

Good afternoon, Chair Sharman, Mayor, Councillors, staff:

Thank you for affording me the opportunity to speak to you today on behalf of the Hamilton-Halton Home Builders' Association. We are pleased to offer you our comments, suggestions, and concerns regarding this very important document, the City's new draft Official Plan.

We have spent considerable time reviewing the document, meeting with staff, and providing comments, both on big picture and detailed issues. I've read the document cover to cover, some sections a number of times. There are even pictures of me on social media reading it on weekends in my back yard and it's even travelled to such far places as Newfoundland and Hawaii – it became something of an appendage for several months. Because it's important to how the City grows in the future, and it's very important to get it right.

We are very supportive of the City's initiative to create a new official plan that guides how our City continues to grow in the years to come, and addresses the new realities the City is facing: growth via intensification versus the greenfield type of developments that have dominated in recent decades, and new mandated growth targets and densities imposed by the Province to meet the Growth Plan.

We recognize that this is a bit of a daunting task. The policies need to firstly meet these mandated targets, and those from the Regional OP, while at the

same time attempting to balance the needs and desires of the City's businesses and residents, residents like me. In a letter to this committee in June, I noted that

"we believe that the title of the document "Growing Bold", and its correlation to similar themes under the City's strategic plan are applaudable but must be unapologetic, and guide future applicants to successfully provide economically feasible, quality developments that are in keeping with big picture City goals, and that marry the City's vision with the growth targets mandated by higher order government."

Our membership believes in this. We believe we need a strong and solid document that directs how growth should occur.

Before I continue, we would like to acknowledge all of the hard work staff have put into this document, and all of the other files that are running concurrently that are required to make this a success. They have met with us in an attempt to be collaborative, and we appreciate their efforts in this regard.

But as mentioned, this is a daunting task. There are many moving parts, and it is not as easy as an outsider may think. And unfortunately, because of that, and the mandated time frame staff was given to bring this draft forward, we consider the OP to be incomplete.

One of the initial comments and concerns we raised, and the biggest concern with this draft document, was a lack of critical information: information that if absent in the OP, does not provide the level of detail required by any applicant

to understand if they are in conformance with an OP. I asked for it formally and in writing of staff. I noted it in a meeting I had with the City Manager and Director of Planning in June, and I noted it in my formal submission to this committee at the end of June. It is captured in the staff report before you, at the top of page 73: We asked:

“ What population growth has been achieved to date (relative to the targets set in the Regional OP and the densities set for urban growth centres and mobility hubs in the original and updated Growth Plan), what remains to achieve these targets and where will that growth occur. We understand this information is being developed but believe the information is absolutely critical before finalizing the mobility hub Area Specific Plans or the Official Plan”

To date this information has not been provided, nor am I aware that it is available. There has been an attempt to address it – we've been referred to reports done to support specific OMB appeals with respect to downtown, and anecdotally we've been told such things like – we're confident we'll reach the numbers. This just isn't good enough. It is critical to getting this whole thing right and therefore should be foremost in the approach to the OP and included in it in a clear and obvious way, like it is in the Official Plans of our neighbours like Hamilton and Oakville. Because while there is a lot of policy and vision included in the document, what good is it if it fails to achieve the mandated growth? It

begs the question: why was it not included? I refer you to our comment that the City must be unapologetic – if there are realities to be faced, we must all face them. And the lack of information forces individuals to attempt to sort it out on their own, which results in conflicting results and data. I acknowledge that the staff reports indicate that there is no plan to address the 2041 growth numbers and the rationale for that decision was provided by staff and it is understood and accepted by our members. But what about the current state of affairs relative to 2031 and how we achieve those targets? This is a new and full OP, and should be the document in which this information is contained. It will be the document of reference in the future. It generally indicates that growth is to be directed firstly to the downtown – being the urban growth centre, the three remaining mobility hubs, uptown, and then corridors, and to a lesser extent, modest intensification into existing neighbourhoods. What it fails to answer is those critical questions I noted a couple minutes ago, including what portion of growth should and will be apportioned to each of these areas.

The approach of directing growth to the areas chosen is a good one. We are mandated by the Province to have a minimum level of density in the urban growth centre, and mobility hubs – it is economically appropriate to direct densities to those significant investments. But the big picture numbers to make these areas successful are not available. Really, what are we looking at? How can we move forward with detailed studies, like is happening in the mobility

hubs, without knowing if those concepts are achieving the required minimum targets we are expected to achieve?

Which refers me back to the daunting task. Some have and will say, the City has put the cart before the horse. The process taken elects to do things concurrently, which in theory may be fine. I acknowledge that we are in a state of flux, but that is not justification for not including any substantiating detail. But without these big picture numbers, there is no ability for an applicant to understand if they are in conformity with the OP, if decisions made by a proponent on densities proposed are appropriate, too much, or too little, or what the justification is for a decision made by the City when advising an applicant has got it wrong.

When you combine these with the provincial landscape, changes to the Planning Act that prevent an OP amendment to be submitted within two years of the date of this OP being approved, and the likelihood of changes to the OMB which would limit appeals to those decisions which lack conformity to the OP, it is even more critical that this base information be provided.

Detailed land use permissions are being envisioned through the Mobility Hub study – which is essentially a secondary planning process. This is appropriate. This is a finer level of detail than an OP. The draft document itself says “the Official Plan provides high level direction on land use, built form and density ranges”, which I note are not provided. However, in many instances, the

document strays from this intent and as noted numerous times above, is lacking in critical information, at other times it delves into the minutiae of development issues, that are better left for such documents as a site specific zoning bylaw , a site plan guideline, etc. I acknowledge that staff have indicated that they will CONSIDER this moving forward, for a variety of items. However, this level of detail remaining in an OP could render an application out of conformity, and with no recourse to amend or appeal, given the current situation we are in, for details such as site lighting, fencing and loading dock locations, which I hope we can all agree, are not Official Plan level issues. I would ask that staff be directed to remove these types of details from this high level plan.

As you are aware, we've made a lengthy submission on many details in this plan, and we have provided each of you with an individual copy of our comments. I am not going to bore you going through them all – it is there for you to read at your convenience. It was a difficult decision to submit this: because we did not want you or staff to get lost in the details of almost 30 pages. The concern is of course that without the bigger context pieces in place, these comments and details may be of more or less concern. We just can't say. But as this was our main opportunity to comment, we could not simply say nothing about these other concerns.

The reality is we can't be supportive of this OP, because it doesn't provide the information our members need to do business here, to understand what will be

required of them. Staff require more time to put together a fulsome document. But there seems to be a systemic problem here – the approach and timelines currently being applied to all significant changes being undertaken by the Planning Dept. It is frankly too rushed. We have respectfully asked for details, rationale, and justification through many of these processes, including the Official Plan. But time hasn't allowed, and the formal documents are rushing forward. The concern is this: whether it be the OP, concepts for Mobility Hubs, or any other document introduced to the public, the public perceives it to already have that substantiation and justification complete and available. And it isn't. We are asked to comment and consult, yet the information we require to do a proper job isn't available to us. It puts us in a very difficult position. And it is making our members feel that their input and comments are irrelevant – because the end product is made public before that background information can be reviewed and vetted.

In summary, while we applaud the efforts to have a new Official Plan that meets the needs of all parties, this isn't it. We are not able to support a document that has the significant gaps and concerns this one currently does. In my submission to you I had asked that staff be directed to meet with us to work on these issues together, but that did not occur. I was pleased to hear the Director say the conversation isn't over, and I hope that conversation comes as part of this OP process. And today is the first time I heard that there will be another draft – we'd previously been told the next step is intended to be the final document.

Further, the staff report doesn't really tell us how/when these big issues will be addressed – just that meetings will be held with stakeholders through the summer and early fall, which is currently upon us. The only firm date is that the final version is to be approved in Q4 of this year, which starts less than a month from now.– today we've been told that is November 28<sup>th</sup>. This is of great concern, as we believe there is a lot of work to be done to get from this draft to a fulsome document that is supportable. As such, I unfortunately remain of the position that we cannot support the current version of the OP and would recommend to my members that its approval be appealed unless considerable amendments are made in advance of it being approved by this committee and council.

Thank you.