

**Ministry of
Municipal Affairs
and Housing**

Municipal Services Division
777 Bay Street - 16th Floor
Toronto ON M5G 2E5
Telephone: 416 585-7257
Fax: 416 585-6445

**Ministère des
Affaires municipales
et du Logement**

Division des services municipaux
777, rue Bay, 16^e étage
Toronto ON M5G 2E5
Téléphone: 416 585-7257
Télécopieur: 416 585-6445



June 3, 2009

Tim McCabe, MCIP, RPP
General Manager
Planning and Economic Development Department
City of Hamilton
77 James Street North, Suite 400
Hamilton ON L8R 2K3

Subject: Urban Hamilton Official Plan
(Draft Urban Official Plan dated April 2009)
MAH File No.: 25-DP-0190-08001

Dear Mr. McCabe:

The Ministries of Municipal Affairs and Housing and Energy and Infrastructure have received and reviewed the Draft Urban Hamilton Official Plan incorporating the policy directions of various background reports, and other related matters.

We acknowledge that the development of the new Official Plan has occurred in two phases as the City has developed two stand-alone official plan documents for the Rural Area and Urban Area to address recent provincial planning initiatives, most notably the Greenbelt Plan and the Growth Plan for the Greater Golden Horseshoe. The first phase culminated with the completion of the Rural Hamilton Official Plan. The second phase consists of the Draft Urban Official Plan.

The Growth Plan for the Greater Golden Horseshoe, 2006 ("Growth Plan") sets out a vision and strategic policy direction for managing growth in the Greater Golden Horseshoe. The Growth Plan contains policies that encourage the development of more compact and complete communities, with the right mix of housing, jobs and community services. This type of development will not only make more efficient use of existing and future infrastructure, but will also ensure that important natural spaces and agricultural lands are protected from urban sprawl.

We commend the City in its efforts to date in developing the Draft Urban Official Plan and in implementing the Growth Plan. The Draft Urban Official Plan contains many policies which will help the City achieve the Growth Plan's vision.

Urban Growth Centre

We commend the City for planning to achieve a higher minimum density in its Downtown Hamilton urban growth centre of a minimum of 250 residents and jobs combined per hectare. This will ensure that a significant amount of future growth is accommodated within and will benefit Downtown Hamilton which is identified as the City's pre-eminent node. The policies promote Downtown Hamilton as a cultural, entertainment and institutional centre; a major transportation hub; an area to accommodate a significant share of residential intensification and a regional retail and major employment area.

Urban Structure

The City has identified a node and corridor urban structure as a basis for guiding and managing how the City will physically grow over the long term. It identifies the City's major structure elements, including urban nodes which are connected to urban corridors, major activity centres, neighbourhoods, employment areas and the major open space system. These structural elements provide guidance for specific land use designation and policies contained within the Draft Urban Official Plan.

Urban Design Policies

The inclusion of urban design policies in the Draft Urban Official Plan is very progressive. It also highlights the important role of urban design in land use planning by supporting the physical development, quality and identity of communities. These well-integrated policies will assist the City in creating high-quality, transit-supportive, compact and pedestrian-scaled communities as well as well-designed public spaces. The resulting urban form and urban design are an important aspect of complete communities as envisioned by the Growth Plan. The urban design policy emphasis and intent is further integrated in different urban designations with specific scale and design requirements depending on the land use designation.

Housing Policies

The housing policies provide for a range of housing types, forms and densities for current and future residents, including affordable housing. The inclusion of housing targets have been linked to the City's growth forecasts. Additionally, policies that provide for the protection of rental housing, condominium conversion of rental housing units and demolition/redevelopment of rental housing units are included in the Draft Urban Official Plan.

Cultural Heritage Policies

The cultural heritage resource policies are based on a sound understanding of provincial heritage legislation and policies focusing on archaeology, built heritage and cultural heritage landscapes. We understand that the City is also developing an Archaeological Management Plan, which is intended to provide specific policies and protocols for addressing archaeological resources, including protocols for dialogue with First Nations on planning and development matters. The Ministries support this approach.

Growth Management Policies

We acknowledge that Section 2.3 of the Draft Urban Official Plan sets out the City's growth management policies which are in keeping with Growth Plan. The policies include the population and employment forecasts contained in Schedule 3 to the Growth Plan to be used as the basis for planning and managing growth. Additionally, we note the policies in the Draft Urban Official Plan that plan for the achievement of minimum targets for designated greenfield area and residential intensification in built-up areas as set forth in the Growth Plan. The designated greenfield density target includes designated employment areas where the City is planning for a density target for 37 people and jobs per hectare of which the Ministries support.

Airport Employment Growth District

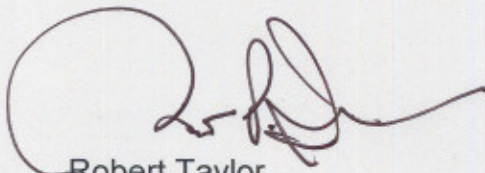
The Ministries support the principle of providing for an 'Airport Employment Growth District' adjacent to the John C. Munro International Airport. We will continue to work with the City to determine the amount of land that will be needed to support growth over the next 20 years, as well as develop approaches to protect lands for longer-term employment needs.

Employment Lands Conversion Analysis

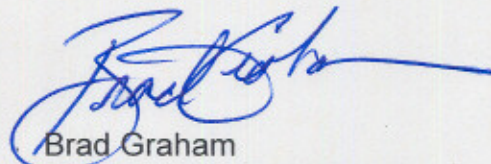
There is an outstanding issue which needs further assessment and remains of concern to us. In June 2008, four sites in existing employment areas that did not meet the criteria in the City's own employment area conversion analyses, undertaken as part of its municipal comprehensive review, were identified for conversion to other uses by the City. It is our understanding that these four sites were formerly within employment area designations. These four sites have been excluded from employment area designations in the Draft Urban Official Plan. Policy 2.2.6.5 of the Growth Plan requires that municipalities may permit conversion of lands within employment areas to non-employment uses only through a municipal comprehensive review. Since these redesignations constitute a conversion of these lands, we would request the City to either reconsider the conversion of these four sites or demonstrate how they meet the City's own identified criteria for conversion of lands within existing employment areas.

Overall, we are supportive of the City's efforts to date in developing the Draft Urban Official Plan to achieve conformity with the Growth Plan. We look forward to continued discussions and collaboration with the City towards the implementation of the Growth Plan's policies and objectives.

Yours truly,



Robert Taylor
Assistant Deputy Minister
Municipal Services Division
Ministry of Municipal Affairs and Housing



Brad Graham
Assistant Deputy Minister
Ontario Growth Secretariat
Ministry of Energy and Infrastructure