

June 21, 2004

Chair and Members  
Planning and Economic  
Development Committee  
City of Hamilton  
HAMILTON, ON



Via e-mail to Alexandra Rawlings - Committee Coordinator  
arawling@hamilton.ca

Dear Messrs. And Mesdames -

Toward a Golden Horseshoe Greenbelt - City of Hamilton Comments

Thank you for the opportunity, through your committee, to input to the City of Hamilton's response to the Provincial Greenbelt Task Force recommendations. Friends of Rural Communities and the Environment (FORCE) is a citizen-based advocacy group that has organized in order to protect the fragile natural and built environments in our communities and to oppose the proposed Lowndes Open Pit Mine (hereinafter referred to as the quarry) on 11th Concession East in the North Flamborough portion of the City. We believe that the planning issues facing our communities are a microcosm of the broader issues facing the province and communities across the Greenbelt. As such, we believe we have a responsibility to participate in the formal and informal processes afforded by the City of Hamilton on relevant issues and to input to proposed changes to the provincial planning policy regime.

**1. We concur with the staff report/recommendations, in general, and suggest only minor amendments.**

We commend the Planning and Development Department Long Range Planning Division for its work in response to the Provincial Greenbelt Task Force Discussion Paper. In particular, we note staff's progressive suggestions to reduce the traditional "win/lose" situations that have occurred with single proponent transportation and licence-specific aggregate initiatives and to emphasize enhancement of the Greenbelt environment. We concur with the staff report/recommendations, in general, and make the following minor suggestions for revisions:

- " (a) (iii) recommendation regarding improvements to transportation and utilities planning should also include reference to alternatives
- " (a) (iv) recommendation regarding improvements to mineral aggregate resource planning should also explicitly request that the recommended updated resource mapping consider existing approved uses and protected areas which make identified mineral aggregate potential areas incompatible.

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**2. The Greenbelt Task Force has not addressed the issue of priority among the described 5 layers of the Greenbelt, especially when they are in conflict with one another. Priority setting is critical to take a "Conservation First" approach and to provide all users with certainty.**

The City staff report notes that the Greenbelt Task Force has sidestepped the important issue of funding the Greenbelt vision. This is fundamental for the provincial government to address since it is difficult to take exception to smart growth, the provincial growth management initiative or the Greenbelt Task Force's vision, goals, and core discussion paper elements.

We, too, believe that there is another missing piece of the work, necessary before the Greenbelt Protection Act is finalized and before this initiative gets to the working group stage, and that is priority setting among the 5 layers of the Greenbelt, especially when they are in conflict with one another. We recommend that the City of Hamilton seek clear rules for the Greenbelt through the provincial response to the Greenbelt Task Force and through the revised Provincial Policy Statement. Clear rules will permit the City to make local decisions locally and experience fewer appeals to provincial tribunals, like the Ontario Municipal Board, which are removed from local experience and context.

It is very clear that urban uses, principally housing development, are to be dissuaded in the greenbelt and rural areas, in favour of core redevelopment, brownfield sites, and other available lands in urban settlement areas. What is less clear is how other uses in rural areas are to be treated. The discussion paper speaks to the 5 layers of the greenbelt - environmental protection, agricultural protection, transportation and infrastructure, natural resources, and culture, recreation & tourism - noting that no priority should be taken from their order and that their relevance/priority will vary regionally based on the geography of the greenbelt.

We believe that is not enough.

We all know that other layers -for example, transportation & infrastructure and natural resources - let's just call it aggregates - are important to our existing and future community health and economic growth so we are not writing in as "anti-roads" nor "anti-aggregates" activists. Indeed, visit our communities and you will find some of the largest aggregate operations in the province.

What we would like you to take away from this written brief, however, are the concepts of "Conservation First" and "Certainty".

The preamble of Bill 27 speaks distinctly to containing further urban sprawl and protecting environmentally sensitive land and farmland for the long term. These are the 2 priorities, now we must answer how we protect what little is left of them. This requires provincial and municipal leadership. The Greenbelt Task Force work has outlined some of the answers but more direction is needed on the 2 priorities, how to ensure consistency across the greenbelt, and how to resolve conflicts when important uses are raised which challenge the primacy of environmental protection and agricultural uses.

We can perhaps learn more about how to give those 2 priorities precedence by looking to work in the conservation community. Consider World Wildlife Fund (WWF's) Conservation First Principle: there should be no new or expanded uses until a network of protected areas is reserved which adequately represents the natural regions affected by that development". We need to ensure that protected areas are just that - look at the map of the Ontario Greenbelt Alliance for areas that are currently protected and suggestions for those that need more protection - let's get busy and carve up the map. Then, sensitive development can proceed outside of protected areas using the latest technology and approaches to minimize adverse impacts on wildlife, ecosystem function, or local cultures and to enhance the Greenbelt environment.

Ensuring sensitive development on the landscape outside protected areas through advanced land-use planning provides certainty. Then - everyone knows what uses can occur, where, and can make purchase and investment decisions appropriately - that is certainty. Certainty is important for everyone - for farmers, other agricultural operators, recreation & tourist operators, aggregate producers, homeowners and others.

Further, if you do your jobs well - and if the province does its job well through establishment of the appropriate legislative enabling framework and implementation tools like the Provincial Policy Statement - then, municipalities outside the Niagara Escarpment Commission (NEC) jurisdiction will reflect the Greenbelt appropriately and consistently in their official plans and in their planning processes. That should mean fewer use conflicts and fewer appeals to existing tribunals, like the OMB, and to any that are established in the future.

To give you an example of why priority setting, certainty and recommendations around the tools to achieve these are important, we would like to raise a local case study. Our communities are very concerned and opposed to a 380 acre aggregate extraction operation being proposed for 11th Concession East in the North Flamborough portion of the City. An application is being prepared but has not yet been officially filed since the City cannot legally receive one for a zoning change under the moratorium - there is the opinion that an Official Plan amendment may be required as well.

To give you a flavour, for those who are not familiar with it, the area is agricultural/rural in the Official Plan and is not zoned for aggregate extraction. The area is in the "foothills" of the Niagara Escarpment, is home to Carolinian forest and other significant terrestrial ecology, provincially significant wetlands, and their wildlife and habitat. The area concessions are home to individual residences and a variety of agricultural uses: beef and dairy, sheep, vegetable, and fruit farms, burgeoning organic farms of a variety of types, and horse breeding, training & stabling operations which service nearby Flamborough Downs and Mohawk Raceway, among others; as well as family tourism opportunities. Three subdivisions directly abut the proposed quarry grounds and another subdivision is a short distance down the 11th . Two schools - Balaclava Public and the recently constructed Our Lady of Mount Carmel Catholic schools - are located one concession south of the proposed quarry on the 10th - area students are bussed. The village of Carlisle and its quaint town centre - the famous "four corners" are but a stone's throw away. Groundwater quantity and quality protection is already an issue in the area with the City studying how to address concerns related to its wellheads and recharge areas that service the Carlisle location and nearby Freelton, Greensville and Lynden.

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The current and future battles over this matter, and many others like it, would not be needed if priorities are set amongst the uses, especially when they are in conflict with one another.

We look forward to working with the City both to deny the proposed quarry application its land use approval and to help establish a meaningful and sustainable contribution for Greenbelt protection for the future.

Yours sincerely,

Graham Flint  
Chair  
Friends of Rural Communities and the Environment (FORCE)

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