plan (Volume 1) - Summary and Highlights

The purpose of this section of the staff report is to provide a synopsis of the land use designations and policies in Volume 1.

#### 1.1 Growth Management

The Growth Related Integrated Strategy (GRIDS) was a comprehensive process that identified how growth within the City could be accommodated based on the population and employment targets to 2031. As a result of considering different growth models and growth options, a nodes and corridors growth management strategy was adopted by Council in 2006.

#### 1.1.2 Urban Structure (Section E.2, Schedule E)

To implement the GRIDS, an urban structure comprised of nodes, corridors, activity centres, neighbourhoods, employment and major open space elements has been included in the Plan.

The urban structure includes a hierarchy of nodes – Downtown Urban Growth Centre; Sub-regional Service Nodes (Limeridge and Eastgate areas); Community Services Nodes (five former downtowns and three proposed mixed use areas); 2 Activity Centres (McMaster University/Hospital and St. Joseph’s Health Care Campus/Mohawk College); Employment Areas, Major Open Spaces; and, Neighbourhoods.

In addition, the urban structure identifies two types of corridors:

- **Primary Corridors** – focus of higher order transit and higher densities; connects two or more nodes. They are located along James/Upper James Streets and Main/King/Queenston Roads.

- **Secondary Corridors** – long term focus of higher order transit and increasing densities over time. There are several proposed Secondary corridors: Centennial Parkway (part), Rymal Road, Mohawk Road (parts), Main Street West/Osler (parts), Highway 8 (part), and James Street North (part).
1.1.2 Urban Growth Targets and Urban Boundary Expansions

The population and employment growth targets will be accommodated both within the existing urban boundary and in two areas identified for future urban boundary expansion. No urban boundary expansions are included in this Plan. The size, exact delineation and timing of the urban boundary expansion areas will be determined as part of a municipally initiated comprehensive review, including a land budget and a secondary plan and separate OPAs. The two future urban boundary expansion areas are:

i) Future Airport Employment Growth District, identified as Special Policy Area C in the Rural Hamilton OP, is generally bounded by the existing Urban Area Boundary adjacent to Upper James Street to the east, White Church and Fiddler’s Green Roads on the south, Garner Road on the west and Glancaster Road and Twenty Road West on the north.

ii) Future Urban Growth District (Elfride) is generally bounded by Mud Street, Second Road and Hendershot Road on the east, Golf Club Road on the south, Trinity Church Road on the west and the existing urban boundary (west side of Centennial Parkway) on the north.

In addition the new Plan includes:

- a Greenfield density target to achieve 50 pjh across the entire Greenfield area and recognizes that within employment areas the density target will be 37 pjh based on Council’s previous decisions;
- a Downtown Urban Growth Centre target at 250 pjh, 50 more than required by Growth Plan for the Greater Golden Horseshoe; and,
- 40% of new housing units after 2015 will be established through residential intensification within the built boundary.

1.1.3 Residential Intensification

The new Plan includes significant direction on residential intensification beginning with the identification of the City’s primary intensification areas: the nodes and corridor elements of the urban structure. A section entirely devoted to residential intensification establishes general land use policies for residential intensification including the matters that must be evaluated when considering proposals for residential intensification. Additional policy directions are found throughout the Plan (i.e. Neighbourhood designation, transportation, cultural heritage) to further reinforce the importance of balancing the need for residential intensification with the important considerations of compatibility, impacts on the transportation system, infrastructure and natural and cultural heritage resources.

The Plan endeavours to balance the need to protect the character of stable residential areas while providing the opportunity to accommodate a variety of dwelling types within the built up area of the City.
1.2 Land Use Designations (Section E, Schedule E-1)

The six land use designations mapped on Schedule E-1 - Urban Land Use Designations are based on individual or multiple parcels of land that are approximately 4 ha (10 acres) in size or larger. The former area municipal official plans designate lands based on 0.4 ha (1 acre). These designations are generally more flexible and some designations (e.g. Neighbourhoods and Commercial/Mixed Use) allow for a greater range of uses.

1.2.1. Neighbourhoods Designation (Section E.3, Schedule E-1)

The Neighbourhoods designation covers the largest land area within the Plan since it allows for a variety of land uses, less than 4 ha. in size, excluding employment (industrial). This designation implements the policy goal of complete communities - areas where one can live, work, play and learn. The policies of this section also addresses locational and compatibility criteria for all land uses within the designation.

Highlights:

- The policies include three residential categories (i.e. low, medium and high density) which are differentiated on the basis of permitted uses/built form (i.e. grade oriented units – townhouses, singles, multiple dwellings), density (number of units per hectare), height and location requirements. More specifically:

  1. the Low Density category allows single-detached, semi-detached, duplex, triplex, and street townhouse dwellings, at a density not to exceed 60 units per hectare (uph) and a height of 3 storeys;

  2. the Medium Density allows multiple dwellings and street townhouses in specific locations at a density of 100 uph and a height of six storeys; and,

  3. the High Density category allows multiple dwelling at a density between 101 and 200 uph for the area outside central Hamilton and between 101 and 500 uph in Central Hamilton. No height limits have been included in this category.

These categories are used for the purposes of secondary planning and zoning and are not included on Schedule E-1 – Urban Land Use Designations.

- Commercial Uses, such as retail (maximum gross floor area of 10,00 sq. m.), small offices, personal services; institutional uses such as places of worship, schools, day cares; community facilities; and parks are permitted provided they meet criteria such as compatibility, transportation.
1.2.2 Commercial and Mixed Use Designations (Section E.4, Schedule E-1)

The Plan introduces five (5) designations, three (3) of which allow for Mixed Use – Downtown; Mixed Use – Higher Density Area; and, Mixed Use – Medium Density Area. The other two (2) designations are primarily commercial.

Highlights:

- Many commercially designated areas within the existing OPs have restrictive policies which limit the opportunity for residential or other uses to be established. The Mixed Use - Medium Density designation, which has been applied to many of the arterial roads, provides for a variety of land uses either in stand-alone or mixed use buildings. The goal of a more flexible designation is to create an economic catalyst that would generate greater redevelopment opportunities.

- The introduction of pedestrian predominant streets. These are intended to be the centre of commercial activity which will have an enhanced pedestrian environment. Buildings along these streets will be required to have commercial uses on the ground floor, buildings located close to the street front, including percentage of glass. All or portions of the Business Improvement Areas (BIAs), as well as other major roads, have been identified as pedestrian predominant streets (Section E.4.3).

1.2.3 Employment Land Designations (Section E.5, Section E.4, Schedule E-1)

There are four (4) employment land use designations which represent their function and role within the City. The designations include: Industrial Land, Business Park; Airport Business Park; and, Shipping and Navigation. The policies of the Airport Business Park are temporary until such time as the Airport Employment Growth District Secondary Plan is completed. These policies were adopted, in principle by Council in December 2008.

Highlights:

- Collectively, the Industrial Land and Business Parks designations allow for a full range of manufacturing, research and development, accessory uses, as well as limited uses that support the businesses and employees of the employment lands (excluding shipping and navigation). The range of uses varies within each designation.

- Policies for waste management facilities have been included, in accordance with the recommendations of the Private Waste Disposal Study by Jacques Whitford, as approved by Council in February 2009.

- Policies have been included to protect sensitive land uses from noise and odour impacts emanating from adjacent employment uses.
• Limited offices are permitted and their size will be determined by the Zoning By-law, as major office growth is directed to the Downtown, a requirement of Growth Plan for the Greater Golden Horseshoe.

• There are greater urban design requirements for sites along the provincial highways and some arterial roads to promote and enhance the image of the business parks and the City.

1.2.4. Institutional Designation (Section E.6, Schedule E-1)

The Institutional designation encompasses large scale educational, religious, health care facilities. These policies promote a greater design focus for new areas that have multiple buildings/uses on one site.

1.2.5. Open Space Designation (Section C.3.3, Schedule E-1)

The Open Space designation allows for a variety of open space uses including community and City-wide parks, natural open spaces, cemeteries, and golf courses. Sections B.3.5.3 – Parkland Policies and C.2 – Natural Heritage System also support and provide more detail as to the type of open space (e.g. natural area, neighbourhood park, general open space). These policies are consistent with the Rural Hamilton OP.

1.2.6. Utility Designation (Section C.3.4, Schedule E-1)

Generally, the Utility designation includes such uses as passenger and freight transportation terminals, hydro electric and natural gas pipeline easements, public works yards, water, wastewater, storm water facilities. Some of these uses are located within the Employment areas and have been designated Employment as they are also permitted in industrial areas.

1.3 Supporting Policies

Supporting Policies supplement and implement the land use designation and other policies of Volume 1 and Secondary Plan policies of Volume 2. The OP includes 10 Sections that are identified as Supporting Policies. Given the number and complexity of these policies, the following major policy areas are highlighted.

1.3.1 Natural Heritage System (Section C.2, Schedules B, B-1, 2, 4-8)

The City contains many natural areas and features that contribute to the municipality’s beauty, unique character, and quality of life. The protection, enhancement and management of these natural areas are goals of land use planning both at the local and provincial levels.
Highlights:

- Over the last several years, natural heritage protection has evolved from protecting individual features to a systems approach of protecting core areas, linkages, and the matrix of lands between them which may be suitable for restoration. The intent is to ensure that natural features are connected to allow wildlife and plant movement along ecological corridors, which results in a healthier, more resilient ecosystem.

- The policies are clearer, stronger and provide more direction for the preparation of Environmental Impact Statements, Vegetation Protection Zones (Buffers), and Adjacent Lands.

- Targets for natural cover (forest cover, wetland cover, riparian vegetation) monitoring and data management policies have been added to the Plan.

1.3.2 Transportation (Section C.4, Schedules C and C-1)

There has been a shift in thinking about transportation policy from efficiently moving cars to efficiently moving goods and people. This Section reflects an integrated network that is comprised of active transportation (non-motorized – cycling, walking), public transit, roads, and goods movement (rail, airport and port). Transportation is the key component in the development and redevelopment of land uses and plays a significant role in the development of the urban structure.

Highlights:

- Transportation is recognized as a multi-modal system rather than individual modes of transportation. Active transportation and transit policies have been strengthened.

- The Planning Act requires that all road widenings be identified in the OP. The road widenings are contained in Schedule C-1 and Section B.6.1 – Downtown Hamilton Secondary Plan of Volume 2.

- A new goods movement section has been added to the Plan to place a greater emphasis on the movement of goods as fundamental infrastructure for the City’s economy and to recognize Hamilton’s excellent location near major Canadian and US markets.

1.3.3 Housing (Section B.3.2)

Housing is fundamental to the economic, social and physical well-being of Hamilton’s residents and communities. Housing is a basic human need, and is the central place from which people build their lives. The policies within this Section apply to residential uses, regardless of land use designation.
Highlights:

- The policies provide for a range of housing types and tenures including housing with supports and second dwelling units within existing buildings.

- The supply of the rental housing stock (6+ units) is protected. Specific criteria have been established to detail the conditions under which rental housing can be demolished or converted to condominium.

- The inclusion of affordable housing targets for renters and owners. The targets are implemented through other policies in this Plan and various public social housing programs or private development.

1.3.4 Urban Design (Section B.3.3)

The design and placement of buildings, infrastructure, open spaces, landscaping and other community amenities, as well as how these features are connected, work together, affects how people live and interact with each other. Input received from the public and other stakeholders is that built form, the design of public spaces and their relationship to each other are critical elements of vibrant and successful communities. The new Plan puts a strong emphasis on the importance of good urban design.

Highlights:

- Similar to the residential intensification policies, urban design policies are contained both within a separate section as general policies (Section B.3.3) and through the urban structure section and specific land use policies located within other Sections in Volume 1 and Volume 2.

- General urban design principles are established as well as policies to address matters such as built form, parking and loading areas, public art, gateways, and views and vistas.

1.3.5. Cultural Heritage Resources (Section B.3.4)

This section deals with management and conservation of cultural heritage resources (archaeology, built heritage and cultural heritage landscapes). Hamilton is rich in cultural heritage resources, and their conservation is important to the City’s success. Cultural heritage resources are important contributors to Hamilton’s culture, quality of life, identity, and attractiveness to new business and residents.

Highlights:

- Proposed policies are clearer, stronger and more prescriptive, and are consistent with the PPS that requires conservation of significant
archaeological resources, significant built heritage resources, and significant cultural heritage landscapes.

- Several mechanisms are described for the City to proactively identify cultural heritage resources – Archaeology Management Plan, Cultural Heritage Conservation Plan Statements, inventories of built heritage resources and cultural heritage landscapes, and identification of cultural heritage resources in secondary planning, among others.

- The application and timing for the preparation of archeology or cultural heritage assessments as part of Planning Act applications are described.

1.3.6 Community Facilities (Section B.3.5)

These policies identify a variety of community facilities, in particular; public buildings (recreation/community centres, libraries, parks, fire/police, museums, etc.) that are integral to the City’s quality of life. The importance of ensuring availability of community facilities for residents has been reflected in the Growth Plan. The Community Services Department, in conjunction with other City Departments, is preparing a Human Services Plan, a component of which will assess/identify community facilities and integrate their planning. Amendments to the OP may be required in the future to implement components of the Human Services Plan, once completed.

Highlights:

- Policies require new development to be phased to consider the existing and planned availability of community facilities and services. Additionally, the use of existing community facilities should be optimized before new facilities are built.

- Proposed policies provide locational and urban design criteria to ensure that new community facilities are integrated into neighbourhoods and accessible to all. New facilities should be more easily accessible for pedestrians, cyclists, transit riders, and persons with disabilities.

- Parks are classified and standards for various types of parks are provided.

1.3.7 Health and Public Safety (Section B.3.6)

This section addresses contaminated sites; noise, vibration, odours and other emissions; hazard lands; air quality and climate change.

Highlights:

- Overall, the policies are clearer and up to date.
Air quality and climate change policies, including greenhouse gas emission targets, have been added to recognize the importance and interrelationship between land use decisions, air quality and climate change.

1.3.8 Energy and Environmental Design (Section B.3.8)

New policies related to the use of renewable energy sources and eco-development standards have been included to support and promote energy conservation. The Province recently introduced the proposed Green Energy Act and this legislation, once enacted, may alter the policies of this Plan and negate the need for planning approvals for certain facilities.

Highlights:

- There is a greater focus on creating greater energy efficiency through such mechanisms as building design (programs such as LEED), location, eco-development standards, and use of renewable energy sources and co-generation systems.

1.4 Implementation

Section F of Volume 1 contains policies that identify how the OP policies are to be implemented. Traditionally, OPs primarily contain policies referring to Planning Act tools. However, the goals and policies of the Urban Hamilton OP are also dependent upon master plans, programs, strategies, and financial arrangements that are not part of the Planning Act.

In particular, the policies address the role of supporting plans (e.g. – master plans, cultural heritage conservation plan statements), guidelines and technical studies (e.g. environmental impact statement, cultural heritage impact assessments) in implementing the goals and policies of this Plan.

1.4.1 New Comprehensive Zoning By-law

The new comprehensive Zoning By-law is critical to the implementation of the Urban Hamilton OP. This project has been undertaken using a phased approach. The Downtown By-law was passed in 2005, new parks and open space zones (urban area) were completed in 2006, the institutional zones in 2007. The new employment and commercial zones are in process. Draft zones and mapping were presented to the public as part of the OP public information centres (PICs) in January 2009. It is anticipated these zones will be brought forward to the ED&PC meeting by the end of 2009.

1.5 Summary

The Urban Hamilton OP addresses many matters that affect land use planning. The intent of this Plan is to be more flexible overall yet provide sufficient direction to enhance the design of the built form and public and private realms; allow for
residential intensification that is compatible with and complementary to adjacent uses; protection of our cultural and natural heritage resources, strengthen our economic base, and support and enhance the arts and culture sectors, to name a few.

OPs cannot address every situation and therefore, amendments to this Plan will be required from time to time. Making decisions on Planning Act applications requires the Plan to be read and applied in its entirety. Sometimes, there may appear to be competing goals within the Plan and so the policies will have to be weighed and choices made when applying policy to individual applications and issues. One of the most controversial areas is balancing the need for residential intensification and, at the same time, protecting core areas, heritage buildings, landscapes or archaeology sites. The Urban Hamilton OP is prescriptive about what information is required to allow the City to make informed land use planning decisions that balance both the public good and private interests.

2.0 Secondary Plans (Volume 2) - Summary and Highlights

There are 24 secondary plans within the urban area, many of which were developed to guide greenfield development. Secondary Plan policies and mapping between the six (6) municipalities are significantly different. These Plans have been updated to:

a) remove redundant policies;
b) establish consistent terminology for land use designations (i.e. Highway Commercial in the Stoney Creek OP and Extended Ribbon in the Hamilton OP are now both called Arterial Commercial); and,
c) create digitized maps.

Policies that addressed height, density, permitted uses, other performance standards or site specific matters have been retained since these policies are still applicable and were the result of formal public review and input.

The OP establishes new residential land use categories (Appendix – Volume 2) which are to be applied for all new Secondary Plans.

3.0 Special Policy Areas, Area and Site Specific Policies (Volume 3) - Summary and Highlights

Volume 3 contains area and site specific policies for lands outside Secondary Plans to address specific requirements, the majority of which recognize past municipal approvals. At this time, there are no special policy areas (areas of future study) proposed in the Urban Hamilton OP.

3.1 Area Specific Policies

Area specific requirements have been applied to multiple parcels of lands, or specific areas within the City. Some of the area specific requirements have been
carried forward from the area municipal OPs. Examples of area specific policies include hazard lands in Dundas and the Eramosa Karst in Stoney Creek.

3.2. Site Specific Policies

Site Specific policies are required to address uses, performance standards, or other conditions that are different than those policies contained in Volume 1. Previous site specific policies that are no longer applicable have been removed.

4.0 Areas of Major Interest

The development of the new OP was undertaken using a phased approach. One of the benefits of this approach was to solicit as much input as possible from the public and stakeholders, both on targeted subjects and the overall Plan itself.

At certain stages in the process, staff reported back to the Economic Development and Planning Committee on draft policies, reviewed input from the public and then revised the policies. Appendix “C” to this Report includes a chronology of the OP preparation and the various comments received from the January/February Open Houses and the April Statutory Open House meeting and the actions or changes to the OP.

Summarized below are a number of topic areas that arose from public consultation or other outstanding matters from previous Economic Development and Planning Committee meetings. The source of the matter has been identified in the title of the subsection.

Overall, the general public is supportive of the goals and policy directions of the Plan. More specifically, the hallmarks of the Plan include:

- A greater mixture of lands uses within designations;
- Protection, conservation, and enhancement of the natural heritage system and cultural heritage resources;
- Strengthened urban design policies, including the establishment of pedestrian predominant streets; and,
- Residential intensification which will, in part, address the issue of urban sprawl.

Areas of concern were:

- The Plan does not go far enough to protect and expand our open spaces community and recreational facilities as the population increases; and,

- Urban sprawl (i.e. the Airport Employment Growth District).

Many of the concerns were geographic specific or related to matters (i.e. taxes, utility infrastructure, garbage) not appropriate within the scope/mandate of an OP.
4.1 Growth Management

4.1.1 Node at Rymal Road and Upper James Street (public consultation)

Land owners in the Twenty Road area have requested that an additional community node be identified around Rymal Road and Upper James Street. The stated basis for identifying the Upper James Street/Rymal Road area as a Community Node by these owners is that this area is at the junction of a Primary and Secondary Corridor; community facilities (police station, YMCA, community park) are located in the Upper Wellington Street and Rymal Road area; there are opportunities for intensification along the Upper James and Rymal Road and for the Elfrida Node to develop as a community node, an urban boundary expansion is required.

Throughout the GRIDS process and following through to the urban structure policies of the OP, Community Nodes have been identified in the downtowns of the former municipalities (Ancaster, Dundas, Stoney Creek and Waterdown), the Centre Mall area, Meadowlands area, East Mountain/Heritage Green area and the Elfrida Area. Community Nodes are intended to function as mixed use areas that provide community scale retail uses. The Community Nodes include the former area municipal downtowns to recognize their function as an important community focal point and areas of the City where the City would like to target intensification in conjunction with higher order transit and/or transit hubs (i.e. Meadowlands, Heritage Green).

GRIDS was an integrated planning process based on a Triple Bottom Line evaluation that considered a broad range of criteria in the decision-making process. The OP background studies (e.g. Commercial, Residential Intensification, Employment Lands, Land Evaluation Area Review), infrastructure master plans and human services (e.g. parks master plan, social vision) were all components of the decision-making process.

While the Upper James Street and Rymal Road area is located at the intersection of two major streets, this area was not selected as a node for a number of reasons summarized as follows:

1. The land uses along Upper James Street allow for the addition of residential uses for lands north of the Lincoln Alexander Parkway (Linc), and some in the area south of the Linc on the west side of Upper James Street. The lands on the east side of Upper James from the Linc south to Mount Hope (designated arterial commercial) do not allow for residential uses since they are designated arterial commercial.

2. The planned function for the lands along Upper James Street (between Rymal Road and Stone Church Road) is for both arterial commercial and mixed use medium density commercial which is characterized as being auto-oriented commercial type uses which are important elements of the City’s overall commercial hierarchy.
3. The lands along Rymal Road provide limited opportunities for intensification and/or redevelopment for mixed use. The Secondary Corridors are intended for higher order transit in the longer term. The density of development along Rymal Road is relatively low with some minor opportunities for redevelopment fronting onto the arterial road. Many of the adjacent residential lands are planned for low density residential uses.

4. There are other major intersections which have similar land use patterns and have not been identified as a node (e.g. Upper James Street and Mohawk Road).

5. The presence of large community facilities within close proximity to a node is one criterion. The YMCA/park/police station complex is located 1 km away from Upper James Street and Rymal Road. While it has the potential to be a focal point for a neighbourhood, it is located too far away to be a focal point for a node at the intersection of Rymal Road and Upper James Street.

The Urban Hamilton OP is one of the mechanisms to implement the GRIDS preferred growth strategy. Minor refinements to the growth strategy were made including Employment Areas and areas that generate a significant number of jobs (i.e. - McMaster, Mohawk/St. Josephs) and to move the secondary corridor linking Lime Ridge Mall and the Meadowlands from the Linc to Mohawk Road. However, establishment of too many nodes dilutes potential to develop concentrated centres of activity and achieve the intensification targets at the existing identified nodes.

Recommendation:
No additional node is required at Upper James Street and Rymal Road.

4.1.2 Land Budget/Urban Boundary Expansions (ED&PC, public consultation, Province)

There are no urban boundary expansions proposed in the Urban Hamilton OP. There will be two separate OPA processes to deal with the employment and residential expansions in the future at the time the need for additional land is identified.

The land budget is a process to determine the amount of land that is required for future urban growth. Through GRIDS, the calculation for additional employment land was approximately 1,000 ha to be located around the Airport and 1130 ha for residential and other uses in the Elfrida area. The appropriate time to undertake a refined land budget analysis is part of the Municipally Initiated Comprehensive Review and Secondary Plan processes for these expansion areas. The amount of land required to meet growth targets, through urban expansions, is not included in the parent OP. The Province is supportive of this approach.
Staff has been working with the Province on an on-going basis to determine the amount of land necessary to meet the employment growth targets. Additional work was undertaken to update the land budget numbers to reflect the 2006 census data and the amount of lands removed from the employment land base as a result of conversions and the 2008 land absorption rate. Phase 2 of the Airport Employment Growth District Study will determine the amount of land required, the location, and the phasing for bringing lands on stream.

As part of the approval process for the Rural Hamilton OP, the Province removed Special Policy Area B (SPA B) that graphically illustrated, in a general manner, the boundaries of the future urban growth node in the area of Upper Centennial Parkway and Rymal Road East. The Province indicated that it would be appropriate to put a description of the area in the Urban Hamilton OP. Policy B.2.2 of Volume 1 describes the general area of both the Airport Employment and Elfrida Urban Growth Districts and the necessary requirements/studies required for any urban boundary expansion. The exact limitations of the future urban areas will be defined as part of the Secondary Plan processes.

**Recommendations:**
The amount of land required for residential and employment related urban boundary expansions will be identified as part of the Municipally Initiated Comprehensive Review and Secondary Plans process and will require Official Plan Amendments.

Policy B2.2.1 of Volume 1 describes the general area of the future Urban Growth District (Elfrida).

4.1.3 *Downtown Urban Growth Centre (UGC) Target (ED&PC, Public Consultation)*

At the June 2008 Economic Development and Planning Committee there was extensive discussion about raising the UGC target from 250 persons and jobs per hectare (pjh) proposed by staff to 400 pjh. The Province mandates a minimum of 200 pjh in Hamilton’s downtown; however, staff has recommended this target be increased by 50 persons and jobs in recognition of the potential redevelopment in the Downtown area. Targets are minimums and may be surpassed.

The Downtown Secondary Plan will undergo a review within the next few years. Given the potential impact of increasing the target to beyond 250 pjh on infrastructure, transportation and the built form, an assessment of the density target should more appropriately be undertaken as part of the review process. Policy E.2.3.1.9 of Volume 1 commits the City to review.

**Recommendation:**
The Urban Growth Centre target will be evaluated as part of the Downtown Secondary Plan review.
4.1.5 Residential Intensification (Public Consultation)

Generally the public was supportive and understood the need for increasing the number of dwelling units within the built up area of the City; however, protection of the existing character of neighbourhoods is also important. The Urban Hamilton OP has policies to identify appropriate locations for intensification and to establish criteria which are to be in the evaluation of residential intensification projects that are not permitted by a specific zone.

The Hamilton Chamber of Commerce (see Attachment 3 in Appendix “C” of this Report) suggested some rewording of policies to provide more flexibility for intensification projects throughout the City. The Urban Hamilton OP has been careful to balance the need to protect some residential areas and to facilitate redevelopment in other areas through the introduction of criteria to determine the appropriateness of intensification proposals.

**Recommendation:**

Preamble of Residential intensification has been changed to recognize that the City’s urban fabric will be changing. Minor wording changes were made to Policies B.2.4.1.4 and 2.4.2.2 to clarify the intent of the evaluation criteria.

4.2 Land Use Designations

4.2.1 Sites Removed from Employment Designation (ED&PC, Public Consultation)

In June 2008, City Council approved the recommendations of the employment land conversion review which identified approximately 48 ha of land to be removed from an employment designation to allow these sites to be redeveloped for other non-employment land uses. These lands included small scattered sites, some lands along the Bayfront, the Hester/Upper Wellington employment area and the Rifle Range employment area.

Depending on the location of the sites, the designations include, Neighbourhoods, Mixed Use - Medium Density or Arterial Commercial. All of the lands have been included within an area specific policy (Volume 3) which allows the industrial uses to continue and provides direction for future redevelopment.

In addition to the 48 ha, City Council selected four additional sites (78 ha) to be removed from the employment land designation. The designations of these sites on Schedule E-1 – Urban Land Use Designations, vary as follows:

1. The lands north of Wilson Street in Ancaster and 1625 Stone Church Road East have been designated as arterial commercial since additional general retail is not required in these areas and the sites are large enough (either individually or as part of land consolidation) for uses that require outside storage (e.g. dealerships. Garden centres) or land extensive buildings (e.g. building supply).
2. Site specific OPA and zoning applications are underway for Smart Centre’s Waxman site on Centennial Parkway. Based on Council’s resolution of June 2008, the site is designated as District Commercial with a site specific policy to allow retail in excess of 25,000 sq. m and the requirement for a phased development of the retail and other uses. The details of the site specific policy will be included in the new OP once ED&PC has dealt with the applications. GSP Group, on behalf of their client Smart Centres, requested the secondary corridor along Centennial Parkway North be extended north to the site. The secondary corridor on Schedule E – Urban Structure has been applied to lands that will have higher order transit over the long term and have an opportunity to develop for residential uses along or in close proximity. The lands north of Barton Street will not include residential uses over the long term and therefore, are not appropriate for a secondary corridor designation, at this time.

3. The Penady development on Fifty Road and the QEW is subject to site specific OPA and rezonings. The development applications are subject to a June public meeting and the staff recommendations from Report PED09157 will be included in the new OP once ED&PC has dealt with the applications. More specifically, the lands are proposed to be designated District Commercial with a site specific policy to limit the size of the retail, among other matters.

It should be noted the Penady site is not considered as a “conversion site”\(^1\) since the Stoney Creek OP designated the lands Urban instead of Employment. These lands were intended to be designated for employment uses as part of the Secondary Plan for the Stoney Creek Urban Boundary Expansion Area, now referred to as the Fruitland/Winona Area). A site was to be deemed to be converted if the designations to the local Plan level was “industrial” which the other three sites identified above are designated.

**Recommendation:**
The four sites that Council removed from the employment land designation have been designated for commercial purposes. Some of these sites require a site specific policy to address requirements not included in Volume 1 and are subject to development approvals.

4.2.2 Neighbourhoods Designation (Internal Staff Review; Public Consultation)

The Neighbourhoods designation policies describe three residential categories: Low, Medium and High density. Each category specifies density ranges, permitted uses and design requirements. The High density category was broken

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\(^1\) A site was identified as a conversion site to non-employment uses if it was designated employment (industrial) in the area municipal OP.
down into different density ranges – lands in Central Hamilton\(^2\) – 101-300 units per ha and remaining areas of the City – 101-200 units per ha.

The Chamber of Commerce also felt the 300 units per ha was too low and should be increased to 400.

Based on a further review of existing densities outside the downtown area (Durand, Corktown, Strathcona, Beasley, Central, Stinson, etc.), 88% of the apartments have a density between 0-500 units per ha.

**Recommendation:**
The High Density range for the central Hamilton area be increased from the maximum of 300 to a maximum of 500 units per ha.

### 4.3 Supporting Policies

#### 4.3.1 Natural Heritage System Policies (public consultation)

The Hamilton-Halton Home Builders’ Association (HHHBA), as well as several land owners, have been actively involved in the review of the natural heritage system policies and mapping. Several letters were received and significant changes were made to update Schedule B and the associated Schedules.

- **Setback from Streams**
  To address the concern of the 30-metre buffer on either side of all streams, staff has revised this policy to separate streams into two classes: Coldwater Watercourse/Critical Fish habitat and Warmwater watercourse/Important/Marginal Fish Habitat. Each stream type has different setbacks; 30m for the coldwater and 15m for the warm water. These definitions and setbacks are consistent with Conservation Authorities (CAs).

- **Vegetation Protection Zone (VPZ) for Valleylands**
  In response to the HHHBA’s concern that the 15 metre VPZ for valleylands is onerous, staff has reviewed Conservation Authority regulations relating to these features. Since regulations and terms vary between the four Conservation Authorities in Hamilton, the policy on VPZs adjacent to valleylands will now refer, generally, to conforming with the requirements of the relevant Conservation Authority for the required setbacks.

  Other editorial changes were made to the policies for the purposes of clarification and corrections.

- **Eramosa Karst**
  Ontario Realty Corporation (ORC) expressed concern that the entire Eramosa Karst Area of Natural and Scientific Interest (ANSI) was identified on draft

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\(^2\) This area includes Durand, Corktown, Strathcona, Beasley, Central, Stinson Neighbourhoods.
Schedule B mapping as a Core Area. The ORC requested that the Feeder Area of the ANSI be identified as an area subject to a separate designation and policies. In response to this, Schedule B has been revised slightly to exclude already developed areas from the Core Area. These include a small portion of land to the east of Second Road West and properties along Rymal Road and south of Rymal Road. Area specific policies have been added (USC-1 and USC-2) to Volume 3 to reflect these already developed parts of the ANSI. However, the ANSI Core and the majority of the Feeder Area (not currently developed) will remain as Core Area to ensure the Eramosa Karst ANSI is protected.

The following issues have not been resolved:

- **Mapping (Schedules B and B-1-8)**
  Concern was expressed that the mapping was not accurate nor was it based on scientific data. There are multiple data sets used to create the Schedules. The City, in partnership with the Hamilton Naturalists’ Club, Conservation Authorities, Royal Botanical Gardens, and other agencies has been conducting comprehensive field inventories of the Environmentally Significant Areas (ESAs) in Hamilton since 1991. Also, the City has collected the most up-to-date information from Conservation Authorities (fish habitat, streams, wetlands, hazard lands), and the Ministry of Natural Resources (Areas of Natural and Scientific Interest, Provincially Significant Wetlands, woodlands, species occurrence records). The streams layer was created using the Conservation Authorities mapping. The mapping does not differentiate between cold and warm water streams and intermittent and permanent streams. Additional fieldwork is done through the EIS.

  The boundaries of natural features change over time and our mapping reflects the best available information. Staff recognizes that boundaries of natural areas may not be precise, so Policy C.2.2.3 permits minor refinements to boundaries based on appropriate studies, such as an EIS. Since natural areas are constantly changing over time (i.e. wetlands may decrease in size after dry years, and meadows may undergo natural succession to woodlands), it is not possible to have mapping that is completely accurate.

  Staff has spent a considerable amount of time reviewing and updating the draft mapping, with the assistance of the HHHBA and various land owners.

- **Vegetation Protection Zones (VPZs) or buffers**
  Some responses indicated that the guidelines for minimum VPZs for different habitat types are too wide. The guidelines are based on current scientific literature and Conservation Authority policies. There is flexibility in the policy to apply different VPZ widths, depending on the features at a specific site. However, generally these guidelines are minimums, and it is
unlikely that narrower VPZs would be accepted by City and Conservation Authority staff. Applying adequate VPZs to Core Areas is a key way to mitigate impacts on ecological features and functions as growth occurs in the urban area.

There was also concern that permitted uses in VPZs are too restrictive, since storm water management ponds, lot lines, and trails are not permitted within them. To ensure that VPZs serve their intended function to protect and enhance the Core Area, it is important that they be maintained as natural vegetated areas.

Recommendations:
The proposed buffer widths and the uses in Section C.2 of Volume 1 are appropriate and not be changed.

Schedules B and B-1 to 8 have been updated and reflect to most accurate information available.

4.3.2 Cultural Heritage Policies (Section B.3.3 – Volume 1) (Public Consultation)

The community response to the proposed cultural heritage policies has been supportive (see Appendix “C” of this Report). Many residents commented that the stronger policies are welcome. There were concerns expressed that the policies cannot be implemented until the Urban OP is approved and that the policies may not be implemented as development applications go through the planning process.

The HHHBA has expressed concerns with the general strong protection of cultural heritage resources, how the policies will be implemented, as well as specific policy directions. One letter was received (see Attachment 5 in Appendix “C” of this Report) and two meetings were held with the HHHBA to address these concerns. All policy concerns were resolved through these meetings, and there was agreement to undertake ongoing discussion regarding implementation of the cultural heritage policies.

On-going dialogue with various stakeholders will continue as part of the development of the Archaeology Management Plan.

The following policy issues have been identified and resolved:

- Concern regarding height limitations and other specific design considerations for properties within established historical neighbourhoods. Given the extent of established historical neighbourhoods some of the detailed policies were removed to provide more flexibility for redevelopment; however, policies generally ensuring the character of established historical neighbourhoods remain, B.3.4.3.6 and B.3.4.3.7.
Questions regarding requirements and criteria for Cultural Heritage Impact Assessments. When the City has undergone a sufficiently detailed study of cultural heritage resources in a particular area, a Cultural Heritage Impact Assessments may not necessarily be required; however, City studies are usually general in nature, requiring more detailed Cultural Heritage Impact Assessments for development applications. Criteria for Cultural Heritage Impact Assessments were adopted by Council (ED&PC - September 16, 2008) as Appendix “B” to Report PED08211.

The HHHBA expressed concern about policies B.3.4.2.6 through B.3.4.2.8, inclusive, which enable protection of cultural heritage resources that have not already been included in the Register of Property of Cultural Heritage Value or Interest or designated under the Ontario Heritage Act. The PPS requires the City to conserve “significant built heritage resources and significant cultural heritage resources” regardless of whether or not they are on the Register or designated and the City has not been able to undertake full and complete heritage review of all lands within its boundaries at this time. There have been cases where very significant heritage resources have not been identified until a planning application is submitted, most notably the Mount Mary Retreat Centre property.

Questions regarding the tension between the policy directions for intensification and cultural heritage conservation. Balancing of competing goals and interests regarding specific planning applications, such as intensification and cultural heritage conservation, is addressed through the planning process and the need for ‘balance’ has been included in the Plan.

**Recommendation:**
Staff continue their ongoing dialogue with various groups for the implementation of the cultural heritage resources policies and the Archaeology Management Plan.

4.3.3 The Recognition of the Arts and Culture (Public Consultation)

Input from the arts and culture community indicated concern that arts and culture was not well recognized in the Plan.

Awareness of the importance of arts and culture to cities has been growing in Hamilton and throughout North America. This awareness is in no small part due to Richard Florida, who describes the importance of creativity and creative people to the economies of cities. A vibrant arts and culture sector makes many other important city-wide contributions including: positive image and identity, and quality of life improvements, among others. Additionally, the ability of arts and culture to transform deteriorated neighbourhoods and commercial areas is well documented. Arts and culture are much broader than land use planning, in particular, OPs and Zoning By-laws. There are other mechanisms beyond land
use planning that support arts and culture including incentive programs, promoting specific areas/streets for artists or cultural activities.

Specific land uses in the arts and culture sector include galleries, theatres, arts and crafts studios, live-work units, to name a few. As noted in Section 1.2 (Analysis and Rationale), new Mixed Use designations have been developed that replace many of the existing Commercial designations. These designations are more flexible and provide opportunities for redevelopment along major roads. Many of the uses listed above would be permitted in the Mixed Use designations and the Zoning By-law will further identify the uses and the regulations such as parking.

The Plan was revised to include greater recognition of arts and culture in the preamble of several sections as well as specific policies (Section B.3.1 – Strong Economy and Section F.1.9 - bonusing). In addition, several policies contained in this Plan are important elements for the growth and development of creative cities: strong urban design policies, compact urban forms, pedestrian friendly streets, preservation of natural features and cultural heritage, innovative design between built form and public spaces.

Recommendation:
Arts and culture in the OP have been strengthened by: rewording the preambles in Sections A, B.1, B.3, including new policies B.3.1.11 and 12 to support the arts and culture sector and allow for the development of a Community Improvement project area or community strategy for the sector; and adding arts facilities to the list of possible community benefits in Section F.1.9-Bonusing.

5.0 Miscellaneous issues

5.1 Community Beach Ponds

As requested by City Council, the Ministry of Natural Resources (MNR) undertook an evaluation of wetlands on the Community Beach Ponds site under the Southern Ontario Wetland Evaluation System during the spring and summer of 2008. It was completed on September 10, 2008. The wetland scored 517 points out of 1000. This score makes it a locally significant wetland. Wetlands must score 600 points or more to be considered a Provincially Significant Wetland (PSW). The site, including the wetland areas delineated by MNR, has been included as part of the new Community Beach Ponds Environmentally Significant Area, shown as a Core Area on Schedule B, Natural Heritage System.

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5.2 Ongoing Development Applications

The staff recommendations or Council approval for various applications have been incorporated into this Plan provided they were scheduled for a public meeting on or before June 16, 2009. The development applications should continue through the public process and Council decisions after this date will have to be incorporated into the Urban Hamilton OP at a later stage.

5.3 Outstanding Ontario Municipal Board (OMB) Appeals

There are a few outstanding OMB appeals to the existing Official Plans. They include:

Secondary Plans:
- Setting Sail (West Harbour);
- One site in Nash neighbourhood in an area west of Centennial Parkway near the Escarpment (Stoney Creek); and,
- One site in the West Hamilton Innovation District.

Parent Plan
- Three sites in lower Stoney Creek (Stoney Creek Urban Boundary Expansion - SCUBE 2)

The Secondary Plans (Volume 2) have been brought forward into the Urban Hamilton OP and therefore, since they are still subject to appeals, they will not come into effect until the issues before the OMB have been resolved.

For the SCUBE area the lands will remain outside the urban boundary until such time as the hearing on the sites has concluded.

5.4 Relationship to the Rural Hamilton Official Plan

The Urban Hamilton OP and the Rural Hamilton OP are stand-alone documents for the time being. Once both Plans are in effect, consolidation into one plan can occur. Additional amendments will be required to the Rural Hamilton OP to incorporate policies on cultural heritage, transportation, hazard lands and parkland dedication. These amendments will come forward in Fall 2009.

**ALTERNATIVES FOR CONSIDERATION:**

Retain the seven existing OPs for the former Region of Hamilton-Wentworth and the area municipalities. This option would not meet the City’s obligation to have an OP that conforms to the Growth Plan for the Greater Golden Horseshoe by June 2009.
FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial: N/A

Staffing: N/A

Legal: Under the Planning Act, the City is required to hold a Statutory Open House seven days prior to the public meeting for the adoption of the new Urban Hamilton OP. The open house was held April 8, 2009.

One public meeting is also required to be held for the adoption of the new Plan. The City has scheduled three public meetings – June 10, 11 and 16 - to receive input from the public.

The Plan must conform to or be consistent with Provincial legislation.

POLICIES AFFECTING PROPOSAL:

The Urban Hamilton OP is affected by Provincial policy and legislation, as described in Section 1.0 (Background) of this Report.

In addition, the City has approved Strategies such as Vision 2020, the City’s Strategic Plan, GRIDS, master plans for transportation, storm water and water/waste water, that all have a direct impact on the Urban OP.

RELEVANT CONSULTATION:

The development of the new OP was undertaken in phases which allowed staff to engage City departments, stakeholders, community groups, residents and business on various topics and at various times. This approach has been successful for a number of reasons; including establishing foundation principles and receiving feedback on the overall OP approach (e.g. - preparing urban structure policies before the land use designations were developed, focusing on individual topics that may be of interest to some members of the public or certain stakeholders, and maximizing City staff resources.

Appendix “C” to this Report details the public consultation process that has occurred and the comments received from the public open houses in January/February 2009, individual stakeholder presentations/meetings and the Statutory Open House in April 2009.

1.0 Internal Consultation

The Urban Hamilton OP transcends Departmental boundaries and accordingly, all Departments have a major role to play in implementing the goals and policies of this Plan. City staff, from all Departments, were instrumental in the development of the
Urban Hamilton OP. All Departments engaged in the OP process at various stages. The contribution of Departments ranged from commenting/reviewing the policies to participating on cross-departmental work groups involved in policy development and presentation (housing and road widening matters).

2.0 Aboriginal/First Nations Consultation

Through the various stages of the OP, staff has contacted several groups including Six Nations Elected Council and Haudenosaunee Confederacy Council, Mississauga’s of the New Credit, Huron-Wendat, and the Hamilton Executive Directors’ Aboriginal Coalition.

Staff has met with Lands and Resources technical staff from the Six Nations Elected Council (SNEC) on three occasions and made a presentation on the cultural heritage policies to the Lands and Resources Committee, a Committee of SNEC. Overall, the feedback received from Six Nations – technical staff in the Background Discussion Paper was that the Discussion Paper is a valuable resource; the cultural heritage policies are progressive and were more sophisticated than neighbouring municipalities and supportive of our approach to archaeology. City staff will continue to dialogue with the various groups on matters related to archaeology and the Archaeology Management Plan.

To date, no responses have been received from other Aboriginal/First Nations groups. In a recent letter from George Smitherman, Minister of Energy and infrastructure “strongly encourages you (the City) to engage those Aboriginal communities who have an interest in land use planning in your community, to ensure they have an opportunity to participate in the process.”

3.0 External Consultation

At every stage of the individual phases, staff undertook an extensive consultation process with the Province, public agencies and the general public. In addition, various topic matters were presented to the ED&PC and Committee of the Whole.

The Analysis/Rationale Section of this Report identifies major issues that have arisen. All comments and specific actions related to the open houses are summarized in Appendix “C”. Many comments were received through the public information centres and through direct correspondence to Staff. The general outcome of the public consultation indicated general support for:

- preservation of green space and support for natural heritage designations and policies;
- policies for stopping urban sprawl;
- continuing to undertake consultation in implementing areas such as urban design and residential intensification; and;
- policy directions for building better quality physical environments.
In addition to confirming the overall direction of the draft OP policies, many valuable comments were received that helped staff provide modifications to these policies to ensure clear and precise policy direction.

4.0 Provincial Consultation

Staff has been liaising with various provincial ministries throughout the development of the Plan. At a recent meeting on the draft Plan, the Province is very supportive of the policies within the Plan, particularly in the areas of urban design and residential intensification. At the time of completing this report, a formal letter from the province has not been received.

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No

The Plan contains goals and policies to achieve a compact, complete community where people can live, work, play and learn. New sections to the Plan include comprehensive urban design directions. Vibrant, active and attractive cities are generally more successful.

Environmental Well-Being is enhanced. ☑ Yes ☐ No

The Plan has strong policies to protect and enhance the natural heritage system, hazard lands, air and water quality.

Economic Well-Being is enhanced. ☑ Yes ☐ No

The Plan contains policies that focus on land uses that are critical to the City's economic base such as the employment land designations, creating partnerships with others to focus on job creation, and poverty. It provides more flexibility to introduce different land uses in areas where the previous policy allowed ground floor commercial only.

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No

The urban OP is a holistic Plan which focuses on economic, community well being and environmental matters with the overall goal of providing land use planning direction to achieve a healthy, sustainable and economically vibrant community. The OP provides for complete communities, protects our resources, focuses development in a way that is attractive and encourages, making the City a desirable place to live, work, play, and learn.

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☑ Yes ☐ No

JHE/dkm
Attachs. (3)
Draft Amendment
to the

Former Region of Hamilton-Wentworth, Towns of Ancaster, Dundas, and Flamborough, Township of Glanbrook, and Cities of Hamilton and Stoney Creek Official Plans

The following text, together with:

Region of Hamilton-Wentworth
- Schedule "A" - (Appendix Map No. 6 – Transportation);

Town of Ancaster
- Schedule "B" - (Schedule E – Road Networks-Major Roads);

Town of Dundas
- Schedule "C" - (Schedule D – Major Road Network);

Town of Flamborough
- Schedule "D" - (Schedule F – Transportation)

Township of Glanbrook
- Schedule “E” - (Schedule E – Road Network Plan);

City of Hamilton
- Schedule “F” - (Schedule A - Land Use Concept);
- Schedule “F-1” - (Schedule B - Special Policy Areas);
- Schedule “F-2” - (Schedule B-1 - Other Special Policy Areas);
- Schedule “F-3” - (Schedule F - Major Roads);
- Schedule “F-4” - (Schedule I - Landfill Constraint Areas);
- Schedule “F-5” - (Schedule K - Local Housing Market Zones);
- Schedule “F-6” - (Schedule O - 1 - West Hamilton Innovation District Secondary Plan); and,
- Schedule “F-7” - (Schedule O - 2 - West Hamilton Innovation District Secondary Plan).

City of Stoney Creek
- Schedule “G” - (Schedule D - Functional Road Classification); and,
- Schedule “G-1” - (Appendix Map 2 - Road Jurisdiction).

attached hereto, constitutes:

1. Official Plan Amendment No. XX to the former Region of Hamilton-Wentworth Official Plan
2. Official Plan Amendment No. XX to the former Town of Ancaster Official Plan;
3. Official Plan Amendment No. XX to the former Town of Dundas Official Plan;
4. Official Plan Amendment No. XX to the former Town of Flamborough Official Plan;
5. Official Plan Amendment No. XX to the former Township of Glanbrook Official Plan;
6. Official Plan Amendment No. XX to the former City of Hamilton Official Plan; and,
7. Official Plan Amendment No. XX to the former City of Stoney Creek Official Plan.

1.0 **Purpose:**

The purpose of the Amendments is to delete and replace the existing policies and land use designations applicable to the Urban Area. Once this Amendment is adopted and provincial approval is received, the former Official Plans will no longer apply to the Urban Area. If the Urban Plan is appealed, the former official plans will continue to be in effect until such time as decisions on the appeals have been made.

2.0 **Location:**

The lands subject to this Amendment include the former Region of Hamilton-Wentworth, Towns of Ancaster, Flamborough and Dundas, the Township of Glanbrook and the Cities of Hamilton and Stoney Creek.

3.0 **Basis:**

The basis for permitting these Amendments is as follows:

1. The City is adopting a new Urban Hamilton Official Plan for lands within the urban area.

2. The Official Plan policies and schedules relating to the urban area will be removed from the Official Plans from the former Region of Hamilton-Wentworth, Towns of Ancaster, Dundas, and Flamborough, the former Township of Glanbrook, and the former City of Stoney Creek Official Plans, with the exception of policies and schedules of lands in the West Harbour Secondary Plan area (former City of Hamilton) and a site specific areas in the West Hamilton Innovation District, which is under an appeal to the OMB.

4.0 **Actual Changes:**

**Notes:**

1. *The policies in the existing Official Plans will not be renumbered unless otherwise identified in the Tables included as part of this Amendment.*
4.1 Region of Hamilton-Wentworth

4.1.1 That the following Sections, Subsections, Policies, Clauses or References, as identified in Table 1 be deleted in their entirety.

Table 1:

<table>
<thead>
<tr>
<th>Item</th>
<th>Section/Subsection/Policy/Clause/Reference</th>
<th>Title of Section/Subsection</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Part A</td>
<td>Introduction (entire)</td>
</tr>
<tr>
<td>2</td>
<td>Part B, except Sections B.4.2 and 9</td>
<td>Quality of Life, except Business of Farming and Historical Resources</td>
</tr>
<tr>
<td>3</td>
<td>Part C</td>
<td>Introduction &amp; Natural Setting Preamble</td>
</tr>
<tr>
<td>4</td>
<td>Part C Section I, except C.1.1(e) and C.1.5.2 (d)</td>
<td>Resource Protection</td>
</tr>
<tr>
<td>5</td>
<td>Part C Section 2, except C.2.1.1, C.2.2, C.2.3.1, C.2.3.2</td>
<td>Resource Utilization, except Agricultural soils protection, Mineral Aggregates, Groundwater</td>
</tr>
<tr>
<td>6</td>
<td>Section C. 3.1</td>
<td>Urban Areas</td>
</tr>
<tr>
<td>7</td>
<td>Part C Sections 4.1 and 4.2, except, C.4.2.1.2, C.4.2.1.3</td>
<td>Infrastructure</td>
</tr>
<tr>
<td>8</td>
<td>Sections D.1 to D.3</td>
<td>Implementation</td>
</tr>
<tr>
<td>9</td>
<td>Section D. 4, except Sections D.4.9 to D.4.13</td>
<td>Plan Interpretation, Amendments and Boundaries</td>
</tr>
<tr>
<td>10</td>
<td>Part D Sections 5 to 7 and 7A</td>
<td>Implementation</td>
</tr>
<tr>
<td>11</td>
<td>Section D.8, except D.8.2.1, D.8.2.2, D.8.3, D.8.4, D.8.5.1. b) to d)</td>
<td>Land Severance</td>
</tr>
<tr>
<td>12</td>
<td>Sections 9 and 10</td>
<td>Watershed/Subwatershed Planning and Fiscal Responsibilities</td>
</tr>
<tr>
<td>13</td>
<td>Part D, Section 11</td>
<td>Definitions: adjacent, conversion, conservation authorities, environmentally significant areas, fish habitat, hazard lands, historical resources, land severance, land use changes, other information and materials, policies, private land stewardship, provincially significant wetlands, provincial ministries, regional natural heritage system, restoration, sustainable development, urban transit area, wetlands functions, wetlands, woodlands, all Appendices</td>
</tr>
</tbody>
</table>

4.1.2 That the following Sections, Subsections, Policies, Clauses or references, be amended as identified in Table 2
Table 2:

<table>
<thead>
<tr>
<th>Item</th>
<th>Section/Subsection/Policy/Clause/Reference</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Section B.9 – Historical Resources</td>
<td>• Add a new policy as B.9.8 as follows: “Section B.9 only applies to lands outside the urban boundary.”</td>
</tr>
</tbody>
</table>
| 2    | Section C.4.3 – Integrated Transportation System | • Delete paragraphs 1 and 2 from the preamble  
• Delete Section 4.3.1.2 b)  
• Delete Section 4.3.14  
• Delete Section 4.3.1.16  
• Delete Section 4.3.17  
• Delete Section 4.3.2  
• Delete Section 4.3.3.1)  
• Delete the words “of neighbourhood or secondary plans,” from Section 4.3.3.2  
• Delete Section 4.3.3.4  
• Delete Section 4.3.3.6  
• Delete the words “increased use of transit” from the Preamble of Section 4.3.4  
• Delete Section 4.3.6  
• Add a new policy as C.4.3.8 as follows: “Section C.4.3 only applies to lands outside the urban boundary.” |

4.2 Town of Ancaster

4.2.1 That the following Sections, Subsections, Policies, Clauses or References, as identified in Table 3 be deleted in their entirety.

Table 3:

<table>
<thead>
<tr>
<th>Item</th>
<th>Section/Subsection/Policy/Clause/Reference</th>
<th>Title of Section/Subsection</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Section 1</td>
<td>Introduction</td>
</tr>
<tr>
<td>2</td>
<td>Section 2, except Section 2.5</td>
<td>General Goals and Objectives, except Heritage Conservation</td>
</tr>
<tr>
<td>3</td>
<td>Section 3.1</td>
<td>Municipal Growth</td>
</tr>
<tr>
<td>4</td>
<td>Policies 3.2.2 v) to vii), inclusive</td>
<td>General policies -Transportation</td>
</tr>
<tr>
<td>5</td>
<td>Section 3.2.3</td>
<td>Public Transit</td>
</tr>
<tr>
<td>6</td>
<td>Section 3.2.6</td>
<td>General policies</td>
</tr>
</tbody>
</table>
4.2.2 That the following Sections, Subsections, Policies, Clauses or References, be amended as identified in Table 4

Table 4:

<table>
<thead>
<tr>
<th>Item</th>
<th>Section/Subsection/Policy/Clause/Reference</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Section 3.2 - Transportation</td>
<td>• Add a new sentence to the end of paragraph 1 as follows: “The following policies shall apply to the lands outside the urban boundary.”</td>
</tr>
</tbody>
</table>
| 2    | Section 3.2.2 ii) - Road widenings         | • Delete Sulphur Springs Road  
• Delete Golf Links Road  
• Delete Halson Street |
| 3    | Section 4.3 – Parkland Dedication          | • Add a new policy as 4.3.7 as follows: “Policies 4.3.3 through 4.3.6 only apply to lands outside the urban boundary.” |

4.3 Town of Dundas

4.3.1 That the following Sections, Subsections, Policies, Clauses or References, as identified in Table 5 be deleted in their entirety.
Table 5:

<table>
<thead>
<tr>
<th>Item</th>
<th>Section/Subsection/Policy/Clause/Reference</th>
<th>Title of Section/Subsection</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Section 1, except Section 1.7.10</td>
<td>General Principles except, Strategic Directions-Rural/Conservation Areas</td>
</tr>
<tr>
<td>2</td>
<td>Section 2, except Section 2.4</td>
<td>Strategic Policies, except Historic and Architectural resources</td>
</tr>
<tr>
<td>3</td>
<td>Section 3 except Policies 3.9.4.1 through 3.9.4.4, and 3.11</td>
<td>Land Use Policies, except parkland dedication policies, and Rural Designations</td>
</tr>
<tr>
<td>4</td>
<td>Section 4.1 except Section 4.1.4.5</td>
<td>Servicing Strategy, except rural sewage disposal policy</td>
</tr>
<tr>
<td>5</td>
<td>Section 4.2.3.3 b) – last sentence</td>
<td>Road Network – policy related to King Street West</td>
</tr>
<tr>
<td>6</td>
<td>Section 4.2.3.8</td>
<td>Truck Routes</td>
</tr>
<tr>
<td>7</td>
<td>Section 4.2.3.9</td>
<td>Road widenings in urban area</td>
</tr>
<tr>
<td>8</td>
<td>Section 4.2.4</td>
<td>Public Transit</td>
</tr>
<tr>
<td>9</td>
<td>Section 4.2.5</td>
<td>Parking</td>
</tr>
<tr>
<td>10</td>
<td>Section 5</td>
<td>Implementation</td>
</tr>
<tr>
<td>11</td>
<td>Appendix A</td>
<td>Definitions</td>
</tr>
</tbody>
</table>

4.3.2 That the following Sections, Subsections, Policies, Clauses or References, be amended as identified in Table 6

Table 6:

<table>
<thead>
<tr>
<th>Item</th>
<th>Section/Subsection/Policy/Clause/Reference</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Section 2.4 - Historic and Architectural Resources</td>
<td>Add a new policy as 2.4.3.11 as follows: “Section 2.4 only applies to lands outside the urban boundary.”</td>
</tr>
<tr>
<td>2</td>
<td>Section 3.9.4 – Open Space Acquisition</td>
<td>Add a new policy as 3.9.4.5 as follows: “Policies 3.9.4.1 through 3.9.4.4 only apply to lands outside the urban boundary.”</td>
</tr>
<tr>
<td>3</td>
<td>Section 4.2 – Transportation System</td>
<td>Add a new policy as 4.2.7 as follows: “Section 4.2 only applies to lands outside the urban boundary.”</td>
</tr>
</tbody>
</table>

4.4 Town of Flamborough

4.4.1 That the following Sections, Subsections, Policies, Clauses or References, as identified in Table 7 be deleted in their entirety.
Table 7:

<table>
<thead>
<tr>
<th>Item</th>
<th>Section/Subsection/Policy/Clause/Reference</th>
<th>Title of Section/Subsection</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Part One</td>
<td>Preamble</td>
</tr>
<tr>
<td>2</td>
<td>Part Two – Section A</td>
<td>The Urban Area</td>
</tr>
<tr>
<td>3</td>
<td>Part Two – Section C preamble and C.1</td>
<td>Provincial Plans and Resource Management – Flamborough Niagara Escarpment Plan Area</td>
</tr>
<tr>
<td>4</td>
<td>Part Two- Section D preamble and D.1 to D.4</td>
<td>Servicing Programme</td>
</tr>
<tr>
<td>5</td>
<td>Part Two – Section D.6, except D.6.8 through D.6.11</td>
<td>Community Services, except parkland dedication policies</td>
</tr>
<tr>
<td>6</td>
<td>Part Two – Sections E except E.2</td>
<td>Community Design Guidelines, except Heritage Preservation</td>
</tr>
<tr>
<td>7</td>
<td>Part Two – Section F</td>
<td>Implementation</td>
</tr>
</tbody>
</table>

4.4.2 That the following sections, subsections, Policies, Clauses or references, be amended as identified in Table 8

Table 8:

<table>
<thead>
<tr>
<th>Item</th>
<th>Section/Subsection/Policy/Clause/Reference</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>C.4 – Hazard Lands</td>
<td>• Delete “Schedule ‘A’”</td>
</tr>
<tr>
<td>2</td>
<td>C.4.1</td>
<td>• Delete “Schedule ‘A’”</td>
</tr>
<tr>
<td>3</td>
<td>C.4.4</td>
<td>• Delete “Schedule ‘A’”</td>
</tr>
</tbody>
</table>
| 4    | D.5 Transportation                        | • Delete 3rd paragraph of Preamble  
• Delete 2nd paragraph of D.5.1  
• Delete the Table in Policy D.5.3 (iii)  
• Delete Policies D.5.7 (i) and (ii)  
• Delete Policy D.5.8  
• Add a new policy as D.5.10 as follows: “Section D.5 only applies to lands outside the urban boundary.” |
| 5    | D.6 – Community Services                  | • Add a new policy as D.6.12 as follows: “Policies D.6.8 through D.6.11 only apply to lands outside the urban boundary.” |
| 6    | Section E.2 - Heritage Preservation       | • Add a new policy as E.2.7 as follows: “Section E.2 only applies to lands outside the urban boundary.” |

4.5 Township of Glanbrook

4.5.1 That the following Sections, Subsections, Policies, Clauses or References, as identified in Table 9 be deleted in their entirety.
Table 9:

<table>
<thead>
<tr>
<th>Item</th>
<th>Section/Subsection/Policy/Clause/Reference</th>
<th>Title of Section/Subsection</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Part 1</td>
<td>Introduction</td>
</tr>
<tr>
<td>2</td>
<td>Part 2, Sections A to A.7, except A.1.2, A.2.7, A.4.2., A.4.4, and A.7.2</td>
<td>General Goals and Objectives</td>
</tr>
<tr>
<td>3</td>
<td>Section A.9</td>
<td>General Goals and Objectives</td>
</tr>
<tr>
<td>4</td>
<td>Section A.11</td>
<td>General Goals and Objectives</td>
</tr>
<tr>
<td>5</td>
<td>Section B.2</td>
<td>The Urban Area</td>
</tr>
<tr>
<td>6</td>
<td>Section C.2</td>
<td>Environmentally Significant Areas</td>
</tr>
<tr>
<td>7</td>
<td>Section D.1, except D.1.2, D.1.4, D.1.5, D.1.9 and D.1.1</td>
<td>Land Severance General Policies</td>
</tr>
<tr>
<td>8</td>
<td>Section D.3</td>
<td>Land Severance - Urban Area Policies</td>
</tr>
<tr>
<td>9</td>
<td>Section E.3</td>
<td>Public Transit</td>
</tr>
<tr>
<td>10</td>
<td>Section E.5</td>
<td>Railways</td>
</tr>
<tr>
<td>11</td>
<td>Section F.1. except Section F.1.2</td>
<td>Municipal Water and Sanitary Sewerage Facilities</td>
</tr>
<tr>
<td>12</td>
<td>Section G, except G.15, policies G.15.1 through G.15.4</td>
<td>Implementation, except Parkland Dedication policies</td>
</tr>
<tr>
<td>13</td>
<td>Sections H.1 to H.4</td>
<td>Definitions</td>
</tr>
<tr>
<td>14</td>
<td>Section H.5, except H.5.6, 5.13, 5.19, H.5.21, H.5.22</td>
<td>Definitions, except definitions related to Rural area</td>
</tr>
</tbody>
</table>

4.5.2 That the following Sections, Subsections, Policies, Clauses or References, be amended as identified in Table 10

Table 10:

<table>
<thead>
<tr>
<th>Item</th>
<th>Section/Subsection/Policy/Clause/Reference</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Section C.1 – Hazard Lands – all policies</td>
<td>• Delete all references to “Schedule &quot;D&quot; – Environmental Plan</td>
</tr>
<tr>
<td>2</td>
<td>Section C.1 – Hazard Lands</td>
<td>• Add a new policy as C.1.11 as follows: “Section C.1 only applies to lands outside the urban boundary.”</td>
</tr>
</tbody>
</table>
| 3    | Section E.1 – Transportation policies- Introduction | • Delete the 2nd sentence in the 2nd paragraph  
• Delete Paragraphs 3 and 4" |
| 4    | Section E.2 – Road Transportation         | • Amend Section E.2 by adding the following sentence at the end of the last sentence, “The policies of Section E.2 shall only apply to the lands outside the urban area.” |
Appendix “A” to Report PED09164
Page 9 of 30

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
</table>
|   | • Delete Sections E.2.1.3 (a)(iv) and (v) – General Policies  
  • Delete Section E.2.1.3 (b)(iv) – Definition and Road ROW widths  
  • Delete Section E.2.1.3 (b)(vi) – General Policies  
  • Delete Section E.2.1.3 (c)(iii) – General Policies  
  • Delete Section E.2.1.3 (d)(i) – General Policies  
  • Amend Section E.2.2.5 (a) to add the following words at the end of the sentence: ", and shall only apply to the lands outside the urban area."  
  • Delete Section E.2.2.5 (b)  
  • Delete the following roads from the Table:  
  (a) arterial roads - Dartnall Road Extension, Dickenson road West, Garth Street extension. Glancaster Road – between Airport Road and White Church Road, Trinity Church Road between Hwy 53 and 750 m north of Dickenson Road East, Upper Ottawa Street Extension, Glover Road/Proposed Industrial Collector,  
  (b) collector roads- Homestead Drive, Nebo Road, Twenty Roads East and West  
  Delete section E.2.2.6 (c) |
| 5 | Section E.4 – non-motorized Movement |
|   | • Add a new policy as E.7 as follows:  
  “Sections E.1 to E.6 only applies to lands outside the urban boundary.” |
| 6 | Section G.15 – Parkland Dedication |
|   | • Add a new policy as G.15.5 as follows:  
  “Section G.15 only applies to lands outside the urban boundary.” |

**4.6 City of Hamilton**

**4.6.1** All the policies of the Official Plan for the former City of Hamilton are hereby deleted, save and except for those policies that apply to the lands identified as Area 1 and Area 2 on the Schedules listed in Section 5.6.2, and shown on the attached as Schedules “F” through “F-7” to this amendment.
4.7 City of Stoney Creek

4.7.1 That the following Sections, Subsections, Policies, Clauses or References, as identified in Table 11 be deleted in their entirety.

Table 11:

<table>
<thead>
<tr>
<th>Item</th>
<th>Section/Subsection/Policy/Clause/Reference</th>
<th>Title of Section/Subsection</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Part 1</td>
<td>Introduction</td>
</tr>
<tr>
<td>2</td>
<td>Section A.1</td>
<td>Residential</td>
</tr>
<tr>
<td>3</td>
<td>Section A.2</td>
<td>Downtown</td>
</tr>
<tr>
<td>4</td>
<td>Section A.3</td>
<td>Commercial</td>
</tr>
<tr>
<td>5</td>
<td>Section A.4</td>
<td>Industrial Business Park</td>
</tr>
<tr>
<td>6</td>
<td>Section A.5</td>
<td>Institutional</td>
</tr>
<tr>
<td>7</td>
<td>Section A.6</td>
<td>Winona Urban Community</td>
</tr>
<tr>
<td>8</td>
<td>Section A.7</td>
<td>Open Space and Parks</td>
</tr>
<tr>
<td>9</td>
<td>Section A.8</td>
<td>Escarpment Natural Area</td>
</tr>
<tr>
<td>10</td>
<td>Section A.10</td>
<td>Rural Lakeshore</td>
</tr>
<tr>
<td>11</td>
<td>Section A.12</td>
<td>Special Policy Areas</td>
</tr>
<tr>
<td>12</td>
<td>Section A.13</td>
<td>Secondary Plans</td>
</tr>
<tr>
<td>13</td>
<td>Section B.1</td>
<td>Open Space and Natural Areas</td>
</tr>
<tr>
<td>14</td>
<td>Section B.3</td>
<td>Lakeshore Protection</td>
</tr>
<tr>
<td>15</td>
<td>Section B.5</td>
<td>Forests and woodlots</td>
</tr>
<tr>
<td>16</td>
<td>Section B.7</td>
<td>Niagara Escarpment Plan</td>
</tr>
<tr>
<td>17</td>
<td>Section C.1</td>
<td>General Provisions</td>
</tr>
<tr>
<td>18</td>
<td>Section C.2</td>
<td>Urban Policy Areas</td>
</tr>
<tr>
<td>19</td>
<td>Section D.1</td>
<td>Engineering Service</td>
</tr>
<tr>
<td>20</td>
<td>Section D.2</td>
<td>Utility Services</td>
</tr>
<tr>
<td>21</td>
<td>Section D.3.2</td>
<td>Public Transit</td>
</tr>
<tr>
<td>22</td>
<td>Policy D.3.1.2.16 and D.3.1.2.18</td>
<td>Road Network</td>
</tr>
<tr>
<td>23</td>
<td>Section E- except Section E.5</td>
<td>The Living Environment, except Historic and Architectural Resources</td>
</tr>
<tr>
<td>24</td>
<td>Section F, except policies F.8.2 through F.8.5</td>
<td>Implementation, except parkland dedication policies</td>
</tr>
</tbody>
</table>

4.7.2 That the following Sections, Subsections, Policies, Clauses or References, be amended as identified in Table 12.

Table 12:

<table>
<thead>
<tr>
<th>Item</th>
<th>Section/Subsection/Policy/Clause/Reference</th>
<th>Changes</th>
</tr>
</thead>
</table>
| 1    | Section B.2                              | • Delete all references to “Schedule "G" - Hazard Lands  
                                            • Add new policy Add a new policy as |
### 5.0 Schedule Changes

#### 5.1 Region of Hamilton-Wentworth

5.1.1 That the following Maps be deleted in their entirety:

- Map 1 – Regional Development Pattern;
- Maps 3a and 3b – Niagara Escarpment Plan Areas; and,
- Map 4 – Environmentally Significant Areas.

5.1.2 That the following Appendices be deleted in their entirety:

- Appendix Map No. 1 – Wetlands and Streams;
- Appendix Map No. 2 – Bicycle Network Master Plan; and,
- Appendix Map No. 3 – Regional Greenlands Preliminary Concept Map.

5.1.3 That Appendix Map No. 6 - Transportation be amended by deleting the lands in the urban area, as shown on Schedule “A” to this Amendment.

#### 5.2 Town of Ancaster

5.2.1 That the following Schedules be deleted in their entirety:

- Schedule B - Land Use-Urban Area
- Schedule C - Hazard lands;
- Schedule F - Specific Policy Areas;
- Schedule G - Niagara Escarpment Plan Area;
- Map 1 – Meadowbrook West Neighbourhood Secondary Plan;
- Map 1 – Shaver Neighbourhood Land Use;
- Map 2 – Shaver Neighbourhood – Areas Subject to Further Environmental Study;
- Map 1 – Garner Neighbourhood Land Use;

<table>
<thead>
<tr>
<th>Category</th>
<th>Policy Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>B.2.10:</td>
<td>“Section B.2 only applies to lands outside the urban boundary”</td>
</tr>
<tr>
<td>D.3 – Transportation System</td>
<td>Add a new policy as D.3.1.2.19 as follows: “Section D.3 only applies to lands outside the urban boundary”</td>
</tr>
<tr>
<td>E.5 - Historic and Architectural Resources</td>
<td>Add a new policy as E.5.2.5 as follows: “Section E.5 only applies to lands outside the urban boundary”</td>
</tr>
<tr>
<td>1 Section F</td>
<td>Add a new policy as F.8.6 as follows: “Section F applies only to lands outside the urban boundary.”</td>
</tr>
</tbody>
</table>
• Map 2 – Garner Neighbourhood – Areas Subject to Further Environmental Study;
• Map 1 – Meadowlands Mixed Use Secondary Plan;
• Map 1 – Meadowlands Neighbourhood III Land Uses;
• Map 2 – Meadowlands Neighbourhood III Special Policy Areas;
• Map 1 – Meadowlands Neighbourhood IV Land Use;
• Map 2 – Meadowlands Neighbourhood IV - Special Policy Areas;
• Map 1 – Meadowlands Neighbourhood V Land Use & Transportation; and,
• Map 2 – Meadowlands Neighbourhood V - Special Policy Areas.

5.2.2 That Schedule E – Road Networks-Major Roads be amended by deleting the lands within the urban area, as shown on Schedule “B” to this Amendment.

5.3 Town of Dundas

5.3.1 That the following Schedules be deleted in their entirety:
• Schedule A – Land Use;
• Schedule B-1 - Exceptions;
• Schedule B-2 - Pedestrian Trails; and,
• Schedule B-3 – Special Policy Areas.

5.3.2 That Schedule D – Major Road Network be amended by deleting the lands within the urban area; as shown on Schedule “C” to this Amendment.

5.4 Town of Flamborough

5.4.1 That the following Schedules be deleted in their entirety:
• Schedule A: Waterdown Urban Area - Land Use Plan;
• Schedule A-1: Flamborough Business Park Secondary Plan;
• Schedule A-2: West Waterdown Secondary Plan;
• Schedule A-3: North Waterdown Secondary Plan;
• Schedule “A-4”: Waterdown North Transportation Plan;
• Schedule C: Provincial Plans and Policy Areas;
• Schedule E: Hazard lands;
• Schedule G – Waterdown Urban Area – Staging of Development; and,
• Schedule G-1: Flamborough Business Park Secondary Plan – Staging.

5.4.2 That Schedule F – Transportation be amended by deleting the lands within the urban area, as shown on Schedule “D” to this Amendment.

5.4.3 That all Appendices be deleted in their entirety.
5.5 Township of Glanbrook

5.5.1 That the following Schedules be deleted in their entirety:

- Schedule A – Land Use Plan;
- Schedule B – Binbrook Village Land Use Plan;
- Schedule C - Mount Hope Urban Settlement Area Land Use Plan;
- Schedule D – Environmental Plan
- Schedule F - Special Housing Areas
- Schedule G - North west Glanbrook Planning Area Land Use Plan;
- Schedule H – Binbrook Village Development Phasing Plan;
- Schedule I - Rymal Road Secondary Plan Land Use Plan;

5.5.2 That Schedule E – Road Network Plan be amended by deleting the lands within the urban area as shown on Schedule “E” to this Amendment.

5.6 City of Hamilton

5.6.1 That the following Schedules be deleted in their entirety:

- Schedule B-3 – Other Special Policy Areas
- Schedule “C” – Hazard lands;
- Schedule “E” – Staging of Development
- Schedule “G” – Planning Units;
- Schedule “J-1” – Chedmac Planning area;
- Schedules “L-1 to L-9” - Downtown Secondary Plan; and,
- Schedules “N-1 to N-2” - Ainslie Wood Westdale Downtown Secondary Plan.

5.6.2 That the following Schedules be deleted in their entirety, except for Area 1, lands comprising the West Harbour Secondary Plan Area; and Area 2, lands within the West Hamilton Innovation District Secondary Plan area subject to O.M.B. appeal:

- Schedule A - Land Use Concept as shown on Schedule “F” to this Amendment;
- Schedule B - Special Policy Areas as shown on Schedule “F-1” to this Amendment;
- Schedule B-1 - Other Special Policy Areas as shown on Schedule “F-2” to this Amendment;
- Schedule F - Major Roads as shown on Schedule “F-3” to this Amendment;
- Schedule I - Landfill Constraint Areas as shown on Schedule “F-4” to this Amendment;
5.7 City of Stoney Creek

5.7.1 That the following Schedules be deleted in their entirety:
- Schedule A – General Land Use Plan;
- Schedule A-1 – The Western Development Area;
- Schedule A-2 – The Winona Urban Community;
- Schedule A-3 – The Heritage Green Neighbourhood;
- Schedule A-4 – The Lakeshore Area – Secondary Plan;
- Schedule B – Stoney Creek Open Spaces & Natural Environment System;
- Schedule C – Staging of Development;
- Schedule E – Planning Districts; and,
- Schedule G – Hazard Lands.

5.7.2 That Schedule D – Functional Road Classification be amended by deleting the lands inside the urban area; as shown on Schedule “G” to this Amendment.

5.7.3 That the following Appendices be deleted in their entirety:
- Appendices A – Secondary Plan Tables; and,
- Appendices C - Official Plan Approvals.

5.7.4 That Map 2 - Road Jurisdiction be amended by deleting the lands inside the urban area; as shown on Schedule “G-1” to this Amendment.
6.0 **Implementation:**

The policies and Maps/Schedules of the existing Official Plans which are the subject of these Amendments will remain in effect until such time as the new Official Plan for Urban Hamilton has received final approval from the Province of Ontario.

This interim measure seeks to ensure Official Plan policies and designations are in place for the urban area.

This is Schedule “1” to By-law No. _____ passed on the XX\textsuperscript{th} day of, 2009.

The

City of Hamilton

__________________________  ________________________
MAYOR                        CLERK
Delete the lands within the urban area.
Schedule C
Draft Amendment No.___ to the Official Plan for the Former Town of Dundas

Legend
Delete the lands within the urban area

Date: Revised By: Reference File No.
May 15, 2009 JHE OPA ___(D)

SCHEDULE D
MAJOR ROAD NETWORK
Town of Dundas Official Plan
Delete the lands within the urban area

Schedule D
Draft Amendment No.
to the Official Plan
for the
Former Town of Flanborough

Legend

Date: May 15, 2009
Revised By: JHE
Reference File No.: OPA ___(F)
SCHEDULE 'E'
ROAD NETWORK PLAN

LEGEND

- - - - - - - - PROVINCIAL HIGHWAY
- - - - - - - - ARTERIAL ROADS
- - - - - - - - - COLLECTOR ROADS
- - - - - - LOCAL ROADS

Delete the lands within the urban area
Delete the lands within the urban area, save and except the lands identified as Area 1 and Area 2

- **Area 1**
- **Area 2**
Delete the lands within the urban area, save and except the lands identified as Area 1 and Area 2.

For other Special Policy Areas numbers, refer to Schedules: B-1, B-2, and B-3.
Schedule F-2
Amendment No. ___
To the Official Plan
for the
former City of Hamilton

Delete the lands within the urban area, save and except the lands identified as Area 1

Area 1

Date: Revised By: Reference File No.:
May 15, 2009 C.N. OPA ___(H)

legend

Refer to policy A.2.9.3.11
Refer to policy A.2.9.3.12
Refer to policy A.2.9.3.20
Refer to policy A.2.9.3.23
Refer to policy A.2.9.3.34
Refer to policy A.2.9.3.53
Refer to policy A.2.9.3.60
Refer to policy A.2.9.3.64
Refer to policy A.2.9.3.65
Refer to policy A.2.9.3.67
Refer to policy A.2.9.3.83

schedule B-1

to the official plan
for the City of Hamilton

February 2006
Delete the lands within the urban area, save and except the lands identified as Area 1 and Area 2.

**Area 1**

**Area 2**

**Legend**

- Inter-regional highway
- Arterial roads (regional)
- Proposed arterial roads (regional)
- Other roads
- Designated right-of-way width

**Schedule F**

to the official plan for the City of Hamilton

August 1999
N.B
Referred to Ontario Municipal Board
by Regional Council, May 2, 1995
(Official Plan Amendment No. 80)

Schedule I

landfill constraint areas

legend

1. King St./Basilica
2. Kay Dradge Park
3. Hill Street Yard
4. Chatham/Frid
5. King/CP
6. Eastwood Park
7. Burlington/Victoria/Wentworth
8. Burlington/Birch
9. Burlington/Depew
10. Brampton/Wentworth
11. Main/Dundurn
12. Upper Ottawa Landfill Site

Date: May 1995

Schedule F-4
Amendment No. ___
To the Official Plan
for the
former City of Hamilton

Delete the lands within the urban area, save and except the lands identified as Area 1 and Area 2

Date: May 2, 1995

Revised By: C.N.
Reference File No.: OPA ___(H)
Delete the lands within the urban area, save and except the lands identified as Area 1 and Area 2.

Area 1
Area 2

Date: May 15, 2009
Revised By: C.N.
Reference File No.: OPA ___(H)
CITY OF STONEY CREEK
OFFICIAL PLAN
Schedule "D"
Functional Road Classification

Legend

- Municipal Boundary
- Collector Road
- Proposed Collector Road
- Arterial Road
- Proposed Arterial Road
- Inter Regional Highway

Delete the lands within the urban area

Date: May 15, 2009
Revised By: JHE
Reference File No.: OPA ___(S)
Delete the lands within the urban area

Date: May 15, 2009
Revised By: JHE
Reference File No.: OPA (S)
Public Consultation Summary

Given the extensive amount of work for the development of a new Urban Hamilton Official Plan, the OP was undertaken using a phased approach and using several different methods of communication and consultation.

1.0 Communication Tools
Staff used different methods to present and gain input on OP background material and proposed policies as part of an extensive public consultation process. They include

- Background/Discussion papers, including proposed OP policies on specific topics;
- Public information centres – panels, presentations, comment sheets
- Individual stakeholder presentations (i.e. BIA’s, Chambers of Commerce, ICI Real Estate Brokers, Homebuilders, etc.);
- Advisory Committees (i.e. Tourism, Economic Advisory, Human Services, Municipal Heritage Committee);
- Presentation to ED and P Committee, including public meetings on specific topic areas
- Individual Meetings with every councillor and constituents, when requested;
- Community Announcement Service Board Website with 800 registered subscribers;
- City’s Website – posting reports, policies, interactive comment sheets; and,
- E mails to all participants from various events.

2.0 Topics Subject to Specific Consultation
The topic areas that were part of this approach are highlighted below. This approach has been successful as it allowed more focussed and in depth discussion on certain subjects with internal departments, councillors and the public. Depending on the subject matter different events and stakeholder meetings were held to engage the public. All public meetings and open houses were advertised in the spectator, the Hamilton Community news, the City’s website and individual e-mails were sent out to a long list of participants.

2.1 Urban Structure Plan
Dillon and SGL Consultants assisted staff with the development of the Urban Structure Plan. The Urban structure implements the City’s approved Growth strategy and is one of the foundation pieces of the OP. Prior to 2007, consultation on the basic components of urban structure (nodes and corridors) began through the GRIDS process and the preparation of three key background documents, the Residential Intensification Study, the Commercial Strategy Study, and the Comprehensive Employment Study.
### Appendix “C” to Report PED09164

### Page 2 of 8

<table>
<thead>
<tr>
<th>Date Event</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 12, 2007 (Lower City) and November 13 (Upper City), 2007</td>
<td>Held 2 Open Houses and presentations on nodes and corridors concept and Growth Management study (GRIDS).</td>
</tr>
<tr>
<td>December 2008</td>
<td>Presentation to the Chamber of Commerce and the Homebuilders.</td>
</tr>
<tr>
<td>January 2008</td>
<td>Presentation to Ward 11 residents.</td>
</tr>
<tr>
<td>April 2008</td>
<td>Presentation to Human Services Planning Table</td>
</tr>
<tr>
<td>May 5, 2008</td>
<td>Report (PED08118) and presentation to ED and P on the draft Urban Structure Report and policies; requesting authorization to consult public and stakeholders on the draft OP policies on Urban structure.</td>
</tr>
<tr>
<td>June 9 (Ward 12/13), June 11 (Ward 5,10/11), June 12 (Ward 6,7,8), June 16 (Ward 1,2, 3, 4), June 19 (Wards 14/15)</td>
<td>Held 5 open houses to present draft urban structure policies. 91 people attended.</td>
</tr>
<tr>
<td>July 2008</td>
<td>Presentation to the Hamilton Halton Homebuilders Association (HHHBA)</td>
</tr>
<tr>
<td>July 2008</td>
<td>Presentation to the Industrial Commercial Institutional (ICI) Realtors</td>
</tr>
<tr>
<td>November 27, 2008</td>
<td>Report (PED08118a) and presentation to ED and P requesting the endorsement of the urban structure policies. The comments received from the public were attached as Appendix “B” to Report PED08118a. Committee received and tabled the report.</td>
</tr>
</tbody>
</table>

#### 2.2 Municipally Initiated Comprehensive Review for Employment Lands

The City undertook a comprehensive review of all lands designated industrial in the area municipal official plans. The purpose of this study was to determine which lands should remain as employment and which lands could be converted to another use.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 1, 2007</td>
<td>Presentation to ED and P on the Comprehensive Employment Study (Hemson) (PED07056)</td>
</tr>
<tr>
<td>November 12, 2008 (Lower City) and November 13 (Upper City), 2008</td>
<td>Held two Open Houses and presentations to receive input on the criteria to be used for the purposes determining which lands to keep for employment uses or to convert to non employment uses.</td>
</tr>
<tr>
<td>December 2008</td>
<td>Presentation to the Chamber of Commerce, ICI Realtors and the Homebuilders.</td>
</tr>
<tr>
<td>March 18, 2008</td>
<td>Report (PED08066) and presentation to ED and P on the findings of the Municipal Comprehensive Review and Conversion Analysis for</td>
</tr>
</tbody>
</table>
Employment Lands Study and the findings of the draft Updated Employment Land Supply/Budget and requesting authorization to consult public and stakeholders on findings; receive the MKI Peer review on the Comprehensive Employment Study.

April 7 (Lower City) and April 15, 2008 (Lower City) Held 4 open houses to present identified areas/sites in the older industrial areas which may be suitable for potential conversion from an employment (industrial) designation to a non-employment designation and to review the employment land budget/supply. Approximately 150 people attended.

April, 2008 Made a presentation to the Chamber of Commerce and Industrial/Commercial/Institutional (ICI) Realtors of Hamilton/Burlington

June 23, 2008 Made a presentation to Committee of the whole to approve the lands to be retained for employment uses and those lands to remove from the employment designations and to endorse the updated employment land supply/budget. Committee and Council accepted staffs recommendations and identified additional lands to be removed from employment areas.

2.3 Employment Area Policies

These policies relate to lands designated Employment in the new OP.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 12, 2008</td>
<td>Presentation to Chamber of Commerce – Business Development Committee and the Hamilton Industrial Commercial and Investment (ICI) Real Estate Brokers to discuss the approach to employment land OP policies.</td>
</tr>
<tr>
<td>April 21, 2008</td>
<td>Staff met with Hamilton Port authority to discuss the approach to employment land OP policies.</td>
</tr>
<tr>
<td>June 23, 2008</td>
<td>Report (PED08146) and presentation to ED and P requesting authorization to consult public and stakeholders on the draft OP policies</td>
</tr>
<tr>
<td>September 15, 2008 (Downtown)</td>
<td>Held 2 open houses and made presentation on employment land policies.</td>
</tr>
<tr>
<td>October 8, 2008</td>
<td>A follow-up presentation was given to the ICI Real Estate Brokers on status and developments of employment areas policies and zones to date.</td>
</tr>
<tr>
<td>November 27, 2008</td>
<td>Report (PED08146a) and presentation to ED and P requesting the endorsement of the employment policies. The comments received from the public were contained in Report PED08146a. Committee and council endorsed the policies for inclusion in the June 2009 OP.</td>
</tr>
<tr>
<td>December 12, 2008</td>
<td>A follow-up presentation was given to the Chamber of Commerce on status and developments of employment areas policies and zones to date</td>
</tr>
</tbody>
</table>
2.2 Commercial Land Use
Sorensen Gravely Lowes (SGL) Consultant prepared a three volume report on retail commercial as part of the GRIDS and OP work.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 1, 2007</td>
<td>Presentation to ED and P the results of the 3 volume Commercial Strategy Study (PED07055)</td>
</tr>
<tr>
<td>February 5 (Ward 2) and February 7 (Ward 6), 2007</td>
<td>Held four Open Houses and made presentations on background discussion paper for commercial and industrial land supply</td>
</tr>
<tr>
<td>March 2007</td>
<td>Workshop with Business Improvement Areas to discuss types of uses, the length of commercial areas within the BIA and transition areas between BIA’s and adjacent land uses</td>
</tr>
<tr>
<td>November 27, 2008</td>
<td>Report (PED08286) to ED and P requesting authorization to consult public and stakeholders on the draft OP policies.</td>
</tr>
<tr>
<td>January 19 (Ward 6,7,9), January 20 (Wards 4,5,10,), January 21 (Wards 14,15), January 22 (Ward 13), January 26 (Wards 1,2,30, January 29 (Ward 11), February 2, 2009 (Wards 8, 12)</td>
<td>Held seven open houses and made presentation on: 1. Proposed policies and maps for land uses such as commercial/mixed use, neighbourhoods (residential), institutional and open spaces. 2. Supporting policies for transportation, natural heritage housing, air quality, urban design. 3. Draft zones and mapping for Commercial/Mixed Use and Employment (formerly industrial) Areas.</td>
</tr>
</tbody>
</table>

2.4 Housing Policies
Proposed policies directly promote affordable housing as well as a mix and range of housing, permit housing with supports and accessory apartments (subject to zoning provisions), and protect rental housing.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 1, 2007</td>
<td>Presentation to ED and P the results of the Residential Intensification Strategy (PED07053)</td>
</tr>
<tr>
<td>April 30 (Wards 12/13, May 1 (Wards 1,2,3), May 8, (Wards 4, 5, 9, 10, 11), May 9 (Wards 6,7,8) 2007</td>
<td>Held 4 Open Houses, in conjunction with the Housing Division, Community services to review and discuss background information that will be used to develop new residential land use and housing policies for the City’s new Official Plan and present Residential Intensification Strategy.</td>
</tr>
<tr>
<td>Date</td>
<td>Event</td>
</tr>
<tr>
<td>--------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>November 27, 2008</td>
<td>Report (PED08283) to ED and P requesting authorization to consult public and stakeholders on the draft OP policies. Housing Discussion Paper was prepared as background support for the draft policies. It was made available to the public.</td>
</tr>
<tr>
<td>January 13, 2009</td>
<td>Held a stakeholder meeting with approximately 40 stakeholders form various sectors of the community: non-profit housing providers, social service groups, neighbourhood associations, HHHBA, and other from the development community. Session enabled an in-depth discussion of the proposed policies and led to several small revisions.</td>
</tr>
<tr>
<td>January 19 (Ward 6, 7, 9), January 20 (Wards 4, 5, 10), January 21 (Wards 14, 15), January 22 (Ward 13), January 26 (Wards 1, 2, 30, January 29 (Ward 11), February 2, 2009 (Wards 8, 12)</td>
<td>Held seven open houses and made presentation on: 1. Proposed policies and maps for land uses such as commercial/mixed use, neighbourhoods (residential), institutional and open spaces. 2. Supporting policies for transportation, natural heritage housing, air quality, urban design. 3. Draft zones and mapping for Commercial/Mixed Use and Employment (formerly industrial) Areas.</td>
</tr>
<tr>
<td>March 25, 2009</td>
<td>Affordable Housing Flagship - Presentation on targets and complete proposed housing policies</td>
</tr>
<tr>
<td>April 9, 2009</td>
<td>Food, Shelter and Housing Advisory Committee – Presentation on complete proposed housing policies and targets</td>
</tr>
</tbody>
</table>

2.5 Cultural Heritage Policies

The cultural heritage policies address the full scope of cultural heritage resource conservation in the land use planning process, including archaeology, built heritage and cultural heritage landscapes. The policies apply to the urban areas of the City. Cultural heritage policies for the rural area will undergo public consultation in the Fall 2009.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 2007</td>
<td>Discussion paper and draft policies were circulated to First Nations organizations including the First Nations of Six Nations (Elected Council and Confederacy), Mississaugas of the New Credit and the Huron Wendat.</td>
</tr>
<tr>
<td>January 31, 2008</td>
<td>Met with technical staff of Lands and Resources (Six Nations Elected). No revision to policies suggested.</td>
</tr>
<tr>
<td>March 26, 2008</td>
<td>Information Update to Economic Development and Planning Committee, titled “Executive Summary - Draft Cultural Heritage Policies for the New Official Plan”</td>
</tr>
<tr>
<td>March 27, 2008</td>
<td>Presentation to the Municipal Heritage Committee on draft cultural heritage policies. No revision to policies suggested.</td>
</tr>
<tr>
<td>March 31, 2008</td>
<td>Held 1 open house to present the draft cultural heritage policies. Approximately 40 people attended.</td>
</tr>
</tbody>
</table>
Appendix “C” to Report PED09164
Page 6 of 8

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>April/May 2008</td>
<td>Displays of policies for one week at each municipal service centre. Staff received several comments from people who read the display material.</td>
</tr>
<tr>
<td>April 30, 2008</td>
<td>Presentation to the HHHBA on draft cultural heritage policies.</td>
</tr>
<tr>
<td>May 27, 2008</td>
<td>Presentation to the Advisory Committee Against Racism on draft cultural heritage policies.</td>
</tr>
<tr>
<td>June 4, 2008</td>
<td>Presentation to the Aboriginal Advisory Committee on draft cultural heritage policies.</td>
</tr>
<tr>
<td>October 8, 2008</td>
<td>Met with HHHBA to discuss cultural heritage policies</td>
</tr>
<tr>
<td>November 27, 2008</td>
<td>Report (PED08282) and presentation to ED and P requesting the endorsement of the cultural heritage policies. The comments received from the public were attached as Appendix “B” to Report PED08282</td>
</tr>
</tbody>
</table>

2.6 Natural heritage System Policies

The new Urban Natural Heritage System policies use a systems approach to natural heritage protection. Natural heritage features will be protected for their ecological functions and for the many benefits which they provide to current and future generations such as wildlife habitat, improved air quality, surface and groundwater quality and quantity, flood and erosion control, improved aesthetics, and general health and quality of life of urban settings.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 1, 2008</td>
<td>Released Discussion Paper, “Protecting Hamilton’s Natural Heritage System”.</td>
</tr>
<tr>
<td>September 24, 2008</td>
<td>Circulated draft policies to internal staff and Conservation Authorities for comment.</td>
</tr>
<tr>
<td>October 20, 2008</td>
<td>Presentation to internal City staff and Conservation Authorities.</td>
</tr>
<tr>
<td>November 27, 2008</td>
<td>Report (PED08285) to ED and P requesting authorization to consult public and stakeholders on the draft OP policies. Housing Discussion Paper was prepared as background support for the draft policies. It was made available to the public.</td>
</tr>
<tr>
<td>November 30, 2008</td>
<td>Met with Six Nations representatives.</td>
</tr>
<tr>
<td>January 19 (Ward 6, 7, 9), January 20 (Wards 4, 5, 10,), January 21 (Wards 14, 15), January 22 (Ward 13), January 26 (Wards 1, 2, 30, January 29 (Ward 11), February 2, 2009 (Wards 8, 12)</td>
<td>Held 7 opens houses and made presentation on: 1. Proposed policies and maps for land uses such as commercial/mixed use, neighbourhoods (residential), institutional and open spaces. 2. Supporting policies for transportation, natural heritage housing, air quality, urban design. 3. Draft zones and mapping for Commercial/Mixed Use and Employment (formerly industrial) Areas.</td>
</tr>
<tr>
<td>February 19, 2009</td>
<td>Made a presentation to the Hamilton Halton Homebuilders Association (HHHBA)</td>
</tr>
</tbody>
</table>
2.7 Transportation Policies

The recommended transportation policies focus on providing balanced and improved transportation mode choices and include provisions for: integration of different transportation modes, active transportation (e.g. walking, cycling, etc.), transit, the road network, goods movement, rail air, and marine movements. The integrated transportation network policies support the City’s urban structure and provide access via a range of modes to all land uses and activities in the City.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 2008</td>
<td>Prepared a Discussion paper on Transportation Networks</td>
</tr>
<tr>
<td>November 27, 2008</td>
<td>Report (PED08284) to ED and P requesting authorization to consult public and stakeholders on the draft transportation OP policies.</td>
</tr>
</tbody>
</table>
| January 19 (Ward 6,7,9), January 20 (Wards 4,5,10,), January 21 (Wards 14,15), January 22 (Ward 13), January 26 (Wards 1,2,30, January 29 (Ward 11), February 2, 2009 (Wards 8, 12) See Attachment 1 | Held 7 opens houses and made presentation on:
1. Proposed policies and maps for land uses such as commercial/mixed use, neighbourhoods (residential), institutional and open spaces.
2. Supporting policies for transportation, natural heritage housing, air quality, urban design.
| April 27, 2009     | Presentation to 2009 Transportation Summit regarding how transportation issues and policies have been incorporated into new OP. |

Draft Official Plan

The Statutory Open house was advertised on the City’s website (along with a copy of the draft OP), in the Spectator, all the Community newspapers and e mailed to all the past participants as well as being included on the Community Announcement Service Board Website.

The Statutory Open House for the draft Official Plan was held on April 8, 2009 (see Attachment 2). Approximately 150 people attended the event representing a cross section of the community – land owners, residents, business owners,

Given the number of comments received from the January/February open houses, the Statutory Open House and other methods of correspondence have been summarized in Attachments 1 and 2.
Letters and their responses from two stakeholder groups - the Hamilton Chamber of Commerce and the Hamilton Halton Homebuilders Association and Susan Rogers (letter sent to the Mayor) are attached as Attachments 3 to 6. Other individual letters received have been included in the Comment chart in Attachments 1 and 2.
Comment Sheet

Date of Public Information Centre: ________________________________

Contact Information

Name: ____________________________________________________________
Address: __________________________________________________________
E-mail: ____________________________________________________________

Are you a: (please check all that apply)

☐ Resident
☐ Business Owner
☐ Visitor

Please fill in your answers / comments regarding the Public Information Centre you attended:

1. What area of the City most interests you? Why?
(ex. Your neighbourhood, local / regional retail, communities, downtown, industrial areas, etc)

2. Do you feel the policies and regulations adequately address and provide direction for the general urban planning issues existing within the City of Hamilton? Planning issues such as: (select all that apply)

| Neighbourhoods: Supportive Complete Communities |
| Housing: Diverse, Flexible Housing Stock to Meet Changing Needs |
| Transportation: Connectivity, Integration & Improved Mode Choice |
| Urban Design: Attractive, Lively, Safe Communities & Quality Built Environment |
| Natural Heritage: Protecting & Enhancing the Natural Heritage System |

Other (please specify): _____________________________________________

Please feel free to elaborate / explain in the space indicated on page 2

Thank you for your comments.
3. Do you have a property specific issue you would like to address?

4. How did you hear about the Public Information Centre you attended? (Please check all that apply)

- Newspaper
- Website
- Email Notice
- Flyer in Community Centre/Library/Municipal Service Centre/Arena
- Other, please explain ____________________________

Please provide any additional comments in the space below:

Further Comments can be mailed or emailed to:

**Official Plan Review**
77 James Street North, Suite 250
Hamilton, ON    L8R 2K3
opreview@hamilton.ca

If you would like additional information, please contact:

**Joanne Hickey-Evans**
905-546-2424 x 1282
opreview@hamilton.ca

**Sarah Cellini**
905-546-2424 x 4672
opreview@hamilton.ca

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**Notice of Collection**
Personal information and comments submitted on this form and/or made in an oral presentation are collected under the authority of the Planning Act, R.S.O. 1990, Chapter p. 13 (as amended), and will be considered as part of public input in the preparation of the new urban Official Plan. Questions about the collection of this information should be directed to Manager of Policy Planning, Suite 250 - 77 James Street North, Hamilton, Ontario, L8R 2K3, 905-546-2424 x. 1282, opreview@hamilton.ca.
<table>
<thead>
<tr>
<th>Submitted by</th>
<th>Comments</th>
<th>How to address / Notes</th>
</tr>
</thead>
</table>
| Karen Wilkins  
211 Sulphur Springs Road, Ancaster  
(905)648-0466 | • Supportive of Urban Structure, Neighbourhood designation, urban design policies etc (amazingly supportive of community needs) good understanding of City's issues/needs  
• looking forward to future secondary planning processes for Ancaster  
• Draft policies demonstrate considerable knowledge regarding the needs of Ancaster  
• Policies must encourage pedestrian oriented and well landscaped roads- comments on Ancaster Transportation issues  
• Lack of density, pedestrian connectivity, supporting transit all are determining factors growth potential  
• funding for projects is our biggest constraint  
• Site Specific comments received relating to development application on Mount St. Mary property in Ancaster | Comments noted, density and intensification addressed through Urban Structure and chapter E policies  
current application's are a separate process |
| Rev. Canon Robert L. Brownlie  
(resident)  
48 Oakley Court, Ancaster ON rlbrownlie@shaw.ca | • there is a historic aspect of being part of Ancaster's footprint. If we forget our past the future will “bite” us.  
• policies and regulations presented in the PIC adequately address and provide direction for the general urban planning issues existing within Hamilton. | Comments/Statements noted |
| Charles Gidley  
776 Stone Church Road West L9B 2P9  
(resident) | • the policies and regulations presented in the PIC adequately address and provide direction for the general urban planning issues existing within Hamilton | Comments/Statement noted |
| Ron Hewitt  
(Visitor)  
221 Argyle Steret South, Caledonia ON N3W1J2 ronhewitt@remaxescarpment.com | • Urban Design and Natural Heritage policies and regulations adequately address and provide direction for the general urban planning issues existing within Hamilton.  
• Specific comments on Land Assembly relating to the Airport Employment Growth District  
• Smart growth principles should not be considered in downtown only. Not everybody wants to live downtown. Spread infrastructure money across the City.  
• City should consider new technology in waste water recycling systems to service growth areas. | Comments noted  
Planning for AEGD a separate process  
Infrastructure related policies to be refined |
| Jill Stanton (Resident) | • Concerned with enforcement of signage by-law on Barton Street businesses  
• Supportive of urban design directions  
• All of Barton Street needs a streetscape improvement plan. | Comments noted, OP does not regulate by-law enforcement |
### Summary of Comments Received for Urban Official Plan PICs in Jan & Feb 2009

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| Jim & Jane Evans      | • Not many changes for the better in Downtown since 2004, other than gateway feature (King East & Wellington) the new building (condos) by Denningers, Theatre Aquarius and its little café nearby, the condos on King William, the Art district on James  
• Conflicts between residential areas and traffic speed, truck traffic, unloading needs of nursing home, absentee landlords.  
• Policies should include landscaping - trees, plants, shrubs (low maintenance plants)  
• older homes on Victoria/downtown have some historic merit but need incentives for property improvements – suggest tax breaks for heritage and enforcement of property standards  
• better location for methadone clinic is needed so as not to scare people away  
• need a better understanding of those in need – people on the street when there are many agencies that assist – mental health treatment – where have we gone with that? Need to resolve to become “Best place to raise a child”  
• walkable downtown neighbourhoods need better availability of grocery stores/local food stores (butchers, bakers) need incentives for new stores.  
• Concerns with fire safety in empty/abandoned stores and Parking spaces in the old neighbourhoods NE of downtown –  
• Housing for the homeless is a complex issue that needs addressing  
• Couldn’t find parkland space/person. Parkland targets need realistic implementation policies  
• Conversion of parks to non-park uses should generally be prohibited. The OP should include strict policies preventing destruction of greenspaces.  
• What measures are being included in this Official Plan to minimize amendments? Good official plans should require minimal amendments. | OP is not mechanism to address most issues discussed  
 Increased density in Downtown neighborhoods will increase commercial possibilities for viable grocery stores  
 Policies address affordable housing as much as possible but as stated, homelessness is a complex issue most of which is beyond the scope of an OP  
 Parkland standards are detailed in Section B.3.3  
The parkland policies were completed and approved and contain parkland standards. They are already part of the existing OPs and will be carried forward with the new OP.  
The plan is considerably more flexible than existing plans. Designations are a minimum of 4 ha and the Neighbourhood designation permits a range of compatible small uses. |
| Don McLean            |                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                          |

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**Attachment 1 to Appendix "C" to Report PED09164 Page 4 of 14**
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<td>• What policies are proposed on urban boundary expansions? Good official plans require a fixed urban boundary. No boundary expansions proposed in this OP, but will it include a specific policy opposing future boundary expansions?</td>
<td>Chapter B details policies for urban boundary expansions – only expansions detailed in GRIDS are planned.</td>
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<td>• How will the city reverse the current deterioration of ESAs? Can we have a no loss policy for ESAs?</td>
<td>New NHS policies are more comprehensive</td>
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<td>• What policies are proposed regarding noise pollution? Will the OP include policies and steps to reduce existing noise levels, especially night-time noise from aircraft, truck traffic, and other non-emergency sources?</td>
<td>Noise policies found in Section B.3.6.3 and follow provincial guidelines regarding noise and vibration emissions. The policies do not address existing noise levels because the role of the OP is to regulate new development. Other avenues are available for addressing existing issues and taking a proactive approach through programs. As a creature of the Planning Act, the OP’s power is to provide opportunities and respond to development applications. For example, Public Works has a program of retrofitting noise barriers for existing development. Public Works is also conducting a truck route study. Some intensification will happen outside of corridors, but majority will occur in the Downtown, in the nodes and along the corridors. Neighborhoods allow for a greater mix of uses including commercial, commercial uses per site allow up to 10,000 sq m not 10,000 sq ft.</td>
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<td>The function of the OP is not to set tax rates. Different commercial designations are in place to accommodate varying needs.</td>
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<td>NEIGHBOURHOODS</td>
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<td>• Intensification should take place across the city, not just along arterial roads.</td>
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<td>• Neighbourhood areas need employment opportunities, recreational facilities and a wider range of commercial. While the 10,000 square feet maximum size is okay, daily/weekly shopping needs include green groceries and supermarkets as well as convenience stores.</td>
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<td>• Development of complete communities should be at the neighbourhood level resulting in many communities within Hamilton. A potential approach is to identify all existing named neighbourhoods as targets for transformation into complete communities.</td>
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<td>• existing neighbourhoods must be made more diverse and sustainable. Sustainable neighbourhoods are walkable, cycle-friendly, and have mixed housing types serving all age groups. All neighbourhoods should be designed for residents without automobiles.</td>
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<td>COMMERCIAL</td>
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<td>• A new tax class should be established for commercial parking areas, and used to generate revenue for improved transit services and to</td>
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## Summary of Comments Received for Urban Official Plan PICs in Jan & Feb 2009

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<td>discourage vehicle use. The levy on such areas should rise in conjunction with increases in rates at parking meters. If this approach is not feasible or permitted, the city should obtain permission from the Province to impose parking taxes (a power already provided to the city of Toronto)</td>
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<td>• No new commercial development should be allowed that does not include at least two floors of residential. Single-use strip malls and big box complexes are not sustainable and constitute an extremely poor use of land.</td>
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<td>• The District Commercial and Arterial Commercial zones are mistakes that continue past mistakes. All new commercial areas should be designed to expect at least 50 percent of their clients will arrive by transit, cycling or walking. Commercial developments that rely mainly on vehicular access should not be permitted. Existing large commercial complexes should be encouraged (firstly) and then required to convert extensive parking areas into residential and/or office areas. No complex should be allowed to have more than 30% of its surface area covered by parking.</td>
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<td>• The “pedestrian predominant streets” rules should be applied to ALL new commercial areas. Never again should mistakes like the “Centre Mall” redevelopment be permitted. All stores should front onto the street, including all new strip malls. Those already existing should be considered unfortunate mistakes and should be encouraged to correct these mistakes. They should all be required to provide dedicated and safe pedestrian access from the street to the front doors of every business.</td>
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<td>Commercial designations all have specific urban design guidelines as well as being subject to the general urban design guidelines of Section B.3.3</td>
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<td>TRANSPORTATION The transportation policies show some movement in an appropriate direction, but are far too timid. A “balance” of transportation options should not be the goal – this translates to more of the same with a sprinkling of other options. The objective should be to actively reduce car dependence by restrictions on vehicle movement (lane reductions, road tolls, traffic calming, speed reductions) and conversion of existing motor vehicle infrastructure to pedestrian, cycling and other uses. Road widenings and all new major road construction should be banned. In remaining greenfield areas within the urban boundary, new roads must include pedestrian and cycling facilities,</td>
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<td>There is a specific goal to plan urban development so that travel by automobile becomes an option instead of a necessity. Furthermore, active transportation is a key component and an integrated part of other networks as well.</td>
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<td>• The road network used by cars and by transit and goods movement vehicles —reduced road maintenance would negatively impact transit vehicles in the City. New roads will include active transportation facilities and road ROW are less in</td>
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<td>and the vehicle areas should be minimum widths. The deciding standard for all mixed use transportation facilities should be the safety of pedestrians and cyclists.</td>
<td>neighborhood areas.</td>
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<td>• Goods movement should be shifted towards rail and boat to the greatest extent possible. The city should not encourage use of air travel for either goods or people.</td>
<td>• Policy 4.3.5 includes conditions that promote pedestrian friendly streets including pedestrian priority.</td>
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<td>• Transit service should be expanded and the guiding principle should be increasing use of transit services by at least 5 percent per year.</td>
<td>• The City agrees that movement of goods by rail and boat should be encouraged by the greatest extent possible. However, this must be balanced with the potential for increased conflict between heavy rail and sensitive land uses when moving goods intra-City. The City does not own the rail line nor can the City force private companies to ship their goods via one mode over another.</td>
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<td>• Walking and cycling can be most quickly promoted by reductions in vehicle speed limits. Traffic calming measures are very helpful in implementation of these changes. Complete closure of some neighbourhood streets should be tried where requested by residents, with resulting additional space used for greenspace, or possibly for intensification.</td>
<td>• Transit levels and increased targets for transit ridership are detailed in the Transportation Master Plan (TMP). The TMP and OP work together to improve transit and transportation in the City. The OP can create opportunities and conditions for improved transportation while the TMP is more detailed, has a more direct influence on behaviour and details operational improvements transit service levels. Many of the policies of the OP will be implemented through the TMP.</td>
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<td>• The OP does not dictate traffic speed limits. Policies for Traffic Management (4.5.10-4.5.16) direct that traffic will be managed through design and traffic management plans at neighborhood level. Closure of neighborhood streets may present issues with access (e.g. emergency vehicles). Some concern listed are more operational, not OP policy.</td>
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<td><strong>HOUSING</strong></td>
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<td>• Dedicated a fixed percentage of the capital budget to construction of new affordable housing.</td>
<td>Agreed, but the opportunities are limited and the power of the OP to require specific types of development is also limited. As above, the OP provides opportunities, but cannot force people to develop particular uses. City could consider a minimum canopy cover for parking areas - would require further study and a by-law</td>
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<td>• Zoning restrictions for accessory apartments and housing with supports should be minimal</td>
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<td>• Accessory apartments should be permitted in townhouses.</td>
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<td>• Conversion to condominiums should be much more restricted than currently.</td>
<td>Good idea, but it is a Council decision, not something to put in the Official Plan. (RE: fixed amount of capital budget for affordable housing)</td>
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<td>• Taxation reform on multi-residential properties is needed to facilitate continued supply of rental housing.</td>
<td>The work has not yet been done to determine what zoning restrictions are required and to what extent. The intent is to be as minimal in the restrictions as possible, but deal with real issues. There are neighbourhoods in some areas of the City with severe existing parking requirements, so there would likely be some sort of parking requirement in the zoning. The zoning will be available for public comment before it is approved. Where does the 2% figure come from? See comment directly above. Until our transit system and service is better and more comprehensive the need for parking is a reality. The challenge is that the frontage of townhouses does not accommodate much street parking per unit. It is also important to implement such a policy in such a way that it does not create problems and consequent public backlash against accessory apartments. There can be substantial public benefit to replacing existing rental units with condo in specific limited circumstances. Condo conversions can enable substantial renovation of seriously deteriorated buildings by providing a capital infusion sometimes not possible through existing rents. This option can prevent severely deteriorated buildings from deteriorating to the point where the only option is demolition, as well as help rejuvenate neighbourhoods. Condo conversions can also provide affordable home ownership options. Protecting our existing rental housing is very important, but there are also other important goals that can be met through selective condo conversion. This matter is being addressed through another initiative. This is not a matter for the Official Plan. (RE: reducing tax levies)</td>
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<td>• Require 20 percent of all new residential development to be comprised of affordable units.</td>
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<td>• Do not permit the development of lands with multiple residential zoning unless all the development includes all the required housing types. As a result of past policies we have far too many missing rental accommodations.</td>
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<td>• Residential development currently has minimum tree planting requirements. Rules should also be put in place to require all new and existing parking areas to achieve at least 50 percent canopy cover within ten years</td>
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<td>• New and existing residential developments should be permitted and encouraged to reduce parking areas in return for long-term provision of free transit passes to each household.</td>
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<td>• Regarding urban design, there have been numerous recent re-developments which run directly counter to these goals. Commercial streetscapes of strip-mall type development with parking between the stores and the street should not be permitted. Where it already has, efforts should be made to correct these mistakes.</td>
<td>The Planning Act does not currently give the City the authority to make this requirement. Enabling such an inclusive zoning policy to work, if and when we do get the authority, requires a demand for density which do not yet have. The City cannot “force” already developed properties to redevelop. New development standards are applied to new developments and redevelopment in the City.</td>
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<td>• Reduction in parking requirements should be offered for commitments to permanently fund transit passes for employees and residents.</td>
<td>Policy framework has allows for consideration of reduced parking standards which will be implemented with the new Zoning By-law.</td>
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<td>• No targets are presented for any other air quality objectives. Without targets, the policies are essentially useless. We need real targets backed up by real steps to achieve those targets.</td>
<td>The air pollutant and greenhouse gas targets are set out in the Corporate Air Quality and Climate Change Strategic Plan (2007), these targets are in-line with the Corporate Energy Policy to reduce energy consumption. The targets established are a starting point and are realistic and achievable in the City. An inventory is underway to measure progress on these targets since 2005. Should the targets be achieved earlier then the time-lines set out, the City will examine the targets and pursue further “more aggressive” targets in the future.</td>
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<td>• No new drive-thru facilities should be permitted anywhere in the city, and existing ones should be phased out over a period no longer than seven years</td>
<td>The OP address land use specific issues and not direct sources of air pollutants or greenhouses gases such (i.e. personal and commercial vehicles, industrial processes, deforestation, coal and oil burning energy sources, and energy usage). The OP is one of many tools and programs in the City that can address air quality and climate change.</td>
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<td>• Greenhouse gas reduction targets are absurdly low and don’t improve on Stephen Harper’s targets. Hamilton needs to get serious. The reduction targets you are proposing are a cruel joke</td>
<td>Transportation planning and engineering has been provided in the research of the Mobile Monitoring work and is aware of the emission impacts. The health</td>
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<td>• What policies are proposed to reduce and limit exposure to vehicle emissions?</td>
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*Attachment 1 to Appendix “C” to Report PED09164*
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<td>Gordon McNulty (resident) 1604-75 Queen Street North <a href="mailto:gmcnulty7@gmail.com">gmcnulty7@gmail.com</a></td>
<td>1) the strathcona neighbourhood – I'm a resident, participate in various neighbourhood groups. The Waterfront – I'm a member of the Bay Area Restoration Council. Downtown – I’ve always been interested in the state of the Downtown. Natural Heritage Areas – I'm a director of the Hamilton Naturalists Club and Support various conservation/environmental groups 2) All policies and regulations adequately address and provide direction for the general urban planning issues existing within the City of Hamilton. I generally support the policies. The policies as outlined would appear to promote more appreciation and awareness of the many excellent natural heritage assets in greater Hamilton and I hope that the suggested targets for Habitat restoration, distances required for environmental impact statements and other similar benchmarks will be implemented by the City. I was encouraged to see 28 pages devoted to natural heritage system policies 3) No answer 4) Newspaper and email notice</td>
<td>Comments/statements noted</td>
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<td>Robert James (Resident &amp; Business Owner)</td>
<td>1) I am interested in Dundas – the downtown and older parts of the town. My own neighbourhood, is also of great interest. But the built structure, how to maintain it and how to promote liveability within it are the important things to me. 2) These are all addressed, but of necessity in very general terms. The overall guidelines seem to me like provincial laws – they provide the structure, but is it the regulations (or the zoning, in your case) that gives the actual direction on the ground, to what will happen in our City. The OP looks</td>
<td>Comments noted – Implementation will occur through secondary planning and zoning</td>
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| good, but we need to see how well those ideals are turned into the zoning standards.  
3) Several – maintenance of historically valuable properties, transportation in and through Dundas, both private and public, natural zones and areas that remain preserved in their natural state to allow environmental buffers for animals, insects and birds | Comments/statements noted                                                                                                                   |
| Ann & Wilf Parker (Residents)      | 1) Neighbourhood, local/regional retail, communities, downtown and industrial areas are of interest to us  
2) The Urban Design and Natural Heritage policies do not adequately address or provide direction for the general urban planning issues within the City. Park areas should remain parkland.  
3) Our property specific issue is frontage regulations  
4) notified about PIC via newspaper | Comments/statements noted                                                                                                                   |
| Anthony Venslovas (Resident)       | 1) Dundas Downtown and Hatt Street redevelopment opportunities especially in regards to walkability, pedestrian friendly and lively streetscapes  
2) No answer  
3) No answer  
4) He was advised of the PIC via newspaper | Comments/statements noted                                                                                                                   |
| Unknown                            | 1) communities and downtown most interest him/her  
2) How do you get compliance for urban design policies?  
3) No answer  
4) Was aware of PIC via newspaper | Comments/statements noted                                                                                                                   |
| Raymond Brown (Resident)           | 1) Dundas (near Ogilvie Street) and planning by Villa for 2 – 10 storey building  
2) Neighbourhoods and transportation adequately address and provide direction for general urban planning issues existing within the City.  
3) Property specific issue is the villa extension  
4) notified via newspaper, website and email notice | Comments/statements noted  
Current application can be addressed through a separate process – OP dies not address |
| Marilyn & Gerhart Teuscher (Resident) | 1) we are concerned about the proposed intensification and the threat of over-development; ie. the numerous multi-storey residential units being constructed/proposed  
2) We attended the 6 – 8 pm meeting on January 22, which was very well set up with many informative flyers, brochures and displays. We were welcomed by friendly staff; there was a comprehensive presentation followed by an extensive question and answer period. | Comments/statements noted  
the draft OP does not address specific applications. Current applications evaluated in context of existing OP's |
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| Ruth Jefferson (Resident) 207 – 160 Ogilvie St Dundas | 3) Specifically we are concerned about the proposed construction of two additional ten-storey buildings in our immediate neighbourhood that would result in an intolerable intensification of traffic and seriously affect the safety of the present elderly residents. The severity of our surrounding would be permanently and irrevocably interrupted/ended. | Comments/statements noted  
New development will need to perform a traffic impact study to identify and mitigate any potential impact if applicable  
Intensification will be completed in local areas context and be compatible with existing development |
| Ken Lee (resident) 22 Como Place Hamilton ON L9B 2W5 jklee2@quickclic.net | 1) most interested in his neighbourhood (the linc to the north, twenty road to the south, upper james to the west, and upper wentworth to the east).  
2) He felt the presentation was too broad to deal with his concerns about his neighbourhood. believes that housing and transportation could have more direction for the policies.  
3) property specific issue is with regards of the resale of surplus lands by the school board. School sites should be converted to greenspace. Only a small portion of the park is utilized as a playground. The remainder of the space is used regularly by residents walking their pets, playing sports with family and friends, hiking, snow-shoeing, and cross country skiing. We would ask that you supply us with the secondary plans in this area of Hamilton so that modifications could be made before the land is gone. We are gathering community support and are OP policies are intended to be high-level and broad, specific neighborhood concents address with lower level plans and zoning |
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<td>Argia Cowel</td>
<td>The lack of street lighting on the North Service Road near the 50 Road area. She would also like to see more community centres and small commercial shops in the Winona 50 Road Area.</td>
<td>Contact public works to see if they can put lights along the north service road or if they know who to contact at the Ministry of Transportation to get it done.</td>
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<td>Darren Giavedoni</td>
<td>It would be nice to see redevelopment in the north end, west end and downtown (so much potential in these areas). There are many ideas that are printed in the Spec and Hamilton Magazine that never see the light of day. speeding up the process would help the cities image. Interested in residential and commercial developments. He believes that neighbourhoods, housing and urban design should have more direction for the policies. He was notified of the PIC by the newspaper.</td>
<td>Development in areas identified further directed through secondary plans. Urban design is found in the urban designations as well as in Section B.3.3.</td>
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<td>Tony Onufer Resident</td>
<td>- He is most interested in the rural areas, but have concerns about the urban structure. - What is the use and purpose of official plans if they are not adhered to – rural areas are being exploited (including prime agricultural land) but &quot;unauthorized&quot; commercial, industrial service development. - Attended Waterdown PIC Jan 21 2009. - Learned about PIC via newspaper.</td>
<td>Updated policies of the new OP should lessen the need for further amendments.</td>
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<td>Dave Cooper</td>
<td>1) Primary areas of interest are downtown Waterdown, the former East Flamborough and the overall City. Downtown Waterdown is of prime importance as that is the location of my business. The East Flamborough area is where I live. The overall City is of interest as I contribute in the funding of it’s operation. 2) Neighbourhoods – I would suggest allowance for a health care institution in Flamborough, although I am aware of the plan’s to move Hamilton’s closest ER facility further away. I wouldn’t doubt if health care falls under someone else’s jurisdiction, but I must express some concern with the planning process when people’s health care is relegated to an over capacity, problem plagued facility in a different city (Joseph Brant – Burlington) with no indication of a future solution. TRANSPORTATION –lack of accommodation in Hamilton for access to</td>
<td>Notify Guy Paparella (Airport). He OP does not dictate when/where healthcare facilities are built or operational changes. Uses in the rural area are detailed in the rural OP. Further aviation is regulated by federal authorities. The OP does not regulate the operation of the Airport.</td>
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<td>Eric Saulesleja GSP Group</td>
<td>General Aviation as a mode of transport, employment, recreation, vacation and business tool. The operator of Hamilton’s International Airport appears to oppose General Aviation as illustrated by silly landing fees and the expulsion of long time tenants Experimental Aviation Association (EAA), Hamilton Flying Club and Penninsulair, despite the fact that they are/were part of a multi-billion dollar industry which thrives at many similar airports (London International, Kitchener – Waterloo International, Ottawa International etc.) in conjunction with scheduled commercial service. 3) No 4) Newspaper and email notice</td>
<td>The neighbourhoods element of the urban structure captures a variety of lands uses outside employment areas, nodes, corridors or activity centres. This site is a commercial site- retail, offices, hotels. It does not fit the description of a node or a corridor which is intended to transition to areas where there will be a mix of land uses including residential. The lands have been designated District Commercial with a site specific to recognize Council’s decision of June 2008.</td>
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<td>Peter Ashenhurst Ashenhurst, Nouwens Limited</td>
<td>Objects to the government imposing its will on landowners with regards to cultural heritage. Public notification is restrictive – mail outs to all affected owners is necessary to be inclusive. Does not agree with the declaration of Cultural Heritage Districts as they impose a burden on owners that do not wish to be included. Paragraph F.X.X.3 regarding financial considerations, does not go far enough. With a heritage designation, the property values decrease and the owners must have major compensation. Appendix B demonstrates the efforts of public consultation, but more consultation is needed.</td>
<td>Given the High level of the OP, policies do not affect any single land/area. Communication via, newspapers, internet etc remains the most effective manner to reach such a broad and divers audience. Designation of heritage conservation districts would be public process</td>
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Summary of Comments Received for Urban Official Plan PICs in Jan & Feb 2009
Comment Sheet

Notice of Collection

Personal information and comments submitted on this form and/or made in an oral presentation are collected under the authority of the Planning Act, R.S.O. 1990, Chapter p.13 (as amended), and will be considered as part of public input in the preparation of the new urban Official Plan. Questions about the collection of this information should be directed to Manager of Policy Planning, Suite 250 - 77 James Street North, Hamilton, Ontario, L8R 2K3, 905-546-2424 x. 1292, opreview@hamilton.ca.

Contact Information

Name: ____________________________

Address: ____________________________

E-mail: ____________________________

Are you a: (please check all that apply)

☐ Resident
☐ Business Owner
☐ Visitor

1) What policies are important for reaching the goal of compact urban communities - where citizens can live, work, shop, play, and learn?

2) Do you support a stronger policy focus on: (please select all that apply)

☐ A broader mix of uses in the neighbourhoods
☐ Pedestrian predominant streets
☐ Urban design requirements
☐ Conservation of cultural heritage resources
☐ Protection, conservation, and enhancement of the natural heritage system
☐ Other, please specify __________________________________________________________

3) What urban planning issues are you most concerned about? Do the Draft Urban Official Plan policies address your concerns?

Thank you for your comments.
How did you hear about the Public Information Centre you attended? (please select all that apply)

- Newspaper
- City of Hamilton Website
- Email Notice
- Other, please specify ________________________________

How would you like to hear about City information in the future? (please select all that apply)

- Newspaper
- Radio
- Email Notice
- External Website (Facebook, Twitter, other: ______________________)
- Flyer in Community Centre/Library/Municipal Service Centre/Arena
- City of Hamilton Website
- Other, please specify ________________________________

Comments can be mailed or emailed to:

**Official Plan Review**  
77 James Street North, Suite 250  
Hamilton, ON L8R 2K3  
opreview@hamilton.ca

If you would like additional information, please contact:

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td>Joanne Hickey-Evans</td>
<td>905-546-2424 x 1282</td>
</tr>
<tr>
<td>Sarah Cellini</td>
<td>905-546-2424 x 4672</td>
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Thank you for your comments.
## Summary of Comments Received for Urban Official Plan – April 2009

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<tr>
<th>Submitted by</th>
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<tr>
<td><strong>Comments from Public Open House – April 8th, 2009</strong></td>
<td>Important policies for reaching the goal of compact urban communities</td>
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</table>
| Bill Powell (business owner)  
335 Barton St. E. Hamilton, L8L 2X6 | • Preserving architecturally significant buildings  
• Mixed usage even within residential areas  
• Live/work designations to non-offensive occupations  
• Eliminate wasted space in ground level paved parking lots  
• More green space, parkettes and public art | • Comments/ statements noted |
| | Supports a stronger policy focus on:  
| | • A broader mix of uses in the neighbourhoods  
• Pedestrian predominant streets  
• Conservation of cultural heritage resources  
• Protection, conservation, and enhancement of the natural heritage system  
| | • Comments/ statements noted |
| | • expand use of cycling trails and lands, create a “bike culture” | • Update to cycling master plan is underway and will be presented to Council June 2009 – Daryl Bender is the contact (RM) |
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</table>
| Carmen Chiaravelle            | **What urban planning issues are you most concerned about? Does the Draft Urban Official Plan policies address your concerns?**  
  7039 Twenty Rd. E.  
  atermo@sourcecable.net  
  **Important policies for reaching the goal of compact urban communities:**  
  • Housing in close proximity to employment lands  
  **Support a stronger policy focus on:**  
  • Pedestrian friendly streets  
  • Eliminate illegal parking lots  
  • Suggest Upper James and Rymal Rd. be identified as community node  
  • seek provincial funding for S Line and A Line at this intersection  
  • Future development should be focused in around airport employment lands – should be a node | • New OP permits schools, churches, etc. in neighbourhoods  
  • Commercial uses on the ground floor of buildings along all thoroughfares would be too much commercial to be viable. Mixed use designations generally permit commercial on the ground floor and residential above, with the exception of the Downtown areas of stable residential areas. On pedestrian predominant streets, residential uses are not permitted on the ground floor.  
  • Comments/ statements noted  
  • Comments/ statements noted  
  • Addressed in Staff Report  
  • Comments/ statements noted |
| Eagle Quest Properties, LLC   | • Thank you for allowing us to offer input on the official plan process.                                                                                                                                                                                                                                                                                                                                                                                      | • Comments/ statements noted                                                                                                                                 |

#### Carmen Chiaravelle
7039 Twenty Rd. E.  
atermo@sourcecable.net

#### Eagle Quest Properties, LLC

- Thank you for allowing us to offer input on the official plan process.
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<tr>
<td>#412 - 41 Sutherland St W, Caledonia, ON, N3W 1L1 <a href="mailto:daniel@eaglequestproperties.com">daniel@eaglequestproperties.com</a></td>
<td>• Important policies for reaching the goal of compact urban communities • If there is to be revitalization in the downtown core, the methadone clinics and such should be pushed into the outer peripheries of the downtown core • healthy environment doesn't include smog warnings in the summer • Everything in the neighborhood, so that people don't have to drive or ride on public transit to get what's missing: o affordable groceries - possibly smaller produce stores that specialize in fruits and vegetables - a la Vancouver's Asian produce shops, or Toronto's European produce shops o affordable, clean restaurants, including a good mix of ethnic restaurants (people like variety) o small coffee shops o a lot less big box stores small mom and pop hardware store o supply of affordable office space o parkland, where there's trees and fitness trails for people to jog, walk, ride bicycles, skate park for the kids</td>
<td>• Such specific uses can't be controlled through the Official Plan • Ministry of Environment (MOE) enforces (CN) • Smog days based on local and transboundary pollutants; City works with MOE on this and is active in reducing local contributors to smog (CN) • Official Plan contains policies on air quality (B.3.6.2) • Policies in Neighbourhoods designation permit all these uses, but the Plan can only provide the opportunities. The market has to actually provide the shops, etc. which means enough people (density) in an area to support the shops (KM) • No new strip clubs are permitted in the zoning by-law (KM) • Depends on MOE regulations for pollution (CN)</td>
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<td>• a broader mix of uses in the neighbourhoods</td>
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<td>• pedestrian predominant streets</td>
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<td>• more focus on the ethnic minorities in the city...perhaps having some kind of International festival to give them some inclusively, and to bring the city together?</td>
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<td>• there needs to be more for the youth and people that are struggling to get by in the lower east side</td>
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<td>• more infill...downtown Hamilton has gone completely down the tubes in the last 20 years</td>
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<td>Elizabeth Toews (resident)</td>
<td>Important policies for reaching the goal of compact urban communities –</td>
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<td>123 Victoria St. Dundas</td>
<td>• Replacing empty lots with urban gardens, better transportation, good signage, respect for natural environment and built heritage.</td>
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<td><a href="mailto:lornetoews@hotmail.com">lornetoews@hotmail.com</a></td>
<td>• Safety, good lighting, safe sidewalks</td>
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<td>• Gardens are permitted in empty lots</td>
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<td>• Urban design policies promote good signage, safety, lighting, etc. (RM)</td>
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<td>• Neighbourhoods/Commercial policies are transit supportive (RM)</td>
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<td>• Comments/ statements noted</td>
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<td>Support a stronger policy focus on:</td>
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<td>• Urban design requirements</td>
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<td>• Conservation of cultural heritage resources</td>
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<td>• Protection, conservation, and enhancement of the natural heritage system</td>
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<td>• eliminate illegal parking lots</td>
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| Frances Neufeld (resident) 58 Cross St, Dundas, L9H 2R8 randfeufeld@cogeco.ca | Important for reaching the goal of compact urban communities  
• Coordinating and encouraging historical renovation and redevelopment with new developments in communities  
• It is important to be able to walk from your house/apt/condo to shopping, doctors, et al. | • OP contains stronger cultural heritage and urban design policies (KM)  
• Many such uses are permitted in Neighbourhoods – complete, walkable communities is a central theme in the plan. It is up to the market to deliver particular services. |
| What urban planning issues are you most concerned about? Do the Draft Urban Official Plan policies address your concerns?  
• Holistic plan  
• Implementing and enforcing plans  
• Greater by-law protection  
• Less lee-way for big developers to override plan  
• Conservation of heritage properties | Comments/ statements noted – implementation through other plans and processes will be the key to achieving OP goals (KM)  
• Clearer policy direction is aim of new OP (KM)  
• Protection of waterfront from too much building | • West Harbour (Setting Sail) Secondary Plan provides direction for development/ redevelopment in the West Harbour area  
• Must be aware of possible future trends but also plan for current conditions and trends.  
• Plan has stronger policies for protection of cultural heritage and green spaces, and permits home based businesses  
| | | Policies encourage use of sustainability measurement tools such as LEEDS |
| | • Need for the city to think of needs and possibilities that are positive in cultural and greening spaces – these will grow and industrial bases shrink to smaller home based businesses and small manufacturing | |
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| Gary Santucci (resident and Business Owner)  
16 Steven Street  
garysantucci@gmail.com | Support a stronger policy focus on:  
- A broader mix of uses in the neighbourhoods  
- Pedestrian predominant streets  
- Urban design requirements  
- Conservation of cultural heritage resources  
- Protection, conservation, and enhancement of the natural heritage system | Comments/ statements noted |
| What urban planning issues are you most concerned about? Do the draft Urban Official Plan policies address your concerns? |  
- Vision isn’t big enough and that Hamilton tourism doesn’t know how to market the diversity of opportunities our City offers. | Not applicable to the Official Plan |

- Comments/ statements noted
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| Gord McNulty (Resident)  
1604-75 Queen St. N, Hamilton, L8R 3J3  
gmcnulty7@gmail.com | Important policies for reaching the goal of compact urban communities  
- I support the benefits of residential intensification as outlined in the material distributed at the meeting contingent on projects being compatible with the existing neighbourhoods. | • Policies address the need for compatibility of residential intensification projects |
| | Support a stronger policy focus on:  
- A broader mix of uses in the neighbourhoods  
- Pedestrian predominant streets  
- Urban design requirements  
- Conservation of cultural heritage resources  
- Protection, conservation, and enhancement of the natural heritage system | • Comments/ statements noted |
| | What urban planning issues are you most concerned about? Do the Draft Urban Official Plan policies address your concerns?  
- Residential intensification is important to containing costly and unsustainable urban sprawl, and to revitalize neighbourhoods.  
- The protection of natural heritage is another key element in an industrial city like Hamilton, as is an integrated transportation network.  
- I think the draft urban official plan is definitely heading in the right direction.  
- The possible future widening of Queen Street North as a minor arterial road, if it is done carefully, could really enhance Queen Street North. | • Comments/ statements noted  
• Plan promotes residential intensification throughout the City, particularly in Nodes and Corridors, and provides intensification targets  
• Neighbourhoods and Transportation policies are systems based and provide substantially improved direction on protecting Neighbourhoods and developing and integrating the transportation network |
<p>| | • This is not directly related to planning, but I would like to see Hamilton spend more on streets and sanitation – not only in the downtown core but also in other neighbourhoods where there are mixed uses or close proximity to industry. Hamilton, unfortunately, suffers in comparison to Burlington as far as the cleanliness of streets and roads is concerned. | • Is an operations/programming initiative that implements creation of attractive public spaces |</p>
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| Judy Lee (resident)  
22 Como Place, Hamilton, L9B 2W5  
jklee2@quickclic.net | Important for reaching the goal of compact urban communities  
- Pedestrian master plan/cycling plan  
- Trees wherever possible to reduce the carbon imprint  
- Trails with trees  
Support a stronger policy focus on:  
- A broader mix of uses in the neighbourhoods  
- Pedestrian predominant streets  
- Conservation of cultural heritage resources  
- Protection, conservation, and enhancement of the natural heritage system  
- Enhancement of natural heritage system wherever possible. We are losing greenspace.  
- Urban design requirements – Don't know what this means |  
- Comments/ statements noted  
- Comments/ statements noted  
- Education on urban design - CP&D working on brochure to improve public education |
| Planning is important, but it can only go so far if the city looks dirty |  |  
- The idea of special streetscaping with a gateway arch at Queen and York sounds very positive.  
- It would be good to see the replacement of wooded utility poles with underground connections. |  
- From existing downtown secondary plan  
- Urban design policies support this viewpoint |
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| **Judy Snider (resident)**  
154 Ferrie St. East  
Judith021@sympatico.ca | What urban planning issues are you most concerned about? Do the Draft Urban Official Plan policies address your concerns?  
- The Hamilton policy of maintaining "natural" spaces while not adding to any greenification in the face of such population intensification  
- Most parkland planning done through secondary planning in the new neighbourhoods (KM)  
- In existing areas of the city, acquisition of parkland is on a case by case basis (KM)  
- Section B.3.5.3 contains parkland standards and F.3.4.4 contains targets for vegetation restoration |  
**Important policies for reaching the goal of compact urban communities**  
- Intensification, pedestrian friendly, mixed uses  
- “uncoupling” of parking requirements from new residential and cultural development (eg. Thistle Club area – too much parking)  
- Comments/ statements noted |  
**Support a stronger policy focus on:**  
- A broader mix of uses in the neighbourhoods  
- Pedestrian predominant streets  
- Conservation of cultural heritage resources  
- Protection, conservation, and enhancement of the natural heritage system  
- What is urban design?  
- Comments/ statements noted |  
- Education on urban design - CP&D working on brochure |
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<td><strong>What urban planning issues are you most concerned about? Do the Draft Urban Official Plan policies address your concerns?</strong></td>
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<td>• Reducing car dependence: Plan identifies District Commercial as being areas with no allowable residential – this only perpetuates car dependence</td>
<td>• It is important to recognize that not every commercial area can or should be mixed use. District Commercial allows some residential; arterial does not.</td>
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<tr>
<td>• Pedestrian commercial: Plan only specifies that buildings must be built at the street and be open to it the backs of “big boxes” on Barton St. in the new Centre Mall redevelopment – this does not promote “pedestrian” commercial. Industrial: “only in older industrial areas” – both a good (if empty now) and bad as it concentrates industry along the water</td>
<td>• Refer back to urban design guidelines • New urban design policies should prevent the type of development described on Barton St.</td>
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<td>• Community Facilities must “be adaptable to changing demographics of the city” how to explain the loss of neighbourhood library in the West Harbour area – an area slatted for 19% of the 40% residential intensification goal and next door to downtown – also slatted to receive a large chunk of new residential intensification (20% of total city). Can these policies (school and library closings – St. Mary’s and Picton) be appealed after this official plan is implemented?</td>
<td>• Decisions of school and library closures are made under a separate process – official plan polices can provide guidance to those processes • Official plan policies can be appealed after Province of Ontario issues their approval</td>
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<td>• Airport Business Park Designation: This is a separate designation under employment/business parks – why? Is this so that this area will not be as carefully developed (following general business park guidelines) as “regular” areas?</td>
<td>• The uses and function of the business park differ from others thus a greater focus on airport related uses • Area is subject to a secondary planning process now underway which will address specific uses</td>
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**Julia Kollek (resident)**
90 Victoria St. Dundas, L9H 2C2
jkolleck@gmail.com

Support a stronger policy focus on:
• Pedestrian predominant streets
• Conservation of cultural heritage resources
• Protection, conservation, and enhancement of the natural heritage

• Comments/ statements noted
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<td>• Suggest adding partnership with non-profit organizations for development of secondary plans and local planning issues</td>
<td>• New policies added to Section F – Implementation; B.3.1 economy and partnerships, community strategies</td>
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<td>• Promote LEED certified buildings – lower fees for builders who build LEED developments</td>
<td>• Urban design policies support LEED and other initiatives</td>
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<td>• Cities need to educate about planning process</td>
<td>• Fee policy can help implement OP direction – must be discussed as part of fee review process and/or a Community Improvement Plan</td>
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<td>• Expand natural heritage planning department • Neighbourhood liaison department needed at planning department</td>
<td>• Noted – planning staff are preparing guidelines to planning process and Planning Act applications</td>
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<tr>
<td>Ken Lee (resident) 22 Como Place <a href="mailto:jklee2@quickclic.net">jklee2@quickclic.net</a></td>
<td>Support a stronger policy focus on: • walking, biking trails through and between neighbourhoods, not just roads and sidewalks</td>
<td>• Comments/ statements noted</td>
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<td>What urban planning issues are you most concerned about? Do the Draft Urban Official Plan policies address your concerns? • Above concern doesn’t appear to be considered at all</td>
<td>• Section C.4.3 – Active Transportation includes policy direction for integrating multi-use trails in existing and greenfield development in accordance with Trails Master Plan</td>
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<td>Local trails and such are dealt with in Secondary Plans and Neighbourhood Plans</td>
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<td>Margaret and Jim Beale (Resident and Business Owner) 6 Halson St. Ancaster, L9G 2S3 <a href="mailto:marg@hamiltonboilerworks.com">marg@hamiltonboilerworks.com</a></td>
<td>What policies are important for reaching the goal of compact urban communities - where citizens can live, work, shop, play, and learn?  • Safety  • Public Information</td>
<td>• Comments/ statements noted</td>
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<td>Support a stronger policy focus on:  • Pedestrian predominant streets  • Urban design requirements  • Conservation of cultural heritage resources  • Protection, conservation, and enhancement of the natural heritage system</td>
<td>• Comments/ statements noted</td>
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<td>• The possible future widening of Queen Street North as a minor arterial road, if it is done carefully, could really enhance Queen Street North.  • The idea of special streetscaping with a gateway arch at Queen and York sounds very positive.</td>
<td>• Comments/ statements noted  • Road classification and Right-of-Way Study did not recommend a future widening of Queen Street North</td>
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<td>• It would be good to see the replacement of wooded utility poles with underground connections.</td>
<td>• Urban Design policies promote underground utilities to enhance the public realm</td>
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<td>• This is not directly related to planning, but I would like to see Hamilton spend more on streets and sanitation – not only in the downtown core but also in other neighbourhoods where there are mixed uses or close proximity to industry. Hamilton, unfortunately, suffers in comparison to Burlington as far as the cleanliness of streets and roads is concerned. Planning is important, but it can only go so far if the city looks dirty.</td>
<td>• Maintenance/operations issue – outside the scope of the Official Plan</td>
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| Peter Graefe         | **What policies are important for reaching the goal of compact urban communities - where citizens can live, work, shop, play, and learn?**  
  • Maintaining a compact urban boundary  
  • Much higher intensity of jobs and people in greenfield sites  
  • Higher goals in terms of intensification of existing urban areas  
  • This plan sets the bar way too low  
  **Support a stronger policy focus on:**  
  • A broader mix of uses in the neighbourhoods  
  • Pedestrian predominant streets  
  **What urban planning issues are you most concerned about? Do the Draft Urban Official Plan policies address your concerns?**  
  • Costly to service sprawl – not adequately addressed – the language is good, but the targets are way too timid (in terms of intensification) to meet goals such as those in the transportation master plan  
  • What purpose to the major arterial extension parallel to Glover?  
  • Need to provide childcare [at public meetings] so all Hamiltonians can attend  
  • Need to maximize use of existing infrastructure by more aggressively intensifying within the existing built boundary                                                                 | **Comments/ statements noted**  
  • Target will be evaluated and adjusted where and when necessary over the timeframe of the Official Plan during the “5 year review”  
  • Glover extension to provide business park with access to LINC and Red Hill Valley  
  • Children are welcome at City open houses  
  • Comments/ statements noted                                                                                                           |
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<td>Robert Corsini (resident)</td>
<td>What policies are important for reaching the goal of compact urban communities - where citizens can live, work, shop, play, and learn?</td>
<td>• Comments/ statements noted</td>
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<tr>
<td>40 Oceanic Dr. Stoney Creek</td>
<td>• Stop the sprawl</td>
<td>• Many Official Plan policies promote use of public transit and active transportation (transportation, urban design, intensification, community facilities, Neighbourhoods and Mixed Use Designations, pedestrian predominant streets, etc.)</td>
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<td>• Increase density of existing shopping and residential areas</td>
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<td>• limit the use of automobiles</td>
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<td>• encourage use of public transportation and alternative transportation such as the bicycle</td>
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<td>• Conservation of cultural heritage resources</td>
<td>• Section C.4.3 – Active Transportation includes policy direction for integrating multi-use trails in existing and greenfield development in accordance with Trails Master Plan</td>
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<td>• Protection, conservation, and enhancement of the natural heritage system</td>
<td>• Local trails and such are dealt with in Secondary Plans and Neighbourhood Plans</td>
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<td>• Other, please specify: expand use of cycling trails and lands, create a “bike culture”</td>
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<td>Barbara Hale (resident)</td>
<td>Important policies for reaching the goal of compact urban communities</td>
<td>• Comments/ statements noted</td>
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<td>530 Hughson N, Hamilton</td>
<td>• Zoning with strict guidelines as to size and type of buildings constructed and up keep and appearance</td>
<td>• Policies provide requirements for urban design – upkeep is a property standards and enforcement issue</td>
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<td><a href="mailto:barbhale@sympatico.ca">barbhale@sympatico.ca</a></td>
<td>• Buy land for green spaces</td>
<td>• See above for additional responses</td>
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<td>• Pedestrian only roads, bicycle paths, public transit</td>
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<td>Do you support a stronger policy focus on:</td>
<td>• Comments/ statements noted</td>
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<td>• A broader mix of uses in the neighbourhoods</td>
<td>• F.3.4.4 contains targets for forest cover</td>
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<td>• Pedestrian predominant streets</td>
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<td>• Urban design requirements</td>
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<td>• Conservation of cultural heritage resources</td>
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<td>• Protection, conservation, and enhancement of the natural heritage system</td>
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<td>• green space in the city and more trees</td>
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<td>What urban planning issues are you most concerned about? Do the Draft Urban Official Plan policies address your concerns?</td>
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<td></td>
<td>• The fact that investors are allowed to buy property and then ignore it and leave it empty for years</td>
<td>Issue for property standards</td>
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<td>• The Urban Official Plan sounds wonderful but without a strong and committed City Council and change in laws, nothing will be accomplished.</td>
<td>Comments/ statements noted</td>
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<td>Victoria Shyovlosky (resident) 130 Blake Street, Hamilton, L8M 2S6</td>
<td>• Most interested in my neighbourhood, city and downtown climate change, peak oil and back economics of urban sprawl Do a inventory or trees in city neighbourhoods, trim and replace damaged, sick trees Upkeep and care for parks. eg. Gage Park and put in more green spaces, mini parks, low maintenance gardens indigenous plants Bring back VIA trains – downtown eg. Liuna station – and electric buses especially in core of city</td>
<td>Comments/ statements noted Issue for Forestry and Parks divisions</td>
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<td>Catherine Beattie</td>
<td>Important policies for reaching the goal of compact urban communities ensure all urban communities have local amenities so that citizens &quot;can play and learn&quot; are required. Active recreational facilities, green areas for passive recreation, and libraries are among those that are needed. plans for intensification overlook the need to significantly expand these in</td>
<td>Plan permits many local amenities in neighbourhoods, but it is up to the market (or relevant organization) to provide Decisions of school and library closures/openings are made under a separate process – official plan polices can provide guidance to those processes Section B.3.5.3 contains parkland standards</td>
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### Summary of Comments Received for Urban Official Plan – April 2009

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<td>conjunction with any moves to increase density.</td>
<td>• The Human Services Plan (underway and involving a large range of service providers) specifically addresses cooperative planning for intensification and community services</td>
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<td>Do you support a stronger policy focus on:</td>
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<td>• See comments directly above</td>
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<td>• Preservation of all publicly owned open spaces including school grounds, and acquisition of low-maintenance areas for walking and cycling, etc.</td>
<td>• Purchases of land for recreation and parks purposes are made on a case by case basis in conjunction with parkland standards</td>
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<td>What urban planning issues are you most concerned about? Do the Draft Urban Official Plan policies address your concerns?</td>
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<td>• Comments/ statements noted</td>
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<td>• commitment nor clear enough to protect communities from the disastrous dense, high-rise developments of the past</td>
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<td>• Residential intensification and curtailment of sprawl are highly related. Provincial policy also requires the City to plan for growth targets for new residents and jobs.</td>
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<td>• residential intensification is only one aspect of provincial policy on land use. The other aspect is curtailment of sprawl</td>
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<td>• Comments/ statements noted</td>
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<td>• Rather than act on policies to stop sprawl, the City is promoting conversion of yet more agricultural land in the formerly autonomous municipalities for residential and &quot;employment&quot; use.</td>
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<td>• Public input is integrated into the Official Plan throughout the process.</td>
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<td>• The presentation made on April 8th by Staff was very helpful in providing information on the Draft OP.</td>
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<td>• Comments from the public were reasonable and well formulated.</td>
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<td>• What appears to be lacking is any mechanism for ensuring that public input is understood and acted upon in the final phase of revisions.</td>
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<td>• Also, more publications along the lines of the brochure on residential intensification (cited above) should be produced in conjunction with the OP. This would enable citizens to engage more fully in discussions of policy proposals that can have a profound impact on the quality of their daily lives.</td>
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<td>Ed Fothergill Fothergill Planning &amp; Development Inc. Consultant for Penady (Stoney Creek) Ltd. Letter Dated April 20 2009</td>
<td>• Schedule E to be modified to exclude his client’s property from the employment lands designation. His client’s property is at the southwest quadrant of QEW and Fifty Road, including an existing commercial operation at 1310 South Service Road.</td>
<td>• The employment land use designation has been modified to remove the property at 1310 South Service Road (truck stop) from the Employment Areas designation. Is now designated District Commercial.</td>
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<td>Eric Saulesleja GSP Group On behalf of Hamilton Mountain Developments 2100, 2176, 2190 Rymal East</td>
<td>Urban structure</td>
<td>• These policies apply on a city wide basis.</td>
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<td>• Designations of community node and secondary corridor generally appropriate</td>
<td>• Policy E.2.3.3.23 to be reworded – see bold: Parking shall be provided through on-street parking, in parking structures and in surface lots to the rear or sides of commercial buildings</td>
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<td>• Policy E.2.3.3.23 – reword policy to remove reference to the location of parking at the rear of the building and replace it with a new sentence that sites be designed be visually attractive and functional</td>
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<td>Land Use designations - Mixed Use medium</td>
<td>• The policy is broad enough to allow larger buildings to be located to street provided they are lined with smaller stores, multiple entrances or other similar means to animate the streetscape. Staff has several examples where this design can be achieved. This clause will be retained.</td>
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<td>• Policy E.4.6.21 – design of sites to require small buildings close to the street front and larger buildings towards rear of property. Would like to have a Notwithstanding clause for their site.</td>
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<td>Rymal Road Secondary Plan</td>
<td>• Designations corrected</td>
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<td>• Correct the Commercial designations on the map based on current Planning Act applications</td>
<td>• Not all the urban design policies apply to the site</td>
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<td>• Request a Notwithstanding clause for Policies E.4.6.16-28 (all the design criteria in the Mixed use medium designation)</td>
<td>• Do not include a Notwithstanding clause because:</td>
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<td>o The development of the site will proceed prior to the Urban Hamilton Official Plan being approved</td>
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<td>o Some of the policies are required to implement good urban design (building orientation, pedestrian linkages, heights, automobile access, adding uses other than commercial,)</td>
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| Eric Saulesleja  
GSP Group  
On behalf of Confederation Park shopping centres  
400-500 Centennial Parkway N and 20 Warrington street | Urban structure  
- Extend the secondary corridor from Barton to the QEW and Add this site as a node or alternatively modify Policy E.2.6.5 to indicate there are site specific exceptions for large commercial use | This site does not meet the criteria for a node, one of which is to include residential over the long term. However, Policies E.2.6.2, E.2.6.3 and E.2.6.5 have been modified to provide greater clarification as to the role of all types of commercial uses within the neighbourhood element of the Urban structure.  
- Corridors are more than transportation routes that are intended to connect nodes and employment area. The extension to Barton recognizes the employment designation along Barton Street. |
| District Commercial land Use designation  
- Policy E.4.7.12-14 (urban design requirements) do not apply to the site | Site specific policy will deal with the design issues related to the site  
- No changes to the parent plan are contemplated since these policies apply City wide |
| UHC-4 – site specific policy  
- A number of comments related to the direction of the Council resolution | The site specific will be included in the new Plan once the applications have gone through the public process.  
- The plan is placing a greater focus on urban design. These principles will be applied in appropriate situations. |
| Ontario Realty Corporation (ORC)  
Nash neighbourhood – north west quadrant of Mud street and Issac Brock Road | A number of changes were requested to the Nash secondary Plan – road windings, land uses. ORC has submitted Planning Act applications for this area. | No changes to the Urban Hamilton Official Plan will be made until the Planning Act applications have been completed. |
| Ontario Realty Corporation (ORC)  
North east corner of Winona Road and South Service Road | Modify site specific policy (Volume 3) USCN-5 be modified specific studies and the Official Plan Amendment shall determine the future land | USCN-5 has been deleted and replaced with an area specific policy for lands within the lower Stoney Creek area USC-2- |
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| **Ontario Realty Corporation (ORC) Lands east and west of Trinity Church extension**<br>Uses | • Agree with the Employment and Neighbourhoods designations  <br>• Concerned with Policy E.5.4.7 c ii) – requires building entrance to front on arterial road  <br>• Secondary plan – there are existing Planning Act applications and site specific policies may have to be incorporated into the secondary plan | • Policy modified to read *For developments that front, or have frontage on an Arterial Road, the principal façade shall incorporate windows and the main pedestrian entrance to the building. The main pedestrian entrance may be located on a collector or local road where the site configuration and building design restrict the location of the main pedestrian entrance*  
Changes to the Urban Hamilton Official Plan may be required upon the completion of the various applications; however, they are premature at this time. |
| **Ontario Realty Corporation (ORC) Lands south the Hamilton Golf and country Club, west of Highway 403**<br>Uses | • Land identified as and Environmentally Significant Area (ESA) in regional official Plan and designated residential in the Town of Ancaster Official Plan  
• Questions why the land is designated Open space in the Urban Hamilton Official Plan | • A small portion of the site has been changed to Neighbourhoods. In addition, a new site specific policy – UAN-3 has been added given the ecological significance of this site: Notwithstanding Section E.3 – Neighbourhoods designation, an Environmental Impact Statement, in accordance with Sections C.2 – Natural Heritage System and F.3.2.1 – Environmental Impact Statement, shall be required to determine if there is any development-potential for the lands. |
| **Ontario Realty Corporation (ORC) Karst in Stoney Creek – n/w corner of Second Road and Rymal Road**<br>Uses | • ANSI Feeder Area should be identified as an area subject to separate designation and specific policies, reflecting the recommendations in the MNR Eramosa Karst ANSI report.  
• Should also consider policies which prohibit below grade fuel and chemical storage tanks in the Feeder Area. | • Schedule B has been revised slightly to exclude already developed areas from the Core Area. These include a small portion of land to the east of Second Road West and properties along Rymal Road and south of Rymal Road. Area specific policies have been added (USC-1 and USC-2) to Volume 3 to reflect these already developed parts of the ANSI. However, the ANSI Core and the majority of the Feeder Area (not currently developed) will remain as Core Area to ensure the Eramosa Karst ANSI is protected.  
• Policy added to USC-1 and USC-2 to prohibit below grade fuel storage tanks in the Feeder Area. |
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| Ontario Realty Corporation (ORC), south of Highland Road, west of Upper Mount Albion | • Agree with the Employment and Neighbourhoods designations  
• Concerned with Policy E.5.4.7 c) ii) – requires building entrance to front on arterial road | • Policy modified to read  
“For developments that front, or have frontage on an Arterial Road, the principal façade shall incorporate windows and the main pedestrian entrance to the building. The main pedestrian entrance may be located on a collector or local road where the site configuration and building design restrict the location of the main pedestrian entrance”  
• Concerned with the linkage designation and streams (Core Areas) located on their land. |  
• The Core Areas (streams) were removed from Schedule B because the Davis Creek Subwatershed Study did not recommend that they be retained. Other linkages were hedgerows and were removed from Schedule B, as hedgerows are addressed in Policy C.2.7.8. |
| Ontario Realty Corporation (ORC), Provincial land northwest of Second Road and Rymal Road. | • Request that only ANSI Core Area, identified by MNR ANSI report, be shown as Core Area in Schedule B and that Feeder and Developed Areas be identified separately.  
• The text for USC-1 should reflect the reduction of sediment load because of agricultural activity.  
• Consider policies for the Developed Area of the ANSI. A policy could be included that requires that development in the Feeder Area should not contribute to significant subsurface erosion in the Developed Area while maintaining flows. | • Schedule B has been revised to show the ANSI Core, Buffer, and feeder creeks as Core Area. The Feeder Area has been identified as an Area Specific Policy (USC-1) and a portion of the Developed Area has been identified as an Area Specific Policy (USC-2).  
• Staff did not include this policy change, as it is preferable to keep the policy general – sediment load must be reduced, no matter what the source.  
• Policies were added for the Developed Area, which reflect the recommendations for the Developed Area in the ANSI report. A separate Area Specific Policy, USC-2 was added in Volume 3. |
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<td>Ron Wojcicki on behalf of Landmart Homes</td>
<td>• Concern that mapping is not accurate, does not reflect existing and draft approved development, and studies (Environmental Assessments, Secondary Plans).</td>
<td>• Boundaries of natural areas change over time and mapping reflects the best available information. Schedule B has been revised to exclude draft approved developments.</td>
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<td>• Concern about Vegetation Protection Zone minimum width guidelines and permitted uses.</td>
<td>• The recommended widths for VPZs are minimums, and it is unlikely that narrower buffers would be considered. Storm water management facilities can buffer and provide complementary habitat when they are constructed adjacent to a Core Area. While it is preferable to locate these facilities outside of the VPZ, Policy C.2.5.14 has been revised to state that “Storm water management facilities will generally not be permitted in VPZs”. This provides some flexibility in the policy.</td>
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<td>• Concern about Linkages and streams shown on Schedule B map related to five areas (Meadowlands Ancaster, Meadowlands-Stonehenge Extension, Upper James Street and Twenty Road, Woodland Manor subdivision, Ancaster, and Felker community).</td>
<td>• Schedule B was revised to exclude linkage and stream features in Meadowlands, Ancaster, since these areas are draft approved and conform to the Secondary Plan. However, the remaining areas have not been revised on Schedule B, as they are still in the development review process and the EIS reports have not been approved by staff. Once a development application has been approved, Schedule B will periodically be revised to reflect any changes to Core Area or Linkage boundaries that were approved.</td>
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<td>David Pitbalado on behalf of Paletta</td>
<td>• Policy C.2.1.4 contradicts Policy 2.2.1. There should be an obligation by the City to purchase natural lands so that they can be made available to the general public, otherwise don’t restrict landowners' ability to use or develop their lands.</td>
<td>• The City is currently developing a Natural Areas Acquisition Fund to allow it to purchase significant natural lands. However, it is not under any obligation to do so. No change was made.</td>
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<td>• Policy C.2.2.3 - Boundaries of Core Areas and Linkages in Schedule B – is there a mechanism in place to allow refinement of boundaries now, rather than having to challenge them in the future?</td>
<td>• Boundaries of natural areas change over time; therefore a process is in place (Policy C.2.2.3) to permit refinements to boundaries at the time of a Planning Act application for land use change. It has been standard practices since ESA policies were introduced in 1994 to require the proponent of a</td>
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<td>development application to conduct site specific field work and to recommend refinements to natural area boundaries through an Environmental Impact Statement (EIS).</td>
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<td>• Policy 2.2.7 – can natural areas be dealt with individually based on their own significance?</td>
<td>• Policy C.2.2.7 refers to areas where a Core Area may contain 2 or more overlapping designations, such as a wetland, fish habitat, and Environmentally Significant Area. Where these designations overlap, the most restrictive policies will apply. Wording has been changed to Policy 2.2.7 to clarify this.</td>
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<td>• Policy 2.5.7 – concerned that development on lands adjacent to Core Areas may be not be allowed, especially when the buffer has been applied to the Core Area.</td>
<td>• This policy conforms to the Provincial Policy Statement 2005; no change was made.</td>
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<td>• Policy C.2.5.12 - Provided recommendation that all buffers be 7.5 metres from boundary of the following natural features: coldwater fish habitat, warmwater fish habitat, all wetlands, significant and other woodlands, and ANSIs.</td>
<td>• The suggested 7.5-metre buffer is arbitrary and does not reflect the type of habitat, its sensitivity, and the proposed adjacent land use. The proposed buffers (vegetation protection zones) in the draft policy reflect current Conservation Authority policies and recent scientific literature on appropriate buffer widths. No change was made.</td>
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<td>• Policy 2.5.13 - What if, through an EIS, it can be shown that a decrease in the minimum vegetation protection zone (VPZ) is warranted?</td>
<td>• The City, ESAIEG, and the Conservation Authority will consider reductions in VPZ width recommended in EIS reports. However, the minimum VPZ guidelines in the policy are meant to be minimums and it is unlikely that narrower VPZs would be applied in most circumstances. No change was made.</td>
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<td>• Policy 2.5.15 - Lot lines should be permitted to encroach into vegetation protection zones</td>
<td>• Lot lines are not permitted in VPZs because the impacts after construction can be significant. The VPZ is intended to remain in natural vegetation to buffer and enhance the Core Area. If VPZs become part of the resident’s lot, they may remove the vegetation, build structures or pools, or dump debris, which reduces the effectiveness of the VPZ. No change was made.</td>
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<td>• Concern about the protection of hedgerows in Policy C. 2.7.9.</td>
<td>• No change required, as the policy outlines which hedgerows should be protected, and VPZs would not be required next to hedgerows.</td>
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<td>• Delete “hedgerows” from C.2.11.1</td>
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<td>• Policy C.2.7.5 - There should be no obligation to create or designate new linkages</td>
<td>• Linkage assessments are required as part of the development approval process.</td>
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<td>• Clarify wording ‘wherever possible” – who makes final determination?</td>
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<td>• Policy C.3.3.6 – Clarify – What will not remain, the Open Space designation or the private ownership.</td>
<td>• The policy is advisory to avoid misconceptions about future ownership of lands designated Open Space, and, to clarify that Open Space designation does not imply that anyone can access the lands.</td>
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<td>• Policy C.4.5.3.3 c) re: Heritage Roads – should be up to land owner to decide or City should request ongoing protection of heritage feature and provide compensation</td>
<td>• The purpose of this policy is recognize the importance of these roads and he preservation to the extent possible when the road is reconstructed.</td>
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<td>• C.4.5.6.2 and C.4.5.6.3a) – should only be permitted to take from parcel to be severed and provide compensation to retained parcel</td>
<td>• The Planning Act allows the City to take road windings thought various development applications.</td>
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<td>• F.1.7.4 – City should negotiate with the landowner the purchase of land for road widening as part of the application</td>
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<td>• Policy C.4.5.6.3c) and C.4.5.7 – Compensation should be given for lands requested for daylighting triangle</td>
<td>• The Planning Act allows the City to take road windings thought various development applications.</td>
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<td>• C.4.5.13 – Roundabouts should not be a forced requirement C.4.7.3</td>
<td>• Roundabouts are the City’s preferred method of traffic control.</td>
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<td>• C.4.7.3 – Concerned wording is “anti-development”</td>
<td>• Under the relevant Planning Act regulations, railways must be circulated regarding applications for official plan amendments, plans of subdivisions, or zoning by-law amendments for lands within 300 m of their lines.</td>
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<td>• Railways should have no further input beyond generic safety setbacks and wording for warning clauses</td>
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<td>• Policy C.5.3.6 – Ensure existing urban areas are serviced adequately</td>
<td>• Staging of Development Strategy, now underway, will determine, amongst other matters, the timing of servicing.</td>
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|             | Transportation | ● Requesting compensation for road widenings for transportation obtained through land severance of retained parcel and other means (Policies F.1.7.4)  
● The cost of 4 way stops are cheaper than roundabouts (Policy C4.5.13) | • Roundabouts are the City’s preferred method of traffic control. Minor edit changes were made to Policy C.4.5.13 |
|             | Other | ● Railway should have no further input other than identifying safety setbacks and warning clauses from railways (Clause C4.7.3)  
● Long term delay to extend services to lands in urban area unacceptable | • No change to Policy C.4.7.3  
• Staging of Development strategy will detail servicing timing |
<p>|             | Urban structure/Land Use designations | ● Changes to urban structure should occur at any time not just five year review (Policy E.2.2.4) | • The urban structure is the implementation of GRIDs, the growth management strategy, and is connected to urban boundary expansions. Such a comprehensive and extensive planning process which could result in urban boundary expansions can only be completed at the time of five year comprehensive review. |
|             | • E.1.0.1 - How long will City allow employment lands to remain vacant before considering redesignation? | | • Under the provincial Growth Plan the City is required to protect land from conversion of employment to non employment uses. A review of employment lands may occur at the time of a five year review. |
|             | • E.2.2.4 – Why restrict changes to every 5-year review? | | • See above. |
|             | • E.2.7.2 and E.2.7.4 – If demand does not exist for industrial uses in employment areas, open the door to major retail opportunities | | • No. Major retail uses are not permitted. The City has defined major retail in employment areas as 500 sq. m or greater. |</p>
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<td>• E.3.7.2 – Clarify what is meant by “focal point”</td>
<td>• As standard urban design/planning term - refers to a physical or mental ‘centre’ feature of a community/neighborhood – often an identifying element – could be either an area of activity, such as local commercial or a park/recreation feature or grouping of uses</td>
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<td>• E.3.7.5 – Wording – Add “where possible”.</td>
<td>• Further direction to preservation of natural features and views and vistas is provided in other sections of the Plan - this policy must be read together with other sections of the Plan</td>
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<td>• E.4.5.19 and E.4.6.24 – Many older buildings were constructed prior to policies therefore new development consistent with policies should not be restricted by older neighbouring and possibly legal non-conforming homes and buildings</td>
<td>• The OP is about growth and change provided it is undertaken in a sensitive manner.</td>
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<td>• F.1.1.8 – City should appeal Province’s decision to remove Elfrida from OP and all other mapping</td>
<td>• City Council made a decision not to appeal the removal of the SPA from the Rural OP.</td>
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<td>• F.1.5.3 – Define “a reasonable period of time”</td>
<td>• Would depend on the circumstances at the time</td>
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<td>• F.1.14.3.6 – Urban area so why would the City restrict an additional dwelling or anything to increase density within the urban boundary?</td>
<td>• Severances for additional units is not suitable in all areas of the City.</td>
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<td>• F.1.20.1 – Prescribe a calculation method to determine the cash payment</td>
<td>• The City has a cash in lieu by-law where the calculations are described.</td>
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<td>• Glossary – Development definition – consider defining the creation of a new lot and a change of use as something other than “development”</td>
<td>• The definition as is consistent with the PPS and suitable for the OP policies.</td>
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<td>• Glossary – Intermittent Streams definition – clarify to ensure that agricultural irrigation and drainage ditches are not classified or</td>
<td>• The definition is taken from the Greenbelt Plan (2005) and is applicable to areas outside of the Greenbelt Plan.</td>
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<td>misinterpreted by and authority as intermittent streams</td>
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<td>- Urban Structure Map – No mention of Special Policy B – Elfrida. How does the City intend to include this future growth area into the Official Plan?</td>
<td>- The Elfrida nodes is described in text in Section B.2.3</td>
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<td>Matt Johnston on behalf of IBI Group</td>
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<td>310-380 Frances Avenue, Stoney Creek</td>
<td>- Concern with linkage identified on these lands.</td>
<td>- The Linkage was removed from Schedule B, as recommended in the EIS submitted by the applicant and reviewed by staff.</td>
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<td>Matt Johnston on behalf of IBI Group</td>
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<td>Lots 3 and 4, Concession 1, Stoney Creek</td>
<td>- Concern about Linkage identified on these lands.</td>
<td>- Linkage shown on Schedule B has been removed, as the site is disturbed, containing little natural habitat.</td>
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<td>Matt Johnston, on behalf of IBI Group</td>
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<tr>
<td>Northwest corner of White Church Road and Hampton Brook Way, Mount Hope</td>
<td>- Concern about Linkage identified on these lands. Lands are pre-graded for South Hampton Estates subdivision.</td>
<td>- Linkage shown on Schedule B has been removed, as the site is disturbed and contains no vegetation.</td>
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<td>Aldo DeSantis, Multi-Area Developments</td>
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<tr>
<td>South of Rymal Road, between Swayze Road and Trinity Church Road</td>
<td>- Concern about streams shown on Schedule B. Concern that mapping in Schedule B is not accurate.</td>
<td>- Schedule B has been amended to remove any Core Areas or Linkages which are within draft approved plans. Mapping of natural areas can never be completely accurate, as these areas change over time and the City relies on data from a variety of sources. Mapping reflects the best available information.</td>
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<tr>
<td>Aldo DeSantis, Multi-Area Developments</td>
<td>• Concern with policy that requires a 30-metre buffer (VPZ) on either side of streams.</td>
<td>• This Policy has been revised (C.2.5.10) to separate streams into two classes (coldwater watercourse/critical habitat and warmwater watercourse/important/marginal habitat). A 30-metre buffer will be applied to coldwater/critical and a 15-metre buffer will be applied to warmwater/important/marginal, as required by Conservation Authority policies.</td>
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<td>Aldo DeSantis, Multi-Area Developments, Red Hill Summit Estates East and Eramosa Karst area.</td>
<td>• Concern with policy USC-1 – requested that policy be amended to reflect development that has been approved in accordance with the Rymal Road Secondary Plan. Concerned about requirements for additional studies.</td>
<td>• Secondary Plan policies are in place and are applied where applicable. The new policies do not apply to draft plan approved subdivisions.</td>
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<td>Anthony DiCenzo</td>
<td>• Concerned about mapping accuracy. Provided 8 specific sites of concern. Concerned that some sites were identified on the map without any field studies.</td>
<td>• Staff reviewed all sites and removed any mapped Linkages or Core Areas on properties with draft approved applications. Field studies have been conducted on all ESAs and some smaller Core Areas. Other areas were mapped based on current air photos and landscape level analysis (e.g. size of area, maturity of vegetation, connections to adjacent natural areas, interior forest, etc.). Policies provide a mechanism to alter boundaries of Core Areas and Linkages through a site specific study (EIS) at the time of a Planning Act application.</td>
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<td>Terri Johns on behalf of Starward Development Services</td>
<td>• Concerned about Core Areas and Linkages shown on Schedule B for four areas.</td>
<td>• Schedule B shows wetlands and streams on these properties. Wetlands are based on MNR mapping and were retained on Schedule B as Core Areas. Streams and Linkages were removed, as they are disturbed or on draft approved lands. Further information was requested for one area.</td>
</tr>
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<td>George Zajac and John Ariens on behalf of IBI Group</td>
<td>Subsection B.3 – Noise, vibration and other emissions • Proposed policy does not set out policies for intensification and</td>
<td>• Received May 1st • No change required</td>
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### Summary of Comments Received for Urban Official Plan – April 2009

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| infilling proposals              | - Warning clauses within lease or rental agreement, agreement of purchase and sale and within development agreements should suffice when within 400 m of a rail use  
- Exacerbated noise attenuation policies make it difficult to improve and intensify per provincial legislation | - Policy follows provincial guidelines  
- Guidelines being reviewed for possible loosening with regard to infill  
- Will amend OP when guidelines are changed |
| Brian Baetz, Joanna Chapman, Ben Vanderbrug (residents of Dundas) | - Submitted “A Vision for an Urban Eco Park” and requested the principles espoused in the document be incorporated into the policies of the OP.  
- Request endorsement of the regional vision of the Urban Eco Park in the vicinity of local Cootes Drive and Olympic Drive in Dundas  
- Request endorsement of the local potential of the area to be developed as an Eco Park Gateway | - Background document inventories the nature of existing land uses in the area proposed for an Eco Park – a variety of open space, utility, and public uses are found there including two major City facilities – a fully operational waste transfer and community recycling centre, and waste-water treatment plant.  
- Document does not give a clear indication of recommended future land uses.  
- Endorsement of the concept would required significant study by all lands owners including the City and Conservation Authority and ultimate review by Council  
- Proposed official plan designates this area as Open Space and Utility to reflect the significant natural features in the area, existing City park and public works facilities and the existing utility corridor and facilities.  
- Identification of this area as a Gateway to Dundas is valid  
- Proposed Urban Design policies specify that gateways are to be established through secondary planning or other City programs or initiatives. At this time, such initiatives are not scheduled in City work programs. |
<p>| Joanna Chapman, Dundas Resident  | - timeframe for review of draft plan is too short | - Draft policies on individual components of the Plan have been brought forward for public review at various times over the past 2 years and have been the subject of many open houses as well as public meetings at Planning and Economic Development Committee. Draft versions of many policy sections have been made available for comment over the past |</p>
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| Tom Nugent                                      | - draft Plan was not made available for purchase                         | - Hard copies were available for purchase, but not at the public meeting  
- Hard copies are extremely expensive to print.  
- Staff made the draft Plan available on the City's website.  
- CDs were available upon request.  
- A hard copy of the draft Plan was available for review in each Municipal Service Centre. |
| Tom Nugent 9 Grandview Ave. Stoney Creek, ON, L8E 5A5 | - Special Policy Area covering 201 King Street E, Dundas should be carried forward in the new Plan as a Site Specific Area in Volume 3 | - The policy in question is carried forward as a site specific policy area in Volume 3 of the new OP. |
| Tom Nugent                                      | - No notations to show which policies have not been transferred from the Dundas Official Plan | - The draft Plan is not an amalgamation of existing policies and can't be compared on a policy by policy basis.  
- Most policy directions in the draft Plan are consistent with former area municipal Official Plans.  E-mail response illustrating the correlation between new Plan and Dundas OP downtown area policies was sent directly to this resident via e-mail. |
| John Demik on behalf of Demik Construction Ltd. | - Own property with Trinity Church frontage                                 | - Zoning Matter                                                                         |
| Trinity Church Frontage                         | - Plans for the expressway have changed – Trinity Church will remain in place and expressway alignment will shift west through industrial park  
- Request modification of 100 ft. setback, berm and access requirements now that road has been shifted |                                                                                         |
| John Demik on behalf of Demik                   | - Portside Rd. Property in Elfrida and backs onto Hwy. 20                 | - Zoning matter                                                                         |
| John Demik on behalf of Demik                   |                                                                          |                                                                                        |
## Summary of Comments Received for Urban Official Plan – April 2009

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| Construction Ltd. Portside Road, Elfrida | • Zoning requires berm along Hwy. 20 limits, however adjacent property (Hamilton Motor Products) have zoning requirement to relieve them of berm  
• Requesting zoning modification to remove berm requirement | |
| Maurice Luchich on behalf of the TDL Group Corp. (Tim Horton's) | • Presumes “restaurants” includes all service types: drive-through, sit-down and take-out | • TDL comments received after comment deadline  
• Comments refer to policies presented at November 27, 2008 ED&P |
| | Employment Area General Provisions  
• Further restrictions specific to restaurant development are not appropriate at the Secondary Plan or Zoning By-law level  
• Zoning by-law and any applicable development application requirements should reflect varying standards justifying alternative requirements if eco-friendly standards are to be encouraged | • Secondary Plan comment refers to 7.0 a) of Nov. 27 policies and no longer exists. Secondary Plan implementation exists in more detail under F.1.2 of the May version of the OP  
• Policy 1.0 g) of the Nov. 27 draft policies has been removed |
| | Industrial Land Designation and Business Park Designation  
• Important to include restaurants as a use that supports area businesses and employees  
• Confirm that references to limiting sizes of retail establishments refers to large-scale retail development and not restaurant development in EMPL areas  
• Under 3.2 c), reference should be made to determining aesthetic qualities during site development plan approval  
• Clarity required with 3.2 g) to ensure restaurant uses can be in peripheral locations or appropriate intersections | • Unable to locate policies referenced by TDL – could possibly be referring to 2.2.1, 2.2.2 and 2.3 of Nov. 27 ED&P policies  
• Restaurants are not defined as retail |
| | Commercial Area Provisions  
• Design policies consistently apply to nearly all designations with little | The urban design policies are intended to create positive change. There will be circumstances during transition periods where the |
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<td>deviation which is at odds with the reality of existing commercial fabric</td>
<td>building fabric will not be the same.</td>
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| Pedestrian Predominant Streets | regarding designated streets, TDL requires recognition of existing sites to continue in operation and policies to outline expectations for transitional redevelopment | • TDL made reference to policy 4.3.4 which is now 4.3.5 – however, unable to locate TDL reference to 4.3.5 l) regarding “consistent setback”
• 4.3.5 a) – clarify how 75% of block face will be measured/calculated | • Policy says block faced measure between two roads
• Will policies to address transitional areas where development is phased over time? | • The urban design policies are intended to create positive change. There will be circumstances during transition periods where the building fabric will not be the same.
• 4.3.5 d) – does not support no drive-throughs – write policy as 4.3.5 h) where use is permitted but with options for development | • Drive-throughs among other uses are not permitted on pedestrian predominant streets
• 4.3.5 g) - two storey development is not always appropriate | • Planning Act allows the City to deal with architectural features and the OP gives direction
• 4.3.5 k) – architectural features should be left to site development plan review process | • Clarify term “consistent setback”
• Clarify term “consistent setback” |
| Downtown Mixed Use Area | Concerned that banning drive-throughs will create non-conforming sites – must recognize existing sites | • TDL refers to policy 4.4.1.5 a) which is now 4.4.6 Where existing legally established facilities do not meet the requirements of the new OP, they are considered legal non complying |
• TDL will support proposed framework restricting drive-throughs in Downtown area only |
| Mixed Use High Density Area and Mixed Use Medium Density Area | TDL cannot support the drive-through as a prohibited use | • TDL refers to policies 4.5.1.6 a) and 4.6.1.6 a) which are now 4.5.6 a) and 4.6.6 a)
• TDL believes E.4.5.15 and E.4.6.21 are overly restrictive as area context may allow a building setback which fits with the character of the area polices wording should reflect 4.3.5 b) | • TDL refers to policies 4.5.3.4 and 4.6.3.5 which are now 4.5.15 and 4.6.21
• Believe TDL meant that E.4.5.15 and E.4.6.21 should following wording of 4.3.5 h) not 4.3.5 b) as stated |
• Clarify difference between reference to drive-through and stacking lanes |
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|              | in these policies  
- Policies above appear to be in conflict with 4.3.5 b) | Drive through is the lane between the speaker box and window  
- There is no Policy 4.3.5 b) |
| District Commercial Area |  
- Support 4.7.1.2 which permits drive-throughs  
- Does not support 4.7.15 as it targets auto-dependent uses  
- 4.7.16 appears to be overly-restrictive and conflicts with E.4.7.14 and E.4.7.15 – Clarify why screening cannot include all vehicular functions as it would serve the same purpose | TDL refers to policy 4.7.1.2 which is now E.4.7.2 – however, drive-throughs are no longer listed  
- The purpose of these policies is to promote better design and ensure no conflicts between car movements and pedestrians |
| Arterial Commercial |  
- Supports 4.8.1.2 which permits drive-throughs  
- Clarify E.4.8.4 and E.4.8.5 why increased site and landscaped plan standards are required in comparison to other uses and typical standards imposed during development plan process  
- Last sentence of E.4.8.5 is inappropriate as matter is to be discussed during site development plan review and approval | TDL refers to polices 4.8.12 and 4.8.2.1 which are now E.4.8.2 (and no longer lists drive-throughs). E.4.8.4 and E.4.8.5  
- Unlike other commercial areas building cannot be used to enhance the design so alternatives such as landscaping can assist in improving the design of the site.  
- The OP policies provide direction for site plan approval. |
| General Commentary |  
- OP must allow existing sites to continue in operation with appropriate policy framework  
- Restrictions on drive-throughs in Downtown and West Harbour will remain  
- Drive-through restrictions, with exceptions of above, is unacceptable. Are there other examples of similar prohibited uses in the draft OP?  
- OP design framework should be graduated to recognize varying function and transitional nature of certain locations with the most stringent framework for pedestrian predominant street areas  
- Numerous questions of interpretation remain outstanding | Where existing legally established facilities do not meet the requirements of the new OP, they are considered legal non complying  
- No changes to the Downtown or West Harbour are proposed  
- Other prohibited uses include gas bars and car washes  
- The OP provides direction on uses for the Zoning by-law |
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<td>• Prohibiting drive-thru's not necessary when blend of zoning and design guidelines can regulate</td>
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May 15, 2009

Ruth Leibersbach
Hamilton Chamber of Commerce
555 Bay Street North
Hamilton, ON
L8L 1H1

Dear Ms. Leibersbach:

RE: Chamber Of Commerce Comments on Draft Urban Official Plan

Thank you for your letter received in this office on April 28, 2009, providing comments on the draft policies for the new Urban Official Plan.

Staff responses to these comments are attached. The responses have been inserted into your original text in text boxes to ensure that the references are clear.

If you have any questions, please call me at 905 546-2424, Ext. 1282.

Yours truly,

Joanne Hickey-Evans, MCIP, RPP
Manager, Policy Planning
Strategic Services/Special Projects Division

JHE/dkm
Attach. (1)

c.c. Tim McCabe, General Manager, Planning and Economic Development Department
    Bill Janssen, Acting Director, Strategic Services and Special Projects
Response to City of Hamilton Official Plan - Urban Area
Hamilton Chamber of Commerce

Introduction

The Hamilton Chamber of Commerce applauds the efforts of the City of Hamilton to consolidate all of the area Official Plans into one comprehensive planning document. This consolidation will help to provide a consistent and unified municipal voice on local planning matters and will aid those who are investing in our community in understanding the broad objectives of our municipality. The Chamber wishes to thank staff, who throughout this process, have made a number of presentations to the Chamber and have made themselves available to answer questions and to provide clarification on a number of matters.

From the presentations made by staff, it is clear that one of the objectives is to add more flexibility to the plan to not only aid in the ease of understanding the elements of the plan, but also to minimize the number of plan amendments that will be required as individual applications come forward to help achieve the goals and objectives of the plan. The Chamber agrees that these planning policies should be interpreted broadly to minimize the time and expense required to move through the amendment process and to accommodate innovative new initiatives that may not have been anticipated during the preparation of the plan.

Overall Goals and Objectives

1. The Chamber generally supports the overall direction provided by the Plan as outlined in the introduction of the Plan. The only suggested change is to modify the wording of Direction 5 which now reads as follows:

"Retain and attract jobs in Hamilton's strength areas and in targeted new sectors."

To the following:

"Retain and attract jobs in all areas, with a focus on Hamilton's strength areas and in targeted new sectors."
The current wording could be interpreted to be too exclusive, leaving out opportunities that are desired and even needed for new jobs that may not necessarily fall within the definition of being Hamilton’s "strength area" or a "targeted new sector". Hamilton should not be in the position where investment outside of these targeted areas is not valued and actively pursued.

**Staff Response:** Direction 5 was part of the renewal of Vision 2020. In addition to the Vision, in September 2003 City Council adopted 9 directions to guide development. These directions were used as one of the principles for the City’s growth Strategy (GRIDS) and the new Official Plan (OP). Since these are Council adopted directions, no changes are being suggested at this time.

2.

The Chamber supports policies in the Plan which promote intensification within the Urban Area to make it absolutely clear that intensification is generally encouraged throughout the entire existing built-up area in accordance with Section 2.2.3.6(b) of the Growth Plan. For that reason, it is suggested that the second line in the second paragraph of Section B.2.4 be modified to read:

"This plan encourages intensification generally throughout the existing built up area of the City..."

The Chamber agrees with the intent of policies in Section B.2.4.1 including the need to ensure that intensification is compatible with residential neighbourhoods. However, experience from our members has shown, even prior to the approval of Provincial intensification policies, that intensification initiatives are strongly resisted in established urban areas. While each application has to be assessed on its own merits against the policies within the Official Plan, those unfamiliar with the planning process must be provided with a realistic level of expectation in terms of expecting change within their neighbourhoods as a result of intensification policies.

**Staff Response:** The OP policies balance the need for supporting residential intensification projects with the need to protect the established character of neighbourhoods. Policies B.2.4.1.1 and B.2.4.13 illustrate the concept that intensification will "generally distributed throughout the built up area". Therefore no changes are being suggested at this time.

It is noted that Section B.2.4.10 speaks to the need for an educational opportunity about intensification for the public and the building and development industry. That initiative is applauded and if done properly, will be an important tool for all to understand the implications of intensification. Experience has shown that while there is widespread support for this founding principle, the resulting implications in terms of change are often
met with resistance.

For this reason, a policy should be added into Section 2.4.1 and/or 2.4.2 that makes a bold statement which recognizes the inevitability that intensification brings change to the existing built form and that a certain level of change must be expected and accepted by the community. This change is not only represented by different building sizes, heights and forms, but also results in the sharing of public and private resources, including roads, parks, schools, recreation facilities, and even sidewalks.

Staff Response: Good point. Staff has made changes throughout the Plan to recognize that change is inevitable. More specifically, in the preamble of B.2.4, a new paragraph has been added to this effect as well as in A.2.1.4.

3. With respect to specific policies regarding evaluation of intensification developments, the wording of Policy B.2.4.1.4.(a) may be problematic in terms of specific intensification applications in that any form of development which introduces change is seen by many to detract from area neighbourhoods. The wording referring to "...enhances and builds upon the desirable established patterns in built form..." will invariably be seen to many as suggesting that any new development must mirror established patterns and built form. It is the experience of many of our members that in fact intensification is much different from and often changes existing patterns and built form. Simply replicating what is on the ground today does not achieve intensification targets. This policy seems to be inconsistent with the expectation of change and undoubtedly will be used to resist intensification efforts, hence could lead to an internal inconsistency within the plan. It is therefore recommended that Policy B.2.4.1.4(a) be modified by deleting the words "enhances and builds upon" replacing them with the words, "recognizes".

Staff Response: As noted above, the Plan balances the need for intensification and the protection of neighbourhoods. The intent of this policy is not to have development be an exact mirror. The definition of compatible is provided below.

Compatibility/compatible: means land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area. Compatibility or compatible should not be narrowly interpreted to mean “the same as” or even as “being similar to”.

Staff also made a few changes to B.2.4.1. a) below:

Residential intensification developments shall be evaluated based on the following criteria:

the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;
4. Similarly, Policy B.2.4.2.2(g) could be interpreted to mean that infill must be the same as existing setbacks and building separations. In many cases, given the urban design objectives, as outlined in this plan, infill developments are much different from existing built form. Preferably, this policy should be deleted. As an alternative, it is suggested that this policy be reworded to read as follows:

**Staff Response:** This clause is one of the matters that are to be evaluated when assessing intensification projects. Minor wording changes have been made to make the policy clearer.

a) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;

5. In terms of economic policies, the Chamber is pleased to see recognition in Policy B.3.1. The City must compete for economic growth with neighbouring and global jurisdictions. This fundamental principle is critical in the formulation of economic development policies, and recognizes that the economic development needed by the City will not simply happen on its own. It will only be achieved through an aggressive and pro-active economic development policy implemented by the City. To be successful, it must convince prospective investors that investing in Hamilton is preferable to investing in any of the surrounding communities in the GTA, and/or other international locations that might be considered by those who would make an investment in our community.

6. In support of this policy, it is suggested that Section B.3.1.5 - Brownfield Sites be modified to recognize not only the importance of Brownfield sites, but also the realistic expectation that such sites are not sufficient on their own to achieve all of our economic development objectives. Rather, they are one alternative that must be made available to the marketplace, along with other alternatives.

**Staff Response:** Agree with the comments. Changes have been made. See below.

**Brownfield Sites**

**3.1.5** There are many complex and interconnected reasons for promoting and implementing brownfield redevelopment. There are significant and immediate economic, environmental and social benefits from regenerating these "legacy" properties. The City, in addition to other economic development objectives, shall pursue the redevelopment of brownfield sites and promote opportunities for employment and residential intensification through:
7. In order to be competitive with other jurisdictions, the City itself must offer a range of locational choices for any industry looking at locating in the City. Given that each investment opportunity has different locational requirements, it is absolutely essential that the City provide as many difference environments as possible for those seeking to invest within our community. Therefore, it is suggested that Policy B.3.1.2 be amended by adding subsection (d) to read as follows:

**Staff Response:** in recognition of the above point, the following policy has been added as B.3.1.2 d)

"Ensure a wide variety of investment opportunities are available throughout the City and provide potential employment users with a range of alternative sites of various size in a variety of locations throughout the City."

8. In a similar fashion, the third paragraph of Policy B.3.1 should be modified to include the need for a variety of available sites in a variety of locations. This modification and the modification in Item 7 in our opinion are essential to allow the City the competitive advantage it needs to achieve the objectives in Section 3.1 of the Plan.

**Staff Response:** The inclusion of the policy above addresses the point.

**Specific Development Policies**

1. In order to ensure maximized potential being able to achieve intensification targets, it is recommended that high density development, as outlined in Policy E.3.6.6, be modified to permit development up to 400 units per hectare in central Hamilton and 300 units per hectare in other Neighbourhoods designation areas. This is consistent with recent development experiences in other neighbouring municipalities, and would provide for a greater array of options to achieve intensification objectives.  

There would appear to be potential internal inconsistency with the plan, if a proposal was brought forward at these higher density ranges and deemed not to comply with the official plan, notwithstanding the fact it may represent the optimum option for achieving intensification objectives. In attempting to better achieve intensification targets, the proponent of such a proposal would be discouraged by not only the extraordinary cost of moving through an official plan amendment exercise, but also the time and risk associated with such an endeavour which would invariably attract opposition. It would not be helpful
to have the Official Plan create a situation where proponents with solid proposals for infill intensification projections find themselves expending resources to oppose Official Plan policies which then become an impediment rather than an encouragement to achieving intensification targets.

2. Policy E.5.1.2 should be modified to add the words, "and in various locations" after the words "varying parcel sizes" in the second line.

Staff Response: Agree, see modification below:

5.1.2 Maintain an adequate supply of zoned and serviced employment lands of varying parcel sizes in various locations to meet the City's projected employment growth forecast and to promote economic development and competitiveness.

3. Similarly, Policy A.5.1.12 should be modified to add the words, "in a variety of locations" after the words "a range of uses" in the last line.

Staff response: This phrase does not fit into the context of this policy. Therefore, no change is suggested.

4. The Chamber is concerned about the limitation of office uses in Policy E.5.3. Office uses are an important part of any Employment Area and should not be limited in any fashion beyond the already overly restrictive policies imposed upon the City by the Province.

While the Chamber encourages and supports the primary focus of growth being directed to the downtown area, and the need to establish policies to attract major offices to the downtown, we believe the City must be careful not to be overly restrictive so as to discourage office development that is not interested in the downtown area, and would prefer to locate to other competing jurisdictions rather than be faced with the restrictions in the proposed new official plan. The loss of these employment opportunities would hinder the ability of the City to establish a sustainable economic growth, and would be contrary to the intent of Policy B.3.1 which seeks to put the City at a positive competitive advantage with other surrounding jurisdictions.

For these reasons, the plan should be modified in the following manner:

(1) Delete the word "limited" in Policy 5.3.2(b).

(2) Delete Policy E.5.3.3 in its entirety.

(3) Delete Policy E.5.4.5 in its entirety.
Staff Response: Places to Grow Growth Plan restricts major offices of 10,000 sq m or greater to the Downtown and the policies reflect this requirement. In addition, the City developed a comprehensive growth strategy based on a nodes and corridor system. One of the goals of the urban structure is to promote offices within the nodes to diversify the land uses. The Plan permits limited office development within in employment areas in support of the nodes. Further, the Plan also recognizes that certain office functions, associated with a manufacturing use or surveying, engineering firms are more appropriately located in employment areas. Based on the direction of the Plan, staff does not support any changes to these policies.

The Chamber thanks the City of Hamilton for the opportunity to participate in this process. We are prepared to continue dialogue with staff at the City, and will be prepared to make a formal presentation to the Public Meeting in June, at which time the official plan policies are considered by Economic Development and Planning Committee.

Respectfully submitted,

Ruth Leibersbach

Response to City of Hamilton OP-Apr-21-09.wpd
March 21, 2009

City of Hamilton
Planning and Economic Development Department
Long Range Planning Division
77 James Street North, Suite 250
Hamilton, ON L8R 2L3

attn: Cathy Plosz

Re: City of Hamilton Official Plan Draft Natural Heritage Policies

Dear Cathy:

We wish to thank the City of Hamilton for providing us with the opportunity to comment on the draft Official Plan Policies for Natural Heritage.

Since 1942, the Hamilton-Halton Home Builders’ Association (HHHBA) has been the proud voice of the local new home construction industry. Currently, we advocate on behalf of nearly 300 member companies representing builders, developers, trades, suppliers and service professionals. We also work on behalf of the consumer in an effort to promote choice and affordability in the local new home market.

The majority of our members and their employees live work and play in the City of Hamilton, and therefore, our comments should be taken in balance with the fact that we not only do business in Hamilton, the majority of us also live and raise our families here. HHHBA represents the majority of the builders and developers in Hamilton-Halton and we are the voice of the residential construction industry in this area.

HHHBA has always co-operated with the City in developing new policies, strategies, and direction that would benefit the economy of Hamilton as well as the livelihood of our members and we will continue to do so in order to find a balance between the needs and requirements of opposing points of view in order to find a workable solution.

On behalf of the members of the Hamilton-Halton Home Builders’ Association, I am pleased to provide you with our comments on the Draft Natural Heritage Policies for the City of Hamilton Official Plan.
We have examined the draft policies and the accompanying Natural Heritage System Map and it is our opinion that within the existing urban area the policies are extremely onerous and restrictive.

The policies have been crafted on the basis of maps that do not reflect the existing conditions within the City of Hamilton. Core areas and linkages are shown within areas that have already been developed and where Secondary Plans which form part of the Official Plan and draft plans of subdivision have already been approved.

Upon reviewing the document and the map, it becomes clear to us that the policies and objectives of the Natural Heritage System are counter productive to the objectives of Growth Management and Intensification that have been imposed by the Province. The province has stated that Hamilton shall have a growth of approximately 125,000 by 2031. This has to be accommodated within the existing urban boundary and in the lands that were left out of the Greenbelt Plan.

This new population and jobs will occur in an intensified pattern and within areas that can be serviced in an orderly fashion. Our members have supported the philosophy of the Places to Grow legislation of using sustainable policies for growth areas in order to preserve land for greenspace within the Greenbelt.

However, we notice that under the proposed Heritage Policy Map, every small swale and intermittent stream within the urban boundary is now proposed to be classified as a Core area or a linkage.

We wish to point out that every housing unit that cannot be accommodated within the existing Urban Boundary because land within it cannot be developed, for one reason or another, will have to be provided through a future expansion to the urban boundary.

It is stated that “It is the intent of this policy to preserve and enhance Core areas and to ensure that any development or site alteration within or adjacent to them shall not impact their environmental features or ecological functions.”

While the objective is laudable in principle it is simply not practical in the real world. The implication of this intent is that every intermittent stream is to be protected and enhanced and buffers of up to 30m on each side are to be left undisturbed. When you consider the large swaths of land that will have to be preserved, it would not be viable to develop considerable portions of the lands in the remaining greenfield areas within the existing urban boundary.
We have attached sections of the map with our comments on them but these are not all-inclusive. We have also asked our members to write to you directly on how the policies affect their lands.

The maps that have been attached are listed as follows:

1. Map 1 – Lower Stoney Creek
2. Map 2 – Upper Stoney Creek
3. Map 3 – West Hamilton Mountain
4. Map 4 – Mt. Hope
5. Map 5 – Binbrook
6. Map 6 – Ancaster
7. Map 7 – Ancaster Industrial Park
8. Map 8 – Waterdown

We request you to provide us with any scientific, environmental and technical studies the City has conducted on which it based the delineation of the Core Areas and Linkages so that we can understand the science and the logic behind the policies.

One of the objectives of the Natural Heritage policies is to ensure that the mapping of natural features is as accurate and current as possible. It is our opinion that the mapping of many of the natural features within the City is not accurate.

We feel that the Core Areas need to be mapped accurately from the beginning since any future changes to the boundaries of the Core Areas would need an OPA with approval from Council, ESAIEG and the Conservation Authority. This puts the onus on the proponent to correct any mistakes made by the City in their initial mapping resulting in undue time delays and expense especially on lands where development approvals are already in place.

We feel that is an unfair and unrealistic expectation and creates an unacceptable situation for us as landowners and for the City as it needs to implement these approved developments in the future.

"It appears to us that, after going through the planning processes, it would be counterproductive and irresponsible for the City to put forward a policy that would prevent development on those lands."
We can provide you with innumerable examples in your mapping of what this policy does to inhibit and prevent the development of land and which would not allow the policies and the targets for intensification in the proposed Growth Plan for the Greater Golden Horseshoe area to be reached. We are quite prepared to take the time to demonstrate this to you in a full meeting with yourself and other City staff.

I will be sending you another letter which will have specific comments and recommendations on the written policies for your consideration.

Please call me so that we can arrange a working meeting with our members and City staff to discuss this policy.

Thank you and I look forward to meeting with you.

Yours sincerely,

per: Hamilton-Halton Home Builders’ Association

[Signature]

Steve Spicer
President

copy: Tim McCabe
Map 1: Lower Stoney Creek

Why are these linkages?

This is a registered plan of subdivision

This is a proposed School site

This is City property and

This is an existing built townhouse site and

a commercial site within a registered plan of subdivision (Bridgeport Ph 2)

This Core area does not exist

This Core Area does not exist
Map 2: Upper Stoney Creek

Why are these linkages?

This should not be a Core Area

Why is this a Core Area

The limits of this Core area are incorrect

Existing registered plan of subdivision

Existing draft plan approved plans of subdivision

Existing draft plan approved plan of subdivision

Trinity Church Road Extension Class EA did not designate any Core Area here

See Hannon Creek Subwatershed Study and Trinity Church Road Class EA
Map 3: West Hamilton Mountain

Why are these Core Areas?

This is already developed

Why is this a Core Area?

Existing Draft Plan approved subdivisions

Existing Phase 1 Registered and Draft Plan approved subdivision

Why are these Core Areas?
Map 4: Mt. Hope Area

Why is this a Core Area?

These shouldn't be Core Areas
Map 5: Binbrook

Why is this a Linkage? It is already partially registered and built.

These parks do not exist

This area is already registered and built-up

Draft Plan approved subdivision

These parks do not exist

Attachment 4 to Appendix "C" to Report PED09164 
                                                           Page 10 of 29
Why is this section a Core Area?

This section is already built up.

Is this Core Area accurate?

The limits of the west section of this Core Area need to be adjusted.

Isn’t this area draft plan approved and built?
Map 7: Ancaster Industrial Park

Why is this a Core Area?

This is a registered Business Park. Duffs Corners Corporate Business Park

A storm pond is being planned by the City at this location

Why is this a Linkage?

These are existing Commercial Sites

Why is this a Core Area so large?

This is an existing office and warehouse site

These Core Areas need to be reviewed

This whole area is already developed as Ancaster Industrial Park Phases 1 to 5.

The boundaries of these Core Areas need to be reviewed
Map 8: Waterdown

- Draft Plan approved project
- These parks do not exist
- This Core Area does not exist
- This park does not exist
- These parks do not exist
- Draft Plan approved project
- This area has been developed
- This is an existing Commercial site
April 6, 2009

Mr. Steve Spicer
President
Hamilton-Halton Homebuilders’ Association
1112 Rymal Road East,
Hamilton, ON
L8W 3N7

Dear Mr. Spicer:

Re: City of Hamilton Draft Natural Heritage System Policies

Thank-you for providing comments on the draft Natural Heritage System (NHS) policies for the Urban Official Plan. Staff has reviewed your letter of March 21, 2009 and offers the following response.

Natural Heritage Policies and Growth Management/Intensification

In your letter, you expressed concern the NHS policies are counter productive to the objectives of the Growth Management and Intensification required by the Province. These draft policies reflect the requirements of the Provincial Policy Statement (PPS) to protect natural heritage features of provincial and local interest. The PPS also requires that municipalities recognize “linkages among and between natural heritage features”. With the NHS mapping and policies, staff has incorporated this provincial direction and believes the remaining natural heritage features and functions must be maintained and enhanced, where possible, within the urban area to provide healthy and livable communities. The challenges of intensification and natural area protection do not necessarily mean that additional urban boundary expansions are required. In the future, intensification may involve re-development of existing areas within the urban boundary. The new Urban Official Plan policies recognize that natural heritage protection is important when considering intensification and growth.

Stream Mapping and Policies

The letter also notes the HHHBA’s concern about the policy which requires a 30-metre buffer on either side of all streams. City staff has revised this policy to separate streams into two classes, as shown below.

1. Coldwater watercourse and Critical Fish habitat – requires a 30-metre vegetation protection zone (buffer) on either side of the stream, measured from the stable top of bank. This conforms to Conservation Authority (CA) policies. Definitions for these watercourses are shown below and conform to CA policy documents.
Re: Response to HHHBA Letter on NHS Policies and Mapping

April 6, 2009
Page 2 of 3

Coldwater Watercourse: means a watercourse, whether permanent, intermittent, or ephemeral, which supports or contributes to the support of fish habitat or species associated with coldwater, such as salmonids, sculpins, coldwater benthic invertebrates, or acts as a production zone for anadromous species, or has thermal characteristics of a coldwater stream. Coldwater species that are best adapted prefer or usually occur at water temperatures less than 19 degrees Celsius.

Critical Fish Habitat: means those fish habitats which have high productive capacity, are rare, highly sensitive to development, or have a critical role in sustaining fisheries (e.g. spawning or nursery areas for some species and ground water recharge areas). Critical habitat corresponds with the older OMNR classification for Type 1 watercourses.

2. Warmwater watercourse, Important, and Marginal Fish Habitat – requires a 15-metre vegetation protection zone on each side of the stream, measured from stable top of bank.

Important Habitat: means those fish habitats which are moderately sensitive to development and, although important to the fish population, are not considered critical (e.g. feeding areas, open water habitats of lakes). Important habitat corresponds with the older Ministry of Natural Resources classification for Type 2 watercourses.

Marginal Habitat: means those fish habitats which have low productive capacity or are highly degraded, and do not currently contribute directly to fish productivity. They often have the potential to be improved significantly (e.g. a portion of a waterbody, such as a channelized stream, that has been highly altered physically). Marginal habitat corresponds with the older Ministry of Natural Resources classification of Type 3 watercourses.

Warmwater Watercourse: means a watercourse, whether permanent, intermittent, or ephemeral, which supports or contributes to the support of fish habitat or species associated with warmwater such as carp, bass, warmwater benthic invertebrates, or have thermal characteristics of a warmwater stream such as designated by the Ministry of Natural Resources. Warmwater species that are best adapted to prefer or usually occur at water temperatures greater than 25 degrees Celsius.

Since these deficiencies conform to Conservation Authority policies, they should provide more flexibility into the City of Hamilton Natural Heritage System policies.

Natural Heritage System Mapping

Staff has reviewed Maps 1 to 8 that you provided with your letter and has made many of the changes suggested on Schedule B. Staff agrees the mapping should reflect developments under construction or draft approved. This information was used when producing Schedule B, but staff will review it again to ensure that all areas are captured, especially for stream Core Areas, which appear to be the main area of concern.
Re: Response to HHHBA Letter on NHS Policies and Mapping

April 6, 2009

The HHHBA requested "any scientific, environmental, and technical studies the City has conducted on which it based the delineation of the Core Areas and Linkages". In developing the mapping for Schedule B, Natural Heritage System (NHS), the City of Hamilton used a variety of data. The City, in partnership with the Hamilton Naturalists' Club, Conservation Authorities, Royal Botanical Gardens, and other agencies has been conducting comprehensive field inventories of the Environmentally Significant Areas (ESAs) in Hamilton since 1991. Also, the City has collected the most up to date information from Conservation Authorities (fish habitat, streams, wetlands, hazard lands), and the Ministry of Natural Resources (Areas of Natural and Scientific Interest, Provincially Significant Wetlands, woodlands, species occurrence records). All of this information has been used to develop the NHS map. The boundaries of natural features change over time and our mapping reflects the best available information. Staff recognizes that boundaries of natural areas may not be precise, so Policy C.2.2.3 permits minor refinements to boundaries based on appropriate studies, such as an Environmental Impact Statement. Since natural areas are constantly changing over time (i.e. wetlands may decrease in size after dry years, and meadows may undergo natural succession to cultural woodlands), it is not possible to have mapping that is completely accurate.

It is not the intent of these policies to “prevent development” on the areas identified on the NHS map. The intent of the policy is to ensure that natural heritage features and ecological functions are given proper consideration in the development review process and maintained or enhanced where possible.

We look forward to receiving more specific comments on the written policies, as promised in your letter. Cathy Plosz, Natural Heritage Planner, will be contacting you to set up a working meeting to discuss your concerns.

Yours truly,

Joanne Hickey-Evans
Manager, Policy Planning Section
Strategic Services and Special Projects Division

CP/JHE:dkm

c.c. - Tim McCabe, General Manager
Planning and Economic Development Department

- Bill Janssen, Acting Director, Strategic Services and Special Projects Division
Planning and Economic Development Department
City of Hamilton  
Planning and Economic Development Department  
Long Range Planning Division  
77 James Street North, Suite 250  
Hamilton, ON L8R 2L3  

attn: Cathy Plosz  

Re: City of Hamilton Official Plan Draft Natural Heritage Policies

Dear Cathy:

We wish to thank the City of Hamilton for providing us with the opportunity to comment on the draft Official Plan Policies for Natural Heritage and on behalf of the members of the Hamilton-Halton Home Builders’ Association, I am pleased to provide you with our comments for your consideration.

We have examined the draft policies and it is our opinion that within the existing urban area the policies are extremely onerous and restrictive.

Our comments and recommendations are as follows:

C.2.0 Natural Heritage System - Preamble

The preamble to the policies states that:

*The Natural Heritage System consists of Core Areas, Linkages, and the matrix of lands between them which may be suitable for restoration. The systems approach involves delineating a Natural Heritage System which includes Core Areas, as well as smaller, less significant habitat (Linkages) or degraded areas to provide a connected system of natural areas. Connecting natural areas allows wildlife and plants to move between habitat patches. These connections are important for maintaining biodiversity, and the long-term health and viability of natural systems.*

*Protection and restoration of impaired or degraded habitat and habitats in diminishing supply, such as meadows, is vital for a fully functional Natural Heritage System. Using the systems approach, the City will look at the restoration potential of natural areas adjacent to Core Areas, not just the habitat that currently exists. The systems approach also involves setting targets for the amount of habitat Hamilton needs for a healthy, functioning ecosystem. Looking beyond what exists to consider what could or should exist, moves habitat protection towards a fully sustainable natural heritage system.*
We have some concerns regarding the direction of this preamble which suggests that the City would look at the restoration potential of all natural areas adjacent to Core Areas to provide a connected system of natural areas.

**Recommendation:**

We suggest that the wording of the preamble be revised to include the following:

“The City shall review the restoration potential and the need for linkages adjacent to and between Core Areas in a balanced fashion, taking into consideration the competing needs for housing and people, in accordance with other Sections of this Plan, with the need to protect the natural areas where appropriate.”

2.1 **Policy Goals**

We support the stated Policy Goals but recommend an additional goal as follows:

**Recommendation:**

Include the following goal:

2.1.8 *To provide a balance between the natural heritage environment and the built environment where there is conflict in the need for linkages, buffers and restoration of impaired or degraded environmental systems.*

2.2 **General Policies:**

2.2.1 “The Natural Heritage System shown on Schedule B – Natural Heritage System, comprised of privately owned land is not available for use by the general public nor shall there be any intent or obligation by the City or other public agency to purchase such lands”.

**Comment:** If these lands are to remain private with restrictions or prohibition for development, what support or initiatives will there be from the City for these lands to be preserved as part of the natural heritage system for the greater public good?

2.2.3 We are concerned that the boundaries of the Core Areas and Linkages shown on Schedule B are general in nature. If there are errors on the mapping of these areas, it would require an OPA to correct. Would that be a City initiated OPA or would it be the responsibility of the proponent (or landowner) to bring forward an OPA to correct an error?
Recommendation:

We suggest that the following sentence be added to 2.2.3:

“Errors to the limits of the boundaries of Core Areas, Linkages or Parks that require major changes, or the removal or addition of features that were identified in error on Schedule B – Natural Heritage System, shall be revised by a City-initiated amendment to this Plan.”

2.2.6 Please provide us with a copy of Schedules B1-8 – Detailed Natural Heritage Features which were not included with the policies.

2.3 Core Areas

2.3.2 We have serious concerns if the stated intent of the policy is only to preserve and enhance Core Areas without consideration for other aspects of the Plan. This would suggest that this policy would prohibit creek crossings for infrastructure needs.

Recommendation:

We would recommend the last sentence of 2.3.2 be revised to read as follows:

“It is the intent of this policy to preserve and enhance Core Areas (where practical) and to ensure that any development or site alteration within or adjacent to them shall not negatively impact their environmental features or ecological functions (where appropriate).

2.6 Core Areas – Outside the Greenbelt Area

2.6.2 We are supportive of the words “generally” and “appropriate” in this policy.

2.6.3 Please provide details of Section C5.0 Infrastructure of the Plan

2.6.6 “Significant valleylands” needs to be defined.

2.6.7 “New development and site alterations shall not be permitted on adjacent lands to the natural heritage features unless the ecological function of the adjacent lands has been evaluated and demonstrated there will be no negative impacts.”
Recommendation:

In an effort to bring “balance to competing needs”, it is recommended that this clause be positively restated as follows:

“New development and site alterations shall be permitted on adjacent lands to the natural heritage features and areas identified in Sections 2.6.4, 2.6.5 and 2.6.6 where it is identified that the ecological function of the adjacent lands has been evaluated and it is demonstrated there will be no negative impacts.”

2.6.8 Please provide the details of Section F.1.11, Non-Conforming and Non-Complying Uses.

2.6.9 b) We feel that the definition of connectivity as used in the Greenbelt Plan 2005 is not the most appropriate definition to use within an urban area. To provide this connectivity would render a large portion of the available land unsuitable for development.

2.6.11 Vegetation Protection Zone widths

We feel that the minimum vegetation protection zone (VPZ) widths as prescribed in this policy are wrongly interpreted. For instance, the VPZ for all streams has been taken from the stable top of bank which is defined as follows:

**Stable Top of Bank:** means the edge of the channel or bank if there is a sharp change from the steep slope of the channel or bank to the shallower slope of the field area, or the normal full extent of the watercourse when it contains the maximum volume of water without flooding, if the change in slope does not exist.

This is not the same definition for the buffer that is used by the Hamilton Conservation Authority which states that “The buffer is to be measured perpendicularly outward from each of the two edges of the annual high water mark.” The Conservation Authority requires a 7.5m structural setback for access purposes from the stable top of bank for confined systems and a 6.0m erosion access allowance of 6.0m for unconfined systems.

Generally, the fisheries buffers as required by DFO and MNR as well as the Conservation Authorities always referred to the “bankfull conditions” of the watercourse which is significantly different to the “stable top of bank” slope under the definitions in this Plan.

e) Why is the VPZ for Fish Habitat set as 30m? Whereas it is appropriate for spawning grounds and nursery, it may not be appropriate for migration areas.
Buffers for migration areas are usually set depending on the type of stream – i.e. 30m for Type 1 (cold water) streams and 15m for Type 2 streams.

f) g) We feel that a 10m to 15m protection zone measured from the drip line of woodlands is excessive. We recommend a 3m min. to 5m max. protection zone.

i) A 15m protection zone from the stable top of slope of valleylands is onerous and unwarranted for. The Hamilton Conservation Authority requirements of 7.5m for a confined system and 6m for an unconfined system have proven to be adequate.

2.6.12 We recommend that the wording of this policy be revised to read as follows:

“Vegetation protection zone widths greater or less than specified in ....“:

2.6.13 We recommend that you reconsider some of the permitted uses within vegetation protection zones, especially as it relates to Core Areas that include streams. We strongly recommend that stormwater management facilities be an approved use as well as trails and other infrastructure.

We note that these permitted uses are based upon undisturbed greenfield sites. We recommend that you consider different permitted uses for disturbed brownfield sites where new buffers are being created.

Consideration should be given to lessening the vegetation protection zones in brownfield areas where there is no vegetation to protect.

2.8 Linkages

2.8.1 We feel that the importance placed on Linkages within the Urban Area of the City of Hamilton is too onerous. We recommend that the policy be re-worded to provide for linkages only where practical and appropriate without conflict with the other policies in this Plan.

2.8.3 The suggestion that linkages include meadows and old field is onerous and shall remove a considerable amount of land that could be used for other purposes. This policy has the potential of putting pressure on expansion of the urban boundary.

2.8.9 The preservation of hedgerows is also quite onerous since they may impact on the movement of people across a neighbourhood if they are required to be
We recommend the use of the words “where practical and appropriate” in this policy.

2.15 External Connections

We were unable to discern the “dotted line on Schedule B” delineating the external connections. We feel that the additional stresses imposed by this policy on the land owner would be extremely onerous.

3.2.1 Environmental Impact Statements (EIS) and Linkage Assessments

3.2.1.4 Table F.1 Adjacent land Distances to trigger an EIS

Table F.1 recommends the adjacent land distances that trigger an EIS, with the majority being 50 meters. Yet, within the definition of Vegetative Protection Zone, Appendix A, page 27 of the Report, it states that “the width of the VPZ is to be determined when new development or site alterations occurs within 120 meters of a key natural heritage feature...”

Please clarify this discrepancy.

3.2.1.10 “Where an EIS demonstrates that a development application shall have negative impacts on the significant natural feature and functions of a site, several options shall apply.”

We welcome and support a collaborative and negotiated approach to seeking a balanced solution that addresses all aspects, including the triple bottom line, of a development project.

3.2.1.12 “Linkage Assessments shall consider both the Linkage within the site and connections with other sites and shall evaluate the following:

(a) The natural areas and habitats/functions linked (number of sites linked and habitat sizes and condition)”

Comment: The fact that this clause requires the evaluation of all linked sites is of grave concern. This needs to be clarified so as to limit the assessment within the site.

3.2.2 Hydrogeological Studies

We note that these policies have not yet been formulated.
3.2.3 Storm Water Management Plans

We note that the policies for the urban OP still have to be developed.

3.4 Monitoring and Measuring Performance

The City has set out for itself, an extensive process and ambitious system monitoring and performance standards, as well as identifying targets for inclusion in the OP.

Are these realistic and affordable? Have they been costed?

3.4.1.5 Targets for Natural Cover
Table F.2 Habitat Restoration Targets

Given that these targets are based on an Environment Canada 2004 report, what is the basis for setting these targets for Hamilton? How will they be set in the OP?

General Comments

Given the loss of development opportunity and financial viability of projects, as a result of the various requirements under this policy, we strongly recommend that the City make provision in its Official Plan, as permitted in Section 37 (1) of the Planning Act to allow for increases in height and density in exchange for protecting significant site features.

Again, we would like to thank you for the opportunity to provide our comments on this document. We would be pleased to meet with you before the document is finalized so that we can resolve the issues we have raised.

Please call me so that we can arrange a working meeting with our members and City staff to discuss this policy.

Thank you and I look forward to meeting with you.

Yours sincerely,
per: Hamilton-Halton Home Builders’ Association

Steve Spicer
President

copy: Tim McCabe
April 17, 2009

Mr. Steve Spicer, President
Hamilton-Halton Homebuilders’ Association
1112 Rymal Road East
Hamilton, ON
L8W 3N7

Dear Mr. Spicer:

Re: City of Hamilton Draft Natural Heritage System Policies

Thank you for providing comments on the draft Natural Heritage System (NHS) policies for the Urban Official Plan. Staff has reviewed your letter of April 6, 2009, and has the following response.

Section C.2.0 - Natural Heritage System Preamble

In your letter, the HHHBA suggested rewording a section of the Preamble to introduce the idea of balance and considering other aspects (e.g. needs for housing and people). Staff does not believe this change to the Preamble is necessary, as the Official Plan already contains sections which deal with other aspects of land use planning. The Official Plan is meant to be read as a whole, and the balance of different interests and needs of Hamilton residents is already reflected in the draft Official Plan.

Section 2.1 - Policy Goals

The additional goal suggested in your letter is not considered necessary for the reasons outlined above.

Section 2.2 - General Policies

Policy 2.2.1 – This policy refers to the fact that many of the significant natural areas in the City of Hamilton are on privately-owned lands. These lands have been identified as significant and they contribute to the greater public good by providing vital ecological functions such as groundwater recharge and discharge, flood attenuation, and water and air quality improvement. Having said this, the City agrees that incentives (e.g. tax incentives) could be offered to some owners of significant natural areas. The City is
currently exploring the concept of a Natural Areas Protection Fund, which would allow it to purchase natural areas in some cases.

**Policy 2.2.3** - Your letter expressed concern that landowners were required to initiate Official Plan Amendments (OPAs) to change boundaries of natural areas that were “identified in error” and suggests wording requiring that the City initiate the OPA. The purpose of public consultation for the Official Plan is to attempt to identify any mapping issues now, before the Schedule becomes part of the Official Plan. After this time, it has always been standard practice that any major changes or additions/deletions of natural areas would require an OPA. The City has made every effort to use the most current and accurate data possible in the NHS map. Also, the boundaries of natural features change over time and it is simply not possible to identify their boundaries accurately. For these reasons, the HHHBA’s proposed policy wording will not be included.

**Policy 2.3 Core Areas**

**Policy 2.3.2** - The wording recommended in the HHHBA’s letter would weaken the policy considerably and is not in conformity with the Provincial Policy Statement, 2005 (PPS). For these reasons, the policy wording will remain as it is.

**Policy 2.6 – Core Areas Outside the Greenbelt Area**

**Policy 2.6.7** - The wording used in the draft policies follows that used in the PPS, 2005 and will remain as it is. The suggested policy rewording in your letter would weaken the policy.

**Policy 2.6.8** - Section F.1.11 – Non-Conforming and Non-Complying Uses. This policy should refer to Section F.1.12 – this error has been corrected in the most recent version of the policies.

**Policy 2.6.9 b)** - The definition of connectivity provided in the draft policies was based on the Greenbelt Plan. This definition applies equally to the urban area and should not be altered. It is not clear how using this definition would “render a large portion of the available land unsuitable for development”. Many of the Core Areas which form the major ecological corridors in Hamilton (along the Niagara Escarpment, streams and valleylands) are already protected.

**Policy 2.6.11** - Vegetation Protection Zones - Based on HHHBA’s concerns about the recommended widths of Vegetation Protection Zones (VPZs), staff has made the following changes to the policies related to streams:

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2.5.9 Streams are mapped in Schedule B - Natural Heritage System. Streams have been separated into two classes: Coldwater Watercourse/Critical Habitat and
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Re: Response to HHHBA Letter on Draft Natural Heritage System Policies

April 17, 2009

Warmwater Watercourse/Important/Marginal Habitat. If the stream has not been classified as part of an EIS, subwatershed study, or other study, a scoped EIS is required to determine the classification.

2.5.12 Where vegetation protection zone widths have not been specified by watershed and sub-watershed plans, secondary or rural settlement area plan policies, Environmental assessments and other studies, the following minimum vegetation protection zone width objectives shall be evaluated and addressed by Environmental Impact Statements. Other agencies, such as Conservation Authorities, may have greater vegetation protection zone requirements.

   a) Coldwater Watercourse and Critical Habitat – 30-metre vegetation protection zone on each side of the watercourse, measured from the bankfull channel.

   b) Warmwater Watercourse and Important and Marginal Habitat – 15-metre vegetation protection zone on each side of the watercourse, measured from the bankfull channel.”

For woodland VPZs, staff continues to recommend a minimum 10 to 15 metre VPZ based on existing scientific literature on buffers and discussions with Conservation Authority staff.

For Valleylands – In response to the HHHBA’s concern that the 15 metre VPZ for valleylands is onerous, staff has reviewed Conservation Authority regulations relating to these features. Since regulations and terms vary between the four Conservation Authorities in Hamilton, the policy on VPZs adjacent to valleylands will refer to the requirements of the relevant Conservation Authority (see revised policy C.2.5.12(h) below):

“2.5.12 Where vegetation protection zone widths have not been specified by watershed and sub-watershed plans, secondary or rural settlement area plan policies, Environmental assessments and other studies, the following minimum vegetation protection zone width objectives shall be evaluated and addressed by Environmental Impact Statements. Other agencies, such as Conservation Authorities, may have greater vegetation protection zone requirements.

   h) Valleylands – As required by the relevant Conservation Authority.”

In your letter, you recommend rewording the policy on VPZs to indicate that VPZs less than the minimum may be considered. Staff is reluctant to include this wording in the policy, as the recommended VPZs are minimums and it is unlikely that narrower VPZs would be considered.
Re: Response to HHHBA Letter on Draft Natural Heritage System Policies  

April 17, 2009

Policy 2.6.13 – Permitted Uses within VPZs - Staff has revised and renumbered the policy 2.6.13 (it is now policy 2.5.15) to provide some flexibility for storm water management facilities and trails within VPZs, as shown below:

“2.5.15 Storm water management facilities and recreational trails shall generally not be permitted within the vegetation protection zone.”

The City recognizes that VPZs could differ from the recommended widths in areas of existing development that are undergoing redevelopment. The City does not wish to stifle site redevelopment and recognizes that these sites are already disturbed. At redevelopment sites which are abutting or adjacent to natural areas, the City will consider the existing disturbance when assessing VPZ widths. To indicate this intention, a new policy has been added:

“2.5.15 At disturbed sites which are undergoing redevelopment adjacent to Core Areas, vegetation protection zone widths narrower than those minimums recommended in Policy C.2.5.12 may be considered on constrained sites and when an Environmental Impact Statement (EIS) confirms that reduced vegetation protection zones will not negatively impact the existing features and functions of the Core Area.”

Policy 2.8 Linkages

Staff notes the HHHBA’s concern that the Linkage policies are too onerous. However, the PPS requires that municipalities “maintain, restore, or, where possible, improve linkages between and among natural heritage features and areas…” (2.1.2).

There is some flexibility built into the Linkage policies, as shown below:

2.7.5 The City shall require the incorporation of Linkages into a design of new development requiring approval by this Plan to retain and enhance the cultural, aesthetic, and environmental qualities of the landscape, wherever possible.

The policy on hedgerows (formerly Policy 2.8.9; now Policy 2.7.9) provides a series of criteria for hedgerows worth retaining and the wording already provides some flexibility:

“In addition to the Linkages identified on Schedule B – Natural Heritage System, there may be Hedgerows that are worthy of protection…”
Re: Response to HHHBA Letter on Draft Natural Heritage System Policies

April 17, 2009

Policy 2.15 - External Connections

This policy refers to External Connections within the Greenbelt Plan area. However, staff has reviewed the Greenbelt Plan mapping, and External Connections do not occur in the urban area of Hamilton, so this policy has been removed from the draft Urban Official Plan policies.

Policy 3.2.1 - Environmental Impact Statements and Linkage Assessments

Policy 3.2.1.4 Table F.1 – Adjacent land distances to trigger an EIS - Staff has reviewed the definition of VPZ in the Glossary and agrees that this definition does not apply to the Urban Area. The following new definition has been added to the Glossary:

"Vegetation Protection Zone (Outside of the Greenbelt Plan area): means a vegetated buffer area surrounding a Core Area which is of sufficient size to protect the features and functions from the impacts of the proposed change and associated activities that will occur before, during, and after construction. Where possible, the buffer should restore or enhance the features and/or functions of the Core Area. The width of the vegetation protection zone is to be determined when new development or site alteration is proposed within the adjacent lands to the Core Area."

Policy 3.2.1.12 – Linkage Assessments

The intent of Linkage Assessments is to look beyond the boundaries of the subject site to determine the functional importance of the Linkage; it is not intended to involve field inventory work. The linkage assessment off site will be a simple analysis of the landscape, using air photography and existing information. It need not be detailed or onerous. Staff will prepare guidelines for Linkage Assessments, which are similar to EIS Guidelines and will provide applicants with more precise information on requirements.

Policy 3.4 – Monitoring and Measuring Performance

The targets for natural cover for Hamilton were developed based on the Environment Canada report, “How Much Habitat is Enough?”. The report provided the science and guidance for municipalities who wish to develop targets for natural cover. The City has analyzed the percentage of natural cover in Hamilton but does not intend to include any mapping of how targets can be achieved in the Official Plan at this point. This mechanism may be added by amendment in the future after public consultation has been carried out.
Re: Response to HHHBA Letter on Draft Natural Heritage System Policies

April 17, 2009

Page 6 of 6

General Comments

Staff agrees that a policy which allows an increase in height and density in exchange for protecting natural features is beneficial. This policy can be found in the Implementation Chapter, Section F.1.9 – Volume 1.

Thank you for providing comments on the draft policies and mapping. As requested and discussed with Douglas Duke, a meeting has been set up for April 30, 2009, between relevant City staff and the HHHBA. This meeting is an opportunity to further discuss these draft policies. In the meantime, if you have any questions or concerns, please contact Cathy Plosz at (905) 546-2424, Ext. 1231.

Yours truly,

Joanne Hickey-Evans, MCIP, RPP
Manager, Policy Planning
Strategic Services/Special Projects Division

CP/dkm

c.c. Tim McCabe, General Manager, Planning and Economic Development Department
Bill Janssen, Acting Director, Strategic Services and Special Projects
April 23, 2009

Mr. Steve Spicer, President
Hamilton-Halton Home Builders' Association
1112 Rymal Road East
Hamilton, ON
L8W 3N7

Dear Mr. Spicer:

RE: HHHBA Comments on Cultural Heritage Policies of the Urban Official Plan

Thank you for your letter dated February 28, 2009, providing comments on the cultural heritage policies for the new Urban Official Plan. Attached are the City’s responses to these comments. The responses have been inserted into your original text in bold, italic underlined text, to ensure that the references are clear.

As requested and discussed with Douglas Duke, a meeting has been set up for April 30, 2009, between relevant City staff and the HHHBA. This meeting is an opportunity to further discuss the comments prior to final printing of the Urban Official Plan at the beginning of May for presentation to Council.

Yours truly,

Joanne Hickey-Evans, MCIP, RPP
Manager, Policy Planning
Strategic Services/Special Projects Division

KM/dkm
Attach. (1)

c.c. Tim McCabe, General Manager, Planning and Economic Development Department
Bill Janssen, Acting Director, Strategic Services and Special Projects
David Cuming, Sr. Project Manager, Heritage and Urban Design
February 28, 2009

The City of Hamilton
Planning and Economic Development Department
Strategic Services/Special Projects Division
77 James Street North, Suite 250
P.O. Box 2040, LCD 1
Hamilton, Ontario
L8N 0A3

Attn: Joanne Hickey-Evans, MCIP, RPP
Manager – Policy Planning

Re: Official Plan Policies for Cultural Heritage,
City of Hamilton Official Plan

**City responses inserted into text in bold italic underlined font.**

Dear Joanne:

On behalf of the members of the Hamilton-Halton Home Builders’ Association (HHHBA), I am pleased to provide you with our comments on the Cultural Heritage Policies for the City’s New Official Plan (OP) presented at the November 27, 2008 meeting of the Economic Development and Planning Committee (Report PED08282), which was not a statutory meeting under the Planning Act.

1 Preamble

Any time there is consultation and collaboration between the municipality and the development industry which contributes to the more efficient and effective delivery of services to residents and provides a better understanding of the issues involved, it serves the interests of all parties. The proposed OP policies respecting Cultural Heritage have been reviewed and discussed by all concerned parties to date as illustrated in Appendix “B” to Report PED08282. The HHHBA looks to continue that communication with City Staff and all interested parties on this matter prior and up to Spring 2009 when the draft of the comprehensive OP will be presented to Council.

By further refining the Cultural Heritage policies within the City of Hamilton, it will help to clarify when and how the policy goals and the policies themselves will be implemented. The following identifies potential benefits and concerns the development industry foresees with these policies and their implementation

2 Cultural Heritage Policy Review

2.1 General

The Cultural Heritage policies have been revised from the City’s Background Paper dated August, 2008 as a result of public information centres, meetings and input provided after the paper was drafted. The HHHBA recognizes the proposed policies
apply only to the Urban Area and are stronger and more prescriptive than ones contained in existing OPs as a result of provincial policy and legislation.

HHHBA recognizes and supports the need to develop a uniform approach to conservation of cultural heritage resources. We do, however, emphasize the extreme importance of a realistic, practical commonsense approach to the application of the Policy.

City must exercise a degree of ‘reasonableness’ in the implementation and not overlook its triple bottom line consideration as evidenced in its own deliberations with Auchmar House, St Mark’s Church and City Hall renovation.

The City will continue to exercise reasonableness in implementation of the OP policies.

The text of Staff Report PED08282 states that Secondary Plans will be the planning tools used to identify and evaluate Cultural Heritage Resources. Initiatives and documents such as Cultural Heritage Conservation Plan Statements and an Archaeology Management Plan (AMP) are intended to conserve significant resources, which have been illustrated within Appendices X, X-1, X-2, X-3 & Y of the Staff Report.

The HHHBA respects the City’s efforts to create a “culture of conservation”, but the breadth of these policies generate questions and recommendations that when addressed may help to produce practical solutions for development and conserve significant resources for future generations.

Please note that the “culture of conservation” is a provincial Growth Plan direction (Policy 4.2.4 e) which the City must implement in the Official Plan.

Questions/Recommendations:

- “In developing Secondary Plans the City shall ensure that cultural heritage resources are identified, evaluated and conserved.”

If the City is evaluating and conserving specific identified resources, would an applicant of a development proposal be required to prepare another costly and time consuming Cultural Heritage Impact Assessment?

Yes. The secondary plan review is more general than a CHIA. A CHIA is still required to determine site specific impacts and mitigation. A secondary plan review, as well as other City-initiated cultural heritage studies, is limited because the City is not permitted to do in depth site visits due to trespassing laws; however, information identified through the secondary plan may assist in scoping the work to be undertaken as part of a CHIA thereby reducing time and costs.

- The City will be preparing Cultural Heritage Conservation Plan Statements that will document significant resources.

We recommend that these documents be available to the public, HHHBA, etc., for input before being finalized. This would enable the development industry to identify these resources and provide input to the City on behalf of our members who may already have invested in a Cultural Heritage Impact Statement.
Yes, Cultural Heritage Conservation Plan Statements will go through a public process and we would welcome comments from the HHHBA.

- Appendix maps shown in Report PED08282 delineate cultural, built and archaeological districts, properties, landscapes, etc.

We recommend that the City prepare another Appendix illustrating all this information layered on one plan so that development industry can examine what land is left for potential development.

*It is not feasible to include everything on one map because it would be very difficult to read. It is standard practice for Official Plans to include a series of overlay maps.*

- Legislation enables the City of Hamilton to uphold a higher standard of conservation than the province.

Clarification is required as to when and how this will be applied in a practical sense (i.e. what happens in case of a dispute between professionals – which standard will hold?)

*It is not the role of an Official Plan to provide this much detail and address every site specific situation, but staff will exercise reasonable judgement based on resource type and integrity. The OMB is the arbiter of planning disputes.*

- Avoidance of archaeological resources is preferred and when encountered, protected in their original location (in situ).

This statement is very onerous. Clarification is requested on its intent since a serious impact is anticipated on development potential, economic prosperity, individual property rights, etc. if resources are to be protected in their original locations.

*The wording of this policy is intentionally “preferred”, which means it is not a requirement. The policy is a statement of principle that will guide a number of partners. Designing around archaeological resources is possible, assuming archaeological assessments are done early. The means of protection will be established through the archaeological assessment.*

- What are the “strict criteria” for relocating a built heritage resource?

We request that the City provide such criteria for review and input.

*Basic criteria are found in Policy B.3.4.5.3: have to assess the options of the original use in the same location, and adaptive reuse in the same location, showing that neither option is viable before relocation is permitted. More detailed assessment is case specific.*

- The City has completed a ‘draft’ of the AMP and it is currently being reviewed by relevant City Staff. The City suggests that the AMP will “streamline the processes” regarding archaeological resources.
The HHHBA requests
a) clarification on how the AMP will streamline the processes for archaeological resources; and
b) an opportunity to review the ‘draft’ AMP and provide input for same.

The AMP is not an Official Plan matter. The AMP will be circulated and go through a complete public process. Staff and HHHBA can further discuss details of HHHBA involvement in the public process for the AMP.

The City of Hamilton should be cognizant in developing attainable policies for intensification vs. heritage conservation and find practical policies to implement each. At times it seems like the new OP is in conflict with itself in terms of policy implementation.

Also, it is understood that layers of provincial legislation provide “umbrella” type direction that encourage:

1) Resources to be protected;
2) Urban areas to be intensified; and
3) Economic prosperity to be achieved.

Broad wording such as “there is a need to balance the priorities of intensification and cultural heritage conservation” are easy statements to make because they are ideals and obviously good planning goals.

However, there must be clear and specific policies to ensure that economic prosperity and relevant conservation can actually be achieved. The OP must be clear in its policy to implement all these important interests.

Staff recognize that there will be tensions between intensification and cultural heritage conservation as outlined in the Background Paper. Resolving these tensions will often be on a site by site basis. Policy cannot deal with every individual situation. It is the role of planning process to resolve such tensions and conflicting priorities and interests on a case by case basis. The intent is to maintain flexibility here. Strict criteria may result in the need for more OPAs.

2.2 Cultural Heritage Resources (Policies B.3.4.0 to B.3.4.5.8 inclusive)

In the opening of Chapter B to the OP, the City recognizes tangible features, structures, sites, etc., as being resources of potential heritage interest and value and seeks wise management and conservation of same on a local, regional, provincial and even national level. It also recognizes intangible features such as customs, ways-of-life, values, etc., in the same context.

Intangible features are extremely subjective. For example, anyone circulated on a Planning Act application could argue their “way-of-life” is being negatively impacted as a result of the proposal without having any substance to their argument and this would be very difficult to dispute.

Recommendation:
The policies need to contain wording such that circumstances like this do not arise. The policies, as they are currently written, do not prohibit such claims being made and this could result in serious processing delays of Planning Act applications.

The preamble states that cultural heritage resources are “structures, features sites and landscapes [all tangible], which may also represent the intangible.” Only tangible resources will be conserved through the planning process. The preamble has been revised for clarity (see below).

“Cultural heritage resources may include tangible features, structures, sites, or landscapes that, either individually or as part of a whole, are of historical, architectural, archaeological, or scenic value. Cultural heritage resources represent intangible heritage, such as customs, ways-of-life, values, and activities. The resources may represent local, regional, provincial or national heritage interests and values.”

B.3.4.1 (Policy Goals)

B.3.4.1.3. – Ensure that all new development, site alterations, alterations, and additions within the City are contextually appropriate and maintain the integrity of all on-site or adjacent cultural heritage resources.

The wording of this policy is onerous and potentially not desirable. If a development application is submitted and is adjacent to cultural heritage resource that is unsightly, decrepit, etc. does that suggest the project’s design is required to be the same? Who decides?

“Contextually appropriate” does not mean “the same” and the “integrity” of cultural heritage resources means their heritage value and characteristics, not their unsightly or decrepit nature. Determining “contextually appropriate” in any particular situation is the role of the planning process. Further guidance is sometimes available in secondary plans, Cultural Heritage Conservation Plan Statements, and other planning documents. Adoption of these guiding documents is a public process.

We understand that appropriate adjacent heritage resources need to be protected from physical impacts. However, the very arbitrariness of what may be

‘contextually appropriate and maintain integrity’, particularly of adjacent resources, could generate new expectations and unanticipated requirements causing costly and onerous delays.

This direction is not a requirement, but a goal that sets the overall context of decision making. More detailed requirements are included in other policies.

B.3.4.1.4. – Encourage the rehabilitation, renovation and/or restoration of built heritage resources in order that they remain in active use.

We have concerns about the impact of this policy on currently inactive heritage resources where an owner/applicant wants to change the use, redevelop, etc.? If redevelopment potential is practical how will this be interpreted by the City?
“Encourage” is not a requirement and does not prohibit a change in uses, etc. Changes of use, redevelopment potential, etc. is determined through an impact assessment. This policy could “encourage” through making available or developing initiatives such as grant and loan programs when resources are available.

**B.3.4.2 (General Policies)**

**B.3.4.2.1.d)** – “Avoid harmful disruption or disturbance of known archaeological sites or areas of archaeological potential within the City of Hamilton”.

How would this apply to an operating farm within Appendix Y where cultivation is ongoing?

**Cultivation does not require a Planning Act application and is not a matter subject to the planning process.**

**B.3.4.2.1.e)** – “Encourage the ongoing care of cultural heritage resources and the properties on which they are situated…”

Our members can provide an example of a development proposal currently going through planning approvals for one of the last large greenfield properties in the City’s urban area, which has a heritage building on it.

This policy has the potential of prohibiting development of the property.

**Disagree. The word “encourage” was chosen to indicate general intent, not prohibit development and is appropriately used in the policy context.**

The words “properties on which they are situated” within this policy must be used with common sense and the land use designations for development within the OP must be acknowledged by the City in situations like these.

**Noted.**

**B.3.4.2.2. (Heritage Designation)**

When property owners are advised/notified by by-law that their lands are being designated as having cultural heritage value do they have a choice in appealing the designation? [see “Summary of Comments” portion of Appendix “B” to Report PED08282 (under HHHBA section)].

**Yes, the Ontario Heritage Act provides for appeal to the Conservation Review Board for individual properties or the OMB for a heritage conservation district. Property owners are always given the opportunity to provide input, but they needn’t agree with a designation for it to go forward.**

**B.3.4.2.5 (Protection of Non-Designated or Non-Registered Heritage properties)**

This policy implies protection of properties of “unknown significance”, but “still worthy of conservation” thereby placing an extensive onus on the property owner to undertake a costly evaluation process to determine if, in fact, there is any heritage value.
Acknowledged. Due to limited resources the City is not able to undertake full and complete heritage review of all lands within its boundaries at this time, and trespassing laws mean that staff cannot access every private property to predetermine heritage value. There have been cases where very significant heritage resources have not been identified until a planning application is submitted, most notably the Mount Mary Retreat Centre property. Another such example is 60 Limeridge Road. This policy recognizes this situation may arise from time to time.

B.3.4.2.8 (Cultural Heritage Evaluation Criteria)

It is proposed that the criteria outlined in the Ontario Heritage Act to assess cultural heritage value. While this would provide a consistent approach, the criteria are so exhaustive and comprehensive that virtually all properties could be candidates for an evaluation process.

These criteria create a level playing field for everyone. We have not included sites that do not meet the criteria. (See Appendix B of report PED08211 for Council adopted City criteria. – Report attached to e-mail.)

What and who determines when such evaluations are required?

When a potential interest is demonstrated when a Planning Act application is under review City staff may determine that such an evaluation is required.

Also the last sentence in this proposed policy reads “The City may further refine these criteria and guidelines for their use as appropriate.”

We recommend that such refinement and guidelines be prepared by the City within a reasonable time frame and provided to the development industry/HHHBA for review and input. If the City does not have the impetus to create refined guidelines, there will be ambiguity and challenges as to what criteria should be used in evaluating Cultural Heritage features.

Guidelines have already been approved by Council (PED September 16, 2008), which have been used for many years. (Appendix “B” to Report PE08211, attached)

B.3.4.2.9 & B.3.4.2.10 (Cultural Heritage Conservation Plan Statements)

We understand that these statements are to be created through Secondary Plans and other similar planning initiatives. The City must confirm that the actual guidelines and plan statements themselves will be subject to a public process with input from the stakeholders.

Yes, they will.

We question the ability of the City to require/allow “alterations and/or additions to adjacent properties” if the owner of the adjacent property does not consent to such alterations and/or additions. Clarification is needed on how this will be implemented.

We also take issue with the requirement “to create guidelines for the contextual enhancements, such as streetscaping and alterations and/or additions to adjacent properties.”
This is quite onerous and implies that one proponent can impose requirements on the actions of a neighbour throughout the City.

This is not the intent of the policy. Requirements are only for development of the property for which a planning application has been submitted. If this property on which development is proposed is adjacent to a heritage property, the development may be required to be contextually appropriate and submit an assessment as to how the proposed development may impact the adjacent heritage property. There are no requirements for changes or assessment for properties not subject to a planning application.

B.3.4.2.11 (Cultural Heritage Impact Assessments)

The wording within subsections a) and b) would require an owner/applicant of a Planning Act application to submit a Cultural Heritage Impact Assessment on adjacent lands (50m of protected heritage property as defined in PPS). Again, we question how this will be accomplished if the adjacent landowner does not consent to the process. We also question who will have ownership of the assessment report and whose responsibility it is to pay for the assessment?

See response directly above.

B.3.4.2.12

Will the proposed guidelines for Cultural Heritage Impact Assessments be implemented through an OPA? We would like to review these guidelines once they are available.

Guidelines are not Official Plan policy so are not adopted through an OPA. The guidelines will be adopted by Council and can be reviewed once they become available.

B.3.4.2.14

If Cultural Heritage Resources are identified during pre-consultation and assessments must be submitted with a Planning Act application as per policy B.3.4.2.11, then why is there a need to impose conditions?

Appropriate conditions may be applied to ensure protection as detailed in the study, in the event of disagreement regarding the completeness and findings of a study, and to ensure protection meets provincial requirements.

Doing the assessment up front when required is acceptable, but it delays the project’s progress. We suggest that the City commit to reviewing the assessment upon receipt of the assessment with the application and provide its clearance or further requirements at that stage so as to prevent lengthy delays to the approval process.

It is widely accepted throughout the Golden Horseshoe in the industry that archaeological assessments are done up front, as soon as possible in the process, which prevents delays. It is currently standard City practice to review assessments upon receipt; however, if the applicant desires it can also be submitted at time of development application.

B.3.4.2.15 (Community Improvement Plans and Secondary Plans)
If the City is identifying, evaluating and conserving cultural heritage resources through a Cultural Heritage Conservation Plan Statement, is there a need of a second assessment during the development application?

_Usually, yes. As noted above, the CHCPS is general and CHIA is more property specific, especially because the City does not have access to each private property in order to complete a thorough site specific assessment as part of the CHCPS process. In select circumstances when a CHCPS provides sufficient detail and the proposal is consistent with the CHCPS a CHIA may not be required._

The planning approvals process to implement specific OP designations (i.e., draft plan of subdivisions, rezoning, etc) must allow for opportunities to negotiate if conserving certain resources is appropriate.

The wording of policy B.3.4.2.15 b) allows for such flexibility and negotiation in developing Community Improvement Plans, but it should be clarified in other implementing tools as well in this section as mentioned above.

_Is now policy F.1.15.3 g). Negotiating is part of the standard current practice of the planning process. Policy F.1.15.3 g) directs that Community Improvement Plans conserve cultural heritage resources because conservation is not already a part of the Community Improvement Plan development process, as it is for the development application process._

B.3.4.3. (Archaeology)

B.3.4.3.1.a), b), c) – Requires an Archaeological Assessment at submission of a Planning Act application providing it has been identified in writing at the pre-consultation meeting.

_Archaeological assessments are required as part of a complete application for subdivisions by the Planning Act (O. Reg. 544/06, Schedule 1, 24). This issue is an operational matter, not an OP policy matter._

B.3.4.3.2 – States an Archaeological Assessment _may_ be required therefore implying it is could be waived for certain applications such as a variance or plan of condominium (unless a vacant land condominium).

_Correct._

It is assumed that common sense will prevail for each Planning Act application submitted, but we would appreciate confirmation from the City as to its intention of requiring archaeological assessments with all applications.

_All applications undergo archaeological review to determine if an archaeological assessment is required._

B.3.4.3.4. – We note that this policy has been revised to state Planning Act applications only, which adequately addresses HHHBA’s previous concern of the City’s Site Alteration By-law.

B.3.4.3.8. – We request the City to clarify during what circumstances specifically the First Nations are involved in dialogue because it is not mentioned in this policy.
This matter cannot be addressed in policy, but is subject to ongoing discussions. The City is working on a protocol.

**B.3.4.4. (Built Heritage Resources)**

We believe that generally all the policies within this section are reasonable,

We request clarification that being on the inventory list does not necessarily trigger a Cultural Heritage Impact Assessment when a Planning Act application is submitted. We believe that should happen only if the building has been registered/designated?

*If a property is on the inventory list, it could trigger a CHIA.*

Also, we request confirmation that a Cultural Heritage Impact Assessment is NOT required on a Planning Act application if there is an existing structure on the site that is not registered/designated and is not on any inventory list.

*See Policies B.3.4.2.6 through B.3.4.2.8 of the April 2009 draft of the new Official Plan. An assessment could still be required if a property is not registered or designated. Also see comment and response for B.3.4.2.5 (Protection of Non-Designated or Non-Registered Heritage properties) above. The PPS requires conservation of all significant cultural heritage resources, not only those that are currently registered or designated.*

**B.3.4.5. (Cultural Heritage Landscapes)**

As per Built Heritage Resources (Policy B.3.4.4 above) the same questions arise regarding Inventory vs. Registry, etc?

B.3.4.5.2. and B.3.4.5.5 (Heritage Conservation District) - If a “Commercial mainstreet, commercial area, urban residential neighbourhood, industrial complex”, etc. are being redeveloped and must be designed in a contextually appropriate manner, how will we meet our mandated intensification targets?

There must be an ability to intensify within the existing built boundary as per GRIDS preferred growth option, Places to Grow, etc.

*Respecting cultural heritage does not preclude intensification.*

**B.3.4.5.6. (Heritage Roads)**

We understand that there are only limited roads within the City of Hamilton that come under these criteria. However, it may be possible that some of the roads within the City could be designated as Heritage Roads in the future.

If that does happen, we caution the City that it will not be able to intensify within the existing built boundary at levels necessary to meet provincial requirements if the roads cannot be “adversely affected” and “development shall not be encouraged”? Upgrades to infrastructure would not be permitted under this policy.

**General Comment:** It seems like the layers of policy being suggested in the new OP are constantly working against one another. Is it actually possible to implement certain OP
It is a matter of balancing of policy directions in specific situations. Planning decisions are always a matter of balancing a variety of planning matters and conflicting interests.

2.3 Rural Cultural Heritage (Policies D.R.0 to D.6.X.4 inclusive)

Greenbelt Policies under Section 3.4 allow for intensification, infill and/or revitalization of settlement areas. We are in agreement as long as the City recognizes this and balances their OP policies to enable appropriate growth.

Noted. The rural cultural heritage policies will be amended into the Rural Official Plan once it is approved by the OMB. Hamilton’s rural settlement areas are Hamlets under the Greenbelt Plan, and as such Greenbelt Policy 3.4.3 “permits infill and intensification of Hamlets subject to appropriate water and sewage services.”

2.4 Urban Cultural Heritage and Established Historical Neighbourhoods (Policies E.U.0 to E.U.2.1.3 inclusive)

Common sense will need to prevail when considering protecting historical neighbourhoods. One might argue that many parts of the north end of the City may be considered historical or culturally significant. Yet, it is unlikely that redevelopment of these areas ‘in a manner consistent with existing’ building fabric would meet the City’s housing requirements.

Redevelopment requirements are very restrictive and are not conducive to intensification of established historical neighbourhoods which are defined as built prior to 1950.

Height is going to be paramount for fulfilling intensification targets in Downtowns or Urban Growth Centres and some leniency needs to be allowed by the City when reviewing infill & intensification proposals in established historical downtown neighbourhoods.

We acknowledge that the character of these areas is important and are hopeful that words such as “wherever possible” and “encourage” contained within most of these policies will enable higher densities and attempt to maintain the heritage character of these areas.

Note revision to these policies detailed below.

E.U.2.1. – It may be prohibitive to intensify and/or convert existing built heritage resources without going higher or further beyond the front facade. Other infrastructure requirements may place constraints on the site and therefore, more flexibility is needed in the wording at the end of this policy (e.g. “where possible”).

Policy removed. See April 2009 draft for remaining established historical neighbourhood policies.

E.U.2.1.2 - We question the rigid stance of infill buildings being of the same height and similar width as adjacent buildings. This will significantly limit development options. For instance, if the original building was a one storey structure, you are prohibited from
building a two storey addition or structure on the lot. Also, the Policy restricts creativity and variety and requires that everything be homogeneous with the adjacent buildings.

Policy removed. See April 2009 draft for remaining established historical neighbourhood policies.

With the current proposal of the east-west Rapid Transit System, the City has suggested that redevelopment of neighbourhoods around stations and along corridors would be promoted. However, most of the neighbourhoods along the preferred east-west route were built prior to 1950 and so if these rules should apply, redevelopment and intensification may not be possible.

Established historical neighbourhoods are being mapped and will not include Rapid Transit Corridors.

2.5 Implementation (Policies F.X.X.1 to F.X.X.8 inclusive)

F.X.X.6 (Easements and Acquisitions)

Agreements and/or covenants, acquisitions, disposition, lease, etc., are proposed methods to be used in conserving, restoring and rehabilitating cultural heritage resources.

We request clarification on the following items:

How are the easements to be physically defined and described (i.e., reference plan of entire lands, resource itself, etc.)? This will be almost impossible for a culturally significant landscape that has "scenic value". Is the intent to encumber the entire property?

No, easements related to the heritage attributes. Easements are in fact, restrictive covenants and the details are included in the covenant itself. This is not an OP issue.

3 Conclusion

We acknowledge and thank staff for the consultative approach given to the policy making process for Cultural Heritage. The Hamilton-Halton Home Builders’ Association has been very appreciative of the proactive process whereby the industry and staff approach issues through our joint Liaison Committee and other special meetings.

The HHHBA believes that this Policy, as written, places an unrealistic burden of responsibility on the Planning Application Process and will result in very costly extensions which will draw heavily on City resources.

In conclusion, we request a further meeting with you and other relevant staff to discuss the finer details of these Cultural Heritage Policies before they are adopted within the City of Hamilton’s new Urban Official Plan.

A meeting has been set for April 30, with the understanding that it is the last opportunity for discussion with staff before the final draft of the OP is printed for Council’s decision.
Once again, thank you for your time and energy spent on this matter. If you wish further clarification or discussion, please do not hesitate to contact me.

Sincerely,
Per: Hamilton Halton Home Builders’ Association

[Signature]

Steve Spicer
President, HHHBA
April 29, 2009

His Worship, Mayor Fred Eisenberger  
And Members of Council, City of Hamilton

And

Mr. Tim McCabe  
General Manager  
Planning and Economic Development Department  
City of Hamilton  
71 Main Street West  
Hamilton City Hall  
Hamilton, Ontario  
L8P 4Y5

Dear Sirs & Mesdames:

RE: City of Hamilton Draft Urban Structure Official Plan  
Comments  
Our clients: 20 Road East Landowners, City of Hamilton

As you are aware, we represent some 25 landowners in the Twenty Road East area of the City of Hamilton who have an interest in the final form of the City of Hamilton Official Plan. We are writing further to our submission of January 26, 2009, which was a complete and comprehensive response to the proposed draft Hamilton Urban Structure Plan as it was presented to the public at that point.

We have now had an opportunity to review the recent modifications to the Hamilton Urban Structure Plan which we understand arise from the comments received from the public as well as the actions of the Province in approving or not approving various aspects of the adopted Hamilton Rural Official Plan.

We would like to take this opportunity to provide our comments on the revised Urban Structure Official Plan. However, we would refer staff back to the comments provided in detail in our planning submission made January 26, 2009.

References to an urban expansion area

The Draft Official Plan continues to reference the Elfrida area as a ‘Future Urban Growth District’ despite the December 24, 2008 decision of the Ministry of Municipal Affairs and Housing (MMAH) to eliminate the Future Urban Growth District Special Policy Area in its entirety from the Rural Official Plan.
1. The reference to these Future Urban Growth District policies in Section 2.2 of the Draft Urban Structure Official Plan is inconsistent with the MAAH decision and these references should be removed from the Draft Official Plan. It continues to be our position that the City's background studies indicate that no urban expansion is warranted at this time and that any future urban expansion must be subject to a full comprehensive review at the time an expansion is shown to be warranted, as required by the Provincial Policy Statement.

2. Given that the density target for the Downtown Urban Growth Centre has been increased from 200 to 250 persons and jobs per hectare with a provision that increases to the target will be considered as part of the Downtown Secondary Plan review (Section 2.3.1.9), it is inappropriate for the City to consider or refer to any area of urban expansion in this Plan. It is clear that increases in Downtown density could have a significant impact on the need for, location, and timing of any potential urban expansion.

3. The requirement for an infrastructure analysis as part of the comprehensive review requirements (Section 2.2.4) has been eliminated from this version of the Draft Urban Structure Official Plan. This important requirement should be included as part of any comprehensive review for an urban expansion.

Request for Consideration of a Community Node at Upper James and Rymal Road

In our previous submission, we made a strong case urging staff to review and consider the area of Upper James and Rymal Road as a Community Node. The current draft of the Urban Structure Official Plan makes no reference to the possibility of a Community Node in this location, nor have we received any response from the City as to the reasons why this prime location has not been considered as a Community Node.

We note the following:

- **Eflrida Node** – located at the intersection of two Secondary Corridors
- **Meadowlands Node** – located on a Secondary Corridor
- **Centre Mall and Heritage Green Nodes** – not located on any Corridors
- **Upper James and Rymal Road** – located at the intersection of a Primary and Secondary Corridor with planned LRT – not yet identified as a Community Node.

It is a major concern that the City has provided no planning rationale as to why a location at the intersection of a Primary and Secondary Corridor, which clearly meets all the criteria for a Community Node under the Urban Structure framework, would not be included as a Community Node in this Urban Structure Plan, especially in view of the fact that many, less meritorious, locations have been so included.

We are therefore requesting that the City, either through direction of Council, or staff on its own initiative, conduct this planning analysis and make a determination with respect to the inclusion of
this area as a Community Node. Alternatively, the City must provide some legitimate rationale as to why such a major omission continues to be part of this draft Urban Structure Plan. To assist you in the analysis we attach a copy of the reasons we provided in our planning report for the inclusion of the intersection of Upper James and Rymal Road as a Community Node in the new Official Plan (please see attachment).

Notice of Public Meetings

Please be advised that despite numerous requests, orally and in writing, by myself and by my client's planning advisors, (of which we have records) neither I nor my client's planners have received notice of a single meeting in respect to this Official Plan process. This is completely inexcusable and contrary to the planning process set out in the Planning Act. We would ask that you revise your records accordingly and ensure this omission is corrected immediately, as this omission could have implications for the legality of this planning process.

Yours truly,
TOWNSEND, ROGERS LLP

[Signature]

Susan Rogers
Partner

Encls.

cc  Mr. Louis Bitonti, Ministry of Municipal Affairs and Housing
    Mr. Kevin C. Christenson, Clerk, City of Hamilton
    Ms. Joanne Hickey-Evans, Manager, Policy Planning, City of Hamilton
    Maria Gatzios, Gatzios Planning
    Jeff Greene, Gatzios Planning
    Carmen Chiaravalle
    Elaine Vyn
Analysis of Upper James and Rymal Road as a potential Community Node.

1. The City maintains in the Draft Urban Structure staff report (November 2008) that node locations were evaluated through GRIDS; that no changes to the urban structure are needed at this time; and that node locations will be re-evaluated at the 5 year Official Plan review. However, in our review of the GRIDS report, a potential node location in the Upper James and Rymal Road area did not appear to be evaluated in the context of the Nodes and Corridors Structure identified and assessed as part of the GRIDS process. This is a significant error in the GRIDS process, which should be reviewed and corrected.

2. We understand that the City has taken the position that no changes are to be considered to the GRIDS recommendations. However, at the same time, staff recommended in November 2008 that a portion of Mohawk Road between Upper James and Meadowlands Node be added as a Secondary Corridor in the Urban Structure Plan, despite the fact this area was not assessed or identified as such in GRIDS recommendations. It is clear therefore, that City staff are considering changes to what was considered in the GRIDS process, as the Official Plan policies move through the planning process. This is appropriate and good planning. We urge upon you that it would be appropriate and good planning to consider a further node at the intersection of Upper James and Rymal Road.

3. The Draft Official Plan states that Hamilton will have nodes that are connected through a series of Primary and Secondary Corridors. The nodes are focal points. The character of the nodes and corridors will vary depending on their function, scale, land uses, intensification potential and infrastructure issues. Based on the node policies of the Draft Official Plan, we believe that the area located at the intersection of Upper James and Rymal Road meets the Official Plan criteria for a node and should have been identified as a 'Community Node' through GRIDS and subsequently included in the Draft Official Plan. Considering its location on the primary north-south transit spine in the City (Upper James) that connects to the Mohawk Activity Centre, Downtown Hamilton, the Airport and the employment lands as well as key transportation corridors such as the Linc, Main Street, King Street, Mohawk Road and Rymal Road, it is difficult to understand why this location has not yet been considered as a possible Community node.

4. The Ministry of Municipal Affairs and Housing (MMAH) states the following regarding nodes and corridors in their comment letter to City staff dated November 5, 2008: "We would encourage the City to examine and plan for the correlation between existing/proposed transit routes and the proposed nodes and corridors and identify additional nodes and corridors to maximize the benefits of future transit investments and movement of people." MMAH supports future study to potentially identify additional nodes, and we concur that further analysis regarding node locations is needed.

5. Upper James is identified in the Draft Official Plan as a Primary Corridor. Rymal Road is identified as a Secondary Corridor. The Draft Official Plan states that the purpose of Primary Corridors is to link two or more nodes or major activity centres, while Secondary Corridors shall serve to link nodes and employment areas, or Primary Corridors. The
Upper James Corridor does not currently link two nodes and connects only with the Downtown Urban Growth Centre. An additional node at Upper James and Rymal Road would reinforce and support the obvious significance of the Upper James Primary Corridor.

6. The Draft Official Plan has identified other areas as nodes, which are less suited to such a designation, in light of the criteria set out in the background GRIDS study and the Official Plan itself. For example, Elfrida has been designated as a ‘Community Node’. The Elfrida node connects two Secondary Corridors: Rymal Road and Centennial Parkway and is primarily used for large scale retail with lower density residential uses located off of Rymal Road. The Elfrida node does not possess the same locational advantages as the Upper James and Rymal area, given its limited service and transportation connections. When compared to other Community Nodes such as Elfrida, Meadowlands and East Mountain/Heritage Green, the Upper James and Rymal area has superior public transit potential based on its strong central location between Downtown Hamilton and the Airport. A node at this location would bring benefits to the triple bottom line as intensification around the primary north-south transit line would improve the social, environmental and economical well-being of the City while avoiding costly infrastructure expansions.

7. Upper James Street is identified as a Higher Order Transit Corridor in both GRIDS and the Transportation Master Plan and as such, has the potential to accommodate future rapid transit (i.e. BRT or LRT). This higher order transit potential increases the opportunity for intensification along this corridor, as the densities in the area will need to be transit supportive. In addition, Upper James is currently used as one of the City’s main north-south bus routes. As a result, the intersection of Upper James and Rymal is a logical location for a node based solely on its existing and future transportation function.

8. Upper James and Rymal meets the criteria for a node as set out in the Draft Urban Structure Plan with respect to existing uses and future development potential. The area has a good mix of land uses and functions. It is currently one of the main shopping and service areas in the City. The areas along the Upper James and Rymal corridors are primarily a mix of large scale retail, small retail shops, restaurants and service commercial, while there is a good mix of lower density residential uses immediately adjacent to the main roads, and within walking distance of the shops and services. Public service uses (i.e. police station and YMCA) are also located in the area along Rymal Road.

9. In terms of live-work opportunities, the potential node at Upper James and Rymal currently offers employment opportunities for area residents given the large amount of commercial uses, its proximity to the Airport and Airport employment lands, as well as to the Glenbrook Business Park. Moreover, the existing and future transit options along Upper James Street allow for additional connections to other employment areas such as Mohawk College and Downtown Hamilton.

10. The intensification potential of the Upper James and Rymal area is strong. With future higher order transit planned, less emphasis would be placed on the automobile and opportunities for residential intensification and employment intensification (i.e. offices)
could replace or infill existing parking lots or underutilized buildings/uses. It would be appropriate to include policies in the Official Plan that encourage more efficient use of existing and planned infrastructure at the Upper James and Rymal Road in accordance with existing provincial policies.

11. An additional node at Upper James and Rymal Road would create density targets and a Secondary Plan process that would lead to better planning and growth management in the area. It would also assist in stimulating redevelopment, infill and intensification within the current urban boundary while taking advantage of its excellent transit connections and its close proximity to nearby employment lands.
May 19, 2009

Ms. Susan Rogers  
Townsend, Rogers LLP  
Barristers and Solicitors  
1525 Cornwall Road  
Suite 10  
Oakville, Ontario  
L6J 0B2

Dear Ms. Rogers:

Re: Urban Structure – Urban Hamilton Official Plan

This letter is in response to your letters dated January 26 and April 29, 2009, respecting the above.

Urban Expansion Areas

1. The Province removed Special Policy Area (SPA) from the Rural Hamilton Official Plan (OP). The concern was including an SPA in the Rural Hamilton OP when the matter was more appropriately addressed in the Urban Hamilton OP. The Province indicated that it was inappropriate to map in the Rural Hamilton OP, however, the City was permitted to describe the area in the Urban Hamilton OP.

2. The policies of Section B.2.2 of Volume 1 identify the necessary work that must be undertaken prior to any urban boundary expansion which will ultimately determine the timing, location and the extent of the expansion.

3. Infrastructure assessments are identified in Policy B.2.2.4 e) ii which is to be renumbered as B.2.2.4 in the May version of the OP.

Node at Upper James Street and Rymal Road

Through the GRIDS process as well as the Urban Structure policies of the OP, community nodes have been identified in the downtowns of the former municipalities (Ancaster, Dundas, Stoney Creek and Waterdown), the Centre Mall area, Meadowlands area, East Mountain/Heritage Green area and the Elfrida Area. Community nodes are
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intended to function as mixed use areas that provide community scale retail uses. The community nodes include the former area municipal downtowns to recognize their function as an important community focal point and areas of the City where the City would like to target intensification in conjunction with higher order transit and/or transit hubs (i.e. Meadowlands, Heritage Green).

GRIDS was an integrated planning process based on the Triple Bottom Line that considered a broad range of criteria in the decision making process. The OP background studies (e.g. Commercial, Residential Intensification, Employment Lands, Land Evaluation Area Review), Infrastructure Master Plans and human services (e.g. Parks Master Plan, Social Vision) were all components of the decision making process.

While the Upper James Street and Rymal Road area is located at the intersection of two major streets, this area was not selected as a node for a number of reasons. The reasons can be summarized as follows:

1. The land uses along Upper James Street allow for the addition of residential uses for lands north of the Lincoln Alexander Parkway (Linc), and some in the area south of the Linc on the west side of Upper James Street. The lands on the east side of Upper James from the Linc south to Mount Hope (designated arterial commercial) do not allow for residential uses since they are designated arterial commercial.

2. The planned function for the lands along Upper James Street (between Rymal Road and Stone Church Road) is for both arterial commercial and mixed use medium density commercial which is characterized as being auto-oriented commercial type uses which are important elements of the City’s overall commercial hierarchy.

3. The lands along the Rymal Road provide limited opportunities for intensification and/or redevelopment for mixed use. The secondary corridors are intended for higher order transit in the longer term. The density of development along Rymal Road is relatively low with some minor opportunities for redevelopment fronting onto the arterial road. Many of the adjacent residential lands are planned for low density residential uses.

4. There are other major intersections which have similar land use patterns and have not been identified as a node (e.g. Upper James Street and Mohawk Road).

5. The presence of large community facilities within close proximity to a node is one criteria. The YMCA/park/Police station complex is located 1 km away from Upper James Street and Rymal Road while it has the potential to be a focal point, it is located too far away.
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The Urban Hamilton OP is one of the mechanisms to implement the GRIDS preferred growth strategy. Minor refinements to the growth strategy were made including employment areas and areas that generate a significant number of jobs (e.g. McMaster, Mohawk/St. Joseph’s) and to move the secondary corridor linking Lime Ridge Mall and the Meadowlands from the Linc to Mohawk Road. However, too many nodes may limit the ability to achieve the intensification targets at the existing identified nodes.

Other Planning Comments

The location of a node was not solely determined by the presence of a primary or secondary corridor. Centre Mall is located at the end of the secondary corridors of Ottawa Street; Heritage Green is located at the end of the Lincoln Alexander Parkway (Linc).

Notification

Please be advised that staff have a record showing that Jeff Greene of Gatizos Planning was sent an e-mail respecting the April 8 Statutory meeting. Your name has been added to the list to receive notification of the upcoming Public meetings in June. A confirmation has been sent to your office by Alexandra Rawlings from the City Clerk’s Office.

I trust this letter responds to the matters raised in your two letters. If you have any questions regarding the above, please contact Joanne Hickey-Evans, Manager, Policy Planning at (905) 546-2424 Ext. 1282.

Yours truly,

Tim McCabe  
General Manager  
Planning and Economic Development Department

JHE/dkm

cc: F. Eisenberger, Mayor, City of Hamilton  
cc: A. Rawlings, Co-ordinator, Economic Development and Planning Committee  
City Clerk’s Office, Corporate Services Department