

December 7, 2023

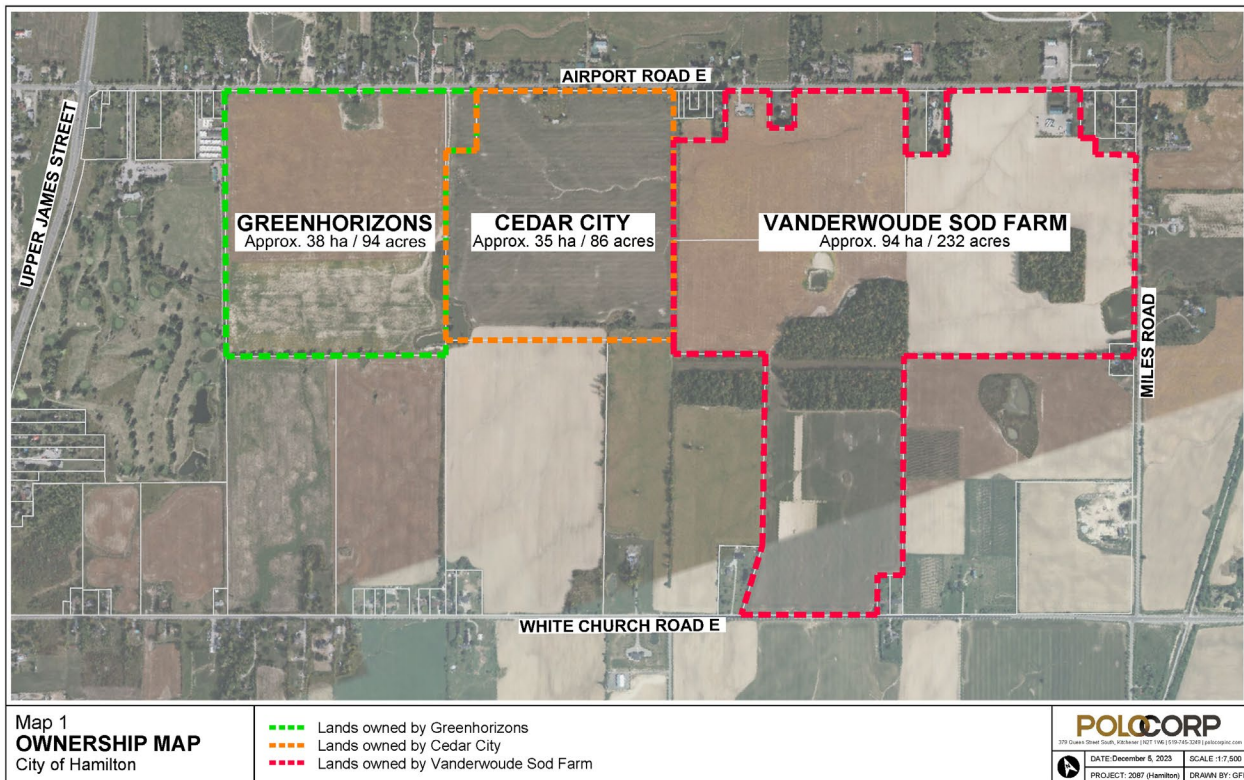
Via Email to [mmahofficialplans@ontario.ca](mailto:mmahofficialplans@ontario.ca)

Attn: Honourable Paul Calandra  
Minister of Municipal Affairs and Housing (MMAH)  
Provincial Land Use Plans Branch  
777 Bay Street, 13th Floor  
Toronto, ON M7A 2J3

**Re: Planning Statute Law Amendment Act, 2023**  
Provincial Announcement Impacting Provincial Decisions on Municipal Official Plans  
ERO No. 019-7885

Dear Minister;

Polocorp Inc. are the planning consultants and advisors to Greenhorizons Group of Companies and Vanderwoude Sod, who own lands in the Airport Road/White Church Road area in the City of Hamilton (refer to Map 1). The purpose of this letter is to request that our clients' lands continue to be included and retained in the City of Hamilton's Urban Area Boundary. The history and rationale for inclusion of these lands in the urban expansion area is detailed in this letter.



Our clients' lands are a part of the 'White Church Secondary Plan Area (WCSPA)', that was added to Hamilton's urban area via the MMAH decision on Hamilton OPA 167 in November 2022, based on the City of Hamilton's Land Needs Assessment (LNA) and Provincial policies, using the NEF 28 contour line as a reference. These lands are needed for housing to address, in part, the Province's Housing Supply Action Plan to build 1.5 million homes over the next 10 years.

The Province announced reversal of MMAH modifications to the Official Plans in October 2023 to maintain and reinforce public trust in the planning process, requesting further feedback from municipalities on the matter. Subsequent to the Provincial announcement, the City of Hamilton Planning Committee considered Staff Report #PED23252 at their November 14 meeting, which recommended full rescission of MMAH's modifications to OPA 167 (with minor exceptions) and a reversal back to what staff describe as Council's 'no urban boundary expansion' scenario. The Committee received the recommendation and reconfirmed its position on OPA 167 as adopted by Council on June 8, 2022. The Committee's recommendation was received by Council at their November 22, 2023 meeting. Based on the latest decisions as noted above, our clients wish to add their submission to the record to form a part of MMAH's deliberations on this matter.

It is our position on behalf of our clients that we do not support Council's decision to rescind MMAH's modifications due to the following professional planning reasons:

**1. *Decision does not conform to land needs assessment methodology as per the Growth Plan***

As a part of the 'Growth Related Integrated Development Strategy' (GRIDS 2) process, the City of Hamilton hired Lorus and Associates to complete a Land Needs Assessment (LNA) and a Residential Intensification Market Demand Analysis to inform the future growth options for Hamilton. The City thereafter retained Watson and Associates to peer review the LNA and intensification analysis prepared by Lorus and Associates.

Lorus and Associates did not review the merits of a 'no urban boundary expansion' scenario in their initial report as it would require an intensification target of approximately 81% over the next 30 years. This option was considered in Report PED17010(h) and was precluded going forward as it would not meet the requirements of a market-based housing supply under the Provincial LNA methodology which requires the City to plan for the full range of market needs.

Further, the City's Residential Intensification Market Demand Study by Lorus & Associates, dated March 2021, identified 50% as being at the high end of a suitable aspirational intensification target for the City (Appendix C to Staff Report #PED17010(n)). Lorus further cautioned that achieving even a 50% intensification target for new units strictly in the City's built-up area would require a significant shift in the composition of housing in favour of apartment units compared to levels experienced historically.

Subsequently, City's land economics consultant and peer reviewer, Watson & Associates in their October 4, 2021 Report notes that, "*No Urban Expansion Option*" was not modelled, as

such and option does not meet Provincial planning policy requirements and is not considered good planning”. Overall, this report concluded that the approach and methodology utilized in the City’s LNA Documents prepared by Lorus & Associates is generally an appropriate application of the Growth Plan and the Provincial LNA Methodology.

The March 2021 Land Needs Assessment Technical Working Paper prepared by Lorus & Associates presented various intensification targets and associated land requirements for a range of Community Area Land Need Scenarios. These are summarized below, as presented to Council in Report PED17010(n) on November 9, 2021:

**Table 2: LNA Results – Community Area Land Need Scenarios**

Scenario	Intensification Target (%)			Land Need (ha)
	2021 – 2031	2031 – 2041	2041 - 2051	
1. Current Trends	40			3,440
2. Growth Plan minimum	50			2,190
3. Increased Targets	50	55	60	1,630
	(55% average over the period)			
4. Ambitious Density	50	60	70	1,340
	(60% average over the period)			

Source: Lorus & Associates, Land Needs Assessment Technical Working Paper, 2021

Based on the above, notwithstanding these increases (which are significant increases over Hamilton’s historical averages), **there would still be a need for a total of 1,630 hectares of greenfield land in the ‘Increased Targets’ scenario and 1,340 hectares in the ‘Ambitious Density’ scenario.**

We note that City Staff recommended through Report #PED17010(o) at the November 9, 2021 Committee Meeting that Council adopt the “Ambitious Density” scenario, resulting in the land need of at least 1,340 (later updated to 1,310) gross developable hectares to 2051.

Section 2.2.1.5 of the Growth Plan states that the Provincial LNA methodology must be followed by municipalities. The potential conflicts and misalignment of the ‘no expansion’ approach with LNA methodology are further demonstrated in the MMAH comments to City through letter dated September 17, 2021 (attached as Appendix A to this letter). Based on the above, we conclude that ‘no expansion’ scenario is not consistent with the land needs assessment methodology, and was not recommended by City’s consultants or City Staff.

**2. Lands are the logical location for expansion of the Urban Area Boundary.**

**Our clients have owned their lands for many years, utilizing these lands for sod farming during this period.** Since the Provincial modifications in November 2022, our clients have spent considerable time, money, and energy to strategize the development of their lands as a part of the White Church Expansion Area Land Owner’s Group (LOG). Our clients’ lands,

as a part of the White Church expansion area, present favourable characteristics for urban expansion, including:

- Proximity to Airport Employment Growth District, providing residents with local employment opportunities;
- Enhanced accessibility via plans for expansion of Highway 6 and future connection to Red Hill Parkway;
- Logical extension of the existing Mount Hope Community along Upper James Street and Airport Road;
- Involvement of a co-ordinated LOG, ready to partner with the City to ensure delivery of infrastructure required to support development of these lands;
- Presence of limited natural heritage features, that can be easily protected through holistic planning for a complete community in the expansion area; and,
- Limited agricultural viability, resulting in use that is largely limited to sod production.

Based on the above, our client's lands are a logical option for future urban expansion in the City of Hamilton.

### **3. *Potential for development of a 'Complete Community'.***

The preliminary concept plans for the White Church expansion area contemplates a mix of uses, including a range of residential dwelling typologies, commercial area, parks and recreational spaces, natural heritage areas, institutional uses such as schools, as well as employment uses to adjacent to the Airport (south of Airport Road). As such, our clients' lands, together with other lands in the White Church Secondary Plan Area, provide an opportunity for creation of a 'complete community' that supplies a range of housing and public service facilities while providing for development that supports a range of transportation options.

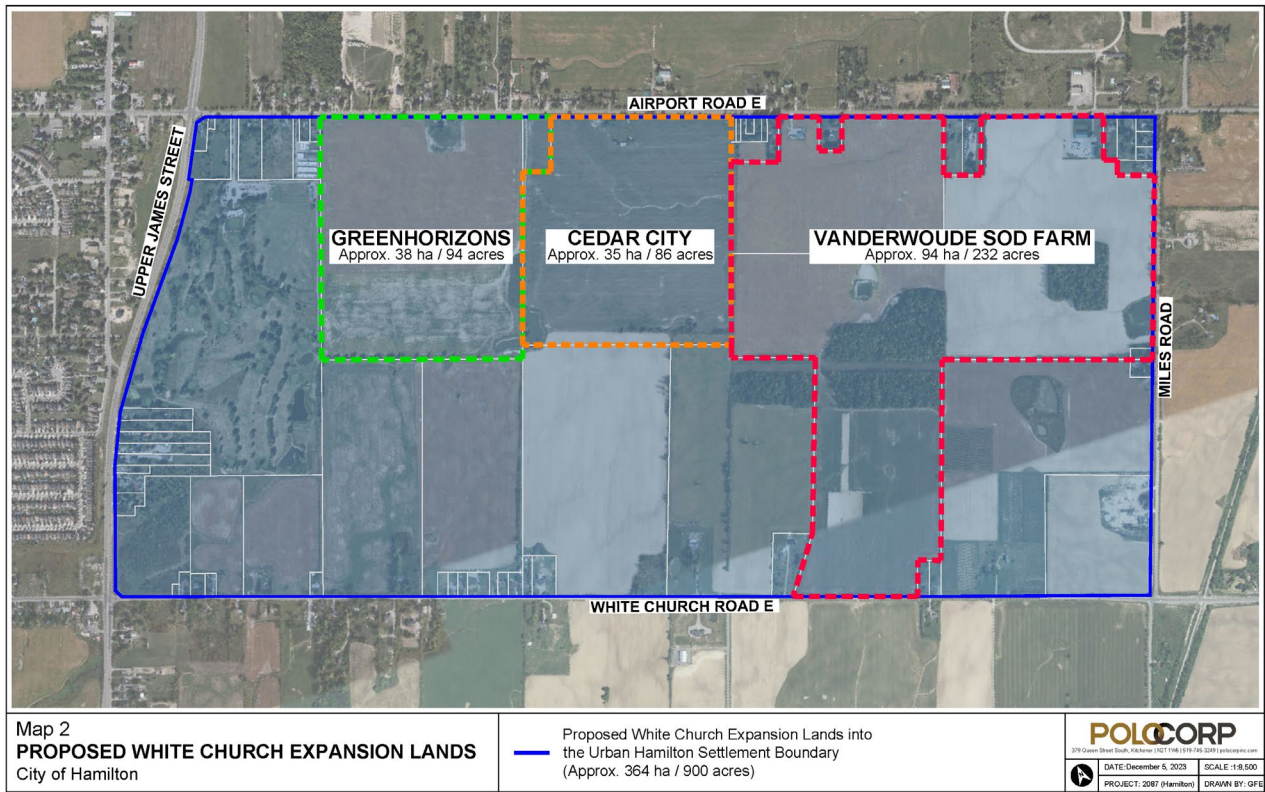
### **4. *Disregard for appropriate range and mix of housing***

As housing prices continue to rise, and the supply of family housing is further restricted in Toronto, young couples look for detached and semi-detached housing opportunities in the surrounding communities to expand their families. Hamilton is a popular destination for such homebuyers. The 'no expansion' approach fails to address the needs of this key demographic, and massively constricts the ability of the City to provide grade related housing. As such, there is need for more greenfield land to properly respond to the land needs of expected housing trends in Hamilton.

The LNA methodology requires municipalities to adjust the mix of housing type to achieve the Growth Plan intensification target and greenfield density, "***while ensuring the provision of a market-based supply of housing to the extent possible***" (LNA methodology, 2020, Section

2.6). It is our professional planning opinion that Hamilton’s decision of ‘no expansion’ fails to achieve the above noted Provincial Policy directive. As such, a decision to approve the Official Plan adopted by Hamilton Council will not be consistent with the Provincial Policy Statement, or conform with the Growth Plan.

The points raised in this letter demonstrate that there is no technical and planning justification for a ‘no urban expansion’ approach adopted by the City of Hamilton, and further, that our clients’ lands present a logical option for expansion of the Urban Area Boundary. It is our position that the Minister retain our clients’ lands as well as the lands owned by Cedar City in the City of Hamilton’s Urban Area Boundary. The development of these lands will be subject to completion of the Secondary Planning Process for the White Church expansion lands (Map 2).



In summary, based on sound planning principles, compliance with LNA methodology and Provincial policies, **we would recommend to the Minister that the City of Hamilton Urban Area Boundary as modified by Provincial decision on OPA 167 be maintained and the boundary be extended to Airport Road on Greenhorizon and Cedar City’s lands as illustrated in Map 2, as:**



- Our clients are currently co-ordinating noise monitoring on these lands to evaluate potential for residential development;
- Irrespective of the above, these lands can be developed for employment and commercial uses, to support the creation of a complete community; and,

- The Provincial Policy Statement, 2020 (Section 1.6.9.2) and Draft Provincial Planning Statement, 2023 (Section 3.4.2) uses NEF 30 contour to limit sensitive land uses.

As such, the White Church expansion lands should continue to be included in the Urban Hamilton Settlement Boundary as illustrated on Map 2. Alternatively, the Minister can refer the Hamilton Official Plan to the Ontario Land Tribunal (OLT) for a decision, so that the technical and planning merits of the urban area expansion to include the White Church lands can be evaluated.

Please feel free to contact the undersigned, should you wish to further discuss the above matter.

Yours truly,

	
<p>Paul Puopolo, MA MCIP RPP OALA Chairman/Senior Counsellor <i>Polocorp Inc.</i> <a href="mailto:paul@polocorpinc.com">paul@polocorpinc.com</a> Ph: 519-745-3249 x 205</p>	<p>Gursimran Saini, MA MCIP RPP Planner <i>Polocorp Inc.</i> <a href="mailto:gursimran@polocorpinc.com">gursimran@polocorpinc.com</a> Ph: 519-745-3249 x 210</p>

cc.

*Mike Schiedel (Greenhorizons Group of Companies)*  
*Steve Schiedel (Greenhorizons Group of Companies)*  
*Stephen Silverberg (Cedar City Developments)*  
*Trevor Vanderwoude (Vanderwoude Sod Farms)*

## ***Appendix A***

**Ministry of Municipal Affairs  
and Housing**

Municipal Services Office  
Central Ontario

777 Bay Street, 13<sup>th</sup> Floor  
Toronto ON M7A 2J3  
**Telephone : 416-585-6226**  
**Fax.: 416 585-6882**

**Ministère des Affaires municipales  
et Logement**

Bureau des services aux municipalités  
du Centre de l'Ontario

777, rue Bay, 13<sup>e</sup> étage  
Toronto ON M7A 2J3  
**Téléphone : 416-585-6226**  
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September 17, 2021

Steve Robichaud  
Chief Planner and Director of Planning  
Planning Division  
Planning and Economic Development  
City of Hamilton

*Sent via email*

**Re: City of Hamilton Land Needs Assessment Technical Update**

Dear Steve Robichaud:

Thank you for circulating the City of Hamilton Land Needs Assessment Technical Update ("technical update"). The Ministry of Municipal Affairs and Housing ("the Ministry") wishes to acknowledge the significant amount of work that has gone into preparing the City's draft land needs assessment materials to date.

The comments below are intended to assist the City in its Municipal Comprehensive Review (MCR) and conformity with A Place to Grow: The Growth Plan for the Greater Golden Horseshoe ("A Place to Grow") and the Land Needs Assessment Methodology for the Greater Golden Horseshoe, 2020 ("LNA Methodology").

In November 2020, the City of Hamilton shared the Draft Land Needs Assessment to 2051 with Ministry staff for preliminary review. The draft included three scenarios (*Growth Plan Minimums*, *Increased Targets*, *Ambitious Density*) based on varying intensification and density targets. In a letter to the City dated December 15, 2020, the Ministry's Ontario Growth Secretariat noted that each of the three scenarios included in the draft appeared to conform to the LNA Methodology.

In March 2021, City staff recommended that Council adopt the *Ambitious Density* scenario which implements a 60 per cent annual intensification target and a designated greenfield area density target of 77 residents and jobs combined per hectare. The *Ambitious Density* scenario creates a total land need of 1,310 gross hectares to 2051. Council deferred their decision on the City's Draft Land Needs Assessment to 2051 and



directed staff to undertake additional analysis on a *No Urban Boundary Expansion* scenario (no new land need to 2051).

In July 2021, the technical update was issued to City staff. In summary, the technical update outlines preliminary findings that, if adopted, the *No Urban Boundary Expansion* scenario would produce a shortfall of approximately 59,300 ground-related units.

The Ministry understands that the City is seeking input on whether the *No Urban Boundary Expansion* scenario, as described in the technical update, would conform to A Place to Grow and the LNA Methodology. Ministry staff have evaluated the technical update and wish to provide the following comments.

Municipalities are required to determine the need to expand their settlement area boundaries using the LNA Methodology issued by the Minister in accordance with policy 2.2.1.5 of A Place to Grow. The LNA Methodology requires municipalities to ensure that sufficient land is available to accommodate market demand for all housing types including ground-related housing (single/semi-detached houses), row houses, and apartments. This requirement is consistent with direction in the *Provincial Policy Statement, 2020* and Section 2.1 of A Place to Grow. Ministry staff acknowledge that the *No Urban Boundary Expansion* scenario is likely to bring about a shortage in land available to accommodate forecasted growth in ground-related housing. Ministry staff further acknowledge that the City's residential intensification analysis (included in the Residential Intensification Market Demand Report) has found that the City is unlikely to achieve the necessary level of apartment unit construction from a market demand perspective. As such, the *No Urban Boundary Expansion* scenario appears to conflict with the objective of the LNA methodology to "provide sufficient land to accommodate all market segments so as to avoid shortages" (pg. 6).

The *No Urban Boundary Expansion* scenario may cause a misalignment with forecasts in Schedule 3 of A Place to Grow as residents seek ground-related housing in municipalities where there may be sufficient supply. Schedule 3 forecasts, or higher forecasts established by municipalities, are to be the basis for planning and growth management to the Plan horizon. The City is required to demonstrate that it is planning to accommodate all forecasted growth to the horizon, including satisfying the direction in A Place to Grow to support housing choice through the provision of a range and mix of housing, as per policies 2.2.1.4 and 2.2.6.1. The LNA Methodology also prohibits planning for population or employment in a manner that would produce growth that is lower than Schedule 3 of A Place to Grow.

Further to the above, the Ministry has additional concerns regarding potential regional implications of the *No Urban Boundary Expansion* scenario, if adopted. The shortfall of

available land and ground-related units that could be created as a result of the *No Urban Boundary Expansion* scenario may cause forecasted growth to be redirected away from the City of Hamilton into other areas that are less suited to accommodate growth. This may have broader regional impacts on prime agricultural areas, natural systems and planning for infrastructure given the lower intensification and density targets applicable to outer ring municipalities that would likely receive pressure to accommodate forecasted growth. As noted in the technical update, the City of Hamilton is well suited to accommodate growth due to its urban structure, strategic location and multi-modal transportation connections.

Ministry staff also wish to acknowledge the strong growth management principles that underpin the City's *Ambitious Density* scenario. The *Ambitious Density* scenario appears to balance market-demand for different housing types while also implementing an intensification target (60 per cent) and a designated greenfield area density target (77 residents and jobs combined per hectare) which exceed the targets set out in policy 2.2.2.1 and 2.2.7.2 of *A Place to Grow*.

Based on Ministry staff review and analysis of the City's draft Land Needs Assessment and the technical update, it appears that the *No Urban Boundary Expansion* scenario poses a risk that the City would not conform with provincial requirements.

The Ministry looks forward to receiving the City's draft Official Plan as the July 1, 2022 conformity deadline approaches. In the meantime, please contact me by email at: ([heather.watt@ontario.ca](mailto:heather.watt@ontario.ca)), or by phone at: 437-232-9474, should you have any further questions.

Best regards,



Heather Watt  
Manager, Community Planning and Development, Central Region Municipal Services  
Office  
Ministry of Municipal Affairs and Housing

c. Ontario Growth Secretariat, MMAH