

Land Use and Balancing Competing Goals



Presented By:

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Urban Regeneration requires Council to balance mixed land use and contrasting interests



Role of Mayor and Council

Competing Priorities



- **Open Minded**
- **Protectors of City Heritage**



- **Local representative of “affected” community**



- **Governor with responsibility to whole City**



- **City Economic Development Champions**
- **Visionary for redevelopment**

Constraints of Planning Act

Requirements

- **Public notification of meeting**
- **Council Meeting delegation process**
- **Planning applications are recommended for approval**
- **Places to Grow Act**

Public Lens of Requirements

- **Communication tools do not reach all interested citizens**
- **Not all people willing/able to present in a public forum**
- **Fairness of process if already recommended**
- **Queen's Park is not Here**

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Developer Viewpoint

- **Proposed multi-residential development on under utilized employment zoned land**
- **Student Purpose-Built Apartment Building**
- **10 storey, 150 unit building**
- **Fully enclosed units (no balconies)**
- **1.25 parking spaces per unit (150 spaces required/195 provided)**
- **Security (up to 75 closed circ cameras, security staffing)**
- **Management Program (Code of Conduct, Student Lifestyle Coordinator, Move in/out Program)**



Image source:
<http://s6.photobucket.com/user/dahammer/media/studentcondo.jpg.html>

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Neighbourhood Viewpoint

- **Proposed multi-residential development on employment zoned land**
- **Neighbour is a candy manufacturing company**
- **Potential land use compatibility issues**
- **Height and Density of proposed land use**
- **Increased Traffic**
- **Potential for parking on the street**
- **What is more important: Job creation or student housing**



Image source:
<http://s6.photobucket.com/user/dahammer/media/condostudent.jpg.html>

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Adjacent Industry Viewpoint

- **Loss of employment zoned land and “buffer”**
- **land use compatibility issues - noise**
- **Manufacturing growth potential maybe limited by adjacent residential land use**
- **Value of employment land for job creation**
- **Respect for Official plan designations**



Council Considerations

Planning justification

- **Official Plan Amendment and a change in Zoning in order to permit the development of the lands for a 10 storey, 150 unit, student apartment building**
- **Property is surrounded by non-residential uses**
- **Traffic: no noticeable change in the level of service at intersections**
- **More parking provided on site than required by by-law**
- **Noise from adjacent industry regulated by the MOECC**



City Planning Players and Outcomes

May 2012

City Staff

- Recommended Approval

Citizens

- Some in support
- Petition and Delegations in opposition to the staff recommendation

Council

- Voted against the staff recommendation
- Reason: Property is not an appropriate location for residential development

Developer

- Appealed Decision to the Ontario Municipal Board

Ontario Municipal Board

- City Directed: Legal staff be authorized to retain such consultants to defend the City's position if this matter is appealed to the Ontario Municipal Board

Adjacent Industry

- Party to the Ontario Municipal Board hearing and retained their own experts to defend future growth of their industry

The Arrival of NPC 300

- Developer referred to NPC 300 guideline as less restrictive – recognizes infill and land use conflicts between industrial & sensitive land uses
- Agreement under NPC 300 was forged
- At OMB: NPC 300 provided an avenue to an agreement between the developer and the adjacent land owners.



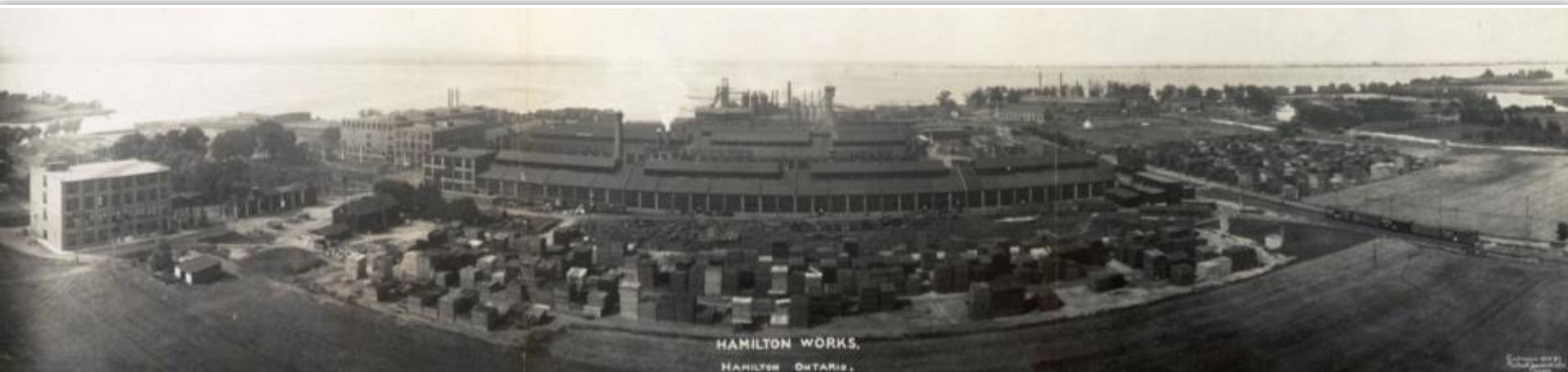
Stuck in the middle again?

- **Required to accept the OMB outcomes and approve a Class 4 Land use designation**
- **NPC-300 allows for Class 4 Land use with higher noise limits**
- **Still face public criticism**
- **Neighbourhood planning fundamentally changed**
- **Required to face the public at election time**



Conclusion

NPC 300 may be very tricky for Councils to manage because it can allow for lands believed to be traditionally non-compatible to operate adjacent to one another and allow for at receptor noise control (such as sealed windows)



Questions and Contact

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