

Ministry of  
Municipal Affairs  
and Housing

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July 8, 2007

Mr. Tim McCabe, M.C.I.P., R.P.P.  
General Manager  
Planning and Economic  
Development Department  
City of Hamilton  
71 Main Street West  
Hamilton ON L8P 4Y5

Dear Mr. McCabe:

Re: **Airport Employment Growth District Study – Terms of Reference**

The Ministries of Municipal Affairs and Housing ("MAH") and Public Infrastructure Renewal have reviewed the City of Hamilton's 'Airport Employment Growth District Study – Terms of Reference' Report (PED07153/PW07068) dated May 4, 2007.

It is our understanding that this matter was considered by the City's Economic Development and Planning Committee on May 22, 2007 and was tabled at Council, pending a meeting with Hamiltonians for Progressive Development ("HPD"). We now understand that the issuance of the RFP was approved by Council at its May 30, 2007 meeting and that the RFP was expected to be formally issued shortly thereafter.

From a review of the report, the purpose of the RFP is to retain the services of a consulting team to conduct a land use and servicing study for the AEGD which will include the preparation of a Secondary Plan and Financing Strategy/Phasing Plan as well as a Transportation Master Plan, a Sub-Watershed Study and Master Drainage Plan and a Water/Wastewater Master Plan.

The RFP also states that the AEGD Study will be completed in two phases: Phase 1 will identify issues related to the development of the AEGD and will result in a project scoping document and Phase 2 will identify land use options, recommend a preferred option and finalize the required planning and master planning documents.

With respect to Section 2.5 of the Draft RFP document, it states that the justification of the need for employment lands will be undertaken through amendments to the pre-existing official plans in effect for which no timing or status is indicated. Further, it states the RFP will focus on the development of a Secondary Plan for the AEGD and it is not a requirement of the RFP to justify the need for employment lands.

The settlement reached between MAH/PIR, the City and HPD and approved by the Ontario Municipal Board (OMB) on September 25, 2006 (Decision/Order No. 3080) was to allow official plan amendments to identify a Special Policy Area in which to consider an AEGD centered around the John C. Munro International Airport. The OMB decision provides a framework for further study which is required to demonstrate such matters as the amount of land required for the AEGD, the nature of the proposed land uses, the infrastructure (particularly sewage, water and transportation) needed to service the lands, provisions required to maintain the key functions of the airport, including the minimization of land use conflicts related to existing/planned airport operations, and the cost and method of financing the employment district.

A key requirement of the settlement is the preparation and final approval of a municipally-initiated comprehensive review amendment to permit urban (employment) uses in all or part of the AEGD study area. As part of the municipal comprehensive review process, the City is required to complete background studies, including a land budget analysis to demonstrate the need for an urban boundary expansion in all or part of the study area. This would include assessing existing employment lands; the Growth Plan Schedule 3 employment forecast for the City; the land needed to accommodate this forecast; and, any urban boundary expansions to accommodate the employment forecast.

If land outside the settlement area is required for employment purposes, a settlement area boundary expansion would be required. Pursuant to Policy 2.2.8.2 of the Growth Plan, a settlement area boundary expansion may only occur as part of a 'municipal comprehensive review'.

Given the language of the RFP for the AEGD as described above, it appears that the City is moving forward with its detailed secondary plan for the entire AEGD study area prior to undertaking its municipal comprehensive review amendment, particularly the needs justification and land budget analysis which will demonstrate the amount of land required for the AEGD and a formal settlement area boundary expansion.

This is of particular concern given:

1. the basis and content of the OMB decision and the fact that the Special Policy Area was increased by approximately 1,000 acres above the original study area identified in the adopted official plan amendments, noting that MAH's analysis concluded the original area was already larger than could be justified;

2. MAH staff understand that the Urban Hamilton component of the new Official Plan has not yet proceeded to consider an employment land budget for the purposes of a potential urban expansion; and,
3. the City recently undertook a "Comprehensive Employment Study" to assess the supply of industrial lands within the City. The study's purpose was to inform the Urban Plan and provide policy direction for the protection of the City's employment land base. MAH understands that this study was tabled by the City's Planning Committee pending a more detailed analysis of the City's brownfield sites. Further, while identifying the need for some additional employment land, the amount of land required was substantially less than the Airport Special Policy Area, even prior to its enlargement as described in point 1 above.

The preparation of a secondary plan and related master servicing/plans will be significantly influenced by the municipal comprehensive review (land budget) required as part of the settlement and pursuant to the Growth Plan, as the comprehensive review will identify the amount and location of land for any urban expansion.

Given all of the above, the ministries would like to better understand the City's approval of the AEGD Study and we would appreciate written explanation as to how the municipal comprehensive review is to be undertaken in a sequence that meets the OMB settlement and Growth Plan requirements, and thus in a timeframe to inform the work to be undertaken through the RFP.

MAH and PIR look forward to further working with the City on the urban component of its new Official Plan program and requests the City to engage in early pre-consultation with Ministry staff at key stages of this component, including the AEGD Study.

Please contact Victor Doyle at (416) 585-6109 if you would like to discuss any of the above comments.

Yours truly,



Larry Clay,  
Director,  
Municipal Services Office – Central

cc. Ron Glenn, PIR