**Niagara Escarpment Commission**

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# MINUTES OF SPECIAL MEETING

# regarding

**Niagara Escarpment Plan Amendment PW 218 20**

**Columbia Northcliffe Campus Inc. (Columbia International College)**

**574 Northcliffe Avenue, City of Hamilton**

**HYBRID MEETING:**

**Microsoft Teams and In-person (Georgetown, Ontario)**

**November 16, 2022**

**Meeting called to order:** 2:00 p.m.

**Introductions:**

The Chair welcomed the Commissioners, staff and members of the public to the meeting. The Director reviewed the hybrid meeting procedures, including steps to take for technical issues.

The Chair advised that no decision on proposed plan amendment PW 218 20 would be made at the meeting.

**Land Acknowledgement**

The Chair read aloud the Land Acknowledgment.

**MOTION FOR SPEAKERS**

*Moved By: McQueen*

*Seconded By: Gibson*

*“That the persons representing the Applications listed on the Agenda be invited to address the Commission.”*

***Motion Carried***

**P3**

**INFORMATION REPORT**

**Niagara Escarpment Plan Amendment PW 218 20**

**Columbia Northcliffe Campus Inc. (Columbia International College)**

**574 Northcliffe Avenue, City of Hamilton**

**PROPOSAL:**

To revise a special policy that applies to the subject property, being part of

Lots 28 and 29, Geographic Township of West Flamborough, City of Hamilton, also

described as 574 Northcliffe Avenue. The site-specific policy would allow the use of the

former convent of the Sisters of St. Joseph as a private secondary school with a

maximum of 1,000 students and 80 staff with an accessory gymnasium addition

attached to the existing building known as the Motherhouse

**BACKGROUND:**

The purpose of the special meeting of the Niagara Escarpment Commission (NEC) was to provide members of the public an additional opportunity to comment on Niagara Escarpment Plan Amendment application PW 218 20, considering the significant public interest and comment already provided.

**RECOMMENDATION:**

That the Niagara Escarpment Commission receive the Information Report as a status update regarding Niagara Escarpment Plan Amendment Application PW 218 20 to provide context to the public deputations to the Commission.

**NEXT STEPS:**

* Public Interest Advisory Committee (PIAC) meeting to provide a recommendation to the NEC. Planned for late 2022 or early 2023.
* Final staff summary report to the Commission prepared by NEC that takes into consideration all comments received, by agencies and public, as well as the recommendation by PIAC. Provided objections cannot be resolved, and the application is to proceed, the Application will be required to be referred to the Ontario Land Tribunal (OLT) per subsection 10(3) of the NEPDA which states that if written objections to the proposed amendment are received by the Commission before the expiration of the time for making comments, the Commission shall appoint one or more hearing officers for the purpose of conducting one or more hearings. Planned for 2023.
* Should the application proceed to a hearing, the Ontario Land Tribunal holds a hearing on the proposed amendment and prepares a report to the NEC. The NEC considers the report of the Hearing Officers and makes a recommendation to the Minister. The Minister makes the final decision.

Note:

-Amaraine Laven, Senior Strategic Advisor, provided a review of the staff report.

- John Ariens, Associate Director, Practice Lead, Planning, and Ritee Haider, IBI Group, presented a summary of the proposal and answered questions.

**DELELGATION PRESENTATIONS**

Nancy McKeil, a Pleasantview resident and member of the Pleasantview Protection Association, addressed the Commission with her concerns regarding the application lacking sufficient justification, that the urban use should not be considered outside of a plan review, increased traffic congestion and greenhouse gas emissions, onsite sewage putting the watershed in peril, and use of the city of Hamilton’s funds for the amendment. She noted that the use does not support the local community. She stated that there is no justification for location, the proposed use is not similar to the existing use and there is an increase of 350% in septic use, also noting that the size proposed is larger than NEC permits. She noted that there are other potential locations outside of the Niagara Escarpment Plan Area that would be more compatible.

Janet Linton, a Pleasantview resident and member of the Pleasantview Protection Association, addressed the Commission with concerns regarding historic water quality issues. She advised that she does not object to a new use being established, but something similar to the current use would be much more appropriate.

Yoanne Speers, a Pleasantview resident and member of the Pleasantview Protection Association, addressed the Commission with her concerns, noting that it was wrong to accept application, and the situation was more about influence, power, and money. She noted the NEC’s sacred trust to support the ecology in the region and the special Pleasantview provision. She referenced an online video “Why Now?” She noted that there are four dead end roads in area, and Newman Road is the only road to get in and out of the area. She is concerned about Increased traffic gridlock. She advised that there is a small group of people going up against a large company that does planning professionally.

Suzanne Alden addressed the Commission on behalf of Joanna Chapman, noting concern that the proposed school is not a rural use, and does not serve local community. She advised that the school will generate profit from an overseas clientele. She advised that Columbia International College is already promoting the campus, showing the institutional building. She noted the increase in use with a gymnasium seating capacity of almost one thousand and four hundred people, and parking for two hundred cars. She stated that the lands would be better used for wildlife habitat, and that a gym does not support the open landscape character. She noted that the main concern is for wildlife, not the visual impact of the school. She noted that destroying the natural landscape is indefensible.

Reuven Dukas, a Dundas resident, addressed the Commission, noting that he supports Columbia International College, but the school does not belong in the Niagara Escarpment rural land designation. He offered that expanding the school in its current location is more appropriate. He noted the importance of the area to McMaster University in getting the best scientists. He also noted that the IBI Group has not provided an objective assessment of the project.

Brian Baetz, a professor at McMaster University, who has been involved with the Pleasant View land preservation for thirty years and is also involved with the Cootes to Escarpment project, addressed the Commission, noting that the Niagara Escarpment lands are the most ecologically significant lands in Canada, as well as being a UNESCO World Biosphere Reserve. He also noted the existence of historical public health issues with septic system failures in the area and well water issues. He also noted the presence of low permeable clay soils that impact the septic issues. He noted that the proposal is inconsistent with the Niagara Escarpment Plan and the Parkway Belt West Plan.

Randy Kay, an interested member of the public, addressed the Commission, asking that the Commissioners not lose sight of the of the purpose of the Niagara Escarpment Plan. He noted that the public should have a seat at the table regarding the application. He also noted that there is no public transportation in the Pleasantview area, and that the use belongs in the city. He asked that the Niagara Escarpment Plan must remain steadfast to maintain the continuous natural environment with compatible development.

Caroline Thompson, on behalf of Janet Nancekivell, advised the Commission that Ms. Nancekivell is very angry at having to fight to protect natural environment of Pleasantview lands, and that the NEC entertaining the application is offensive. She asked the Commission to do the right thing for the Pleasantview area.

Caroline Thomson, a Pleasantview resident and wildlife photographer, addressed the Commission noting the need to protect the land and animals. She advised that the road sits in the middle of a most important wildlife corridor. Since Newman Avenue was built 15 years ago, no safe crossings have been built, noting that animals are forced onto the ditch and have to contend with a lack of water. Wildlife are already vulnerable and additional development could be the end of all the living things in the area. A linkage assessment should be completed as part of the environmental assessment. She noted a lack of proper vision and that the area has been pushed to ecological collapse. She asked the Commission to not allow the sacrifice for short term use.

Ben Doro, an interested member of the public, addressed the Commission. He noted that a traffic simulation was offered at a previous open house and has not been provided. He noted the transportation report provided is inaccurate, noting that there is no public transportation to the area available, no bike lanes for cyclists and no local amenities. He noted that new buses would not be required if the school were located in an urban area.

Robert Pinder, an interested member of the public, addressed the Commission, noting the proposal contradicts the Public Policy Statement. He noted there are issues with public health, safety, septic impact on groundwater and wetlands, the Grindstone creek watershed risk. He noted that efficient use of existing buildings is subjective, that there is no public transit, and would need public funds to provide buses to the area. He opined that the school is not a permitted use for the area and that only similar uses would be permitted, not larger uses. He noted that the school would be significant growth for the area and would greatly impact the local residents. He strongly recommended that the school be located in a community hub.

Terri Orr, a local resident, addressed the Commission, noting that her property has a shared property line with the subject property. She advised that the proposed school would not have a positive impact in the area and she has a young family that would be directly and negatively impacted by the school. She noted the use is more appropriate in an urban area. She noted concern that the school would lower property values. She noted safety concerns for pedestrians where there are no sidewalks. She implored the Commission to not approve the application, noting support for education in the appropriate setting.

**DISCUSSION:**

The Commission requested further information on the proposed bussing requirements. The Applicant’s agent noted that the required volume is unknown until registration has been finalized

The Chair thanked the delegates for sharing their concerns with the Commission regarding the application.

**ADJOURNMENT**

*Moved By: Vida*

*“That this meeting be adjourned.”*

 *Motion Carried*

**Time of Adjournment:** 3:35 p.m.

 Rob Nicholson

Chair