

Ministry of
Municipal Affairs

Ministère des
Affaires municipales

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July 27, 2005

Mr. Kevin C. Christenson
City Clerk
City of Hamilton
City Hall, 71 Main Street W.
Hamilton ON L8P 4Y5

Dear Mr. Christenson:

Re: Notice of Appeal
Decision of Council of the City of Hamilton regarding Amendments to the Former Regional Municipality of Hamilton-Wentworth (OPA 25), Former Town of Ancaster (OPA 104) and the Former Township of Glanbrook (OPA 50) Official Plans to recognize and expand the Existing Airport Influence Area and to Create a Special Policy Area for Employment Purposes (City Initiative 05-F)
City of Hamilton
MMAH File Number: 25-DP-0190-05007

The Minister of Municipal Affairs and Housing (MAH) hereby appeals the City of Hamilton Council's decision to adopt Regional Municipality of Hamilton-Wentworth Official Plan Amendment No. 25 (ROPA #25), Town of Ancaster Official Plan Amendment No. 104 (OPA #104) and Township of Glanbrook Official Plan Amendment No. 50 (OPA #50) by By-law 05-196 dated June 29, 2005, pursuant to Section 17 of the *Planning Act* as they apply to the following:

Regional Official Plan Amendment No. 25

1. Item 1.4, Map No. 1 – Regional Development Pattern;
2. Item 1.5, new Policy C.3.1.4.6.

Town of Ancaster Official Plan Amendment No. 104

1. Item 2.1, Schedule "F-1 – Specific Policy Areas" as it applies to Specific Policy Area 57a;
2. Item 2.2, new Policy 5.12 as it applies to the lands identified on Schedule "F-1" as Specific Policy Area 57a;
3. Item 2.2, new Policy 5.12.2.

OFFICE OF THE CITY CLERK	
JUL 27 2005	
REC. BY: <u>A. K...</u>	DATE: _____
REP'D TO: <u>LAL</u>	DATE: _____
REP'D TO: <u>T.M. C...</u>	DATE: _____
REP'D TO: <u>M. Smith</u>	DATE: _____
ACTION: <u>G. Poparella</u> <u>S. Robichaud</u> <u>J. H. B.</u>	

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Township of Glanbrook Official Plan Amendment No. 50

1. Item 3.1, Schedule A – Land Use Plan as it applies to Special Policy Area 2a;
2. Item 3.2, new Subsection B.1.12 as it applies to Special Policy Area 2a.

The reasons for appeal are as follows:

In adopting ROPA #25, OPA #104 and OPA #50 as they apply to designating a new Special Policy Area to provide for the development of a future growth centre, the decision of the Council of the City of Hamilton is not consistent with the Provincial Policy Statement, 2005 (PPS) including but not limited to sections 1.1.1, 1.1.2, 1.1.3.9, 1.6.1, and 2.3.5. More specifically, the municipality has not undertaken a *comprehensive review* which the PPS requires to be undertaken prior to either the establishment of a new settlement area or the expansion of an existing settlement area. A *comprehensive review* is the mechanism through which a planning authority is to, among other things, assess its future land requirements based on projected population and growth; coordinate its planning for infrastructure and other public service facilities to support the projected growth; and, determine whether the removal of land from prime agricultural areas is appropriate.

Attached is a credit memo for \$375.00, which confirms payment from the Ministry of Municipal Affairs and Housing to the Ontario Municipal Board to cover the appeal fees in respect of these Official Plan Amendments.

Questions regarding this matter should be directed to Louis Bitonti, Planner, Municipal Services Office, Central Ontario, at (416) 585-6563.

Yours truly,



Irvin Shachter
Senior Legal Counsel

cc: Guy Paparella, City of Hamilton
Hannah Evans, Ministry of Public Infrastructure Renewal
Mike Stone, Ministry of Natural Resources
Heather Doyle, Ministry of Transportation
Dwayne Evans, Ministry of Agriculture, Food and Rural Affairs
Barbara Ryter, Ministry of the Environment
Bev Hendry, Ministry of Municipal Affairs and Housing