

ISSUE DATE:

**June 07, 2010**



PL090114

Ontario  
Ontario Municipal Board  
Commission des affaires municipales de l'Ontario

IN THE MATTER OF subsection 17(36) of the *Planning Act*, R.S.O. 1990, C. P. 13, as amended

Appellants: See below  
Subject: Rural Hamilton Official Plan  
Municipality: City of Hamilton  
OMB Case No.: PL090114  
OMB File No.: PL090114

**List of Appellants**

No.	Appellant
1.	Ontario Stone, Sand & Gravel Association (OSSGA)
2.	Paletta International Corporation
3.	P&L Livestock Limited
4.	Copetown Lions Development Association
5.	Bella Court Developments Limited
6.	557619 Ontario Inc.
7.	1175819 Ontario Ltd.
8.	1205953 Ontario Limited
9.	St. Marys Cement (Canada) Inc.
10.	Demik Developments
11.	1694408 Ontario Inc.
12.	Blackheath Developments Inc. and Future Homes Construction Limited (c.o.b. Satellite Golf Centre)
13.	Artstone Holdings Limited
14.	Artstone Holdings Limited
15.	Weizer Investments Limited
16.	Corpveil Holdings Limited
18.	Ancaster Christian Reform Church
19.	456941 Ontario Ltd., 1263339 Ontario Ltd. and Lea Silvestri ("Silvestri Investments")
20.	Angelo Giacomelli and Mario Nesci
21.	Earl Fransden and Kirsten Fransden
22.	Keith Pickles and Brenda Pickles
23.	John Paolini, Gino DalBello, Olindo DalBello, Luigi DeTina, Peter Djeneralovic, Jim Swick and Quinto Simone
24.	New Country Investors Limited
25.	1507565 Ontario Inc.

- 27. Lafarge Canada Inc.
- 28. Peter Cartwright
- 29. City of Hamilton
- 30. Dr. Tom Nugent
- 31. 1478742 Ontario Inc. and 2157722 Ontario Inc.
- 32. DiCenzo (Golf Club Road) Holdings Inc.
- 33. Dufferin Aggregates
- 35. David E. Mercer
- 36. Multi-Area Developments Inc.
- 37. Paletta International Corporation  
2101510 Ontario Inc. (subsumed by Paletta International  
39. Corporation)
- 40. 2000963 Ontario Inc.
- 41. Mud & First Inc.
- 42. 2084696 Ontario Inc.
- 43. 2188410 Ontario Inc.

**APPEARANCES:**

**Parties**

City of Hamilton

**Counsel**

A. Zuidema and  
M. Kovacevic

**DECISION DELIVERED BY A. CHRISTOU**

This is a Housekeeping Amendment relating to the City of Hamilton Rural Official Plan, to address mapping discrepancies and errors.

Joanne Hickey-Evans, Manager of Policy Planning for the City of Hamilton, provided opinion evidence on the five mapping and two text typographical errors that appear in the Rural OP that is under appeal at the Board. The changes are listed in a chart in Exhibit 2 and Schedule D of the Hamilton Official Plan, which is attached to this decision.

The chart on pages 1 and 2 contains five columns: Schedule/Map to be revised; Location of Change; Change; Justification; and Supporting Documentation. It provides details of what is proposed, where it is and why the change is requested.

The evidence for each of the requested administrative changes indicates they were minor boundary adjustments involving Schedules and Appendixes and Numbered Policy references that were inadvertently overlooked. Change 2b implements Urban Boundary revisions previously ordered by the Board in its decision of September 3, 2009, Case No. PL031256.

The City requested the Board to authorize the above changes to the Rural OP, but to withhold the Order until the municipality brings forward further policies in the Rural OP.

#### DISPOSITION

The Board having heard uncontradicted planning evidence of the administrative changes required to bring the Hamilton Rural Official Plan up to date represent existing conditions, is satisfied that the changes are consistent with the Provincial Policy, conform to the Greenbelt Plan and represent good planning, as they reflect land use designations and policies in the OP.

THE BOARD authorizes the administrative changes to the Rural Hamilton Official Plan as indicated on Attachment 1 to this decision;

THE BOARD will withhold the Order until the municipality brings forward further policies in the Rural Official Plan.

“A. Christou”

A. CHRISTOU  
MEMBER



Hamilton

Ontario Municipal Board Appeal - City of Hamilton Rural Official Plan - Case No. PL090114, Exhibit: \_\_\_  
**ATTACHMENT "1"**

**Administrative Changes to the Rural Hamilton Official Plan  
 - Requested by City of Hamilton – April 9, 2010**

**Mapping Changes**

**NOTE: All mapping changes are shown on Administrative Changes map (OMB File PL090114: Exhibit )**

Change #	Schedule/ Map to be Revised	Location of Change	Change	Justification	Supporting Documentation
1	Schedule D	SE corner of Woodburn Road and Hall Road	Lands to be redesignated from "Agriculture" to "Utilities"	Correct mapping error. Full extent of Glanbrook landfill was mistakenly not designated "Utilities". Only existing operation was designated, but full property, including portion planned for future use must be designated "Utilities".	<ul style="list-style-type: none"> <li>Glanbrook Landfill Site Legal Description for Ministry of the Environment Certificates</li> <li>Glanbrook Landfill Site survey</li> </ul>
2			Urban Boundary Revisions		
a	<ul style="list-style-type: none"> <li>Volume 1 – all Schedules and Appendices</li> <li>Volume 3 – Map A &amp; Appendix A</li> </ul>	Vicinity of Cootes Paradise	Lands to be removed from Rural Hamilton Official Plan and urban boundary to be revised	Lands inadvertently included in the Rural Hamilton Official Plan. These lands are currently within the former City of Hamilton urban boundary. The lands are held in public ownership.	<ul style="list-style-type: none"> <li>Regional Official Plan – Map 1</li> <li>Former City of Hamilton Official Plan – Schedule A – Land Use Concept</li> </ul>
b	<ul style="list-style-type: none"> <li>Volume 1 – all Schedules &amp; Appendices</li> <li>Volume 3 – Map A &amp; Appendix A</li> </ul>	Lower Stoney Creek	Lands to be removed from Rural Hamilton Official Plan and urban boundary to be revised	Revision gives effect to OMB Order dated September 3, 2009 re OMB Case No. PL031256	<ul style="list-style-type: none"> <li>OMB Order dated September 3, 2009 re OMB Case No. PL031256</li> </ul>
3	<ul style="list-style-type: none"> <li>Vol. 1, Schedules A, D, F and all Appendices</li> <li>Vol. 3, Map A</li> </ul>	a) Jerseyville Rural Settlement Area (RSA)  b) Orkney RSA  c) Strabane RSA  d) Tapleystown RSA	a) Lands north of Poplar Street to be added to Jerseyville RSA  b) Lands north of Concession 2 W on eastern end of Orkney to be added to RSA  c) Lands south of Concession 8 W on western end of Strabane to be added to RSA  d) Lands south of Mud St. E. and lands east of Tapleystown Road and north of Mud St. E. to be added to RSA	Correct inconsistency of Volume 1 maps with the more detailed Volume 2: Rural Settlement Area Plans. Does not change designation.	Rural Official Plan Volume 2 Rural Settlement Area Plans for: <ul style="list-style-type: none"> <li>Jerseyville</li> <li>Orkney</li> <li>Strabane</li> <li>Tapleystown</li> </ul>



Hamilton

Ontario Municipal Board Appeal - City of Hamilton Rural Official Plan - Case No. PL090114, Exhibit: \_\_\_

Change #	Schedule/ Map to be Revised	Location of Change	Change	Justification	Supporting Documentation
4	<ul style="list-style-type: none"> <li>o Vol. 1, Schedules A, D, F and all Appendices</li> <li>o Vol. 2, Maps 8a and 8b (Greensville RSA)</li> <li>o Vol. 3, Map A</li> </ul>	Northeast corner of Greensville Rural Settlement Area	Identification of "Area Subject to Request for Deferral" to be removed	Request for deferral was not granted in Notice of Decision	Notice of Decision for Rural Hamilton Official Plan, December 24, 2008

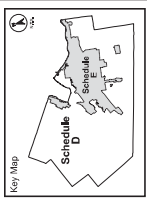
**Text Typographical Changes**

Change #	Policy	Change	Justification	Supporting Documentation
5	Vol. 2, Policy A.1.3.4	Replace word "C.3.1.1.1" with the word "C.3.1.2 a)"	Numbering/ policy reference error. Should refer to Vol. 1 home business policies.	Rural Official Plan Policies: <ul style="list-style-type: none"> <li>• Volume 1, C.3.1.2 a)</li> <li>• Volume 2, A.1.3.4</li> </ul>
6	Vol. 2, Policy A.1.3.5	Replace word "C.3.1.1.1" with the word "C.3.1.2 b)"	Numbering/ policy reference error. Should refer to Vol. 1 bed and breakfast establishment policies.	Rural Official Plan Policies: <ul style="list-style-type: none"> <li>• Volume 1, C.3.1.2 b)</li> <li>• Volume 2, A.1.3.5</li> </ul>

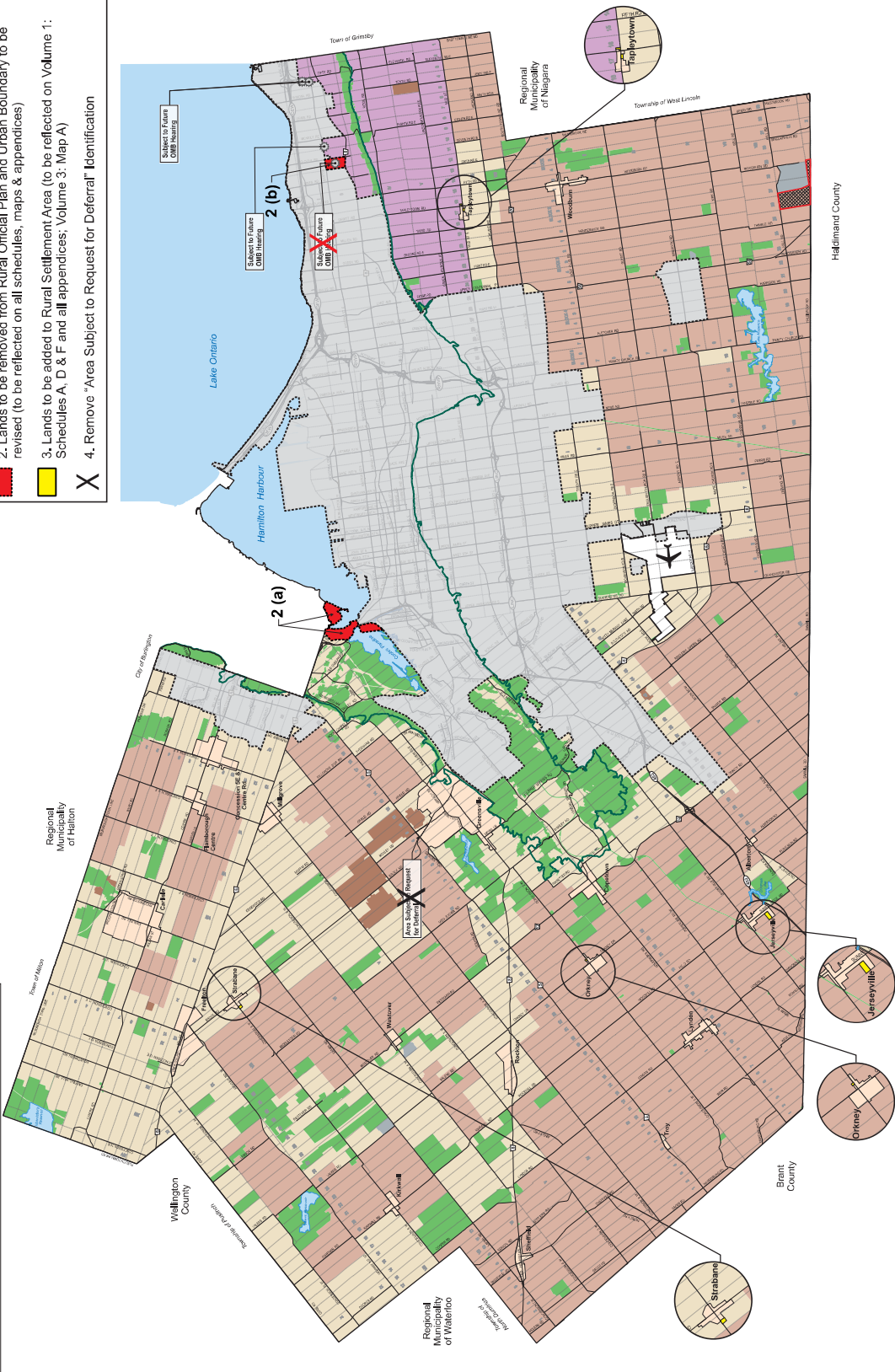
**Ontario Municipal Board Appeal  
Rural Hamilton Official Plan - Case No. \_PL090114  
Exhibit :**

**ADMINISTRATIVE CHANGES**

- 1. Lands to be redesignated from Agriculture to Utilities (Schedule D only)
- 2. Lands to be removed from Rural Official Plan and Urban Boundary to be revised (to be reflected on all schedules, maps & appendices)
- 3. Lands to be added to Rural Settlement Area (to be reflected on Volume 1: Schedules A, D & F and all appendices; Volume 3: Map A)
- 4. Remove "Area Subject to Request for Deferral" Identification



Note: For Urban Land Use Designations please refer to Schedule E (Future Amendment)



**Legend**

- Agriculture
- Specialty Crop
- Rural
- Mineral Aggregate Resource Areas
- Open Space
- Utilities
- Rural Settlement Areas
- Area Subject to Request for Deferral
- Subject to Future OMB Hearing
- John C. Munro Hamilton International Airport
- Municipal Boundary
- Urban Boundary
- Niagara Escarpment
- Urban Area (Subject to a Future Amendment)

Approved Official Plan Amendments from September 27, 2006 to July 2008  
Council Adoption September 27, 2006  
Ministerial Approval Pending

**Hamilton Official Plan  
Schedule D  
Rural Land Use Designations**

North  
Hamilton  
Planning & Economic Development Department  
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