



Municipal Law Chambers

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3 December 2022

Ministry of Municipal Affairs and Housing
17th Floor, 777 Bay Street
Toronto ON M7A 2J3

Dear Madam/Sir,

Re: 2545 Guyatt Road & 2011 Regional Road 56, Glanbrook (Hamilton)
Proposed amendments to the Greenbelt Plan
Additional lands proposed for removal from the Greenbelt Plan

This letter is submitted on behalf of The Serbian Orthodox Centre Holy Trinity, a registered charity (the "Charity"), the owner of the lands legally described as Part Lot 5, Concession 3, City of Hamilton (the "Subject Lands"), known municipally as 2545 Guyatt Road and 2011 Regional Road 56. The lands are located in the community of Binbrook, which is part of the Glanbrook district of the City of Hamilton.

We are submitting these comments with respect to the proposed amendments to the Greenbelt Plan that would remove certain lands from the Greenbelt. We support the proposed changes, but we submit that the Subject Lands should also be removed from the Greenbelt.

The proposed changes to the Greenbelt Plan are to enable the construction of 50,000 or more new residential units in the Greater Golden Horseshoe area. The removal of the Centre's lands from the Greenbelt would contribute to that goal. These lands can be developed relatively quickly, adding a significant number of affordable units for seniors from the Hamilton area and further afield.

The Charity purchased the 40-acre parcel of land at 2545 Guyatt Road in 1974. An additional adjacent 12-acre parcel at 2011 Regional Road 56 was purchased later. The property has been used, since the purchase, for institutional, religious and community functions.

The Subject Lands (52 acres) are located on the east side of Regional Road 56, south of Guyatt Road, immediately north of the Binbrook urban area. The lands have an irregular shape with a frontage of approximately 240 metres (788 feet) along Regional Road 56, and a frontage of approximately 133.5 metres (438 feet) along Guyatt Road.

The Binbrook Urban Area, one kilometre away from the Subject Lands, has close to ten thousand residents, along with various commercial and institutional uses. Also, several commercial and institutional uses are located along Regional Road 56, between the Binbrook urban boundary and Guyatt Road. Preliminary research shows that Binbrook and the surrounding rural areas need a residential care facility or retirement home.

A pre-consultation application was submitted to the Hamilton Planning Department in 2019 (just before the pandemic) to partially develop the Subject Lands. The proposal was to formalize the existing place of worship on the Subject Lands. Also, a residential care facility or retirement residence having a capacity of 150 persons was proposed within three separate buildings. Even though the policies, in the opinion of our planner, were in support of the proposal, the proposal received a cold reception from the planning department. It seemed that the fact the lands were within the Greenbelt Plan was an automatic no to any kind of development.

Our position is that the proposed applications are exempt from the Greenbelt Plan via the transitional policies in the *Greenbelt Act*. In our experience, however, planning authorities have construed these transitional policies very narrowly, leaving little if any room for even the most modest development. Removing the Subject Lands from the Greenbelt would greatly simplify the process, making it possible to develop the lands and create affordable housing units for ethnic seniors in Hamilton.

Therefore, we submit that the proposed amendments to the Greenbelt Plan should include the Subject Lands located at 2545 Guyatt Road and 2011 Regional Road 56 in Binbrook.

Should you have any questions, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, reading "Milovan Prelević". The signature is written in a cursive, flowing style.

Milovan Prelević, A.B., LL.B., LL.M.
Barrister & Solicitor