



August 3, 2023

464-22

Provincial Land Use Plans Branch
Attn: Honourable Steve Clark,
Minister of Municipal Affairs and Housing
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**RE: Proposed Changes to Provincial Policy Statement and Growth Plan
ERO No. 019-6813**

Twenty Road Developments Inc. is a Hamilton-based development company with vast experience developing residential, commercial, and industrial projects throughout Southwestern Ontario and would like to thank you for the opportunity to comment on the proposed amendments to the Provincial Policy Statement and A Place to Grow; Growth Plan for the Greater Golden Horseshoe (Growth Plan) via ERO No. 019-6813. In November 2022, the Ministry of Municipal Affairs and Housing issued their revised version of the Urban Hamilton Official Plan that was under review. One of the notable changes made by the Province was the introduction of six Urban Expansion Areas to the City's Urban Boundary. We are the landowners of parcels of land contained within the Twenty Road West Urban Expansion Area bounded by Twenty Road West to the north, Dickenson Road West to the south, Glancaster Road to the west and Upper James Street to the east in the City of Hamilton.

As the Province works to address the housing crisis currently facing Ontario, the structure and policies outlined within the Provincial Planning Statement (PPS) will become even more critical to achieve higher densities and intensification desired across the various regions of the Greater Golden Horseshoe. Given their greenfield nature and ability to accommodate current trends in the housing industry, the Urban Expansion Area lands in Hamilton provide an ideal case study for the opportunities and challenges presently existing in the policy framework with regards to the implementation of the housing development.

In response to the proposed Provincial changes to the Provincial Policy Statement and Growth Plan, our team has provided a list of recommendations to be considered during the Ministry's review of the legislative documents.

Population and Employment Targets

One of the proposed changes to the PPS is the removal of Provincially-established growth targets which were traditionally applied through Schedule 3 of the Growth Plan. Instead, the Province is recommending that municipalities take on the responsibility of carrying out their own forecasting, using the 2051 targets as a minimum. Our concern with this approach is that a municipality's desire to reflect accurate growth forecasting will be dependent on their overall desire for development within their municipality. While some municipal governments do understand the important need for housing at this time, there are still many which allow political agendas to influence housing decisions. Accordingly, we strongly encourage the Provincial government to maintain the responsibility of setting out the growth forecasts for municipalities to ensure the provincially-significant issue of housing is not dependent on individual municipalities.

Provincially Significant Employment Areas & Employment Areas

The Province is also proposing to remove Provincially Significant Employment Areas from the Growth Plan in favour of having municipalities determine their own 'Employment Areas' that meet criteria set out by the Province. We are in full support of this policy change as it allows greater flexibility with regards to the implementation of mixed-use areas by recognizing industrial uses as the key land uses requiring special accommodation under an 'Employment Area' designation.

In relation to the ability for municipalities to determine their own 'Employment Areas' based on provincial criteria, we believe the new Provincial Policy Statement should set out clear policy which establishes appeal rights to those landowners whose properties are the subject of conversions to or from the 'Employment Area' designation. Should the White Church Secondary Plan include Employment Areas, flexibility afforded by this policy change would be important. In doing so, municipal classifications of Employment Areas are ensured to be justified, fair and open to refinement by the Ontario Land Tribunal if required.

Noise Exposure Forecast (NEF) Contours

The current Provincial Policy Statement establishes that sensitive land uses such as residential dwellings are not permitted in areas which exceed NEF 30. Policy 3.4.2(b) of the PPS establishes that redevelopment of a sensitive land use or infilling of sensitive land uses within the NEF 30 Contour can occur contingent upon the completion of a detailed noise analysis to determine any necessary noise mitigation measures to be implemented on site. We believe that given that the PPS currently allows for sensitive land uses in areas exceeding NEF 30 on this basis, general development of sensitive land uses should also be permitted under the same criteria within Policy 3.4.2(b) of the PPS. Further, municipalities currently have the ability to establish more strict requirements with regards to the NEF limit for the development of sensitive land uses. We recommend the Provincial Policy Statement prohibit municipalities from being more restrictive than the NEF 30 Contour lines for sensitive land uses as shown in Policy 3.4.3 below, as it limits housing supply contrary to the objectives of the *More Homes Built Faster Act*. Additionally, this change will ensure municipalities are aligned with the Ministry of Environment direction to permit sensitive land uses up to the NEF 30 Contour. Further, this prohibition would ensure municipal policy is consistent with the Provincial policy, ensuring a united approach to noise regulation across all jurisdictions. Our second recommendation to encourage housing supply options is the update to Policy 3.4.2(b) of the PPS to include general development in areas exceeding 30

NEF conditional to the completion of a detailed noise analysis which can determine potential for adverse noise impacts and recommend appropriate mitigation measures to be implemented in response. These recommended revisions to the proposed Provincial Planning Statement have been outlined below in blue:

“Policy 3.4.2 - Airports shall be protected from incompatible land uses and development by:

- a) prohibiting new residential development and other sensitive land uses in areas near airports above 30 NEF/NEP;*
- b) considering **development of new sensitive land uses or** redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the airport;”*

“Policy 3.4.3 - Planning authorities and decision-makers shall not be more restrictive than the NEF limits established in Policy 3.4.2”.

As proposed, the aforementioned recommendations will strengthen the policy framework to provide clarity of implementation, ensure the goals and objectives of the Province are realized, and align with realistic growth and development outcomes. The balance of the proposed Provincial Policy Statement and Growth Plan contains the appropriate range of policies to protect the matters of provincial interest while also ensuring sufficient residential intensification development is secured throughout the region.

Kind Regards,
Twenty Road Developments Inc.



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