

Summary of Comments on the *Draft Land Use Plan*

May 09, 2002

On March 4th, 2002, approximately 100 people representing a wide array of stakeholders including port tenants, residents, staff from the Cities of Hamilton and Burlington, and special interest agencies and groups attended the Hamilton Port Authority's Public Open House to review the Draft Land Use Plan.

Written comments were also received subsequent to the open house, and the Cities of Hamilton and Burlington submitted formal comments to the HPA.

At the open house, a series of 15 panels were displayed, including:

- the story of the planning process to date;
- a highlight of the ideas and vision of the Hamilton Harbour as articulated in the December 11/2001 Community Visioning Workshop;
- maps that provided contextual information, including transportation networks, adjacent uses, tenancy, relationships and connections to the surrounding Cities,
- Schedules that are included in the Plan, including as: Land Use Planning Areas, Eastport Directions Plan, Fisherman's Pier Directions Plan, and Burlington St. Corridor: Directions;
- an overview of the Plan, including Planning Principles and both General and Area Specific policies.

A key objective of this meeting was to generate discussion about the proposed plan, and to receive comments and feedback from stakeholders. Further, for an extended period following the Open House, additional written comments were received and considered.

The overall response was positive; people were pleased to see a visionary plan for the Port that articulated both constraints and opportunities in the context of a wider vision for the Hamilton Harbour. The vision of a mixed-use Harbour was received with enthusiasm. People were supportive of the Planning Principles that provided the basis for the General and Area Specific Policies, and enthusiastic about the proposed directions for Eastport, Fisherman's Pier, and the Burlington Street corridor. The emphasis on access to the Harbour and the remediation of Sherman Inlet were also very well received.

Some of the comments received addressed issues that are beyond the jurisdiction of the Port Authority or the scope of this plan. As such, responses to these issues have not been included in **Changes to the Plan**.

Overview of the Comments Received

Planning Process and General Responses

- The planning process was commended for its inclusive approach. Stakeholders appreciated the opportunity to influence the direction of the plan early in the process, and in several different venues.
- Both residents and representatives of special interest groups identified continued consultation as crucial to the successful implementation of the Plan.
- Many respondents indicated that they strongly support the overall plan, especially the combination of recreation and commercial activities, and the approach suggested for Burlington Street.

Impacts of the Plan

- Whereas some residents expressed concern about the impact of the plan on surrounding neighbourhoods, others felt that this was a bold vision that would not only create a vibrant Port, but would enhance adjacent neighbourhoods.
- Increased traffic flows into residential neighbourhoods were identified as a possible negative impact of expanded recreational activities into the Harbour (as promoted in the Wider Community Vision).
- It was reiterated that the Master Development Concept for Eastport should include recognition of its proximity to the Hamilton Beach community, ensuring that development of this site recognizes the potential for impacts on this historically-designated community.

Access to the Harbour

- Improved access through the harbour and to the waters edge was identified as a priority that ought to be highlighted in the plan.
- Opposition to the perimeter road was stated.
- The Port should become an advocate for improved rail service.
- It was suggested that the HPA promote a fully connected multi-use trail around the harbour, with bus connections and parking.
- The HPA could pursue partnerships with relevant groups, agencies and the Cities to design and promote green space and corridors throughout the Harbour.

Randle Reef

- A wide range of comments were received pertaining to identification of “contain and cap” as the preferred option for Randle Reef.
- This was understood to be a final, and contentious, position by some groups.
- Others requested the Port to be silent on this issue.
- Some commended the Port for taking a position, and supported the “contain and cap” option.

Environmental Issues

- While in general, responses related to environmental issues were very positive, some concern was raised that the plan does not promote balance between environmental, social and economic priorities.
- Policies for Sherman Inlet were commended.
- Concern was expressed that the pursuit of recreational activities will compromise the environmental integrity of the area (i.e. extensive use of motorcraft).
- Stakeholders felt that the HPA could take on a more active role in improvements for natural habitat and recreational uses at LaSalle.
- The City of Hamilton indicated that the HPA should seek to comply with the policies of the former Region of Hamilton-Wentworth Official Plan, which designates the Hamilton Harbour as an Environmentally Significant Area (ESA #48).
- The City of Burlington requested that any HPA development that takes place to the north of the Burlington Canal respect and take into consideration the anticipated City of Burlington Official Plan *Green Lands Designation* for the Lake Ontario/Burlington Bay shoreline.
- The City of Hamilton indicated concern that the emphasis within the *Draft Environmental Code of Practice* is on remediation, rather than prevention. Part II Section 3.1.2 *Environmental Policies and Protocol* does place significant emphasis on prevention. However, the HPA will review the *Draft Environmental Code of Practice* to ensure that prevention is pursued in appropriate and feasible contexts.
- A wide range of more detailed environmental issues were also raised that are beyond the scope of the Land Use Plan. These issues, which will continue to be resolved by the Port through partnerships with other entities, include the possibility of a combined sewer overflow at Sherman Inlet that could store and purify excess flows while maintaining the present wetland areas; a long-term plan for dredging; the reporting of environmental concerns (i.e. spills in the harbour) as a means to acting with transparency and openness relating to environmental matters; and precautions to ensure that waterfowl do not take in contaminants at the confined disposal facilities.

Design

- Several suggestions were made regarding improved screening that would reduce the impacts of industrial and commercial activities on adjacent uses, particularly residential neighbourhoods.
- It was pointed out that several additions could be made to the trails, such as the inclusion of the 19th and 20th Century Industrial Trails in the design plan for Burlington Street, and details that indicate how the gap between Pier 27, Pier 28 and Fisherman's pier can be connected.

Governance Issues

- It was indicated that planning must continue to occur in connection with affected municipalities and agencies.
- It was suggested that the Port take on the reopening of the keepers dwelling and the lighthouse at Fisherman's Pier.
- Efforts to modernize shipping activity should be more specifically referenced.
- Concern about the process surrounding the building of the Federal Maintenance building near the lighthouse was expressed.

- Emphasize collaboration with the City of Hamilton on Pier 8.
- The Plan should be revised to state that the HPA plans to work in keeping with the City of Burlington Official Plan policies in addition to the City of Hamilton policies.

Changes to the Plan

Formatting

- The report has been more explicitly divided into three Parts (Part I: Introduction and Context; Part II: The Land Use Plan; Part III: A Wider Community Vision for Hamilton Harbour), and the Maps and Schedules are now included at the end of each Part, for easier reference.

Content

General Changes

- In various places where references are made to the City of Hamilton, the City of Burlington has been added. For example, in Part I: Section 1.6 *City Relationships* the HPA will also respect the intent of the Official Plan of the City of Burlington, not just the City of Hamilton.

Specific Changes

- Part I, Section 1.2 *The Port of Hamilton: Key Facts and Characteristics*: At the beginning of this section, several paragraphs have been added explaining the history of the Port and its natural environment.
- Part II, Section 2 *Land Use Plan Principles*: Principle One has been amended to include exploration of new technologies in addition to new market opportunities as a means to ensuring economic vitality in the Port.
- Part II, Section 2 *Land Use Plan Principles*: Principle Two has been amended to clarify that the Port will work in partnership with other agencies to achieve a healthy harbour environment, to emphasize the importance of the environmental integrity of the Harbour.
- Part II, Section 3.1.3 *Ground Transportation and Access*: The reference to “support the City of Hamilton in future studies of the Perimeter Road” has been changed to state that the HPA will continue to support the City in its work to provide good access between Port lands and the 403. The language in this section has also been strengthened to indicate that the HPA will *advocate* for improved rail service, as opposed to ensuring that rail service is maintained.
- Part II, Section 3.1.4 *Recreational Uses*: The text is strengthened to explicitly state that the Port shall continue to support efforts to develop a safe and fully connected trail system, recognizing that public access cannot always be accommodated along the water’s edge.
- Part II, Section 3.1.5 *Urban Design and Public Art*: With regards to landscaping improvements, an emphasis is placed on using them to reduce the off-site impacts of industrial and commercial activities, particularly adjacent to residential areas.

- Part II, Section 3.1.5 *Urban Design and Public Art*: The text has been amended to include specific reference to the desirability of turning industrial forms into industrial art.
- Part II, Section 3.2.3 *Port Area “C” – Pier 15*: Respecting Randle Reef, the text has been amended to state that while the HPA prefers the “contain and cap” option, it recognizes that there is an on-going process intended to resolve the issue of Randle Reef that the HPA intends to respect.
- Part II, Section 3.2.4 *Port Area “D” – Piers 25 through 27 (Eastport)*: The 9-acre property owned by the HPA that is in close proximity to the HPA needs to be developed with sensitivity to the remediation process currently underway by the City of Hamilton. The plan has been amended to reflect this.
- Part II, Section 3.2.4 *Port Area “D” – Piers 25 through 27 (Eastport)*: With respect to the Hamilton Beach community, text has been added that indicates that any development that occurs will be cognizant of this unique community and the impacts of noxious spillover effects (noise, air pollution, dust).
- Part II, Section 3.2.4 *Port Area “D” – Piers 25 through 27 (Eastport)*: The text has been amended to clarify the development review process for Eastport, stating that the HPA and the City of Hamilton have agreed that a Detailed Design Concept will be created for the area. The HPA, in consultation with the City of Hamilton, will produce these standards, ensuring that they are compatible with similar design policy developed by the City. The Detailed Design Concept will provide the basis for evaluation of future applications for Site Plan Approval, which will be received, reviewed and administered by the HPA. The Detailed Design Concept will address the following elements:
 - Natural habitat considerations;
 - Design of the publicly-accessible areas;
 - Development sites and relationships;
 - View enhancement;
 - Landscaping;
 - Signage; and
 - Phasing and costing.

It was further discussed with the City of Hamilton that rather than attempt to comply with the standard process of Environmental Impact Assessment outlined for ESAs, the HPA will continue to advocate for the preparation of a comprehensive Wildlife Management Plan for the Harbour.

- Part II, Section 3.2.5 *Port Area “E” – Piers 28 and 29 (Fisherman’s Pier)*: Given the changing ownership of the lighthouse and the keeper’s dwelling, in the explanatory notes the text has been changed to refer to the owner as the Federal Government, but not the Port.

- Part II, Section 3.2.5 *Port Area “E” – Piers 28 and 29 (Fisherman’s Pier)*: Observation/interpretative sites have been added to the design of Area A, the location specified as appropriate for public activities.
- Part II, Section 3.2.5 *Port Area “E” – Piers 28 and 29 (Fisherman’s Pier)*: The text has been expanded to emphasize the need for collaboration between the Cities, the Canada Centre for Inland Waters, Public Works and Government Services and the HPA to ensure smooth interfaces between trail systems, the full realization of scientific and historic resources in this area, maximization of public access to the water’s edge, and the creation of gateway features and the creation of a tertiary level plan.
- Part II, Section 3.2.5 *Port Area “E” – Piers 28 and 29 (Fisherman’s Pier)*: The text has been changed to acknowledge that any HPA development that takes place to the north of the Burlington Canal will respect the anticipated City of Burlington Official Plan *Green Lands Designation* for the immediately adjacent Lake Ontario/Burlington Bay shoreline.
- Part II, Section 3.2.6 *Port Area “F” – Pier 34 (La Salle Park)*: The text has been amended to indicate that improvements to the public realm shall be pursued in consultation with the City of Burlington.
- Part II, Section 3.2.7 *Burlington Street Corridor*: Plan has been amended to recognize that the HPA will coordinate improvements on Burlington Street with the recommendations of two studies currently being undertaken by the City of Hamilton, the North East Gateway Study and the Downtown Streets Master Plan.
- Part II, Section 4.1 *Land Use Plan Adoption, Review and Ongoing Stakeholder Involvement*: Given that the Port will prepare an informal report card to comment on the Plan every two years, the formal review and update of the plan has been changed to take place every six, as opposed to five, years.
- Part II, Section 4.2 *Development Review Process*: The text has been amended to include compliance with land use/development control guidelines that the HPA may adopt in the future with respect to signage, landscaping, setbacks and site plan approvals. In the earlier draft, reference was made in this section to Appendix Two, which was going to be an edited version of the former Hamilton Harbour Commission’s Development By-law. The text also indicates that the Detailed Development Concept will provide the guidance on such matters at Eastport, and that similar design standards may subsequently be prepared for the Fisherman’s Pier and Pier 15 areas.
- Part II, Section 4.2 *Development Review Process*: Development at Eastport is to be governed by Detailed Design Concept, once it is complete. This is specified in this section.
- Part II, Section 4.4 *Environmental Review Process*: The intent of the HPA to comply with all relevant environmental legislation has been added, as well as its expectation that tenants comply with such legislation.

- Part II, Section 4.5 *Intergovernmental Relationships*: The title of this section has been changed from Municipal Relations to Intergovernmental Relationships to reflect the emphasis on collaboration with all levels of government. The text has been amended to reflect this change in emphasis as well.
- Part II, Section 4.6 *Municipal Planning Provisions*: As discussed with the City, the statement that the HPA agrees to be bound by all the normal requirements of the Site Plan Approval process has been removed. Rather, the HPA will undertake to prepare a Detailed Development Concept for Eastport, in consultation with the City of Hamilton. This Detailed Development Concept will provide the basis for site plan approval applications at Eastport, which will be received, reviewed and administered by the HPA.
- Part III A *Wider Community Vision for the Harbour*: This part has been divided into Two sections, *Process Overview* and *Workshop Outcomes: Key Themes*.
- Part III, Section 6 *Workshop Outcomes : Key Themes*: In relation to trail links, reference has been added to ensure that trail connections link to the Hamilton Beach Trail.
- Part III Section 6 *Workshop Outcomes : Key Themes*: Emphasis has been added, ensuring that public access to the water is created, where it is safe and possible to do so.
- Part III Section 6 *Workshop Outcomes : Key Themes*: A statement has been added to assert that the HPA will collaborate with other stakeholders to assist in the creation of green space and corridors throughout the Harbour.
- Part III Section 6 *Workshop Outcomes : Key Themes*: A statement has been added to acknowledge that industrial, commercial and recreational development must occur with sensitivity to the unique environmental and community context of the Hamilton Harbour.

Maps and Schedules

- Property ownership along Oliver Street has been accurately shown, whereas previously these properties had been incorrectly shown as Port land.
- On Schedule C: Potential Building Areas has been changed to Potential Building Sites for better accuracy.
- On Schedule B: Observation Sites have been added.
- Randle Reef is shown as clear, not green on all Maps and Schedules, to avoid confusion with open space.
- All existing Fish and Wildlife Areas have been included on all Maps and Schedules.
- The Potential Trail along the Hamilton Beach front has been corrected to be along the beach, as opposed to along Beach Boulevard.
- the West Harbour Trail connection at Valley Inn will be shown as a potential trail on Figure 1 rather than part of the existing trail system
- All Port owned lands have been indicated on relevant Maps and Schedules.
- On Schedule D: 19th and 20th Century Industrial Trail has been indicated.

Appendices

- Appendix Two has been completed: **Schedule of Consultation Process**