



## City of Hamilton

# CITY COUNCIL AGENDA

Friday, August 17, 2018, 9:30 A.M.  
Council Chambers, Hamilton City Hall  
71 Main Street West

---

### Call to Order

#### 1. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with \*)

#### 2. DECLARATIONS OF INTEREST

#### 3. CEREMONIAL ACTIVITIES

3.1 Presentation of the Office of the Governor General - Sovereign's Medal for Volunteers

#### 4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 July 13, 2018

#### 5. COMMUNICATIONS

5.1 Correspondence from the Ministry of Natural Resources and Forestry respecting the oral rabies vaccine (ORV) bait distribution in the summer and fall of 2018.

Recommendation: Be received

5.2 Correspondence from the Niagara Escarpment Commissioner respecting the Niagara Escarpment Plan Agricultural Policies.

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.

- 5.3 Correspondence from the Ontario Ombudsman respecting an Ombudsman Investigation.  
Recommendation: Be received.
- 5.4 Correspondence from Dinesh Mahabir, President, Hawk Ridge Homes Inc. respecting a request for an extension to the Development Charges Deferral Agreement No. 156 for 170 Rockhaven Lane, Waterdown.  
Recommendation: Be received and referred to the General Manager of Finance & Corporate Services for a report to the Audit, Finance & Administration Committee.
- 5.5 Correspondence from the Honourable Catherine McKenna, Minister of Environment and Climate Change in response to the Mayor's letter respecting Preserving Canada's Heritage: The Foundation for Tomorrow.  
Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.
- 5.6 Correspondence from Frank Dale, Regional Chair, Regional Municipality of Peel to the Honourable Steve Clark and the Honourable Ernie Hardeman respecting the Peel Agricultural Advisory Working Group and Golden Horseshoe Food and Farming Alliance Annual Update and Funding Request.  
Recommendation: Be received.
- 5.7 Correspondence from Terrapure Environmental respecting the Stoney Creek Regional Facility, 2017 Annual Report, please find below the link to view the report:  
<http://www.terrapurestoneycreek.com/document-library/>  
Recommendation: Be received.
- 5.8 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing in response to City Council's request for the Minister to exempt the City of Hamilton from the requirement under the Municipal Act respecting the Ward 7 vacancy.  
Recommendation: Be received.
- 5.9 Correspondence from Marion Emo, CEO, Hamilton/Burlington SPCA respecting the posting of Agendas, Minutes and all Associated Accompanying Presentations and Documents, Inclusive of Financial Statements.  
Recommendation: Be received.

- 5.10 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the significance of the provincial-municipal relationship and the important role municipal governments fulfill for their residents.
- Recommendation: Be received.
- 5.11 Correspondence from Janice Currie respecting the Planning Committee meeting of July 10 - Complaint lodged against Councillor Ferguson.
- Recommendation: Be received and referred to the Agriculture and Rural Affairs Committee.
- 5.12 Correspondence from the Honourable Melanie Joly, Minister of Canadian Heritage in response to the Mayor's correspondence respecting the possible declaration of National Day of Remembrance and Action on Islamophobia.
- Recommendation: Be received.
- 5.13 Correspondence from Les F. Jagodich respecting a Noise Wall Issue - Highway #403 in Ancaster between Highway #6 South and Golf Links Road.
- Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.
- 5.14 Correspondence from Dr. Theresa Tam, Chief Public Health Officer, Public Health Agency of Canada congratulating the City of Hamilton on becoming an Age-Friendly Community (AFC).
- Recommendation: Be received
- 5.15 Correspondence from the Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs looking forward to working with the City of Hamilton to ensure Ontario is a place we can all be proud to call home.
- Recommendation: Be received.
- 5.16 Correspondence from the Honourable Vic Fedeli, Minister of Finance looking forward to working with the City of Hamilton as he and his colleagues focus on helping make our province the best place in North America for business, creating jobs and raising a family.
- Recommendation: Be received
- 5.17 Correspondence from the Honourable Michael Tibollo, Minister of Community Safety and Correctional Services looking forward to working with the City of Hamilton, as the new government delivers on its commitments and ensure the safety and security of Ontario's communities.
- Recommendation: Be received.

- 5.18 Correspondence included as per Joey Coleman's request from the National NewsMedia Council.

Recommendation: Be received.

## **6. COMMITTEE REPORTS**

- 6.1 General Issues Committee Report 18-016 - August 13, 2018 (to be distributed)
- 6.2 Planning Committee Report 18-012 - August 14, 2018 (to be distributed)
- 6.3 Healthy and Safe Communities Committee Report 18-008 - August 15, 2018 (to be distributed)
- 6.4 Audit, Finance and Administration Committee Report 18-011 - August 15, 2018 (to be distributed)
- 6.5 Public Works Committee Report 18-011 - August 16, 2018 (to be distributed)

## **7. MOTIONS**

- 7.1 No Parking Signs on Bay Street Between Aberdeen Avenue and Herkimer Street
- 7.2 Opposition to Buy American Policies and the Tariffs Recently Imposed by the Trump Administration
- 7.3 OPSEU Local 216 and Banyan Community Services
- 7.4 Amendments to sub-sections (d) and (e) to Item 13 of the General Issues Committee Report, respecting PED16221 - Public Art Master Plan Review and Update
- 7.5 Amendments to Item 11 of the Planning Committee Report 18-011 respecting PED18148 - Updates and Modifications to the Urban Hamilton, Rural Hamilton and Former City of Hamilton Official Plans
- 7.6 Retaining Wall Repair / Replacement Loan Agreements Between the City of Hamilton and the Property Owners at 93 Greencedar Drive, Hamilton and 140 Golfwood Drive, Hamilton

## **8. NOTICES OF MOTIONS**

## **9. STATEMENTS BY MEMBERS**

## **10. PRIVATE AND CONFIDENTIAL**

10.1 Closed Session Minutes - July 13, 2018 (distributed under separate cover)

Pursuant to Section 8.1, Sub-section (b) and (c) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (b) and (c) of the Ontario Municipal Act, 2001, as amended, as the subject matters pertains to personal matters about an identifiable individual, including City employees and to a proposed or pending acquisition or disposition of land for City purposes.

10.2 Hamilton Paramedic Service Investigation - Update (no copy)

Pursuant to Section 8.1, Sub-section (b), (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (b), (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees; litigation or potential litigation, including matters before administrative tribunals, affecting the City; and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**11. BY-LAWS AND CONFIRMING BY-LAW**

11.1 206

To Permanently Close and Sell a Portion of a Public Unassumed Alley Abutting 34 Alma Street, Dundas, name Part of Lane, Registered Plan 1447, in the City of Hamilton, designated as Part 1, Plan 62R-20858, City of Hamilton, being Part of PIN 17585-0090 (LT)

Ward: 13

11.2 207

To Permanently Close and Sell a Portion of a Public Unassumed Alley Abutting 31 Victoria Street, Dundas, namely Part of Lane, Registered Plan 1447, in the City of Hamilton, designated as Parts 2 and 3, Plan 62R-20858, City of Hamilton, being Part of PIN 17585-0103 (LT)

Ward: 13

11.3 208

Being a By-law to Permanently Close a Portion of a Public Unassumed Alley Abutting 136 Park Row North, Hamilton, Ontario, established by Registered Plan 497, in the City of Hamilton, designated as Part 2 on Reference Plan 62R-20634, being Part of PIN 17246-0345 (LT), City of Hamilton

Ward: 4

- 11.4 209  
To Establish City of Hamilton Land Described as Part of Block 86, Plan 62M-895, in the City of Hamilton, designated as Parts 1 to 4 inclusive on Plan 62R-20875 as Part of Stonehenge Drive  
Ward: 12
- 11.5 210  
To Establish City of Hamilton Land Described as Part 1 on Plan 62R-20488 as Part of Terryberry Road  
Ward: 11
- 11.6 211  
To Amend By-law No. 01-215, Being a By-law to Regulate Traffic  
Schedule 5 (Stop Control)  
Ward: 13
- 11.7 212  
To Amend City of Hamilton By-law No. 07-170, Being a By-law to License and Regulate Various Businesses  
Schedule 1 (Adult Entertainment Establishments)  
Ward: City Wide
- 11.8 213  
Respecting Removal of Part Lot Control, Blocks 196 to 206 and 214 of Registered Plan of Subdivision No. 62M-1237, municipally known as 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84 and 86 Heming Trail, Ancaster  
PLC-18-019 (A)  
Ward: 12
- 11.9 214  
Respecting Removal of Part Lot Control, Blocks 211 to 213 of Registered Plan of Subdivision No. 62M-1237, municipally known as 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36 and 38 Heming Trail, Ancaster  
PLC-18-019(B)  
Ward: 12

- 11.10 215  
Respecting Removal of Part Lot Control, Blocks 215 to 217 of Registered Plan of Subdivision No. 62M-1237, municipally known as 3, 5, 7, 9, 11, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35 and 55 Heming Trail and 332 Raymond Road, Ancaster  
PLC-18-019 (C)  
Ward: 12
- 11.11 216  
Respecting Removal of Part Lot Control, Blocks 218 to 220 of Registered Plan of Subdivision No. 62M-1237, municipally known as 6, 8, 10, 12, 14, 18, 20, 22, 24, 26, 28, 32, 34, 36, 38 and 40 Callon Drive; 67 Heming Trail; and 320 Raymond Road, Ancaster  
PLC-18-019 (D)  
Ward: 12
- 11.12 217  
Respecting Removal of Part Lot Control, Block 7, Registered Plan of Subdivision No. 62M-1246, municipally known as 3, 4, 7, 8, 11, 12, 15, 16, 19, 20, 23, 24, 27, 28, 31, 32 and 36 Deerfield Lane, Ancaster  
PLC-18-021  
Ward: 12
- 11.13 218  
To Adopt Official Plan Amendment No. 109 to the Urban Hamilton Official Plan Respecting Updates and Modifications to the Urban Hamilton Official Plan (City Wide)  
Ward: City Wide
- 11.14 219  
To Amend Zoning By-law No. 05-200 Respecting Modifications and Updates  
Ward: City Wide
- 11.15 220  
To Amend By-law No. 3581-86 Respecting Lands Located at 40 Parkside Avenue, Dundas  
Ward: 13

- 11.16 221  
To Amend Zoning By-law No. 87-57 Respecting Section 7.18 Accessory Buildings  
CI-18-G  
Ward: 12
- 11.17 222  
To Adopt Official Plan Amendment No. 18 to the Rural Hamilton Official Plan  
Respecting Updates and Modifications to the Rural Hamilton Official Plan (City  
Wide)  
Ward: City Wide
- 11.18 223  
To Adopt Official Plan Amendment No. 239 to the City of Hamilton Official Plan  
Respecting 336 Bay Street North, Former City of Hamilton  
Ward: 2
- 11.19 224  
To Amend Zoning By-law No. 87-57, as amended by By-law No.10-199, Respecting  
Lands Located at 279-315 Springbrook Avenue; and as amended by By-law No. 13-  
208 Respecting Lands Located at 331-335 Springbrook Avenue  
ZAH-18-033  
Ward: 12
- 11.20 225  
To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street  
Parking  
Schedule 8 (No Parking Zones)  
Schedule 12 (Permit Parking Zones)  
Schedule 13 (No Stopping Zones)  
Ward: 1, 2, 3, 4, 7, 8
- 11.21 226  
To Confirm the Proceedings of City Council

## 12. ADJOURNMENT





## CITY COUNCIL MINUTES 18-015

9:30 a.m.

Friday, July 13, 2018  
Council Chambers  
Hamilton City Hall  
71 Main Street West

**Present:** Mayor F. Eisenberger, Deputy Mayor Ferguson  
Councillors T. Whitehead, T. Jackson, C. Collins, S. Merulla, M. Green,  
J. Farr, A. Johnson, D. Conley, M. Pearson, B. Johnson, R. Pasuta and J.  
Partridge

**Absent with**

**Regrets:** Councillor A. VanderBeek - Personal

Mayor Eisenberger called the meeting to order and recognized that Council is meeting on the traditional territories of the Mississauga and Haudenosaunee nations, and within the lands protected by the “Dish with One Spoon” Wampum Agreement.

<b>APPROVAL OF THE AGENDA</b>
-------------------------------

The Clerk advised of the following changes to the agenda:

### 5. COMMUNICATIONS

- 5.6 Correspondence from Lakewood Beach Community Council respecting the Reserve Policies Update (FCS18055).

Recommendation: Be received and referred to the consideration of Item 7 of the Audit, Finance and Administration Committee Report 18-010.

### 8. NOTICES OF MOTION

- 8.1 OPSEU Local 216 and Banyan Community Services
- 8.2 Hamilton Steel Summit
- 8.3 Request for an Independent, Provincial Review of Forensic Psychiatric Patient Escapes from the St. Joseph’s Healthcare Forensic Psychiatric Unit (Hamilton) and Mandatory GPS Monitoring of those Forensic Psychiatric Patients with Outside Passes
- 8.4 Sidewalk Redevelopment – Ward 4

- 8.5 500 MacNab St. N. Renewal Project

## 10. PRIVATE AND CONFIDENTIAL

- 10.2 Property Acquisition to Support the Transit Maintenance and Storage Facility (PW18045(a)) (Ward 3) (distributed under separate cover)

- 10.2(a) Property Acquisition to Support the Transit Maintenance and Storage Facility (PW18045(b)) (Ward 3) (distributed under separate cover)

Pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (c) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for City purposes.

- 10.3 Integrity Commissioner / Lobbyist Registrar Appointment (LS18044/CL18009) (City Wide) (distributed under separate cover)

Pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (b) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to an identifiable individual, include City employees.

## 11. BY-LAWS AND CONFIRMING BY-LAW

- 196 Being a By-law to amend By-law No. 14-153, City of Hamilton Development Charges By-law, 2014, to Revise Definitions and Policy Regarding Industrial Development Expansions  
Ward: City Wide
- 197 A By-law to Amend By-law No. 17-225, being a By-law to Establish a System of Administrative Penalties  
Ward: City Wide
- 198 To Rename Highland Road to Highland Road West  
Ward: 6
- 199 A By-law to Prohibit Drive School Instructing in the Restricted Areas  
Ward: 5
- 200 To Amend Zoning By-law No. 05-200 (Hamilton), as amended by By-law No. 17-112, Respecting Lands Located at 50 Albright Drive  
ZAH-18-032  
Ward: 5

- 201 To Amend Zoning By-law No. 6593 (Hamilton), as amended by By-law No. 17-155, Respecting Lands Located at 52 Ottawa Street North  
ZAH-18-036  
Ward: 5
- 202 To Adopt Official Plan Amendment No. 108 to the Urban Hamilton Official Plan Respecting 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Street (Hamilton)  
Ward: 4
- 203 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Land Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, and 24 Hayes Avenue, Hamilton ZAC-18-010/25T-201802  
Ward: 4
- 204 To Adopt Official Plan Amendment No. 17 to the Rural Hamilton Official Plan Respecting 1915, 1995 and 1997 Jerseyville Road West (Ancaster)  
Ward: 14
- 205 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 1915, 1995 and 1997 Jerseyville Road West, Ancaster ZAC-17-080 &RHOPA-17-037
- 206 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 21 Mill Street North (Flamborough) ZAR-18-011  
Ward: 15

**(Conley/Pearson)**

That the agenda for the July 13, 2018 meeting of Council be approved, as amended.

**CARRIED**

<b>DECLARATIONS OF INTEREST</b>
---------------------------------

Mayor F. Eisenberger declared an interest to Item 1 of the General Issues Report 18-015, respecting Report HUR18011, Cannabis Legislation and Human Resources Implications, as his family has an interest in a legal marijuana grow operation.

Mayor F. Eisenberger declared an interest to Item 2 of the General Issues Report 18-015, respecting Report PED18141, Cannabis Dispensaries, as his family has an interest in a legal marijuana grow operation.

Mayor F. Eisenberger declared an interest to Item 6 of the General Issues Report 18-015, respecting Report FCS18052, City of Hamilton Estimated Costs for the Implementation of Cannabis Legislation, as his family has an interest in a legal marijuana grow operation.

Mayor F. Eisenberger declared an interest to Item 10 of the General Issues Report 18-015, respecting Objection to Consideration of Licensed Cannabis Producer Status for 286/288

Green Mountain Road and 398 Upper Centennial Parkway, Stoney Creek, as his family has an interest in a legal marijuana grow operation.

Mayor F. Eisenberger declared an interest to Item 13 of the Planning Committee Report 18-011, respecting Applications for an Amendment to the Rural Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 1915, 1995, and 1997 Jerseyville Road West, Ancaster (PED18118) (Ward 14), as his family has an interest in a legal marijuana grow operation.

**APPROVAL OF MINUTES OF PREVIOUS MEETING**

**4.1 June 27, 2018**

**(B. Johnson/Partridge)**

That the Minutes of the June 27, 2018 meeting of Council be approved, as presented.

**CARRIED**

**COMMUNICATIONS**

**(Ferguson/B. Johnson)**

That Council Communications 5.1 to 5.6 be approved, as follows:

- 5.1 Correspondence from Lakewood Beach Community Council respecting TransCab Area Rating.

Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.

- 5.2 Correspondence from Stephen Covey, CN respecting Rail Safety Week September 23-29, 2018.

Recommendation: Be received

- 5.3 Correspondence from the Ontario SPCA respecting the launch of the 2018 No Hot Pets campaign on June 21st.

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.

- 5.4 Correspondence from Mayor Ron Nirenberg, City of San Antonio in response to the Mayor's and the Mayor of Sault St. Marie's letter (attached) respecting the trade discussions between Canada and the United States and the serious impact tariffs will have on our municipalities, industries and workers on both sides of the border.

Recommendation: Be received.

- 5.5 Correspondence from the TransCanada's Public Awareness Team respecting information on the function, purpose and safety of the pipeline and the importance of maintaining the integrity of underground utilities.

Recommendation: Be received.

- 5.6 Correspondence from Lakewood Beach Community Council respecting the Reserve Policies Update (FCS18055).

Recommendation: Be received and referred to the consideration of Item 7 of the Audit, Finance and Administration Committee Report 18-010.

**CARRIED**

**(B. Johnson/Pearson)**

That Council move into Committee of the Whole to consider the Committee Reports.

**CARRIED**

<b>GENERAL ISSUES COMMITTEE REPORT 18-015</b>
-----------------------------------------------

**4. Downtown Entertainment Assets Operating Agreements (CM18013)**

**(Eisenberger/Partridge)**

That a new sub-section (i) be added to Item 4 of the General Issues Committee Report 18-015, respecting Report CM18013 - the Downtown Entertainment Assets Operating Agreements, to read as follows:

- (i) That the City Procurement Policy be followed to the extent the Procurement Section and the Legal Services Division determine the Policy to be applicable in order to maintain a fair process related to the management of the Downtown Entertainment Assets.*

**Amendment CARRIED  
Main Motion as amended CARRIED**

Councillor Green requested to be recorded as OPPOSED to the above motion.

**16. Hamilton Tiger-Cats Soccer at Tim Hortons Field (PW18066) (City Wide) (Item 12.6)**

**(Green/B. Johnson)**

That the recommendation of Item 16 respecting the Hamilton Tiger-Cats Soccer at Tim Hortons Field, be deleted in its entirety and the following be inserted therein:

~~That Report PW18066, respecting Hamilton Tiger-Cats Soccer at Tim Hortons Field, remain confidential until such time as an agreement is executed by all parties.~~

- (a) That the City of Hamilton enter into a License Agreement or amendment agreement with the Hamilton Tiger-Cats Football Club (2007) Corp. for the use of Tim Hortons Field to host a professional Canadian Premier League soccer team, on mutually beneficial terms, as outlined in the**

*attached Appendix A to Report PW18066 and to the final satisfaction of the GM of Public Works;*

- (b) That the Mayor and City Clerk, be authorized and directed to sign the Soccer License Agreement and that the Mayor and City Clerk, and appropriate City staff, as the case may be, be authorized and directed to sign any other ancillary documents between the City and the Hamilton Tiger-Cats Football Club (2007) Corp., in a form acceptable to the City Solicitor, to implement recommendation 'a' in Report PW18066 and any other ancillary documents;*
- (c) That Report PW18066, Hamilton Tiger-Cats Soccer at Tim Hortons Field, and its appendices remain confidential.*

**Amendment CARRIED  
Main Motion as amended CARRIED**

**(Eisenberger/Partridge)**

That the FIFTEENTH Report of the General Issues Committee be adopted, as amended, and the information section received.

**CARRIED**

**PLANNING COMMITTEE REPORT 18-011**

- 13. Applications for an Amendment to the Rural Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 1915, 1995, and 1997 Jerseyville Road West, Ancaster (PED18118) (Ward 14) (Deferred June 5, 2018) (Item 6.7)**

The motion respecting Item 13, the Applications for an Amendment to the Rural Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 1915, 1995, and 1997 Jerseyville Road West, Ancaster (PED18118) (Ward 14) (Deferred June 5, 2018) (Item 6.7) was DEFEATED on the following Standing Recorded Vote, which results in the DENIAL of the applications:

Yeas: Green, Partridge, Pasuta, Pearson  
 Total: 4  
 Nays: A. Johnson, J. Farr, Merulla, Collins, Jackson, Whitehead, Ferguson, B. Johnson, Conley  
 Total: 9  
 Absent: Eisenberger, VanderBeek  
 Total: 2

**20. The Round-About at Maggie Johnson and Tanglewood, Binbrook Village****(B. Johnson/Pearson)**

That sub-section (b) of Item 20 respecting the Round-About at Maggie Johnson and Tanglewood, Binbrook Village, be amended as follows:

- (b) That **\$1,850** be added to the 2019 Public Works Operating Budget for horticultural service related to said roundabout.

**Amendment CARRIED**  
**Main Motion as amended CARRIED**

**21. Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application, Town of Flamborough Zoning By-law No. 90-145-Z Amendment Application and Draft Plan of Subdivision for Lands Located at 609 and 615 Hamilton Street North, 3 Nisbet Boulevard and 129-137 Truedell Circle (Flamborough) (LS18007/PED18051) (Ward 15) (Distributed under separate cover.) (Item 12.1)****(Farr/Green)**

That the recommendation of Item 21 respecting Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application, Town of Flamborough Zoning By-law No. 90-145-Z Amendment Application and Draft Plan of Subdivision for Lands Located at 609 and 615 Hamilton Street North, 3 Nisbet Boulevard and 129-137 Truedell Circle (Flamborough) (LS18007/PED18051) (Ward 15) be deleted in its entirety and the following be inserted therein:

~~That the recommendations of Report LS18007/PED18051 respecting Flamborough Zoning By-law No. 90-145-Z Amendment Application and Draft Plan of Subdivision for Lands Located at 609 and 615 Hamilton Street North, 3 Nisbet Boulevard and 129-137 Truedell Circle (Flamborough) be approved and remain private and confidential until Council approval.~~

- (a) ***That Legal staff be instructed to oppose the appeal by Parkside Hills Inc. (Country Green Homes Inc.) (Applicant) to the Local Planning Appeal Tribunal of its application to amend the Urban Hamilton Official Plan (UHOP) for lands located at 609 and 615 Hamilton Street North, 3 Nisbet Boulevard and 129-137 Truedell Circle, as shown on Appendix "A" to Report LS18007/PED1805, and that Legal staff be authorized to retain such outside professional(s) for said purpose and charge the costs to the Tax Stabilization Reserve 110046;***
- (b) ***That Legal staff be instructed to oppose the appeal by Parkside Hills Inc. (Country Green Homes Inc.) (Applicant) to the Local Planning Appeal Tribunal of its application to amend the Town of Flamborough Zoning By-law No. 90-145-Z for lands located at 609 and 615 Hamilton Street North, 3 Nisbet Boulevard and 129-137 Truedell Circle, as shown on Appendix "A" to Report LS18007/PED18051, and that Legal staff be authorized to retain such outside professional(s) for said purpose and charge the costs to the Tax Stabilization Reserve 110046;***

- (c) *That Legal staff be instructed to oppose the appeal by Parkside Hills Inc. (Country Green Homes Inc.) (Applicant) to the Local Planning Appeal Tribunal of its application for Draft Plan of Subdivision for lands located at 609 and 615 Hamilton Street North, 3 Nisbet Boulevard and 129-137 Truedell Circle, as shown on Appendix "A" to Report LS18007/PED18051, and that Legal staff be authorized to retain such outside professional(s) for said purpose and charge the costs to the Tax Stabilization Reserve 110046;*
- (d) *That the Local Planning Appeal Tribunal be advised that the reasons for Council's opposition to Parkside Hills Inc. (Country Green Homes Inc.) (Applicant) of its Applications to amend the Urban Hamilton Official Plan (UHOP) and to amend the Town of Flamborough Zoning By-law No. 90-145-Z and for a Draft Plan of Subdivision approval, include but are not limited to the following:*
- *The proposed street network does not represent orderly development;*
  - *The proposed density exceeds that prescribed in the Urban Hamilton Official Plan and Waterdown North Secondary Plan;*
  - *Insufficient information has been provided to determine that there are appropriate levels of infrastructure to service the water and waste water requirements of the proposed development;*
  - *The applications fail to demonstrate consistency with the Provincial Policy Statement (2014) with respect to Archaeological Resources and Human-made Hazards.*
- (f) *That the recommendation of Report LS18007/PED18051 be released to the public.*

**Amendment CARRIED**  
**Main Motion as amended CARRIED**

**(Farr/Green)**

That the ELEVENTH Report of the Planning Committee be adopted, as amended, and the information section received.

**CARRIED**

**(B. Johnson/Farr)**

That Section 5.6(2) of the City's Procedural By-law 14-300, which provides that a minimum of 48 hours shall pass before a Standing Committee Report is presented to Council, be waived in order to consider the Audit, Finance and Administration Committee Report 18-010, dated Wednesday, July 11, 2017; the Public Works Committee Report 18-010, dated Thursday, July 12, 2018; and, the Board of Health Report 18-006, dated Thursday, July 12, 2018.

**CARRIED**



## AUDIT, FINANCE &amp; ADMINISTRATION COMMITTEE REPORT 18-010

**10. Commercial Relationship Between City of Hamilton and Algoma Contractors Inc. (LS18041/FCS18078) (City Wide) (Item 12.1)****(Collins/Merulla)**

That the recommendation of Item 10 of Audit, Finance and Administration Committee Report 18-010 respecting the Commercial Relationship Between City of Hamilton and Algoma Contractors Inc. (LS18041/FCS18078), be deleted in its entirety and the following be inserted therein:

~~That the recommendations of Report LS18041/FCS18078, respecting “Commercial Relationship Between City of Hamilton and Algoma Contractors Inc.” be approved and the recommendations remain private and confidential until approved by Council.~~

- (a) *That to protect the best interests of the City of Hamilton (City) due to the impairment of the commercial relationship between the City of Hamilton and Algoma Contractors Inc. (“Algoma”), staff be directed to reject any current and future bids, proposals or quotations received from Algoma, or any of its related corporate or individual entities, until and including July 13, 2020.***
- (b) *That the City of Hamilton not enter into any contract with Algoma, or any of its related corporate or individual entities, until and including July 13, 2020.***
- (c) *That Report LS18041/FCS18070 respecting the Commercial Relationship Between City of Hamilton and Algoma Contractors Inc., remain confidential.***

**Amendment CARRIED  
Main Motion as amended CARRIED**

**(Collins/Merulla)**

That the TENTH Report of the Audit, Finance & Administration Committee be adopted, as amended, and the information section received.

**CARRIED**

## PUBLIC WORKS COMMITTEE REPORT 18-010

**(Jackson/Collins)**

That the TENTH Report of the Public Works Committee be adopted, as presented, and the information section received.

**CARRIED**

## BOARD OF HEALTH REPORT 18-006

**7. Appointment of Associate Medical Officer of Health (BOH18027) (City Wide)  
(Item 12.1)****(Eisenberger/B. Johnson)**

That the recommendation of Item 7 of Board of Health Report 18-006 respecting the Appointment of Associate Medical Officer of Health (BOH18027), be deleted in its entirety and the following be inserted therein:

~~That the recommendations of Report respecting Appointment of Associate Medical Officer of Health (BOH18027) be approved and the recommendations remain private and confidential until approved by Council.~~

- (a) That Dr. Bart Harvey be appointed as Associate Medical Officer of Health, and the necessary documentation forwarded to the Minister of Health & Long-Term Care for approval;**
- (b) That the recommendations be made public, but the contents of the report respecting Appointment of Associate Medical Officer of Health (BOH18027) remain confidential, as the information relates to labour relations and employee negotiations.**

**Amendment CARRIED  
Main Motion as amended CARRIED**

**(Eisenberger/B. Johnson)**

That the SIXTH Report of the Board of Health be adopted, as amended, and the information section received.

**CARRIED**

**(B. Johnson/Collins)**

That Committee Rise and Report.

**CARRIED**

## MOTIONS

**7.1 Opposition to Buy American Policies and the Tariffs Recently Imposed by the Trump Administration (REVISED)**

Councillor Collins requested that the motion respecting the Opposition to Buy American Policies and the Tariffs Recently Imposed by the Trump Administration (REVISED) be considered at the August 17, 2018 Council meeting.

**7.2 Appointment of an Acting City Manager**

**(Eisenberger/Whitehead)**

- (a) That Mike Zegarac be appointed Acting City Manager for the City of Hamilton effective August 13, 2018;
- (b) That By-law 08-307 a By-law to Appoint and to Prescribe the Duties and Responsibilities of the Chief Administrative Officer, be repealed; and
- (c) That a By-law to Appoint and to Prescribe the Duties and Responsibilities of the Acting Chief Administration Officer be prepared and enacted by Council.

**CARRIED**

**7.3 Appointment of Acting Deputy City Clerks**

**(Ferguson/B. Johnson)**

- (a) That Ida Bedioui; Stephanie Paparella; Lauri Leduc; Loren Kolar; Lisa Chamberlain and Angela McRae be appointed Acting Deputy Clerks for the City of Hamilton effective July 14, 2018; and
- (b) That a By-law to Appoint Acting Deputy Clerks be prepared and enacted by Council.

**CARRIED**

**7.4 Amendment to the 2018 Council / Committee Calendar**

**(Pearson/B. Johnson)**

WHEREAS, Council on June 14, 2017 approved the 2018 Council / Committee Calendar; and

WHEREAS, it is necessary to amend the 2018 Council / Committee Calendar to include the dates of the 2018 – 2022 Council Orientation Sessions.

THEREFORE BE IT RESOLVED:

That the 2018 Council / Committee Calendar be amended to include November 15th and 16th, 2018, as dates for the 2018 – 2022 Council Orientation Sessions.

**CARRIED**

## 7.5 Hamilton Steel Summit

### (Merulla/Green)

WHEREAS, Hamilton is Canada's Steel City,

WHEREAS, the steel industry in Hamilton supports thousands of jobs in Hamilton and in neighbouring communities,

WHEREAS, the City of Hamilton is committed to protecting the welfare and best interest of employees and pensioners in the Hamilton steel industry,

WHEREAS, the City of Hamilton is committed to supporting and standing up for our world-class steel industry,

WHEREAS, the City of Hamilton wants to engage community partners and industry stakeholders to make our City's voice heard.

THEREFORE BE IT RESOLVED:

- (a) That the City Manager be directed to plan and execute a Hamilton Steel Summit through which members of Council and the public can hear directly from representatives of the steel industry about the challenges being faced in the steel industry, and any efforts that governments of all levels can make to support our steel industry, to be held no later than September 26, 2018;
- (b) That staff in the City Manager's Office, Economic Development Division and Clerks Office work with the Mayor and the Chair of the City's Steel Committee to finalize the format and agenda for the Summit;
- (c) That the Mayor write to Hamilton's MPs, MPPs, labour unions and Chambers of Commerce to invite them to attend the Summit;
- (d) That the Summit be open to members of the public who wish to make delegations;
- (e) That the costs associated with the Hamilton Steel Summit be funded from the Tax Stabilization Reserve, up to a maximum of \$5,000; and
- (f) That staff be directed to report to the General Issues Committee with a summary of the Hamilton Steel Summit, along with recommendations for a longer term Engagement Strategy with the Federal and Provincial governments, by December 2018.

**CARRIED**

**7.6 Request for an Independent, Provincial review of Forensic Psychiatric Patient Escapes from the St. Joseph's Healthcare Forensic Psychiatric Unit (Hamilton) and Mandatory GPS Monitoring for those Forensic Psychiatric Patients with Outside Passes**

**(Whitehead/Jackson)**

WHEREAS, the City of Hamilton understands the significant work and value of the St. Joseph's Healthcare Forensic Psychiatric Unit in the treatment and reintegration of forensic psychiatric patients into the community;

WHEREAS, the City of Hamilton supports the spirit of reintegration into the community of those experiencing mental health issues, who have been involved in a criminal act, upon the completion of the appropriate rehabilitation;

WHEREAS, there have been approximately 26 patients, who have gone missing, from the St. Joseph's Healthcare Forensic Psychiatric Unit in the last three years;

WHEREAS, two of the three patients who have escaped in the last 4 weeks had deemed as being high-risk, violent offenders by the Ontario Review Board;

WHEREAS, although Mohawk College, which is adjacent to the St. Joseph's Healthcare Forensic Psychiatric Unit, has protocols in place to protect the students in the buildings when notified of an escape, cannot protect students outside of the facility or in student housing;

WHEREAS, the community is demanding that higher standards of monitoring and securing the forensic psychiatric patients at the St. Joseph's Healthcare Forensic Psychiatric Unit, and the right to not only feel safe, but to be safe;

WHEREAS, although the St. Joseph's Healthcare Forensic Psychiatric Unit has protocols in place to address matters of missing forensic psychiatric patients, those protocols are clearly not sufficient;

THEREFORE, BE IT RESOLVED:

- (a) That, in the interest of public safety and to assist the St. Joseph's Healthcare Forensic Psychiatric Unit in determining more effective methods of monitoring and securing forensic psychiatric patients, the Mayor correspond with the Honourable Christine Elliott, Deputy Premier and Minister of Health and Long-term Care, to request the Ministry to perform an independent, provincial review of all escapes to-date from this facility, and to provide a report of their findings and recommendations; and
- (b) That the Honourable Christine Elliott, Deputy Premier and Minister of Health and Long-term Care, also be requested to consider making it mandatory for all forensic psychiatric patients, who have outside passes, to be fitted with a GPS monitor to assist those charged with their custody and treatment to better monitor the whereabouts of those patients.

Upon Councillor Green's request, the motion was divided and voted upon, as follows:

**(Green/Merulla)**

That the following sub-section (c) be added, to read as follows:

- (c) That the Provincial Government be requested to provide additional resources for increased nursing and non-medical staff in the St. Joseph's Healthcare Forensic Psychiatric Unit facility.**

**Amendment CARRIED**

Sub-section (a) was CARRIED.

**(Merulla/Green)**

That sub-section (b) be amended to read as follows:

- (b) That the Honourable Christine Elliott, Deputy Premier and Minister of Health and Long-term Care, also be requested to consider *increased capital expenditures to enhance the security of patients above and beyond the St. Joseph's Healthcare Forensic Psychiatric Unit's current infrastructure.***

**Amendment CARRIED**

The Main Motion, as amended, reads as follows:

WHEREAS, the City of Hamilton understands the significant work and value of the St. Joseph's Healthcare Forensic Psychiatric Unit in the treatment and reintegration of forensic psychiatric patients into the community;

WHEREAS, the City of Hamilton supports the spirit of reintegration into the community of those experiencing mental health issues, who have been involved in a criminal act, upon the completion of the appropriate rehabilitation;

WHEREAS, there have been approximately 26 patients, who have gone missing, from the St. Joseph's Healthcare Forensic Psychiatric Unit in the last three years;

WHEREAS, two of the three patients who have escaped in the last 4 weeks had deemed as being high-risk, violent offenders by the Ontario Review Board;

WHEREAS, although Mohawk College, which is adjacent to the St. Joseph's Healthcare Forensic Psychiatric Unit, has protocols in place to protect the students in the buildings when notified of an escape, cannot protect students outside of the facility or in student housing;

WHEREAS, the community is demanding that higher standards of monitoring and securing the forensic psychiatric patients at the St. Joseph's Healthcare Forensic Psychiatric Unit, and the right to not only feel safe, but to be safe;

WHEREAS, although the St. Joseph’s Healthcare Forensic Psychiatric Unit has protocols in place to address matters of missing forensic psychiatric patients, those protocols are clearly not sufficient;

THEREFORE, BE IT RESOLVED:

- (c) That, in the interest of public safety and to assist the St. Joseph’s Healthcare Forensic Psychiatric Unit in determining more effective methods of monitoring and securing forensic psychiatric patients, the Mayor correspond with the Honourable Christine Elliott, Deputy Premier and Minister of Health and Long-term Care, to request the Ministry to perform and independent, provincial review of all escapes to-date from this facility, and to provide a report of their findings and recommendations;
- (b) That the Honourable Christine Elliott, Deputy Premier and Minister of Health and Long-term Care, also be requested to consider **increased capital expenditures to enhance the security of patients above and beyond the St. Joseph’s Healthcare Forensic Psychiatric Unit’s current infrastructure; and,**
- (c) **That the Provincial Government be requested to provide additional resources for increased nursing and non-medical staff in the St. Joseph’s Healthcare Forensic Psychiatric Unit facility.**

The Main Motion as Amended CARRIED on the following Standing Recorded Vote:

Yeas: Eisenberger, A. Johnson, Farr, Green, Merulla, Jackson, Whitehead, Conley, Pearson, B. Johnson, Ferguson, Pasuta, Partridge  
 Total: 13  
 Nays: --  
 Total: 0  
 Absent: Collins, VanderBeek  
 Total: 2

**7.7 Sidewalk Redevelopment – Ward 4**

**(Merulla/Green)**

That Capital Rehabilitation and Technical staff be authorized and directed to proceed with the sidewalk redevelopment in Ward 4, at an approximate cost of \$100,000, to be funded from the Ward 4 Area Rating Reserve Account.

**CARRIED**

**7.8 500 MacNab Street North Renewal Project**

**(Collins/Merulla)**

WHEREAS, it is proposed that Energy, Fleet & Facilities Management Division (EFFM) shall manage schedule, scope, budget and owner administration of projects (throughout the project phases of Initiation, Planning, Execution and Close-Out), on behalf of the CityHousing Hamilton as client; similar to Facilities’ project delivery for Libraries, Police, Recreation and Lodges;

WHEREAS, on June 27, 2018, City of Hamilton Council approved a Capital Project Manager, reporting within Public Works Department, Energy, Fleet & Facilities Management Division, and delivering key capital projects with CityHousing Hamilton as client;

WHEREAS Public Works staff do not have direct authority to negotiate contracts, request issuance of Purchase Orders, work or invoices on behalf of CityHousing Hamilton, which are part of the capital project management responsibilities;

WEREAS the details of Public Works' project delivery for CityHousing Hamilton shall be defined by a Service Level Agreement, currently in progress;

WHEREAS the project at 500 MacNab Street has strict funding deadlines for completing the entire package of work required by March 31, 2020 with only 21 months until this deadline;

WHEREAS City staff are proactively assisting CityHousing Hamilton on 500 MacNab Street in parallel with (in advance of) defining all terms of the Service Level Agreement; and,

WHEREAS, on July 11, 2018, CityHousing Hamilton Board of Directors has directed and authorized the CEO of CityHousing Hamilton to negotiate and enter into a single source contract with ERA Architects Inc. as the prime design consultant for the Passive House tower renewal of 500 MacNab St N, due to the required project completion timeline from a funder, with terms acceptable to legal counsel;

THEREFORE, BE IT RESOLVED:

That City staff in the Public Works Department be directed to proceed with a non competitive contract negotiation with ERA Architects Inc. for the 500 MacNab St. N renewal project in accordance with the CityHousing Hamilton Board of Directors resolution, on behalf of the CityHousing Hamilton as client with terms acceptable to the CEO of CityHousing Hamilton and CityHousing Hamilton Legal Counsel.

**CARRIED**

#### **7.9 Ward 2 Discretionary Funded Project**

**(Farr/Green)**

That the funding in the amount no greater than \$1,500 for installation of the Snail Mural at the intersection of Victoria Avenue South and Stinson Street be funded from the Ward 2 Discretionary ID # 3301809200.

**CARRIED**

#### **7.10 To Create a Hamilton General Hospital Safety Zone**

**(Green/Merulla)**

WHEREAS, friendly Streets Hamilton, an initiative of Environment Hamilton and Cycle Hamilton, have been working to support and engage community stakeholders in securing safer cycling and walking conditions in urban Hamilton;



WHEREAS, friendly Streets Hamilton engaged over 200 community stakeholders and residents in assessing current challenges and barriers to walking and biking in the Beasley, Keith, and Gibson-Landsdale neighbourhoods; d

WHEREAS, residents of the Beasley, Keith, and Gibson-Landsdale neighbourhoods have raised concerns about the challenges they face when walking or biking in the area;

WHEREAS, the area surrounding the Hamilton General Hospital in particular has a high volume of trucks and vehicles, with insufficient pedestrian crossings and bike lanes, making it hazardous for patients, visitors, and residents navigating the area; and,

WHEREAS, a natural foot-route to the hospital entrance from the parking lot and to the medical centre with over 2,000 patients per month attend Stroke Clinic at that corner which is currently unsafe due to high truck traffic.

THEREFORE, BE IT RESOLVED:

- (a) That an overhead pedestrian crossing with appropriate signage be installed on Victoria Ave. N. at Copeland Ave. to be funded out of the Ward 3 Capital Reserve account 108053 to the upset amount of \$75k;
- (b) that the appropriate staff report back on the feasibility of re-routing trucks away from Victoria Ave. N. and Wellington Ave. N.;
- (c) That the appropriate staff report back to the Public Works Committee respecting creating an alleyway bike path with direct access to the hospital; and,
- (d) That staff be directed to investigate any additional traffic calming measures that would enhance the safety of the area surrounding the Hamilton General Hospital.

**(B. Johnson/Pearson)**

That sub-section (b) be amended to read as follows:

- (b) that the appropriate staff report back **to the Truck Route Sub-Committee** on the feasibility of re-routing trucks away from Victoria Ave. N. and Wellington Ave. N.

**Amendment CARRIED**  
**Main Motion as amended CARRIED**

### 7.11 Free Residential Composter Pilot

**(Green/Merulla)**

WHEREAS, the Central Composting Facility has been shut-down in response to odour issues and an increased number of odour complaints;

WHEREAS, green bin material is currently being redirected to the landfill while the City procures a third-party processor for said material;

WHEREAS, adding more waste to the landfill in the long-run is counter to the City of Hamilton's 2012 Solid Waste Management Master Plan, which states: "The City of Hamilton must lead and encourage the changes necessary to adopt the principle of Waste Minimization"; and,

WHEREAS, providing free residential composter units will incentivize more sustainable practices and will help reduce the organic waste being diverted to the landfill;

THEREFORE, BE IT RESOLVED:

- (a) That the Director of Public works be directed to provide lower city Wards 1-5 residents free residential compost units as a part of an ongoing diversion project for the summer months of July and August to be funded from the Ward 3 Capital Reserve Account 108053 with an upset limit of \$35K; and
- (b) That staff be directed to report back to the Public Works Committee on the feasibility of extending this as a city wide annual waste diversion initiative.

**(Pearson/Green)**

That sub-section (b) be renumbered to (c) and the following sub-section (b) be added, to read as follows:

- (b) ***That information regarding composting best practices be included with each compost unit.***

***Amendment CARRIED***

**(Merulla/Green)**

That sub-section (a) be amended, to read as follows:

- (a) That the Director of Public works be directed to provide lower city Wards 1-5 residents free residential compost units as a part of an ongoing diversion project for the summer months of July and August to be funded from the Ward 3 Capital Reserve Account 108053 ***and the Ward 4 Capital Reserve Account*** with an upset limit of \$35K, ***each***; and

***Amendment CARRIED***  
***Main Motion as amended CARRIED***

**7.12 Continued Investments in Ward 3 Park and Playgrounds at 430 Cumberland and the new Century Street Parkette**

**(Green/Farr)**

WHEREAS, direct investments in our community public spaces, parks, and playgrounds have been identified through extensive neighbourhood engagement as well as through our City of Hamilton strategic priorities; and,

WHEREAS, capital upgrades are currently underway at 430 Cumberland as well as the redevelopment of the former parking lot into a Century Street Parkette;

THEREFORE BE IT RESOLVED:

- (a) That \$75,000 be provided to City Housing Hamilton for the construction of a new playground at the property located at 430 Cumberland Avenue, Hamilton;
- (b) That staff be directed to undertake a public art process to plan, select, fabricate and install a work of Public Art in the Century Street Parkette with a budget of \$150,000 that includes student input from neighbouring Cathedral Highschool, the direct neighbourhood, as well as other community engagement as, deemed appropriate by way of our public art process; and,
- (c) That both projects be funded out of the Ward 3 Capital Reserve account 108053.

**CARRIED**

**7.13 Demolition Permit – 82 Lynbrook Drive**

**(Whitehead/Jackson)**

WHEREAS the owner of 82 Lynbrook Dr. has experienced a fire in their home making it uninhabitable;

WHEREAS the time is running out with the insurance settlement; and

WHEREAS the owner intends to rebuild the dwelling at 82 Lynbrook Dr. as soon as practicable;

THEREFORE BE IT RESOLVED:

That the owner of 82 Lynbrook Dr. be permitted to apply for and receive a building permit to demolish the dwelling at 82 Lynbrook Dr. without having to comply with conditions (a), (b) and (c) of the Demolition Control By-law 09-208.

**CARRIED**

<b>NOTICES OF MOTION</b>
--------------------------

**8.1 OPSEU Local 216 and Banyan Community Services**

Councillor Jackson introduced the following Notice of Motion respecting OPSEU Local 216 and Banyan Community Services.

WHEREAS, Members of OPSEU Local 216 of Arrell Youth Centre operated by Banyan Community Services find themselves in a critical situation being locked out on April 27, 2018 and without a contract since April 1, 2017;

WHEREAS, Youth in care have been displaced from their communities and the services they rely on;

WHEREAS, 60 youth justice workers at the Arrell Youth Centre are now in a lockout after workers refused to accept a benefit co-sharing arrangement that would cost a full-time employee approximately \$1,200 a year and result in a \$20,000 savings to the employer; and

WHEREAS, the City of Hamilton has a vested interest in protecting the integrity of the Province of Ontario Labour laws and the principal of negotiating collective agreements in good faith;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton ask Banyan Community Services to uphold the integrity of Ontario Labour Laws, which are based on a presumption of good faith bargaining by both parties;
- (b) That the City of Hamilton call on Banyan Community Services to find a resolution to the lockout without imposing further hardship on workers and their families; and
- (c) That if Banyan Community Services refuses to resume bargaining in good faith, the City of Hamilton ask both the Minister of Labour and the Minister of Children, Community and Social Services, the Prime Minister of Canada, and the Premier of Ontario to intervene in order to uphold the integrity of the Ontario Labour Laws, and the underlying principal that both parties in a dispute must, in good faith, negotiate a Collective Agreement; and, that all local MP's and MPP's be copied.

**8.2 Hamilton Steel Summit**

Councillor Merulla introduced a Notice of Motion respecting the Hamilton Steel Summit.

**(Merulla/Green)**

That the Rules of Order to be waived to allow for the introduction of a motion respecting the Hamilton Steel Summit.

**CARRIED**

For disposition of this matter, please refer to Item 7.5.

**8.3 Request for an Independent, Provincial review of Forensic Psychiatric Patient Escapes from the St. Joseph's Healthcare Forensic Psychiatric Unit (Hamilton) and Mandatory GPS Monitoring for those Forensic Psychiatric Patients with Outside Passes**

Councillor Whitehead introduced a Notice of Motion respecting Request for an Independent, Provincial review of Forensic Psychiatric Patient Escapes from the St. Joseph's Healthcare Forensic Psychiatric Unit (Hamilton) and Mandatory GPS Monitoring for those Forensic Psychiatric Patients with Outside Passes.

**(Whitehead/Merulla)**

That the Rules of Order to be waived to allow for the introduction of a motion respecting Request for an Independent, Provincial review of Forensic Psychiatric Patient Escapes from the St. Joseph's Healthcare Forensic Psychiatric Unit (Hamilton) and Mandatory GPS Monitoring for those Forensic Psychiatric Patients with Outside Passes.

**CARRIED**

For disposition of this matter, please refer to Item 7.6.

**8.4 Sidewalk Redevelopment – Ward 4**

Councillor Merulla introduced a Notice of Motion respecting Sidewalk Redevelopment – Ward 4.

**(Merulla/Green)**

That the Rules of Order to be waived to allow for the introduction of a motion respecting Sidewalk Redevelopment – Ward 4.

**CARRIED**

For disposition of this matter, please refer to Item 7.7.

**8.5 500 MacNab St. N. Renewal Project**

Councillor Collins introduced a Notice of Motion respecting 500 MacNab St. N. Renewal Project.

**(Collins/Merulla)**

That the Rules of Order to be waived to allow for the introduction of a motion respecting 500 MacNab St. N. Renewal Project.

**CARRIED**

For disposition of this matter, please refer to Item 7.8.

**8.6 Ward 2 Discretionary Funded Project**

Councillor Farr introduced a Notice of Motion respecting Ward 2 Discretionary Funded Project.

**(Farr/Green)**

That the Rules of Order to be waived to allow for the introduction of a motion respecting Ward 2 Discretionary Funded Project.

**CARRIED**

For disposition of this matter, please refer to Item 7.9.

**8.7 To Create a Hamilton General Hospital Safety Zone**

Councillor Green introduced a Notice of Motion To Create a Hamilton General Hospital Safety Zone.

**(Green/Merulla)**

That the Rules of Order to be waived to allow for the introduction of a motion To Create a Hamilton General Hospital Safety Zone.

**CARRIED**

For disposition of this matter, please refer to Item 7.10.

**8.8 Free Residential Composter Pilot**

Councillor Green introduced a Notice of Motion respecting Free Residential Composter Pilot.

**(Green/Merulla)**

That the Rules of Order to be waived to allow for the introduction of a motion respecting Free Residential Composter Pilot.

**CARRIED**

For disposition of this matter, please refer to Item 7.11.

**8.9 Continued Investments in Ward 3 Park and Playgrounds at 430 Cumberland and the new Century Street Parkette**

Councillor Green introduced a Notice of Motion respecting Continued Investments in Ward 3 Park and Playgrounds at 430 Cumberland and the new Century Street Parkette.

**(Green/Merulla)**

That the Rules of Order to be waived to allow for the introduction of a motion respecting Continued Investments in Ward 3 Park and Playgrounds at 430 Cumberland and the new Century Street Parkette.

**CARRIED**

For disposition of this matter, please refer to Item 7.12.

**8.10 No Parking Signs on Bay Street Between Aberdeen Avenue and Herkimer Street**

Councillor Farr introduced the following Notice of Motion respecting No Parking Signs on Bay Street Between Aberdeen Avenue and Herkimer Street.

That the "No Stopping" signs along the bicycle lane on Bay Street between Aberdeen Avenue and Herkimer Street be changed to "No Parking" signs, thus bringing them in line with the signage on the adjacent Markland Avenue and other local residential streets.

**8.11 Demolition Permit – 82 Lynbrook Drive**

Councillor Whitehead introduced a Notice of Motion respecting Demolition Permit – 82 Lynbrook Drive.

**(Whitehead/Jackson)**

That the Rules of Order to be waived to allow for the introduction of a motion respecting Demolition Permit – 82 Lynbrook Drive.

**CARRIED**

For disposition of this matter, please refer to Item 7.13.

**STATEMENTS BY MEMBERS**

Members of Council used this opportunity to discuss matters of general interest.

**PRIVATE AND CONFIDENTIAL**

Members of Council determined that no discussion respecting the Closed Session minutes dated June 27, 2018 was required and the minutes were approved in Open Session as shown below:

**10.1 Closed Session Minutes – June 27, 2018**

**(Ferguson/Conley)**

That the Closed Session Minutes dated June 27, 2018 be approved, as presented, and remain confidential.

**CARRIED**

**(Pearson/B. Johnson)**

That Council move into Closed Session pursuant to Section 8.1, Sub-section (b) and (c) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (b) and (c) of the Ontario Municipal Act, 2001, as amended, as the subject matters pertains to personal matters about an identifiable individual, including City employees and to a proposed or pending acquisition or disposition of land for City purposes.

**10.2 Property Acquisition to Support the Transit Maintenance and Storage Facility (PW18045(a)) (Ward 3)**

**(Pearson/Conley)**

That Report PW18045(a), respecting the Property Acquisition to Support the Transit Maintenance and Storage Facility, remain confidential until completion of the Real Estate transactions.

**CARRIED**

**10.2(a)Property Acquisition to Support the Transit Maintenance and Storage Facility (PW18045(b)) (Ward 3)**

**(Whitehead/Pearson)**

That Report PW18045(b), respecting the Property Acquisition to Support the Transit Maintenance and Storage Facility, remain confidential and not be released as a public document until completion of the Real Estate transactions.

**CARRIED**

**10.3 Integrity Commissioner / Lobbyist Registrar Appointment (LS180044/CL18009) (City Wide)**

**(Ferguson/Pearson)**

- (a) That the resignation of George Rust D’Eye as the City of Hamilton Integrity Commissioner and Lobbyist Registrar be accepted;
- (b) That Council appoint Principles Integrity as Integrity Commissioner and Lobbyist Registrar for the City of Hamilton until March 31, 2019; and
- (c) That Report LS18044/CL18009 remain confidential.

**CARRIED**

<b>BY-LAWS</b>
----------------

**(Ferguson/B. Johnson)**

That Bills No. 18-182 to No. 18-205, **as amended**, be passed and that the Corporate Seal be affixed thereto, and that the By-laws be numbered and be signed by the Mayor and the City Clerk to read as follows:

- 182 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic Schedule 5 (Stop Control)  
Ward: 2
- 183 A By-law to Establish Certain 2018 User Fees and Charges for Services, Activities or the Use of Property  
Ward: City Wide
- 184 To Appoint and to Prescribe the Duties and Responsibilities of the Acting Chief Administrative Officer



Ward: City Wide

- 185 To Appoint Acting Deputy City Clerks for the City of Hamilton  
Ward: City Wide
- 186 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking Schedule 6 (Time Limit Parking) Schedule 8 (No Parking Zones) Schedule 10 (Alternate Side Parking Schedule 12 (Permit Parking Zones) Schedule 13 (No Stopping Zones) Schedule 14 (Wheelchair Loading Zones)  
Ward: 2, 3, 4, 7
- 187 To Amend Zoning By-law No. 6593 Respecting Lands Located at 400 Rymal Road West  
ZAH-18-016  
Ward: 8
- 188 To Amend Zoning By-law No. 6593 Respecting Lands Located at 893, 897 and 903 West 5th Street ZAH-18-021  
Ward: 8
- 189 Respecting Removal of Part Lot Control, Block 55, Registered Plan No. 62M-330 PLC-18-020  
Ward: 10
- 190 Respecting Removal of Part Lot Control, Blocks 19, 20 and 21 of Registered Plan of Subdivision No. 62M-1240, municipally known as 1, 3, 5, 7, 9, 11, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37 and 39 Talence Drive, Stoney Creek PLC-18-001 (20772)  
Ward: 9
- 191 Respecting Removal of Part Lot Control, Blocks 22, 23 and 24 of Registered Plan of Subdivision No. 62M-1240, municipally known as 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42 and 44 Talence Drive, Stoney Creek PLC-18-001 (20773)  
Ward: 9
- 192 Respecting Removal of Part Lot Control, Blocks 13, 14, and 15 of Registered Plan of Subdivision No. 62M-1240, municipally known as 1, 3, 5, 7, 8, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41 and 43 Bayonne Drive, Stoney Creek PLC-18-001 (20774)  
Ward: 9
- 193 Respecting Removal of Part Lot Control, Blocks 16, 17 and 18 of Registered Plan of Subdivision No. 62M-1240, municipally known as 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36 and 38 Bayonne Drive, Stoney Creek PLC-18-001 (20771)  
Ward: 9

- 194 To Adopt Official Plan Amendment No. 107 to the Urban Hamilton Official Plan, Respecting 56, 74, 78, 90, 96, 100 and 566 Parkside Drive (Flamborough)  
Ward: 15
- 195 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 56, 74, 78, 90, 96, 100 and 556 Parkside Drive (Flamborough) ZAC-15-039/25T-201507  
Ward: 15
- 196 Being a By-law to amend By-law No. 14-153, City of Hamilton Development Charges By-law, 2014, to Revise Definitions and Policy Regarding Industrial Development Expansions  
Ward: City Wide
- 197 A By-law to Amend By-law No. 17-225, being a By-law to Establish a System of Administrative Penalties  
Ward: City Wide
- 198 To Rename Highland Road to Highland Road West  
Ward: 6
- 199 A By-law to Prohibit Drive School Instructing in the Restricted Areas  
Ward: 5
- 200 To Amend Zoning By-law No. 05-200 (Hamilton), as amended by By-law No. 17-112, Respecting Lands Located at 50 Albright Drive  
ZAH-18-032  
Ward: 5
- 201 To Amend Zoning By-law No. 6593 (Hamilton), as amended by By-law No. 17-155, Respecting Lands Located at 52 Ottawa Street North  
ZAH-18-036  
Ward: 5
- 202 To Adopt Official Plan Amendment No. 108 to the Urban Hamilton Official Plan Respecting 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Street (Hamilton)  
Ward: 4
- 203 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Land Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, and 24 Hayes Avenue, Hamilton  
ZAC-18-010/25T-201802  
Ward: 4
- 204 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 21 Mill Street North (Flamborough)  
ZAR-18-011

Ward: 15

205 To Confirm the Proceedings of City Council

**CARRIED**

**(Partridge/Pearson)**

That, there being no further business, City Council be adjourned at 1:25 p.m.

**CARRIED**

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon  
Acting City Clerk



Ministry of Natural Resources and Forestry

Wildlife Research and Monitoring Section  
2140 East Bank Drive  
DNA Building, c/o Trent University  
Peterborough, ON K9L 0G2

Ministère des Richesses naturelles et des Forêts

Phone: 705-755-5016  
Fax: 705-755-1559  
Email: rabies@ontario.ca

June 28, 2018

The Ministry of Natural Resources and Forestry will be conducting oral rabies vaccine (ORV) bait distribution in the summer and fall of 2018. Baiting operations will begin early July and continue until the end of October.

Please see the attached information package for:

- 1) Map of planned baiting area for 2018
- 2) Rabies Vaccine Bait Information Sheet

Per the attached map, MNRF's bait distribution will be conducted in rural areas with MNRF aircraft flying low-level and by hand in urban areas by MNRF wildlife technicians. The following provides details of MNRF bait distribution in 2018:

- Yellow shaded areas will be completed with a combination of Twin Otter airplane and Eurocopter EC130 helicopter. Twin Otter flights will begin August 20 through August 31, with Eurocopter EC130 flights occurring August 13-17 and September 10-14. These dates are subject to change depending on weather conditions.
- The beige shaded area will be completed by Twin Otter from September 17-21.
- Urban hand baiting, including the use of temporary feeding stations, will occur in the pink areas starting in July and continue through to the end of October.
- Preventative baiting of the purple shaded areas in eastern Ontario will take place in mid-August and will take one day to complete.

In addition to the activities mentioned above, MNRF may conduct localized rapid response baiting measures which will only take place in the event of a raccoon or fox strain rabies case outside of the planned baiting area.

The ministry is committed to the research, surveillance, control and eradication of this recent outbreak of rabies in southwestern Ontario, in order to prevent the disease from spreading. Since the rabies outbreak in 2015, the first of its kind in over a decade, MNRF has taken quick action to protect communities, distributing over 3 million vaccine baits by air and ground.

Any warm-blooded animal can contract rabies. If a person contracts rabies and does not receive treatment, the disease is fatal.

The khaki-green coloured bait being distributed by hand and by aircraft is made of wax-fat with an attractant flavour (vanilla-sugar). A label with a toll-free telephone number (1-888-

574-6656) and “Do not eat” are located on the exterior of the bait and a plastic package containing the liquid rabies vaccine is embedded in the centre. If found, the bait should not be touched, but left for raccoons, skunks and foxes to consume. (See attached bait identification hand out for detailed description).

Ontario’s rabies control program is a joint effort that receives important input and contributions from a variety of partners across the province. Provincial ministries, federal agencies, regional health units, municipalities, wildlife rehabilitators, licensed trappers, wildlife control agents and Indigenous communities are all key to the continued success of Ontario’s world-renowned rabies control program.

For further information about rabies in Ontario, please visit [Ontario.ca/rabies](https://ontario.ca/rabies) or contact MNRF’s rabies information line at 1-888-574-6656.





# Rabies vaccine bait identification

There is currently one type of vaccine bait, the Ultra-lite containing ONRAB<sup>®</sup>, that is used in Ontario for both fox strain and raccoon strain rabies control. Exposure to the bait is not harmful to people or pets; however, in the unlikely event that people or pets come in contact with the vaccine contained in the bait, contacting a doctor or veterinarian as a precaution is recommended.

## Bait Ingredients

The bait formula coats the blister pack containing the vaccine. This formula consists of vegetable based fats, wax, icing sugar, vegetable oil, artificial marshmallow flavour and dark-green food grade fat-soluble dye.

## Blister-pack (Vaccine Carrier)

### Ultra-lite

This is a polyvinyl chloride (PVC) blister pack (40 mm x 22 mm x 10 mm) which weighs approximately 4.3 grams. The blister pack is a teal green polyester flocked container with a heat-sealed laminated polyester lidding. The body of the blister pack is embedded in the bait matrix but the green lidding is exposed and has a black warning label printed on it.

## Vaccine in Baits

### ONRAB<sup>®</sup> oral rabies vaccine

Description: a recombinant live virus liquid vaccine

Volume/bait: 1.8 ±0.1 ml in the blister pack

Other inclusions: vaccine stabilizers

Colour: pale orange to pale pink

Target species: skunk, fox, and raccoon

### Contact:

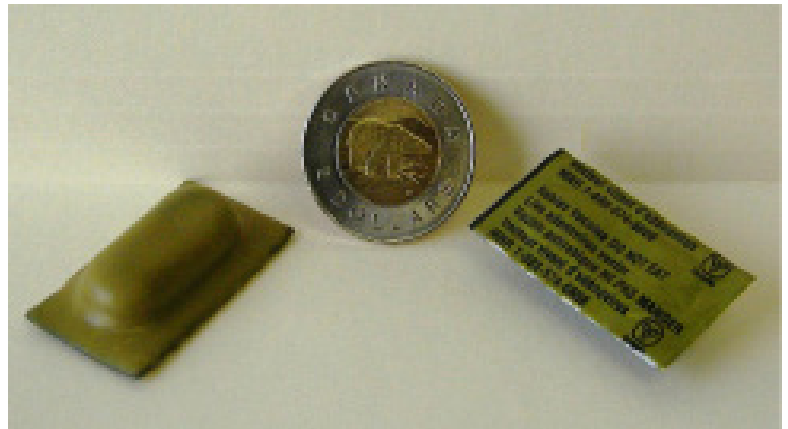
Wildlife Research and Monitoring Section

rabies@ontario.ca

1-888-574-6656

Disponible en français

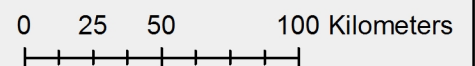
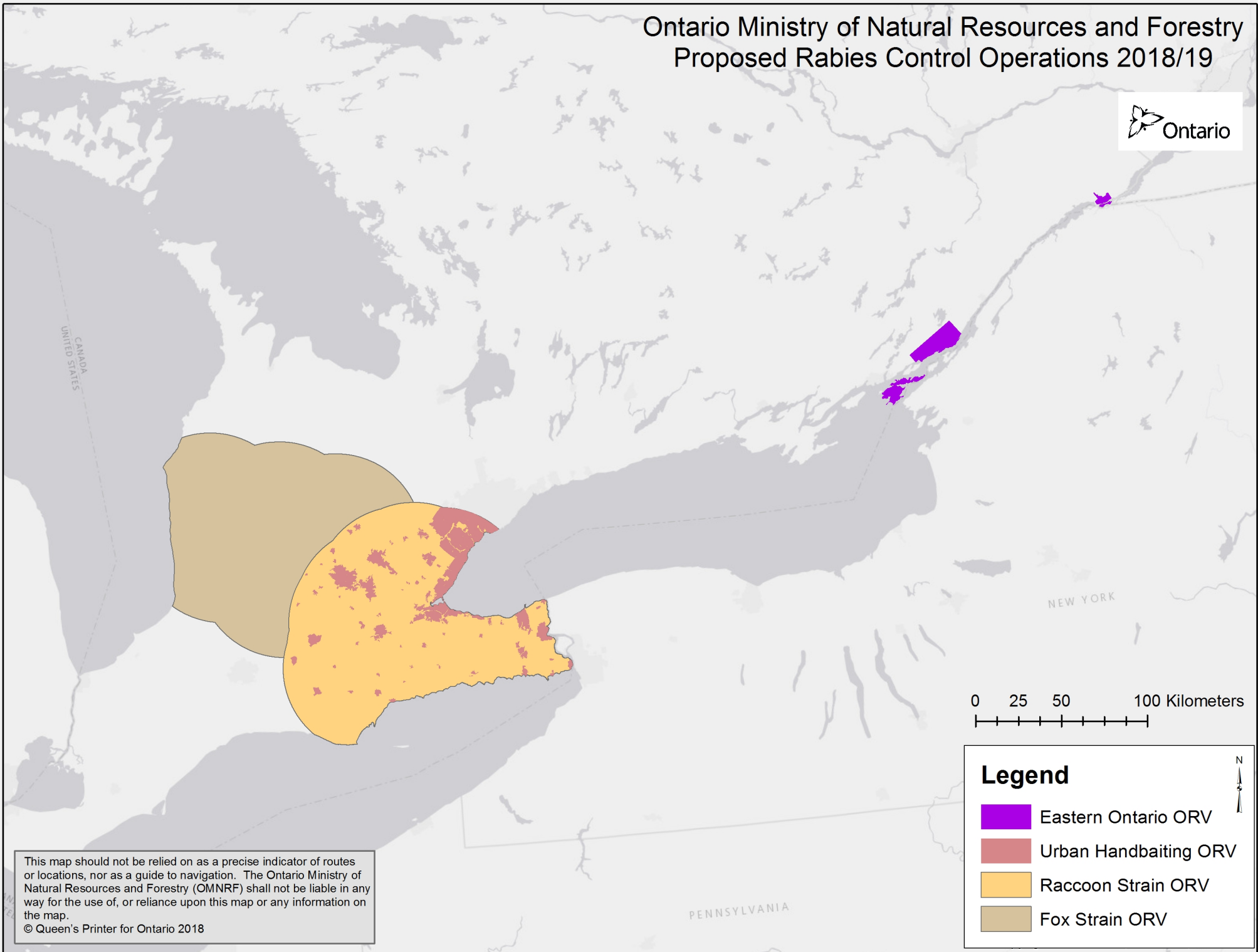
[Ontario.ca/rabies](http://Ontario.ca/rabies)



*Ultra-lite vaccine bait*




# Ontario Ministry of Natural Resources and Forestry Proposed Rabies Control Operations 2018/19



**Legend**

- Eastern Ontario ORV
- Urban Handbaiting ORV
- Raccoon Strain ORV
- Fox Strain ORV



This map should not be relied on as a precise indicator of routes or locations, nor as a guide to navigation. The Ontario Ministry of Natural Resources and Forestry (OMNRF) shall not be liable in any way for the use of, or reliance upon this map or any information on the map.  
© Queen's Printer for Ontario 2018

Niagara Escarpment Commission    Commission de l'escarpement du Niagara

232 Guelph St.  
Georgetown, ON L7G 4B1  
Tel: 905-877-5191  
Fax: 905-873-7452  
www.escarpment.org

232, rue Guelph  
Georgetown ON L7G 4B1  
No de tel. 905-877-5191  
Télécopieur 905-873-7452  
www.escarpment.org



Niagara Escarpment Commission  
An agency of the Government of Ontario

July 9, 2018

To: All municipalities within the Niagara Escarpment Plan Area  
Ontario Ministry of Agriculture, Food and Rural Affairs  
Wine Council of Ontario  
Ontario Federation of Agriculture  
Christian Farmers Federation of Ontario  
National Farmers Union of Ontario

From: Russ Powers  
Chair, Niagara Escarpment Commission

**Re: Niagara Escarpment Plan Agricultural Policies**

At its April 19, 2018 meeting, the Niagara Escarpment Commission (NEC) received a staff report that responded to a Commission motion directing staff to investigate how the Niagara Escarpment Plan (NEP) could address several agriculture-related issues including rural density transfer, farm labour housing, farm second dwellings, farm succession planning, agricultural labour shortages, and any other issues that are applicable to NEC involvement with agricultural lands.

The Commission directed staff to share the report with all lower and upper-tier municipalities in the NEP Area, as well as relevant agricultural stakeholder groups and the Ontario Ministry of Agriculture, Food and Rural Affairs.

The report provides context for how agriculture is supported through NEP policies, most notably that compatible farming can support the overall Purpose of the NEP, which is “to provide for the maintenance of the Niagara Escarpment and lands in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment.”

In an addendum report, the need for an amendment to the NEP to accommodate the policies of the Agricultural System for the Greater Golden Horseshoe was explored. NEC staff concluded that the policies in the 2017 NEP are supportive of the Agricultural System approach, and that no further amendment to the NEP is necessary at this time. Both the staff report and addendum report were endorsed by the Commission.

Should you require additional information, please contact Kim Peters, Senior Strategic Advisor at the NEC, at [kim.peters@ontario.ca](mailto:kim.peters@ontario.ca), or 905-877-6425.

Sincerely,

R.F. (Russ) Powers  
Chair

Encl.



April 18, 2018

## STAFF REPORT

### Addendum: The Niagara Escarpment Plan and Provincial Agricultural Policy

---

#### BACKGROUND

In the accompanying policy report, *The Niagara Escarpment Plan and Provincial Agricultural Policy*, staff committed to providing an assessment of the impact of provincial “Agricultural System” policies once the finalized policies and implementation procedures were made available. On February 9<sup>th</sup>, the finalized [Implementation Procedures for the Agricultural System in Ontario’s Greater Golden Horseshoe](#) document was released, along with Agricultural System mapping and a map-based Internet portal that includes agri-food network information such as crop production densities, transportation infrastructure and drainage, and food processing businesses.

When the Implementation Procedures were still in draft form, the Niagara Escarpment Commission (NEC) provided comments to OMAFRA noting that one of the objectives of the Niagara Escarpment Plan (NEP) is to maintain the open landscape character of the Niagara Escarpment by such means as compatible farming, and that not all agriculture and agriculture-related uses are consistent with this objective. Nevertheless, the 2017 revisions to the NEP included policies that support the agricultural system approach, but the unique Purpose and Objectives of the NEP required that these policies be viewed through the lens of protecting the Escarpment environment and maintaining the Escarpment’s natural scenery and open landscape character.

This report will review the applicability of the Agricultural System in the NEP Area, including an examination of the existing Agricultural System policies in the NEP, the role of the NEC in implementation of the Agricultural System, and an assessment of the need for an NEP amendment to accommodate the agricultural system approach. Based on this review, it is staff’s position that an amendment to the NEP is not required to comply with the new Agricultural System Implementation Procedures. The new NEP contains policies that support an agricultural system approach in the NEP Area, and are consistent with the approach taken in the Greenbelt Plan and Oak Ridges Moraine Conservation Plan. In addition to the NEP, Greenbelt and Oak Ridges Plan policies, the [Growth Plan for the Greater Golden Horseshoe](#) encourages municipalities to implement regional agri-food strategies and other approaches to sustain and enhance the Agricultural System and the long-term economic prosperity and viability of the agri-food sector. When NEP policies are implemented in tandem with Growth Plan policies, there

is a strong policy framework in place to implement the Agricultural System in the NEP Area.

## **AGRICULTURAL SYSTEM POLICIES**

There are three aspects of the Agricultural System that are relevant to the NEP: 1) permitting a variety of uses in prime agricultural areas (agricultural, agriculture-related and on-farm diversified uses); 2) requiring municipalities to designate prime agricultural areas, including specialty crop areas, in accordance with mapping and implementation procedures issued by the province; and 3) requiring agricultural impact assessments as part of the evaluation process when infrastructure or mineral aggregate operations are proposed.

The Growth Plan policies mentioned above, which are reflected in the Implementation Procedures, are not applicable to the NEC's role in the land use planning system. These policies include requiring municipalities to implement strategies to support and enhance the Agricultural System when undertaking growth management planning, and encouraging municipalities to support the long-term economic prosperity and viability of the agri-food sector through incentives and other economic development programs. These functions are outside the scope of the NEP and the *Niagara Escarpment Planning and Development Act* (NEPDA).

### **1) Agricultural System Permitted Uses**

With regard to the first aspect, the NEP now contains policies that permit a variety of uses, in addition to agriculture, in prime agricultural areas. In Escarpment Rural and Protection Areas, agriculture-related uses and on-farm diversified uses provide for a range of uses that are significantly more flexible than the "small-scale" commercial and industrial uses that were permitted in the previous NEP. Although there are size restrictions on agriculture-related uses and on-farm diversified uses, the limits are significantly greater than the small-scale (less than 465 square metres) provisions in the 2005 NEP. Now, buildings for agriculture-related uses can be a maximum of 3200 square metres, and the size of on-farm diversified uses is scaled to lot size. These new allowances for agriculture-related uses are key to implementation of the Agricultural System in the NEP Area (and elsewhere) since agriculture-related uses are essential components of the agri-food network. Agriculture-related uses may include agri-food assets and services (e.g., food and beverage processors, refrigerated warehousing) and agricultural inputs and services (e.g., feed mills, mechanical services, large animal veterinarians). Other elements of the agri-food network, including infrastructure (e.g., roads, broadband internet, utilities) are permitted uses in all land use designations of the NEP, subject to meeting the applicable Development Criteria in Part 2 of the NEP.

The new NEP policies related to on-farm diversified uses also support farmers by enabling them to pursue additional sources of income on their farm properties, which is important when farming alone may not provide sufficient income to support a farming

family. With additional sources of income, the economic viability of farming is enhanced, enabling farmers to retain ownership of farmland, and continue to farm it.

Wineries continue to be a permitted use in Escarpment Protection and Rural Areas as either agriculture-related uses or on-farm diversified uses. Notwithstanding these policies, a winery (or cidery), by definition, must be located on a vineyard, orchard, or fruit farm. As an agriculture-related use, a winery building can be a maximum of 3200 square metres. In the 2005 NEP, wineries were limited to a maximum of 2323 square metres.

## **2) Agricultural System Mapping**

Since the Agricultural System applies within the Greater Golden Horseshoe only, the Agricultural System Mapping does not cover Grey or Bruce Counties, and the Implementation Procedures do not apply in these areas.

The Introduction to the 2017 NEP states that “*prime agricultural areas in the NEP Area should be identified in accordance with the broader Agricultural System once established, recognizing both the agricultural land base and the agri-food network components.*” The Implementation Procedures reiterate this, but also clarify that it is the NEP that prescribes what uses are permitted in the NEP Area and its land use designations, and that these permitted uses may differ from permitted uses for prime agricultural areas in other provincial land use plans.

The Implementation Procedures direct municipalities, as part of a municipal comprehensive review, to analyze differences between their existing prime agricultural area mapping and the new Agricultural System mapping, and to work with the province to ensure consistent identification, mapping and protection based on the new Agricultural System mapping. Once municipalities have updated their official plans in accordance with the Implementation Procedures, the NEC will rely on municipal identification and mapping of prime agricultural areas for implementation of relevant NEP policies. However, in the meantime, the Implementation Procedures direct that the province’s mapping of the Agricultural System prevails over official plan mapping, and all land use planning decisions in the Greater Golden Horseshoe must reflect the Agricultural System mapping.

Notably, the Implementation Procedures provide the direction that Escarpment Natural Areas do not qualify as prime agricultural area (including specialty crop area) due to their extensive natural cover and topography. This is a departure from existing mapping, in which some prime agricultural areas do overlap with Escarpment Natural Area. For example, in Niagara Region, all Escarpment Natural Area (3,700 hectares) was previously identified as being within the Region’s specialty crop area. With the removal of Escarpment Natural Area, the amount of specialty crop area within the NEP Area in Niagara Region has been reduced from 12,709 to 9,009 hectares, a 29 percent reduction. However, existing agricultural uses in Escarpment Natural Area will continue to be permitted regardless of the prime agricultural area or specialty crop designation.

### **3) Agricultural Impact Assessments**

The Implementation Procedures require that impacts to the entire Agricultural System must be assessed as part of an agricultural impact assessment, and that adverse impacts should be avoided, and where avoidance is not possible, minimized and mitigated as determined through the agricultural impact assessment.

In keeping with this, the 2017 NEP contains policies requiring that agricultural impact assessments be conducted for mineral aggregate resource extraction proposals and infrastructure development. In addition, new development to prime agricultural areas may only be permitted where it can avoid, minimize and mitigate land use conflicts. Aspects of an agricultural impact assessment could potentially be used to address this policy. The [Greenbelt Plan](#) and [Oak Ridges Moraine Conservation Plan](#) contain similar provisions.

#### **ROLE OF THE NEC**

The NEC is required to uphold and implement NEP policies, including NEP policies related to the Agricultural System, in accordance with the NEPDA. As noted earlier in this report, it is the NEP that prescribes the uses that are permitted in different land use designations; the Implementation Procedures clearly recognize that the permitted uses may differ between the various provincial land use plans, as the purpose of each plan differs.

As it always has done, NEC staff will continue to consult with municipalities to ensure municipal agricultural policies are considered in NEC decision making. However, as noted above, the provincial mapping of the Agricultural System prevails over existing municipal mapping until municipalities have updated their official plans in accordance with the province's Implementation Procedures.

#### **NECESSITY OF AN NEP AMENDMENT**

In the finalized Implementation Procedures, it is noted that the Niagara Escarpment Plan (NEP) "may be updated through a plan amendment, to include Agricultural System policies to better align with other provincial plans." NEC staff has assessed the finalized Implementation Procedures and, based on that assessment and consultation with Ministry of Natural Resources and Forestry staff, is advising the Commission that a NEP amendment is not necessary. As noted earlier in this report, the 2017 NEP contains provisions that meet the intent of the Agricultural System, including allowance for a broader range of uses in prime agricultural areas.

NEP mapping does not need to be amended to account for the new Agricultural System. Historically, NEP mapping has never included prime agricultural areas. The purpose of NEP mapping is to identify the NEP land use designations. Prime agricultural area mapping resides with municipalities since it is municipalities that have

the capacity and expertise to conduct the Land Evaluation/Area Review studies that are used to identify prime agricultural areas.

The NEP aligns with the approach taken in both the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan by allowing for agriculture-related uses and on-farm diversified uses in certain land use designations, and in requiring agricultural impact assessment when certain types of development are proposed. In addition to these plan-specific land use policies, the Growth Plan encourages municipalities to implement regional agri-food strategies and other approaches to sustain and enhance the Agricultural System and the long-term economic prosperity and viability of the agri-food sector. Such municipal economic development initiatives are equally applicable within the NEP Area as they are in the Greenbelt and Oak Ridges Moraine Plan areas. The Growth Plan is clear that responsibility for such programming resides with municipalities.

## **OTHER CONSIDERATIONS**

The Implementation Procedures note that within the Escarpment Protection and Rural Area designations, *“the protection and maintenance of cultural heritage resources and their histories is identified as an objective along with the protection of agricultural land,”* and that the *“recognition of the cultural heritage value of agricultural areas can support the agricultural sector...”* Agriculture and associated uses are part of the Escarpment’s open landscape character. Protecting this character involves protecting agricultural land, ensuring landform conservation, and reviewing built form from a visual and environmental perspective to ensure it is compatible with the Escarpment environment and does not dominate the landscape. The Niagara Escarpment is a defining feature of southern Ontario’s cultural heritage landscape, and NEP policies, including those related to agriculture, natural heritage, scenic resources, and landform conservation are intended to recognize and protect the cultural heritage value of agricultural areas.

## **CONCLUSION**

During the Coordinated Review, the government and the NEC heard the frustration of the farming community regarding the complexity and length of the permitting and approvals process. Understandably, delays in approvals can be costly to farmers, and are therefore a concern from an economic development perspective. But these comments were not necessarily limited to the role of the NEC.

In addition to the broader range of permitted uses in prime agricultural areas, it is important to note that Ontario Regulation 828/90, the NEC’s Development Control exemption regulation, provides the farming community with relief from the NEC’s Development Permit process by exempting normal farm practices and general agricultural development (including the construction of farm buildings in some circumstances) from requiring Development Permits. The NEC is also implementing an operational strategy that will improve customer service, and as part of this strategy, is

working with municipalities to better coordinate the Development Permit application process.

This report has demonstrated how the policies in the new NEP achieve the intent and desired outcomes associated with the province's Agricultural System. More generally, the accompanying staff report on provincial agricultural policy demonstrates that the NEP accurately reflects provincial agricultural and land use planning objectives. The provincial policy framework (including the NEP and the Agricultural System) has introduced new policies that provide additional flexibility within prime agricultural areas. As these new policies are implemented, staff is confident that direction set out in the Implementation Procedures for the Agricultural System will be achieved, and it is not necessary to amend the NEP to do so.

## **RECOMMENDATION**

That an amendment to the Niagara Escarpment Plan is not necessary to accommodate the Implementation Procedures and policies related to the Agricultural System for the Greater Golden Horseshoe.

**Prepared by:**

**Approved by:**

*Original Signed by:*

*Original Signed by:*

---

Kim Peters, RPP, MCIP  
Senior Strategic Advisor

---

David Ayotte  
Director



April 18, 2018

## STAFF REPORT

### The Niagara Escarpment Plan and Provincial Agricultural Policy

---

**NOTE:** *This staff report was originally scheduled for the February 2018 NEC meeting, and was circulated as part of the agenda for that meeting. However, the report was deferred and not dealt with at that meeting. Since then, the government finalized the Implementation Procedures for the Greater Golden Horseshoe Agricultural System and staff has prepared an addendum report on that topic. As a result, this (April) staff report has been modified slightly from what was originally circulated in February to ensure alignment with the attached addendum.*

### INTRODUCTION

At its meeting of November 16, 2017, members of the Niagara Escarpment Commission (NEC) voted to approve a motion directing staff to investigate how the Niagara Escarpment Plan (NEP) can address the following agriculture-related issues: rural density transfer, farm labour housing, secondary dwellings relating to the agricultural industry, farm succession planning, agricultural labour shortages, and any other issues that are applicable to NEC involvement with agricultural lands. NEC staff was also requested to engage with key stakeholder groups and various other provincial ministries to develop the basis for an amendment to the NEP that addresses the aforementioned issues. The exact wording of the motion is contained in Appendix 1.

The purpose of this report is to provide information and context related to the Commission's motion, specifically in relation to Ontario's land use planning policy framework, the recently completed provincial Co-ordinated Provincial Land Use Planning Review, the Niagara Escarpment Planning and Development Act (NEPDA) and NEP, and the Niagara Escarpment's status as a World Biosphere Reserve. By providing this information, NEC staff hopes to bring greater clarity to provincial-scale agriculture policies and their applicability to the Purpose and Objectives of the NEP.

The report will begin by presenting the foundations of Ontario's land use planning system: the *Planning Act*, the Provincial Policy Statement (PPS), and the four provincial land use plans for southern Ontario. The NEP will then be discussed, including the concepts that are fundamental to the successful implementation of the NEP: compatibility, cumulative impact, Permitted Uses, and lot creation. The next part of this paper addresses provincial agricultural policy, including how the Co-ordinated Land Use

Planning Review responded to calls for greater flexibility in land uses in Ontario's agricultural areas. The GGH Agricultural System, and the Guidelines for Permitted Uses in Ontario's Prime Agricultural Areas are also addressed in this context.

And finally, the importance to the NEP planning framework to the Niagara Escarpment's status as a World Biosphere Reserve is discussed, as is the need for and feasibility of further amending the NEP to more closely align with provincial agricultural policies.

## **1. ONTARIO'S LAND USE PLANNING FRAMEWORK**

### ***The Planning Act***

Within the Province of Ontario, the framework for land use planning—including agricultural land uses—is found in the Planning Act. The purpose of the Planning Act is:

- a) to promote sustainable economic development in a healthy natural environment within the policy and by the means provided under this Act;
- b) to provide for a land use planning system led by provincial policy;
- c) to integrate matters of provincial interest in provincial and municipal planning decisions;
- d) to provide for planning processes that are fair by making them open, accessible, timely and efficient;
- e) to encourage co-operation and co-ordination among various interests;
- f) to recognize the decision-making authority and accountability of municipal councils in planning.

The "matters of provincial interest" referred to in (c) are specifically listed in the Act, and include, among others, the protection of ecological systems, including natural areas, features and functions; the protection of the agricultural resources of the province; and, the appropriate location of growth and development in the province. There is no implied order of importance in how provincial interests are listed.

Section 3 of the *Planning Act* notes that the government may issue policy statements on matters relating to planning that are of provincial interest. The only such policy statement currently in use is the Provincial Policy Statement (PPS), which was last updated in 2014.

### **Provincial Policy Statement, 2014**

Similar to the matters of provincial interest listed in the *Planning Act*, there is no implied order of importance or weighting of the policies contained in the PPS. The applicability

will vary from one jurisdiction or situation to the next. The PPS does not provide direction on the balancing or prioritization of policies when there appears to be contradictions. When this is the case, it is up to local land use planning authorities to consider all relevant information and make a decision that best respects all provincial interests in question.

However, care must be taken in reviewing the language utilized by various sections of the PPS, specifically with regard to the usage of directives and enabling language. Directives, both positive and limiting, generally utilize the term “shall” while enabling language incorporates terms such as “should”, “promote”, and “encourage”. Directives leave little room for interpretation by land use planning authorities while enabling policies provide authorities much more discretion when making decisions and implementing policy.

Part V of the PPS contains the policies that are applied to the land use planning system of the Province of Ontario as a whole. Part V is subdivided into four main policy sections: (1.0) Building Strong Healthy Communities, (2.0) Wise Use and Management of Resources, (3.0) Protecting Public Health and Safety, and (4.0) Implementation and Interpretation. The balance of the following review will focus on Sections 1.0 and 2.0.

Section 1.0 of the PPS focuses primarily on how communities should grow in order to ensure healthy communities result from development decisions and to ensure that growth is efficient and economically supportable. In that context Section 1.1.3.1 states:

*Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.*

Local authorities are further directed to establish minimum targets for intensification and redevelopment within built up areas that contribute to a development form that is compact and incorporates a range and mix of housing types. Redeveloping and intensifying existing settlement areas has been the focus of provincial planning policy for some time; this direction permeates through all four provincial plans (i.e., the Growth Plan, the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan, and the NEP). Development that is approved in conflict with this direction has the potential to negatively impact the realization of redevelopment targets applied to a specific area and would be inconsistent with provincial policy.

The majority of the lands within the NEP area are most aptly described as rural in nature. The PPS speaks to both ‘rural areas’ and ‘rural lands’ within municipalities under Sections 1.1.4 and 1.1.5 respectively. Rural area policies relate to a system of lands and may include rural settlement areas, prime agricultural areas, etc., while rural land policies relate specifically to lands that are located outside settlement areas and outside prime agricultural areas. As the municipalities within the NEP area all have delineated settlement areas and a rural land base that is protected at a provincial level, a review of Section 1.1.4 is of most relevance to the NEP.

Section 1.1.4.1 provides a number of criteria to support healthy, integrated and viable rural areas. The following criteria are most relevant to lands within the NEP area:

- c) accommodating an appropriate range and mix of housing in rural settlement areas;
- d) encouraging the conservation and redevelopment of existing rural housing stock on rural lands;
- h) conserving biodiversity and considering the ecological benefits provided by nature;
- i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.

Section 1.1.4.2 reinforces the criteria by providing the following directive:

*In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.*

The rural areas section of the PPS is clear in its objective to direct development and growth to settlement areas where there is available infrastructure and community services. This objective becomes much more relevant in the context of the NEP given the globally-recognized significance of the Niagara Escarpment's natural heritage system, and the specialty crops and other agricultural production within the NEP area. Section 1.1.4.1 (c) supports the conservation and redevelopment of the existing rural housing stock but stops short of recommending new residential development on rural lands.

Section 2.0 of the PPS provides direction to land use planning authorities regarding the wise use and management of a variety of resources deemed to be of Provincial interest. The preamble to Section 2.0 states the following:

*Ontario's long-term prosperity, environmental health, and social well-being depend on conserving biodiversity, protecting the health of the Great Lakes, and protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits.*

Section 2.3 of the PPS (2014) speaks directly to how agricultural lands should be planned for throughout the Province. Section 2.3.1 states:

*Prime agricultural areas shall be protected for long-term use for agriculture.*

Section 2.3.3.1 permits agricultural uses, agriculture-related uses and on-farm diversified uses in prime agricultural areas; however this section further clarifies that

agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Additional development is only permitted if compatibility with agricultural operations can be demonstrated. Thus, the PPS requires that impacts on the broader agricultural system be considered when analyzing the appropriateness of a site-specific use.

Section 2.3.4.1 discourages the creation of new lots in prime agricultural areas except in a few circumstances. These circumstances are incorporated under Part 2.4.20 of the NEP with limited revision. The only circumstance where a new lot may be created for residential purposes is as part of a farm consolidation severance where a residence has been rendered surplus to an agricultural operation (PPS Section 2.3.4.1 (c)).

While it is recognized that the PPS is a framework document that is meant to provide direction for land use planning authorities on a variety of competing interests, when read as a whole a specific direction emerges. This direction supports general growth and development in recognized settlement areas, while protecting prime agricultural land for agricultural use above all else. Additional uses are permitted on prime agricultural lands but only those that can be directly linked to the primary agricultural use and where the new use can be shown to be compatible with surrounding agricultural operations. Adherence to this direction is paramount in ensuring a planning process that is transparent, equitable, and predictable. When this direction is abandoned it can inhibit the ability of surrounding agricultural operators to plan for the future. An example of this would be the introduction of a new, non-permitted, sensitive land use to a prime agricultural area. A sensitive land use (e.g., a residence) will introduce a new Minimum Distance Separation-related constraint where one previously did not exist and where, under the policies of the PPS and NEP, one was unlikely to be introduced.

## **Provincial Land Use Plans**

The equal weight assigned to matters of provincial interest in the *Planning Act* and PPS is less of a consideration when separate legislation and plans such as the Greenbelt Plan and NEP exist. In these cases, the objectives and policies set out in the legislation and plans are assigned the first order of priority. This is how the NEPDA and NEP must be interpreted, and must be upheld by all planning authorities. The creation of separate legislation is of significant importance, and elevates the objectives of these matters of expressed provincial importance beyond those of other provincial interests that are not enshrined in their own pieces of legislation.

Having said this, the four provincial land use plans are meant to build upon the direction given by the PPS, and it is still necessary that provincial land use plans be read in conjunction with the PPS. However, as stated earlier, to the extent that a conflict may arise between the PPS and a provincial plan, the provincial plan takes precedence. This is stated on page 4 of the NEP, and on page 3 of the PPS. An example of this is that Section 1.1.4.1(f) of the PPS promotes diversification of the economic base and employment opportunities in rural areas. But, if this is proposed at the expense of

achieving the Purpose and Objectives of the NEP (see below), then the NEP policies protecting the Escarpment environment must prevail.

In summary:

- The *Planning Act* and PPS provide the foundation for Ontario's land use planning system. Decisions made by planning authorities must be consistent with the PPS.
- The overall direction of PPS policies is to direct growth and development to settlement areas.
- Where a provincial land use plan is in effect, the policies of the provincial plan are of primary importance, and take precedence over the PPS to the extent of any conflict. Planning decisions must conform or not conflict with provincial plans.

## **2. THE NIAGARA ESCARPMENT PLAN**

As a provincial land use plan, the Purpose of the NEP (and the NEPDA) must be assigned primary importance in making land use planning decisions in the NEP area. The Purpose of the NEP is:

*To provide for the maintenance of the Niagara Escarpment and lands in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment.*

It is notable that the Purpose of the NEP allows for "only such development as is compatible with that natural environment." Therefore, the NEP does not prohibit all development, but the impact of any development must be compatible with the Escarpment's natural environment.

There are seven Objectives that further support the Purpose of the NEP, including one Objective that speaks to "maintaining and enhancing the open landscape character of the Niagara Escarpment in so far as possible, by such means as compatible farming..." Farming is therefore seen as a mechanism to achieve an Objective of the NEP, but it is not a stand-alone objective, nor is it central to the "environment-first" Purpose of the NEP. In other words, farming and other forms of compatible development may take place within the NEP area if they support the Purpose and Objectives of the NEP, but cannot be pursued if they compromise the Purpose and Objectives. This is why the NEP simultaneously allows for, and places restrictions on agriculture and agriculture-related uses, and by extension on-farm diversified uses. In areas outside the NEP boundaries, these restrictions may not be necessary or appropriate.

There are several key concepts in the NEP that the NEC has consistently relied upon over the last four decades that are central to achieving the Purpose and Objectives of the NEP. These are: compatibility, Permitted Uses, cumulative impact (i.e., "single,

multiple, and successive development”) and lot creation. Each of these is discussed in turn.

## **Compatibility**

Compatibility of development is a core concept of the NEP. The 2017 NEP defines “compatible” as: where the building, structure, activity or use blends, conforms, or is harmonious with the Escarpment environment. There are many different ways of assessing compatibility with the Escarpment environment, whether it is through direct ecological impacts on water quality and quantity, wildlife, woodlands, wetlands and other natural heritage features, or through degradation of the Escarpment’s scenery. The principles underlying this approach are:

- Compatibility with the Escarpment’s natural environment means that the integrity of the Escarpment’s natural heritage features and functions should not be quantitatively or qualitatively degraded by development within the NEP area, and
- Compatibility with the Escarpment’s scenic resources means that natural scenery and the open landscape character must be maintained and enhanced, and that built form, including buildings and infrastructure, should not dominate the landscape.

Intensity of use is an aspect of compatibility that comes up often in land use planning, and is fundamentally important to the NEP, especially in the context of the population and economic growth of southern Ontario. Intensity can be measured in many ways, and is not only related to the size of development on a specific site. Issues like sewage, air and waste discharges, water taking, parking requirements, traffic, number of employees, and lot area coverage contribute to intensity of use must be considered at both the site level and within the broader community and landscape context. There is also a temporal aspect to this: intensity of use cannot be limited to consideration on a case-by-case basis because the overall intensity of development on a broader landscape level can increase incrementally over time, and can fundamentally alter the landscape as a result. This is why the NEP contains a Development Criterion in Part 2 that requires consideration of the single, multiple or successive impacts of development. Likewise, the Permitted Uses listed in Part 1 of the NEP provide for forms of development that may be compatible with the Escarpment environment.

In summary:

- Compatibility is a key concept in the NEP.
- Compatibility is assessed in a holistic manner for its impacts on the “Escarpment environment.”
- Intensity of use should be considered as a test of compatibility, not only in reference to a specific site, but also within the broader community and landscape context.

## Permitted Uses

When the NEC considers a development permit application, the first consideration is whether the development proposal is a “Permitted Use.” If a proposed development is not a Permitted Use, it is automatic grounds for refusal of the application. For development that is a Permitted Use, it may be approved subject to compliance with the development criteria in Part 2 of the NEP. Permitted Uses are included in the NEP as a way of providing predictability and fairness in terms of what development is considered to have the potential to be compatible with the Escarpment environment and can therefore be allowed to proceed where circumstances are appropriate. For development that is generally considered to be inconsequential to the Escarpment environment, Ontario Regulation 828/90 provides exemptions from the NEC development permit process.

The Permitted Uses in the NEP have been subject to review and change since work on the NEP began in the mid-1970s. Ten years of consultation and public hearings preceded the first NEP, which was finalized in 1985. The opportunity to review Permitted Uses was provided during the 1990, 1999, and 2015 reviews of the NEP. During the most recent 2015 Co-ordinated Land Use Planning Review, agriculture-related uses and on-farm diversified uses were added to the NEP to better align with the PPS, and as a reflection of the provincial importance assigned to agricultural viability and farm income diversification.

It is notable that commercial and industrial uses are not Permitted Uses in the Escarpment Rural, Protection and Natural Area designations, except when such uses are associated with a home business, home industry, agriculture-related use, or on-farm diversified use. In such cases, commercial and industrial uses are generally considered to be acceptable uses so long as they are secondary to the principal use on a property, i.e., a residential dwelling and/or an agricultural use. To the extent that such uses overtake the principal use (or cannot meet the other Development Criteria in Part 2), they are not Permitted Uses because commercial and industrial uses are generally not consistent with the Purpose and Objectives of the NEP. Again, fairness and predictability, as well as precaution, are the fundamental principles underlying this approach.

The NEP and NEPDA do allow for some consideration of development that may not be a Permitted Use in the NEP. The legal mechanism for considering such a proposal is through an Amendment to the NEP. While the Commission has some discretionary decision-making authority when NEP policies require additional interpretation, allowing for development that is not listed as a Permitted Use (or cannot meet the tests contained in the Part 2 Development Criteria) is not consistent with the NEP. The NEPDA does not allow for the Commission to make such an approval.

The fact that an Amendment is required to even consider development that is not a Permitted Use is an indication of the significance of Permitted Uses to the long-term predictability of NEP outcomes. This significance is also indicated by the need for



amendment approval at the highest level: approval or refusal of an amendment requires a decision from the Minister and/or Cabinet.

In summary:

- Permitted Uses provide fairness in the NEP planning process, and are key to the predictability of long-term planning outcomes in the NEP area.
- Proposed development that is not a “Permitted Use” is grounds for refusal of a development permit application. For those uses that are permitted, they must also meet the tests contained in the Development Criteria in Part 2 of the NEP.
- Commercial and industrial uses may be considered only if they are associated with agriculture, or are secondary to the primary residential or agricultural use on a property.
- A NEP Amendment must be pursued if a proposal is not a Permitted Use, or if a Permitted Use cannot meet all of the relevant Development Criteria in Part 2.

### **Cumulative Impact**

Part 2.2.1 of the NEP directs consideration to be given to the single, multiple, or successive impacts of development:

*The Escarpment environment shall be protected, restored and where possible enhanced for the long term having regard to single, multiple or successive development that have (sic) occurred or are (sic) likely to occur.*

For simplicity, staff will refer to Part 2.2.1 as the “cumulative impact” test.

Both compatibility and Permitted Uses must be considered in the context of cumulative impacts. Even when a proposed development is a Permitted Use, it must be assessed against the potential for cumulative negative impacts on the Escarpment environment, e.g., multiple Permitted Uses on one lot may result in an intensity of use that has negative impacts on the Escarpment environment.

The cumulative impact of lot creation in the NEP area is an important consideration. On large rural lots usually associated with farming or recreational activities, the development of a single dwelling is generally considered compatible with the Escarpment environment and therefore is a Permitted Use in the NEP (subject to meeting the Development Criteria in Part 2). However, the creation of new lots, especially rural plans of subdivision, is not compatible with the Escarpment environment because the cumulative impact of such lot creation could set precedents that eventually lead to built form dominating the Escarpment landscape, and therefore does not meet the NEP Objective of protecting the natural scenery and open landscape character. Over the longer term, development scenarios that create the potential for new lots must also be avoided. This is discussed in more detail in the section below.

While some new lot creation is permitted in the NEP area, it is tightly controlled. It is worth noting that the provisions restricting rural lot creation are not limited to the NEP. The PPS, and by extension, municipal official plans, long ago prohibited the ad hoc creation of new residential lots in rural areas.

In summary:

- The cumulative impact of development must be considered, even for development that is a Permitted Use.
- The cumulative impact of lot creation can result in increased residential density and the proliferation of built form across the Escarpment landscape.
- Scenarios that may lead to future demand for lot creation should also be avoided.

## **Lot Creation**

The NEP speaks to lot creation in two different manners. Under Part 1 each land use designation category makes reference to lot creation and the circumstances under which it may be permitted. In general there is very limited capability to sever lots that fall within the more restrictive land use designations of Escarpment Natural Area, Escarpment Protection Area, and Escarpment Rural Area. The reason for these restrictive policies directly relates to the cumulative impacts of an increasingly fragmented land base, and as such, lot creation is the major threat to achieving the Purpose and Objectives of the NEP. A more fragmented rural area results in a higher intensity of overall development, an increase in land use incompatibilities, a reduced ability to sustain viable agricultural operations, and a natural heritage system that is more difficult to manage and protect.

General lot creation policies are contained under Part 2.4 of the NEP and are applied to all lands in the NEP area. The preamble to this section states: the objective is to direct the formation of new lots to those locations that are least environmentally sensitive. This Part of the NEP is also clear in requiring that new residential lots be created primarily in designated Urban Areas, Minor Urban Centres and Escarpment Recreation Areas subject to the requirements of official plans and/or secondary plans. Although new lots within the identified designations may not require a development permit, Part 2.4.5 of the NEP requires that approvals for new lots be predicated on the maintenance and enhancement of the existing community and/or open landscape character of the Escarpment and the protection of existing natural heritage and hydrologic features and functions.

Of special note within Part 2.4 of the NEP are the policies that make allowance for a severance where there are two existing single dwellings on the same lot. These policies are contained under Part 2.4.15 through 2.4.18. The policies essentially permit a severance where two dwellings have been legally established. But in such cases, as

well as in any of the allowable lot creation scenarios in Part 1, the Development Criteria must also be considered, including the impact of potential lot creation in relation to a community as a whole and not just on a site-specific basis. Further, the criteria should be considered in tandem with directives issued through the PPS that inform where growth and development should be directed.

Given that lot creation is significantly restricted, the NEC deals relatively frequently with applications attempting to justify the need for more than one dwelling on a lot. While some rural lots may be large enough to support an additional dwelling without negative environmental or visual impacts, this can set a precedent for second dwellings on other lots, as well as future severances (i.e., new lot creation) when the additional dwelling unit is no longer needed. At face value, additional single dwellings on a farm lot may seem like a desirable strategy to support multi-generational farming families. However, it is a short-term strategy that sacrifices the long-term stability of rural land uses. When one generation no longer requires the dwelling, there is no guarantee that the subsequent generation will continue on the farm, resulting in a severance request so that the surplus dwelling can be legally conveyed to a new owner. The same arguments used to support farm succession and estate planning by allowing for multiple-dwelling lots can then be used later to justify severances of surplus dwellings. That is why farm succession planning should be dealt with in a manner consistent with dwelling units for farm help – in that they should be temporary and co-located in the farm cluster.

The NEC and other planning authorities frequently deal with the demand for severances on rural properties. Prior to the strong provincial policy framework that was put in place in the 1990s, multi-dwelling lots and severed farm retirement lots were commonly established across rural Ontario. In fact, the 1985 NEP permitted second dwellings for farm help on a farm lot. This policy was changed during the first (1990) NEP review given the impact on the Purpose and Objectives of the NEP, and the pressure for future severance of these dwellings, which is now coming to light. These severances fragment the rural farming landscape, and can result in land use conflicts when rural non-farm residents object to the “nuisances” associated with normal farm practices. It is in this long-term planning context that the principles of precaution and predictability are important not only within the NEP area, but also in rural land use planning in general. It is clearly in the public interest to have long-term predictability of rural land uses, and to avoid the significant investment in public resources required to assess all such requests on a case-by-case basis. For both these reasons, second dwellings and rural lot creation are severely restricted.

On a case-by-case basis, in exceptional circumstances, agreements-on-title, restrictive covenants, and sometimes easements may be used to put restrictions on properties to limit the potential for additional incompatible development (e.g., the conversion of an accessory building to use for human habitation). The NEC does occasionally rely on these, but increasingly, NEC staff is finding it difficult to enforce such restrictions, especially with limited compliance resources, both in terms of staff and in terms of the level of severity of the penalties involved. The financial or personal rewards of unauthorized uses can far outweigh the risk and penalties of getting caught. Restrictive

covenants, agreements on title, and easements can also be changed or removed, often without going through a land use planning approvals process that would consider changes in the context of the broader community, and cumulative impact. As such, restrictive covenants and agreements on title are not a replacement for a precautionary, strong provincial planning framework meant to ensure land use predictability and fairness over the long term.

In southern Ontario, where development pressure and land values combine with the bucolic appeal of the Niagara Escarpment, taking a consistent, predictable and policy-based approach to addressing the demand for future severances of rural lands is of paramount importance to achieving the Purpose and Objectives of the NEP over the long term. This is also true in protecting the continuity and productivity of the agricultural land base, especially when the value of rural farm properties continues to rise due to the popularity of establishing estate-size residences on such lots. Although farming can continue to take place on rural estate properties, it is often done by farmers who do not own the land, and are not in a position to make investments in increased agricultural productivity on such land.

In summary:

- The NEP places significant restrictions on the creation of new lots. This is important to the long-term continuity and predictability of rural land uses.
- Severances are permitted when two single dwellings have been legally established on the same lot. The original NEP allowed for this, but was amended to prohibit it when the impacts became apparent.
- Farm succession planning can be used to justify both multiple dwellings, as well as future severances of multiple dwelling lots.
- Site-specific planning tools like restrictive covenants and on-title agreements are not a substitute for a consistent, policy-based approach to land use planning.

This section has attempted to demonstrate how NEP policies on compatibility, Permitted Uses, cumulative impact, and lot creation are necessary to achieving the Purpose and Objectives of the NEP. The short and long-term impacts of any proposed development must be assessed against the NEP policies that support these concepts.

### **3. PROVINCIAL AGRICULTURAL POLICY**

As noted, the Planning Act and PPS provide for the protection of Ontario's agricultural land. There are more than 80 other provincial statutes that deal with normal farm practices, food safety, agricultural commodity marketing and supply, insurance, nutrient management, weed and pest control, agricultural labour, animal welfare, taxation, farm vehicles, and other aspects of the agriculture industry. For reasons other than land use planning, agriculture is a heavily regulated industry. But without a protected agricultural land base, there would not be anything to regulate. Of course, protecting the agricultural land base does not equate to protecting the livelihood of the farmer. This is a dilemma

that is especially difficult to resolve in a global economy where farmers must increasingly compete on the open market.

Land use planning cannot single-handedly address the short-term structural economic issues that can undermine the viability of agriculture in its traditional forms. There are many Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) programs that are intended to assist the farming community in surmounting these challenges, but they are beyond the scope of this paper. Within the realm of land use planning policy, there is now some flexibility emerging for legitimate, ongoing agricultural operations, while preserving the agricultural land base as the basic building block of a viable agricultural sector:

- PPS 2014 and Co-ordinated Land Use Planning Review
- Greater Golden Horseshoe Agricultural System
- Guidelines for Permitted Uses in Prime Agricultural Areas

### **The Provincial Policy Statement and the Co-ordinated Land Use Planning Review**

The changes to the PPS in 2014 introduced a wider variety of permitted uses in Ontario's prime agricultural areas, i.e., agriculture-related uses and on-farm diversified uses. These uses are necessary for a viable agri-food sector because ideally, agriculture must be supported with processing facilities close to farms, and some types of farming may be more viable if they are supplemented with additional sources of income, provided that they do not compromise the predominant agricultural use of the land. These policies are not intended to allow farmers to convert their holdings to industrial or commercial use. In interpreting these policies it is important to look to the long-term impacts on the agricultural land base of the introduction of non-farm uses. These new PPS policies were integrated into the Greenbelt Plan, Oak Ridges Moraine Conservation Plan, and the NEP as a result of the 2015 Co-ordinated Land Use Planning Review.

Within the context of the NEP, the on-farm diversified and agriculture-related uses are accompanied by Development Criteria, including gross floor area criteria, to ensure that such development does not eclipse the primary agricultural use of the land and can meet the Purpose and Objectives of the NEP. The Development Criteria also provide predictability and fairness through the application of consistent policies. The Permitted Uses and Development Criteria for agriculture-related uses and on-farm diversified uses are some of the more significant changes to the NEP. Appendix 2 provides a comparison of the agricultural policies between the 2005 and 2017 NEPs.

The Co-ordinated Review provided an opportunity to explore agricultural land use policies in some detail. With the release of the *Our Region, Our Community, Our Home* Discussion Document in February 2015, the government asked Ontarians for feedback on the following:

- *How can the plans better support the long-term protection of agricultural lands, water, and natural areas?*
- *What new approaches or tools could be used to protect agricultural, water and natural areas?*
- *How can the agricultural protection that the plans provide enhance the impact of agriculture on Ontario's economy?*

Following an initial round of public consultation in 2015, the Advisory Panel on the Co-ordinated Review provided recommendations to the government, including seven key recommendations (and five complementary recommendations) on how agricultural could be better supported. The key recommendations were:

- Providing policy direction and guidance toward the consistent identification, mapping, and protection of an integrated agricultural system across the GGH;
- Consider stronger criteria to limit the conversion and fragmentation of prime agricultural lands;
- Provide policy direction and guidelines to ensure that the impacts of infrastructure, urban boundary expansions, and other major development on agriculture is properly assessed;
- Provide policy direction and guidelines to improve compatibility and reduce conflicts between farms and non-agricultural uses;
- Align agricultural terminology and policies in the four plans with the PPS, except where they are specific to a particular geography or unique to the plan, and provide greater flexibility for on-farm, value-added uses.
- Provide policy direction to promote access to local and healthy food within the region; and
- Ensure that agricultural and natural heritage policies are balanced and consistently implemented.

Significant input from agricultural stakeholder groups, the farming community, and municipalities on agricultural policies was received during the Co-ordinated Review. Many of these submissions provided detailed examples of how provincial agricultural policies could be improved. Notably, the submission from the Ontario Federation of Agriculture (OFA—Ontario's largest general farm organization, representing more than 36,000 family farm businesses) did not raise any of the issues listed in the Commission's November 2017 motion, with the exception of the restriction that farm help housing be temporary. The OFA's May 2015 submission in response to Our Region, Our Community, Our Home Discussion Document focused on eliminating the

approvals role of the NEC altogether, rather than assessing the effectiveness of NEP agricultural policies, even though reconsideration of the NEC's legislated role was not within the scope of the Co-ordinated Review. OFA's final submission, in October 2016, did object to some of the proposed policies in the draft NEP. It did seem however, in parts, to misunderstand some of the key agriculture-related policies in the proposed NEP. For example, the OFA submission asserted that the proposed NEP did not allow for the severance of surplus farm dwellings, and that agri-tourism uses were not permitted. Both of these were clearly permitted in the draft 2017 NEP.

In its submissions through the Co-ordinated Review, the Wine Council of Ontario (WCO) noted the compatibility of the objectives of the NEP, and those of Ontario's wine industry:

*The WCO and its members have consistently shown how to sensitively balance the environmental stewardship objectives of the NEP with its complimentary objectives of encouraging agriculture and tourism. The result is the much celebrated grape and wine tourism sector that has grown exponentially in the Niagara Peninsula... Perhaps what is less clear, is that those same policies have had the effect of assuring continued protection (and public enjoyment) of the NEP area and lands in its vicinity. Prior to those policies being put into effect, considerable pressure existed for activities such as rural residential estate-type development. The much more appropriate alternative that has been realized is that those same lands are now productive vineyards. This in turn has provided the base for rural economic development in the NEP, based on the wine industry footprint – this includes jobs in wine production, in tourism and hospitality and in related research. In short, WCO members are good NEP stewards. This same positive disposition and our experience is key in helping to inform improvements to make WCO members even better stewards, and the NEP more effective.*

Although the WCO's comments reflect a positive experience with NEP winery policies, they did recommend some changes to NEP policies to allow greater flexibility for winemakers operating in the NEP area. This included more flexibility in size for winery buildings, and a greater range of Permitted Uses to enhance tourism-related opportunities in the NEP area.

NEC staff considered these recommendations during the Co-ordinated Review. NEC recommendations included allowing for larger ground floor areas for wineries and other agriculture-related uses, as well as fewer restrictions on winery accessory uses. Likewise, "country inns" were suggested as a separate category of development from "bed and breakfasts" to allow for establishments with more than three guest suites. (Ontario Fire Code restrictions generally limit bed and breakfast establishments to three guest suites.) Some of these recommendations were adopted by the government; others were not. In the end, the opportunities to establish wineries and other agriculture-related uses were significantly enhanced by allowing up to 3,200 square metres for the

gross floor area of any one building for an agriculture-related use, with the potential for multiple buildings dedicated to such uses. In addition, policies requiring a minimum vineyard lot size were removed from the NEP.

With regard to a greater diversity of Permitted Uses to accommodate increased tourism opportunities, significant caution is needed in promoting such development. The NEP's Objectives speak to providing opportunities for outdoor recreation, and providing public access to the Escarpment. In response to this Objective, the Niagara Escarpment Parks and Open Space System (NEPOSS) is a significant component of the NEP, whereas commercial tourist facilities are not a Permitted Use in the primary agricultural designations (Escarpment Rural and Protection Areas). Restaurants, private event facilities, hotels and souvenir shops do not fit within the Objectives of these designations, and run counter to the restriction of built form on the Escarpment landscape, as well as the compatibility and cumulative impact principles that are essential NEP policies for the Rural and Protection Areas. The NEP policies for home occupations, winery accessory uses, on-farm diversified uses, and agriculture-related uses provide opportunity for limited tourism (including agri-tourism) uses that are compatible with the Purpose and Objectives of the NEP. Opportunities for more intensive tourism-related development are available within the NEP in the Escarpment Recreation Area, Minor Urban Centres and Urban Area designations, or can be directed to places outside the NEP area.

The discussion in this section was intended to bring forward the input received during the Co-ordinated Review from key agricultural stakeholders, and how and if it was responded to by the government. In summary, the government's response was to allow for a greater range of agriculture-related and on-farm diversified uses, and to allow for greater flexibility for wineries. Although these changes made NEP agricultural policies less restrictive, the Purpose and Objectives remain unchanged, and these policies must still be interpreted within this context. The issues specifically mentioned in the Commission's motion were not really addressed by either agricultural stakeholders or the government, with the exception of permanent housing for farm labour. However, as noted above, the 1985 NEP previously contained provisions for permanent farm labour dwellings, but the policy was revised as a result of the 1990 NEP review when it was realized that such dwellings were resulting in additional lot creation.

The release of the revised provincial land use plans in May 2017 did not end discussions with agricultural stakeholders, and work on this front continues through OMAFRA, in response to the Advisory Panel's complementary recommendation that the province "work with agricultural stakeholders on mechanisms to build greater understanding and awareness about agriculture and rural issues, and support a 'positive planning' approach to better integrate agricultural interests into land use planning" (Complementary Recommendation #37). Following the completion of the Co-ordinated Review, OMAFRA has continued to consult with agricultural stakeholders through the recently completed consultation on the GGH Agricultural System.



In summary:

- The government recently sought feedback from key agricultural stakeholders through the Co-ordinated Land Use Planning Review. This consultation resulted in a greater range of Permitted Uses in rural areas and more flexible winery policies.
- The issues addressed in the Commission's November 2017 motion were not substantively addressed either in stakeholder submissions, or in the government's revised policies, with the exception of permanent dwellings for farm help.
- Discussions with agricultural stakeholders continue through OMAFRA's consultation on the GGH Agricultural System.

### **The Greater Golden Horseshoe Agricultural System**

A separate analysis of the GGH Agricultural System is provided in the accompanying Addendum Staff Report.

### **Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas**

In 2016, OMAFRA released the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas ("Guidelines"). These Guidelines are intended to support interpretation of PPS agricultural policies by explaining the intent behind the policies. The Guidelines are very clear in stating that the parameters contained in the Guidelines represent best practices and are not to be interpreted as specific standards that must be met. This is a very important distinction. As noted earlier in this paper, provincial plans take precedence over the PPS to the extent of any conflict. The specific regulatory and policy regime in the NEPDA and NEP has a unique purpose that may sometimes supersede broad-based provincial agricultural policies and guidelines. This is by design. In other words, it is the Purpose and Objectives of the NEP and NEPDA that should be referenced in providing direction on NEP policies, and provincial guidelines that are not enshrined in legislation should not be elevated above the NEP's Purpose and Objectives.

With regard to the Commission's November 2017 motion, the only issue raised within the Guidelines is accommodation for farm help, which is permitted by the PPS and is considered to be part of an agricultural use in the Guidelines. As noted above, agricultural stakeholder submissions through the Co-ordinated Review supported allowing permanent second dwellings to accommodate farm help. However, the Guidelines note that a best practice for farm labour accommodation is to consider alternatives to building new, separate, permanent dwellings for farm help because farm labour needs change over time. The Guidelines also note that the severance of land with housing for farm labour is not permitted as land division fragments the agricultural land base and can thereby affect the future viability of agriculture over the long term.

There is nothing in the Guidelines to suggest that the majority of growth and development, including rural residential development, should not continue to be directed to settlement areas where infrastructure and community services are available.

In summary:

- The Guidelines are intended to support interpretation of the PPS, and the policies contained in the Guideline do not supersede the Purpose, Objectives, and policies of the NEP or any other provincial plan.
- The Guidelines draw on best practices, and are not specific standards that must be met.
- The NEP does not support permanent dwellings for farm help. This is consistent with the best practice recommended in the Guidelines.

#### **4. NIAGARA ESCARPMENT BIOSPHERE RESERVE**

The NEP area is upheld internationally as a globally significant ecosystem. It was assigned the status of a “World Biosphere Reserve” by the United Nations Educational, Scientific, and Cultural Organization (UNESCO) in 1990. Biosphere Reserves are intended to fulfill three inter-related functions:

- Conservation: protecting cultural diversity and biodiversity, including genetic variation, species, ecosystems and landscapes and securing services provided by such diversity;
- Development: fostering economic and human development that is environmentally and socially sustainable and culturally appropriate;
- Logistic support: facilitating demonstration projects, environmental education and sustainable development education and training, research, and monitoring.

Similar to the Purpose of the NEP (i.e., to allow for only such development as is compatible with the Escarpment’s natural environment), Biosphere Reserves seek to foster development that is sustainable. Sustainable development is sometimes referred to as balancing competing social, economic, and environment interests. But sustainable development is more accurately described as recognizing that the economy is only sustainable if it respects the limits of ecological and social systems. There should be no balancing or trading off when it comes to protecting ecological systems. In this regard, the NEP is, by design, an “environment first” plan; the NEP concepts described in this paper—compatibility, cumulative impact, limited Permitted Uses, and restricted lot creation—are essential to achieving sustainable development within the context of the World Biosphere Reserve program, as well as to achieving the Purpose and Objectives of the NEP.

## CONCLUSIONS

The recently completed Co-ordinated Review provided an opportunity for stakeholders and the government to work together to ensure the provincial land use plans appropriately reflect matters of provincial interest, including agriculture. The NEC carefully reviewed stakeholder input and made recommendations to the government that recognized the new directions in the PPS regarding greater flexibility of permitted uses in the province's prime agricultural areas, but did so in a manner that was mindful of the overall Purpose and Objectives of the NEP. The issues raised in the Commission's November 2017 motion, namely, rural density transfer, secondary dwellings relating to the agricultural industry, farm succession planning, farm labour housing, and agricultural labour shortages were not addressed through the Review. In the case of farm labour housing, the OMAFRA Guidelines reinforced the approach taken in the NEP: farm labour housing should be temporary in nature because farm labour needs change over time.

The GGH Agricultural System, as discussed in the accompanying report, is a key piece of the provincial agricultural policy framework that is intended to enhance the agri-food sector. The new NEP contains policies that protect prime agricultural areas and provide opportunities to enhance agricultural viability, in accordance with the Agricultural System approach. NEP policies, when implemented in tandem with municipal programs, are in accordance with the implementation procedures for the Agricultural System.

It is staff's view that any new policies that open up the potential for increased intensity of residential uses and additional lot creation on the Niagara Escarpment would not be in the long-term interest of achieving the Purpose and Objectives of the NEP, and would not support the fairness and long-term predictability of rural land uses that are vital to protecting the agricultural land base. For this reason, NEC staff does not recommend that the NEP contain additional policies that could lead to the proliferation of permanent second dwellings, additional lot creation, or other pathways to fragmentation of the agricultural land base. Additionally, it is staff's view that policies aimed at promoting additional rural development through the spread of commercial and tourist (other than outdoor/eco-tourism) uses would also not be in keeping with the Purpose and Objectives.

Further, it is the view of staff that additional policies to support and promote farming as viable economic activity should be subject to further research and development by OMAFRA, as the Ministry responsible for agricultural policy in the province. If OMAFRA were to determine that additional policies are needed to support agricultural viability at a provincial scale, land use planning agencies would be directed to take action accordingly, as appropriate to the jurisdictions in which they operate.

Outside of the realm of land use planning, OMAFRA and its agencies provide farmers with numerous farm business support programs, including resources to support farm succession planning. However, only 8.5 percent of Ontario farm operators have a written farm succession plan. It is staff's position that all barriers to farm succession

planning should be investigated and dealt with in a comprehensive manner, rather than by having one provincial agency with a limited mandate address only one aspect in isolation.

## **RECOMMENDATIONS**

1. That an amendment to the NEP to provide additional direction on agricultural policy is not warranted because the NEP already addresses provincial agricultural policy objectives;
2. That a copy of this report be shared with OMAFRA, Niagara Regional Council and staff, the WCO and OFA.

### **Prepared by:**

*Original Signed by:*

*Original Signed by:*

---

Kim Peters  
Senior Strategic Advisor

---

John Stuart  
Senior Planner

### **Approved by:**

*Original Signed by:*

---

David Ayotte  
Director

**NEC Motion**

**November 16, 2017**

WHEREAS recent agriculturally based applications have raised questions regarding conflicting and contradictory principles and policies being used to guide the staff and Commission decision making process surrounding land use in the Escarpment Rural Area; and

WHEREAS the Ontario government has made protecting farmland, for both food production and ancillary uses, a priority; and

WHEREAS successive Provincial Policy Statements have made progress in recognizing the agricultural sector as a valued partner in conservation of not only farm land but, natural and heritage features; and

WHEREAS it is recognized that 98 percent of farm operations in Ontario are family owned and operated and, further, criteria has been adopted that recognize the unique model of these operations, including the fact that these farms require lateral transition of intergenerational farming and a modernized approach to accommodate the current environmental and economic pressures thereof; and

WHEREAS the NEC strives for transparency, clarity and a common sense approach to land use planning.

THEREFORE BE IT RESOLVED THAT:

- 1) Development Permit Application P/R2016-2017/442 (Pam Jackson and Josh Phillips) be approved with appropriate conditions to be presented to the Commission at the January 2018 meeting; and
- 2) Time be allocated at a future meeting prior to the April 2018 Policy Meeting for the purpose of engaging NEC staff and Commission in a fulsome policy discussion regarding, but not limited to:
  - Density transfer and farm labour housing
  - The purpose of secondary dwelling relating to the agricultural industry
  - Succession planning as interpreted by the agricultural sector as well as the upcoming labour shortage.
  - Any other issues that are applicable to NEC involvement with agricultural lands.
- 3) That NEC staff and Commission engage with the following Ministries, Stakeholders and relevant others to develop basis for an amendment to the NEP and set of

criteria specific to the above matters and the agricultural sector prior to future meeting required in Sec 2) above:

Ministry of Agriculture  
Ministry of Natural Resources and Forestry  
Ministry of Municipal Affairs  
Ministry of Rural Affairs  
Ministry of Labour  
Association of Municipalities of Ontario  
Rural Ontario Municipalities Association  
Ontario Federation of Agriculture  
Christian Farmers Federation

Comparison of Agriculture-related Policies: 2005 and 2017 Niagara Escarpment Plans

	Agricultural Uses <sup>1</sup>	Small scale commercial uses accessory to agriculture <sup>2</sup>	Small scale commercial and industrial dev. servicing agriculture <sup>3</sup>	Wineries and cideries <sup>4</sup>	Winery incidental facilities	Winery Events	On-farm diversified uses	Agriculture-related Uses
<b>2005 NEP</b>	Permitted No size restrictions	Limited to 465 m <sup>2</sup>	Limited to 465 m <sup>2</sup>	Limited to a total of 2,323 m <sup>2</sup> (above grade)  Minimum 4 ha parcel size	Single facility to sell wine with limited food service (light meals)  Limited to 50 people  Limited to 25% of the above-grade floor area  Can only operate when the winery is open for public tours or events	Indoor and outdoor events, subject to approval of an application	n/a	n/a
<b>2017 NEP</b>	Permitted No size restrictions	n/a <sup>5</sup>	n/a <sup>6</sup>	Any building limited to 3,200 m <sup>2</sup>  No minimum parcel size	Retail sales and tasting area within the winery building  The sale of gift and promotional products within the retail sales and tasting area, relating to wine and grape industry, or other local agricultural products	Policies addressing winery events were removed.	Limited to 2% of lot area, to a maximum of 10,000 m <sup>2</sup>  Buildings limited to 20% of the 2%	Any one building limited to 3,200 m <sup>2</sup>

<sup>1</sup> Permitted in all 2005 and 2017 NEP land use designations, except in Escarpment Natural Area, where only existing agricultural uses are permitted.

<sup>2</sup> Only permitted in Escarpment Protection Area and Escarpment Rural Area (2005).

<sup>3</sup> Only permitted in Escarpment Rural Area, but only outside of prime agricultural areas and specialty crop areas (2005).

<sup>4</sup> Wineries/cideries are permitted as both agriculture-related uses and on-farm diversified use, but in both cases must be on a farm (2017).

<sup>5</sup> In the 2017 NEP, these uses would now be considered agriculture-related uses or on-farm diversified uses.

<sup>6</sup> In the 2017 NEP, commercial and industrial development servicing agriculture would be considered an agriculture-related uses.

  
**Ombudsman**  
ONTARIO  
ONTARIO'S WATCHDOG  
CHIEN DE GARDE DE L'ONTARIO

July 16, 2018

*Via mail and email*

Council for the City of Hamilton  
Hamilton City Hall  
2nd floor - 71 Main Street West  
Hamilton, ON L8P 4Y5

Dear Council for the City of Hamilton:

**Re: Ombudsman Investigation**

This is to notify you that the Ombudsman's Office has received a complaint alleging that, prior to a June 26, 2018 meeting of the Governance Review Committee, members of council held a meeting over email that did not comply with the open meeting rules in the *Municipal Act, 2001*.

We also received a complaint alleging that, on July 9, 2018, the General Issues Committee for the City of Hamilton held a meeting that did not comply with the open meeting rules.

Our Office will be investigating these complaints. Joanna Bull, with our Office's Open Meetings Team, will be in contact with the Acting Clerk to provide further information with respect to the conduct of this investigation. Please do not hesitate to contact Ms. Bull at 416-646-2103 or [jbull@ombudsman.on.ca](mailto:jbull@ombudsman.on.ca) should you have any questions.

Thank you for your cooperation with our Office during this investigation.

Sincerely,

  
Wendy Ray  
General Counsel

cc: Janet Pilon, Acting Clerk  
Stephanie Paparella, Legislative Coordinator

Bell Trinity Square  
483 Bay Street, 10th Floor, South Tower, Toronto, ON M5G 2C9  
483, rue Bay, 10<sup>e</sup> étage, Tour sud, Toronto (Ontario) M5G 2C9  
Tel./Tél. : 416-586-3300  
Facsimile/Télécopieur : 416-586-3485 TTY/ATS : 1-866-411-4211

[www.ombudsman.on.ca](http://www.ombudsman.on.ca)





Hamilton City Council  
c/o City Clerk  
71 Main Street West, City Hall  
Hamilton, ON L8P 4Y5

Re:170 Rockhaven Lane, Waterdown, ON. – Deferral Agreement No. 156 –  
Expiring Oct. 1,2018

Regarding the above agreement, we would like to apply to council for their approval in extending this Deferral Agreement(No.156) for 1 year until Oct. 1,2019. The balance owing on the DC will then become fully due and payable with all of the interest occurred, and there will be no further extensions requested. However if the units are sold prior to this date, we will discharge them in the standard format.

We have had various issues with selling the commercial units, one of the main drawbacks is the property taxes levelled on these units. Property taxes ran up to many tens of thousands of dollars thus limiting our cash flow and ability to pay the DC on multiple units, ahead of their closing. There are still three unsold units in this complex, and it would be very helpful to us if council would consider our request to extend the terms of the DC for one more year.

We thank you in advance, and look forward to your early response.

Dinesh Mahabir  
President  
Hawk Ridge Homes Inc.  
Email: [dinesh@hawkridgehomes.ca](mailto:dinesh@hawkridgehomes.ca) cell:905-630-5091

Ministre de l'Environnement et  
du Changement climatique



Minister of Environment  
and Climate Change

JUN 26 2018

Ottawa, Canada K1A 0H3

JUL 03 2018

His Worship Fred Eisenberger  
Mayor

Ms. Alissa Denham-Robinson  
Chair, Hamilton Municipal Heritage Committee

City of Hamilton  
71 Main Street West, 2nd Floor  
Hamilton ON L8P 4Y5

Dear Mr. Mayor and Ms. Denham-Robinson:

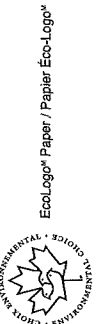
Thank you for your correspondence of February 15, 2018, regarding the report of the Standing Committee on Environment and Sustainable Development, *Preserving Canada's Heritage: The Foundation for Tomorrow*, and the Committee's recommendation to establish a tax credit for the conservation of heritage buildings.

The Government of Canada is committed to responding to the recommendations contained in the report as part of its ongoing commitment to protecting Canada's heritage places. The Committee's 17 recommendations are ambitious and go beyond conserving the heritage places administered by the federal government.

The report highlights a number of challenges and opportunities that will require a thorough review and engagement with provincial, territorial, and municipal governments, Indigenous partners, and heritage stakeholders. In the Government Response tabled on March 23, 2018, I committed to considering each of the report's recommendations carefully, and to providing the Committee with a recommendation by recommendation response in December 2018.

As matters of tax policy fall under the purview of the Honourable Bill Morneau, Minister of Finance, to whom you have already sent a copy of your correspondence, I have taken the liberty of forwarding to him a copy of this response and trust that he will give all due consideration to this question.

.../2



I appreciate you taking the time to write.

Sincerely,



The Honourable Catherine McKenna, P.C., M.P.

c.c.: The Honourable Bill Morneau, P.C., M.P.

**OFFICE OF THE CITY CLERK**

JUL 12 2018

REF'D TO Council Aug 18

REF'D TO HERITAGE COMMITTEE

REF'D TO L. KOVAR

S. ROBICHAUD

ACTION \_\_\_\_\_

\_\_\_\_\_



## Office of the Regional Chair

July 6, 2018

Resolution Number 2018-603

The Honourable Steve Clark  
Ministry of Municipal Affairs and Housing  
College Park, 17<sup>th</sup> Floor  
777 Bay Street  
Toronto, ON M5G 2E5

The Honourable Ernie Hardeman  
Minister of Agriculture, Food, and Rural Affairs  
11<sup>th</sup> Floor, 77 Grenville Street  
Toronto, ON M7A 1B3

Dear Minister Clark and Minister Hardeman:

**Subject: Peel Agricultural Advisory Working Group and Golden Horseshoe Food and Farming Alliance Annual Update and Funding Request**

---

I am writing to advise that Regional Council approved the following resolution at its meeting held on Thursday, June 28, 2018:

Resolution 2018-603

That the Golden Horseshoe Food and Farming Alliance's request for annual funds of \$30,000 a year for three years from the Region of Peel to implement strategic projects of the 'Golden Horseshoe Food and Farming Action Plan, 2021', be endorsed for consideration as part of the annual budget approvals process;

And further, that a copy of the report of the Commissioner of Public Works, titled "Peel Agricultural Advisory Working Group and Golden Horseshoe Food and Farming Alliance Annual Update and Funding Request" be circulated to the Town of Caledon; City of Brampton; City of Mississauga; the Regions of Durham, Halton, Niagara and York; the Cities of Hamilton and Toronto; the Ministries of Agriculture and Food, Rural Affairs, and Municipal Affairs and Housing; Credit Valley Conservation; Toronto and Region Conservation Authority; and, the Golden Horseshoe Food and Farming Alliance, for information.

A copy of the subject report is enclosed for your information.

Yours truly,

Frank Dale  
Regional Chair and Chief Executive Officer

FD:do

The Regional Municipality of Peel

## **Enclosed**

### **Also sent to:**

Janet Horner, Executive Director, Golden Horseshoe Food and Farming Alliance

John MacKenzie, Chief Executive Officer and Secretary-Treasurer, Toronto and Region Conservation Authority

Deborah Martin-Downs, Chief Administrative Officer, Credit Valley Conservation

Carey deGorter, Town Clerk, Town of Caledon

Peter Fay, City Clerk, City of Brampton

Diana Rusnov, City Clerk, City of Mississauga

Debi Wilcox, Regional Clerk, Durham Region

Graham Milne, Regional Clerk, Halton Region

Ann-Marie Norio, Acting Regional Clerk, Niagara Region

Denis Kelly, Regional Clerk, York Region

Rose Caterini, City Clerk, City of Hamilton

Ulli S. Watkiss, City Clerk, City of Toronto

c: Adrian Smith, Acting Director, Integrated Planning, Public Works, Region of Peel

DATE: June 18, 2018

REPORT TITLE: **PEEL AGRICULTURAL ADVISORY WORKING GROUP AND GOLDEN HORSESHOE FOOD AND FARMING ALLIANCE ANNUAL UPDATE AND FUNDING REQUEST**

FROM: Janette Smith, Commissioner of Public Works

### RECOMMENDATION

That the Golden Horseshoe Food and Farming Alliance's request for annual funds of \$30,000 a year for three years from the Region of Peel to implement strategic projects of the 'Golden Horseshoe Food and Farming Action Plan, 2021', be endorsed for consideration as part of the annual budget approvals process;

And further, that a copy of the report of the Commissioner of Public Works, titled "Peel Agricultural Advisory Working Group and Golden Horseshoe Food and Farming Alliance Annual Update and Funding Request" be circulated to the Town of Caledon; City of Brampton; City of Mississauga; the Regions of Durham, Halton, Niagara and York; the Cities of Hamilton and Toronto; the Ministries of Agriculture and Food, Rural Affairs, and Municipal Affairs and Housing; Credit Valley Conservation; Toronto and Region Conservation Authority; and, the Golden Horseshoe Food and Farming Alliance, for information.

### REPORT HIGHLIGHTS

- In 2017 the Peel Agricultural Advisory Working Group:
  - Collaborated on the development of the 2017 Grown in Peel Guide and program review.
  - Reviewed and commented on the Region of Peel Official Plan Review.
  - Approved Peel Rural Water Quality Program grants, allocating \$35,459.50 to nine rural water quality projects.
- Over the same time period, the Golden Horseshoe Food and Farming Alliance ("the Alliance") has initiated and completed strategic projects to implement the 'Golden Horseshoe Food and Farming Action Plan: 2021'.
- Initial project work by the Alliance has provided a better understanding of the regional agricultural and food system influencing Peel Region.
- The partnership with the Alliance enables the Region to better understand and respond to agricultural issues from a broader regional food and agricultural system perspective.
- Funding support to the Alliance is proposed to continue to 2021 to the end of the Golden Horseshoe Action Plan subject to approvals, as part of the annual budget process.

## **PEEL AGRICULTURAL ADVISORY WORKING GROUP AND GOLDEN HORSESHOE FOOD AND FARMING ALLIANCE ANNUAL UPDATE AND FUNDING REQUEST**

### **DISCUSSION**

#### **1. Background**

The Region of Peel recognizes the contribution of the agricultural sector to the local economy and cultural heritage of the Region. In 1997, the Region established the Peel Agricultural Advisory Working Group ("the Working Group") to create a closer link between the agricultural community and the Region.

The Region is also partner to the Golden Horseshoe Food and Farming Alliance ("the Alliance"), an organization that supports broader collaboration among regional agricultural interests.

#### **2. Peel Agricultural Advisory Working Group**

The Working Group is appointed by Regional Council to assist Peel in its efforts to protect agricultural and rural lands, support farming and promote the importance of the agricultural industry to the region. The Working Group keeps the Region informed of issues and concerns of the agricultural community. It plays a major role in providing input to the Regional Official Plan and contributes to the Region's efforts in achieving its agricultural goals, objectives and policies.

The Working Group is comprised of one political representative, Councillor Innis, and ten public volunteers who are appointed for a four-year Term of Council. Volunteers represent farming organizations as well as food and farming sector representatives within Peel. Appointments to renew membership will be made in the next term of Council.

##### **a) 2017 Programs and Projects**

###### **i. Peel Rural Water Quality Program**

The Region, in partnership with Credit Valley Conservation and Toronto and Region Conservation Authority, has implemented the Peel Rural Water Quality Program ("the Program") since 2004. The Program provides technical and financial resources to farmers to encourage stewardship focused on protecting and enhancing water quality and the natural environment. The Working Group is the approval authority for grant applications submitted under the Program.

In 2017, the Working Group approved \$35,459.50 in grants to support the implementation of nine projects. An additional \$31,404.92 was leveraged from project proponents and other funders to assist with the completion of these projects.

Since initiation, the Program has allocated a total of \$748,154 in cost-share grant funding towards 161 agri-environmental projects. These projects have a total value of just under \$4.1 million in on-farm stewardship enhancements in Peel. Annual funding for delivery of the Program is approved through the Toronto and Region Conservation Authority and Credit Valley Conservation budgets.

A detailed performance summary is attached as Appendix I.

## **PEEL AGRICULTURAL ADVISORY WORKING GROUP AND GOLDEN HORSESHOE FOOD AND FARMING ALLIANCE ANNUAL UPDATE AND FUNDING REQUEST**

In 2017, a housekeeping update of the Program Guidelines was undertaken to clarify the interpretation of project categories. The revised guidelines are available from the Office of the Regional Clerk.

### **ii. Peel Environmental Farm Tour**

The Working Group hosted more than 30 participants including municipal staff, Councillors and members of the public on a farm tour that showcased a variety of projects implemented on Peel farms through the Peel Rural Water Quality Program. The farm tour provided educational information about agri-environmental practices and helped to further promote the Program to farmers.

### **iii. Grown in Peel Local Food Guide**

The Grown in Peel Local Food Guide (“the Guide”) has been published by the Region since 2006. The Guide promotes local farms, retailers and farmers’ markets in Peel.

In recognition of Canada 150, the 2017 Guide celebrated 150 years of farming in Peel Region. Approximately 20,560 copies of the 2017 edition were distributed across Peel with the help of over 100 community partners including local municipalities, Regional Councillors, educational institutions and agricultural associations. An expanded version of the Guide also continues to be available online at [GrownInPeel.ca](http://GrownInPeel.ca).

Throughout 2017, consultations were held with stakeholders and the public to review the program to ensure that it was still meeting the needs of the local farms, retailers and farmers’ markets as well as users of both the paper guide and website. The look of the 2018 Guide, released in May, has been refreshed to address the feedback from consultations and align with new corporate branding.

### **iv. Special Topics**

The Working Group was consulted on a variety of special topics, including:

- Proposed and final Peel Food Charter developed by the Peel Poverty Reduction Strategy’s Food Security Task Force
- Release of the amended Provincial Plans and proposed Provincial Agricultural System and Natural Heritage System mapping
- Region of Peel Long-Range Transportation Plan update
- Region of Peel Agriculture Census Bulletin
- Region of Peel Official Plan Monitoring Performance Indicators for agriculture
- Peel 2041: Region of Peel Official Plan Review
- Conservation Authorities Permitting Guidance for Agriculture
- Town of Caledon Commercial Fill study
- Headwaters Food and Farming Alliance Food Charter
- Golden Horseshoe Food and Farming Alliance Canada 150 farms program
- Town of Caledon Town-Wide Design guidelines



## **PEEL AGRICULTURAL ADVISORY WORKING GROUP AND GOLDEN HORSESHOE FOOD AND FARMING ALLIANCE ANNUAL UPDATE AND FUNDING REQUEST**

### **b) 2018 Peel Agricultural Advisory Working Group Work Plan**

In 2018, the Province released the agricultural land base mapping for the Provincial Agricultural System. The Region needs to refine and incorporate the Provincial Agricultural System mapping and corresponding Provincial policies into the Regional Official Plan. A key focus of the Working Group will be to provide guidance on the identification of the Agricultural System for the Region throughout the refinement process.

The following action items remain as priorities in the work plan for 2018:

#### **Policy, Research and Development**

- Peel 2041: Regional Official Plan Review – Agricultural Resources Focus Area
- Peel-Caledon LEAR Study and refinement of prime agricultural area mapping
- Consultation on draft Provincial Agricultural Impact Assessment Guidelines

#### **Peel Rural Water Quality Program**

- Review and approval of Program funding applications
- Five year review of Program guidelines and project categories

#### **Support Agri-Food and Agri-Business**

- Participate on the 'Grown in Peel' Working Group and provide direction to the Guide

### **3. Golden Horseshoe Food and Farming Alliance**

In 2012, the Golden Horseshoe Food and Farming Alliance ("the Alliance") was formed to implement the 'Golden Horseshoe Food and Farming Action Plan: 2021' ("the Action Plan"). The Action Plan is posted on the Alliance's webpage at [foodandfarming.ca/food-and-farming-action-plan/](http://foodandfarming.ca/food-and-farming-action-plan/).

The Alliance is comprised of a Council representative from each of the Golden Horseshoe Regions, and the Cities of Hamilton and Toronto. There is also representation from agriculture related industry associations, non-profits and other stakeholders. Mayor Thompson and Councillor Downey are the Regional Council's representatives to the Alliance, with Councillor Downey currently in the role of Vice-Chair of the Alliance. This multiple partner approach enables the Region to share resources and respond to agricultural issues from a broader regional food and agricultural system perspective.

Municipal partners each support the implementation of the Action Plan through in-kind staff time and a financial commitment of \$30,000 per year, within the operating budget. Initial funding from each of the municipal partners to implement the Action Plan was endorsed for a five year term, ending in 2018. Funding from municipal partners to implement the Action Plan is requested to be renewed to the end of the Action Plan in 2021. Municipal partner funding assists in leveraging provincial and other partner funding to implement the Action Plan. Through this collaboration, the Region is able to cost-share and leverage resources on projects having greater impact to the Region and the regional agricultural system.

## PEEL AGRICULTURAL ADVISORY WORKING GROUP AND GOLDEN HORSESHOE FOOD AND FARMING ALLIANCE ANNUAL UPDATE AND FUNDING REQUEST

### a) Accomplishments of the Golden Horseshoe Food and Farming Alliance

#### i. 2017 Implementation and Support of the Action Plan

The achievements of the Alliance in 2017 include projects, outreach and engagement initiatives and communications.

##### Projects:

- Food and Farming Asset Mapping: An ongoing project to maintain a database and map agri-food supply chain assets across the Golden Horseshoe. This asset database was used as a foundation for the Provincial Agricultural System information portal. New partnerships have enabled the database to expand and include Eastern Ontario. As well, through a grant from the Provincial Rural Economic Development Fund, the Alliance has partnered with the Economic Developers Council of Ontario to include manufacturing information in the database.
- Local Food Procurement in Long-Term Care Homes: This project has developed best practices, tools and training to assist municipalities in finding opportunities to incorporate local food in municipally operated long-term care homes. Three pilot projects have been hosted in the City of Hamilton, Halton Region and Durham Region, which helped inform the development of the manual and tools for broader implementation in other jurisdictions. The Region of Peel is currently working with the Alliance and the Greenbelt Foundation to investigate implementation of the initiative in all five of the Region's long term care homes to increase the amount of local food offered in facilities and improve the nutritional health and well-being of residents.
- Farmers Guide to the Planning Application Process

##### Significant engagement initiatives:

- Municipal Agriculture Economic Development and Planning Forum
- Canada 150 Farm Family recognition program

##### Engagement, policy review and communication initiatives:

- Consulted with the Province and responded to the draft Provincial Agricultural System mapping, Implementation Procedures and Methodology
- Golden Horseshoe Agriculture Census profile
- Published online e-newsletters and stories showcasing agriculture in the Golden Horseshoe, including activities within Peel Region

### b) 2018 Implementation and Support of the Action Plan

The Alliance has identified priority activities for 2018 which aim to complete several long-term projects, continue with outreach and engagement initiatives, and provide responses to important provincial policy and plan reviews. These include:

- Continuation of Local Food Procurement in Municipally-Operated Facilities and Cafeterias and expansion to other Region's within the Golden Horseshoe
- Continuation of the Food and Farming Asset database and updating of data

## PEEL AGRICULTURAL ADVISORY WORKING GROUP AND GOLDEN HORSESHOE FOOD AND FARMING ALLIANCE ANNUAL UPDATE AND FUNDING REQUEST

- Hosting a series of workshops and tours on agricultural systems planning and the agri-food network in the Golden Horseshoe
- Development of a report card to demonstrate progress towards achieving the goals of the Action Plan
- Consult with Province on draft Provincial guidelines for Agriculture Impact Assessments
- Online e-newsletters and stories showcasing agriculture in the Golden Horseshoe

### FINANCIAL IMPLICATIONS

The Region's funding for the Golden Horseshoe Food and Farming Alliance initially identified a commitment of \$30,000 over five years (2014-2018) to support implementation of the Golden Horseshoe Food and Farming Action Plan. The Regional funding of \$30,000 annually, has been established within the operating budget, and is proposed to be continued to 2021 to the end of the Action Plan subject to annual Regional Council budget approvals.

The continued operation of the Peel Agricultural Advisory Working Group, the Peel Rural Water Quality Program, the publication of the Grown in Peel Guide and the Region's participation on the Alliance is supported through Regional and conservation authority staff support. Staffing costs are not included in the above amounts.

### CONCLUSION

The Peel Agricultural Advisory Working Group and the Golden Horseshoe Food and Farming Alliance continue to facilitate and enhance relationships between the Region and agricultural groups within Peel, the Golden Horseshoe and the Province. Each is a valuable contributor to realizing agricultural goals and policies of the Region. These collective activities help ensure that Peel's agricultural sector is supported and viable.



Janette Smith, Commissioner of Public Works

### Approved for Submission:




---

D. Szwarc, Chief Administrative Officer

### APPENDICES

Appendix I – Peel Rural Water Quality Program 2017 Status Report

*For further information regarding this report, please contact Adrian Smith, Acting Director, Integrated Planning, extension 4047, [Adrian.Smith@peelregion.ca](mailto:Adrian.Smith@peelregion.ca).*

*Authored By: Melanie Williams*

*Reviewed in workflow by:*  
Financial Support Unit



# Memo

**To:** Peel Agricultural Advisory Working Group

**From:** Mark Eastman, Credit Valley Conservation  
 Nadine Abrams, Toronto and Region Conservation Authority

**Date:** February 2, 2018

**Re:** Peel Rural Water Quality Program – 2017 Status Report

The year 2017 marked the thirteenth complete program year for the Peel Rural Water Quality Program (PRWQP). This status report summarizes the program’s accomplishments for 2017 and over the past thirteen years.

**Number of projects approved in 2017: Nine**

**Types of projects approved in 2017:**

Manure Storage	0
Milkhouse Washwater	0
Barnyard Runoff Control	0
Nutrient Management Strategy	0
Nutrient Management Plan	0
Private Well Upgrade	0
Clean Water Diversion	0
Livestock Access Restriction	2
Erosion Control Structure	0
Tree Planting	4
Buffer Strip Planting	0
Education	0
Chemical Storage	0
Fuel Storage	0
Silage Storage Upgrade	0
Irrigation Management	0
Integrated Pest Management	0
Cover Crop	3*
Natural Area Enhancement and Creation	0
<b>TOTAL</b>	<b>9</b>

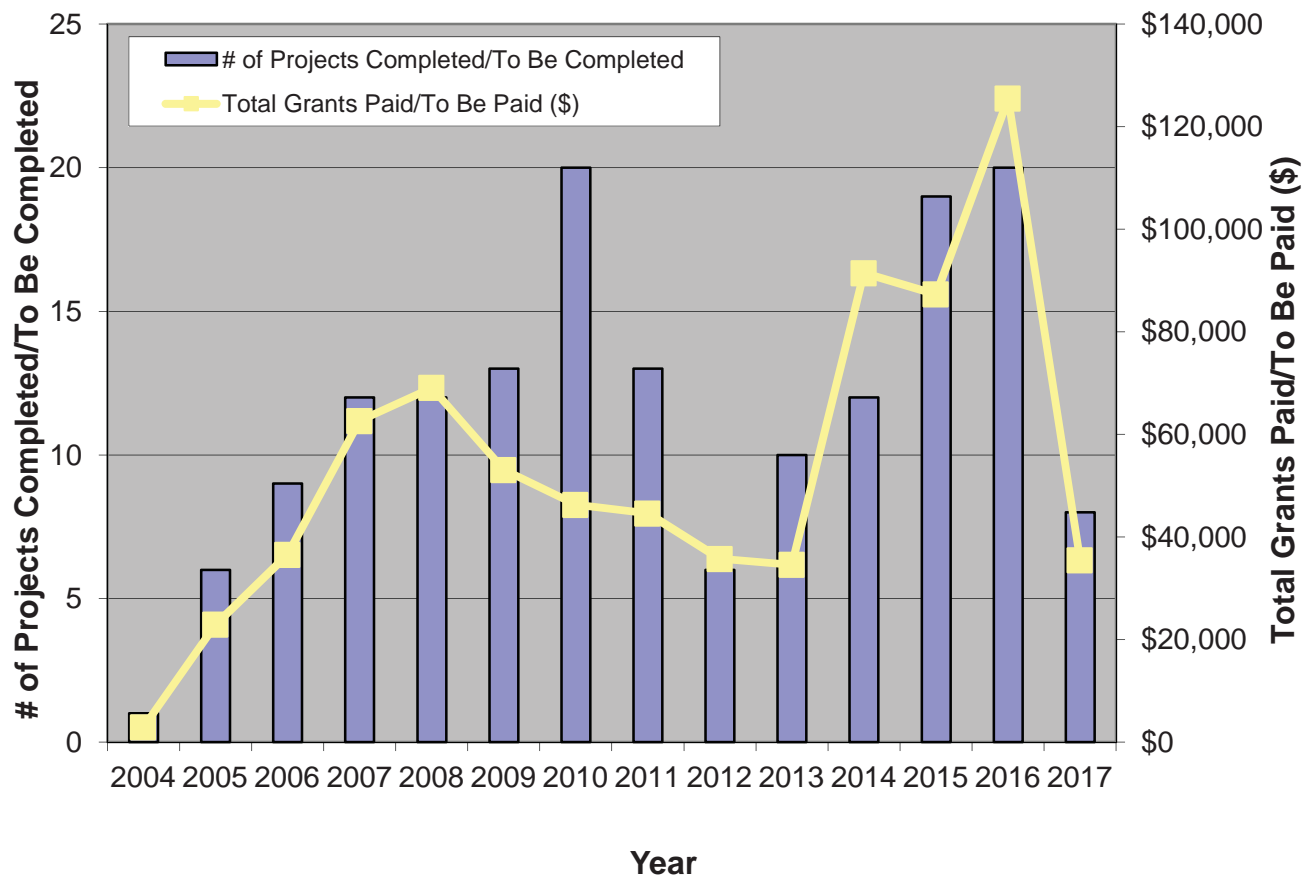
\* Three cover crop projects were approved, but one has been withdrawn. Therefore, it is anticipated that 8 projects will be completed.

**PEEL AGRICULTURAL ADVISORY WORKING GROUP AND GOLDEN HORSESHOE FOOD AND FARMING ALLIANCE ANNUAL UPDATE AND FUNDING REQUEST**

**Grants paid and/or to be paid on 2017 projects: \$35,459.50**

**Annual program activity:**

In 2017, nine projects were approved and eight projects have been completed or are in progress. Total grants paid/to be paid is \$35,459.50. The \$35,459.50 of grant support has leverage an additional \$31,404.92 from project proponents and other funders to assist with the completion of these 8 projects. The graph below illustrates the program’s performance for each year since 2004.



*Notes:*

- 2004 was not a complete program year.
- Statistical discrepancies between annual status reports are a result of approved projects not proceeding with construction, therefore resulting in a withdrawal of applications.

The number of projects undertaken decreased in 2017. Peel Agricultural Advisory Working Group members may be aware that the Provincial-Federal Growing Forward 2 Program is set to close in March 2018 with the new five year Canadian Agricultural Stewardship Program (CAP) beginning at that time. It is speculated that CAP will provide greater access to cost-share funding for Peel farmers, as the focus on improving soil health is expected to shift beyond the Lake Erie watersheds into the rest of the province. Throughout 2017, Program staff heard from farmers that they were delaying projects until CAP was released in hopes of getting greater financial support for their project. This may help explain why the

**PEEL AGRICULTURAL ADVISORY WORKING GROUP AND GOLDEN HORSESHOE FOOD AND FARMING ALLIANCE ANNUAL UPDATE AND FUNDING REQUEST**

PRWQP experienced a decrease in the number of projects undertaken in 2017. With a strong provincial program being released in 2018, Program staff anticipate that the number of PRWQP projects and grant dollars allocated will increase.

**Program accomplishments:**

Between 2004 and 2017, the PRWQP has paid/allocated a total of \$748,154 in funding towards 161 agri-environmental projects. These funds have leveraged an additional \$3,370,244 to contribute to the completion of projects valued at \$4,074,156.

**Environmental benefits of BMPs:**

Over the past thirteen years, agri-environmental projects completed with technical and financial assistance from the PRWQP have helped to:

**Safely store 265,125 m<sup>3</sup> of livestock manure** to reduce the risk of nutrient, pathogen and bacteria contaminating drinking water, streams and wetlands.



**This equates to 38,092 dump trucks of manure!**

**Install 13.15 km of livestock fencing** to improve the habitat quality of our streams, wetlands and woodlots and to reduce water quality impacts caused by sediment, nutrient and pathogen/bacteria.



**Plant 29,465 trees and shrubs** to restore degraded habitats, reduce erosion and to sequester carbon dioxide.



**Restore and/or protect 114 ha of land** to improve water, air, soil and habitat quality.



**This is an area equal to 114 football fields!**

**Program promotion:**

In 2017, advertisements for the program were run in the Caledon Enterprise every other month. An advertisement was also placed in the winter edition of the Golden Horseshoe Soil and Crop Improvement Association Newsletter. Please see below for a copy of the advertisement.

Program staff also promoted the program at the following events/workshops:

- Equine Workshop
- Environmental Farm Plan Workshop
- Peel Soil and Crop Improvement Association Annual General Meeting
- CVC Twilight Tour – Grassland Birds
- Peel Plowing Match
- Peel Environmental Farm Tour



**PEEL AGRICULTURAL ADVISORY WORKING GROUP AND GOLDEN HORSESHOE FOOD AND FARMING ALLIANCE ANNUAL UPDATE AND FUNDING REQUEST**

## Peel Rural Water Quality Program



**GRANTS** to Support Farm Stewardship

**It pays to protect water quality when you apply to the Peel Rural Water Quality Program**

**Eligible Projects Include:**

- tree planting
- livestock fencing
- erosion control structures
- fuel storage
- manure storage
- well upgrading
- composting structures
- wetland and meadow restoration
- cover crops and more!

**Contact Us For More Information:**

<p><b>Credit Valley Conservation</b>            Phone: 905-670-1615 ext.430            Toll-Free: 1-800-668-5557 ext.430            meastman@creditvalleyca.ca            www.creditvalleyca.ca</p>	<p><b>Toronto and Region Conservation</b>            Phone: 416-661-6600 ext.5349            nabrams@trca.on.ca            www.trca.on.ca</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------

[peelregion.ca/planning/paawg/prwqp.htm](http://peelregion.ca/planning/paawg/prwqp.htm)



**CREDIT VALLEY CONSERVATION**



**Region of Peel**  
Working for you



**Toronto and Region Conservation**  
for The Living City

Program staff will continue to advertise the program in local media, by attending events and meetings and by hosting and participating in workshops. Staff encourage Peel Agriculture Advisory Working Group members to continue promoting the program to friends, neighbours and peers. Peer to peer promotion of the program is the best form of advertisement, and we depend on you to help spread the word.

If you have any questions regarding the 2017 program year, please contact Program staff.

Sincerely,



Mark Eastman

Credit Valley Conservation



Nadine Abrams

Toronto and Region Conservation



SENT VIA COURIER

July 11, 2018

Office of the City Clerk  
City of Hamilton  
71 Main Street W, 1<sup>st</sup> Floor  
Hamilton, ON  
L8P 4Y5

To Whom It May Concern:

**Re: Terrapure Environmental – Stoney Creek Regional Facility  
2017 Annual Report**

Please find enclosed a copy, on a USB stick, of the 2017 Annual Report for the Operating Stoney Creek Regional Facility for your files.

Regards,

Lorenzo Alfano  
District Manager

<b>OFFICE OF THE CITY CLERK</b>
JUL 12 2018
REF'D TO <u>Council Aug 7 18</u>
REF'D TO <u>B. MATTHEW MALONE</u>
REF'D TO <u>S. ROBERTSON</u>
B. MCULLEN RECORDS
ACTION _____
_____

**Ministry of  
Municipal Affairs  
and Housing**

Office of the Minister

777 Bay Street, 17<sup>th</sup> Floor  
Toronto ON M5G 2E5  
Tel.: 416 585-7000  
Fax: 416 585-6470

**Ministère des  
Affaires municipales  
et du Logement**

Bureau du ministre

777, rue Bay, 17<sup>e</sup> étage  
Toronto ON M5G 2E5  
Tél. : 416 585-7000  
Télééc. : 416 585-6470



**JUL 19 2018**

MMA18-000008

Your Worship  
Mayor Fred Eisenberger  
City of Hamilton  
71 Main Street West  
Hamilton, ON L8P 4Y5

Dear Mayor Eisenberger:

Thank you for your recent letter of June 27, 2018. I appreciate your kind words regarding my re-election and appointment as the Minister of Municipal Affairs and Housing.

Under the Municipal Act, the appointment of a qualified person to hold office for the remainder of the council term must take place within 60 days of the declaration of the vacancy.

I have reviewed the request from Hamilton City Council for an exemption from the requirement under the Municipal Act regarding your vacancy on council for Ward 7. I understand the situation in which council has been placed. However, there is no provision in the legislation for me to grant an exemption from the rules set out in the legislation that require municipalities to fill council vacancies. Providing an exemption to the requirement in the Municipal Act to fill the vacancy would require a change to the Act.

Thank you again for your letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Clark".

Steve Clark  
Minister



Thursday July 12, 2018

Mayor and Members of Council  
 City of Hamilton  
 Hamilton City Hall  
 71 Main Street West, 1<sup>st</sup> Floor  
 Hamilton, ON  
 Canada L8P 4Y5

**Subject:** Posting of Agendas, Minutes and All Associated Accompanying Presentations and Documents, Inclusive of Financial Statements

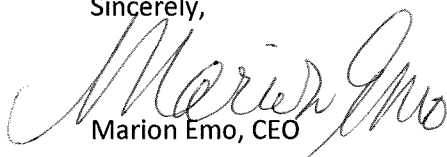
Dear Mayor Fred Eisenberger and Members of Council:

I received correspondence on June 28<sup>th</sup> regarding the requirement that all organizations currently receiving budget funding from the City of Hamilton post all documents listed as per Open Government: Access to Information for City of Hamilton Funded Boards and Agencies (FCS18050) (City Wide) on their websites for public access.

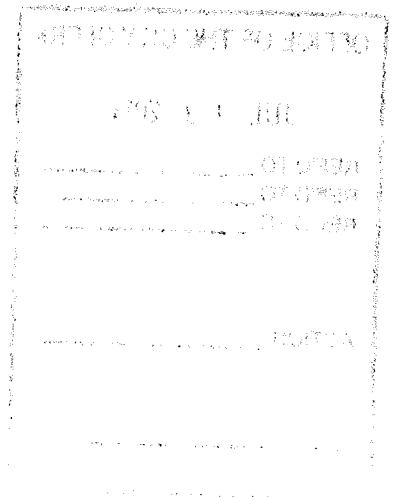
The Hamilton/Burlington SPCA (HBSPCA) does not receive budget funding from the City of Hamilton and has not received funding for sixteen years.

The HBSPCA does post approved Board meeting minutes and annual audited statements on its website.

Sincerely,

  
 Marion Emo, CEO

**Cc:** Juanita Gledhill, Chair, HBSPCA  
 Stephanie Paparella, Legislative Coordinator, Office of the City Clerk



**Pilon, Janet**

---

**Subject:** A message from Minister Steve Clark/Un message du ministre Steve Clark**From:** Minister (MMA/MHO) [<mailto:minister.mah@ontario.ca>]**Sent:** Tuesday, July 17, 2018 9:34 AM**To:** Office of the Mayor <[mayor@hamilton.ca](mailto:mayor@hamilton.ca)>**Subject:** Un message du ministre Steve Clark**Ministry of  
Municipal Affairs  
and Housing**

Office of the Minister

777 Bay Street, 17<sup>th</sup> Floor  
Toronto ON M5G 2E5  
Tel.: 416 585-7000  
Fax: 416 585-6470**Ministère des  
Affaires municipales  
et du Logement**

Bureau du ministre

777, rue Bay, 17<sup>e</sup> étage  
Toronto ON M5G 2E5  
Tél. : 416 585-7000  
Télééc. : 416 585-6470

July 17, 2018

Fred Eisenberger  
Mayor  
City of Hamilton  
[mayor@hamilton.ca](mailto:mayor@hamilton.ca)

Dear Mayor Eisenberger:

As a former mayor, I understand the significance of the provincial-municipal relationship and the important role municipal governments fulfil for their residents.

In my new role as Minister of Municipal Affairs and Housing, I look forward to working with you as Ontario's new government delivers policies and programs that will improve the lives of people across our province.

I know I can count on you to comment on matters of concern and provide advice on how to move forward on many important files. Your feedback and unique perspective is vital to ensuring that we are collectively serving the needs of all Ontarians, both urban and rural.

I look forward to meeting you in just a few weeks at AMO or in the months to come.

Sincerely,

A handwritten signature in black ink that reads "Steve Clark".

Steve Clark  
Ministerc: Laurie LeBlanc  
Deputy Minister

**Pilon, Janet**

---

**Subject:** Planning Committee meeting July 10 - complaint lodged against Councillor Ferguson

**From:** Janice Currie

**Date:** July 12, 2018 at 9:57:29 AM EDT

**To:** [jason.farr@hamilton.ca](mailto:jason.farr@hamilton.ca), [matthew.green@hamilton.ca](mailto:matthew.green@hamilton.ca), [maria.pearson@hamilton.ca](mailto:maria.pearson@hamilton.ca), [chad.collins@hamilton.ca](mailto:chad.collins@hamilton.ca), [doug.conley@hamilton.ca](mailto:doug.conley@hamilton.ca), [robert.pasuta@hamilton.ca](mailto:robert.pasuta@hamilton.ca), Judi Partridge <[Judi.Partridge@hamilton.ca](mailto:Judi.Partridge@hamilton.ca)>, Brenda Johnson <[Brenda.Johnson@hamilton.ca](mailto:Brenda.Johnson@hamilton.ca)>, [aidan.johnson@hamilton.ca](mailto:aidan.johnson@hamilton.ca)

**Subject: Planning Committee meeting July 10 - complaint lodged against Councillor Ferguson**

I am given to understand that, at the July 10 Planning Committee meeting, Councillor Green referenced a letter of complaint against Councillor Ferguson received from Mr. Andrew Spoelstra, Chair of the Agriculture and Rural Affairs committee.

I believe the complaint concerned perceived 'lies' told by Councillor Ferguson about Mr. Spoelstra's conduct at an Agriculture and Rural Affairs Advisory Committee meeting held on February 26 of this year. Mr. Spoelstra made similar accusations at an Ag. and Rural Affairs meeting on June 21, which I attended.

I was at the February 26 meeting and would like to present my side of the story:

Residents of the Carluke community were becoming increasingly concerned about the rumored, large, Gro-op facility being planned for 240 Butter Road. We didn't know how, or where, to get information.

We were told that the Clerk's department had arranged a Special Agriculture and Rural Affairs committee meeting for February 26. Sure enough, when searching online we found the agenda with two Gro-op delegations registered to speak. Several of us arranged to deliver flyers throughout the neighbourhood and, in the end, about 75 residents attended.

Mr. Spoelstra may feel as if we hijacked his meeting, but he didn't handle it well. The stated mandate of the Ag. and Rural Affairs committee is to "represent the interests of Hamilton's agricultural industry, farm families and non-farm rural residents". Presumably this means ALL residents - including the 75 unexpected ones who attend a meeting.

We are not politicians, or lobbyists, or lawyers, and have no reason to be familiar with committee rules or protocols such as registering to speak as delegates, or asking questions 'through the Chair'. We are local residents who wanted to be included in the conversation and get some answers.

On the day following the meeting, I sent Councillor Ferguson the following email "... I am, of course, hugely disappointed, but also deeply offended at the tone and outcome of the meeting last night. The Chair deliberately misled the public audience by stating that, following the break, the committee would be dealing with 'other' business. In fact, there was no other business and he was merely trying to avoid public dissent on the motion. He should be censured".

I reinforced those sentiments when I spoke before the Planning Committee on June 19. Those comments are a matter of public record, as I provided a printed copy to the Clerk. In brief, I

stated "we didn't get many answers (at the February 26 meeting). Instead, we were treated as a nuisance and rebuked frequently for asking questions specific to the marijuana facility being proposed .... We were also prompted to leave the meeting without the opportunity of hearing their motion".

If Councillor Ferguson made any complaint about the February 26 meeting it was because I, and others, complained to him.

I trust you will take my comments under advisement and reconsider your proposal to tell Mr. Spoelstra what a 'great job he's doing'. He may well be doing a great job, but February 26 was not the best example.

Janice Currie

Sent from my iPad

5.12

JUL 18 2018

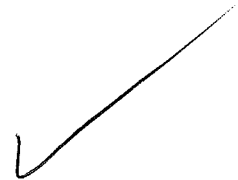
Minister  
of Canadian Heritage



Ministre  
du Patrimoine canadien

JUL 24 2018

Ottawa, Canada K1A 0M5



His Worship Fred Eisenberger  
Mayor of Hamilton  
2nd Floor, 71 Main Street West  
Hamilton, Ontario  
L8P 4Y5

Dear Mr. Mayor:

Thank you for your correspondence enclosing a copy of Hamilton City Council's resolution regarding the possible declaration of a National Day of Remembrance and Action on Islamophobia. I appreciate your taking the time to write on this matter.

The Quebec City mosque massacre of January 29, 2017, was a tragic and terrible reminder of our need to remain vigilant about the dangers of Islamophobia and all forms of hatred and bigotry. On the anniversary of this unprecedented tragedy, which claimed the lives of six men and wounded 19 individuals, the Government of Canada calls on all Canadians to remember the victims and their families.

Every year, on January 29, we will remember the victims of this senseless tragedy while reflecting on how we can collectively ensure that Canada remains a country of peace and inclusion, where hate is not tolerated. We must continue to condemn all forms of racism and discrimination to ensure that such an event can never happen again.

The Government recognizes the challenges faced by Canada's Muslim community, and all other communities impacted by racism and discrimination, and remains committed in working together to overcome these challenges.

OFFICE OF THE CITY CLERK	
JUL 27 2018 <sup>12</sup>	
REF'D TO	<u>Council Aug 17/18</u>
REF'D TO	_____
REF'D TO	_____
ACTION	_____
_____	



While we are occasionally confronted with the forces of hate and division, Canada's commitment to diversity and inclusion is unwavering and the federal government will continue to defend that which makes Canada strong.

Please accept my best wishes.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Joly', with a period at the end. The signature is fluid and cursive.

The Honourable Mélanie Joly, P.C., M.P.

**Pilon, Janet**

---

**Subject:** Noise Wall Issue - Highway #403 in Ancaster, Ontario between Highway #6 South & Golf Links Road

**From:** Les F. Jagodich

**Sent:** July 31, 2018 12:45 PM

**To:** [minister.mecp@ontario.ca](mailto:minister.mecp@ontario.ca); [bruce.addo@ontario.ca](mailto:bruce.addo@ontario.ca); [jonathan.ricci@ontario.ca](mailto:jonathan.ricci@ontario.ca); [zahra.sultani@ontario.ca](mailto:zahra.sultani@ontario.ca); [minister.mto@ontario.ca](mailto:minister.mto@ontario.ca); [Luca.Bucci@ontario.ca](mailto:Luca.Bucci@ontario.ca); Office of the Mayor <[mayor@hamilton.ca](mailto:mayor@hamilton.ca)>; Kolar, Loren <[Loren.Kolar@hamilton.ca](mailto:Loren.Kolar@hamilton.ca)>

**Cc:** [SShaw-QP@ndp.on.ca](mailto:SShaw-QP@ndp.on.ca); James Butlin <>; Greg Kraatz <>; Jacqueline P Farrell <>; wayne beckett <>

**Subject:** Fwd: Noise Wall Issue - Highway #403 in Ancaster, Ontario between Highway #6 South & Golf Links Road

Folks

For your collective awareness of the Greenbriar Resident Coalition request for action.

Your Partnership, Stewardship & Support is appreciated

Regards

Les F. Jagodich

Begin forwarded message:

**From:** "Les F. Jagodich"

**Subject:** Noise Wall Issue - Highway #403 in Ancaster, Ontario between Highway #6 South & Golf Links Road

**Date:** July 31, 2018 at 9:06:03 AM EDT

**To:** [SShaw-QP@ndp.on.ca](mailto:SShaw-QP@ndp.on.ca)

**Cc:** James Butlin <>, Greg Kraatz <>

Good morning Ms Shaw

Ms Shaw, I am soliciting your support as my Member of Provincial Parliament to address a nagging issue being faced by your Greenbriar Neighbourhood residents.

Specifically, we have had repeated meetings & conversations with both Hamilton City officials & Ministry of the Environment officials to no avail.

At issue is the following:

1. The Ministry of the Environment & the City of Hamilton had an agreement that the noise wall was a matter for the residential builder to address in order to receive the signoff for their proposed plan of submission (circa early 1990);
2. My wife & I moved into our current residence located at 174 Greenbriar Road, Ancaster in September 2005;

3. Since that date, I have been attempting to gain someones attention to address our concerns with respect to the resident owned noise barrier wall versus the Province provide noise abatement wall (as enjoyed by all other Ontarians);
4. The resident provided noise abatement wall is dated, inappropriate, sinking into the ground proving easy view of the highway from our backyard, the highway grounds abutting our noise wall are below the required ground level adding no buffer to the mitigation of either sound or movement;
5. The MOE study for the highway #403 traffic study was grossly underestimated with the traffic volume statistics;
6. At a minimum, we are seeking equal & fair treatment by the province as was experienced & is now enjoyed by the residence of York Region

<https://www.yorkregion.com/news-story/5559878-province-will-erect-noise-barriers-along-hwy-404-extension/>

Ms Shaw, we implore you to provide us with your voice & assistance to bring this matter to a satisfactory resolution.

Sincerest appreciation

Les

**From:** "Ferretti, Steve (MTO)" <[Steve.Ferretti@ontario.ca](mailto:Steve.Ferretti@ontario.ca)>

**Subject:** Hwy. 403

**Date:** March 29, 2017 at 3:10:00 PM GMT-4

**To:** Les F. Jagodich

Les: As per our conversation, the Hwy. 403 resurfacing project has been awarded to Dufferin Construction and turn over will be next week. I have not seen their schedule but the entire 403 including all interchange ramps will be milled and re-surfaced this year. The limits of this contract is from East of the Lincoln Alexander Parkway to West of Wilson Street. In addition I will have staff looking into the sound barrier wall slope failure with week.

Sincerely

Steve Ferretti

MTO

Maintenance Superintendent

Niagara/Hamilton

## Noise barrier

---

From Wikipedia, the free encyclopedia

[Jump to navigation](#)[Jump to search](#)

<image001.jpg>

The *sound tube* in Melbourne, Australia, designed to reduce roadway noise without detracting from the area's aesthetics.

A **noise barrier** (also called a **soundwall**, **noise wall**, **sound berm**, **sound barrier**, or **acoustical barrier**) is an exterior structure designed to protect inhabitants of sensitive land use areas

from noise pollution. Noise barriers are the most effective method of mitigating roadway, railway, and industrial noise sources – other than cessation of the source activity or use of source controls.

In the case of surface transportation noise, other methods of reducing the source noise intensity include encouraging the use of hybrid and electric vehicles, improving automobile aerodynamics and tire design, and choosing low-noise paving material. Extensive use of noise barriers began in the United States after noise regulations were introduced in the early 1970s.

Contact Details: Tracey  
Telephone #

Called & left a message for Tracey to address the following:

- \* The grading of the road pavement; and
- \* Noise Wall deterioration, sinking & lack of dirt abutment.

[http://www2.hamilton.ca/NR/rdonlyres/2E12CEEC-558B-4D5E-8A9B-9EF05218CDFB/0/B000355\\_PIC2\\_e12.pdf](http://www2.hamilton.ca/NR/rdonlyres/2E12CEEC-558B-4D5E-8A9B-9EF05218CDFB/0/B000355_PIC2_e12.pdf)

<http://www.cope-nomph.org/news-archives/news-11-23-02.shtml>

<http://www.mto.gov.on.ca/english/highway-bridges/pdfs/southern-highways-program-2012-2016.pdf>

[http://everything.explained.today/Ontario\\_Highway\\_403/](http://everything.explained.today/Ontario_Highway_403/)

Les F. Jagodich



Public Health  
Agency of Canada

Agence de la santé  
publique du Canada

Chief Public  
Health Officer

Administratrice en chef  
de la santé publique

Your file      Votre référence

Our file      Notre référence

His Worship Fred Eisenberger  
Mayor of the City of Hamilton  
71 Main Street W  
Hamilton, Ontario L8P 4Y5

AUG 02 2018

AUG 02 2018

Dear Mr. Mayor:

On behalf of the Public Health Agency of Canada (PHAC), I am pleased to offer my congratulations to the City of Hamilton on being recognized by the Government of Ontario for its commitment to becoming an Age-Friendly Community (AFC).

Making communities age-friendly has been identified as one of the best ways to help seniors remain healthy, active, and independent for as long as they can. AFCs encourage healthy aging by improving and preserving: health; physical, social and mental wellness; independence; and quality of life. At the same time, AFCs create better, safer and healthier places for all Canadians to live in and thrive as they age.

PHAC and the World Health Organization (WHO) recognize the importance of creating social and physical environments in communities that facilitate active and healthy aging. On behalf of PHAC and WHO, I am pleased to endorse the Government of Ontario's recognition of your community's commitment to becoming age-friendly.

I understand that the City of Hamilton is a member of the WHO's Global Network for Age-Friendly Cities and Communities. Congratulations on being part of this Global Network of communities embracing the AFC movement. I would encourage active engagement in the Global Network, as this will provide you with the greatest benefit and international visibility. Members are required to submit at least one Age-Friendly practice per year in order to maintain membership. Please visit <https://extranet.who.int/agefriendlyworld/submit-afp/> to submit your AFC practices.

.../2

AUG 002018

- 2 -

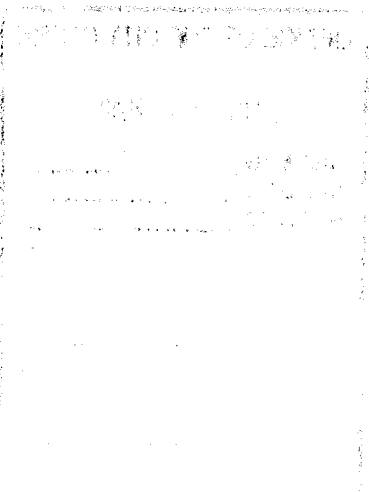
Please accept our best wishes for your continued efforts to support healthy aging, and in leading the way for other communities in Ontario, and across Canada, to become age-friendly.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Tam', with a long horizontal flourish extending to the right.

Dr. Theresa Tam, BMBS (UK), FRCPC  
Chief Public Health Officer

c.c.: Dr. John Beard, Director, WHO  
Lisa Maychak, Project Manager, Age Friendly Hamilton



**Ministry of Agriculture,  
Food and Rural Affairs**

Office of the Minister

77 Grenville Street, 11th Floor  
Toronto, Ontario M7A 1B3  
Tel: 416-326-3074  
www.ontario.ca/OMAFRA

**Ministère de l'Agriculture, de  
l'Alimentation et des Affaires rurales**

Bureau du ministre

77, rue Grenville, 11e étage  
Toronto (Ontario) M7A 1B3  
Tél. : 416 326-3074  
www.ontario.ca/MAAARO



**JUL 27 2018**

**AUG 02 2018**

His Worship Fred Eisenberger  
Mayor  
City of Hamilton  
71 Main Street West, 2<sup>nd</sup> Floor  
Hamilton, Ontario  
L8P 4Y5

*Mayor. Fred*

Dear Mayor Eisenberger:

Thank you for your note of congratulations on my re-election and appointment as Minister of Agriculture, Food and Rural Affairs. I appreciate your kind words.

I am proud to be a part of Premier Ford's team, and look forward to working with you to ensure Ontario is a place we can all be proud to call home.

I am passionate about the agriculture sector and serving rural communities. I am deeply committed to working with you and other partners to strengthen communities across Ontario.

Again, my sincere thanks for your message of support.

Sincerely,

Ernie Hardeman  
Minister of Agriculture, Food and Rural Affairs

**Ministry of Finance  
Office of the Minister**

7<sup>th</sup> Floor, Frost Building South  
7 Queen's Park Crescent  
Toronto ON M7A 1Y7  
Telephone: 416 325-0400  
Facsimile: 416 325-0374

**Ministère des Finances  
Bureau du ministre**

7<sup>e</sup> étage, Édifice Frost sud  
7, Queen's Park Crescent  
Toronto ON M7A 1Y7  
Téléphone : 416 325-0400  
Télécopieur : 416 325-0374



AUG 0 2 2018

JUL 2 4 2018

His Worship Fred Eisenberger  
Mayor  
City of Hamilton  
71 Main Street West  
2nd Floor  
Hamilton, Ontario  
L8P 4Y5

Dear Mayor Eisenberger:

Thank you for your kind wishes upon my appointment as Minister of Finance. I am honoured by the role that Premier Ford has asked me to play in this new and dynamic government for the people of Ontario.

I look forward to working with you and the City of Hamilton, as my colleagues and I focus on helping make our province the best place in North America for business, creating jobs, and raising a family.

Thank you again for your good wishes.

Sincerely,

A handwritten signature in black ink, appearing to be "Vic Fedeli".

Vic Fedeli  
Minister



Ministry of Community Safety  
and Correctional Services

Ministère de la Sécurité communautaire  
et des Services correctionnels

Office of the Minister

Bureau du ministre

25 Grosvenor Street  
18<sup>th</sup> Floor  
Toronto ON M7A 1Y6  
Tel: 416-325-0408  
MCSCS.Feedback@Ontario.ca

25, rue Grosvenor  
18<sup>e</sup> étage  
Toronto ON M7A 1Y6  
Tél.: 416-325-0408  
MCSCS.Feedback@Ontario.ca



MC-2018-253

AUG 02 2018

JUL 26 2018

His Worship Fred Eisenberger  
Mayor  
City of Hamilton  
71 Main Street West, 2nd Floor  
Hamilton ON L8P 4Y5

Dear Mayor Eisenberger:

Thank you for your letter of July 11, 2018, congratulating me on my appointment as Minister of Community Safety and Correctional Services. I truly appreciate your support as I take on this new role.

I look forward to working with ministry partners and stakeholders, including the City of Hamilton, as our new government delivers on its commitments. As Minister, I value our partnership as we work together to ensure the safety and security of Ontario's communities. I am excited and honoured to represent this ministry.

Thank you for your kind words and I appreciate the time you took to provide detailed information on the City of Hamilton. I am open and always ready to hear different ideas and feedback from the people of Ontario. Your feedback is important. It will help our government inform its policies. We were elected by the people of Ontario and we are listening to the people of Ontario. I am looking forward to collaborating with you as we move forward.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael Tibollo', written over a faint, illegible stamp.

Michael Tibollo  
Minister

**Pilon, Janet**

---

**From:** Joey Coleman, ThePublicRecord.ca <joey@thepublicrecord.ca>  
**Sent:** August-09-18 4:40 PM  
**To:** Paparella, Stephanie; Pilon, Janet  
**Cc:** Hertel, John; Recine, Jen; Auty, Nicole  
**Subject:** Correspondence for Council  
**Attachments:** ThePublicRecord-NNC-Membership-Confirmation.pdf

Ms. Paparella,

Please find attached in PDF format a letter which serves as correspondence to the General Issues Committee for the August 13, 2018 meeting.

Mr. Hertel,

Please confirm receipt of the attached PDF document.

Thank you,

Joey Coleman

--  
Joey Coleman  
Independent Journalist  
Publisher, The Public Record  
Member Organization, National Newsmedia Council [www.thepublicrecord.ca](http://www.thepublicrecord.ca) @JoeyColeman



August 9, 2018

To whom it may concern:

At the request of Joey Coleman, publisher of The Public Record, we can confirm that Mr. Coleman and The Public Record is an active member of the National NewsMedia Council.

The NewsMedia Council deals with matters concerning fairness of coverage, relevance, balance and accuracy. We promote an accountable Canadian news media and a responsible news readership, and represent the public and the media in matters concerning the democratic rights of freedom of speech and freedom of the media.

As a member of the NNC, The Public Record has agreed to adhere to widely accepted journalistic practices as expressed in its published Code of Ethics and Journalistic Practice, and has voluntarily agreed to self-governing through the NNC, which promotes media ethics and responsible journalism through its mediation services, complaints resolution, pre-publication advise, and outreach.

Should you have any questions about the NNC, its membership or objectives, they can be addressed to the National NewsMedia Council using the contact information below.

Kind regards,

Pat Perkel



Pat Perkel | Executive Director

[pperkel@mediacouncil.ca](mailto:pperkel@mediacouncil.ca)

37 Front Street East, Suite 200 | Toronto | Ontario M5E 1B3 | [416.340.1981 x2](tel:416.340.1981)

# CITY OF HAMILTON

## MOTION

Council Date: August 17, 2018

**MOVED BY COUNCILLOR J. FARR.....**

**SECONDED BY COUNCILLOR .....**

**No Parking Signs on Bay Street Between Aberdeen Avenue and Herkimer Street**

That the "No Stopping" signs along the bicycle lane on Bay Street between Aberdeen Avenue and Herkimer Street be changed to "No Parking" signs, thus bringing them in line with the signage on the adjacent Markland Avenue and other local residential streets.

# CITY OF HAMILTON MOTION

Council: August 17, 2018

**MOVED BY COUNCILLOR C. COLLINS.....**

**SECONDED BY COUNCILLOR .....**

**Opposition to Buy American Policies and the Tariffs Recently Imposed by the Trump Administration**

WHEREAS, at its meeting of June 11, 2018, the Town of Halton Hills passed the following resolution:

WHEREAS, since 2009, Council for the Town of Halton Hills have been leaders in taking opposition to Buy American Policies and other punitive trade legislation;

AND WHEREAS, the Buy American Policies have had negative impacts on local Canadian industries and Municipalities;

AND WHEREAS, their impacts have negatively affected Canadian Municipalities and their economies and families;

AND WHEREAS, NAFTA governs nearly every aspect of Canada and the U.S. economic relationship and even minor changes to the established trade relationship could have far-reaching consequences for communities on both sides of the border;

AND WHEREAS, recent trade disputes with the U.S. on softwood lumber and potential tariffs on other commodities has caused business uncertainty and impacted local economies;

AND WHEREAS, Canada's economic future and the continued well-being of communities and their local economies depend on free and fair trading relationships based in current and future international agreements;

AND WHEREAS, the recent imposition by the United States government of tariffs on steel and aluminum imports from Canada, purportedly based on national security grounds, are an affront to the decades-long alliance between Canada and the United States;

AND WHEREAS, given the actions of the United States government, it is imperative that Municipalities and individual Canadian businesses and citizens, as consumers of goods and services, take proactive action to support and protect Canadian interests.

THEREFORE BE IT RESOLVED, that the Town of Halton Hills supports the recent resolution passed by FCM to continue to work with the federal government to support the interests of municipalities across Canada affected by trade disputes and during ongoing trade agreement negotiations;

AND FURTHER THAT the Council for the Town of Halton Hills continues to support free and fair trade and vehemently opposes restrictive trade practices;

AND FURTHER THAT the Town of Halton Hills stands with those Municipalities, Employers, Families who may be impacted by the latest tariffs imposed by the Trump Administration;

AND FURTHER THAT that the Town of Halton Hills encourage residents and businesses with the Town to become knowledgeable about the origin of the products and services that they purchase, consider avoiding the purchase of U.S. products where substitutes are reasonably available and communicating with U.S. businesses and individuals of Canadian concern about the decisions of the United States Government;

AND FURTHER THAT this resolution be forwarded to the Prime Minister, Minister of Trade, Minister Freeland, Mayor Iveson ( Edmonton ) Chair of the Big City Mayors, Halton MP's, MPP's, Premier, Premier elect, Halton MPP elects, Canadian Chamber of Commerce, Halton Hills Chamber of Commerce, Canadian Manufacturers & Exporters, Federal Opposition Leaders, Mayors of Windsor, Hamilton, Halton Region, Burlington, Milton, Oakville, FCM and AMO.

WHEREAS, the Agricultural and Rural Affairs Advisory Committee at their meeting on June 21, 2018 approved the following amendment to add subsection (c), to the motion respecting the Opposition to Buy American Policies and the Tariffs Recently Imposed by the Trump Administration:

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton strongly support the above resolution respecting Opposition to Buy American Policies and the tariffs recently imposed by the Trump Administration;
- (b) That a copy of this resolution be forwarded to Prime Minister, Minister of Trade, Minister Freeland, Mayor Iveson (Edmonton), Chair of the Big City Mayors, Hamilton MP's, MPP's, Federal Opposition Leaders, FCM and AMO; and,
- (c) That the City of Hamilton encourage the federal government to continue to protect trade agreements currently in place that benefit agriculture in both Canada and the United States.

# CITY OF HAMILTON

## MOTION

Council Date: August 17, 2018

**MOVED BY COUNCILLOR T. JACKSON.....**

**SECONDED BY COUNCILLOR.....**

### **OPSEU Local 216 and Banyan Community Services**

WHEREAS, Members of OPSEU Local 216 of Arrell Youth Centre operated by Banyan Community Services find themselves in a critical situation being locked out on April 27, 2018 and without a contract since April 1, 2017;

WHEREAS, Youth in care have been displaced from their communities and the services they rely on;

WHEREAS, 60 youth justice workers at the Arrell Youth Centre are now in a lockout after workers refused to accept a benefit co-sharing arrangement that would cost a full-time employee approximately \$1,200 a year and result in a \$20,000 savings to the employer; and

WHEREAS, the City of Hamilton has a vested interest in protecting the integrity of the Province of Ontario Labour laws and the principal of negotiating collective agreements in good faith;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton ask Banyan Community Services to uphold the integrity of Ontario Labour Laws, which are based on a presumption of good faith bargaining by both parties;
- (b) That the City of Hamilton call on Banyan Community Services to find a resolution to the lockout without imposing further hardship on workers and their families; and
- (c) That if Banyan Community Services refuses to resume bargaining in good faith, the City of Hamilton ask both the Minister of Labour and the Minister of Children, Community and Social Services, the Prime Minister of Canada, and the Premier of Ontario to intervene in order to uphold the integrity of the Ontario Labour Laws, and the underlying principal that both parties in a dispute must, in good faith, negotiate a Collective Agreement; and, that all local MP's and MPP's be copied.

# CITY OF HAMILTON

## MOTION

Council: August 13, 2018

**MOVED BY COUNCILLOR M. PEARSON.....**

**SECONDED BY COUNCILLOR .....**

**Amendment to sub-sections (d) and (e) to Item 13 of the General Issues Committee Report 16-029, respecting Report PED16221 - Public Art Master Plan Review and Update**

WHEREAS, Finance staff requires an amendment to properly reflect the funding source for ongoing maintenance costs for public art projects;

THEREFORE, BE IT RESOLVED:

That sub-sections (d) and (e) to Item 13 of the General Issues Committee Report 16-029, respecting Report PED16221 - Public Art Master Plan Review and Update, which was approved by Council on November 23, 2016, be amended by deleting the words "Public Art Maintenance Reserve" and replacing them with the words "**Public Art and Monuments Maintenance Balance Sheet Account**", to read as follows:

**13. Public Art Master Plan Review and Update (PED16221) (City Wide) (Item 8.7)**

- (a) That the City of Hamilton Public Art Master Plan 2016 attached as Appendix 'A' to Report PED16221 be received;
- (b) That staff be directed to implement the priority public art projects identified in City of Hamilton Public Art Master Plan 2016 attached as Appendix 'A' to Report PED16221 pending budgetary approval;
- (c) That staff be directed to use the criteria outlined in The Priority Project Scoring Matrix, attached as Appendix 'D' to Report PED16221, to determine the implementation priority of future public art project proposals;
- (d) That a ~~Public Art Maintenance Reserve~~ **Public Art and Monuments Maintenance Balance Sheet Account** be established;
- (e) That up to 10% of the fabrication cost and artist's fees for each public art project be transferred to the ~~Public Art Maintenance Reserve~~ **Public Art and Monuments Maintenance Balance Sheet Account** when the project is completed to fund the ongoing maintenance of public art;



- (f) That Tourism and Culture staff be directed to develop an Art in Public Places Policy to guide and encourage citizens, businesses and stakeholder groups to create high quality types of art in public places not addressed in the Public Art Master Plan 2016 such as; community art, temporary art, art on publicly accessible private property, donated art, art integrated into city buildings and infrastructure, and art memorializing a specific individual, event or cultural group and report back to the General Issues Committee in 2018;
- (g) That Tourism and Culture staff be directed to provide an annual update on implementation of the Public Art Master Plan 2016 to the General Issues Committee.

# CITY OF HAMILTON

## MOTION

Council Date: August 17, 2018

MOVED BY COUNCILLOR FARR.....

SECONDED BY COUNCILLOR.....

That Item 11 of the Planning Committee Report 18-011, respecting Updates and Modifications to the Urban Hamilton, Rural Hamilton, and Former City of Hamilton Official Plans (City Wide) (PED18148) be **amended** by:

(a) Amending Appendix “A” to Report PED18148 – Official Plan Amendment to the Urban Hamilton Official Plan, as follows:

**(i) Renumbering**

- (1) Renumbering Area Specific Policy – Area B (Chedoke Browlands) and all subsequent policy references to Area Specific Policy – Area B from Policy “B.6.3.7.3” to Policy “B.6.3.7.2”;**
- (2) Renumbering the first policy reference in Policy B.6.3.7.2.2 a) iii) from “E.3.5.7” to “E.3.5.4”, and renumbering the second policy reference in Policy B.6.3.7.2.2 a) iii) from “B.6.3.2.3” to “B.6.3.2.4”;**
- (3) Renumbering the first policy reference in Policy B.6.3.7.2.2 c) iii) from Policy “E.3.5.7” to Policy “E.3.5.4”;**
- (4) Renumbering the first policy reference in Policy B.6.3.7.2.3 b) from Policy “B.6.3.7.3.4 a)” to “B.6.3.7.2.3 a)”;**
- (5) Renumbering the policy reference in Policy B.6.3.7.2.4 a) i) from Policies “B.6.3.7.3.4 b) and e)” to Policies “B.6.3.7.2.4 b) to f)”;**  
**and,**
- (6) Renumbering the section reference in Policy B.6.3.7.2.6 c) v) from Section “B.6.3.7.3.5” to Section “B.6.3.7.2.4”.**

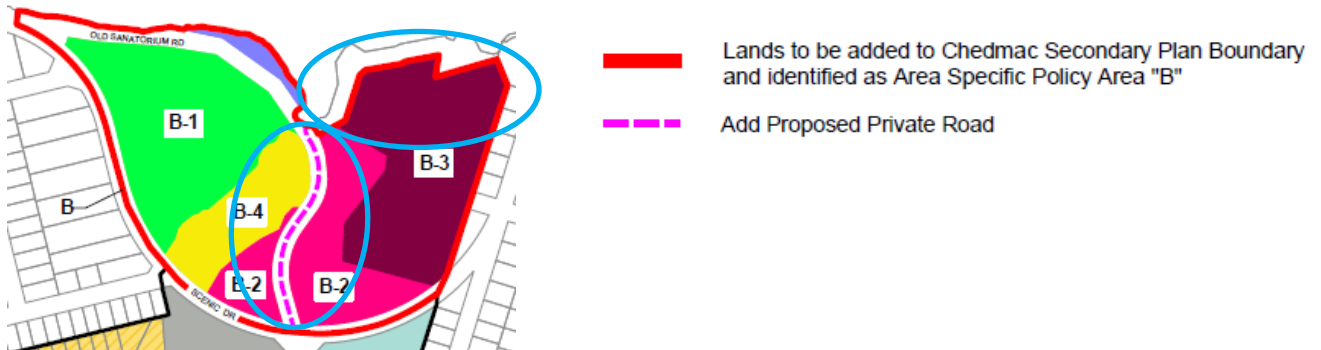
**(ii) Modifying Mapping**

- (1) Modifying the extent of the Area Specific Policy – Area B (Chedoke Browlands) on Volume 2, Map B.6.3-1, Map B.6.3-2, and Appendix A by aligning the northeastern boundary along the Niagara**

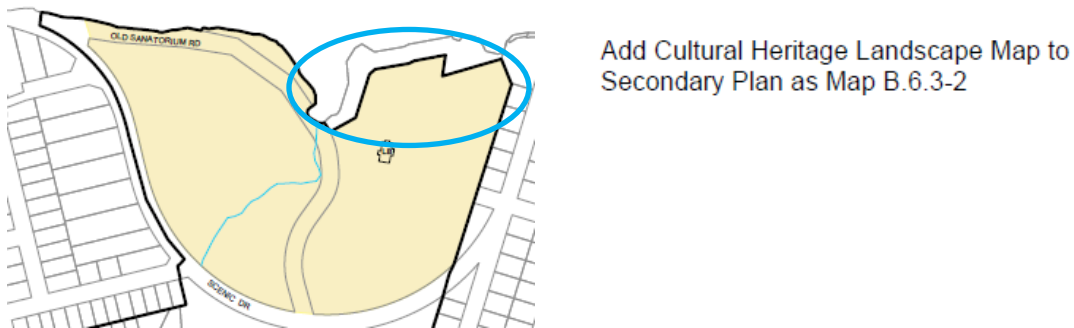
***Escarpment to with the parcel fabric, reflecting a previous planning decision of the Ontario Municipal Board, as shown on the attached Appendix “A” to this Motion;***

- (2) Adding a Proposed Private Road to a portion of Sanatorium Road in the Area Specific Policy – Area B (Chedoke Browlands) on Volume 2, Map B.6.3-1 to reflect a previous planning decision of the Ontario Municipal Board, as shown on the attached Appendix “A” to this Motion;***
  - (3) Modifying the extent of the new Site Specific Policy – Area G on Volume 2, Map B.7.2-1 to reflect a previous planning approval of Hamilton City Council for lands located at 135 and 137 King Street East and 42 Passmore Street, Stoney Creek, as shown on the attached Appendix “A” to this Motion; and,***
  - (4) Adding Urban Site Specific Policy USCN-7 identification to Volume 3, Map 2 to provide a cross-reference to a policy. as shown on the attached Appendix “A” to this Motion.***
- (b) Amending Appendix “B” to Report PED18148 – Official Plan Amendment to the Rural Hamilton Official Plan, as follows:***
- (i) Renumbering Rural Site Specific Policy “R-28” to “R-29” for lands located at 58 12<sup>th</sup> Concession Road East, Flamborough in text, inset map, and on Volume 3.***

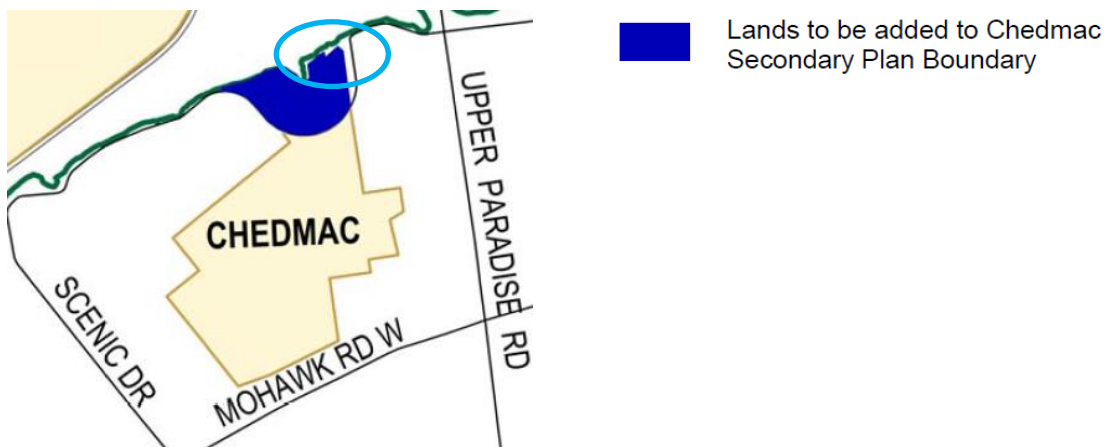
Volume 2, Map B.6.3-1 – Chedmac Secondary Plan – Land Use Plan  
(UHOPA No. 109, Appendix W)



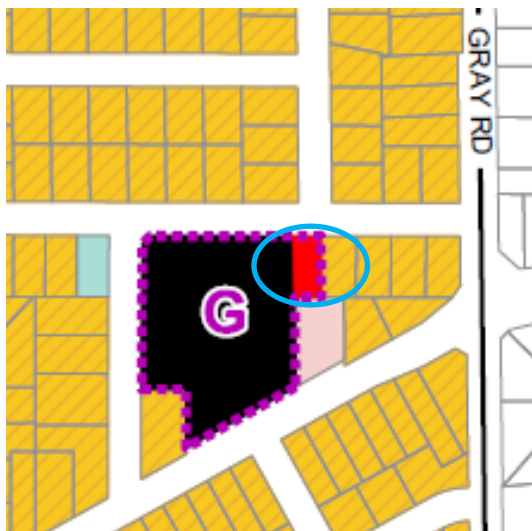
Volume 2, Map B.6.3-2 – Chedmac Secondary Plan – Cultural Heritage Landscapes  
(UHOPA No. 109, Appendix X)




Volume 2, Appendix A – Secondary Plan Index  
(UHOPA No. 109, Appendix FF)

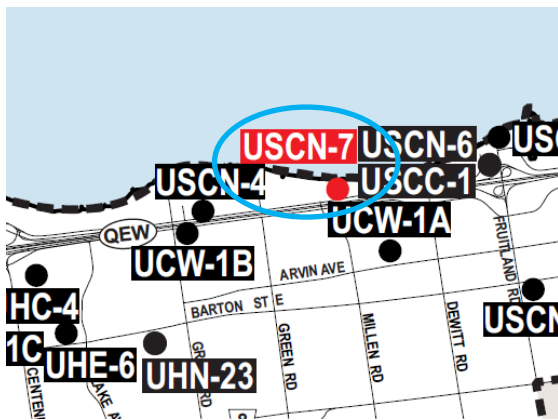



Volume 2, Map B.7.2-1 – Old Town Secondary Plan  
(UHOPA No. 109, Appendix Z)



 Lands to be identified as Site Specific Policy Area "G"

Volume 3, Map 2 – Urban Site Specific Key Map  
(UHOPA No. 109, Appendix HH)



 Lands to be identified as USCN-7  
(98 Shoreview Place)

# CITY OF HAMILTON MOTION

Council: August 17, 2018

**MOVED BY COUNCILLOR T. WHITEHEAD.....**

**SECONDED BY COUNCILLOR .....**

**Retaining Wall Repair/Replacement Loan Agreements Between the City of Hamilton and the Property Owners, at 93 Greencedar Drive, Hamilton and 140 Golfwood Drive, Hamilton**

WHEREAS, the City of Hamilton’s Property Standards by-law requires property owners to maintain their properties;

WHEREAS, the City of Hamilton has no obligation for the funding of repairs and / or replacement of retaining walls on private properties;

WHEREAS, retaining walls on private property on 93 Greencedar Drive, Hamilton and 140 Golfwood Drive, Hamilton are in need of repair and / or replacement;

WHEREAS, Hamilton City Council, at its meeting June 14, 2017 passed a motion stating that no action be taken to establish a non-repayable grant program for the funding of repairs and/or replacements of retaining walls located on private properties on Guildwood Drive (Report PW17038);

WHEREAS, the City would like to provide compassionate loans for residential property owners for the repair and / or replacement of retaining walls on their private property at 93 Greencedar Drive, Hamilton and 140 Golfwood Drive, Hamilton for an amount not to exceed \$10,000 per affected property;

WHEREAS, the City has External Loan Guidelines (Reports FCS06078 and FCS06078(a)) for loans to external, not-for-profit corporations for the repair and / or replacement of their capital assets;

WHEREAS, some of the conditions of these loan guidelines would need to be waived to provide loans to the affected property owners at 93 Greencedar Drive, Hamilton and 140 Golfwood Drive, Hamilton to repair and / or replace their private retaining walls;

WHEREAS, these loan guidelines include interest rate terms for interest bearing loans at the City’s cost of borrowing plus 0.25% administration fee;

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton provide an interest-bearing loan to the affected property owners at at 93 Greencedar Drive, Hamilton and 140 Golfwood Drive, Hamilton, as borrowers to fund the repair of retaining walls on their private property in an amount not to exceed \$10,000 to be repaid in full over a period of five years from the date of the loan advance at an interest rate of 3.07% for an annual amount of \$2,187.91;
- (b) That the affected property owners at at 93 Greencedar Drive, Hamilton and 140 Golfwood Drive, Hamilton, provide a charge/mortgage to be registered on title for the retaining wall loans as security;
- (c) That the affected property owners at at 93 Greencedar Drive, Hamilton and 140 Golfwood Drive, Hamilton, provide proof of payment for the repairs / replacement to the retaining walls by October 31, 2018 to the General Manager of Finance and Corporate Services, prior to the loan advance payment, in a form satisfactory to the General Manager of Finance and Corporate Services;
- (d) That the affected property owners at at 93 Greencedar Drive, Hamilton and 140 Golfwood Drive, Hamilton, enter into Retaining Wall Repair/Replacement Loan Agreements with the City of Hamilton, in a form satisfactory to the City Solicitor; and,
- (e) That the Mayor and Clerk be authorized to execute these Retaining Wall Repair/Replacement Loan Agreements between the City of Hamilton and the affected property owners, at at 93 Greencedar Drive, Hamilton and 140 Golfwood Drive, Hamilton, with content satisfactory to the General Manager of Finance and Corporate Services and in a form satisfactory to the City Solicitor.

**Authority:** Item 6, Public Works Committee  
Report 17-014 (PW17048(a))  
CM: December 8, 2017  
Ward: 13

**Bill No. 206**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

**To Permanently Close and Sell a Portion of a Public Unassumed Alley  
Abutting 34 Alma Street, Dundas, namely Part of Lane, Registered  
Plan 1447, in the City of Hamilton, designated as Part 1, Plan 62R-  
20858, City of Hamilton, being Part of PIN 17585-0090 (LT)**

**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

**WHEREAS** section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office; and

**WHEREAS** highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law; and

**WHEREAS** at its meeting of December 8, 2017, Council approved Item 6 of Public Works Committee Report 17-014, and authorized the City of Hamilton to permanently close and sell the portion of a public unassumed alley abutting 34 Alma Street, Dundas; and

**WHEREAS** notice to the public of the proposed sale of the portion of a public unassumed alley has been given in accordance with the requirements of the Sale of Land Policy By-law.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The portion of the public unassumed alley abutting 34 Alma Street, Dundas, described as Part of Lane, Registered Plan 1447, in the City of Hamilton, designated as Part 1, Plan 62R-20858, which is owned by the City of Hamilton, is permanently closed.



To Permanently Close and Sell a Portion of a Public Unassumed Alley Abutting 34 Alma Street, Dundas, namely Part of Lane, Registered Plan 1447, in the City of Hamilton, designated as Part 1, Plan 62R-20858, City of Hamilton, being Part of PIN 17585-0090 (LT)

Page 2 of 2

2. The soil and freehold of the part of the road allowance permanently closed under section 1 is to be sold to the Ramsay MacNay and Karen Busche for the sum of Two Dollars (\$2.00).
3. This by-law comes into force on the date of its registration in the Land Registry Office (No. 62).

**PASSED** this 17<sup>th</sup> day of August 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

**Authority:** Item 6, Public Works Committee  
Report 17-014  
(PW17048(a))  
CM: December 8, 2017  
Ward: 13

**Bill No. 207**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

**To Permanently Close and Sell a Portion of a Public Unassumed Alley Abutting 31 Victoria Street, Dundas, namely Part of Lane, Registered Plan 1447, in the City of Hamilton, designated as Parts 2 and 3, Plan 62R-20858, City of Hamilton, being Part of PIN 17585-0103 (LT)**

**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

**WHEREAS** section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office; and

**WHEREAS** highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law; and

**WHEREAS** at its meeting of December 8, 2017, Council approved Item 6 of Public Works Committee Report 17-014, and authorized the City of Hamilton to permanently close and sell the portion of a public unassumed alley abutting 31 Victoria Street, Dundas; and

**WHEREAS** notice to the public of the proposed sale of the portion of a public unassumed alley has been given in accordance with the requirements of the Sale of Land Policy By-law.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The portion of the public unassumed alley abutting 31 Victoria Street, Dundas, described as Part of Lane, Registered Plan 1447, in the City of Hamilton, designated as Parts 2 and 3, Plan 62R-20858, which is owned by the City of Hamilton, is permanently closed.
2. The soil and freehold of the part of the road allowance permanently closed under section 1 is to be sold to the Thomas Robert Bontje for the sum of Two Dollars (\$2.00).

To Permanently Close and Sell a Portion of a Public Unassumed Alley Abutting 31 Victoria Street, Dundas, namely Part of Lane, Registered Plan 1447, in the City of Hamilton, designated as Parts 2 and 3, Plan 62R-20858, City of Hamilton, being Part of PIN 17585-0103 (LT)

Page 2 of 2

3. This by-law comes into force on the date of its registration in the Land Registry Office (No. 62).

**PASSED** this 17<sup>th</sup> day of August 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

**Authority:** Item 8, Public Works Committee  
Report 17-007 (PW17041)  
CM: June 14, 2017  
Ward: 4

**Bill No. 208**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

**Being a By-law to Permanently Close a Portion of a Public Unassumed Alley Abutting 136 Park Row North, Hamilton, Ontario, established by Registered Plan 497, in the City of Hamilton, designated as Part 2 on Reference Plan 62R-20634, being Part of PIN 17246-0345 (LT), City of Hamilton**

**WHEREAS** Sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

**WHEREAS** Section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office; and

**WHEREAS** highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law;

**AND WHEREAS** the Council of the City of Hamilton on June 14, 2017, in adopting Item 8 of Public Works Committee Report 17-007, authorized the City to permanently close and sell a portion of a public unassumed alley abutting 136 Park Row North, Hamilton, Ontario, established by Registered Plan 497, in the City of Hamilton, designated as Part 2 on Reference Plan 62R-20634, being Part of PIN 17246-0345 (LT), City of Hamilton;

**AND WHEREAS** a Judge's Order was issued and registered on title on August 2, 2018, as Instrument No. WE1300323 to close a portion of a public unassumed alley abutting 136 Park Row North, Hamilton, Ontario, established by Registered Plan 497, in the City of Hamilton, designated as Part 2 on Reference Plan 62R-20634, being Part of PIN 17246-0345 (LT), City of Hamilton;

**AND WHEREAS** the road is a highway under the jurisdiction of the City of Hamilton;

**AND WHEREAS** notice of the City's intention to pass this By-law has been published pursuant to the *Municipal Act, 2001*, S.O. 2001, c.25 as amended.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That the portion of a public unassumed alley, set out as:  
  
Part of Alley, Registered Plan 497, in the City of Hamilton, designated as Part 2 on Reference Plan 62R-20634, City of Hamilton  
  
is hereby permanently closed.
2. That the soil and freehold of Part 2 on Reference Plan 62R-20634, hereby permanently closed, be sold to Roderick John Wood and Margot Marie Wood for the sum of Two Dollars (\$2.00).
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

**PASSED** on this 17<sup>th</sup> day of August, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

**Authority:** Item 11, Economic Development and  
Planning Committee Report 10-004  
(PED10030)  
CM: February 24, 2010  
Ward: 12

**Bill No. 209**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

**To Establish City of Hamilton Land  
Described as Part of Block 86, Plan 62M-895, in the City of Hamilton, designated  
as Parts 1 to 4 inclusive on Plan 62R-20875  
as Part of Stonehenge Drive**

**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

**WHEREAS** section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The land, owned by and located in the City of Hamilton, described as Part of Block 86, Plan 62M-895, designated as Parts 1 to 4 inclusive on Plan 62R-20875, is established as a public highway, forming part of Stonehenge Drive.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

**PASSED** this 17<sup>th</sup> day of August, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

**Authority:** Item 7, Economic Development  
and Planning Committee Report  
10-005 (PED10051)  
CM: March 10, 2010  
Ward: 11

**Bill No. 210**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**To Establish City of Hamilton Land  
Described as Part 1 on Plan 62R-20488  
as Part of Terryberry Road**

**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

**WHEREAS** section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The land, owned by and located in the City of Hamilton, described as Part of Block 10 on Plan 62M-1069 in the City of Hamilton. Designated as Part 1 on Plan 62R-20488, is established as a public highway, forming part of Terryberry Road.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

**PASSED** this 17th day of August, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

**Authority:** Motion: Item 7.6  
CM: August 17, 2018  
Ward: 13

**Bill No. 211**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend By-law No. 01-215 Being a By-law To Regulate Traffic**

**WHEREAS** sections 8, 9 and 10 of the *Municipal Act*, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

**AND WHEREAS** it is necessary to amend By-law No. 01-215.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Control) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "B" (Dundas) thereof the following items, namely;

Market Street	Northbound & Southbound	Mill Street
---------------	-------------------------	-------------

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

This By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED** this 17th day of August 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk



**Authority:** Item 15, Planning Committee  
Report 18-011 (PED18151)  
CM: July 13, 2018  
Ward: City Wide

**Bill No. 212**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend City of Hamilton By-law No. 07-170, Being a By-law to License and Regulate Various Businesses**

**WHEREAS** Council enacted a by-law to license and regulate various businesses being City of Hamilton By-law No. 07-170; and

**WHEREAS** this By-law amends Schedule 1 –Adult Entertainment Establishments;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. PART 1 - DEFINITIONS is hereby amended by deleting the definition of “adult services” and replacing it with the following:

“**adult services**” means services appealing to or designed to appeal to erotic or sexual appetites or inclinations and includes but is not limited to:

- (a) services of which a principal feature or characteristic is the nudity, or partial nudity of any person,
- (b) services in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy” or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement, or
- (c) activities, facilities, performances, dances, exhibitions, viewings and encounters in an adult services entertainment establishment,

but does not include burlesque entertainment;

2. PART 1 - DEFINITIONS is hereby amended by adding the definition “burlesque entertainment” following the definition of “attendant” as follows:

**“burlesque entertainment”** means a type of variety show or performance, including comic or musical sketches that may be both provocative and comedic, and that may feature minimum consuming, sexually related dialog, witty remarks and dancing for the purpose of entertainment, ridicule, satire and humor, rather than the sexual arousal of its audience.

3. The amendments in this By-law include any necessary grammatical, numbering and lettering changes.

**PASSED** this 17<sup>th</sup> day of August, 2018

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 12

**Bill No. 213**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

**Respecting Removal of Part Lot Control  
Blocks 196 to 206 and 214 of Registered Plan of Subdivision No. 62M-1237,  
municipally known as 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74,  
76, 78, 80, 82, 84 and 86 Heming Trail, Ancaster**

**WHEREAS** the sub-section 50(5) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

**“Designation of lands not subject to part lot control. --** Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Subsection 5 of Section 50 of the *Planning Act*, for the purpose of creating twenty-four (24) lots for semi-detached dwellings in Parts 1 to 24 inclusive, as shown on Deposited Reference Plan 62R-20829, shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Blocks 196 to 206 and 214, Registered Plan of Subdivision No. 62M-1237  
in the City of Hamilton.

2. This By-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.

3. This By-law shall expire and cease to be of any force or effect on the 17<sup>th</sup> day of August, 2020.

**PASSED** this 17<sup>th</sup> day of August, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

PLC-18-019 (A)

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 12

**Bill No. 214**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **Respecting Removal of Part Lot Control**

**Blocks 211 to 213 of Registered Plan of Subdivision No. 62M-1237,  
municipally known as 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30 32, 34, 36 and 38  
Heming Trail, Ancaster**

**WHEREAS** the sub-section 50(5) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

**“Designation of lands not subject to part lot control. --** Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Subsection 5 of Section 50 of the *Planning Act*, for the purpose of creating nineteen (19) lots for townhouse dwelling units on Parts 1 to 42 inclusive and access and maintenance easements (Parts 2, 4, 5, 7, 9, 10, 12, 14, 15, 18, 20, 21, 23, 25, 26, 28, 31, 33, 34, 36, 38, 39 and 41), as shown on Deposited Reference Plan 62R-20830, shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Blocks 211 to 213, Registered Plan of Subdivision No. 62M-1237 in the City of Hamilton.

2. This By-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.

Respecting Removal of Part Lot Control  
Blocks 211 to 213 of Registered Plan of Subdivision No. 62M-1237,  
municipally known as 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30 32, 34, 36 and 38 Heming Trail,  
Ancaster

Page 2 of 2

3. This By-law shall expire and cease to be of any force or effect on the 17<sup>th</sup> day of August, 2020.

**PASSED** this 17<sup>th</sup> day of August, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

PLC-18-019 (B)

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 12

**Bill No. 215**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

**Respecting Removal of Part Lot Control  
Blocks 215 to 217 of Registered Plan of Subdivision No. 62M-1237,  
municipally known as at 3, 5, 7, 9, 11, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35 and 55  
Heming Trail and 332 Raymond Road, Ancaster**

**WHEREAS** the sub-section 50(5) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

**“Designation of lands not subject to part lot control. --** Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Subsection 5 of Section 50 of the *Planning Act*, for the purpose of creating eighteen (18) townhouse dwelling units on Parts 1 to 40 inclusive, access and maintenance easements (Parts 2, 4, 5, 7, 9, 10, 12, 15, 17, 18, 20, 22, 23, 25, 28, 30, 31, 33, 35, 36 and 38) and an utility and service easement being Part 40, as shown on Deposited Reference Plan 62R-20832, shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Blocks 215 to 217, Registered Plan of Subdivision No. 62M-1237 in the  
City of Hamilton.

2. This By-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.

Respecting Removal of Part Lot Control  
Blocks 215 to 217 of Registered Plan of Subdivision No. 62M-1237,  
municipally known as at 3, 5, 7, 9, 11, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35 and 55 Heming Trail and 332  
Raymond Road, Ancaster

Page 2 of 2

3. This By-law shall expire and cease to be of any force or effect on the 17<sup>th</sup> day of August, 2020.

**PASSED** this 17<sup>th</sup> day of August, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

PLC-18-019 (C)



**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 12

**Bill No. 216**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

**Respecting Removal of Part Lot Control  
Blocks 218 to 220 of Registered Plan of Subdivision No. 62M-1237,  
municipally known as at 6, 8, 10, 12, 14, 18, 20, 22, 24, 26, 28, 32, 34, 36, 38 and 40  
Callon Drive; 67 Heming Trail; and 320 Raymond Road, Ancaster**

**WHEREAS** the sub-section 50(5) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

**“Designation of lands not subject to part lot control. --** Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Subsection 5 of Section 50 of the *Planning Act*, for the purpose of creating eighteen (18) townhouse dwelling units on Parts 1 to 40 inclusive, access and maintenance easements (Parts 3, 5, 6, 8, 10, 11, 13, 16, 18, 19, 21, 23, 24, 26, 29, 31, 32, 34, 36, 37 and 39) and an utility and service easement being Part 1, as shown on Deposited Reference Plan 62R-20831, shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Blocks 218 to 220, Registered Plan of Subdivision No. 62M-1237 in the City of Hamilton.

2. This By-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This By-law shall expire and cease to be of any force or effect on the 17<sup>th</sup> day of August, 2020.

Respecting Removal of Part Lot Control  
Blocks 218 to 220 of Registered Plan of Subdivision No. 62M-1237,  
municipally known as at 6, 8, 10, 12, 14, 18, 20, 22, 24, 26, 28, 32, 34, 36, 38 and 40 Callon Drive; 67 Heming  
Trail; and 320 Raymond Road, Ancaster

Page 2 of 2

**PASSED** this 17<sup>th</sup> day of August, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

PLC-18-019 (D)

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 12

**Bill No. 217**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **Respecting Removal of Part Lot Control**

**Block 7, Registered Plan of Subdivision No. 62M-1246, Municipally Known as 3, 4, 7, 8, 11, 12, 15, 16, 19, 20, 23, 24, 27, 28, 31, 32, and 36 Deerfield Lane (Ancaster)**

**WHEREAS** the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating seventeen (17) lots for single detached residential dwellings (Parts 1 to 17 inclusive and 19 to 27 inclusive), access, maintenance and drainage easements (Parts 19 to 27, inclusive), and a private roadway (Parts 18 and 28, inclusive), as shown on deposited Reference Plan 62R-20861, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 7, Registered Plan No. 62M-1246, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 17th day of August, 2020.

Respecting Removal of Part Lot Control  
Block 7, Registered Plan of Subdivision No. 62M-1246, Municipally Known as 3, 4, 7, 8, 11, 12, 15, 16, 19, 20,  
23, 24, 27, 28, 31, 32, and 36 Deerfield Lane (Ancaster)

Page 2 of 2

**PASSED** this 17th day of August, 2018.

---

F. Eisenberger  
Mayor

PLC-18-021

---

J. Pilon  
Acting City Clerk

**Authority:** Item 11, Planning Committee  
Report: 18-011 (PED18148)  
CM: July 13, 2018  
Ward: City Wide

**Bill No. 218**

**CITY OF HAMILTON  
BY-LAW NO. 18-**

**To Adopt:**

**Official Plan Amendment No. 109 to the  
Urban Hamilton Official Plan**

Respecting:

**Updates and Modifications to the Urban Hamilton Official Plan (City Wide)**

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Amendment No. 109 to the Urban Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 17<sup>th</sup> day of August, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

## Urban Hamilton Official Plan Amendment No. 109

The text, Schedule, Appendix, and Map amendments contained within the following appendices:

### Volume 1

Appendix "A"	Chapter B – Communities
Appendix "B"	Chapter C – City Wide Systems and Designations
Appendix "C"	Schedule C-2 – Future Road Widenings
Appendix "D"	Chapter E – Urban Systems and Designations
Appendix "E"	Chapter F – Implementation
Appendix "F"	Chapter G – Glossary
Appendix "G"	Schedule B – Natural Heritage System
Appendix "H"	Schedule B-2 – Detailed Natural Heritage Features – Key Natural Heritage Features – Significant Woodlands
Appendix "I"	Schedule B-4 – Detailed Natural Heritage Features – Key Natural Heritage Feature and Key Hydrologic Feature Wetlands
Appendix "J"	Schedule B-8 – Detailed Natural Heritage Features Key Hydrologic Feature Streams
Appendix "K"	Schedule E-1 – Urban Land Use Designations

### Volume 2

Appendix "L"	Chapter B – Secondary Plans (excluding Chedmac Secondary Plan Chedoke Browlands Addition – see Appendix "M")
Appendix "M"	Section B.6.3 – Chedmac Secondary Plan (Chedoke Browlands Addition only)
Appendix "N"	Map B.2.5-1 – Meadowlands Neighbourhood III Secondary Plan – Land Use Plan
Appendix "O"	Map B.2.7-1 – Meadowlands Neighbourhood IV Secondary Plan – Land Use Plan
Appendix "P"	Map B.4.2-1 – Waterdown North Secondary Plan – Land Use Plan
Appendix "Q"	Map B.4.2-2 – Waterdown North Secondary Plan – Road Classification Plan
Appendix "R"	Appendix A – Waterdown North Secondary Plan – Community Structure Plan
Appendix "S"	Map B.5.1-1 – Binbrook Village Secondary Plan – Land Use Plan
Appendix "T"	Map B.5.1-2 – Binbrook Village Secondary Plan – Open Space Linkages
Appendix "U"	Map B.5.2-1 – Rymal Road Secondary Plan – Land Use Plan

Appendix "V"	Map B.6.2-1 – Ainslie Wood Westdale Secondary Plan – Land Use Plan
Appendix "W"	Map B.6.3-1 – Chedmac Secondary Plan – Land Use Plan
Appendix "X"	Map B.6.3-2 – Chedmac Secondary Plan – Cultural Heritage Plan
Appendix "Y"	Map B.7.1-1 – Western Development Area Secondary Plan
Appendix "Z"	Map B.7.2-1 – Old Town Secondary Plan
Appendix "AA"	Map B.7.3-1 – Urban Lakeshore Area Secondary Plan
Appendix "BB"	Map B.7.5-1 – Nash Neighbourhood Secondary Plan – Land Use Plan
Appendix "CC"	Map B.7.6-1 – West Mountain (Heritage Green) Secondary Plan – Land Use Plan
Appendix "DD"	Map B.7.7-1 – Trinity West Secondary Plan – Land Use Plan
Appendix "EE"	Map B.7.7.2 – Trinity West Secondary Plan – Natural Heritage System
Appendix "FF"	Appendix A – Secondary Plans Index Map

### Volume 3

Appendix "GG"	Chapter C – Urban Site Specific Policies
Appendix "HH"	Map 2 – Urban Site Specific Key Map
Appendix "II"	Map 2a – Urban Site Specific Key Map (Lower City)

attached hereto, constitutes Official Plan Amendment No. 109 to the Urban Hamilton Official Plan.

### 1.0 Purpose and Effect:

The purpose and effect of this Amendment is to:

- Incorporate several City Council approved Urban Hamilton Official Plan Amendments that were held in abeyance during the period when the Urban Hamilton Official Plan was approved by the Ministry of Municipal Affairs and Housing but under appeal to the Ontario Municipal Board (March 11, 2011 to August 13, 2016);
- Incorporate one Ontario Municipal Board Decision respecting an Official Plan Amendment to the former City of Hamilton Official Plan that occurred during the period when the Urban Hamilton Official Plan was approved by the Ministry of Municipal Affairs and Housing but under appeal to the Ontario Municipal Board (Decision Date June 22, 2012; Case No. PL100691);
- Add new policies and one definition and remove duplicate and/or

redundant wording; and,

- Correct policy and mapping errors.

## **2.0 Location:**

The lands affected by this Amendment are located within the Urban Area of the City of Hamilton.

## **3.0 Basis:**

The basis for permitting this Amendment is as follows:

- The proposed amendments reflect existing land uses and approvals and will more accurately guide future development;
- The proposed amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2017.

## **4.0 Actual Changes:**

### **4.1 Volume 1 – Parent Plan**

#### *Text*

#### 4.1.1 Chapter B – Communities

a. That the following policies of Volume 1: Chapter B – Communities be amended, as outlined in Appendix “A”:

- B.3.2.2
- B.3.2.2.1

#### 4.1.2 Chapter C – City Wide Systems and Designations

a. That the following policies, as well as general terminology of Volume 1: Chapter C – City Wide Systems and Designations be amended, as outlined in Appendix “B”:

- C.2.5.1
- C.4.5.2 f)
- C.4.5.6
- C.4.5.6.3
- C.4.5.6.5



- C.4.5.6.7

#### 4.1.3 Chapter C, Schedule C-2 – Future Road Widening

- a. That Volume 1: Schedule C-2 – Future Road Widening be amended, as outlined in Appendix “C”.

#### 4.1.4 Chapter E – Urban Systems and Designations

- a. That the following policies of Volume 1: Chapter E – Urban Systems and Designations be amended, as outlined in Appendix “D”:

- E.3.6.6.c)
- E.3.6.7a)
- E.5.2.4
- E.5.3.2
- E.5.3.2.1
- E.5.4.3
- E.5.4.4
- E.5.4.4 (second occurrence)
- E.5.6.1

#### 4.1.5 Chapter F – Implementation

- a. That Volume 1: Chapter F – Implementation, Section F.1.5 be amended, as outlined in Appendix “E”.

#### 4.1.6 Chapter G – Glossary

- a. That Volume 1: Chapter G – Glossary be amended by adding one definition, as outlined in Appendix “F”.

### ***Schedules and Appendices***

#### 4.1.6 Schedules

- a. That Volume 1: Schedule B – Natural Heritage System be amended, as shown on Appendix “G”.
- b. That Volume 1: Schedule B-2 – Detailed Natural Heritage Features – Key Natural Heritage Feature – Significant Woodlands, as shown on Appendix “H”.
- c. That Volume 1: Schedule B-4 – Detailed Natural Heritage Features – Key Natural Heritage Feature and Key Hydrologic Feature – Wetlands, as shown on Appendix “I”.

- d. That Volume 1: Schedule B-8 – Detailed Natural Heritage Features – Key Hydrologic Feature – Streams, as shown on Appendix “J”.
- c. That Volume 1: Schedule E-1 – Urban Land Use Designations be amended, as shown on Appendix “K”.

**4.2 Volume 2 – Secondary Plans and Rural Settlement Areas**

*Text*

4.2.1 Chapter B – Secondary Plans

- a. That Volume 2: Chapter B – Secondary Plans be amended to revise, add or delete policies, as outlined in Appendix “L”:

- |                     |                     |                       |
|---------------------|---------------------|-----------------------|
| • B.2.2.1.5         | • B.5.2.14.2        | • B.7.2.2.4           |
| • B.2.3.2.1         | (deleted)           | • B.7.2.8.4           |
| • B.2.4.4.2         | • B.6.2.17          | • B.7.2.8 (two new    |
| • B.2.5.1.1         | • B.6.2.17.1        | site specific         |
| • B.2.5.1.2 d) (new | (deleted)           | policies)             |
| policy)             | • B.6.2.17.5        | • B.7.5.4.2 b)        |
| • B.2.7.6.4         | • B.6.2.17.7        | • B.7.5.6.1           |
| • B.2.8.8.4         | • B.6.3.2.1         | • B.7.5.6.2           |
| • B.2.8.16          | • B.6.3.2.3 a) (new | • B.7.5.6.4           |
| • B.4.1.1           | policy)             | • B.7.5.5.2           |
| • B.4.2.14.4        | • B.6.3.2.3 b)      | • B.7.7.13 (add       |
| • B.4.3.3.7         | • B.6.3.2.4 (new    | Section Heading       |
| • B.5.1.4.2         | policy)             | and renumber          |
| • B.5.1.4.4         | • B.6.3.7.1         | subsequent            |
| • B.5.1.4.5 d) (new | • B.6.4.4.4         | policies)             |
| policy)             | • B.7.1.1.1         | • B.7.7.13.1          |
| • B.5.1.13.7        | • B.7.1.1.5 (new    | • B.7.7.14, B.7.7.15, |
| • B.5.1.13.12       | policy)             | B.7.7.16              |

- b. That Volume 2: Chapter B – Secondary Plans, Section B.6.3 – Chedmac Secondary Plan be amended by adding policies to the Chedmac Secondary Plan respecting the Chedoke Browlands, as outlined in Appendix “M”.

***Maps and Appendices***

4.2.2 Maps

- a. That Volume 2: Map B.2.5-1 – Meadowlands Neighbourhood III Secondary Plan – Land Use Plan be amended, as shown in Appendix “N”.
- b. That Volume 2: Map B.2.7-1 – Meadowlands Neighbourhood IV Secondary Plan – Land Use Plan be amended, as shown on Appendix “O”.
- c. That Volume 2: Map B.4.2-1 – Waterdown North Secondary Plan – Land Use Plan be amended, as shown on Appendix “P”.
- d. That Volume 2: Map B.4.2-2 – Waterdown North Secondary Plan – Road Classification Plan be amended, as shown on Appendix “Q”.
- e. That Volume 2: Appendix A – Waterdown North Secondary Plan – Community Structure Plan be amended, as shown on Appendix “R”.
- f. That Volume 2: Map B.5.1-1 – Binbrook Village Secondary Plan – Land Use Plan be amended, as shown on Appendix “S”.
- g. That Volume 2: Map B.5.1-2 – Binbrook Village Secondary Plan – Open Space Linkages be amended, as shown on Appendix “T”.
- h. That Volume 2: Map B.5.2-1 – Rymal Road Secondary Plan – Land Use Plan be amended, as shown on Appendix “U”.
- i. That Volume 2: Map B.6.2-1 – Ainslie Wood Westdale Secondary Plan – Land Use Plan be amended, as shown on Appendix “V”.
- j. That Volume 2: Map B.2.3-1 – Map B.6.3-1 – Chedmac Secondary Plan – Land Use Plan be amended, as shown on Appendix “W”.
- k. That Volume 2: Map B.6.3-1 – Chedmac Secondary Plan – Land Use Plan be amended, as shown on Appendix “X”.
- l. That Volume 2: Map B.7.1-1 – Western Development Area Secondary Plan – Land Use Plan be amended, as shown on Appendix “Y”.
- m. That Volume 2: Map B.7.2-1 – Old Town Secondary Plan – Land Use Plan be amended, as shown on Appendix “Z”.
- n. That Volume 2: Map B.7.3-1 – Urban Lakeshore Area Secondary Plan – Land Use Plan be amended, as shown on Appendix “AA”.

- o. That Volume 2: Map B.7.5-1 – Nash Neighbourhood Secondary Plan – Land Use Plan be amended, as shown on Appendix “BB”.
- p. That Volume 2: Map B.7.6-1 – West Mountain (Heritage Green) Secondary Plan – Land Use Plan be amended, as shown on Appendix “CC”.
- q. That Volume 2: Map B.7.7-1 – Trinity West Secondary Plan – Land Use Plan be amended, as shown on Appendix “DD”.
- q. That Volume 2: Map B.7.7-1 – Trinity West Secondary Plan – Natural Heritage System be amended, as shown on Appendix “EE”.

#### 4.2.3 Appendices

- a. That Volume 2: Appendix A – Secondary Plans Index Map be amended, as shown on Appendix “FF”.

### **4.3 Volume 3 – Special Policy Areas, Area Specific Policies, Site Specific Policies**

#### *Text*

#### 4.3.1 Chapter 3 – Urban Site Specific Policies

- a. That the following policies of Volume 3: Chapter C – Urban Site Specific Policies be amended as outlined in in Appendix “GG”:
- Preamble
  - UAN-4
  - UGC-3 (new policy area)
  - UHN-26 (new policy area)
  - USCN-7 (new policy area)

#### *Schedules and Appendices*

#### 4.3.2 Maps

- a. That Volume 3: Map 2 – Urban Site Specific Policy Key Map be amended, as shown on Appendix “HH”.
- b. That a new Map called “Map 2a – Urban Site Specific Policies Key Map – Lower City” be added to Volume 3, as shown in Appendix “II”.

**5.0 Implementation:**

An implementing Zoning By-Law Amendment will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule "1" to By-law No. 18-218 passed on the 17<sup>th</sup> day of August, 2018.

**The  
City of Hamilton**

---

F. Eisenberger  
MAYOR

---

J. Pilon  
ACTING CITY CLERK

Appendix "A" – Volume 1, Chapter B – Communities

Proposed Change	Proposed New / Revised Policy
<p><del>Grey highlighted strikethrough text</del> = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<p>B.3.2.2 Housing Targets</p> <p>The housing targets in Tables B.3.2.1 – Housing Targets – <b>Ownership and B.3.2.2 – Housing Targets - Rental</b> are based on future population growth forecasts to the year 2031 and future housing need. Targets for <i>affordable</i> rental housing are divided into housing <i>affordable</i> for <i>low and moderate income households</i>. Meeting the housing targets for housing <i>affordable</i> for <i>low and moderate income households</i> will require sustainable and predictable funding from senior levels of government.</p>	<p>B.3.2.2 Housing Targets</p> <p>The housing targets in Tables B.3.2.1 – Housing Targets – Ownership and B.3.2.2 – Housing Targets - Rental are based on future population growth forecasts to the year 2031 and future housing need. Targets for <i>affordable</i> rental housing are divided into housing <i>affordable</i> for <i>low and moderate income households</i>. Meeting the housing targets for housing <i>affordable</i> for <i>low and moderate income households</i> will require sustainable and predictable funding from senior levels of government.</p>
<p>B.3.2.2.1 In addition to projected housing needs based on population forecasts in Table B.3.2.1 – Housing Targets – <b>Ownership</b>, the City has a substantial existing shortage of <i>affordable</i> rental housing. In particular, 12,650 renter households (1 in 5) are currently paying more than 50% of their income on rent (2006 Census) and are at risk of homelessness. This need shall be addressed through a target of 1,265 new annual rent supplements/housing allowances, over a period of ten years (2006 to 2016), in addition to the targets for future new rental housing shown in Table B.3.2.2 – Housing Targets – <b>Rental</b>. This need will require sustainable and predictable funding from senior levels of government to be met.</p>	<p>B.3.2.2.1 In addition to projected housing needs based on population forecasts in Table B.3.2.1 – Housing Targets – Ownership, the City has a substantial existing shortage of <i>affordable</i> rental housing. In particular, 12,650 renter households (1 in 5) are currently paying more than 50% of their income on rent (2006 Census) and are at risk of homelessness. This need shall be addressed through a target of 1,265 new annual rent supplements/housing allowances, over a period of ten years (2006 to 2016), in addition to the targets for future new rental housing shown in Table B.3.2.2 – Housing Targets – Rental. This need will require sustainable and predictable funding from senior levels of government to be met.</p>

Appendix "B" – Volume 1, Chapter C – City Wide Systems and Designations

Proposed Change	Proposed New / Revised Policy
<p><del>Grey highlighted strikethrough text</del> = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<p>C.2.5.1 Permitted uses within <i>Core Areas</i> as identified on Schedule B – Natural Heritage System are established through the designations and policies of Chapter E – Urban Systems and Designations and Volume 3 of this Plan. Boundaries of <i>Core Areas</i> and associated vegetation protection zones may be further refined by the completion of an Environmental Impact Statement. Generally, permitted uses in <i>Core Areas</i> shall include:</p> <p><b>a) to f)</b> in Rural Hamilton Official Plan;</p> <p>g) forest, fish and wildlife management;</p> <p>h) conservation, and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered;</p> <p>i) <i>existing</i> uses, in accordance with Section F.1.12 - Existing, Non- Complying and Non-Conforming Uses, and according to the requirements in Section C.2.6 – Environmental Impact Statements;</p> <p>j) <i>passive recreation uses</i> and <i>small scale</i> structures for recreation uses (such as boardwalks, footbridges, fences, docks, and picnic facilities) where permitted by Conservation Authority policies; however, the <i>negative impacts</i> on these features should be minimized;</p> <p><del>k) in Rural Hamilton Official Plan; and,</del></p> <p><b>k)</b> infrastructure projects, in accordance with Section C.5.0 - Infrastructure.</p>	<p>C.2.5.1 Permitted uses within <i>Core Areas</i> as identified on Schedule B – Natural Heritage System are established through the designations and policies of Chapter E – Urban Systems and Designations and Volume 3 of this Plan. Boundaries of <i>Core Areas</i> and associated vegetation protection zones may be further refined by the completion of an Environmental Impact Statement. Generally, permitted uses in <i>Core Areas</i> shall include:</p> <p>a) to f) in Rural Hamilton Official Plan;</p> <p>g) forest, fish and wildlife management;</p> <p>h) conservation, and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered;</p> <p>i) <i>existing</i> uses, in accordance with Section F.1.12 - Existing, Non- Complying and Non-Conforming Uses, and according to the requirements in Section C.2.6 – Environmental Impact Statements;</p> <p>j) <i>passive recreation uses</i> and <i>small scale</i> structures for recreation uses (such as boardwalks, footbridges, fences, docks, and picnic facilities) where permitted by Conservation Authority policies; however, the <i>negative impacts</i> on these features should be minimized;</p> <p>k) infrastructure projects, in accordance with Section C.5.0 - Infrastructure.</p>
<p>Replace the phrases "Road Widening" and "Road allowance" with the phrase "Right-of-Way Dedication" throughout the entire chapter.</p>	<p>Right-of-Way Dedication</p>
<p>Replace the phrase "Future Road Widenings" with the phrase "Future Right-of-Way Dedications" throughout the entire chapter.</p>	<p>Future Right-of-Way Dedications</p>

Proposed Change	Proposed New / Revised Policy
<p>Grey highlighted strikethrough text = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<p>C.4.5.2 f) v) Sidewalks should be provided on <del>one of</del> both sides of the street, <del>but cycling facilities shall not be required.</del></p>	<p>C.4.5.2 f) v) Sidewalks should be provided on both sides of the street.</p>
<p>Road Widening C.4.5.6 The City shall reserve or obtain <del>road widenings for rights of way</del> <b>right-of-way dedications</b> as described in Schedule C-2 – Future <del>Road Widenings</del> <b>Right-of-Way Dedications</b>. Where a <del>road</del> right-of-way is not described in Schedule C-2 – Future <del>Road Widenings</del> <b>Right-of-Way Dedications</b>, the City shall reserve or obtain <del>road widenings</del> <b>dedications</b> for rights-of-ways as described in Section C.4.5.2. The aforesaid <del>road widenings</del> <b>dedications</b> shall be reserved or obtained through subdivision approval, condominium approval, land severance consent, site plan approval or by gift, bequeathment, purchase or through expropriation where necessary and feasible.</p>	<p>Road Widening C.4.5.6 The City shall reserve or obtain right-of-way dedications as described in Schedule C-2 – Future Right-of-Way Dedications. Where a right-of-way is not described in Schedule C-2 – Future Right-of-Way Dedications, the City shall reserve or obtain dedications for right-of-ways as described in Section C.4.5.2. The aforesaid dedications shall be reserved or obtained through subdivision approval, condominium approval, land severance consent, site plan approval or by gift, bequeathment, purchase or through expropriation where necessary and feasible.</p>
<p>C.4.5.6.3 Where a proposed development is subject to site plan approval as detailed in Policy F.1.7 – Site Plan Control, the following provisions shall apply: b) Where feasible, the City shall acquire land through dedication, equally from both sides of the road unless otherwise specified. However, in the built up areas of the City, it may be necessary to acquire more than half of the total dedication from one side of the <del>road</del> <b>right-of-way</b>. Where the City requires more than one half of the widening from one side of the <del>road</del> <b>right-of-way</b>, the City shall require, from said side of the <del>road</del> <b>right-of-way</b>, dedication at no cost to the City of one half of the total proposed widening and shall acquire the remaining land required for the <del>road</del> <b>right-of-way widening</b> <del>dedication</del> through gift, bequeathment, purchase, expropriation or other methods.</p>	<p>C.4.5.6.3 Where a proposed development is subject to site plan approval as detailed in Policy F.1.7 – Site Plan Control, the following provisions shall apply: b) Where feasible, the City shall acquire land through dedication, equally from both sides of the road unless otherwise specified. However, in the built up areas of the City, it may be necessary to acquire more than half of the total dedication from one side of the right-of-way. Where the City requires more than one half of the widening from one side of the right-of-way, the City shall require, from said side of the right-of-way, dedication at no cost to the City of one half of the total proposed widening and shall acquire the remaining land required for the right-of-way dedication through gift, bequeathment, purchase, expropriation or other methods.</p>



Proposed Change	Proposed New / Revised Policy
<p>Grey highlighted strikethrough text = text to be deleted</p>	<p>Bolded text = text to be added</p>
<p>C.4.5.6.5            ...it is not feasible or desirable to widen an existing <del>road allowance</del> <b>right-of-way</b> to the maximum <del>road widening</del> <b>right-of-way width</b> or provide the full daylight triangle as set in Section C.4.5.2, Schedule C-2 – Future <del>Road Widening</del> <b>Right-of-Way Dedications</b>, or Section C.4.5.7, and that the City's objectives for sustainable infrastructure, complete streets and mobility can be achieved; or,            b) An <del>alternative road</del> <b>right-of-way</b> width or daylighting triangle size has been deemed appropriate through a City initiated environmental assessment, streetscape master plan, area master plan, secondary planning study, or other transportation or planning study approved by Council, and provided it does not affect the safe and planned operation of the roadway. (OPA 49)</p>	<p>C.4.5.6.5            ...it is not feasible or desirable to widen an existing right-of-way to the maximum right-of-way width or provide the full daylight triangle as set in Section C.4.5.2, Schedule C-2 – Future Right-of-Way Dedications, or Section C.4.5.7, and that the City's objectives for sustainable infrastructure, complete streets and mobility can be achieved; or,            b) An alternative right-of-way width or daylighting triangle size has been deemed appropriate through a City initiated environmental assessment, streetscape master plan, area master plan, secondary planning study, or other transportation or planning study approved by Council, and provided it does not affect the safe and planned operation of the roadway. (OPA 49)</p>
<p>C.4.5.6.7 Notwithstanding Section C.4.5.6, the City shall interpret the required right-of-way widths detailed in Section C.4.5.2 and Schedule C-2 – Future <del>Road Widening</del> <b>Right-of-Way Dedications</b>, where applicable to denote only the basic requirement for the section of the <del>road</del> <b>right-of-way</b>.</p>	<p>C.4.5.6.7 Notwithstanding Section C.4.5.6, the City shall interpret the required right-of-way widths detailed in Section C.4.5.2 and Schedule C-2 – Future Right-of-Way Dedications, where applicable to denote only the basic requirement for the section of the right-of-way.</p>

Appendix "C" – Volume 1, Schedule C-2 – Future Road Widening

Proposed Change	Proposed New / Revised Policy
<p><del>Grey highlighted strikethrough text</del> = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<p>Amend title of Schedule in header and in main body.</p>	<p>Future Right-of-Way Dedications</p>
<p>Add one entry:  <b>Barton Street East from Wellington Street to Ottawa Street – 26.213</b></p>	<p>Barton Street from Wellington Street to Ottawa Street – 26.213</p>
<p>Add one entry:  <b>Charlton Street from Queen Street to Dundurn Street – 20.117</b></p>	<p>Charlton Street from Queen Street to Dundurn Street – 20.117</p>
<p>Modify one entry:  Dartnall Road from Lincoln Alexander Parkway to <del>Hydro Corridor</del> <b>Rymal Road East</b>– 36.576</p>	<p>Dartnall Road from Lincoln Alexander Parkway to Rymal Road – 36.576</p>
<p>Modify one entry:  Highway 8 from <del>King Street E</del> <b>Donn Ave</b> to East City Limits – 36.576.</p>	<p>Highway 8 from Donn Ave to East City Limits – 36.576.</p>
<p>Add new entry as follows:  <b>John Street from St. Joseph’s Drive to Augusta Street – 30.480</b></p>	<p>John Street from St. Joseph’s Drive to Augusta Street – 30.480</p>
<p>Add a new entry as follows:  <b>Lawrence Road from Gage Avenue South to King Street East – 26.213</b></p>	<p>Lawrence Road from Gage Avenue to King Street – 26.213</p>
<p>Modify one entry, as follows:  Nash Road from End <b>(Kenora Ave)</b> to <del>Barton Street</del> <b>King Street East</b> – 26.213</p>	<p>Nash Road from End (Kenora Ave) to King Street East – 26.213</p>
<p>Modify one entry:  Nebo Road from <del>Rymal Road</del> <b>Stone Church Road East</b> to Dartnall Road Extension - 30.480</p>	<p>Nebo Road from Stone Church Road to Dartnall Road Extension - 30.480</p>
<p>Add one entry:  <b>Scenic Drive from Upper Paradise Road to Garth Street – 30.480</b></p>	<p>Scenic Drive from Upper Paradise Road to Garth Street – 30.480</p>
<p>Modify one entry:  Springbrook <del>Road</del> <b>Avenue</b> from Meadowlands Boulevard to Garner Road <b>East</b> - 20.117</p>	<p>Springbrook Avenue from Meadowlands Boulevard to Garner Road - 20.117</p>
<p>Modify one entry: Twenty Road West <b>(south side only)</b> from Smith Road to Upper James Street – 37</p>	<p>Twenty Road West (south side only) from Smith Road to Upper James Street – 37</p>

Proposed Change	Proposed New / Revised Policy
<p><del>Grey highlighted strikethrough text</del> = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<p>Modify one entry:</p> <p>Winterberry Drive from Highland Road W. to <del>Old Mud Street</del> <b>Paramount Drive</b> – 26.213</p>	<p>Winterberry Drive from Highland Road W. to Paramount Drive – 26.213</p>
<p>Add one entry:</p> <p><b>Winterberry Drive from Paramount Drive to Old Mud Street – 30.480</b></p>	<p>Winterberry Drive from Paramount Drive to Old Mud Street – 30.480</p>

Appendix "D" – Volume 1, Chapter E – Urban Systems and Designations

Proposed Change	Proposed New / Revised Policy
<p><del>Grey highlighted strikethrough text</del> = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<p>E.3.6.6.c) Notwithstanding <del>the maximum density requirement in</del> Policy E.3.6.6 b), for smaller sites fronting on arterial roads, an increase in density may be considered, without an amendment to this Plan, provided the policies of this Plan are met.</p>	<p>E.3.6.6.c) Notwithstanding the maximum density requirement in Policy E.3.6.6 b), for smaller sites fronting on arterial roads, an increase in density may be considered, without an amendment to this Plan, provided the policies of this Plan are met.</p>
<p>E.3.6.7a) Development should have direct access to a collector or major or minor arterial road. If direct access to such a road is not possible, the development may be permitted <del>direct</del> access to a collector or major or minor arterial roads <del>via</del> <b>from</b> a local road upon which <del>but</del> only a small number of low density residential <del>category</del> dwellings <b>are fronting on the local road.</b></p>	<p>E.3.6.7a) Development should have direct access to a collector or major or minor arterial road. If direct access to such a road is not possible, the development may be permitted indirect access to a collector or major or minor arterial roads via a local road upon which only a small number of low density residential dwellings are fronting on the local road.</p>
<p>E.5.2.4 Uses permitted in the Employment Area designations <del>shall</del> <b>may</b> include clusters of business and economic activities such as, manufacturing, research and development, transport terminal, <i>building or contracting supply establishment</i>, tradesperson's shop, warehousing, <i>waste management facilities</i>, private power generation, office, and accessory uses. <i>Ancillary uses</i> which primarily support businesses and employees within the Employment Area <del>shall</del> <b>may</b> also be permitted. Permitted uses specific to the four Employment Area designations are contained in Policies E.5.3.2, E.5.4.3, E.5.5.1, E.5.5.2 and E.5.6.1.</p>	<p>E.5.2.4 Uses permitted in the Employment Area designations may include clusters of business and economic activities such as, manufacturing, research and development, transport terminal, <i>building or contracting supply establishment</i>, tradesperson's shop, warehousing, <i>waste management facilities</i>, private power generation, office, and accessory uses. <i>Ancillary uses</i> which primarily support businesses and employees within the Employment Area may also be permitted. Permitted uses specific to the four Employment Area designations are contained in Policies E.5.3.2, E.5.4.3, E.5.5.1, E.5.5.2 and E.5.6.1.</p>
<p>E.5.3.2 The following uses <del>shall</del> <b>may</b> be permitted on lands designated Employment Area - Industrial Land on Schedule E-1 - Urban Land Use Designations, <b>in accordance with the Zoning By-law:</b></p>	<p>E.5.3.2 The following uses may be permitted on lands designated Employment Area - Industrial Land on Schedule E-1 - Urban Land Use Designations, in accordance with the Zoning By-law:</p>

Proposed Change	Proposed New / Revised Policy
<p>Grey highlighted strikethrough text = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<p>Add new policy as Policy E.5.3.2.1.</p>	<p>E.5.3.2.1 In addition to Policy E.5.3.2 c), <i>ancillary</i> uses may be permitted within the Employment Area provided the following conditions are met: a) the uses shall be determined through the Zoning By-law in accordance with the policies of this Plan; b) Notwithstanding Policy E.5.3.2.1 a), the Zoning By-law may:</p> <ul style="list-style-type: none"> <li>i) permit a limited number of restaurants where a need for the use can be justified; and</li> <li>ii) restrict or limit the number of <i>ancillary</i> uses from occupying Employment Areas.</li> </ul> <p>c) the need for the uses to support the businesses and employees within the Employment Area has been determined; d) the uses shall only be located along the exterior of the Employment Area and should generally be located at intersections of arterial or collector roads; and, e) where possible, the uses should be clustered on single sites to limit the impact on the supply of developable lands for use permitted in Policy E.5.3.2 a).</p>
<p>E.5.4.3 The following uses <del>shall</del> <b>may</b> be permitted on lands designated Employment Area -Industrial Land on Schedule E-1 - Urban Land Use Designations, <b>in accordance with the Zoning By-law:</b></p>	<p>E.5.4.3 The following uses may be permitted on lands designated Employment Area -Industrial Land on Schedule E-1 - Urban Land Use Designations, in accordance with the Zoning By-law:</p>

Proposed Change	Proposed New / Revised Policy
<p>Grey highlighted strikethrough text = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<p>Delete Policy E.5.4.4 and replace it with a new Policy.</p> <p><del>E.5.4.4 Ancillary uses which serve the businesses and employees of the business park as described in Policy E.5.4.3 c), shall only be permitted at locations fronting arterial roads or collector roads into the business parks.</del></p>	<p>E.5.4.4 In addition to Policy E.5.4.3 c), <i>ancillary</i> uses may be permitted within the Employment Area provided the following conditions are met: a) the uses shall be determined through the Zoning By-law in accordance with the policies of this Plan; b) Notwithstanding Policy E.5.4.4 a), the Zoning By-law may:</p> <ul style="list-style-type: none"> <li>i) permit a limited number of restaurants where a need for the use can be justified;</li> <li>ii) restrict or limit the number of <i>ancillary</i> uses from occupying Employment Areas.</li> </ul> <p>c) the need for the uses to support the businesses and employees within the Employment Area has been determined; d) the uses shall only be located along the exterior of the Employment Area and should generally be located at intersections of arterial or collector roads; and, e) where possible, the uses should be clustered on single sites to limit the impact on the supply of developable lands for use permitted in Policy E.5.4.3 a).</p>
<p>E.5.4.4 <del>Ancillary</del> uses shall only be permitted at strategic locations and may contain a gross floor area restriction, as identified in the Airport Employment Growth District Secondary Plan.</p>	<p>E.5.5.4 <i>Ancillary</i> uses shall only be permitted at strategic locations and may contain a gross floor area restriction, as identified in the Airport Employment Growth District Secondary Plan.</p>
<p>E.5.6.1 The following uses shall be permitted on lands owned by the Hamilton Port Authority, specifically Piers 10 to 15 inclusive, Piers 22 to 27 inclusive, and the canal reserve lands south of the Burlington Ship Canal, excluding Windermere Basin Special Policy Area, <b>identified on Volume 3, Map 2a as "UHOS-1", and</b> designated "Employment Area – Shipping and Navigation" on Schedule E-1 – Urban Land Use Designations:</p>	<p>E.5.6.1 The following uses shall be permitted on lands owned by the Hamilton Port Authority, specifically Piers 10 to 15 inclusive, Piers 22 to 27 inclusive, and the canal reserve lands south of the Burlington Ship Canal, excluding Windermere Basin Special Policy Area, identified on Volume 3, Map 2a as "UHOS-1", and designated "Employment Area – Shipping and Navigation" on Schedule E-1 – Urban Land Use Designations:</p>

Appendix "E" – Volume 1, Chapter F – Implementation

Proposed Change	Proposed New Policy
<p><del>Grey highlighted strikethrough text</del> = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<p>Add new policies to Section F.1.5 – Zoning By-law.</p>	<p>F.1.5.5 There are instances where intended zoning for certain lands in the urban area has not yet been determined, and lands remain zoned for agricultural purposes or have been zoned as a future development zone. These lands may be rezoned to a Future Development zone to allow for the following matters to be addressed:</p> <ul style="list-style-type: none"> <li>a) to implement the provisions of the Urban Hamilton Official Plan, including, but not limited to policies relating to natural heritage and environmental considerations, cultural heritage, built form, urban design, and principle of use;</li> <li>b) to ensure adequate transportation and municipal servicing to support the land use; and,</li> <li>c) to establish phasing to ensure orderly <i>development and/or redevelopment</i> of the lands.</li> </ul> <p>F.1.5.6 Until such time as the lands within the Future Development zone are rezoned, the Zoning By-law may permit interim land uses which may include an existing use or other use(s) that is permitted by the Zoning By-law and does not jeopardize the land for future development.</p> <p>F.1.5.7 Council may pass a By-law to rezone all or parts of the lands within the Future Development zone to permit development or redevelopment at such time as the City is satisfied that conditions of Policy F.1.5.5 are met.</p>

Appendix "F" – Volume 1, Chapter G – Glossary

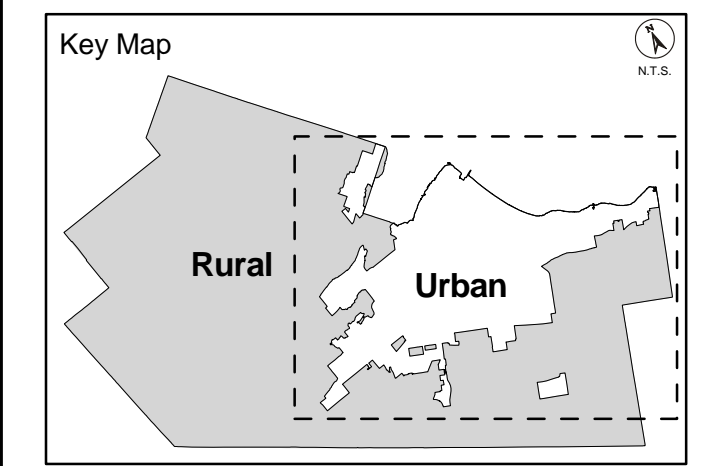
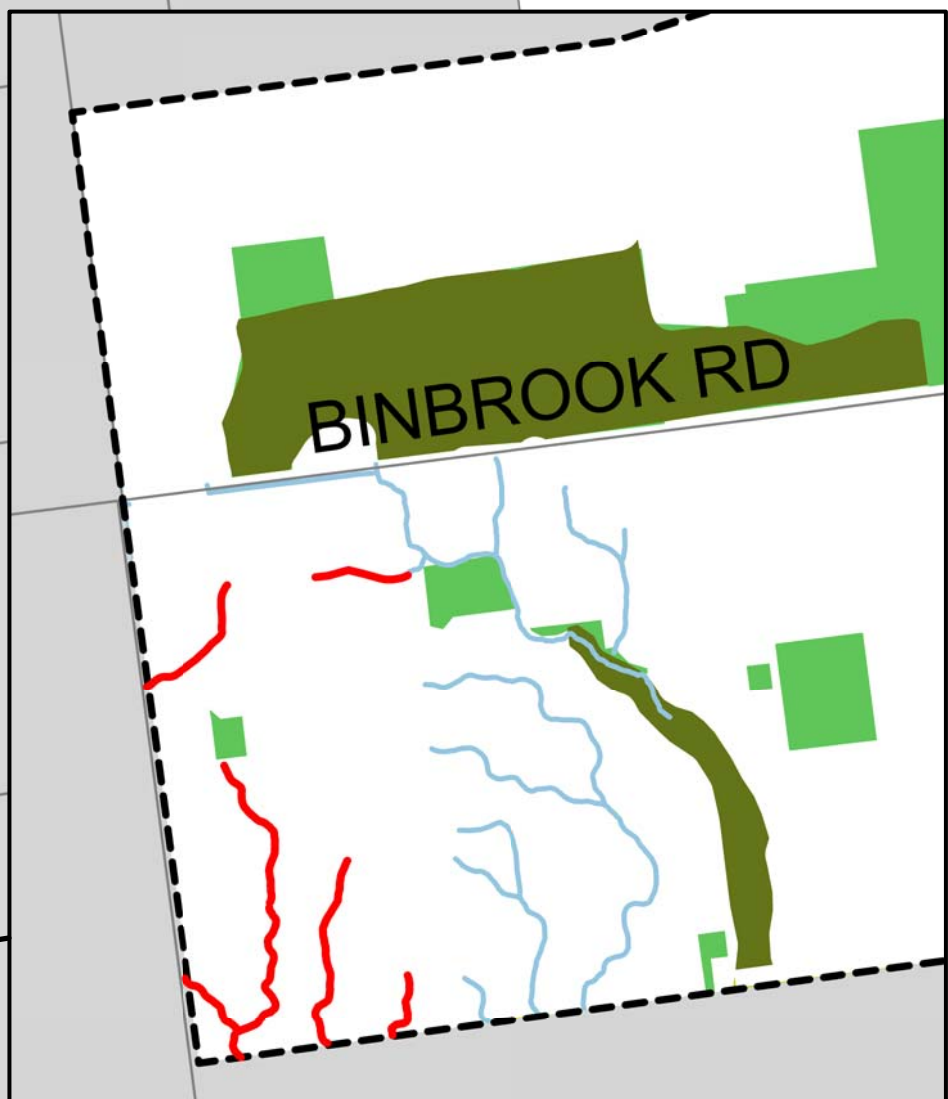
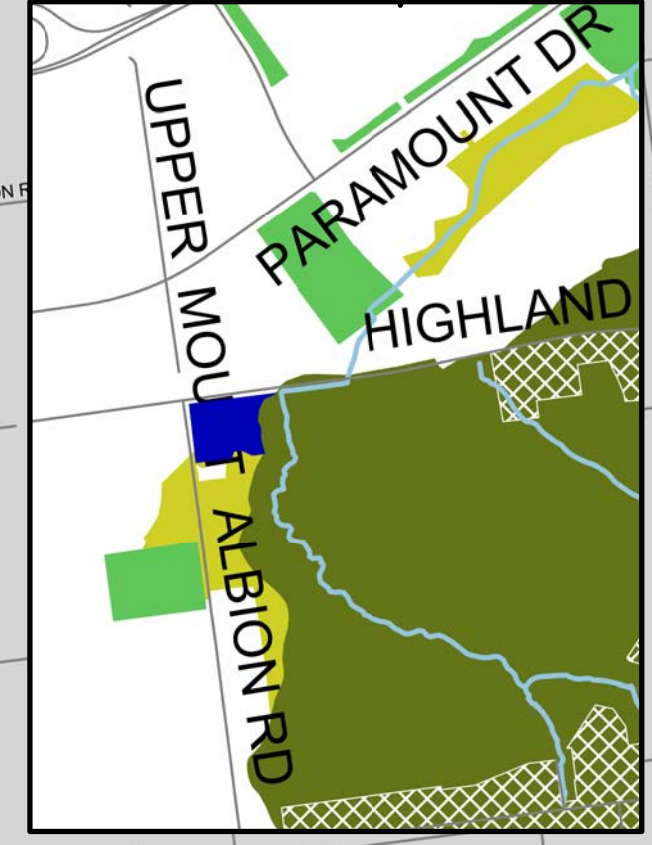
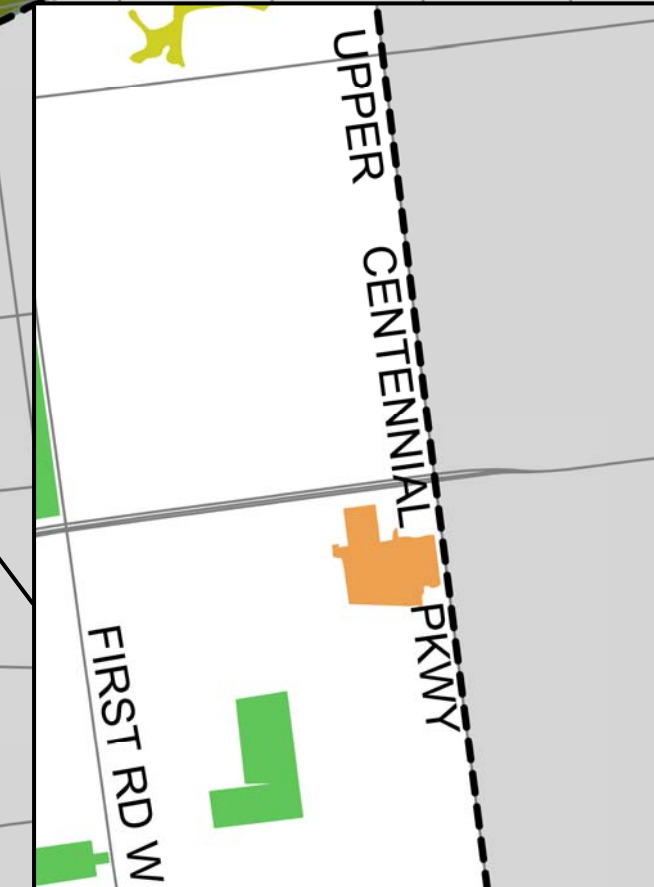
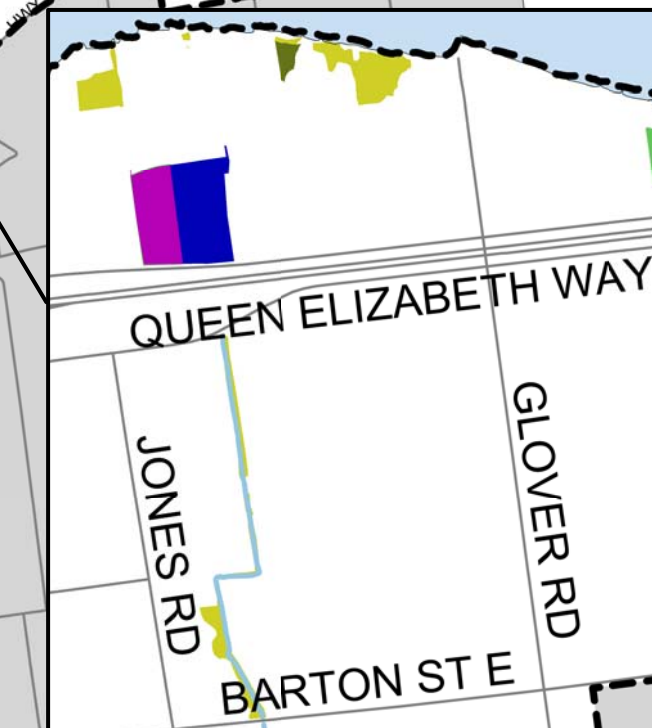
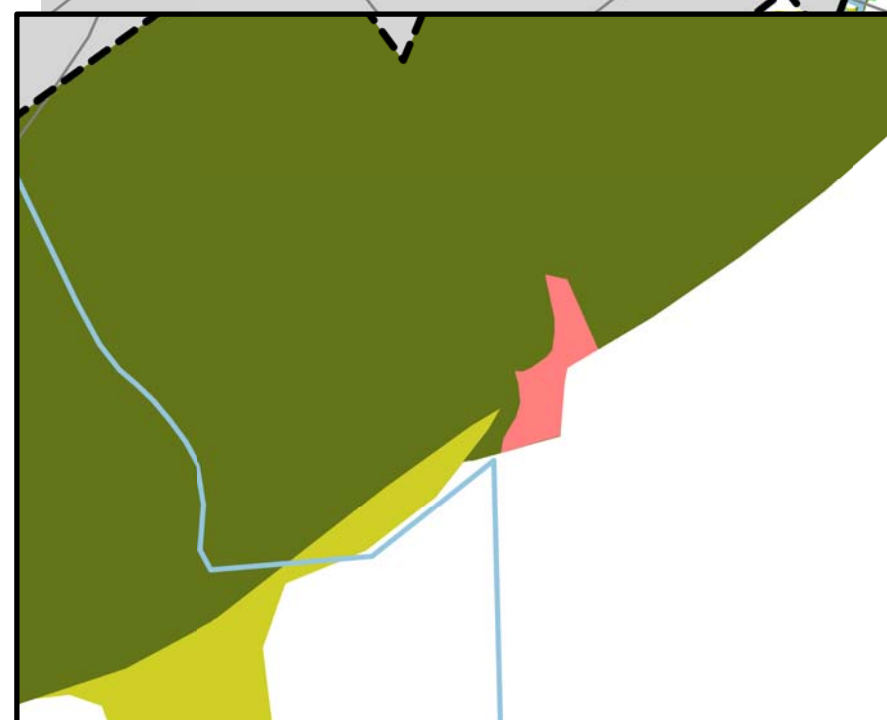
<b>Proposed Change</b>	<b>Proposed New Policy</b>
<p><del>Grey highlighted strikethrough text</del> = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<p>Add definition of Small Scale to Chapter G - Glossary.</p>	<p><b>Small Scale:</b> used to describe a permitted or accessory use, shall mean those uses that are characterized by a size and intensity of activity that is clearly secondary to and does not negatively impact the predominant use of the lands or surrounding lands, and which meet the maximum floor area, site coverage and other provisions of the Zoning By-law specific to that use.</p>



Appendix G  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

- Lands to be identified as "Core Area"
- Lands to be removed from "Linkages" identification and identified as "Core Area"
- Lands to be removed from "Parks and General Open Space" identification and identified as "Core Area"
- Remove "Core Area" identification from portion of the lands
- Remove "Stream" identification from Subject Lands

Date: July 16, 2018      Revised By: CP/NB      Reference File No.: OPA-U-109



Note: For Rural Natural Heritage Features refer to Schedule B of the Rural Hamilton Official Plan.

**APPEAL**

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal - see illustration on Schedules E and E-1, Volume 1.

**★ Lands Under Appeal**

- 305 Stone Church Road West
- 313 Stone Church Road East & lands bounded by Stone Church Road East, Upper Wellington Street, Lincoln M Alexander Parkway and Upper Wentworth Street

**Legend**

- Core Areas
- Area Specific Policy - USC-1 and USC-2 in Volume 3
- Linkages
- Parks & General Open Space (Excluding Parkettes)
- Streams

**Other Features**

- Rural Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary


Council Adoption: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan  
 Schedule B  
 Natural Heritage System**



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
 © Teraneer Land Information Services Inc. and its licensors. (2009) May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

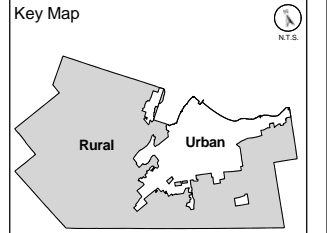
Appendix H  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

 Lands to be identified as "Key Natural Heritage Feature - Significant Woodlands"

Date:  
 July 16, 2018

Revised By:  
 CP/NB

Reference File No.:  
 OPA-U-109



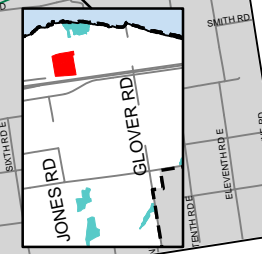
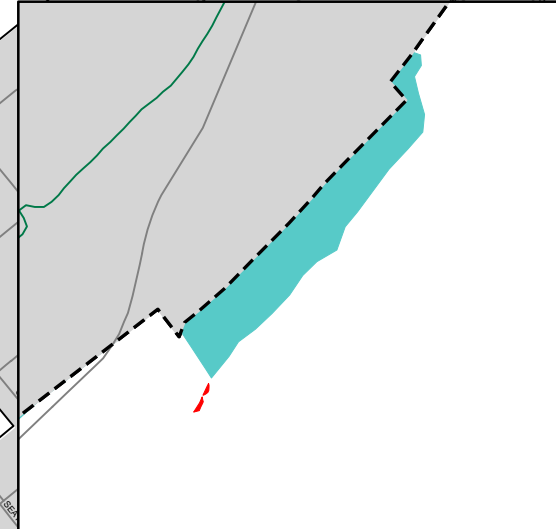
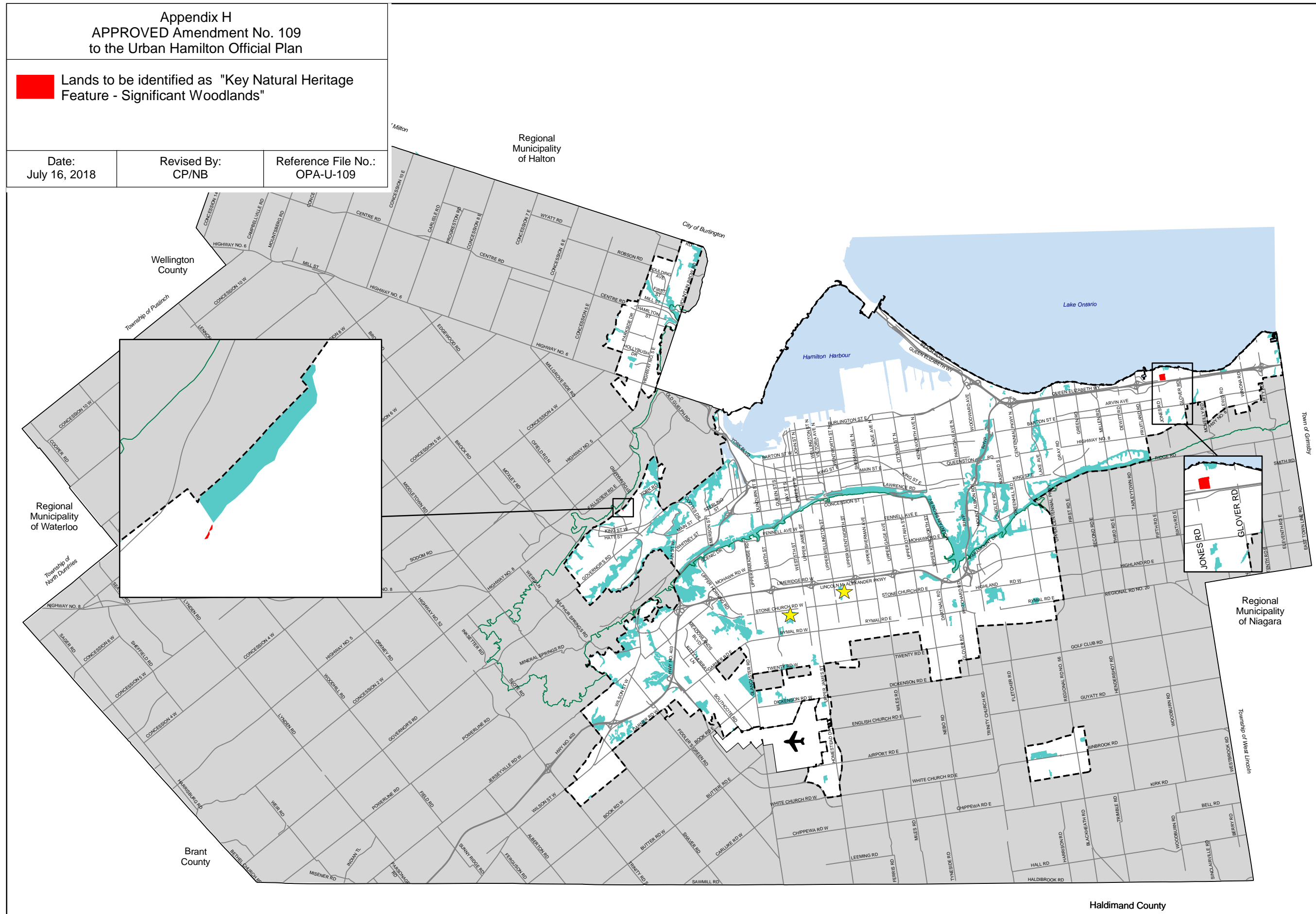
**Note:** For Rural Detailed Natural Heritage Features refer to Schedule B-2 of the Rural Hamilton Official Plan.

**APPEAL**







The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal - see illustration on Schedules E and E-1, Volume 1.

 **Lands Under Appeal**

- 305 Stone Church Road W
- 313 Stone Church Road E & lands bounded by Stone Church Road East, Upper Wellington Street, Lincoln M Alexander Parkway and Upper Wentworth Street



**Legend**

-  Key Natural Heritage Feature Significant Woodlands
-  Rural Area
-  John C. Munro Hamilton International Airport
-  Niagara Escarpment
-  Urban Boundary
-  Municipal Boundary


Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Schedule B-2**  
 Detailed Natural Heritage Features  
 Key Natural Heritage Feature  
 Significant Woodlands



PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Terane Land Information Services Inc. and its licensors. [2009]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

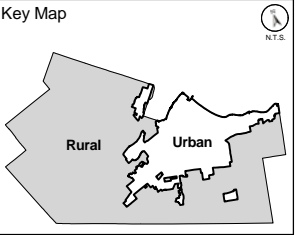
Appendix I  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

 Identify the Subject Lands as a Key Natural Heritage Feature and Key Hydrologic Feature Wetlands  
 (86 Upper Mount Albion Road, Stoney Creek)

Date:  
 July 16, 2018

Revised By:  
 CP/NB

Reference File No.:  
 OPA-U-109(S)



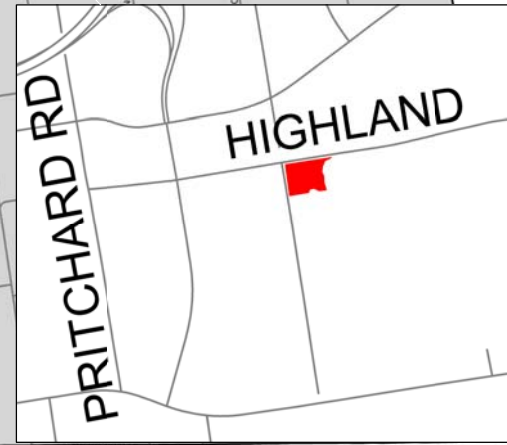
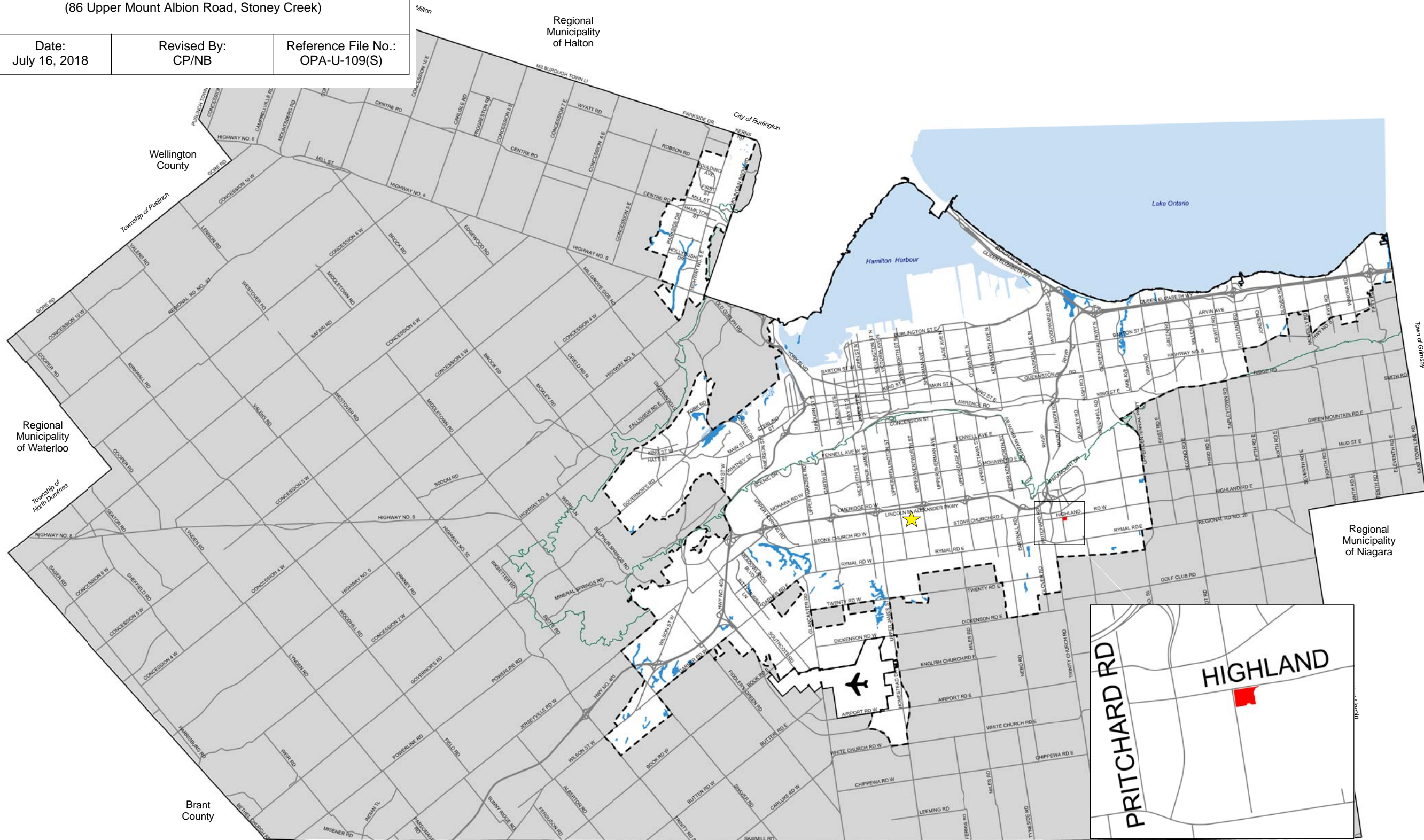
**Note:** For Rural Detailed Natural Heritage Features refer to Schedule B-4 of the Rural Hamilton Official Plan.

**APPEAL**

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal - see illustration on Schedules E and E-1, Volume 1.

 **Lands Under Appeal**






- 305 Stone Church Road W



**Legend**

 Key Natural Heritage and Key Hydrologic Feature Wetlands

**Other Features**

-  Rural Area
-  John C. Munro Hamilton International Airport
-  Niagara Escarpment
-  Urban Boundary
-  Municipal Boundary


Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Schedule B-4**  
**Detailed Natural Heritage Features**  
**Key Natural Heritage Feature and Key Hydrologic Feature Wetlands**

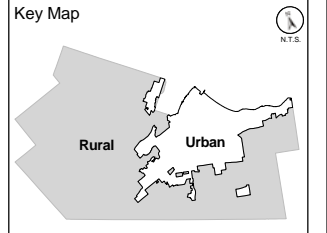


Date: Feb. 27, 2018  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Terane Land Information Services Inc. and its licensors. [2009] May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY.

Appendix J  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

 Remove "Stream" identification from Subject Lands  
 (3105 Fletcher Road, Glanbrook)

Date: July 16, 2018	Revised By: CP/NB	Reference File No.: OPA-U-109(G)
------------------------	----------------------	-------------------------------------



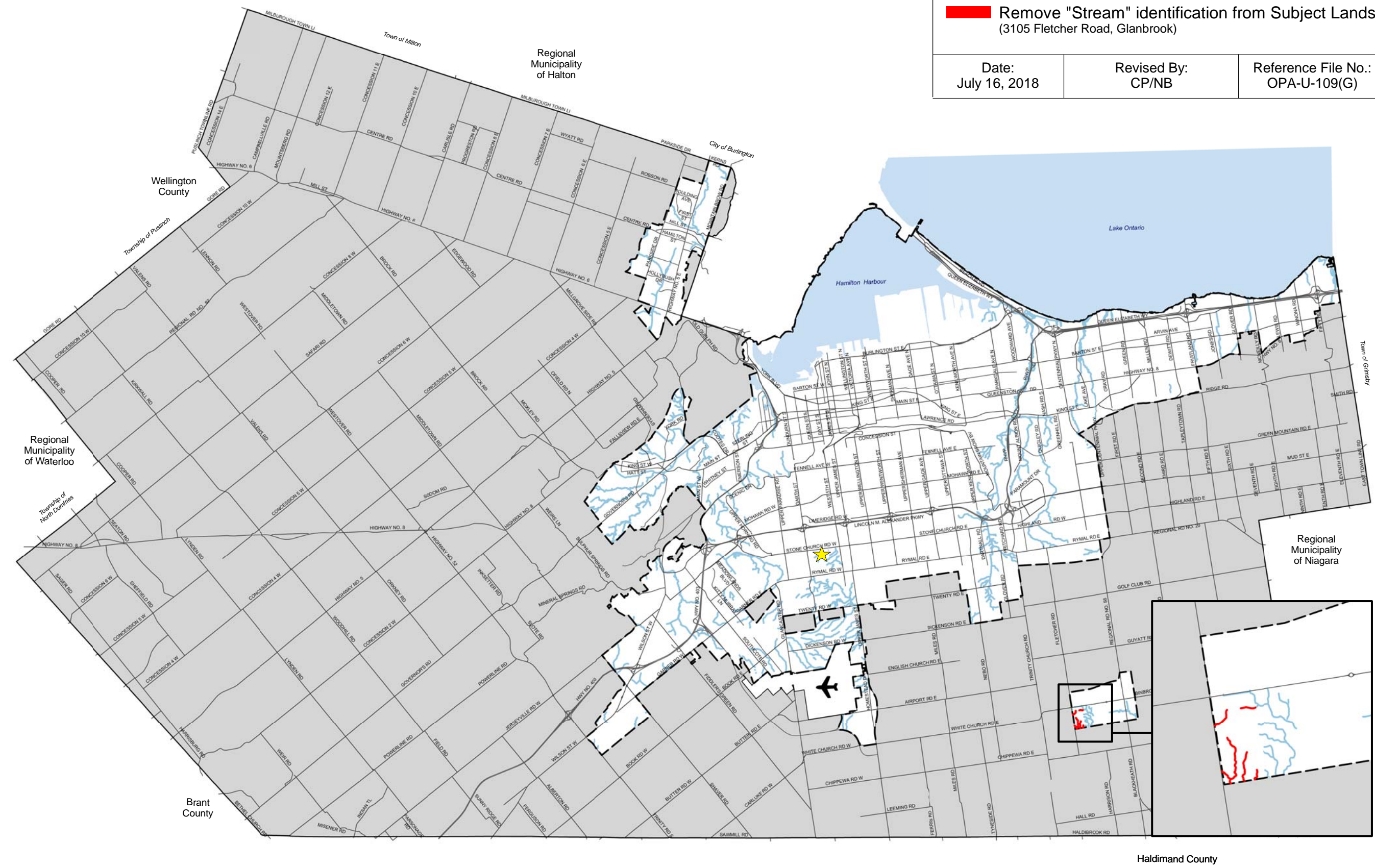
**Note:** For Rural Detailed Natural Heritage Features refer Schedule B-8 of the Rural Hamilton Official Plan.

**APPEAL**







The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal - see illustration on Schedules E and E-1, Volume 1.

 **Lands Under Appeal**

- 305 Stone Church Road W



**Legend**

-  Key Hydrologic Feature Streams
- Other Features**
-  Rural Area
-  John C. Munro Hamilton International Airport
-  Niagara Escarpment
-  Urban Boundary
-  Municipal Boundary

Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
 Schedule B-8  
 Detailed Natural Heritage Features  
 Key Hydrologic Feature Streams



Date: Feb. 27, 2018  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Terane Land Information Services Inc. and its licensors. [2009] May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

Appendix K  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

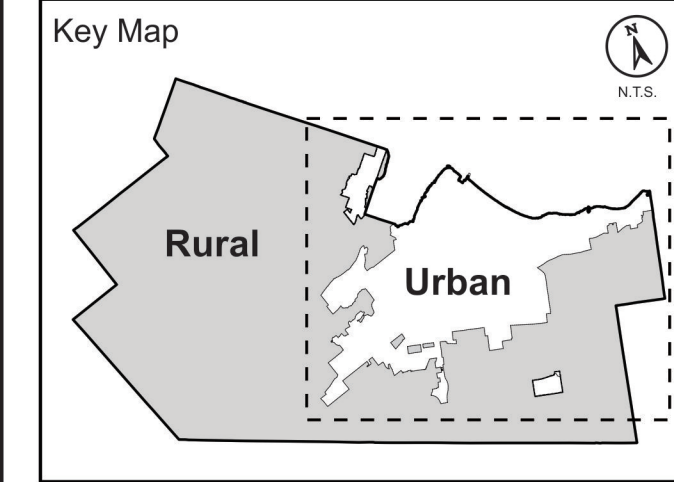
- Lands to be redesignated from "Neighbourhoods" to "Open Space"
- Lands to be redesignated from "Open Space" to "Neighbourhoods"
- Lands to be redesignated from "Mixed Use - Medium Density" to "Open Space"
- Lands to be redesignated from "District Commercial" to "Neighbourhoods"
- Lands to be redesignated from "Neighbourhoods" to "Institutional"
- Lands to be redesignated from "Institutional" to "Neighbourhoods"

Date: July 16, 2018  
 Revised By: CP/NB  
 Reference File No.: OPA-U-109

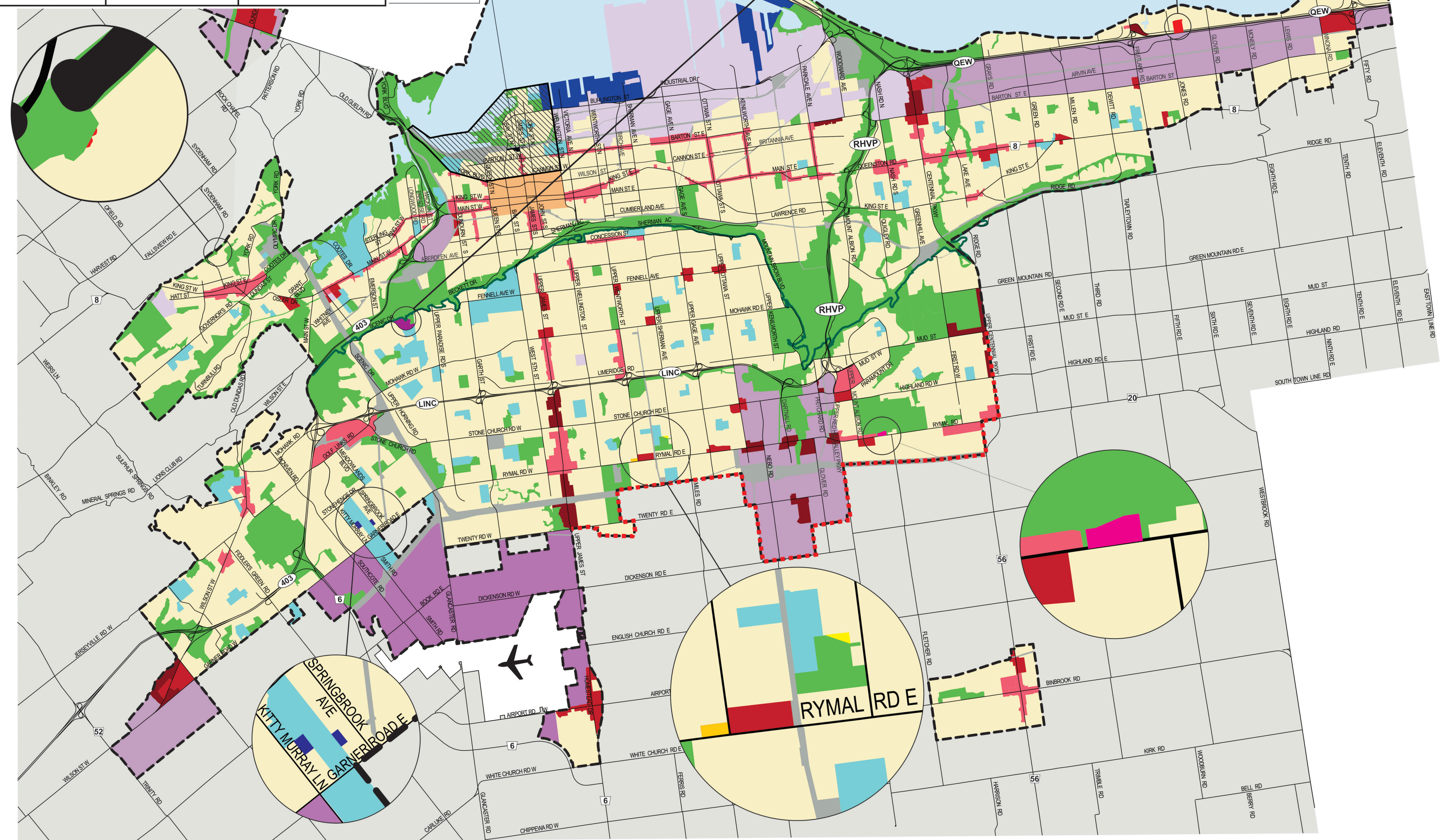
on-Decision 117(a) North)

**APPEALS**

..... The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal.



**Note:** For Rural Land Use Designations, refer to Schedule D of the Rural Hamilton Official Plan.



- Neighbourhoods
  - Open Space
  - Institutional
  - Utility
- Commercial and Mixed Use Designations**
- Downtown Mixed Use Area
  - Mixed Use - High Density
  - Mixed Use - Medium Density
  - District Commercial
  - Arterial Commercial
- Employment Area Designations**
- Industrial Land
  - Business Park
  - Airport Employment Growth District
  - Shipping & Navigation
- Other Features**
- Rural Area
  - John C. Munro Hamilton International Airport
  - Niagara Escarpment
  - Urban Boundary
  - Municipal Boundary
  - Lands Subject to Non Decision 113 West Harbour Setting Sail

Council Adoption: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan  
 Schedule E-1  
 Urban Land Use Designations**



Date: June 27, 2018  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

© Teranet Land Information Services Inc. and its licensors. (2009) May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

Appendix “L” – Volume 2, Chapter B – Secondary Plans (excluding Chedmac Secondary Plan Chedoke Browlands Addition – see Appendix “M”)

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
<p><del>Grey highlighted strikethrough text</del> = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<p>B.2.2.1.5 High Density Residential 1 Designation Notwithstanding <del>Section E.3.6 – High Density Residential</del> <b>Policy E.3.6.6</b> of Volume 1, and Policy B.2.2.1.2 a) of Volume 2, the following policies shall apply to the High Density Residential 1 designation identified on Map B.2.2-1 – Shaver Neighbourhood – Land Use Plan:</p>	<p>B.2.2.1.5 High Density Residential 1 Designation Notwithstanding Policy E.3.6.6 of Volume 1, and Policy B.2.2.1.2 a) of Volume 2, the following policies shall apply to the High Density Residential 1 designation identified on Map B.2.2-1 – Shaver Neighbourhood – Land Use Plan:</p>
<p>B.2.3.2.1 <b>In addition to Section E.3.8 – Local Commercial Designation and</b> <del>Notwithstanding Section E.3.8 – Local Commercial</del> <b>Policy E.3.8.8</b> of Volume 1, the following policies shall apply to the lands designated Local Commercial on Map B.2.3-1 – Garner Neighbourhood – Land Use Plan:</p> <p>...</p>	<p>B.2.3.2.1 In addition to Section E.3.8 – Local Commercial Designation and notwithstanding Policy E.3.8.8 of Volume 1, the following policies shall apply to the lands designated Local Commercial on Map B.2.3-1 – Garner Neighbourhood – Land Use Plan:</p> <p>...</p>
<p>B.2.4.4.2 Low Density Residential 2c Designation Notwithstanding <del>Policies</del> <b>Policy E.3.4.4</b> of Volume 1, the following <del>policies</del> <b>policy</b> shall apply to the lands designated Low Density Residential 2c on Map B.2.4-1 – Meadowlands Mixed Use – Land Use Plan:</p> <p>a) the density shall not exceed of 25 units per net hectare (including local roads).</p>	<p>B.2.4.4.2 Low Density Residential 2c Designation Notwithstanding Policy E.3.4.4 of Volume 1, the following policy shall apply to the lands designated Low Density Residential 2c on Map B.2.4-1 – Meadowlands Mixed Use – Land Use Plan:</p> <p>a) the density shall not exceed of 25 units per net hectare (including local roads).</p>
<p>B.2.5.1.1 The residential areas are designated Low Density Residential (Infill), Low Density Residential 1, Low Density Residential 2a, <b>Low Density Residential 2c</b>, and Low Density Residential 3b as identified on B.2.5-1 - Meadowlands Neighbourhood III – Land Use Plan.</p>	<p>B.2.5.1.1 The residential areas are designated Low Density Residential (Infill), Low Density Residential 1, Low Density Residential 2a, Low Density Residential 2c, and Low Density Residential 3b as identified on B.2.5-1 - Meadowlands Neighbourhood III – Land Use Plan.</p>
<p>Add new policy to Section B.2.5 – Meadowlands Neighbourhood III Secondary Plan as Policy B.2.5.1.2 d) and renumber subsequent policies accordingly.</p>	<p>B.2.5.1.2 d) In the Low Density Residential 2c designation:</p> <p>i) The permitted use shall be street, block, and courtyard townhouses, as well as other innovative ground oriented attached housing forms;</p> <p>ii) The density shall not exceed 27 units per gross/net residential hectare.</p>

Proposed Change	Proposed New / Revised Policy
<p><del>Grey highlighted strikethrough text = text to be deleted</del></p>	<p><b>Bolded text = text to be added</b></p>
<p>Site Specific Policy – Area D  B.2.7.6.4 A 24 unit, 3 storey apartment building shall be permitted at <del>868</del><b>886</b> Golf Links Road on lands designated Medium Density Residential 3 and identified as Site Specific Policy – Area D on Map B.2.7-1 – Meadowlands Neighbourhood V - Land Use Plan.</p>	<p>Site Specific Policy – Area D  B.2.7.6.4 A 24 unit, 3 storey apartment building shall be permitted at 886 Golf Links Road on lands designated Medium Density Residential 3 and identified as Site Specific Policy – Area D on Map B.2.7-1 – Meadowlands Neighbourhood V - Land Use Plan.</p>
<p>B.2.8.8.4 Mixed Use - Medium Density Designation  <u>Village Core Area</u>  ...  h) <del>with</del><b>within</b> the Village Core area may include retail stores, service commercial uses, banks, restaurants with sit-down service, and offices. The lands to be used for commercial purposes shall be those lands that front onto Wilson Street.</p>	<p>B.2.8.8.4 Mixed Use - Medium Density Designation  <u>Village Core Area</u>  ...  h) Commercial facilities to be encouraged within the Village Core area may include retail stores, service commercial uses, banks, restaurants with sit-down service, and offices. The lands to be used for commercial purposes shall be those lands that front onto Wilson Street.</p>
<p>B.2.8.16 <b>Area and</b> Site-Specific Policies  <del>The sites within the Ancaster Wilson Street Secondary Plan, which are identified as Site-Specific Policy Areas and identified on Map B.2.8-1 – Ancaster Wilson Street Secondary Plan: Land Use Plan, include:</del>  a) Site Specific Policy Area A  437 Wilson Street East;  b) Site Specific Policy Area B  Part of 449 Wilson Street East and part of 548 Old Dundas Road;  c) Site Specific Policy Area C  143 and 153 Wilson Street West;  d) Site Specific Policy Area D  129-139 Wilson Street West  e) Site Specific Policy Area E  357 Wilson Street East;  f) Site Specific Policy Area F  385 Wilson Street East;  g) Site Specific Policy Area G  370 Wilson Street East; and,  h) Site Specific Policy Area H  54 Wilson Street West.</p>	<p>B.2.8.16 Area and Site Specific Policies</p>
<p>B.4.1.1 Residential Designations  The residential policies define the location and scale of each type of residential use and shall ensure that a variety of housing types are provided to meet the <del>requirements</del><b>needs</b> of residents of <del>the</del><b>the</b> City and provincial policy <del>requirements</del><b>requirements</b> by providing a range of dwelling types.</p>	<p>B.4.1.1 Residential Designations  The residential policies define the location and scale of each type of residential use and shall ensure that a variety of housing types are provided to meet the needs of residents of the City and provincial policy requirements.</p>

Proposed Change	Proposed New / Revised Policy
<p><del>Grey highlighted strikethrough text = text to be deleted</del></p>	<p><b>Bolded text = text to be added</b></p>
<p>Area Specific Policy – Area D (OPA 37)  B.4.2.14.4 <b>In addition to Sections E.3.4 – Low Density Residential and E.3.5 – Medium Density Residential of Volume 1</b>, the following policies shall apply to the lands identified as Area Specific Policy – Area D on Map B.4.2-1 – Waterdown North – Land Use Plan:  a) Notwithstanding <b>Policies E.3.5.2 and E.3.5.8 of Volume 1, and</b> Policy B.4.2.4.5 a), <b>for the lands designated Medium Density Residential 3</b>, permitted uses shall be restricted to block townhouses with a maximum height of 3 stories.  b) Notwithstanding <del>Policy</del> <b>Policies B.4.2.4.4 c) and B.4.2.4.5 b)</b>, a maximum density of 48 units per net residential hectare shall be permitted.</p>	<p>Area Specific Policy – Area D (OPA 37)  B.4.2.14.4 In addition to Sections E.3.4 – Low Density Residential and E.3.5 – Medium Density Residential of Volume 1, the following policies shall apply to the lands identified as Area Specific Policy – Area D on Map B.4.2-1 – Waterdown North – Land Use Plan:  a) Notwithstanding Policies E.3.5.2 and E.3.5.8 of Volume 1, and Policy B.4.2.4.5 a), for the lands designated Medium Density Residential 3, permitted uses shall be restricted to block townhouses with a maximum height of 3 stories.  b) Notwithstanding Policies B.4.2.4.4 c) and B.4.2.4.5 b), a maximum density of 48 units per net residential hectare shall be permitted.</p>
<p>B.4.3.3.7 Medium Density Residential 2 Designation  In addition to the policies of Section E.3.5 - Medium Density Residential of Volume 1, the following policies shall apply to the lands designated Medium Density Residential 2 on Map B.4.3-1 - Waterdown South - Land Use Plan:  ...  b) The overall density of lands designated Medium Density Residential 2 shall be in the range of 60 to 75 units per net residential hectare (upnrh).</p>	<p>B.4.3.3.7 Medium Density Residential 2 Designation  In addition to the policies of Section E.3.5 - Medium Density Residential of Volume 1, the following policies shall apply to the lands designated Medium Density Residential 2 on Map B.4.3-1 - Waterdown South - Land Use Plan:  ...  b) The overall density of lands designated Medium Density Residential 2 shall be in the range of 60 to 75 units per net residential hectare (upnrh).</p>
<p>B.5.1.4.2 The residential areas are designated Low Density Residential 2d, 2e, 2h, <b>3c</b>, and 3e, as indicated on Map B.5.1-1 – Binbrook Village – Land use Plan. The policies which follow are applicable to each of these land use designations.</p>	<p>B.5.1.4.2 The residential areas are designated Low Density Residential 2d, 2e, 2h, 3c, and 3e, as indicated on Map B.5.1-1 – Binbrook Village – Land use Plan. The policies which follow are applicable to each of these land use designations.</p>
<p>B.5.1.4.4 The residential areas are designated Low Density Residential 2d, Low Density Residential 2e, Low Density Residential 2h, <b>Low Density Residential 3c</b>, and Low Density Residential 3e as identified on Map B.5.1-1 – Binbrook Village – Land Use Plan. The following policies shall apply to each respective residential land use designation.</p>	<p>B.5.1.4.4 The residential areas are designated Low Density Residential 2d, Low Density Residential 2e, Low Density Residential 2h, Low Density Residential 3c, and Low Density Residential 3e as identified on Map B.5.1-1 – Binbrook Village – Land Use Plan. The following policies shall apply to each respective residential land use designation.</p>



Proposed Change	Proposed New / Revised Policy
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>Bolded text = text to be added</b></p>	
<p>Add a new policy as B.5.1.4.5 d) and renumber subsequent policies.</p>	<p>B.5.1.4.5 d) Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 3c on Map B.5.1-1 – Binbrook Village – Land Use Plan:</p> <ul style="list-style-type: none"> <li>i) The permitted uses shall be low rise apartments, row houses, stacked and block townhouses, and innovative forms of attached housing;</li> <li>ii) The density range shall be from 41 to 60 units per net hectare.</li> <li>iii) In locating new Low Density Residential 3c development, consideration shall be given to the following criteria: <ul style="list-style-type: none"> <li>1. Low Density Residential 3c uses shall generally be located on the periphery of the neighbourhood, in areas abutting commercial development, or fronting major or minor arterial or major collector Roads.</li> <li>2. Some Low Density Residential 3c development in proximity to the Mixed-Use - Medium Density area is desirable.</li> <li>3. Low Density Residential 3c dwelling forms shall be sensitively integrated with and adequately buffered from adjacent land uses.</li> <li>4. Where Low Density Residential 3c areas are proposed adjacent to Low Density Residential 2e and 2h uses, consideration shall be given to appropriate integration and compatibility of the dwelling forms. Compatibility may be accomplished through attention to architectural massing, height, scale, buffering, and landscaping.</li> </ul> </li> </ul>
<p>Site Specific Policy – Area G (OPA 51)</p> <p>B.5.1.13.7 <del>That notwithstanding Section E.4.3.4 (d) of Volume 1 – Pedestrian Predominant Streets, the</del> The following policy shall apply to the lands located at 2605 Binbrook Road East (lands located at the southwest corner of Binbrook Road East and Southbrook Drive), and identified as Site Specific Policy – Area G on Map B.5.1.1-1 – Binbrook Village Secondary Plan Land Use Plan:</p>	<p>Site Specific Policy – Area G (OPA 51)</p> <p>B.5.1.13.7 The following policy shall apply to the lands located at 2605 Binbrook Road East (lands located at the southwest corner of Binbrook Road East and Southbrook Drive), and identified as Site Specific Policy – Area G on Map B.5.1.1-1 – Binbrook Village Secondary Plan Land Use Plan:</p>

Proposed Change	Proposed New / Revised Policy
<p><del>Grey highlighted strikethrough text = text to be deleted</del></p>	<p><b>Bolded text = text to be added</b></p>
<p>Area Specific Policy – Area L (OPA 80)</p> <p>B.5.1.13.12 In addition to Policy B.1.8 (Volume 2), for the lands known municipally as 3105 Fletcher Road, designated Low Density Residential 2e and identified as Area Specific Policy – Area L on Map B.5.1-1 – Binbrook Village Secondary Plan, the deletion of a local road from the road pattern shown on Maps B.5.1-1 <b>and B.5.1-2</b> shall be permitted <b>without a further amendment to the Binbrook Village Secondary Plan - Land Use Plan</b>, if it is determined that such a road is not needed to connect to lands immediately to the east <del>without a further amendment to the Binbrook Village Land Use Plan.</del></p>	<p>Area Specific Policy – Area L (OPA 80)</p> <p>B.5.1.13.12 In addition to Policy B.1.8 (Volume 2), for the lands known municipally as 3105 Fletcher Road, designated Low Density Residential 2e and identified as Area Specific Policy – Area L on Map B.5.1-1 – Binbrook Village Secondary Plan, the deletion of a local road from the road pattern shown on Maps B.5.1-1 and B.5.1-2 shall be permitted without a further amendment to the Binbrook Village Secondary Plan - Land Use Plan, if it is determined that such a road is not needed to connect to lands immediately to the east.</p>
<p>Delete Policy B.5.2.14.2 Area Specific Policy – Area B in its entirety.</p> <p><del>Area Specific Policy – Area B</del></p> <p><del>B.5.2.14.2 In addition to the uses permitted on the lands identified on Map B.5.2-1 – Rymal Road – Land Use Plan as Area Specific Policy – Area B, live work units containing grade-related commercial uses shall be permitted on lands abutting Trinity Church Road and Dakota Boulevard subject to provision of an acceptable site plan and building elevations which illustrate the nature and function of the development and demonstrate compatibility with adjacent development and adequate provisions for on-street parking. Permitted commercial uses within the live work units shall include retail, personal services, and offices.</del></p>	
<p>B.6.2.17 Area and Site Specific Policies</p> <p><b>Area and</b> Site Specific Policies are designated to address specific <b>areas or</b> sites for which the identification of future land designations and policies involves a greater degree of complexity. The policies in this section provide more detailed guidance than contained in the other sections of this Secondary Plan. These <b>areas and</b> sites include large parcels with options for future use, and for which performance standards are especially important.</p>	<p>B.6.2.17 Area and Site Specific Policies</p> <p>Area and Site Specific Policies are designated to address specific areas or sites for which the identification of future land designations and policies involves a greater degree of complexity. The policies in this section provide more detailed guidance than contained in the other sections of this Secondary Plan. These areas and sites include large parcels with options for future use, and for which performance standards are especially important.</p>

Proposed Change	Proposed New / Revised Policy
<p><del>Grey highlighted strikethrough text</del> = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<p>Delete policy B.6.2.17.1 in its entirety and renumber subsequent policies accordingly.  <del>B.6.2.17.1 The sites within the Ainslie Wood Westdale community which are defined as Site Specific Policies and identified on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan are:</del>  a) <del>Site Specific Policy – Area A – McMaster University;</del>  b) <del>Site Specific Policy – Area B – Lands at the West End of Ward and Royal Avenues (Henkel site); and,</del>  c) <del>Site Specific Policy – Area C – Lands located 20, 22, 28, 45, 58 and 60 Ewen Road, and 5 Ofield Road.</del></p>	
<p>B.6.2.17.5 Notwithstanding Policies <del>B.6.2.5.5 a) and b)</del>, <b>E.4.6.7 and E.4.6.8 of Volume 1</b>, and Policies B.6.2.7.2 b) of Volume 2, for the lands designated Mixed Use – Medium Density, located at 17 Ewen Road, and identified as Site Specific Policy – Area D on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan, the following policies shall apply:</p>	<p>B.6.2.17.5 Notwithstanding E.4.6.7 and E.4.6.8 of Volume 1, for the lands designated Mixed Use – Medium Density, located at 17 Ewen Road, and identified as Site Specific Policy – Area D on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan, the following policies shall apply:</p>
<p>B.6.2.17.7 <b>In addition to Policy B.6.2.17.6</b>, the following policies shall apply to the lands located on Main Street between Hollywood Avenue and Highway 403, designated Mixed Use – Medium Density, and identified as Area Specific Policy – Area E on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan:</p>	<p>B.6.2.17.7 In addition to Policy B.6.2.17.6, the following policies shall apply to the lands located on Main Street between Hollywood Avenue and Highway 403, designated Mixed Use – Medium Density, and identified as Area Specific Policy – Area E on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan:</p>
<p>B.6.3.2.1 The residential areas are designated <b>Low Density Residential 1</b>, Low Density Residential 1a, <del>and</del> Low Density Residential 2c, <b>and Medium Density Residential 3</b> on Map B.6.3-1 – Chedmac - Land Use Plan. The following policies shall apply to each of these land use designations.</p>	<p>B.6.3.2.1 The residential areas are designated Low Density Residential 1, Low Density Residential 1a, Low Density Residential 2c, and Medium Density Residential 3 on Map B.6.3-1 – Chedmac - Land Use Plan. The following policies shall apply to each of these land use designations.</p>
<p>Add new policy as B.6.3.2.3 a) and renumber subsequent policies accordingly.</p>	<p>B.6.3.2.3 a) Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, land designated Low Density Residential 1 shall consist of only single detached units at a maximum density of 20 units per hectare.</p>
<p>B.6.3.2.3 Low Density Residential Designations b) Notwithstanding Policy B.6.3.2.3 <del>a) b)</del>, for the lands designated Low Density Residential 1a abutting existing residential development at the northern limit of Chedmac Planning Area the following policies apply:</p>	<p>B.6.3.2.3 Low Density Residential Designations b) Notwithstanding Policy B.6.3.2.3 b), for the lands designated Low Density Residential 1a abutting existing residential development at the northern limit of Chedmac Planning Area the following policies apply:</p>

Proposed Change	Proposed New / Revised Policy
<p><del>Grey highlighted strikethrough text</del> = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<p>Add new policy to Section B.6.3.2 – Residential Designations</p>	<p>B.6.3.2.4 Medium Density Residential 3 Designations</p> <p>The following policies shall apply to the lands designated Medium Density Residential 3 on Map B.6.3-1 – Chedmac - Land Use Plan:</p> <p>a) In addition to Policies E.3.5.2 of Volume 1, lands designated Medium Density Residential 3 shall consist of block townhouses, stacked townhouses and multiple dwellings.</p> <p>b) Notwithstanding Policy E.3.5.7 of Volume 1, the <i>net residential density</i> shall be greater than 75 units per hectare and shall not exceed 100 units per hectare.</p>
<p>B.6.3.3.1 In addition to Sections B.3.5.3 – Parkland Policies and C.3.3 – Open Space Designations, the following policies shall apply to the lands designated Neighbourhood Park, Community Park, <del>and</del> General Open Space, <b>and Natural Open Space</b> on Map B.6.3 - 1 - Chedmac - Land Use Plan:</p> <p>a) <del>Three</del> Four components make up the parks and open space system of the Chedmac community:</p> <p>i) Neighbourhood Park;</p> <p>ii) Community Park; <del>and,</del></p> <p>iii) General Open Space; and,</p> <p><b>iv) Natural Open Space.</b></p>	<p>B.6.3.3.1 In addition to Sections B.3.5.3 – Parkland Policies and C.3.3 – Open Space Designations, the following policies shall apply to the lands designated Neighbourhood Park, Community Park, General Open Space, and Natural Open Space on Map B.6.3 - 1 - Chedmac - Land Use Plan:</p> <p>a) Four components make up the parks and open space system of the Chedmac community:</p> <p>i) Neighbourhood Park;</p> <p>ii) Community Park;</p> <p>iii) General Open Space; and,</p> <p>iv) Natural Open Space.</p>
<p>Site Specific Policy - Area A (OPA 56)</p> <p>B.6.3.7.1 For the lands located at 1 Redfern Avenue, designated Medium Density Residential 3, and identified as Area Specific Policy Area A on Map B.6.3.1 - Chedmac Secondary Plan - Land Use Plan, the following policies shall apply:</p> <p>a) Notwithstanding Policies E.3.5.6 and E.3.5.7 of Volume 1, <b>and Policy B.6.3.2.4 of Volume 2</b>, the following policies shall apply:</p> <p>...</p>	<p>Site Specific Policy - Area A (OPA 56)</p> <p>B.6.3.7.1 For the lands located at 1 Redfern Avenue, designated Medium Density Residential 3, and identified as Area Specific Policy Area A on Map B.6.3.1 - Chedmac Secondary Plan - Land Use Plan, the following policies shall apply:</p> <p>a) Notwithstanding Policies E.3.5.6 and E.3.5.7 of Volume 1, and Policy B.6.3.2.4 of Volume 2, the following policies shall apply:</p> <p>...</p>
<p>B.6.4.4.4 In addition to Sections B.3.3 - Urban Design and <del>E.4.8 – Arterial Commercial Areas</del> <b>E.4.7 – District Commercial Designation</b> of Volume 1, the following policies shall apply to development of lands within the <del>Arterial</del> <b>District</b> Commercial designation on Map B.6.4-1 - West Hamilton Innovation District Land Use Plan:</p>	<p>B.6.4.4.4 In addition to Sections B.3.3 - Urban Design and E.4.7 – District Commercial Designation of Volume 1, the following policies shall apply to development of lands within the District Commercial designation on Map B.6.4-1 - West Hamilton Innovation District Land Use Plan:</p>

Proposed Change	Proposed New / Revised Policy
<p><del>Grey highlighted strikethrough text = text to be deleted</del></p>	<p><b>Bolded text = text to be added</b></p>
<p>B.7.1.1.1 The residential areas are designated Low Density Residential 2b, Low Density Residential 3c, <del>and</del> Medium Density 3, <b>and High Density Residential 1</b> on Map B.7.1-1 – Western Development Area - Land Use Plan.</p>	<p>B.7.1.1.1 The residential areas are designated Low Density Residential 2b, Low Density Residential 3c, Medium Density 3, and High Density Residential 1 on Map B.7.1-1 – Western Development Area - Land Use Plan.</p>
<p>Add new policy to Section B.7.1 – Western Development Area Secondary Plan as Policy B.7.1.1.5.</p>	<p>B.7.1.1.5 High Density Designation Section E.3.6 - High Density Residential of Volume 1 shall apply to the lands designated High Density on Map B.7.1-1 – Western Development Area Secondary Plan - Land Use Plan.</p>
<p>B.7.2.2.4 High Density Residential 1 Designation In addition to Section E.3.6 – High Density Residential of Volume 1, the following <del>policies</del> <b>policy</b> shall apply to the lands designated High Density Residential 1 on Map B.7.2-1 – Old Town – Land Use Plan:  a) <del>Notwithstanding Policy E.3.6.6 of Volume 1, the density range for development shall be from 100 to 200 units per net residential hectare.</del> <b>High density residential uses should be located within the Stoney Creek Community Node and along Queenston Road.</b>  b) <del>Notwithstanding Policies E.3.6.2 and E.3.6.3 of Volume 1, permitted uses shall include apartment buildings above six storeys in height.</del></p>	<p>B.7.2.2.4 High Density Residential 1 Designation In addition to Section E.3.6 – High Density Residential of Volume 1, the following policy shall apply to the lands designated High Density Residential 1 on Map B.7.2-1 – Old Town – Land Use Plan:  a) High density residential uses should be located within the Stoney Creek Community Node and along Queenston Road.</p>
<p>B.7.2.8.4 For the lands identified as Site Specific Policy – Area D on Map B.7.2.1 - Old Town - Land Use Plan - designated as "Local Commercial" and known as 60, 8 and 72 Centennial Parkway South, the following policy shall apply:  a) That notwithstanding Policy B.7.2.4.1 b) <b>of Volume 2 upon the</b> redevelopment of the subject lands, the maximum gross floor area for medical clinic uses shall be 1,203 square metres, the maximum gross floor area for retail uses combined shall be 402 square metres and the total maximum gross floor area shall be 1,605 square metres."</p>	<p>B.7.2.8.4 For the lands identified as Site Specific Policy – Area D on Map B.7.2.1 - Old Town - Land Use Plan - designated as "Local Commercial" and known as 60, 8 and 72 Centennial Parkway South, the following policy shall apply:  a) That notwithstanding Policy B.7.2.4.1 b) of Volume 2 upon the redevelopment of the subject lands, the maximum gross floor area for medical clinic uses shall be 1,203 square metres, the maximum gross floor area for retail uses combined shall be 402 square metres and the total maximum gross floor area shall be 1,605 square metres."</p>

Proposed Change	Proposed New / Revised Policy
<p><del>Grey highlighted strikethrough text</del> = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<p>B.7.2.8.6 - Site Specific Policies - Add a new site specific policy.</p>	<p>Site Specific Policy – Area F  B.7.2.8.6 Lands Located at 120 and 124 King Street West, Stoney Creek, with an area of 0.791 hectares, designated “Medium Density Residential 3” and identified as Site Specific Policy – Area “F” on Map B.7.2-1 – Old Town Secondary Plan – Land Use Plan, shall be developed according to the following:  a) Notwithstanding Policy 7.2.2.3 a), the development of a 6-storey, multiple dwelling containing a maximum of 80 units, and 10 commercial and residential live-work townhouse units, shall be permitted to a maximum net residential density of 114 units per net residential hectare for the entirety of the subject lands. “</p>
<p>B.7.2.8.7 - Site Specific Policies - Add a new site specific policy.</p>	<p>Site Specific Policy – Area G  B.7.2.8.7 Lands located at 135 and 137 King Street East, and 42 Passmore Street, designated Institutional and identified as Site Specific Policy – Area G on Map B.7.2-1 – Old Town Secondary Plan – Land Use Plan shall be developed according to the following:  a) Notwithstanding Policy E.6.2.2 of Volume 1 and Policy B.7.2.6 of Volume 2, a retirement home shall be permitted. A commercial component consisting of a restaurant and office space only in conjunction with a use permitted under this designation shall also be permitted.</p>
<p>B.7.5.4.2 b) Medium Density Residential 3 Designation:  i) Notwithstanding <del>Policy</del> <b>Policies E.3.5.3 and E.3.5.8</b> of Volume 1, apartment buildings and street and block townhouses shall be permitted providing that heights do not exceed eight storeys.</p>	<p>B.7.5.4.2 b) Medium Density Residential 3 Designation:  i) Notwithstanding Policies E.3.5.3 and E.3.5.8 of Volume 1, apartment buildings and street and block townhouses shall be permitted providing that heights do not exceed eight storeys.</p>
<p>B.7.5.6.1 The policies of Section B.3.5.3 – Parkland Policies, Section C.2.0 – Natural Heritage System, and Section C.3.3 – Open Space Designations of Volume 1, shall apply to lands designated General Open Space, Neighbourhood Parks, <del>Community</del> <b>City-Wide</b> Parks and Natural Open Space on Map B.7.5-1 – Nash Neighbourhood – Land Use Plan.</p>	<p>B.7.5.6.1 The policies of Section B.3.5.3 – Parkland Policies, Section C.2.0 – Natural Heritage System, and Section C.3.3 – Open Space Designations of Volume 1, shall apply to lands designated General Open Space, Neighbourhood Parks, City-Wide Parks and Natural Open Space on Map B.7.5-1 – Nash Neighbourhood – Land Use Plan.</p>

Proposed Change	Proposed New / Revised Policy
<p><del>Grey highlighted strikethrough text = text to be deleted</del></p>	<p><b>Bolded text = text to be added</b></p>
<p>B.7.5.6.2 The open space system for the Nash Neighbourhood includes the following designations and components designated on Map B.7.5-1 – Nash Neighbourhood – Land Use Plan:</p> <p>...</p> <p>c) <del>Community</del> <b>City-Wide</b> Parks;</p>	<p>B.7.5.6.2 The open space system for the Nash Neighbourhood includes the following designations and components designated on Map B.7.5-1 – Nash Neighbourhood – Land Use Plan:</p> <p>...</p> <p>c) <b>City-Wide</b> Parks;</p>
<p>B.7.5.6.4 The former Taro Quarry West lands designated Open Space located west of First Road West, between Mud Street West and the Heritage Green <del>Community</del> <b>City-Wide</b> Park and east of the unopened road allowance are ultimately intended for open space and/or recreational use and may include a golf course.</p>	<p>B.7.5.6.4 The former Taro Quarry West lands designated Open Space located west of First Road West, between Mud Street West and the Heritage Green <b>City-Wide</b> Park and east of the unopened road allowance are ultimately intended for open space and/or recreational use and may include a golf course.</p>
<p>B.7.5.6.2 The open space system for the West Mountain (Heritage Green) Secondary Plan area includes the following designations and components designated on Map B.7.5-1 – Nash Neighbourhood – Land Use Plan:</p>	<p>B.7.6.5.2 The open space system for the West Mountain (Heritage Green) Secondary Plan area includes the following designations and components designated on Map B.7.5-1 – Nash Neighbourhood – Land Use Plan:</p>
<p>Insert new Section Heading for Area and Site Specific Policies in Trinity West Secondary Plan:</p> <p><b>B.7.7.13 Area and Site Specific Policies</b></p>	<p>B.7.7.13 Area and Site Specific Policies</p>
<p>Renumber existing policy B.7.7.13 to B.7.7.13.1 as follows:</p> <p>B.7.7.13.1 Area Specific Policy - USC - 1 (Eramosa Karst)</p>	<p>B.7.7.13.1 Area Specific Policy - USC - 1 (Eramosa Karst)</p>
<p><del>B.7.7.14</del> <b>B.7.7.13.2</b> Site Specific Policy – Area A (OPA 53)</p> <p>Notwithstanding Policy B.7.7.3.4 b), for the lands designated Low Density Residential 1, located <del>at 1831 Rymal Road East</del> <b>east of the Upper Red Hill Valley Parkway between Highland Road East and Rymal Road East, and identified as Site Specific Policy – Area A on Map B.7.7-1 – Trinity West Secondary Plan – Land Use Plan</b>, the maximum net residential density of development shall not exceed 23 units per net hectare.</p>	<p>B.7.7.13.2 Site Specific Policy – Area A (OPA 53)</p> <p>Notwithstanding Policy B.7.7.3.4 b), for the lands designated Low Density Residential 1, located east of the Upper Red Hill Valley Parkway between Highland Road East and Rymal Road East, and identified as Site Specific Policy – Area A on Map B.7.7-1 – Trinity West Secondary Plan – Land Use Plan, the maximum net residential density of development shall not exceed 23 units per net hectare.</p>

Proposed Change	Proposed New / Revised Policy
<p>Grey highlighted strikethrough text = text to be deleted</p>	<p>Bolded text = text to be added</p>
<p><del>B.7.7.15</del> <b>B.7.7.13.3</b> Site Specific Policy – Area B (OPA 53)</p> <p>Notwithstanding Policy B.7.7.3.5 a), for the lands designated Low Density Residential 2, <del>at 1831 Rymal Road East</del> <b>east of the Upper Red Hill Valley Parkway between Highland Road East and Rymal Road East, and identified as Site Specific Policy – Area B on Map B.7.7-1 – Trinity West Secondary Plan – Land Use Plan</b>, the maximum net residential density of development shall not exceed 42 units per net hectare.</p>	<p>B.7.7.13.3 Site Specific Policy – Area B (OPA 53)</p> <p>Notwithstanding Policy B.7.7.3.5 a), for the lands designated Low Density Residential 2, located east of the Upper Red Hill Valley Parkway between Highland Road East and Rymal Road East, and identified as Site Specific Policy – Area B on Map B.7.7-1 – Trinity West Secondary Plan – Land Use Plan, the maximum net residential density of development shall not exceed 42 units per net hectare.</p>
<p><del>B.7.7.16</del> <b>13.4</b> Site Specific Policy – Area C (OPA 53)</p> <p>Notwithstanding Policy B.7.7.3.6 b), for the lands designated Medium Density Residential 2, located at 1831 Rymal Road East, the minimum net residential density of development shall not <del>exceed</del> <b>be less than</b> 55 units per net hectare.</p>	<p>B.7.7.13.4 Site Specific Policy – Area C (OPA 53)</p> <p>Notwithstanding Policy B.7.7.3.6 b), for the lands designated Medium Density Residential 2, located at 1831 Rymal Road East, the minimum net residential density of development shall not be less than 55 units per net hectare.</p>
<p><del>B.7.7.13.15</del> <b>15</b> Site Specific Policy – Area D (OPA 78)</p> <p>For the lands identified as Site Specific Policy Area “D”, on Map B.7.7-1 – Trinity West Secondary Plan: Land Use Plan, designated “Low Density Residential 1”, “Low Density Residential 2”, and “Mixed Use – Medium Density”, and known as 26 Upper Mount Albion Road, the following policy shall apply:</p> <p>a) Notwithstanding Section E.3.4.3 <del>of Volume 1,</del> <b>of Volume 1</b>, and Policy <del>Section</del> <b>Section</b> B.7.7.3.4 a), a two (2) storey multiple dwelling, for the purposes of a Residential Care Facility, shall also be permitted; and, <del>the minimum net residential density shall be 5 units per hectare, and the maximum shall be 20 units per hectare.</del></p> <p><b>b) Notwithstanding Policy B.7.7.3.5, the minimum net residential density shall be 5 units per hectare, and the maximum shall be 20 units per hectare.</b></p>	<p>B.7.7.13.5 Site Specific Policy – (OPA 78)</p> <p>For the lands identified as Site Specific Policy Area “D”, on Map B.7.7-1 – Trinity West Secondary Plan: Land Use Plan, designated “Low Density Residential 1”, “Low Density Residential 2”, and “Mixed Use – Medium Density”, and known as 26 Upper Mount Albion Road, the following policy shall apply:</p> <p>a) Notwithstanding Section E.3.4.3 of Volume 1 and Policy B.7.7.3.4 a), a two (2) storey multiple dwelling, for the purposes of a Residential Care Facility, shall also be permitted; and,</p> <p>b) Notwithstanding Policy B.7.7.3.5, the minimum net residential density shall be 5 units per hectare, and the maximum shall be 20 units per hectare.</p>



Appendix "M" - Section B.6.3 – Chedmac Secondary Plan (Chedoke Browlands Addition only). Add the following policies to the Chedmac Secondary Plan:

**Area Specific Policy – Area B**

6.3.7.2 Chedoke Browlands

The Chedoke Browlands are located north of the intersection of Scenic Drive and Sanatorium Road, known municipally as 801-780 Scenic Drive, designated Medium Density Residential 3, General Open Space and Natural Open Space, and identified as Area Specific Policy Area B on Map B.6.3.1 – Chedmac Secondary Plan – Land Use Plan.

6.3.7.2.1 Objectives

- a) In addition to Section B.6.3.1 of Volume 2, the following objectives shall apply to the Chedoke Browlands (Area B):
  - i) To provide for the opportunity of small scale commercial and business uses in close proximity to residential uses, live/work dwelling units are encouraged;
  - ii) To ensure that the development of the Chedoke Browlands (Area B) shall provide a safe, attractive and pedestrian-oriented residential environment with a high quality of design of buildings, public spaces and streets;
  - ii) To encourage energy conservation through community planning, site planning and urban design;
  - iv) To integrate natural and cultural heritage features into the design of the site with specific focus on the open space areas as well as providing a strong link to the Niagara Escarpment;
  - v) To integrate significant cultural heritage landscape features and characteristics such as the pavilion design, the curvilinear street pattern, as well as the sense of openness and park-like setting, into the development;
  - vi) To identify and protect historically or architecturally significant buildings and cultural heritage landscape features;
  - vii) To ensure compatibility with the existing residential area;
  - viii) To develop a land use pattern and transportation system that supports transit, cyclists and pedestrians and vehicular traffic;

- ix) To provide public linkages to and through the site; and,
- x) To provide and/or protect significant views and encourage sensitive development adjacent to the Niagara Escarpment.

6.3.7.2.2 Residential Policies

**Areas B-1 and B-2**

a) The following policies shall apply to those lands designated Medium Density Residential 3 - Land Use Plan and identified as Areas B-1 and B-2 in Area Specific Policy B on Map B.6.3-1 – Chedmac Secondary Plan – Land Use Plan:

- i) In addition to Sections E.3.5.2 – Medium Density designation of Volume 1 and B.6.3.2.4 Medium Density Residential 3 Designation, a retirement home and amenity uses may be permitted.
- ii) Notwithstanding Sections E.3.5.2 – Medium Density Residential designation of Volume 1 and B.6.3.2.3 Medium Density Residential 3 Designation, live/work units may be permitted in block townhouses only, except for lands fronting on Scenic Drive and shall be limited to only the following uses:
  - 1. Artists’ or photographers’ studios;
  - 2. Personal services;
  - 3. Custom workshop; and,
  - 4. Office.
- iii) Notwithstanding Sections E.3.5.4 – Medium Density Residential designation of Volume 1 and B.6.3.2.4 – Medium Density Residential 3 Designation, limited local commercial uses may be permitted within apartment buildings on the ground floor only and within the heritage buildings existing as of June 22, 2012 and in accordance with the Zoning By-law.
- iv) Notwithstanding Sections E.3.5.7 – Medium Density designation (scale) of Volume 1 and B.6.3.2.4 - Medium Density 3 Residential Designation, the maximum net residential density shall not exceed 80 units per hectare.
- v) Notwithstanding Policy B.6.3.7.2.2 a) iv), a maximum of 529 dwelling units shall be permitted. For the purposes of overall unit count and density:
  - 1. Up to 100 of the permitted dwelling units may be allocated as retirement dwelling units and two retirement dwelling units shall be equivalent to one residential dwelling unit.

2. Should the land owner choose to implement the equivalency option in Policy B.6.3.7.2.2 a) v) 1, a maximum of 429 residential dwelling units and 200 retirement dwelling units shall be permitted within the Area Specific Policy Areas B-1 and B-2.
  3. Notwithstanding the equivalency option in Policy B.6.3.7.2.2 a) v) 1, retirement dwelling units may also be permitted on a one to one basis exceeding the 200 equivalency units, provided the total number of dwelling units shall not exceed 629.
- vi) The Long Bisby building, existing as of June 22, 2012, and shown on Map B.6.3-2 – Cultural Heritage Landscapes, shall be retained and conserved through sympathetic adaptive reuse, where structurally feasible.
  - vii) Notwithstanding Policies B.6.3.7.2.2 a) v), b) i) and c) i), uses contained within any existing heritage building shall not contribute to the overall unit count gross floor area or density.
  - viii) Direct vehicular access to individual buildings shall be prohibited from Scenic Drive. The site shall be developed on the premise of a private condominium road network.
  - ix) New buildings and structures shall be set back a minimum of 30 metres from the staked limit of the brow of the Niagara Escarpment. If enlarging any part of an existing building which is located closer than the 30 metres, no part of the new construction shall be within the 30 setback to the staked limit of the Niagara Escarpment or closer to the brow than the existing building.

#### **Area B-1**

- b) In addition to Section B.6.3.7.2.2 a), the following policies shall apply to the lands designated Medium Density Residential 3 and identified as Area specific B-1, on Map B.6.3-1 – Chedmac - Land Use Plan:
  - i) Notwithstanding Policy E.3.5.7 and B.6.3.2.4 b),
    1. a maximum of 195 units; shall be permitted and,
    2. the overall gross floor area for all residential units shall not exceed 20,000 square metres.
  - ii) Notwithstanding Section E.3.5.8 – Medium Density Residential (scale), the maximum height of buildings shall not exceed
    1. 4 storeys for buildings located in the interior of the site; and,
    2. 3 storeys for buildings located on Scenic Drive.

iii) Notwithstanding Policy B.6.3.7.2.2 a) ix), a residential building shall be permitted in the vicinity of the former Brow Infirmary building provided:

1. it maintains the existing setbacks from the Escarpment brow; and,
2. the design of the building shall incorporate the recommendations of the Cultural Heritage Impact Assessment.

#### **Area B-2**

c) In addition to Section B.6.3.7.2.2 a), the following policies shall apply to the lands designated Medium Density Residential 3 and identified as Area Specific B-2, on Map B.6.3-1 – Chedmac – Land Use Plan:

i) Notwithstanding Policy E.3.5.7 and B.6.3.2.4 b),

1. a maximum of 335 units shall be permitted; and,
2. the overall gross floor area for all residential units shall not exceed 34,000 square metres.

ii) Notwithstanding Section E.3.5.8 – Medium Density Residential (scale), the maximum height of buildings shall not exceed

1. 3 storeys for block or stacked townhouses; and,
2. 4 storeys for apartment buildings.

iii) In addition to Policy E.3.5.4 of Volume 1 and B.6.3.2.4 b) and notwithstanding Policy E.3.8.2 a) – Local Commercial Permitted Uses in Volume 1, only the following commercial and institutional uses shall be permitted in the existing “Long and Bisby” building:

1. Art Gallery;
2. Artist Studio;
3. Craftsperson Shop;
4. Office;
5. Personal Services;
6. Retail Store, excluding a Convenience Store, not to exceed 200 square metres;
7. Day Nursery;
8. Library;
9. Museum;
10. Community Centre;
11. Lecture Room; and,
12. Medical Clinic.

iv) The existing “Long and Bisby” building may also be converted to a maximum of 12 residential dwelling units provided the heritage character of the building is not altered significantly.

### 6.3.7.2.3 Natural Open Space

- a) Lands designated “Natural Open Space” and identified as B-3 and B-4 on Map B.6.3-1 Chedmac Secondary Plan – Land Use Plan shall be preserved as natural open space and no development shall be permitted. Conservation, flood and erosion control, and passive recreation uses shall be permitted.
- b) Notwithstanding Policy B.6.3.7.2.3 a), the existing heritage building may be converted to other uses in accordance with Policies B.6.3.7.2.2 c) iii) and iv); and,
- c) A vegetative protection zone (buffer) will be provided along B-3, as identified through an approved Environmental Impact Statement, and revegetated in accordance with the recommendations of this study.

### 6.3.7.2.4 Urban Design

The Chedoke Browlands (Area B) shall be developed in accordance with the following urban design principles:

- a) Prior to the approval of site plan and/or plan of condominium applications, the applicant is required to submit:
  - i) A Master Site Plan including, among other matters, a phasing plan, visual impact assessment and urban design guidelines, in accordance with Policies B.6.3.7.2.4 b) to f);
  - ii) A Precinct Plan, in accordance with Policies B.6.3.7.2.4 g) and h) below;
  - iii) Architectural Control Guidelines, in accordance with Policy B.6.3.7.2.4 i); and,
  - iv) An Urban Design Report, in accordance with Policy B.6.3.7.2.4 j).

#### Visual Impact Assessment/Viewshed Analysis

- b) All new development proposals within Chedoke Browlands (Area B) shall conform to an approved Visual Impact Assessment prepared to the satisfaction of the City of Hamilton, in consultation with the Niagara Escarpment Commission. The Visual Impact Assessment shall:
  - i) determine the potential for adverse impacts on the Niagara Escarpment.
  - ii) recommend mitigation measures to assist in the visual integration of buildings into the landscape of the Niagara Escarpment, including

but not limited to, landscaping, architectural treatment of buildings, building heights, roof details and fenestration, glazing of buildings and lighting;

- c) An addendum to the Visual Impact Assessment will be required, prior to Site Plan Approval and the removal of “H” Holding provisions in the implementing Zoning By-law, detailing how the final building locations meet the Visual Assessment Guidelines and the requirements of the policies within Section B.6.3.7.2 – Chedoke Browlands (Area B).
- d) All new developments shall be implemented in accordance with the Visual Impact Assessment, including the addendum, as appropriate.

Master Site Plan

- e) A Master Site Plan shall be prepared prior to the removal of any “H” Holding Provision in the implementing Zoning By-law and prior to Site Plan Approval.
- f) Master Site Plan shall provide a general site plan for all of the lands within Chedoke Browlands (Area B) and shall include:
  - i) Key neighbourhood design and built form elements, such as: the internal road system; pedestrian and cycling circulation and connectivity; buildings and associated parking areas; open space and recreational areas; cultural heritage buildings, structures and features that are to be preserved; locations of commercial and other non-residential uses; and other neighbourhood and site design elements (such as viewsheds identified in the Visual Impact Assessment as set out in Policy B.6.3.7.2.4 b) to d);
  - ii) General urban design guidelines to illustrate the intended character of buildings, streets and exterior spaces, and building relationships to streets and public spaces, to natural environment areas, to heritage buildings and structures to be preserved and to the surrounding neighbourhood. The guidelines shall address how the proposed development features such as new buildings, entry features, streetscape and landscape design are to be sympathetic in nature to the historical significant of the Chedoke Browlands (Area B), retained natural heritage features (including the Niagara Escarpment) and, to the heritage architectural and cultural landscape features that will be conserved; and,
  - iii) A phasing plan for Chedoke Browlands (Area B);

Precinct Plans

- g) Precinct Plans shall be prepared for each phase of development. The Precinct Plan shall illustrate the intended form of development for each

block including the implementation of the overall neighbourhood design and built form elements (as set out in the Master Site Plan) and include: building footprints and heights; parking areas; landscaped areas; the manner in which cultural heritage buildings, structures and features are to be preserved and integrated into the project; and the locations of commercial and other non-residential uses.

- h) The Master Site Plan and Precinct Plan(s) shall be used as a guide in the preparation and review of Site Plan and Plan of Condominium Applications. Deviations from the Master Site Plan may be permitted where required to reflect detailed building or infrastructure design, provided the change is consistent with the intent Urban Hamilton Official Plan and fundamental principles of the Master Site Plan are maintained, to the satisfaction of the City.

Architectural control guidelines

- i) Architectural control guidelines shall be prepared prior to Site Plan Approval to provide design guidance necessary to achieve a high quality of architectural design and to ensure that new buildings are sympathetic to both the historical significance of the Chedoke Browlands (Area B) and to the heritage architecture and cultural landscape features that will be preserved. Architectural control is to be implemented through a third-party registered architect retained by the City.

Urban Design Report

- j) The Urban Design Report shall include text, plans, details and/or elevations, as necessary, to demonstrate how the intent of the Chedmac Secondary Plan policies and the urban design policies contained in Section B.6.3.7.2.4 – Chedoke Browlands (Area B) have been met.

Other Policies

- k) Significant views to and from the Escarpment Urban Area shall be maintained and enhanced, consistent with the cultural heritage landscape.
- l) Surface parking shall be prohibited between Scenic Drive and the main wall of any building that faces Scenic Drive.
- m) The majority of parking shall be accommodated either through underground structures or within buildings.
- n) A minimum of 30% of landscaped open space shall be maintained for each of Areas B-1 and B-2. In order to preserve the open, park-like setting, the established groupings of trees shall be preserved, where possible.

- o) Continuous building walls along Scenic Drive shall be prohibited. Buildings shall provide appropriate spacing based on building height to allow light, reduce shadow impacts and provide privacy between buildings. The spacing of the buildings will also promote views into and through the site.
- p) All block townhouse units shall have the principal front door orientated towards Scenic Drive or an internal private condominium road or driveway. For townhouse units fronting both Scenic Drive and an internal public street, private condominium road or driveway, the principal entrance shall be orientated towards the public street.
- q) All apartment buildings shall have a minimum podium height of 2 storeys and a maximum podium height of 4 storeys. Those portions of apartment buildings that abut Scenic Drive shall be setback above 4 storeys.
- r) Green roofs shall be incorporated, where feasible, for all buildings that exceed 4 storeys in height.
- s) Development of the Chedoke Browlands (Area B) shall incorporate sustainable site and building features and technologies to minimize energy consumption, conserve water, reduce waste, improve air quality and promote human health and wellbeing. All new development shall incorporate Leadership in Energy and Environmental Design (LEED) certification for new construction and neighbourhood development and Low Impact Development (LID) approaches, where possible.

#### 6.3.7.2.5 Transportation

In addition to Section C.4 – Integrated Transportation Network of Volume 1 and Policy B.6.3.6 of Volume 2, the following policies shall also apply:

- a) The Chedoke Browlands (Area B) will be developed on the premise of a network of private driveways together with a private condominium road or public street, with a minimum of two driveway accesses to Scenic Drive.
- b) New development shall support the use of public transit by creating a comfortable pedestrian environment with links to the public arterial road system where transit will be provided.
- c) A pedestrian pathway network shall be established throughout the Chedoke Browlands (Area B) to connect to the Brow Trail. A public access easement shall be granted for pedestrian linkages within the



north-south portion of the private road (as shown as a dashed line on Map B.6.3-1 Chedmac Secondary Plan – Land Use Plan).

- d) A roundabout may be required at the southerly intersection of Scenic Drive and the private road (as shown as a dashed line on Map B.6.3-1 – Chedmac Secondary Plan – Land Use Plan) and any land required to accommodate the roundabout shall be dedicated to the City.
- e) The Owner shall submit a streetscape plan for existing Sanatorium Road either as a private condominium road or as a public street.
- f) A bicycle pathway, as identified in the City’s Trails Master Plan, shall be provided and maintained through an easement along the north-south alignment of the Sanatorium Road either as a private condominium road or public street (as shown as a dashed line on Map B.6.3-1 – Chedmac Secondary Plan – Land Use Plan).
- g) Any private condominium road shall be engineered and built to carry the load of fire apparatus to the satisfaction of the Fire Chief.

#### 6.3.7.2.6 Cultural Heritage Resources

In addition to Section B.3.4 – Cultural Heritage Resources of Volume 1, the following policies shall also apply:

- a) The lands contained within the Chedoke Browlands (Area B) have been included in the City of Hamilton’s Inventory of Buildings of Architectural and/or Historical Interest, Appendix A: Inventory of Cultural Heritage Landscapes, as such, development and redevelopment within the Chedoke Browlands (Area B) shall be sympathetic to the cultural heritage landscape and shall ensure the conservation of significant built heritage and cultural heritage resources.
- b) The Chedoke Browlands (Area B) shall be developed in accordance with the following built heritage conservation and planning principles and objectives:
  - i) The continuation of a pedestrian corridor along the brow of the Niagara Escarpment;
  - ii) The protection and retention of the “Long and Bisby” Building as shown as LB on Map B.6.3-2 – Chedmac Secondary Plan – Cultural Heritage Landscapes, in situ and through sympathetic adaptive reuse;
  - iii) A new building in the location of the former “Brow Infirmary” Building shall be designed to respect the heritage architecture of

the original building shall be constructed in the same approximate building footprint to a maximum height of 4 storeys and be set back from the staked limit of the brow of the Niagara Escarpment no closer than the existing “Brow Infirmary” Building;

- iv) The preservation and conservation of the pedestrian bridge over the Chedoke Creek and the stone vehicular bridge and associated stone wall/pillars; and,
- v) The preservation and conservation of other heritage resources shall be encouraged. Where these resources cannot be retained, then the City will require the appropriate documentation of all buildings to be demolished be provided prior to removal.

#### Cultural Heritage Landscapes

- c) The cultural heritage landscape consists of the curvilinear street pattern, open park-like setting, the undulating topography, the natural areas, the views through the site and the spatial organization of the buildings. In addition, the buildings themselves, the pedestrian bridge, the Cross of Lorraine, the stone pillars and stone wall, the stormwater management facility and Escarpment stairs are elements of the cultural heritage landscape.
- d) Development within the Chedoke Browlands (Area B) shall have regard to the following cultural heritage landscape requirements:
  - i) Development shall be compatible with the existing cultural heritage landscape, such that open spaces, plantings and the curvilinear street pattern are maintained and/or referenced in the new development and that the layout and scale of buildings reflect the existing site, where possible;
  - ii) The existing topography of the perimeter roads, woodlots and Chedoke Creek and stormwater management facility shall be maintained, where feasible.
  - iii) The existing trees and vegetation within the Chedoke Creek/stormwater management facility shall be maintained and enhanced.
  - iv) A tree preservation plan shall be submitted to determine the opportunities for the protection and preservation of individual trees and the recommendations shall be implemented to the satisfaction of the City. The plan shall be prepared in association with the Heritage Impact Assessment so that trees that contribute to the

cultural heritage landscape can be identified and considered for preservation;

- v) Significant view and view corridors to, through, and from Chedoke Browlands (Area B) shall be protected, as identified in the Master Site Plan, identified in Section B.6.3.7.2.4 – Urban Design of Volume 2.
- vi) An open, park-like landscape setting shall be provided in front of the “Long and Bisby” Building. Limited parking may be permitted provided there are no other feasible alternative locations; and,
- vii) The existing curvilinear road alignment of old Sanatorium Road shall be respected, where technically feasible.

#### Cultural Heritage Impact Assessment

- e) A Cultural Heritage Impact Assessment or Assessments shall be undertaken prior to Site Plan Approval for any development within Chedoke Browlands (Area B) and shall contain the following matters:
  - i) Identification and evaluation of the following potentially affected cultural heritage resource(s): The “Long and Bisby” Building; including detailed site(s) history and cultural heritage resource inventory containing textual and graphic documentation;
  - ii) A descriptive of the proposed development or site alteration and alternative forms of the development or site alteration;
  - iii) A description of all cultural heritage resource(s) to be affected by the development and its alternative forms;
  - iv) A description of the effects on the cultural heritage resource(s) by the proposed development or site alteration and its alternative forms; and,
  - v) A description of the measures necessary to mitigate the adverse effects of the development or site alteration and its alternatives upon the cultural heritage resource(s).
- f) The City may require that, as part of the development or redevelopment of the lands, heritage features be retained on site and incorporated, used for adaptively re-used as appropriate.
- g) Where appropriate, the City may impose a condition on any development approval for the retention and conservation of the affected heritage features or the implementation of recommended mitigation

measures through heritage easements pursuant to the *Ontario Heritage Act* and/or Development Agreements.

#### Archaeology

- h) An Archaeological Assessment shall be undertaken by an Ontario licensed archaeologist for the entire site to the satisfaction of the Ministry of Culture and the City of Hamilton prior to any development or site alteration (including site grading, tree planting/removal and topsoil disturbance);
- i) Where archaeological features are identified, the development proponent shall develop a plan, to protect, salvage or otherwise conserve the features within the context of the proposed development as recommended by a licensed archaeologist and approved by the Province and the City of Hamilton.

#### 6.3.7.2.7 Stormwater Management and Engineering

In accordance with Section C.5.4 – Storm Water Management of Volume 1, the following policies shall also apply:

- a) Stormwater management facilities shall follow an integrated design process. The design of the facilities shall respect the recommendations of the Tree Preservation Plan and Heritage Impact Assessment.
- b) Submission of engineering and grading plans for stormwater management facilities shall demonstrate a low impact design and how impact to the important heritage features identified will be minimized.
- c) Due to the sensitive nature of the site a detailed engineering submission outlining how excavation for footings or underground parking on the subject lands can be achieved without adversely affecting the stability of the Niagara Escarpment. The report shall consider utilizing methods other than blasting, where possible.

#### 6.3.7.2.8 Implementation

- a) The “H” Holding provisions in the implementing Zoning By-law shall include the following requirements and maybe lifted for portions of the site to allow development to occur in phases:
  - i) The Master Site Plan and/or Master Plan for the relevant development phase has been prepared to the satisfaction of the City;

- ii) Studies or updates/addenda to existing studies, as determined by the Director of Planning and Chief Planner, have been prepared which inform and support the master plan(s), and which may include:
  - 1. Sustainability Strategy;
  - 2. Detailed Cultural Heritage Impact Assessment(s);
  - 3. Stormwater Management Report that considers Low Impact Development opportunities;
  - 4. Tree Preservation/Protection Plan;
  - 5. Traffic Impact Study;
  - 6. Visual Impact Assessment or Update;
  - 7. Archeological Assessments,;
  - 8. Geotechnical/Engineering Study; and,
  - 9. Detailed Servicing Strategy;
- iii) The urban design guidelines have been prepared in accordance with Policy F.3.2.5.2 of Volume 1, to the satisfaction of the City;
- iv) An Urban Design Report has been submitted to demonstrate, to the satisfaction of the Director of Planning, compliance with the urban design policies contained in Section B.3.3 – Urban Design Policies of Volume 1 and Section B.6.3.7.2.4 – Chedoke Browlands (Area B).

Appendix N  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

- Lands to be redesignated from "Low Density Residential (Infill)" and "Low Density Residential 1" to "Low Density Residential 3b"
- Lands to be redesignated from "Low Density Residential 1" to "Institutional"
- Proposed road to be deleted
- Lands to be redesignated from "Low Density Residential 1" to "Low Density Residential 2c"
- Lands to be redesignated from "Low Density Residential (Infill)" to "Low Density Residential 2c"
- Lands to be redesignated from "Low Density Residential (Infill)" to "Institutional"
- Lands to be redesignated from "Low Density Residential (Infill)" to "Low Density Residential 2a"
- Proposed road pattern to be added

Add "Low Density Residential 2c" to the Legend

Date:  
July 16, 2018

Revised By:  
CP/NB

Reference File No.:  
OPA-U-109(A)

**Legend**

**Residential Designations**

- Low Density Residential (Infill)
- Low Density Residential 1
- Low Density Residential 2a
- Low Density Residential 3b

**Parks and Open Space Designations**

- Parkette
- Neighbourhood Park
- General Open Space
- Natural Open Space

**Other Designations**

- Local Commercial
- Institutional
- Utility
- SWM** Storm Water Management

**Other Features**

- Area or Site Specific Policy
- Proposed Roads
- Secondary Plan Boundary

Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Meadowlands Neighbourhood III**  
**Secondary Plan**  
 Land Use Plan  
 Map B.2.5-1



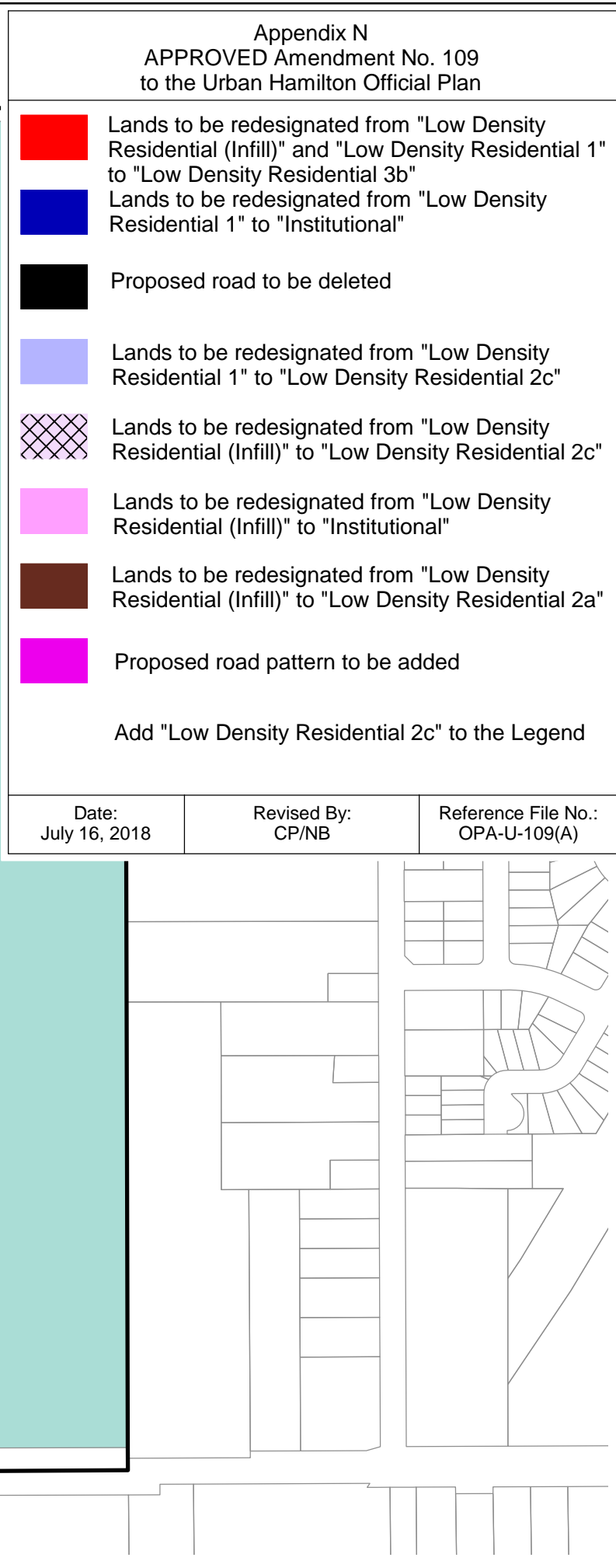
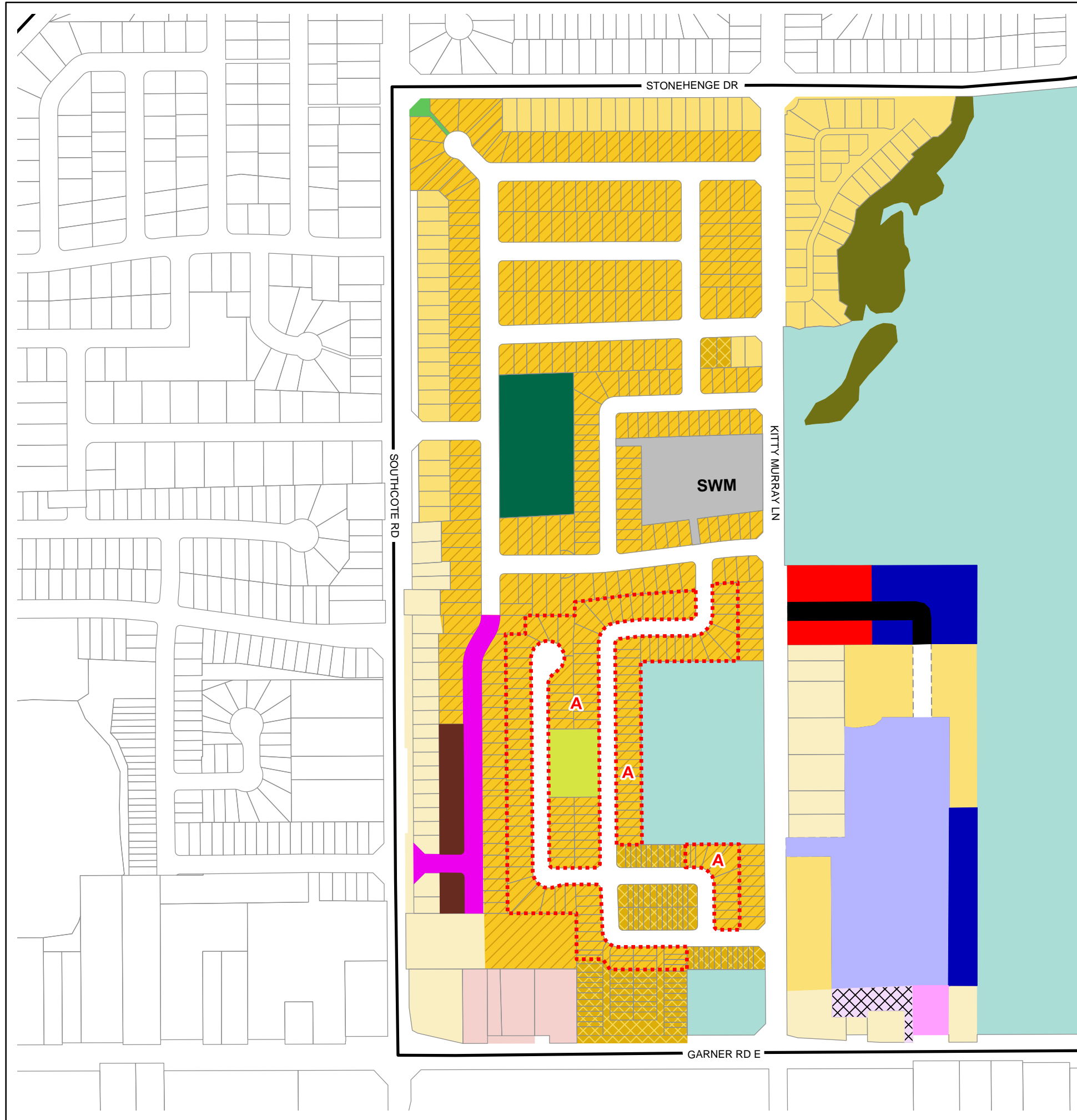
Not To Scale



Hamilton

Date: Aug. 16, 2013

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Terane Land Information Services Inc. and its licensors. [2009]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY



Appendix O  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

■ Lands to be redesignated from "Low Density Residential 2b" to "Institutional" and removed from Site Specific Policy Area "D"  
 (452, 460 and 480 Springbrook Avenue, Ancaster)

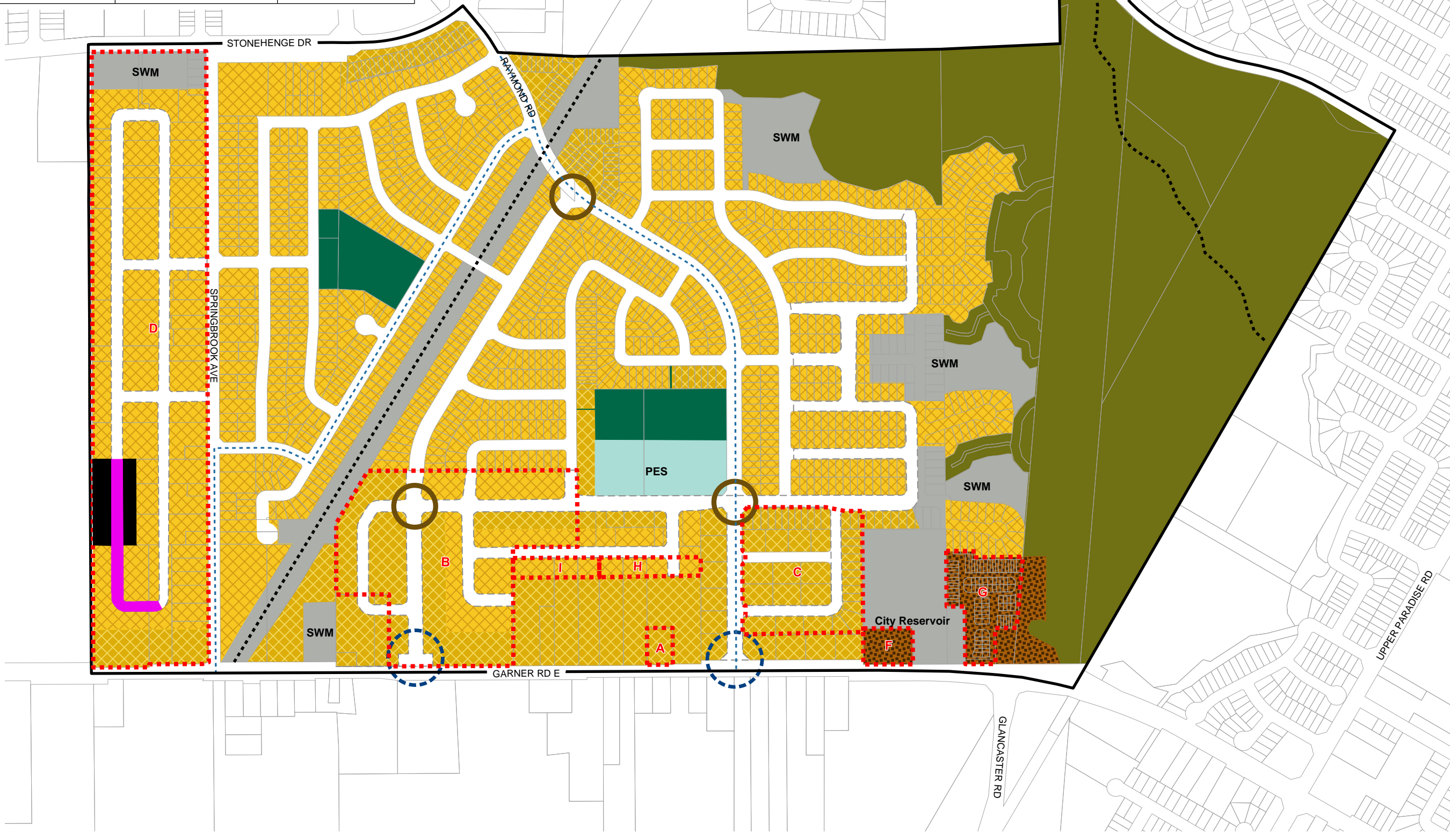
■ Proposed Road to be deleted

(452, 460 and 480 Springbrook Avenue, Ancaster)

Date:  
 July 16, 2018

Revised By:  
 CP/NB

Reference File No.:  
 OPA-U-109(A)



**Legend**

- Residential Designations**
  - Low Density Residential 2b
  - Low Density Residential 3b
  - Medium Density Residential 2c
- Parks and Open Space Designations**
  - Neighbourhood Park
  - Natural Open Space
- Other Designations**
  - Institutional
  - PES Public Elementary School
  - Utility
  - SWM Storm Water Management
- Other Features**
  - Area or Site Specific Policy
  - Feature Intersection
  - Gateway
  - On Street Bikeway
  - Trail Connection
  - Proposed Roads
  - Secondary Plan Boundary

Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Meadowlands Neighbourhood IV**  
**Secondary Plan**  
 Land Use Plan  
 Map B.2.6-1

Not To Scale

Date: April 2017  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Terane Land Information Services Inc. and its licensors. [2009]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

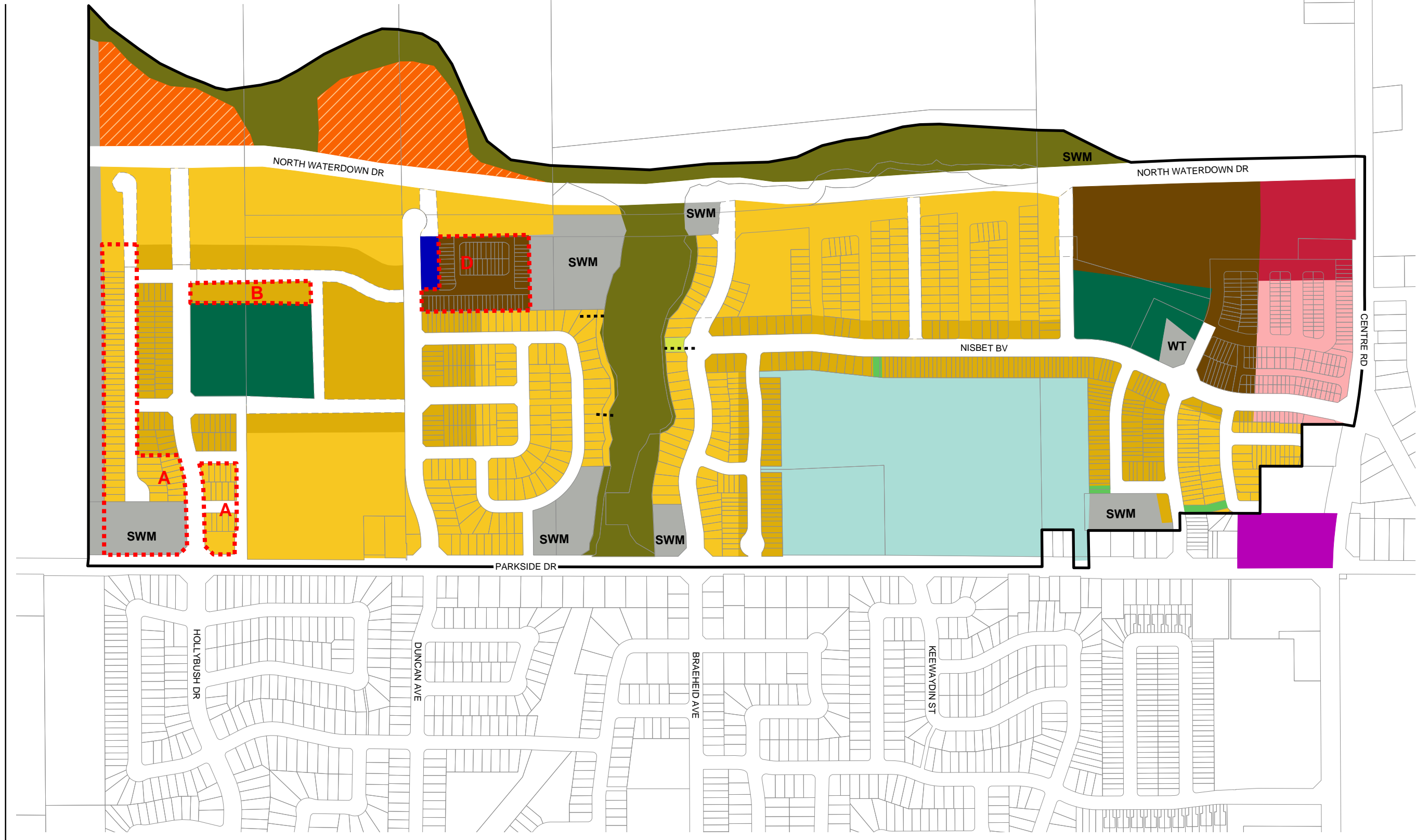
Appendix P  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

- Lands to be added to Area Specific Policy Area "D"
- Lands to be added to Waterdown North Secondary Plan and designated "Medium Density Residential 3"

Date: July 16, 2018	Revised By: CP/NB	Reference File No.: OPA-U-109(F)
------------------------	----------------------	-------------------------------------

**Legend**

- Residential Designations**
- Low Density Residential 2
  - Low Density Residential 3
  - Medium Density 3
  - High Density Residential 1
- Commercial and Mixed Use Designations**
- Mixed Use - Medium Density
  - District Commercial
- Parks and Open Space Designations**
- Parkette
  - Neighbourhood Park
  - General Open Space
  - Natural Open Space
- Other Designations**
- Institutional
  - Utility
  - SWM** Storm Water Management
  - WT** Water Tower
- Other Features**
- Area or Site Specific Policy
  - Walkways
  - Proposed Roads
  - Secondary Plan Boundary



Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan  
 Waterdown North  
 Secondary Plan  
 Land Use Plan  
 Map B.4.2-1**

Not To Scale


Date: October 2016

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

© Terane Land Information Services Inc. and its licensors. [2009]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY



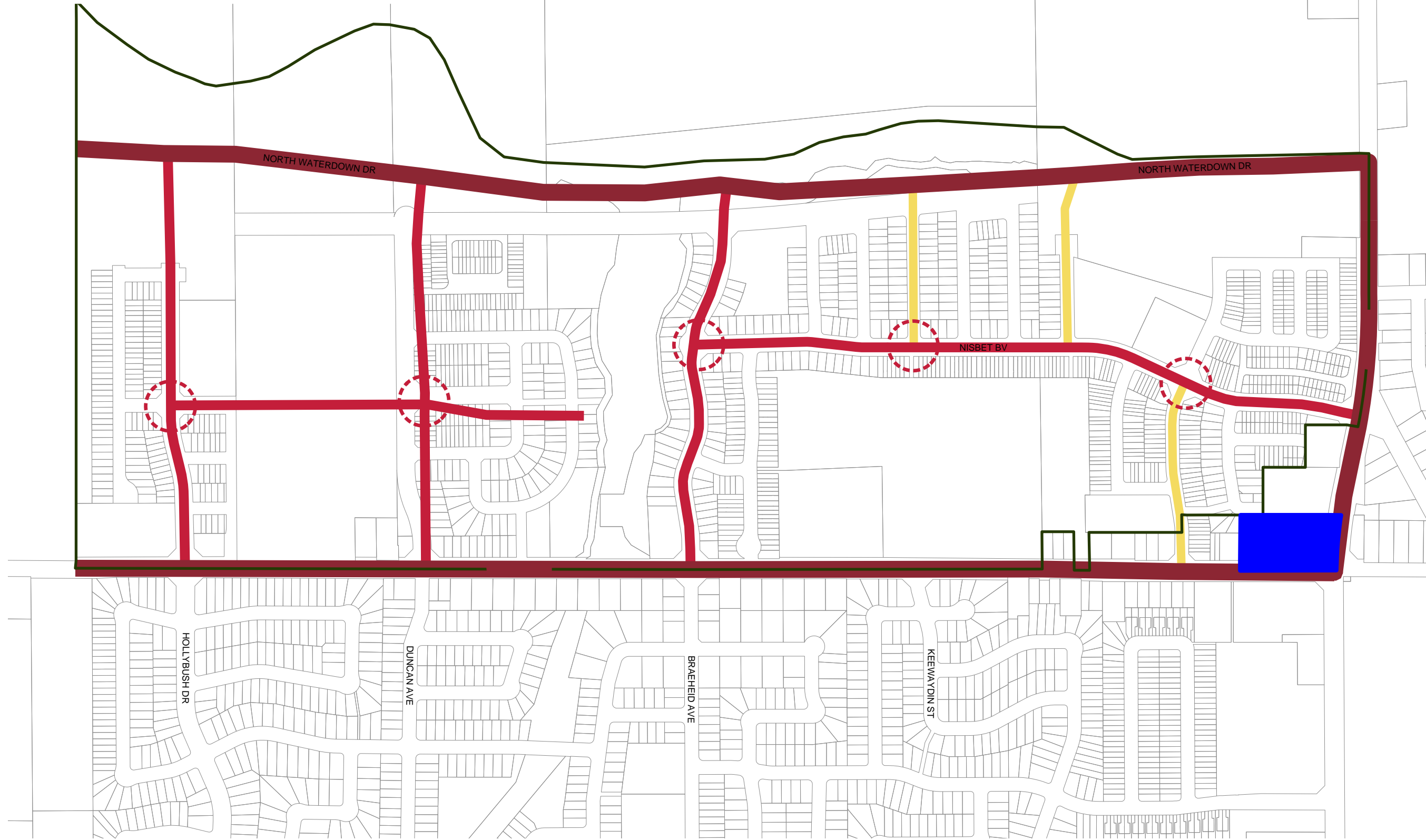
Appendix Q  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

 Lands to be added to Waterdown North  
 Secondary Plan Boundary

Date:  
 July 16, 2018

Revised By:  
 CP/NB

Reference File No.:  
 OPA-U-109(F)



**Legend**

-  Arterial Road
-  Major Collector Road
-  Minor Collector Road
-  Roundabout
-  Secondary Plan Boundary


Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Waterdown North**  
**Secondary Plan**  
 Road Classification Plan  
 Map B.4.2-2



Date: Sept. 12, 2013  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Terane Land Information Services Inc. and its licensors. [2009]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN  
 OF SURVEY.

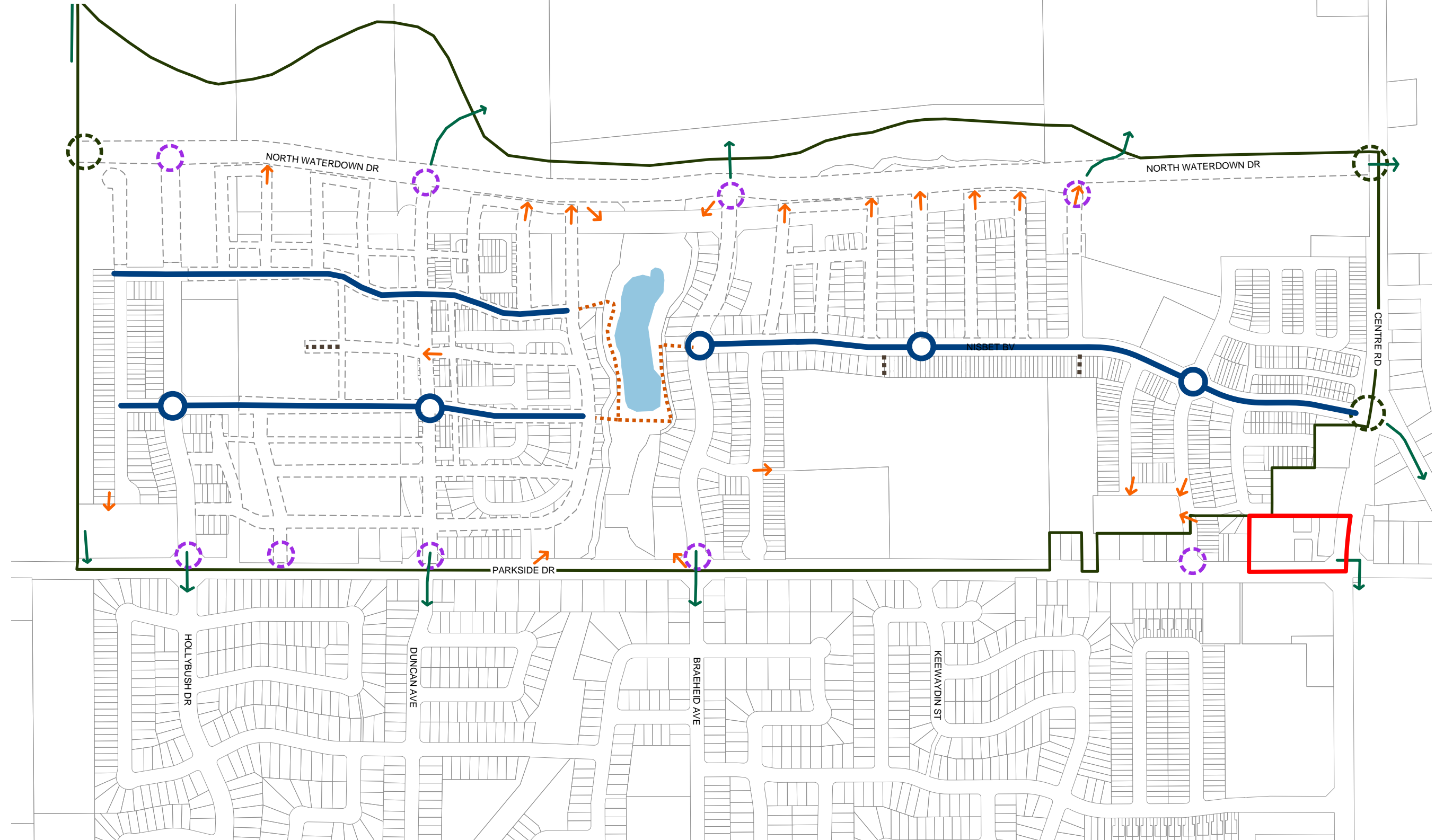
Appendix R  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

 Lands to be added to Waterdown North  
 Secondary Plan Boundary

Date:  
 July 16, 2018

Revised By:  
 CP/NB

Reference File No.:  
 OPA-U-109(F)



**Legend**

-  Valley Pond
-  Community Gateway
-  Neighbourhood Gateway
-  Community Spine
-  Walkway
-  East West Pedestrian Linkage
-  Off-Site Pedestrian Linkage
-  Primary Views/Vistas
-  Proposed Roads
-  Secondary Plan Boundary

Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Waterdown North**  
**Secondary Plan**  
 Community Structure Plan  
 Appendix A



Not To Scale



Date: January 2017  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Terane Land Information Services Inc. and its licensors. [2009]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN  
 OF SURVEY

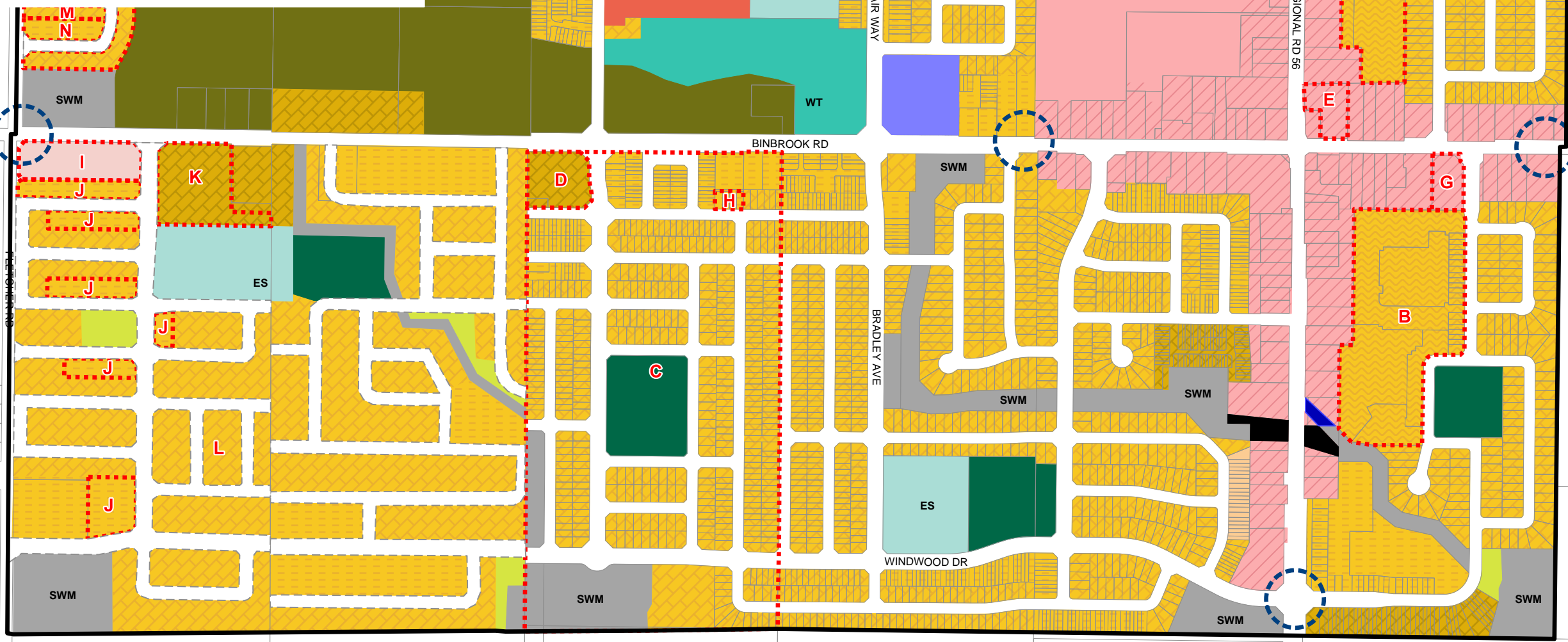
Appendix S  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

- Lands to be redesignated from "Mixed Use - Medium Density - Pedestrian Predominant" to "Utility"
  - Lands to be redesignated from "Utility" to "Mixed Use - Medium Density - Pedestrian Predominant"
  - Lands to be redesignated from "Parkette" to "Low Density Residential 2h"
  - Lands to be redesignated from "Low Density Residential 2h" to "Low Density Residential 2e"
  - Lands to be redesignated from "Low Density Residential 2e" to "Low Density Residential 2h"
  - Lands to be redesignated from "Low Density Residential 3e" to "Low Density Residential 3c"
  - Delete "Proposed Roads"
- Add "Low Density Residential 3c" designation to the Legend

Date:  
July 16, 2018

Revised By:  
CP/NB

Reference File No.:  
OPA-U-109(G)



**Legend**

- Residential Designations**
  - Low Density Residential 2d
  - Low Density Residential 2e
  - Low Density Residential 2h
  - Low Density Residential 3e
- Commercial and Mixed Use Designations**
  - Local Commercial
  - District Commercial
  - Mixed Use Medium
  - Mixed Use - Medium Density - Pedestrian Predominant
- Parks and Open Space Designations**
  - Parkette
  - Neighbourhood Park
  - Community Park
  - General Open Space
  - Natural Open Space
- Other Designations**
  - Institutional
  - ES** Elementary School
  - Utility
  - SWM** Storm Water Management
- Other Features**
  - Area or Site Specific Policy
  - Gateway
  - WT** Water Tower
  - Pipeline
  - Proposed Roads
  - Secondary Plan Boundary







Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Binbrook Village**  
**Secondary Plan**  
 Land Use Plan  
 Map B.5.1-1



Date: April 10, 2018  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Teranel Land Information Services Inc. and its licensors. [2009]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY.

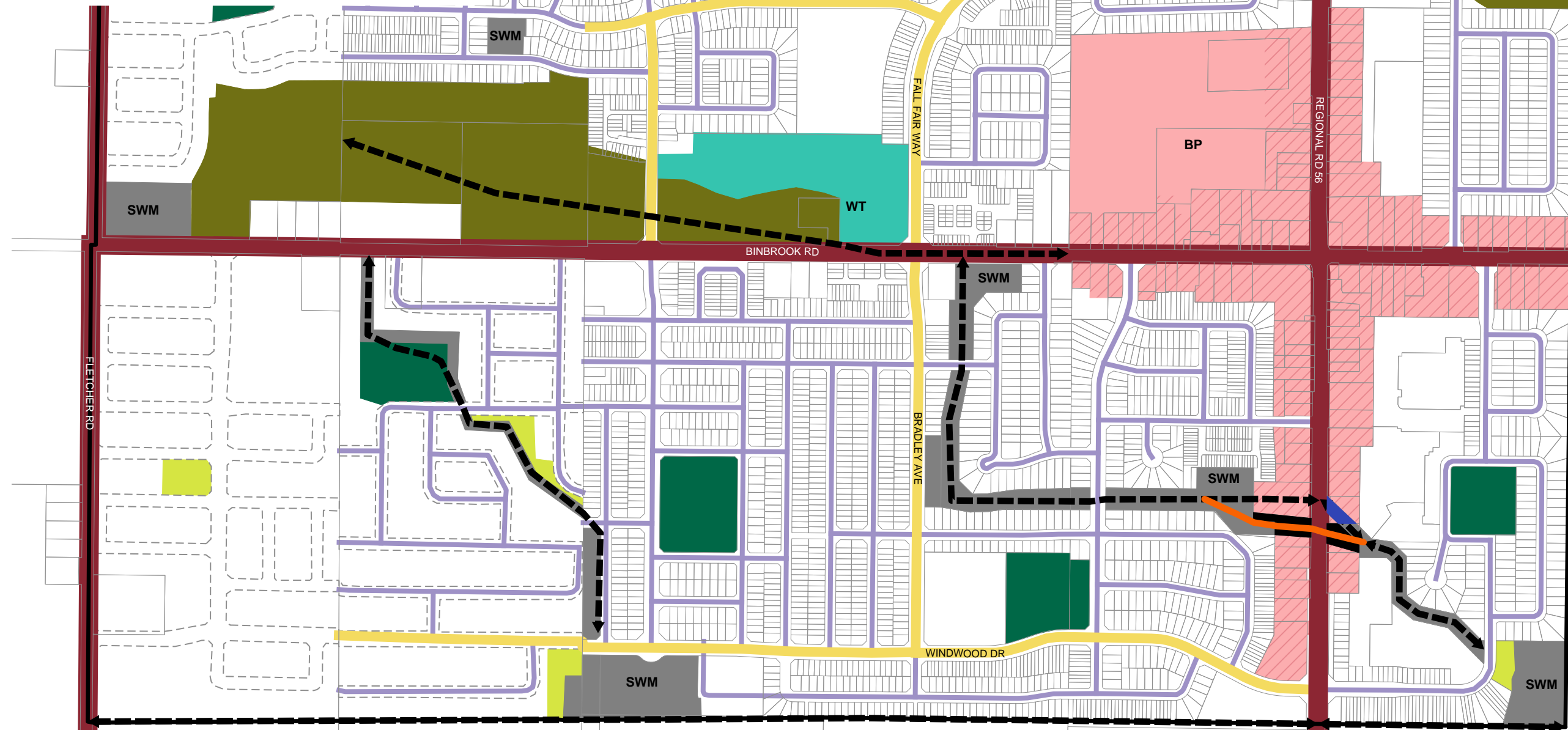
Appendix T  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

-  Remove "Mixed Use - Medium Density - Pedestrian Predominant" designation and identify as "Drainage Channel/Public Walkway"
-  Remove "Drainage Channel/Public Walkway" from lands and designate as "Mixed Use - Medium Density - Pedestrian Predominant"
-  Delete "Proposed Roads"
-  Remove "Parkette" designation
-  Remove "Open Space Linkages"
-  Realign "Open Space Linkages"

Date:  
July 16, 2018



Revised By:  
CP/NB

Reference File No.:  
OPA-U-109(G)








**Legend**



**Commercial and Mixed Use Designations**

-  Mixed Use - Medium Density
-  Mixed Use - Medium Density - Pedestrian Predominant





**Open Space Designations**

-  Parkette
-  Neighbourhood Park
-  Community Park
-  General Open Space
-  Natural Open Space





**Storm Water Management Facilities**

-  SWM Storm Water Management
-  Drainage Channel/ Public Walkway

**Road Hierarchy**

-  Arterial
-  Collector
-  Local
-  Proposed Roads

**Other Features**

-  BP Binbrook Park
-  WT Water Tower
-  Open Space Linkages
-  Secondary Plan Boundary

Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Binbrook Village**  
**Secondary Plan**  
 Open Space Linkages  
 Map B.5.1-2



Date: August 2017  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Terane Land Information Services Inc. and its licensors. [2009]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

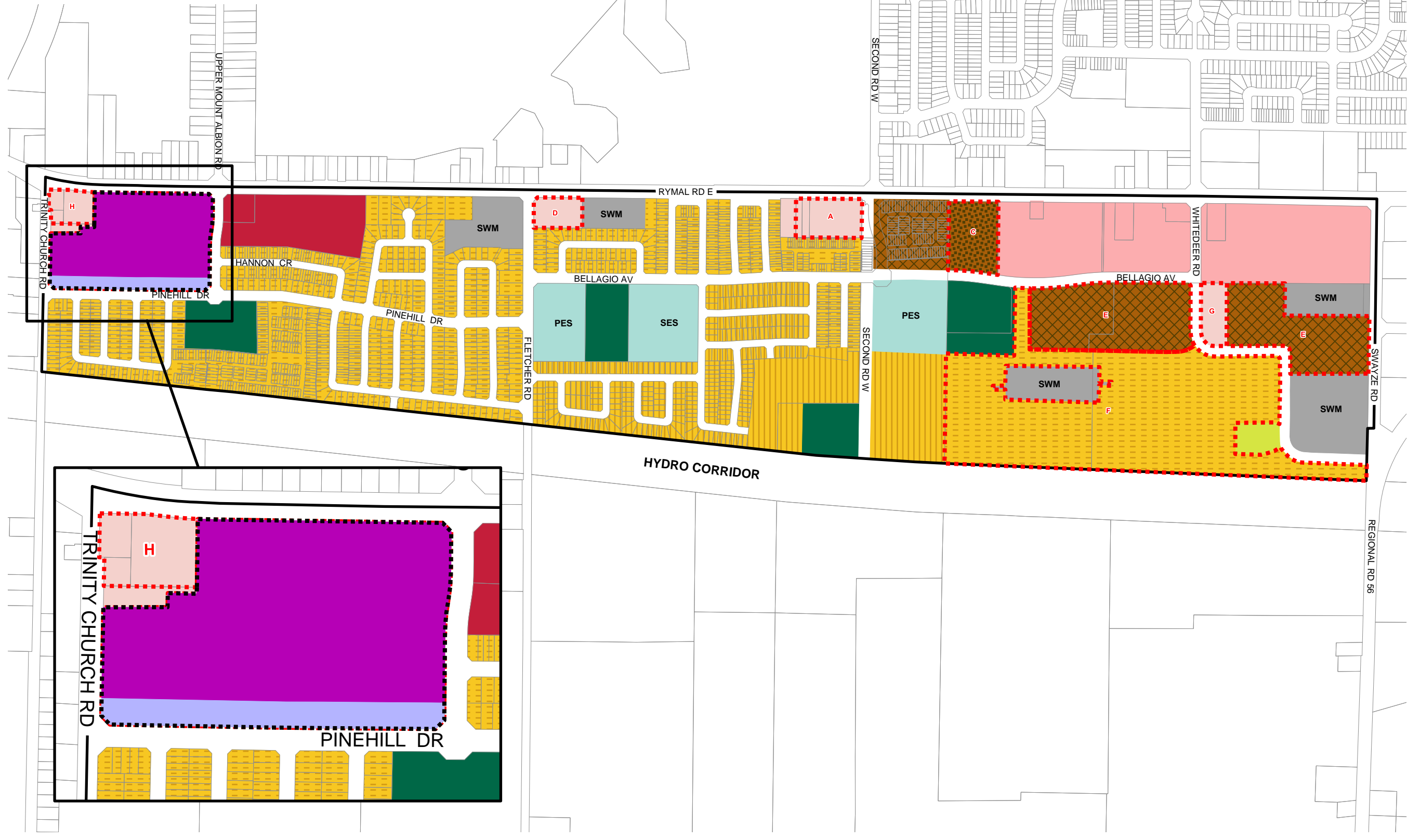
Appendix U  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

- Lands to be redesignated from "Medium Density Residential 2c" to "Low Density Residential 2h"
- Lands to be redesignated from "Medium Density Residential 2c" to "Institutional"
- Remove Area Specific Policy Area "B"

Date:  
July 16, 2018

Revised By:  
CP/NB

Reference File No.:  
OPA-U-109(H)



**Legend**

- Residential Designations**
- Low Density Residential 2g
  - Low Density Residential 2h
  - Medium Density Residential 2b
  - Medium Density Residential 2c
- Commercial and Mixed Use Designations**
- Local Commercial
  - Mixed Use - Medium Density
  - District Commercial
- Parks and Open Space Designations**
- Parkette
  - Neighbourhood Park
- Other Designations**
- Institutional
  - PES** Public Elementary School
  - SES** Separate Elementary School
  - PSS** Public Secondary School
  - Utility
  - SWM** Storm Water Management
- Other Features**
- Area or Site Specific Policy
  - Proposed Roads
  - Secondary Plan Boundary

Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Rymal Road**  
**Secondary Plan**  
 Land Use Plan  
 Map B.5.2-1

Not To Scale

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Terane Land Information Services Inc. and its licensors. [2009]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

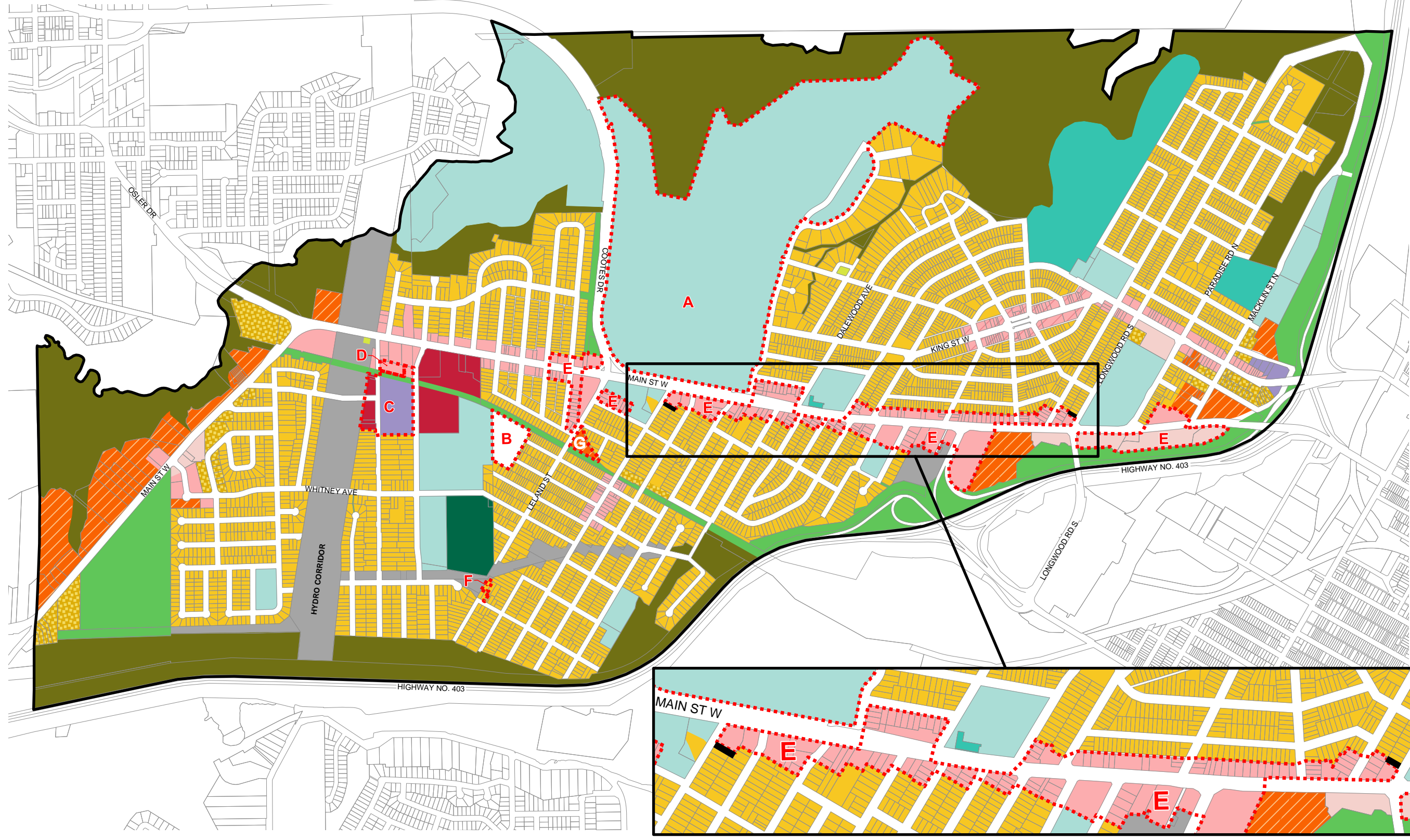
Appendix V  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

■ Lands to be redesignated from "Low Density Residential 2" to "Mixed Use - Medium Density" and added to Area Specific Policy - Area E (15 Emerson Street and 122 Longwood Road, Hamilton)

Date:  
 July 16, 2018

Revised By:  
 CP/NB

Reference File No.:  
 OPA-U-109(H)



**Legend**

**Residential Designations**

- Low Density Residential 2
- Low Density Residential 3c
- High Density Residential 1

**Commercial and Mixed Use Designations**

- Local Commercial
- Mixed Use - Medium Density
- Mixed Use - Medium Density - Pedestrian Predominant
- District Commercial

**Parks and Open Space Designations**

- Parkette
- Neighbourhood Park
- Community Park
- General Open Space
- Natural Open Space

**Other Designations**

- Institutional
- Employment Area - Industrial Lands
- Utility

**Other Features**

- Area or Site Specific Policy
- Secondary Plan Boundary

Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Ainslie Wood Westdale**  
**Secondary Plan**  
 Land Use Plan  
 Map B.6.2-1



Not To Scale

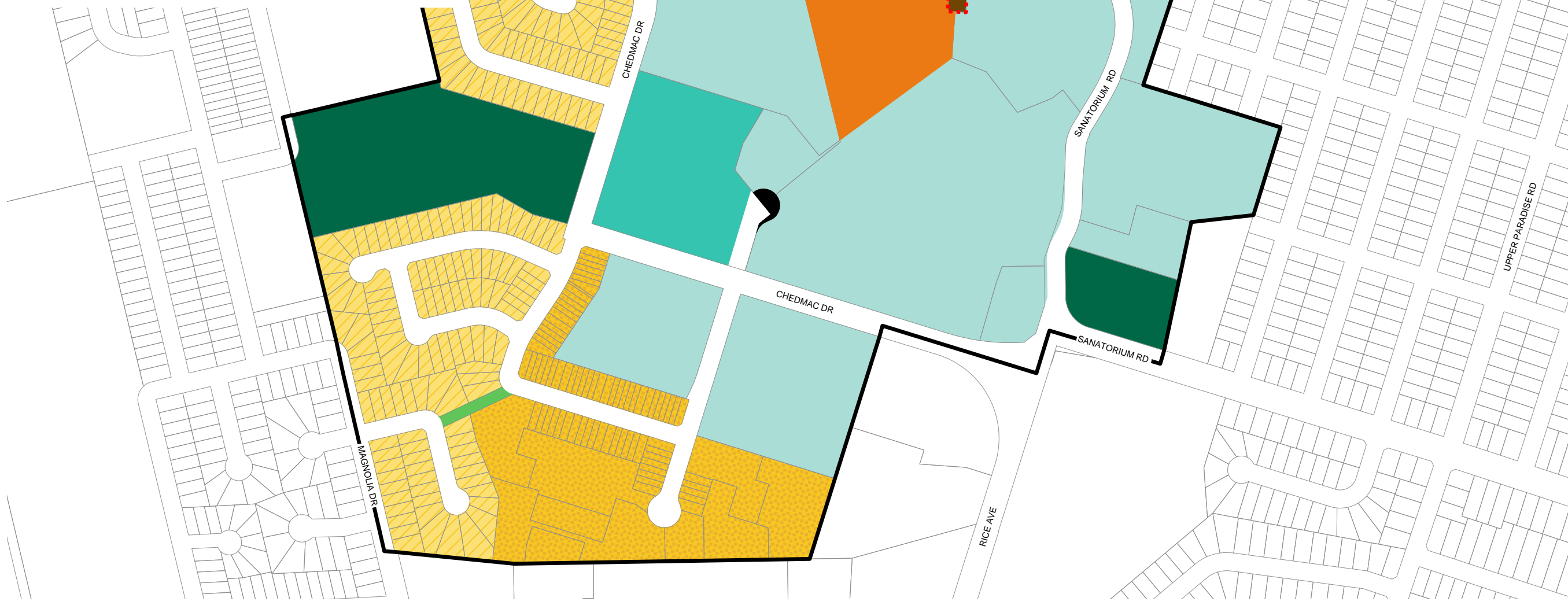













PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Teranez Land Information Services Inc. and its licensors. [2009]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY.

Appendix W  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

-  Lands to be added to Chedmac Secondary Plan Boundary and identified as Area Specific Policy Area "B"
  -  **B-1** Lands to be designated "Medium Density Residential 3" and identified as Site Specific Policy - Area "B-1"
  -  **B-2** Lands to be designated "Medium Density Residential 3" and identified as Site Specific Policy - Area "B-2"
  -  **B-3** Lands to be designated "Natural Open Space" and identified as Site Specific Policy - Area "B-3"
  -  **B-4** Lands to be designated "Natural Open Space" and identified as Site Specific Policy - Area "B-4"
  -  Lands to be designated "Natural Open Space"
  -  Lands to be redesignated from "Institutional" to "Low Density Residential 1"
  -  Lands to be redesignated from "Institutional" to "Low Density Residential 2c"
  -  Lands to be removed from "Institutional" designation and add to the Road
  -  Add Proposed Private Road
- Add "Natural Open Space" and "Low Density Residential 1" to Legend  
 Add "Proposed Private Roads" to the Legend

Date: July 16, 2018	Revised By: CP/NB	Reference File No.: OPA-U-109(H)
------------------------	----------------------	-------------------------------------



- Legend**
- Residential Designations**
-  Low Density Residential 1a
  -  Low Density Residential 2c
  -  Medium Density Residential 3
- Parks and Open Space Designations**
-  Neighbourhood Park
  -  Community Park
  -  General Open Space
- Other Designations**
-  Institutional
  -  Utility
  -  Area or Site Specific Policy
  -  Storm Water Management
- Other Features**
-  Secondary Plan Boundary

Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Chedmac**  
**Secondary Plan**  
 Land Use Plan  
 Map B.6.3-1

Date: April 2017

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

© Terane Land Information Services Inc. and its licensors. [2018]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

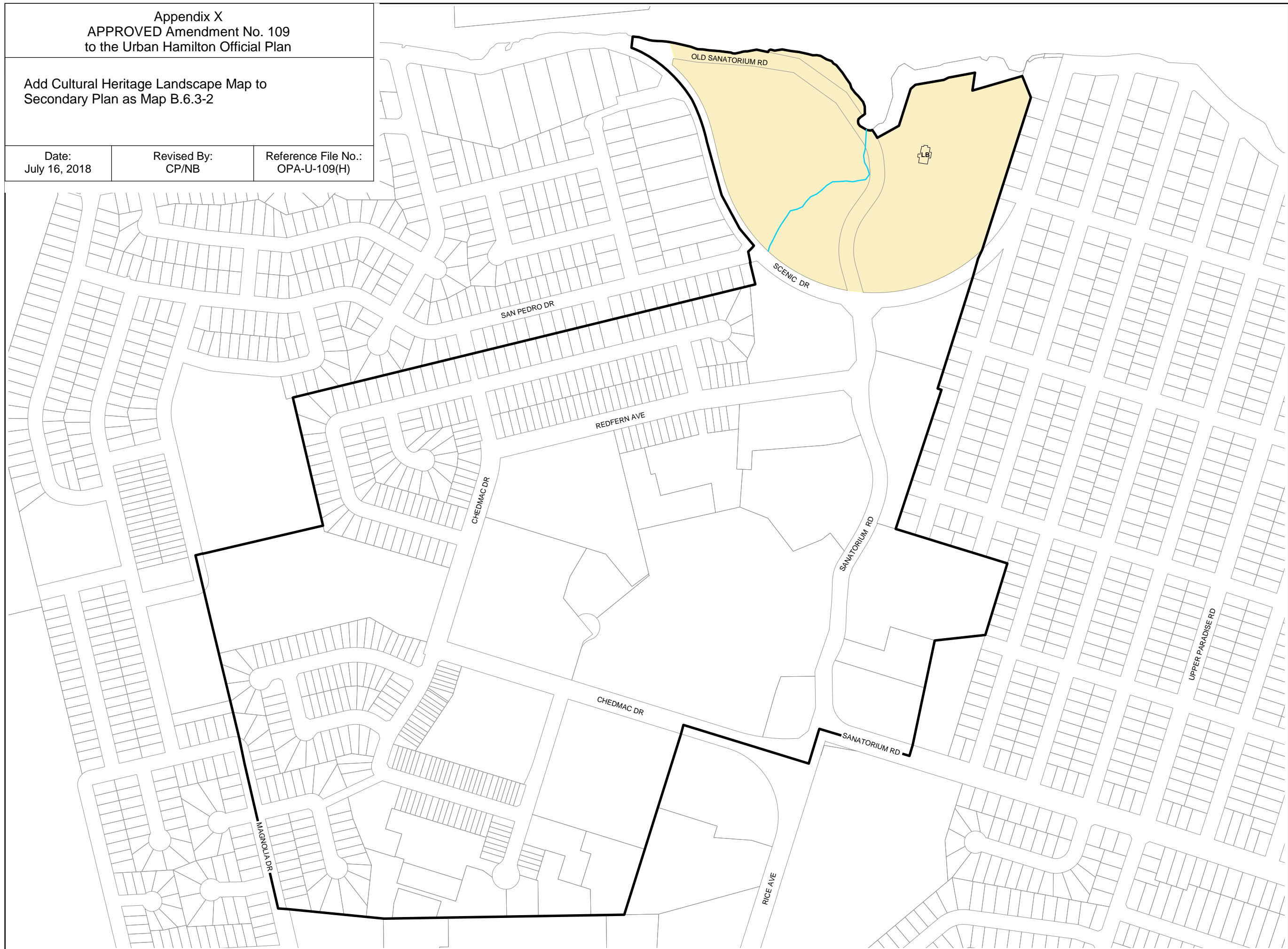
Appendix X  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

Add Cultural Heritage Landscape Map to  
 Secondary Plan as Map B.6.3-2

Date:  
 July 16, 2018

Revised By:  
 CP/NB

Reference File No.:  
 OPA-U-109(H)



**Legend**

- Cultural Heritage Landscape
- Stream
- Buildings (Approximate Location)
- LB Long and Bisby
- Secondary Plan Boundary

**Urban Hamilton Official Plan**  
**Chedmac**  
**Secondary Plan**  
 Cultural Heritage Landscapes  
 Map B.6.3-2




Not To Scale



PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Teranel Land Information Services Inc. and its licensors. [2018]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN  
 OF SURVEY.



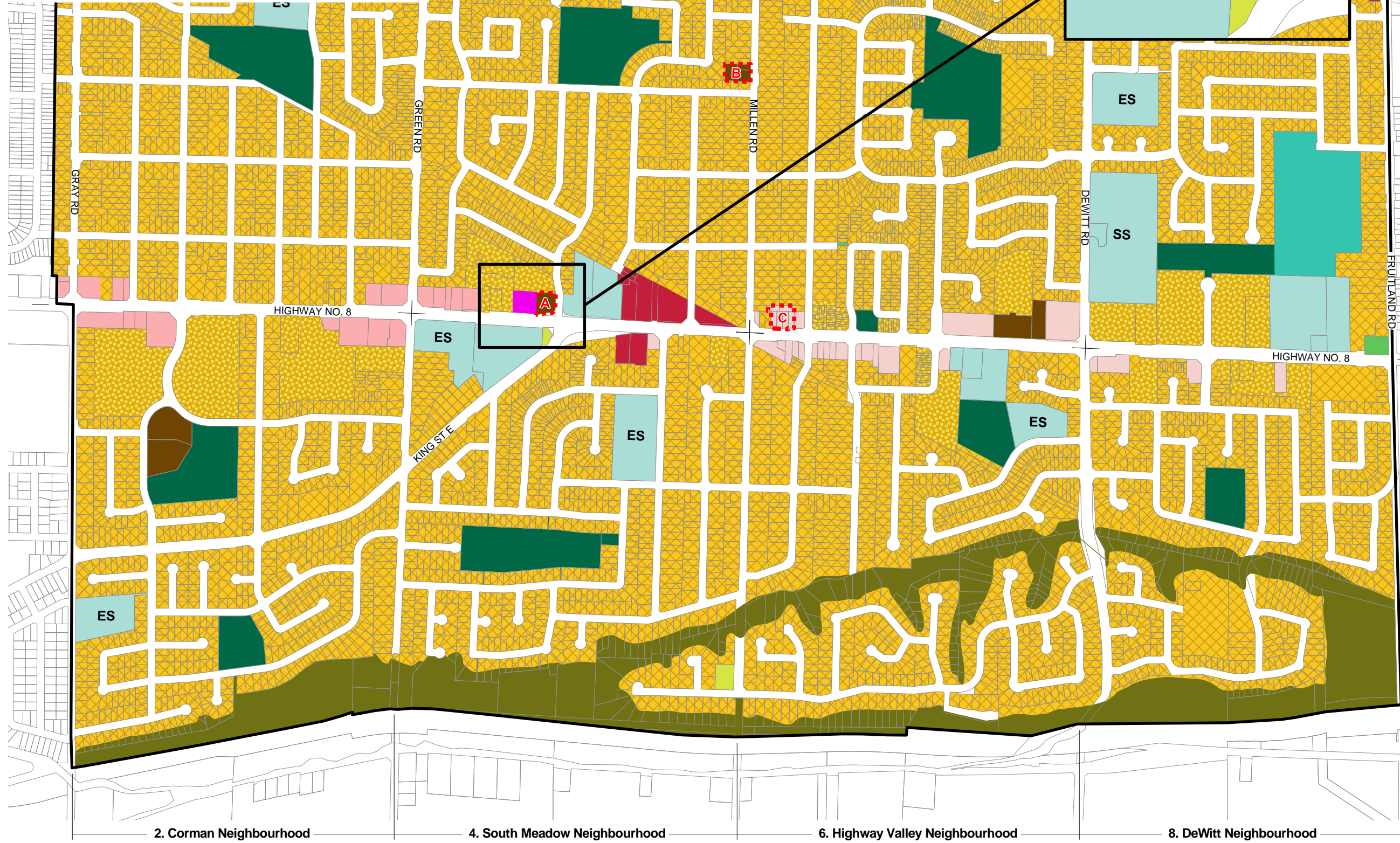
Appendix Y  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

 Lands to be redesignated from "Low Density Residential 3c" to "High Density Residential 1"  
 Add "High Density Residential 1" to Legend  
 (315 and 319 Highway No. 8, Stoney Creek)

Date:  
 July 16, 2018

Revised By:  
 CP/NB

Reference File No.:  
 OPA-U-109(S)



**Legend**

- Residential Designations**
-  Low Density Residential 2b
  -  Low Density Residential 3c
  -  Medium Density Residential 3
- Commercial and Mixed Use Designations**
-  Local Commercial
  -  Mixed Use - Medium Density
  -  District Commercial
- Parks and Open Space Designations**
-  Parkette
  -  Neighbourhood Park
  -  Community Park
  -  General Open Space
  -  Natural Open Space
- Other Designations**
-  Institutional
  - ES** Elementary School
  - SS** Secondary School
- Other Features**
-  Area or Site Specific Policy
  -  Secondary Plan Boundary





Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Western Development Area**  
**Secondary Plan**  
 Land Use Plan  
 Map B.7.1-1

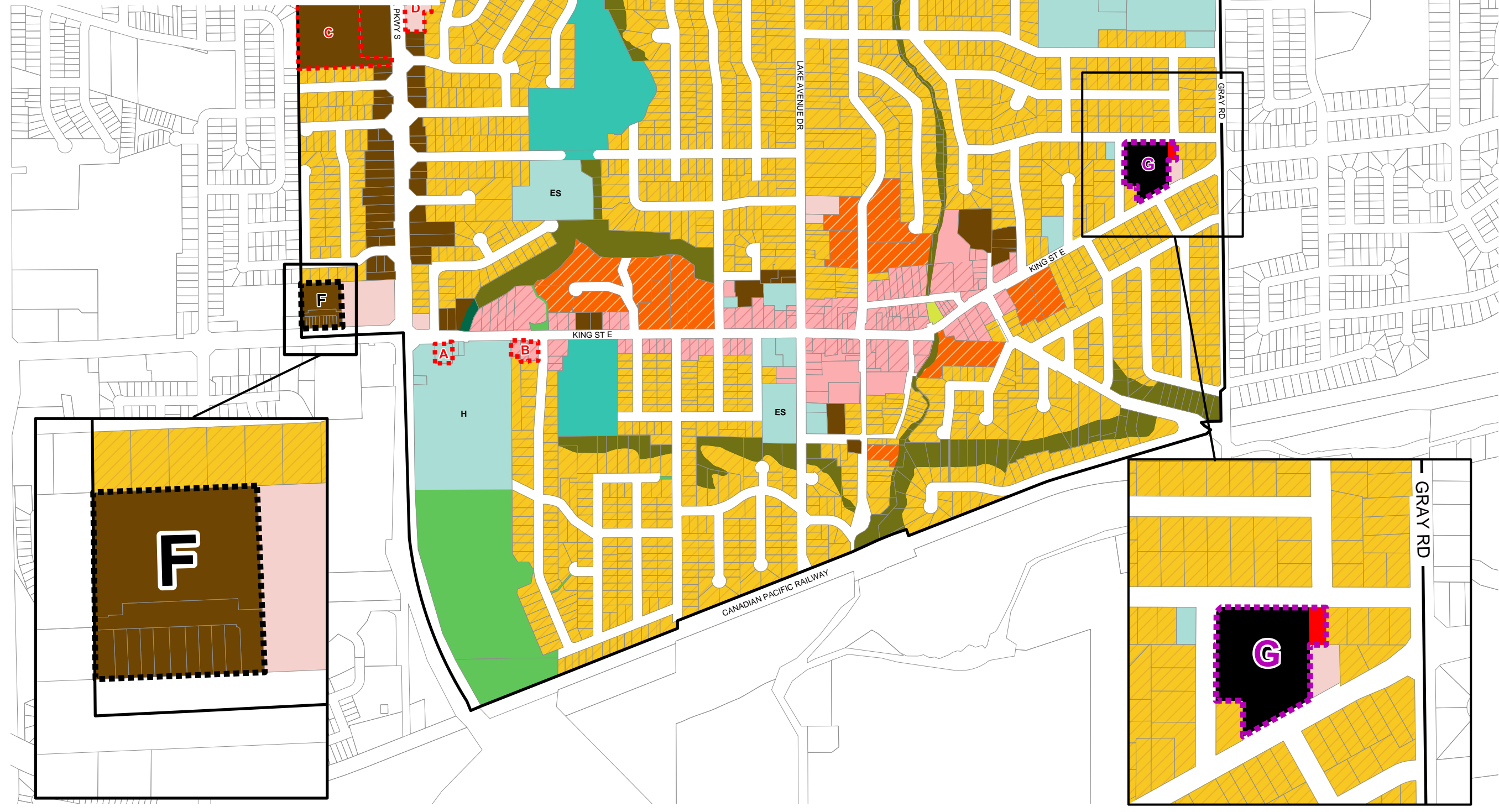


Date: May 14, 2018  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Teraneh Land Information Services Inc. and its licensors. [2009]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

Appendix Z  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

-  Lands to be redesignated from "Local Commercial" to "Institutional"
-  Lands to be redesignated from "Low Density Residential 2a" to "Institutional"
-  Lands to be identified as Site Specific Policy Area "F"
-  Lands to be identified as Site Specific Policy Area "G"

Date: July 16, 2018      Revised By: CP/NB      Reference File No.: OPA-U-109(H)




**Legend**

- Residential Designations**
  -  Low Density Residential 2a
  -  Medium Density Residential 3
  -  High Density Residential 1
- Commercial and Mixed Use Designations**
  -  Local Commercial
  -  Mixed Use - Medium Density
  -  Mixed Use - Medium Density - Pedestrian Predominant
  -  Mixed Use - High Density
  -  District Commercial
- Parks and Open Space Designations**
  -  Parkette
  -  Neighbourhood Park
  -  Community Park
  -  General Open Space
  -  Natural Open Space
- Other Designations**
  -  Institutional
  - ES** Elementary School
  - H** Historic Site
- Other Features**
  -  Area or Site Specific Policy
  -  Secondary Plan Boundary

Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Old Town**  
**Secondary Plan**  
 Land Use Plan  
 Map B.7.2-1

Not To Scale



Date: Nov. 16, 2017

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

© Teranel Land Information Services Inc. and its licensors. [2009] May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY.

Appendix AA  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

- Lands to be redesignated from "Institutional" to "Low Density Residential 3c"
- Lands to be redesignated from "Low Density Residential 2b" to "Low Density Residential 3c"
- Lands to be redesignated from "Low Density Residential 2b" to "Local Commercial"
- Lands to be redesignated from "Neighbourhood Park" to "Natural Open Space"
- Lands to be redesignated from "Institutional" to "Natural Open Space" and remove "ES"

Date:  
July 16, 2018

Revised By:  
CP/NB

Reference File No.:  
OPA-U-109(S)

**Legend**

**Residential Designations**

- Low Density Residential 2b
- Low Density Residential 2e
- Low Density Residential 3c
- Medium Density Residential 3

**Parks and Open Space Designations**

- Parkette
- Neighbourhood Park
- City Wide Park
- General Open Space
- Natural Open Space

**Other Designations**

- Local Commercial
- Institutional
- ES** Elementary School
- SWM** Storm Water Management
- Utility

**Other Features**

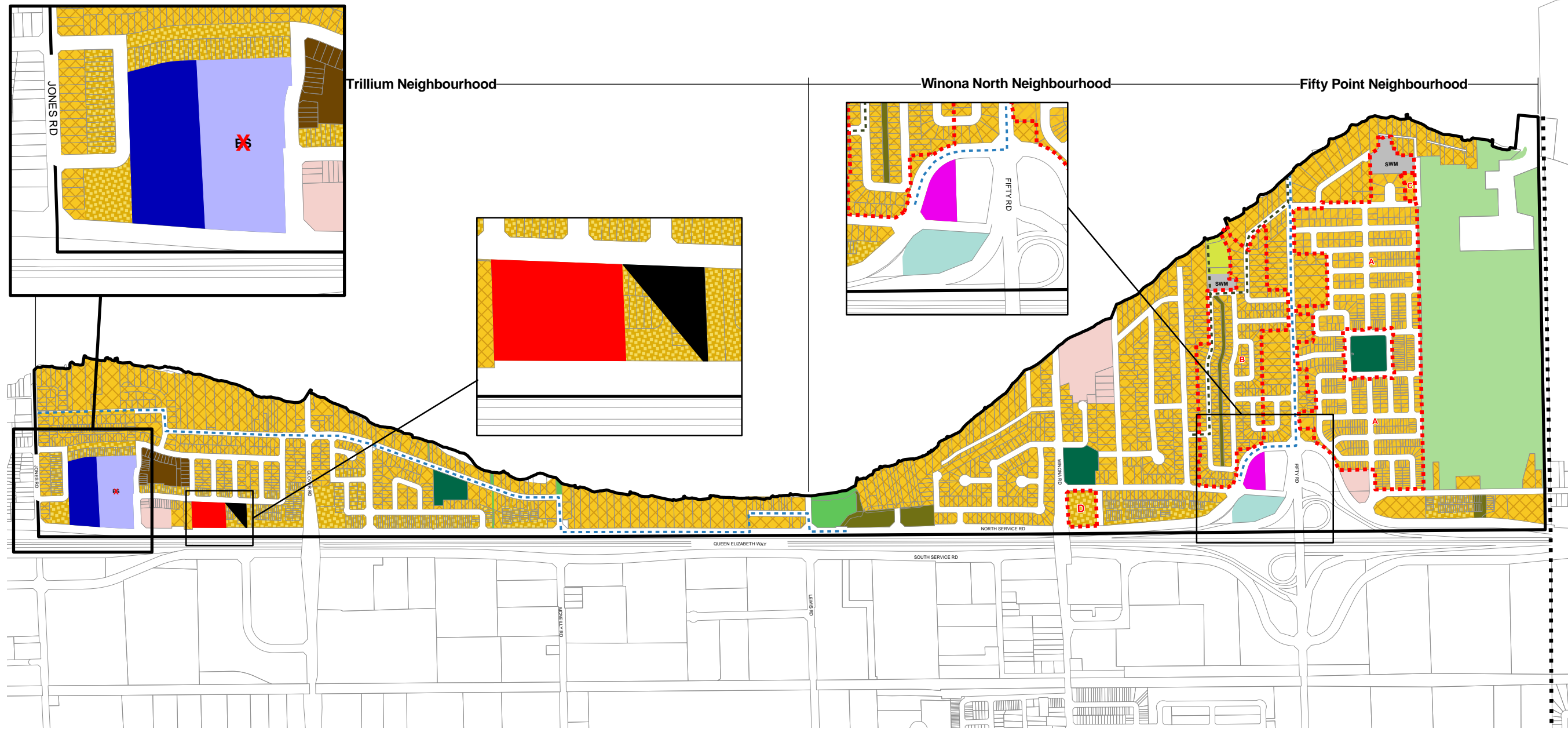
- Area or Site Specific Policy
- On Street Bikeway
- Off Street Bikeway / Walkway
- Municipal Boundary
- Secondary Plan Boundary

Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013








**Urban Hamilton Official Plan**  
**Urban Lakeshore Area**  
**Secondary Plan**  
 Land Use Plan  
 Map B.7.3-1



Date: June 22, 2017  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Terane Land Information Services Inc. and its licensors. [2009]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY



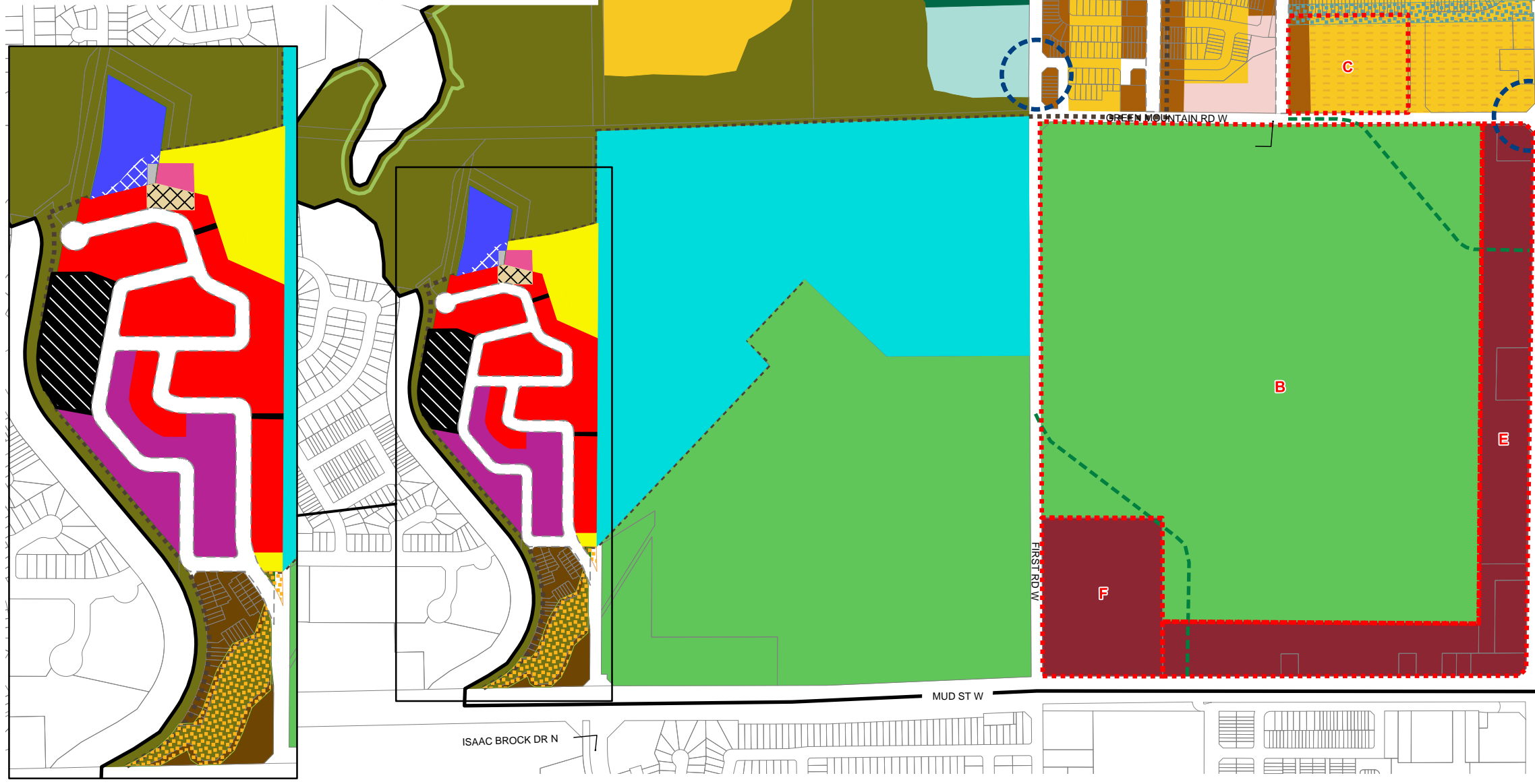
**Appendix BB**  
**APPROVED Amendment No. 109**  
**to the Urban Hamilton Official Plan**

-  Lands to be redesignated from "Community Park" to "City Wide Park"
-  Lands to be redesignated from "Utility" to "Low Density Residential 2"
-  Lands to be redesignated from "Utility" to "Natural Open Space"
-  Lands to be redesignated from "Medium Density Residential 2" to "Medium Density Residential 3"
-  Lands to be redesignated from "Medium Density Residential 2" to "Low Density Residential 2h"
-  Lands to be redesignated from "Medium Residential 2" to "General Open Space"
-  Lands to be redesignated from "Medium Density Residential 2" to "Natural Open Space"
-  Lands to be redesignated from "Medium Density Residential 3" to "Natural Open Space"
-  Lands to be redesignated from "Medium Density Residential 2" to "Utility"
-  Lands to be redesignated from "Medium Density Residential 2" to "Low Density Residential 2"
-  Lands to be redesignated from "Natural Open Space" to "Utility"
-  Proposed Roads






















Date:  
July 16, 2018

Revised By:  
CP/NB

Reference File No.:  
OPA-U-109(H)



**Legend**

- Residential Designations**
  -  Low Density Residential 2
  -  Low Density Residential 2h
  -  Medium Density Residential 2
  -  Medium Density Residential 3
- Commercial and Mixed Use Designations**
  -  Local Commercial
  -  Arterial Commercial
- Parks and Open Space Designations**
  -  Neighbourhood Park
  -  Community Park
  -  General Open Space
  -  Natural Open Space
- Other Designations**
  -  Institutional
  -  Utility
  - SWM** Storm Water Management
- Other Features**
  -  Area or Site Specific Policy
  -  Flood Plains
  -  Hedge Row
  -  Gateway
  -  Trail Links
  -  Secondary Plan Boundary
  -  Escarpment
  -  Proposed Road
  -  Secondary Plan Boundary



Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Nash Neighbourhood**  
**Secondary Plan**  
 Land Use Plan  
 Map B.7.5-1

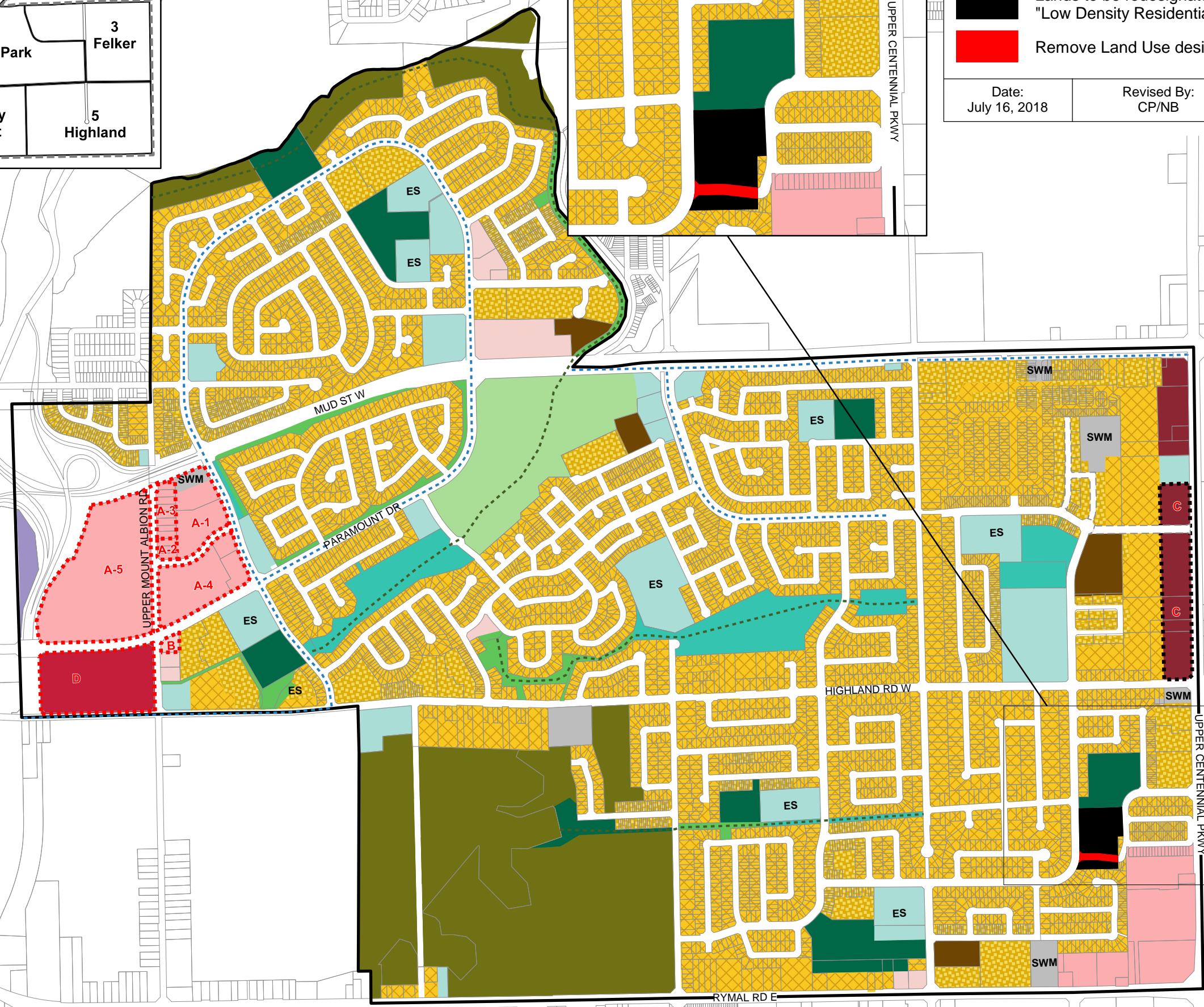
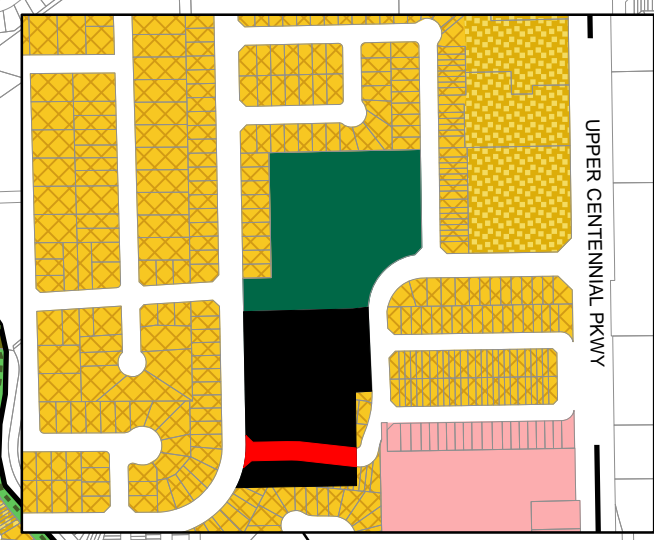
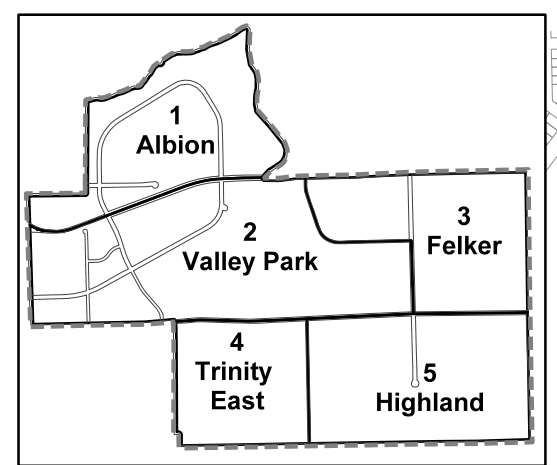


Date: Sept. 29, 2017  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Teranel Land Information Services Inc. and its licensors. [2009]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY.

Appendix CC  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

 Lands to be redesignated from "Institutional" to "Low Density Residential 2b" and remove "ES"  
 Remove Land Use designation from Road

Date: July 16, 2018	Revised By: CP/NB	Reference File No.: OPA-U-109(S)
------------------------	----------------------	-------------------------------------



- Legend**
- Residential Designations**
- Low Density Residential 2b
  - Low Density Residential 3c
  - Medium Density Residential 3
- Commercial and Mixed Use Designations**
- Local Commercial
  - Mixed Use - Medium Density
  - District Commercial
  - Arterial Commercial
- Parks and Open Space Designations**
- Neighbourhood Park
  - Community Park
  - City Wide Park
  - General Open Space
  - Natural Open Space
- Other Designations**
- Institutional
  - ES** Elementary School
  - Employment
  - Utility
  - SWM** Storm Water Management
- Other Features**
- Area or Site Specific Area
  - On Street Bikeway
  - Off Street Bikeway / Walkway
  - Proposed Roads
  - Secondary Plan Boundary

Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**West Mountain Area**  
**(Heritage Green)**  
**Secondary Plan**  
 Land Use Plan  
 Map B.7.6-1



Date: January 2017  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Teranez Land Information Services Inc. and its licensors. [2012]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

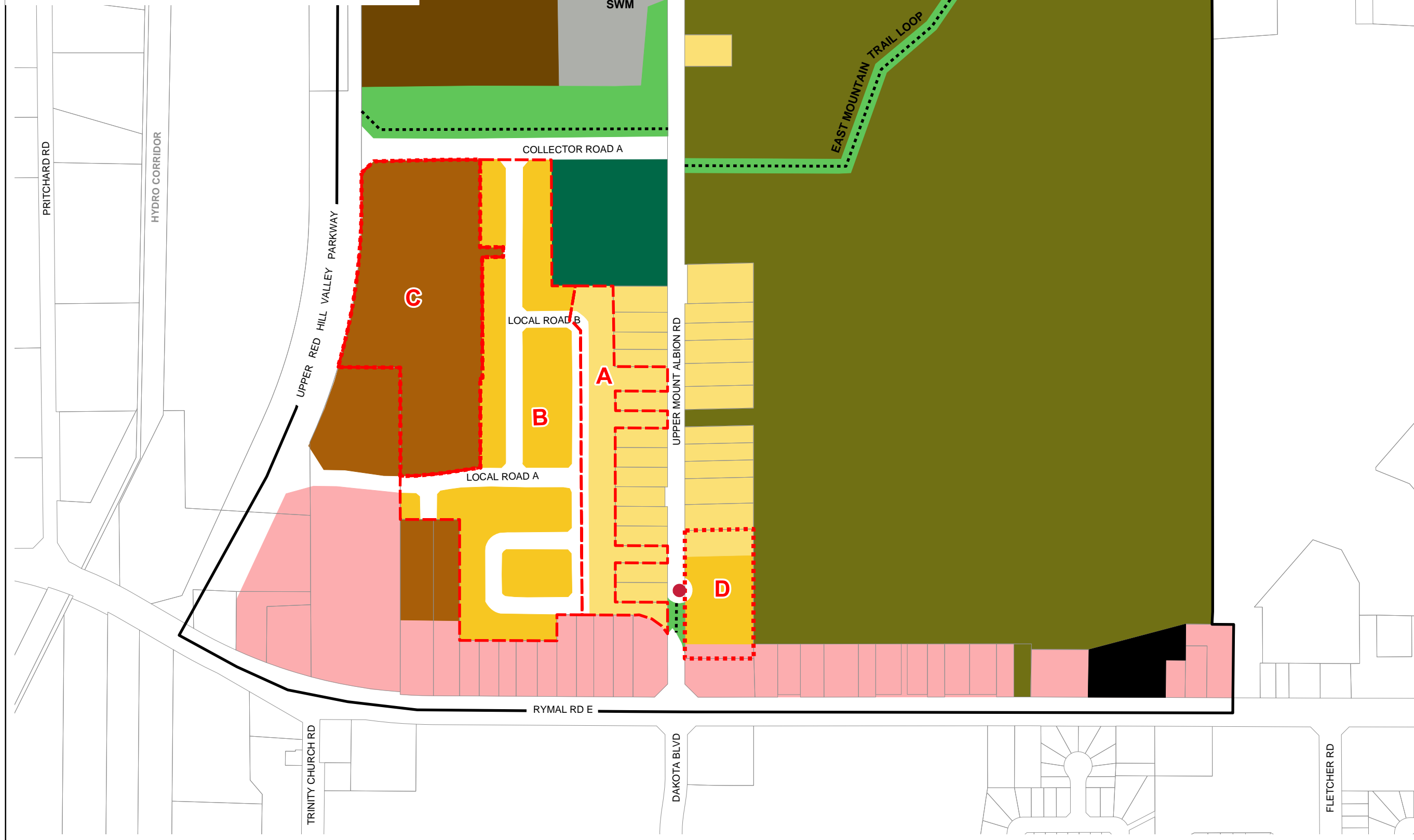
Appendix DD  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

Lands to be redesignated from "Mixed Use - Medium Density" to "General Open Space"  
 (1925 Rymal Road East, Stoney Creek)

Date:  
 July 16, 2018

Revised By:  
 CP/NB

Reference File No.:  
 OPA-U-109(H)



**Legend**

**Residential Designations**

- Low Density Residential 1
- Low Density Residential 2
- Medium Density Residential 2
- Medium Density Residential 3

**Parks and Open Space Designations**

- Neighbourhood Park
- General Open Space
- Natural Open Space

**Other Designations**

- Mixed Use - Medium Density
- Utility
- SWM** Storm Water Management

**Other Features**

- Area or Site Specific Policy
- Road Closure
- Trail Links
- Proposed Roads
- Secondary Plan Boundary


Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Trinity West Secondary Plan**  
 Land Use Plan  
 Map B.7.7-1



Date: August 30, 2017  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Teranel Land Information Services Inc. and its licensors. [2009]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY.

Appendix EE  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

 Lands to be removed from "Linkage" identification and added to "Core Area" identification  
 (86 Upper Mount Albion Road, Stoney Creek)











Date:  
 July 16, 2018

Revised By:  
 CP/NB

Reference File No.:  
 OPA-U-109(H)

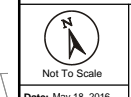


**Legend**

-  Core Areas
-  Linkages
-  Area Specific Policy - USC 1 (Eramosa Karst)
-  Subsurface Conduit Area
-  Road Closure
-  Approximate Area of Buried Eramosa Escarpment
-  Streams
-  Sink Holes
-  Springs
-  Secondary Plan Boundary

Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Trinity West Secondary Plan**  
 Natural Heritage System  
 Map B.7.7-2



Date: May 18, 2016  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Terane Land Information Services Inc. and its licensors. [2009]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY.

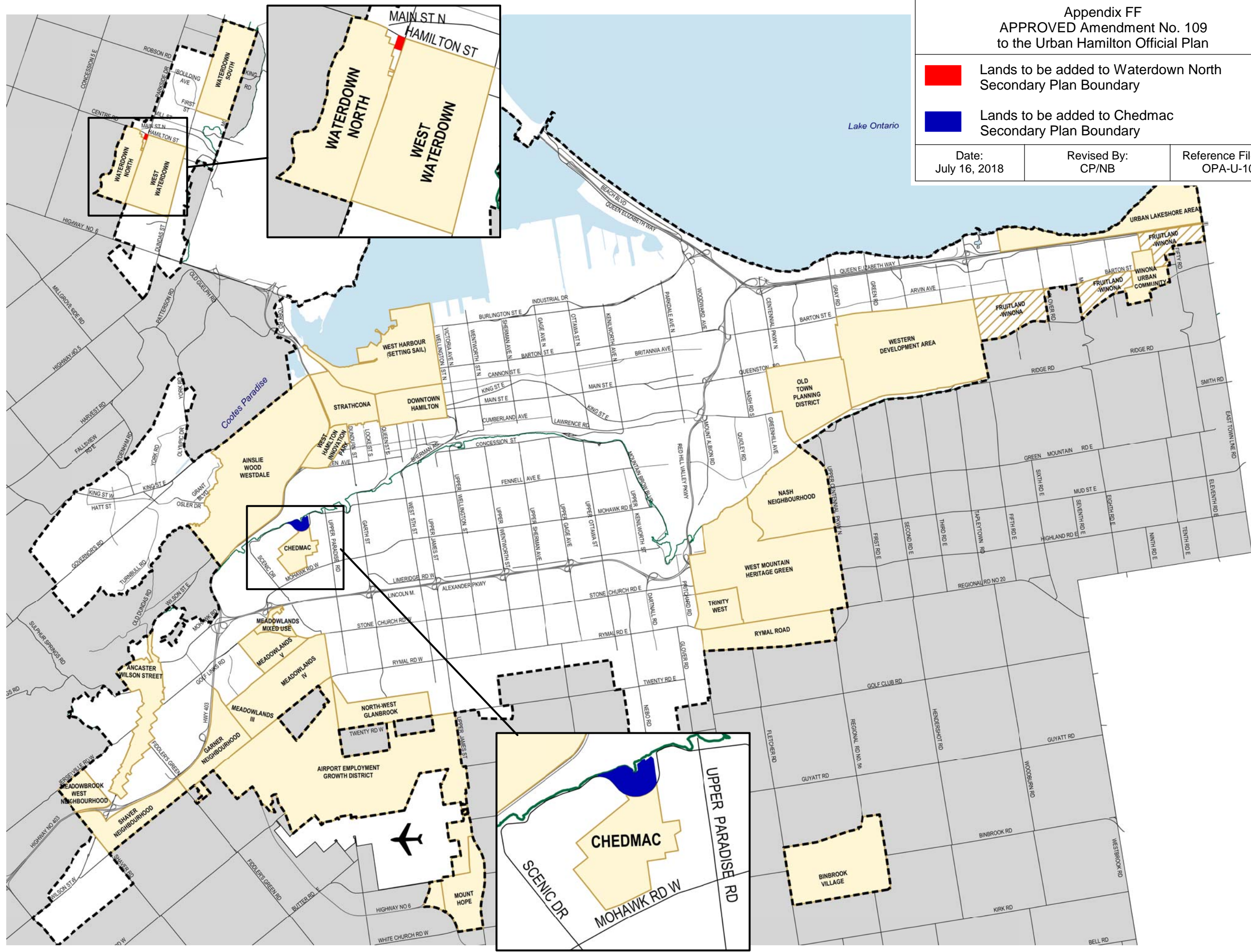
**APPEAL**

Appendix FF  
**APPROVED Amendment No. 109**  
 to the Urban Hamilton Official Plan

- Lands to be added to Waterdown North Secondary Plan Boundary
- Lands to be added to Chedmac Secondary Plan Boundary

Date: July 16, 2018	Revised By: CP/NB	Reference File No.: OPA-U-109
------------------------	----------------------	----------------------------------

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal - see illustration on Schedules E and E-1, Volume 1.



**Legend**

- Secondary Plan Area
- Pending Secondary Plan Areas

**Other Features**

- Rural Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary (LEGEND)
- Municipal Boundary

Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Volume 2: Appendix A**  
**Secondary Plans Index Map**

Not To Scale

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
© Terane Land Information Services Inc. and its licensors. [2009] May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY.



Appendix “GG” - Chapter C – Urban Site Specific Policies

<b>Proposed Change</b>	<b>Proposed New Policy</b>
<p><del>Grey highlighted strikethrough text</del> = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<p>Amend Preamble to chapter as follows:</p> <p>Site specific policies (SSP) are policies that apply to individual properties. They are adopted to address unique local circumstances that cannot be addressed in Volume 1 or secondary plans. The site specific policies in this section apply to lands within the urban area and outside of a secondary plan area. Site specific policies for lands contained within a secondary plan area are found in the appropriate secondary plan. <b>Site specific policies are identified Map 2 – Urban Site Specific Key Map and Map 2a – Upper Site Specific Key Map (Lower City) of Volume 3.</b></p>	<p>Site specific policies (SSP) are policies that apply to individual properties. They are adopted to address unique local circumstances that cannot be addressed in Volume 1 or secondary plans. The site specific policies in this section apply to lands within the urban area and outside of a secondary plan area. Site specific policies for lands contained within a secondary plan area are found in the appropriate secondary plan. Site specific policies are identified Map 2 – Urban Site Specific Key Map and Map 2a – Upper Site Specific Key Map (Lower City) of Volume 3.</p>
<p>UAN-4 A portion of the lands located at 558 Golf Links Road, former Town of Ancaster (OPA 88)</p> <p>b) In addition to Policy C.2.3.3 <b>of Volume 1</b>, limited vegetation removal and encroachment into the Core Area shall be permitted to provide for private services and a private service road connection.</p>	<p>UAN-4 A portion of the lands located at 558 Golf Links Road, former Town of Ancaster (OPA 88)</p> <p>b)In addition to Policy C.2.3.3 of Volume 1, limited vegetation removal and encroachment into the Core Area shall be permitted to provide for private services and a private service road connection.</p>

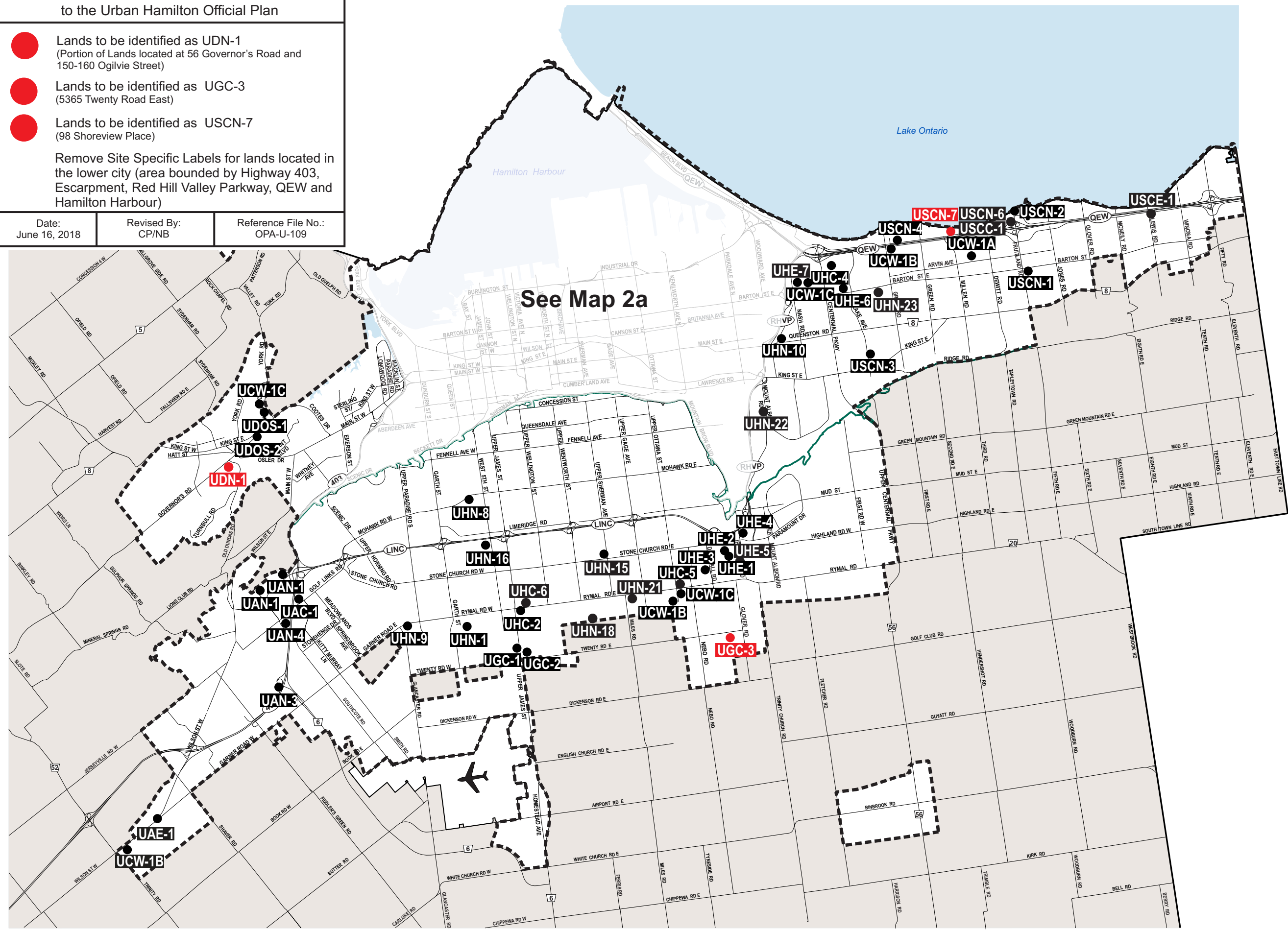
Proposed Change	Proposed New Policy
<del>Grey highlighted strikethrough text = text to be deleted</del>	<b>Bolded text</b> = text to be added
Add Site Specific Policy UGC-3	<p>UGC-3 Lands located at 5365 Twenty Road East, located on the south side of Twenty Road E, east of the Dartnall Road Extension, in the former Township of Glanbrook</p> <p>1.0 In addition to the uses permitted in Section E.4.2 - Commercial and Mixed Use Designations – General Policies and Policy E.4.8.2 of Volume 1, lands designated Arterial Commercial, located at 5365 Twenty Road East, the following policies shall apply:</p> <p>a) Limited manufacturing may be permitted in accordance with the Zoning By-law;</p> <p>b) Noxious uses, such as but not limited to slaughtering, eviscerating, rendering or cleaning of meat, poultry or fish, primary production of chemicals, vulcanizing of rubber, shall be prohibited, in accordance with the Zoning By-law; and,</p> <p>c) Salvage yards and other uses which are unsightly or otherwise incompatible with the design policies and image for business parks shall be prohibited, in accordance with the Zoning By-law.</p>
Add Site Specific Policy UHN-26	<p>UHN-26 Lands located at 360 Beach Road, former City of Hamilton</p> <p>1.0 In addition to the local commercial uses permitted in Policy E.3.8.2 – Local Commercial – Neighbourhoods Designation of Volume 1, a medical clinic shall also be permitted only within the existing building located at 360 Beach Road.</p> <p>2.0 The uses permitted in Policy UHN-26 shall only be permitted within the former school building located at 360 Beach Road.</p> <p>3.0 Policies E.3.8.2b), E.3.8.8a), and E.3.8.9a) of Volume 1 shall not apply to the local commercial uses located at 360 Beach Road.</p>
Add site specific policy USCN-7	<p>USCN-7 Lands located at 98 Shoreview Place, former City of Stoney Creek</p> <p>1.0 Notwithstanding Policy E.3.5.7 of Volume 1, for medium density residential uses, the <i>net residential density</i> shall be between 35 and 100 units per hectare.</p>

Appendix HH  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

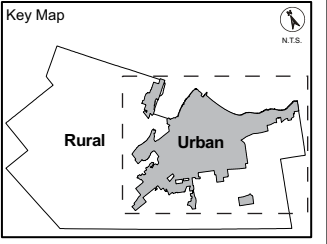
- Lands to be identified as UDN-1  
 (Portion of Lands located at 56 Governor's Road and 150-160 Ogilvie Street)
- Lands to be identified as UGC-3  
 (5365 Twenty Road East)
- Lands to be identified as USCN-7  
 (98 Shoreview Place)

Remove Site Specific Labels for lands located in the lower city (area bounded by Highway 403, Escarpment, Red Hill Valley Parkway, QEW and Hamilton Harbour)

Date: June 16, 2018  
 Revised By: CP/NB  
 Reference File No.: OPA-U-109



See Map 2a



Note: For Rural Site Specific Areas, refer to Volume 3: Appendix A of the Rural Hamilton Official Plan.

**APPEAL**

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal – see illustration on Schedules E and E-1, Volume 1

- Legend**
- Site Specific Areas (SSA)
  - U- Refers to Urban Site Specific Area #, Volume 3, Chapter B
- Other Features**
- Rural Area
  - ✈ John C. Munro Hamilton International Airport
  - Niagara Escarpment
  - - - Urban Boundary
  - Municipal Boundary

Council Adoption: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan  
 Volume 3: Map 2  
 Urban Site Specific Key Map**



PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Teranel Land Information Services Inc. and its licensors, [2009]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

Appendix II  
 APPROVED Amendment No. 109  
 to the Urban Hamilton Official Plan

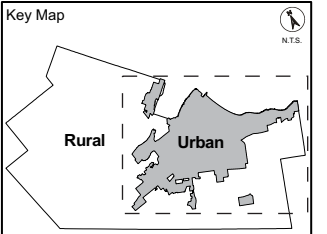
Map 2a - Urban Site Specific Key Map (Lower City) to be  
 added to the Urban Hamilton Official Plan Volume 3

● Lands to be identified as UHN-26  
 (360 Beach Road, Hamilton)

Date:  
 July 16, 2018

Revised By:  
 CP/NB

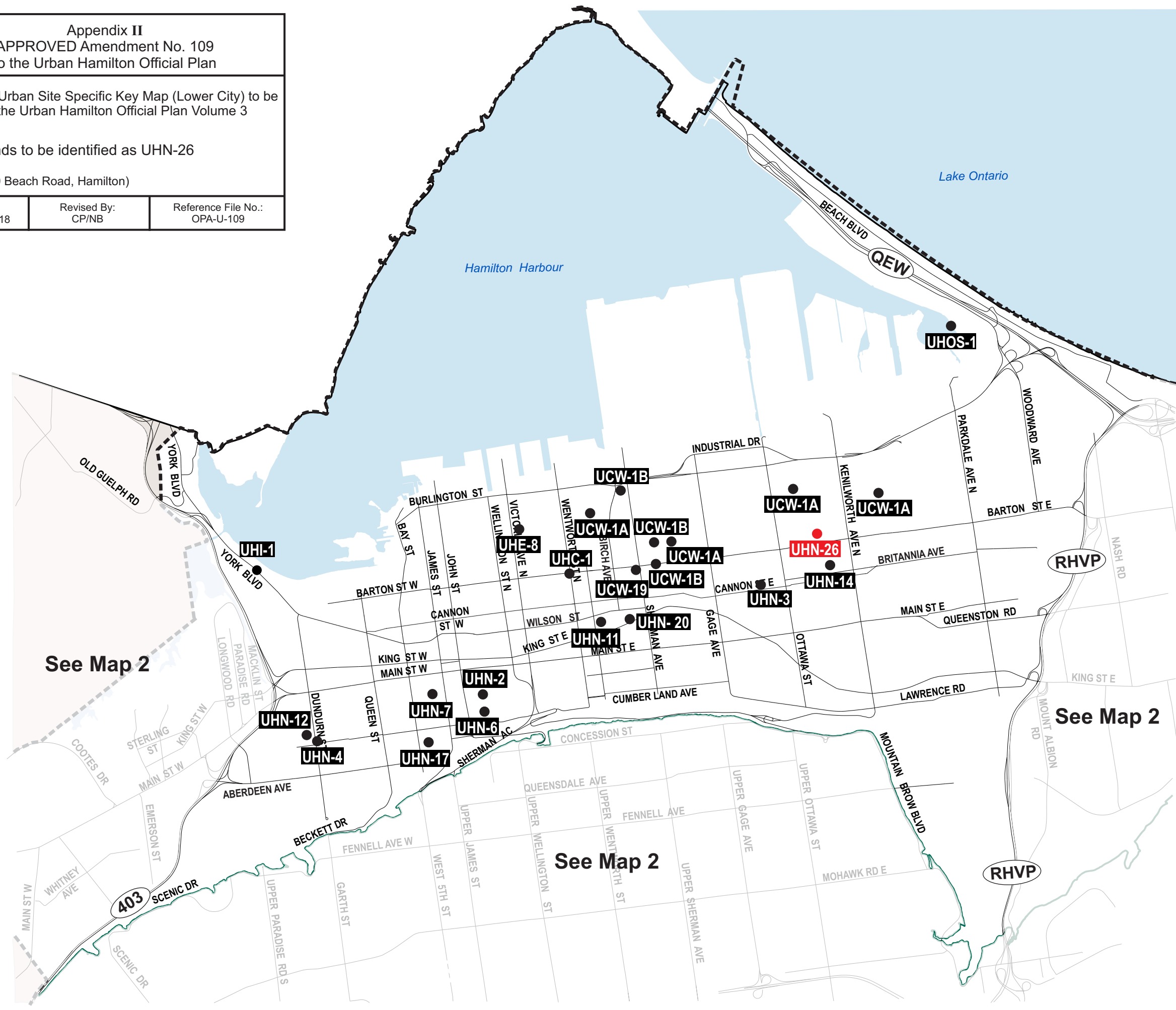
Reference File No.:  
 OPA-U-109



Note: For Rural Site Specific Areas, refer  
 to Volume 3: Appendix A of the  
 Rural Hamilton Official Plan.

**APPEAL**

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal – see illustration on Schedules E and E-1, Volume 1



See Map 2

See Map 2

See Map 2

- Legend**
- Site Specific Areas (SSA)
  - U- Refers to Urban Site Specific Area #, Volume 3, Chapter B
- Other Features**
- Rural Area
  - Niagara Escarpment
  - - - Urban Boundary
  - Municipal Boundary

Council Adoption: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Volume 3: Map 2a**  
 Urban Site Specific Key Map (Lower City)

Not To Scale

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Teranel Land Information Services Inc. and its licensors, [2018]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

**Authority:** Item 12, Planning Committee  
Report 18-011 (PED18147)  
CM: July 13, 2018  
Ward: City Wide  
**Bill No. 219**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend Zoning By-law No. 05-200 Respecting Modifications and Updates**

**WHEREAS** the City of Hamilton has in force several Zoning By-laws which apply to different areas incorporated into the City by virtue of the *City of Hamilton Act, 1999*, S.O. 1999, Chap. 14;

**WHEREAS** the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

**WHEREAS** the first stage of the new Zoning By law, being By-law No. 05-200, came into force on the 25<sup>th</sup> day of May, 2005;

**WHEREAS** the Council of the City of Hamilton, in adopting Item 12 of Report 8-011 of the Planning Committee, at its meeting held on the 13<sup>th</sup> day of July, 2018, which recommended that Zoning By-law No. 05-200 be amended as hereinafter provided; and,

**WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No. 109.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Section 3: Definitions of By-law No. 05-200 is amended as follows:

1.1 That the following new definitions be added:

<b>Alcohol Production Facility</b>	Shall mean the use of land, building or structure for the production and distribution of beer and other malt-based beverages, wine, cider and / or spirits. An Alcohol Production Facility may include a tasting room, tours and limited retail sales of products developed on site as permitted by the specific zone, but shall not include the production of energy drinks, sports
------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	drinks and / or soft drinks. An Alcohol Production Facility shall not include an Agricultural Brewery / Cidery / Winery, Beverage Making Establishment or Microbrewery.
<b>Greenhouse</b>	Shall mean a building or structure used for the growing of agricultural product that is climatically controlled and made primarily of translucent building material.
<b>Parking Space, Tandem</b>	Shall mean one Parking Space located immediately behind another Parking Space, leaving one Parking Space without direct access to an aisle or driveway.

- 1.2 That the definition of **Commercial Parking Facility** be amended by deleting the words “but shall not include an accessory parking lot to a principal use of the property located on the same lot. Parking spaces may be designed to include the use of stacked parking where a parking attendant is on site or a valet service is provided” and replacing them with “but shall not include any parking spaces provided in the minimum or maximum quantity required by this By-law for a permitted use” so that the definition reads as follows:

**“Commercial Parking Facility** Shall mean all or part of a parcel of land or building, other than a street or laneway, used for the parking of motor vehicles for compensation, but shall not include any parking spaces provided in the minimum or maximum quantity required by this By-law for a permitted use.”

- 1.3 That the definition of **Dwelling Unit** be amended by deleting the words “but shall not include a Duplex Dwelling, Semi-Detached Dwelling or Single Detached Dwelling” so that the definition reads as follows:

**“Dwelling Unit –** shall mean a room or suite of rooms used or intended to be used by one or more persons living together as one household, in which cooking and sanitary facilities are provided for the exclusive use of the household, and to which an independent entrance is provided from outside the building or from a common interior hallway, vestibule or stairway.”

- 1.4 That the definition of **Front Lot Line** be amended by adding the words “except where both lot lines are of equal length, at the option of the owner,

either of the lot lines abutting a public street may be considered as the front lot line;" at the end of Clause a), and by adding a new Clause c) with the words "with reference to an interior lot with multiple lot lines abutting a street, shall mean the shorter of the lot lines abutting the street" so that the definition reads as follows:

**"Front Lot Line** – shall mean any lot line abutting a street, and:

- a) With reference to a corner lot, shall mean the shorter of the lot lines abutting the streets, except where both lot lines are of equal length, at the option of the owner, either of the lot lines abutting a public street may be considered as the front lot line;
- b) With reference to a through lot shall mean, at the option of the owner, either of the lot lines abutting a public street; or,
- c) With reference to an interior lot with multiple lot lines abutting a street, shall mean the shorter of the lot lines abutting the street."

- 1.5 That the definition of **Landscaped Area** be amended by deleting the word "Has" in Clause a) and replacing it with the word "Contains", and by adding the word "and" at the end of Clause b) so that the definition reads as follows:

**"Landscaped Area** Shall mean any portion of a lot which:

- a) Contains no building thereon;
- b) Is not used for parking, access to parking, driveways or loading space; and,
- c) Is used for the purpose of landscaping."

- 1.6 That the definition of **Manufacturing** be amended by adding the words "or Alcohol Production Facility" so that the definition reads as follows:

**"Manufacturing** Shall mean the production, fabrication, compounding, processing, packaging, crafting, bottling, packing, recycling or assembling of raw or semi-processed or fully processed goods or materials, and shall include but not be limited to a Biotechnological Establishment, Computer, Electronic and Data Processing Establishment, Pharmaceutical and Medical Establishment, Printing Establishment and/or a

Science and Technology Establishment. Manufacturing may also include a Private Power Generation Facility as an accessory use, but shall not include a Waste Management Facility or Alcohol Production Facility.”

- 1.7 That the definition of **Parking Space** be deleted and replaced with the following definition:

**“Parking Space** Shall mean an unobstructed space that is designed to be used for the temporary parking of a motor vehicle for other than the purpose of sale or display.”

- 1.8 That the definition of **Personal Service** be amended by adding the words “or Yoga Studio,” after the words “an Alternative Massage Establishment” and before the words “but shall not include” so that the definition reads as follows:

**“Personal Service** Shall mean the provision of services involving the health, beauty or grooming of a person or the maintenance or cleaning of apparel, and may include, but not be limited to an Alternative Massage Establishment or Yoga Studio, but shall not include a Dry Cleaning plant or a Body Rub Parlour”.

- 1.9 That the definition for **Planned Business Centre** be amended by adding the words “within an Industrial Zone” after the words “group of business establishments” and before the words “which is planned”, by deleting the words “and where each business establishment has a separate entrance located at grade”, and by adding the words “but shall not be considered as a Shopping Centre” so that the definition reads as follows:

**“Planned Business Centre** Shall mean a group of business establishments within an Industrial Zone which is planned, developed, managed and operated as a unit with shared on-site parking, and containing four or more separated spaces for lease or occupancy, but shall not be considered as a Shopping Centre.”

- 1.10 That the definition of **Setback** be amended by deleting the word “minimum” before the word “distance” so that the definition reads as follows:



**“Setback** Shall mean the distance between a lot line and the nearest part of any building or specified structure exclusive of any permitted yard projections on the lot.”

1.11 That the definition of **Warehouse** be amended by adding the words “may include a Mini Storage Facility but” after the words “A Warehouse” and before the words “shall not include”, so that the definition reads as follows:

**“Warehouse** Shall mean the use of building or structure, or part thereof, for the bulk storage or distribution of goods to industrial, commercial or institutional business users or other wholesalers, but shall not include retailing of goods to the general public. A Warehouse may include a Mini Storage Facility but shall not include a Waste Management Facility, Salvage Yard or Towing Establishment.”

2. That Section 4: General Provisions of By-law No. 05-200 is amended as follows:

2.1 That Subsection 4.6 be amended as follows:

2.1.1 By adding the words “whichever is the lesser” at the end of Clauses a) and b);

2.1.2 By adding the word “or” after the words “required yard,” and before the words “to a maximum” in Clause a);

2.1.3 By adding the word “or” after words “1.5 metres,” and before the words “to a maximum” in Clauses b) and d);

2.1.4 By deleting the word “and,” at the end of Clause d);

2.1.5 By deleting the words “whichever is less.” and replacing them with “whichever is the lesser; and,” at the end of Clause e); and,

2.1.6 By adding the word “is” after the word “whichever” and before the words “the lesser” in Clause f),

So that the regulations read as follows:

“4.6 PERMITTED YARD ENCROACHMENTS

No part of any required yard shall be obstructed except as follows:

a) The usual projections of window sills, chimney breasts, belt courses, cornices, eaves, troughs and other similar architectural features, ductwork, venting and other similar appurtenances

may be permitted in any required yard, provided that no such feature shall project more than 0.6 metres into the required yard, or to a maximum of half the distance of the required yard, whichever is the lesser;

- b) A fire escape or exterior staircase may encroach into a required side or rear yard to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser;
- c) An unenclosed ramp for wheelchair access may encroach into any required yard to no maximum distance;
- d) A porch, deck or canopy may encroach into any required yard to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser;
- e) A balcony may encroach into any required yard to a maximum of 1.0 metre, except into a required side yard of not more than one-third of its width or 1.0 metre, whichever is the lesser; and,
- f) A bay window or alcove, without foundation, may encroach into any required yard to a maximum of 0.6 metres or half the distance of the required yard, whichever is the lesser. No such feature shall have a width greater than 3.0 metres.

2.2 That Subsection 4.8.2 c) be amended by deleting the words “an area of 120” after the words “shall not exceed” and before the words “square metres” and by replacing them with the words “a total 5% lot coverage, to a maximum gross floor area of 200” so that the regulation reads as follows:

“c) All buildings accessory to a Single Detached Dwelling shall not exceed a total 5% lot coverage, to a maximum gross floor area of 200 square metres, and shall have a maximum building height of 6.0 metres.”

2.3 That Subsection 4.12 a) be amended by deleting all references to the words “Downtown D5 or Downtown D6 Zone” and replacing them with the words “Downtown Zones”.

3. That Section 5: Parking Regulations of By-law No. 05-200 is amended as follows:

3.1 That Subsection 5.1 a) ii) be amended by deleting the existing regulation and replacing it with the following new regulation:

“ii) Notwithstanding Subsection 5.1 a) i), where the provision of parking on the same lot as the use requiring the parking is not possible, such off-

site parking may be located on another lot within 300.0 metres of the lot containing the use requiring the parking, provided:

- a) Such off-site parking shall only be permitted within a zone in which the use requiring such parking is permitted;
- b) Such off-site parking shall be subject to Subsection 5.1 a) iii); and,
- c) Subsection 5.1 a) ii) shall not apply to any Residential Zone.”

3.2 That Subsection 5.1 b) be amended by deleting the existing regulation and replacing it with the following new regulation:

“b) Single Detached Dwellings, Semi-Detached Dwellings and Duplex Dwellings

On a lot containing a single detached dwelling, semi-detached dwelling or duplex dwelling in all zones:

- i) The required parking spaces for such dwellings shall be located a minimum distance of 5.8 metres from the streetline; and,
- ii) No parking spaces shall be permitted in a required front yard or required flankage yard except as otherwise permitted for single detached, semi-detached or duplex dwellings.

On a lot containing a single detached dwelling, semi-detached dwelling or duplex dwelling in all zones except the Agriculture (A1) and Rural (A2) Zone:

- iii) A driveway shall be located so as to lead directly from a street or laneway to a required parking space, either within a garage or outside, with such driveway having a minimum width of 3.0 metres;
- iv) The width of a driveway shall not exceed the width of an attached garage;
- v) Notwithstanding Subsection 5.1 b) iv), on a lot having an attached garage less than 5.0 metres in width, the driveway may extend beyond the width of the garage toward the side lot line to a maximum width of 5.0 metres and no closer than 0.6 metres to the side lot line, nearest to the garage;
- vi) In the case of a dwelling unit without an attached garage, the driveway width shall not exceed 50% of the lot width or 8.0 metres, whichever is less;

- vii) Where the driveway is provided in the front yard, all other portions of the front yard shall be a landscaped area;
  - viii) A maximum of one driveway shall be permitted for each dwelling unit, except in the case of:
    - 1. A corner lot where a maximum of one driveway may be permitted from each street frontage; or,
    - 2. On a lot having a minimum width of 30.0 metres, a maximum of two driveways may be permitted;
  - ix) On a corner lot, no access driveway shall be permitted through a daylight triangle; and,
  - x) In the case of a duplex dwelling, the required parking may be arranged in tandem.”
- 3.3 That Subsection 5.2 c) be amended by adding the words “without the necessity of moving any other motor vehicle” after the words “to and from the street or laneway” and before the words “and shall be arranged” so that the regulation reads as follows:
- “c) All required parking shall be provided with adequate means of ingress and egress to and from the street or laneway without the necessity of moving any other motor vehicle, and shall be arranged so as not to interfere with normal public use of the street or laneway. Any parking lot shall provide for ingress and egress of vehicles to and from a street in a forward motion only.”
- 3.4 That Subsection 5.2 e) be amended by deleting the existing regulation and replacing it with the following regulations:
- “e) i) Parking Spaces, Driveways and Widening(s) in All Zones
    - a) Shall be provided and maintained with stable surfaces such as asphalt, concrete or other hard surfaced material, crushed stone or gravel, and shall be maintained in a dust free condition;
  - ii) Parking Lots in All Zones, except the Rural Classification Zones
    - a) Shall be designed and maintained with stable surfaces such as asphalt, concrete or other hard-surfaced material;

iii) Parking Lots in the Rural Classification Zones

- a) Shall be designed and maintained with stable surfaces such as asphalt, concrete or other hard-surfaced material, or crushed stone or gravel; and,
- b) Where crushed stone or gravel is provided in accordance with Subsection 5.2 e) iii) a), the access driveway shall be designed such that a minimum of 10.0 metres extending from the streetline shall be constructed and maintained with asphalt, concrete or other hard surfaced material, and shall be maintained in a dust free condition.”

3.5 That Subsection 5.2 g) be deleted and replaced with the following new regulation:

“g) Commercial Parking Facilities and Hotels

Parking spaces may be designed to include the use of tandem or stacked parking where a parking attendant is on site or a valet service is provided.”

3.6 That Subsection 5.5 a) be amended by deleting the number “0” in the third row of the first column, and replacing it with the number “1” so that the regulation reads as follows:

<b>Required Parking Spaces</b>	<b>Designated Barrier Free Parking Spaces</b>
0 – 49 spaces	Minimum 1 space;

3.7 That Subsection 5.5 be amended by adding a new Clause b) as follows:

“b) Subsection 5.5 a) shall not apply to Single Detached Dwellings, Semi-Detached Dwellings and Duplex Dwellings.”

3.8 That the existing Clause 5.5 b) be renumbered as Clause 5.5 c).

3.9 That Subsection 5.6 c) iii) be amended by:

3.9.1 Adding the words “All Zones except the Transit Oriented Corridor Zones” after the words “Elementary School”, “Secondary School”, and “University, College”;

3.9.2 Adding the words “Transit Oriented Corridor Zones” after the words “Educational Establishment”;

3.9.3 Adding a new regulation for “Residential Uses on the same lot as a University or College (All Zones)”;

So that the regulation reads as follows:

<b>iii. Educational Establishments</b>	
Elementary School (All Zones except the Transit Oriented Corridor Zones)	1.25 for each classroom.
Secondary School (All Zones except the Transit Oriented Corridor Zones)	3 for each classroom plus 1 for each 7 seat capacity in an auditorium, theatre or stadium.
University, College (All Zones except the Transit Oriented Corridor Zones)	5 for each classroom plus 1 for every 7 seat capacity in an auditorium, theatre or stadium or 5 spaces for every classroom plus 1 space for each 23.0 square metres of the gross floor area which accommodates the auditorium, theatre or stadium, whichever results in greater requirement.
Residential Use on the same lot as a University or College (All Zones)	No parking shall be required for any residential use on the same lot as a University or College.
Educational Establishment (Transit Oriented Corridor Zones)	3 for each classroom plus 1 for each 7 seat capacity in an auditorium, theatre or stadium. (By-law 16-264, October 12, 2016)

4. That Section 8: Institutional Zones of By-law No. 05-200 is amended as follows:

4.1 That Subsections 8.1.3.2 a), 8.2.3.2 a) and 8.3.2.2 a) be amended by deleting reference to the words “property line” and replacing them with the words “lot line.”

5. That Section 9: Industrial Zones of Zoning By-law No. 05-200 is amended as follows:

5.1 That Subsection 9.1.1 be amended by adding “Alcohol Production Facility” as a permitted use.

- 5.2 That Subsection 9.1.2 be amended by deleting “Beverage Distillation” as a prohibited use.
- 5.3 That Subsection 9.1.3 g) be amended by adding the words “Alcohol Production Facilities” so that the regulation reads as follows:
- |                                                                                                                                 |                                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| “g) Location of Alcohol Production Facilities, Manufacturing, Motor Vehicle Service Station, Repair Service, and Warehouse Uses | The following uses shall only be permitted within an existing building:<br><br>Alcohol Production Facility;<br>Manufacturing;<br>Motor Vehicle Service Station;<br>Repair Service; and,<br>Warehouse.” |
|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
- 5.4 That a new Subsection 9.1.3 i) be added as follows:
- |                                                                |                      |
|----------------------------------------------------------------|----------------------|
| i) Maximum Gross Floor Area for an Alcohol Production Facility | 5,000 square metres. |
|----------------------------------------------------------------|----------------------|
- 5.5 That Subsection 9.1.3 i) Maximum Combined Gross Floor Area for Accessory Retail and Showroom Area and Subsection 9.1.3 i) Accessory Buildings be renumbered to Subsections 9.1.3 j) and k) respectively.
- 5.6 That Subsection 9.1.3 j) Maximum Combined Gross Floor Area for Accessory Retail and Showroom Area be amended by deleting the word “and” between the words “Accessory Retail” and “Showroom Area”, and by adding the words “and Tasting Room” after the words “Showroom Area” so that the regulation reads as follows:
- |                                                                                              |
|----------------------------------------------------------------------------------------------|
| “j) Maximum Combined Gross Floor Area for Accessory Retail, Showroom Area and Tasting Room”. |
|----------------------------------------------------------------------------------------------|
- 5.7 That Subsection 9.2.1 be amended by adding “Alcohol Production Facility” as a permitted use.
- 5.8 That Subsection 9.2.1 be amended by deleting the words “Contracting Establishment” and replacing them with the words “Contractor’s Establishment”.

- 5.9 That Subsection 9.2.1 be amended by deleting “Children’s Play-gym” and “Gymnastics Studio” as permitted uses.
- 5.10 That Subsection 9.2.2 be amended by deleting “Beverage Distillation” and “Breweries” as prohibited uses.
- 5.11 That a new Subsection 9.2.3 h) be added as follows:
- h) Maximum Gross Floor Area for an Alcohol Production Facility                      5,000 square metres.
- 5.12 That the existing Subsection 9.2.3 i) Location Restriction for Children’s Play-gym and Gymnastics Studio be deleted and the existing Subsection 9.2.3 h) Maximum Combined Gross Floor Area for Accessory Retail and Showroom Area be renumbered as Subsection 9.2.3 i).
- 5.13 That Subsection 9.2.3 i) be amended by deleting the word “and” between the words “Accessory Retail” and “Showroom”, and by adding the words “and Tasting Room” after the words “Showroom Area” so that the regulation reads as follows:
- “i) Maximum Combined Gross Floor Area for Accessory Retail, Showroom Area and Tasting Room”.
- 5.14 That Subsection 9.3.1 be amended by adding “Alcohol Production Facility” as a permitted use.
- 5.15 That Subsection 9.3.1 be amended by deleting “Children’s Play-gym” and “Gymnastics Studio” as permitted uses.
- 5.16 That Subsection 9.3.2 be amended by deleting “Beverage Distillation” and “Breweries” as prohibited uses.
- 5.17 That Subsections 9.3.3 b) ii) be amended to delete the number “25.0” and replace it with “27.0”.
- 5.18 That Subsection 9.3.3 e) be amended by adding the words “and Alcohol Production Facilities” after the words “Location Restriction of Manufacturing Uses”.
- 5.19 That a new Subsection 9.3.3 m) be added as follows:
- m) Maximum Gross Floor Area for an Alcohol Production Facility                      5,000 square metres.



- 5.20 That the existing Subsection 9.3.3 o) Location Restriction for Children's Play-gym and Gymnastics Studio be deleted and the existing Subsection 9.3.3 m) Maximum Combined Gross Floor Area for Accessory Retail and Showroom Area be renumbered as Subsection 9.3.3 o).
- 5.21 That Subsection 9.3.3 o) be amended by deleting the word "and" between the words "Accessory Retail" and "Showroom", and by adding the words "and Tasting Room" after the words "Showroom Area" so that the regulation reads as follows:
- "o) Maximum Combined Gross Floor Area for Accessory Retail, Showroom Area and Tasting Room".
- 5.22 That Subsection 9.4.1 be amended by deleting the words "Contracting Establishment" and replacing them with the words "Contractor's Establishment".
- 5.23 That Subsection 9.4.1 be amended by deleting "Children's Play-gym" and "Gymnastics Studio" as permitted uses.
- 5.24 That Subsections 9.4.3 b) ii) be amended to delete the number "25.0" and replace it with "27.0".
- 5.25 That the existing Subsection 9.4.3 p) Location Restriction for Children's Play-gym and Gymnastics Studio be deleted and the existing Subsections 9.4.3 q) and r) be renumbered to 9.4.3 p) and q).
- 5.26 That Subsection 9.5.1 be amended by adding "Alcohol Production Facility" as a permitted use.
- 5.27 That Subsection 9.5.1 be amended by deleting the words "Contracting Establishment" and replacing them with the words "Contractor's Establishment".
- 5.28 That Subsection 9.5.3 h) be amended by deleting the word "and" between the words "Accessory Retail" and "Showroom", and by adding the words "and Tasting Room" after the words "Showroom Area" so that the regulation reads as follows:
- "h) Maximum Combined Gross Floor Area for Accessory Retail, Showroom Area and Tasting Room".
- 5.29 That Subsection 9.6.1 be amended by adding "Alcohol Production Facility" as a permitted use.

5.30 That Subsection 9.6.2 be amended by deleting “Beverage Distillation” and “Breweries” as prohibited uses.

5.31 That Subsection 9.6.3 f) be amended by adding the words “and Alcohol Production Facilities” after the words “Location Restriction of Manufacturing Uses”.

5.32 That Subsection 9.6.3 o) be amended by deleting the word “and” between the words “Accessory Retail” and “Showroom”, and by adding the words “and Tasting Room” after the words “Showroom Area” so that the regulation reads as follows:

o) Maximum Combined Gross Floor Area for Accessory Retail, Showroom Area and Tasting Room”.

5.33 That a new Subsection 9.6.3 p) be added as follows, and that Subsections 9.6.3 p), q) and r) be renumbered accordingly:

p) Maximum Gross Floor Area for an Alcohol Production Facility 5,000 square metres.

5.34 That Subsection 9.7.3 b) ii) be amended by deleting the word “above”, and by deleting the word “property” and replacing it with the word “lot” so that it reads as follows:

“b) Minimum Yard Abutting a Street ii) Notwithstanding i), where a lot abuts Dickenson Road West:

1. Minimum Yard – 6.0 metres
2. Maximum Yard – 25.0 metres”

5.35 That the Airside Industrial (M7) Zone be amended by adding a new Subsection 9.7.4 as follows:

**9.7.4 SINGLE DETACHED, SEMI-DETACHED AND DUPLEX DWELLINGS EXISTING AT THE DATE OF PASSING OF THE BY-LAW**

In addition to Subsection 4.12 c) and in accordance with Subsection 34(10) of the Planning Act, R.S.O., 1990, c.P.13, an addition or alteration to a single detached, semi-detached or duplex dwelling not permitted by the by-law but existing at the date of passing of the by-law that increases the volume or size of

the interior of the building shall be permitted as follows:

- i) The increase shall not exceed a maximum of 10% of the Gross Floor Area of the building existing at the date of passing of the by-law; and,
- ii) The side yard setbacks of the addition shall not be less than the existing side yard setbacks.

5.36 That Subsection 9.8.3 g) ii) be amended by deleting the word “property” and replacing it with the word “lot” so that the regulation reads as follows:

- “ii) Where a lot line abuts a property lot line within a Residential Zone or an Institutional Zone, a minimum 3.0 metre wide Planting Strip shall be provided and maintained.”

5.37 That Subsection 9.9.2 a) ii) be amended by deleting the word “property” and replacing it with the word “lot”.

5.38 That Subsection 9.10.1 be amended by adding “Alcohol Production Facility” as a permitted use.

5.39 That Subsection 9.10.2 be amended by deleting “Beverage Distillation” and “Breweries” as prohibited uses.

5.40 That a new Subsection 9.10.3 k) be added as follows:

- k) Maximum Gross Floor Area for an Alcohol Production Facility      5,000 square metres.

5.41 That the existing Subsections 9.10.3 k), l), and m) be renumbered to Subsections 9.10.3 l), m), and n).

5.42 That Subsection 9.10.3 l) be amended by deleting the word “and” between the words “Accessory Retail” and “Showroom Area”, and by adding the words “and Tasting Room” after the words “Showroom Area” so that the regulation reads as follows:

- “l) Maximum Combined Gross Floor Area for Accessory Retail, Showroom Area and Tasting Room”.

- 5.43 That Subsection 9.11.1 be amended by adding “Alcohol Production Facility” as a permitted use.
- 5.44 That Subsection 9.11.2 be amended by deleting “Beverage Distillation” and “Breweries” as prohibited uses.
- 5.45 That Subsection 9.11.3 g) be amended by adding the words “and Alcohol Production Facilities” after the words “Location Restriction of Manufacturing Uses”.
- 5.46 That Subsection 9.11.3 l) be amended by deleting the word “property” and replacing it with the word “lot”.
- 5.47 That a new Subsection 9.11.3 n) be added as follows:
- n) Maximum Gross Floor Area for an Alcohol Production Facility 5,000 square metres.
- 5.48 That the existing Subsections 9.11.3 n), o) and p) be renumbered to Subsections 9.11.3 o), p) and q).
- 5.49 That Subsection 9.11.3 o) be amended by deleting the word “and” between the words “Accessory Retail” and “Showroom Area”, and by adding the words “and Tasting Room” after the words “Showroom Area” so that the regulation reads as follows:
- “o) Maximum Combined Gross Floor Area for Accessory Retail, Showroom Area and Tasting Room”.
- 5.50 That the Airport Prestige Business (M11) Zone be amended by adding a new Subsection 9.11.4 as follows:

**9.11.4 SINGLE DETACHED,  
SEMI-DETACHED  
AND DUPLEX  
DWELLINGS  
EXISTING AT THE  
DATE OF PASSING  
OF THE BY-LAW**

In addition to Subsection 4.12 c) and in accordance with Subsection 34(10) of the Planning Act, R.S.O., 1990, c.P.13, an addition or alteration to a single detached, semi-detached or duplex dwelling not permitted by the by-law but existing at the date of passing of the by-law that increases the volume or size of the interior of the building shall be permitted as follows:

- i) The increase shall not exceed a maximum of 10% of the Gross Floor

Area of the building existing at the date of passing of the by-law; and,

- ii) The side yard setbacks of the addition shall not be less than the existing side yard setbacks.

6. That Section 11: Transit Oriented Corridor Zones of Zoning By-law No. 05-200 is amended as follows:

6.1 That Subsection 11.1.2 i) be amended by adding the following prohibited uses alphabetically:

“Duplex Dwelling  
Semi-Detached Dwelling  
Single Detached Dwelling  
Street Townhouse Dwelling”

6.2 That Subsection 11.1.3 d) iii) be amended by deleting the word “above” after the words “Section ii)”, by deleting the word “above” after the words “Section 11.1.3 b) and c)” by deleting the words “with the exception of “TOC3,” between the words “Residential or Institutional Zone” and “to a maximum”, and by deleting all references to the word “Section” and replacing them with “Subsection”, so that the regulation reads as follows:

“In addition to Subsection i) and notwithstanding Subsection ii), the minimum building height may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section 11.1.3 b) and c), when abutting a Residential or Institutional Zone, to a maximum of 22.0 metres.”

6.3 That Subsection 11.1.3 i) i) be amended by deleting the words “Downtown D6 Zone,” and by deleting the words “with the exception of TOC3 Zone, property line” so that the regulation reads as follows:

“A visual barrier shall be required along any lot line abutting a Downtown D5 Zone, Institutional Zone or Residential Zone in accordance with the requirements of Section 4.19 of this By-law.”

6.4 That Subsections 11.1.4 iii) and 11.3.4 iii) be amended by deleting the text “The existing side yard setbacks are maintained for the addition” and replacing it with the text “The side yard setbacks of the addition shall not be less than the existing side yard setbacks.”

6.5 That Subsection 11.2.2 i) be amended by adding the following prohibited uses alphabetically:

“Duplex Dwelling  
Semi-Detached Dwelling  
Single Detached Dwelling  
Street Townhouse Dwelling”

- 6.6 That Subsection 11.2.3 h) be amended by deleting the words “or Downtown D6 Zone”, and by deleting the words “property line, with the exception of TOC3 Zone,” after the words “Residential Zone”, so that the regulation reads as follows:

“A visual barrier shall be required along any lot line abutting a Downtown D5 Zone, Institutional Zone or Residential Zone, in accordance with the requirements of Section 4.19 of this By-law.”

- 6.7 That Subsection 11.3.1.1 iv) be renumbered as Subsection 11.3.1.1 iii).

- 6.8 That Subsection 11.3.2 a) v) be deleted.

- 6.9 That Subsection 11.3.2 i) i) be amended by deleting the words “or Downtown D6 Zone”, and by deleting the words “property line” so that the regulation reads as follows:

“A visual barrier shall be required along any lot line abutting a Downtown D5 Zone, Institutional Zone or Residential Zone in accordance with the requirements of Section 4.19 of this By-law.”

7. That Section 12: Rural Zones of Zoning By-law No. 05-200 is amended as follows:

- 7.1 That Subsections 12.3.1, 12.4.1, 12.5.1, 12.6.1 and 12.7.1 be amended by adding “Agriculture” as a permitted use.

- 7.2 That Subsections 12.3.2, 12.4.2 and 12.5.2 be amended by adding the following prohibited uses and renumbering the subsequent subsections accordingly:

- “a) Buildings and Structures accessory to an Agriculture use;
- b) Raising of livestock;
- c) Raising, boarding and training of horses;
- d) Raising of other animals for food, fur or fibre;”

- 7.3 That Subsections 12.1.2, 12.2.2, 12.3.2, 12.4.2, 12.5.2, 12.6.2 and 12.7.2 be amended by deleting the words “, as follows” after the words “The following uses are prohibited”.

- 7.4 That Subsection 12.4.3 i) be amended by deleting the word “property” and replacing it with the word “lot”.

8. That Schedule “C” – Special Exceptions of By-law No. 05-200 is amended as follows:

8.1 That the following Special Exceptions be amended:

a) Special Exception No. 54 shall be amended by deleting the word “Maximum” before the words “lot area” in Clause a) i) and replacing it with “Minimum” so that it reads as follows”

“a) The following regulations shall apply:

i) Minimum Lot Area            0.8 hectares”

b) Special Exception No. 125 shall be amended to add “Casino” as a new permitted use in Clause a) ii), and to subsequently renumber Clauses a) ii) through ix) so that it reads as follows:

“a) The following uses shall also be permitted:

- i) Animal oriented events such as rodeos and exhibitions;
- ii) Casino;
- iii) Commercial Entertainment;
- iv) Flea Markets;
- v) Auctions;
- vi) Horse Racetrack and Racing of Animals;
- vii) Horse Breeding;
- viii) Park;
- ix) Public Assembly events such as meetings, cultural and educational gatherings; and,
- x) Seasonal Campground.”

c) Special Exception No. 225 shall be deleted and replaced with the following new Special Exception:

“Within the lands zoned City Wide Park (P3) Zone, identified on Map 26 of Schedule “A” – Zoning Maps, and described as part of 159 – 165 Carlisle Road, the following special provisions shall also apply:

a) Notwithstanding Subsection 7.3.1, only the following uses shall be permitted:

- i. Recreation
- ii. Single Detached Dwelling, existing on the date of passing of this By-law (July 10, 2015)”

- d) Special Exception No. 253 regarding the property identified as Two Parts of Regional Road 97 shall be amended by deleting the number “1.38 Ha” and replacing it with “0.13 Ha”, by deleting the number “57” and replacing it with the number “129”, by deleting the words “set back” before the words “metres from Regional Road 97”, by deleting the number “0.98 Ha” and replacing it with the number “0.04 Ha”, and by deleting the number “129” and replacing it with the number “57” so that it reads as follows:

<p>“Two Parts of 928 Regional Road 97</p>	<p>Map 25</p>	<p>1,298 square metres (0.13 Ha) Part 1 – 931 square metres (0.09 Ha) and set back 129 metres from Regional Road 97 Part 2 – 367 square metres (0.04 Ha) and set back 57 metres from Regional Road 97”</p>
-----------------------------------------------	---------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

- e) Special Exception No. 296 shall be amended by:
- i) Deleting the words “In addition to Section 11.1.1, on those lands zoned Mixed Use (TOC1) Zone” and replacing them with the words “Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone” within the preamble;
  - ii) Adding reference to 51 Forsyth Avenue South and deleting reference to 57 Forsyth Avenue South; and,
  - iii) Adding the words “In addition to Subsection 11.1.1 and notwithstanding Subsection 11.1.2 i)” before the words “a Single Detached Dwelling shall also be permitted” in Clause i).
- f) Special Exception No. 310 shall be deleted and replaced with the following new Special Exception:
- “Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Maps 907 and 949 of Schedule “A” – Zoning Maps and described as 906 Main Street West and 122 Longwood Road South, the following special provisions shall apply:
- a) The Front Lot Line shall be deemed to be the lot line abutting Main Street West; and,



- b) The lands described as 906 Main Street West and 122 Longwood Road South shall be considered one lot for zoning purposes.
- g) Special Exception No. 375 shall be deleted and replaced with the following new Special Exception:

“Within the lands zoned General Industrial (M5) Zone and Light Industrial (M6) Zone, identified on Maps 829, 870, 871, 912, 913, 914, 915, 956, 957, 958, 959, 1147, 1198, 1199 of Schedule “A” – Zoning Maps and described as:

<b>Property Address</b>	<b>Map Number</b>
1-18, 20, 22-37, 39, 41, 43 Albemarle Street	915, 956, 957
362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 385-387, 393, 395, 397, 399 Avondale Street	914, 915, 956, 957
481 Barton Street East	1147, 1198, 1199
31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 55, 57, 59, 61, 63, 65, 67, 69, 73, 75, 77, 79, 81, 83, 89, 91, 93, 104, 105, 107-113, 116-118, 120, 122, 124, 126, 128, 130, 132, 136, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160-164, 166, 167, 169, 172, 173, 175-177, 179-182, 184, 186, 188, 190, 192, 194, 195, 203, 205, 207, 211, 213, 215, 217, 219, 221, 223, 227, 229, 233, 237, 240, 243, 252, 254, 263, 264, 266, 267, 269-275, 526, 528, 530, 532, 534, 544, 548, 554, 560, 568 Beach Road	914, 956, 957, 958, 959
3, 8-10, 12-15, 20, 22 Beatty Avenue	958
2, 4, 8, 16 Birmingham Street	914
450, 517, 520, 539, 553, 555, 561, 563, 569, 571, 573, 577 Burlington Street East	871
29, 43, 110, 112, 114, 116, 118, 120, 122, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166 Burton Street	870, 912
83, 85, 87, 89, 91-105 Cheever Street	912
3, 16, 18, 20, 22, 24, 32, 36	870, 912
5-7, 21, 23, 25, 27, 29-31, 33, 35, 37, 39, 40, 45, 47-49 Depew Street	915, 957
12-22, 24-28, 30, 31, 33 Dickson Street	871
6, 8, 10, 16 Douglas Avenue	912
350, 353, 360, 362, 364, 366, 368, 373, 375, 377, 391, 393, 395 Emerald Street North	870, 912
304, 322, 332, 334, 337, 342, 344, 348, 350, 352, 357 Gage Avenue North	914, 956
3, 17, 20, 22, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43-	914, 915, 957

58, 60, 62, 64, 66, 69, 70, 72-79, 81-84, 86, 87-95, 97, 99, 101-103, 105, 107, 109, 113, 115 Gertrude Street	
5, 59, 61, 63, 65-71, 73-75, 78, 79, 81, 91, 93, 95, 97-99, 101-103, 105, 107, 109, 111, 113, 115-119, 121, 123, 125, 127, 129, 131, 133, 135, 137, 139, 141 Hillyard Street	871, 913
1, 3, 5, 7, 9, 11, 13, 15-17, 19-21, 23, 25, 34, 36, 38, 40, 42 Land Street	871
1, 4-12, 14-16, 18, 19, 21-24, 26-28, 30-37 Lyndhurst Street	915, 957
2, 6, 8, 10, 16, 20, 22, 24-27, 30, 31, 35, 36, 38-41, 43, 45 Macallum Street	870, 871
17, 23, 25, 27, 29, 31 McKinstry Street	871
52, 56, 58, 60, 64 Munroe Street	913
66, 67, 69-71, 73-76, 78, 82, 84, 86, 88, 98, 99, 102-104, 106-110, 112-131, 133-135, 137, 139, 141, 143, 152, 163, 167, 171 Niagara Street	829, 871
2, 4, 10, 12, 20, 26, 28, 32 Northcote Street	957
1 Norton Street	914
5 Roadway	871, 914, 915, 956, 957
1, 2, 4, 6, 8 Roosevelt Avenue	958
1, 3, 5-20, 22-25, 27-29, 31, 33, 35-37 Rowanwood Street	957
15, 17, 20-27, 29-36, 38, 40, 48, 50, 52, 56, 58, 60, 64, 65, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99, 103, 107, 109, 111, 113, 115, 117-119, 170, 175 Shaw Street	912, 913
366, 390, 400 Victoria Avenue North	870, 912
335, 517, 519, 521, 527, 529, 531, 533, 536, 540, 560, 562, 564, 566, 568, 570, 572, 574, 578, 580, 582, 584, 600, 610, 612, 618 Wentworth Street North	829, 871, 912, 913
2, 4, 6, 8, 10-25, 27, 28, 30, 32, 34, 36, 38, 40-44, 46-48, 50 Whitfield Avenue	914

The following special provisions shall apply:

- a) In addition to Subsections 9.5.1 and 9.6.1, and notwithstanding Subsections 9.5.2 and 9.6.2 ii), the legally established residential uses existing on the date of passing of this By-law (May 26, 2010) shall also be permitted.
- b) Notwithstanding Subsections 9.5.3 and 9.6.3, the following regulations shall apply to the use permitted in Clause a):

- i) Minimum Front Yard 6.0 metres
  - ii) Maximum Building Height 14.0 metres
  - iii) Minimum Side Yard 0.6 metres
  - iv) Minimum Rear Yard 7.5 metres
  - v) Accessory buildings shall be subject to Subsection 4.8.1”
- h) Special Exception No. 456 shall be deleted and replaced with the following new Special Exception:

“Within the lands zoned Community Institutional (I2) Zone, identified on Map 995 of Schedule “A” – Zoning Maps and described as 121 Augusta Street, the following special provisions shall apply:

- a) Notwithstanding Section 3, a Social Services Establishment may include overnight accommodation.
  - b) In addition to Subsection 5.2 b) i), a maximum of three parking spaces may be a minimum 5.2 metres in length.
  - c) Notwithstanding Subsection 5.6 c) a minimum of 15 parking spaces shall be provided.
  - d) In addition to Subsection 8.2.1, an Office shall be permitted within the building existing on May 13, 1995.
  - e) In addition to Subsection 8.2.3.1, the maximum capacity for a Social Services Establishment shall not exceed eight (8) residents.
  - f) In addition to Subsection 8.2.3.1 and notwithstanding Subsection 4.19, a Visual Barrier with a minimum height of 1.0 metre shall be provided and maintained along the easterly lot line adjoining the parking area.”
- i) Special Exception No. 461 shall be amended to delete reference the “Downtown Mixed Use (D3) Zone” and replaced with “Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone so that it reads as follows:

“Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map 1091 of Schedule “A” – Zoning

Maps and described as 55 Queenston Road, the following special provisions shall apply:"

- j) Special Exception No. 629 shall be amended by renumbering Clause b) i) Building Height to Clause b) ii), and by renumbering Clause b) iii) Screening to Clause b) v).
- k) Special Exception No. 637 shall be amended by renumbering Clauses a) G) a), b), c) and d) as Clauses a) G) i), ii), iii) and iv).

8.2 That Schedule "C" – Special Exceptions of By-law No. 05-200 is amended by adding the following new Special Exceptions:

"672. Within the lands zoned Conservation / Hazard Land (P5) Zone, identified on Map 1034 of Schedule "A" – Zoning Maps, and described as Part of 870 Scenic Drive, the following special provisions shall apply:

- a) In addition to Subsection 7.5.1, the following uses shall be permitted only within the building existing as of June 22, 2012 (known as the Long and Bisby Building):
  - i) A maximum of 12 dwelling units;
  - ii) Commercial uses limited to:
    - Art Gallery
    - Artist Studio
    - Business or Professional Office
    - Community Centre
    - Craftsperson Shop
    - Day Nursery
    - Lecture Room
    - Library
    - Museum
    - Personal Service
    - Restaurant, to a maximum gross floor area of 200 square metres
    - Retail Store, excluding a Convenience Store, to a maximum gross floor area of 200 square metres
  - iii) Accessory uses limited to:
    - Craftsperson Shop
    - Day Nursery
    - Home Occupation
    - Medical Clinic
    - Office

Personal Services

Studio

Retail Store, to a maximum gross floor area of 200 square metres

676. Within the lands zoned City Wide Park (P3) Zone, identified on Maps 1341, 1342, 1393 and 1394 of Schedule “A” – Zoning Maps, and described as a portion of 1086 West 5<sup>th</sup> Street, the following special provisions shall apply:

a) In addition to Section 3, the following definition shall apply:

**Archaeological Conservation** Shall mean the preservation of an archaeological resource or resources in place.

b) Notwithstanding Subsection 7.3.1, only Archaeological Conservation shall be permitted.

678. Within the lands zoned General Business Park (M2) Zone, Prestige Business Park (M3) Zone, Business Park Support (M4) Zone, identified on Maps 1433, 1434, 1435, 1481, 1482, 1483, 1484, 1528, 1529, 1530, 1531, 1573 and 1574 of Schedule “A” – Zoning Maps, and described as the Ancaster Business Park, shown as Figure 3 of Schedule “F” – Special Figures, the following special provision shall also apply:

a) In addition to Subsections 9.2.1, 9.3.1 and 9.4.1, the following uses shall also be permitted:

Children’s Play-gym  
Gymnastics Studio

681. Within the lands zoned Agriculture (A1) Zone, identified on Map 138 of Schedule “A” – Zoning Maps and described as 199 Glover Road, the following special provisions shall apply:

a) In addition to Subsection 12.1.1, a Long Term Care Facility shall also be permitted.

b) In addition to Subsection 4.12 d), Section 5, and Subsection 12.1.3, any parking spaces and drive aisles existing as of July 10, 2015 shall be deemed to comply with the regulations for any required setbacks, location on the lot, and number of parking spaces.”

9. That Schedule “D” – Holding Provisions of By-law No. 05-200 is amended as follows:

9.1 That Holding Provision No. 27 regarding 611 Aberdeen Avenue be amended by renumbering it to Holding Provision No. 29.

9.2 That Holding Provision No. 37 be amended by deleting the preamble and with replacing it with the following text:

“Notwithstanding Subsections 8.2, 8.3, 9.7, 9.8, 9.9, 9.10, 9.11 and 9.12, on those lands zoned Community Institutional (I2) Zone, Major Institutional (I3) Zone, Airside Industrial (M7) Zone, Airport Related Business (M8) Zone, Airport Reserve (M9) Zone, Airport Light Industrial (M10) Zone, Airport Prestige Business (M11) Zone, and Extractive Industrial (M12) Zone, site alteration shall only be permitted in accordance with Subsections 1.11 d) and e) and Subsections 9.7.4 and 9.11.4, until such time as:”

9.3 That Holding Provision No. 63 be amended by:

i) Deleting the words “Mixed Use (TOC1) Zone” in the preamble and replacing them with “Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone”;

ii) Deleting the words “No development shall be permitted until such time as” from the end of the preamble and replacing them with “Development shall only be permitted in accordance with the regulations of Special Exception No. 296 until such time as”;

iii) Adding the words “for redevelopment” after the words “appropriately sized lots” and before the words “to the satisfaction of” in Clause i); and,

iv) Deleting Clause ii).

9.4 That a new Holding Provision No. 69 be added to Zoning By-law No. 05-200 as follows:

“Notwithstanding the regulations of Special Exception No. 672, within the lands zoned Conservation / Hazard Land (P5) Zone, identified on Map 1034 of Schedule “A” – Zoning Maps, and described as Part of 870 Scenic Drive, no development shall be permitted until such time as:

(i) The applicant submits a Master Site Plan and Precinct Plan for each development phase, as set out in the Urban Hamilton Official Plan, Chedmac Secondary Plan, which includes the required studies, to the satisfaction of the Director of Planning;

- (ii) The applicant submits urban design guidelines, as set out in the Urban Hamilton Official Plan, Chedmac Secondary Plan, to the satisfaction of the Director of Planning;
  - (iii) The applicant submits architectural control guidelines, as set out in the Urban Hamilton Official Plan, Chedmac Secondary Plan, to the satisfaction of the Director of Planning;
  - (iv) The applicant submits an urban design report, as set out in the Urban Hamilton Official Plan, Chedmac Secondary Plan, to the satisfaction of the Director of Planning;
  - (v) Where the Moreland and Brow Annex buildings are not to be retained, the applicant submits a report which demonstrates that retention and re-use of such buildings is not structurally feasible, to the satisfaction of the Director of Planning.”
10. That Maps 54, 55, 63, 67, 75, 101, 112, 113, 114, 128, 138, 141, 163, 164, 196, 204, 212, 219, 877, 907, 948, 949, 1034, 1091, 1286, 1289, 1341, 1342, 1393, 1394, 1433, 1434, 1435, 1481, 1482, 1483, 1484, 1528, 1529, 1530, 1531, 1573, 1574 of Schedule “A” – Zoning Maps of Zoning By-law No. 05-200 be amended the extent and boundaries of which are shown on a plan hereto annexed as Schedules “A1”, “A2”, “A3”, “A4”, “A5”, “A6”, “A7”, “A8”, “A9”, “B1”, “B2”, “B3”, “B4”, “B5”, “B6”, “B7”, “B8”, “B9”, “B10”, “B11” and “B12” to this By-law, as follows:
- 10.1 Change in zoning from the Downtown Mixed Use (D3, 461, H54) Zone, Modified with a Holding to the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 461, H54) Zone, Modified with a Holding (55 Queenston Road, Hamilton, Schedule “A1”);
  - 10.2 Lands to be added to Zoning By-law No. 05-200 and zoned Neighbourhood Park (P1) Zone (80 Beach Boulevard, Hamilton, Schedule “A2”);
  - 10.3 Lands to be added to Zoning By-law No. 05-200 and zoned Conservation / Hazard Land (P5) Zone (Part of 1169 Garner Road East, Ancaster, Schedule “A3”);
  - 10.4 Change in zoning from the City Wide (P3) Zone to the City Wide (P3, 676) Zone, Modified (Part of 1086 West 5<sup>th</sup> Street, Hamilton, Schedule “A4”);
  - 10.5 Change in zoning from Agriculture (A1) Zone to Agriculture (A1, 681) Zone, Modified (199 Glover Road, Stoney Creek, Schedule “A5”);

- 10.6 Lands to be added to Zoning By-law No. 05-200 and zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1, 310) Zone, Modified (122 Longwood Road South, Hamilton, Schedule "A6");
- 10.7 Lands to be added to Zoning By-law No. 05-200 and zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone (15 Emerson Street, Hamilton, Schedule "A7");
- 10.8 Change in zoning from Conservation / Hazard Land (P5) Zone to Conservation / Hazard Land (P5, 672, H69) Zone, Modified with a Holding (870 Scenic Drive, Hamilton, Schedule "A8");
- 10.9 Lands to be added to Zoning By-law No. 05-200 and zoned Conservation / Hazard Land – Rural (P6) Zone (340, 342 & 348, and Part of 344 Mountain Brow Road and 2000 Waterdown Road, Flamborough, Schedule "A9");
- 10.10 Change in zoning from Conservation / Hazard Land – Rural (P7) Zone to Agriculture (A1) Zone (168, 182, 190 and 234 Woodhill Road, Flamborough, Schedule "B1");
- 10.11 Change in zoning from Conservation / Hazard Land – Rural (P7) Zone to Agriculture (A1) Zone and change in zoning from Agriculture (A1) Zone to Conservation / Hazard Land – Rural (P7) Zone (767, 831 and 893 Weir Road, Ancaster, Schedule "B2");
- 10.12 Change in zoning from Conservation / Hazard Land – Rural (P7) Zone to Agriculture (A1) Zone and change in zoning from Agriculture (A1) Zone to Conservation / Hazard Land – Rural (P7) Zone (3255, 3261, 3269, 3275 and 3303 Indian Trail, Ancaster, Schedule "B3");
- 10.13 Change in zoning from Conservation / Hazard Land – Rural (P6) Zone to Conservation / Hazard Land – Rural (P7) Zone, change in zoning from Rural (A2) Zone to Conservation / Hazard Land – Rural (P7) Zone, and change in zoning from Conservation / Hazard Land – Rural (P6) Zone to Rural (A2) Zone (Parts of 3065, 3295, 3311, 3323, 3335, 3341, 3349, 3359, 3369, 3379, 3383, 3385, 3395, 3403, 3409 Tisdale Road, Glanbrook, Parts of 5050, 5056, 5084, 5126, 5134, 5144, 5150, 5156, 5164 Chippewa Road East, Glanbrook, Schedule "B4");
- 10.14 Change in zoning from Conservation / Hazard Land – Rural (P7) Zone to Agriculture (A1) Zone (4235 and 4250 Trimble Road, Glanbrook, Schedule "B5");
- 10.15 Change in zoning from the Settlement Residential (S1, 52) Zone, Modified to the Conservation / Hazard Land – Rural (P6) Zone, change in zoning from the Settlement Residential (S1) Zone to the Conservation / Hazard

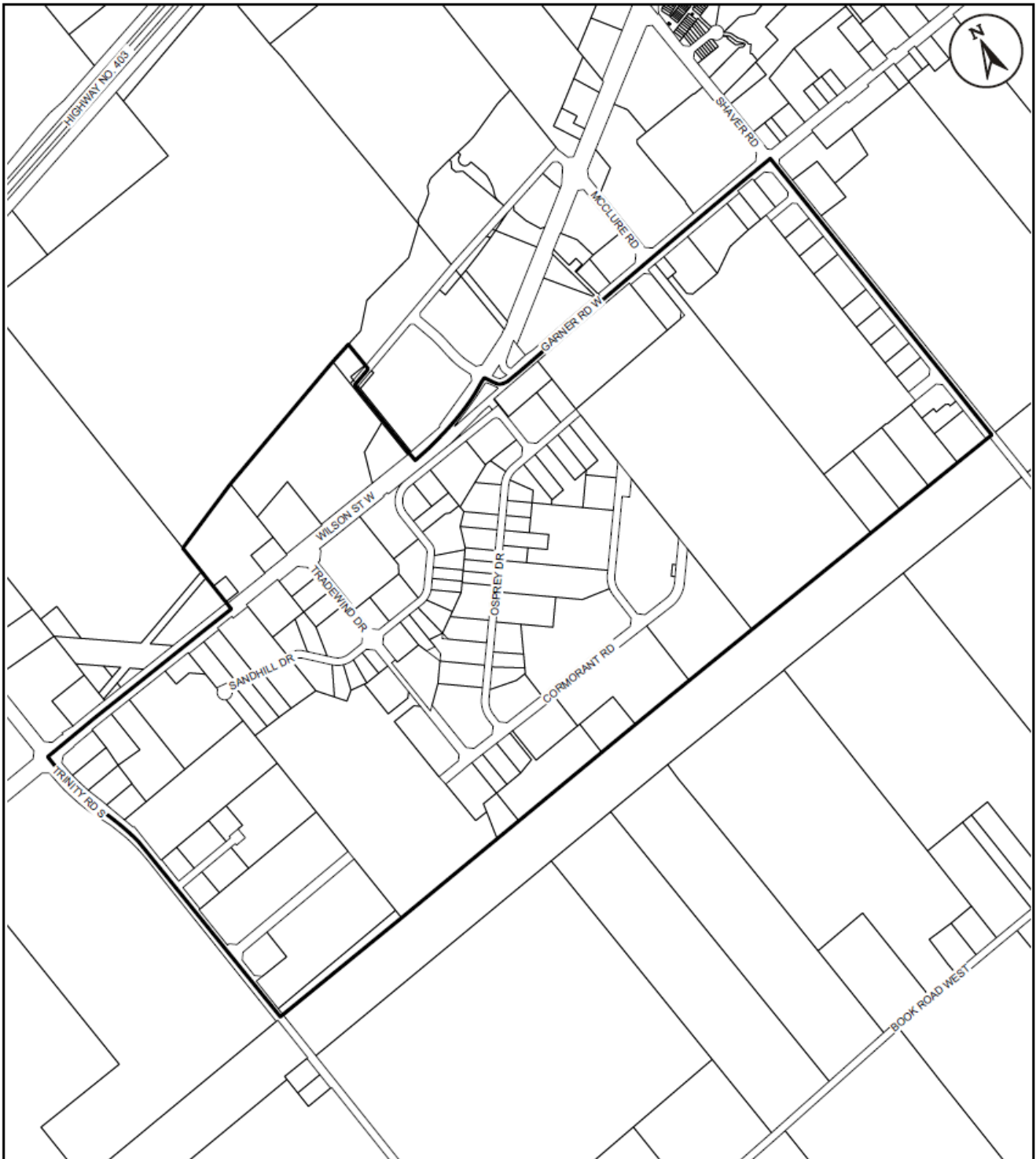


Land – Rural (P6) Zone, change in zoning from the Rural (A2) Zone to the Conservation / Hazard Land – Rural (P6) Zone, change in zoning from the Rural (A2) Zone to the Conservation / Hazard Land – Rural (P7) Zone, and change in zoning from the Conservation / Hazard Land – Rural (P6) Zone to the Settlement Residential (S1) Zone (Part of 49 Inksetter Road and 56, 64, 68, 70, 86 and 90 Highway 52, Flamborough, Schedule “B6”);

- 10.16 Change in zoning from the Agriculture (A1) Zone to the Conservation / Hazard Land – Rural (P7) Zone and change in zoning from the Conservation / Hazard Land (P7) Zone to the Agriculture (A1) Zone (554, 560 and 568 Hunter Road, Flamborough, Schedule “B7”);
  - 10.17 Change in zoning from the Conservation / Hazard Land – Rural (P8) Zone to the Conservation / Hazard Land – Rural (P6) Zone, change in zoning from the Conservation / Hazard Land – Rural (P8) Zone to the Rural (A2) Zone, change in zoning from the Rural (A2) Zone to the Conservation / Hazard Land (P7) Zone, change in zoning from the Conservation / Hazard Land (P7) Zone to the Rural (A2) Zone, and change in zoning from the Rural (A2) Zone to the Conservation / Hazard Land – Rural (P6) Zone (2020 & 2036 Safari Road, Flamborough, Schedule “B8”);
  - 10.18 Change in zoning from the Rural (A2) Zone to the Conservation / Hazard Land – Rural (P7) Zone, and change in zoning from the Conservation / Hazard Land – Rural (P7) Zone to the Rural (A2) Zone (953, 971, 977, 989 and 1005 Kirkwall Road, Flamborough, Schedule “B9”);
  - 10.19 Change in zoning from the Conservation / Hazard Land – Rural (P6) Zone to the Rural (A2) Zone, and change in zoning from the Conservation / Hazard Land – Rural (P7) Zone to the Rural (A2) Zone (1195 Kirkwall Road, Flamborough, Schedule “B10”);
  - 10.20 Change in zoning from the Conservation / Hazard Land – Rural (P6) Zone to the Conservation / Hazard Land – Rural (P8) Zone, and change in zoning from the Conservation / Hazard Land – Rural (P6) Zone to the Rural (A2) Zone (6492 & 6344 Twenty Road East, Glanbrook, Schedule “B11”); and,
  - 10.21 Change in zoning from the Conservation / Hazard Land – Rural (P7) Zone to the Agriculture (A1) Zone (1004 Westbrook Road, Part of 1042 Westbrook Road, 35, 45, 55, 65, 81, 91 Golf Club Road and Part of 1101 Golf Club Road, Glanbrook, Schedule “B12”).
11. That Schedule “F” – Special Figures of Zoning By-law No. 05-200 is amended as follows:
    - 11.1 That Figure 3: Ancaster Business Park shall be deleted and replaced with Figure 3: Ancaster Business Park attached to this By-law.

- 11.2 That Figure 5: Property Details Sketch Related to Special Exemption 445 be deleted and replaced with Figure 16: 257, 259, 263, 269, 271, 275 and 279 Bay Street North, Hamilton attached to this By-law.
- 11.3 That Figure 5: Concept Plan be deleted and replaced with Figure 17: 108 James Street North, 111 and 115 Hughson Street North attached to this By-law.
- 11.4 That Figure 5.0: Source Water Protection Vulnerability Score: Carlisle be deleted and replaced with Figure 5.0: Source Water Protection Vulnerability Score (Carlisle) attached to this By-law.
- 11.5 That Figure 5.1: Source Water Protection Vulnerability Score: Freelton be deleted and replaced with Figure 5.1: Source Water Protection Vulnerability Score (Freelton) attached to this By-law.
- 11.6 That Figure 5.2: Source Water Protection Vulnerability Score: Greensville be deleted and replaced with Figure 5.2: Source Water Protection Vulnerability Score (Greensville) attached to this By-law.
- 11.7 That Figure 5.3: Source Water Protection Vulnerability Score: Lynden be deleted and replaced with Figure 5.3: Source Water Protection Vulnerability Score (Lynden) attached to this By-law.
- 11.8 That Figure 6.0: Lower Stoney Creek Lands be deleted and replaced with Figure 6.0: Lower Stoney Creek Lands attached to this By-law.
- 11.9 That Figure 7.0: Specialty Crop Lands be deleted and replaced with Figure 7.0: Specialty Crop Lands attached to this By-law.
- 11.10 That Figure 11: 75 Centennial Parkway North (Eastgate Square) be renumbered as Figure 18: 75 Centennial Parkway North (Eastgate Square) attached to this By-law.
- 11.11 That Figure 12: 670, 674, 686, 692, 700 and 706 Queenston Road, Hamilton be renumbered as Figure 19: 670, 674, 686, 692, 700 and 706 Queenston Road, Hamilton attached to this By-law.
12. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law in accordance with the *Planning Act*.
13. That for the purposes of the Building Code, this by-law or any part of it is not made until it has come into force as provided by Section 34 of the *Planning Act*.

14. That this By-law comes into force in accordance with Section 34 of the *Planning Act*.



**Special Figure 3: Ancaster Business Park**

Date:  
April 2018

Legend

— Ancaster Business Park



Hamilton

PLANNING AND ECONOMIC  
DEVELOPMENT DEPARTMENT

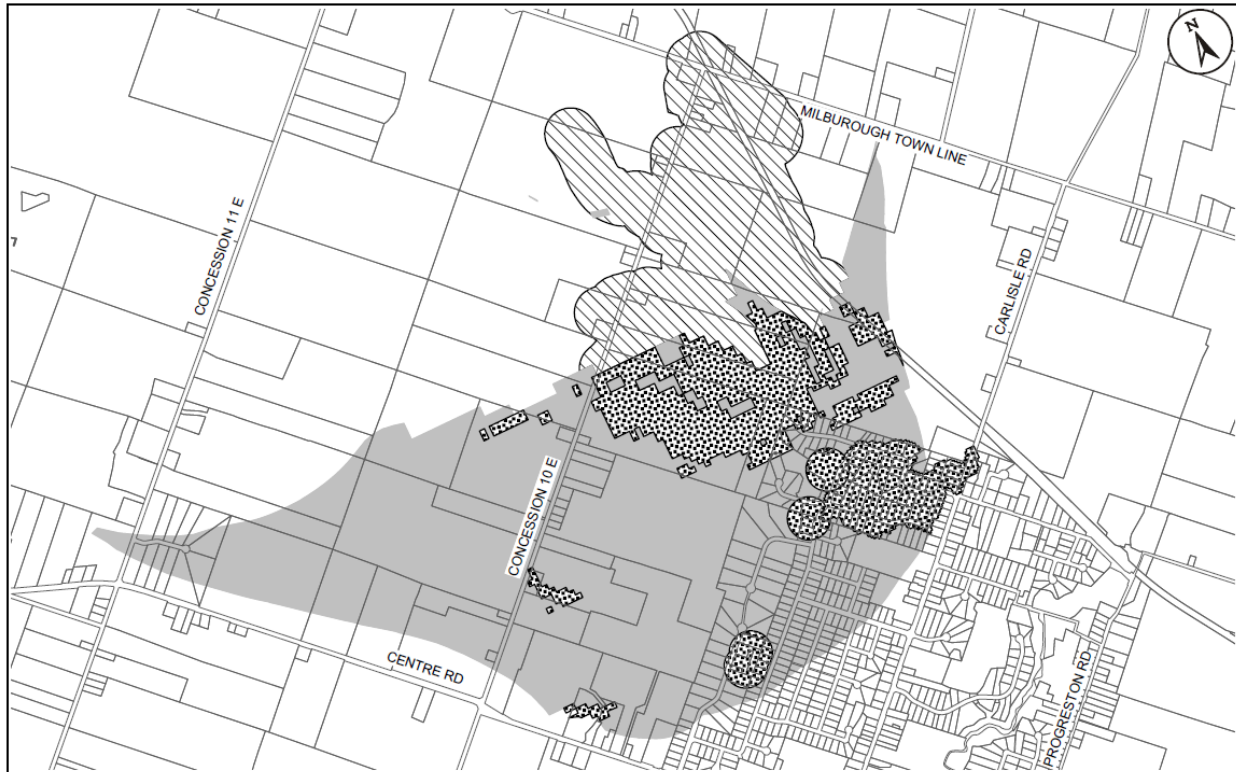






Figure 5: Source Water Protection Vulnerability Score (Carlisle)

Date:  
May 24, 2018

Legend

- |                                                                                                       |                                                                                                       |
|-------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
|  Vulnerable Area 1 |  Vulnerable Area 3 |
|  Vulnerable Area 2 |  Property Boundary |



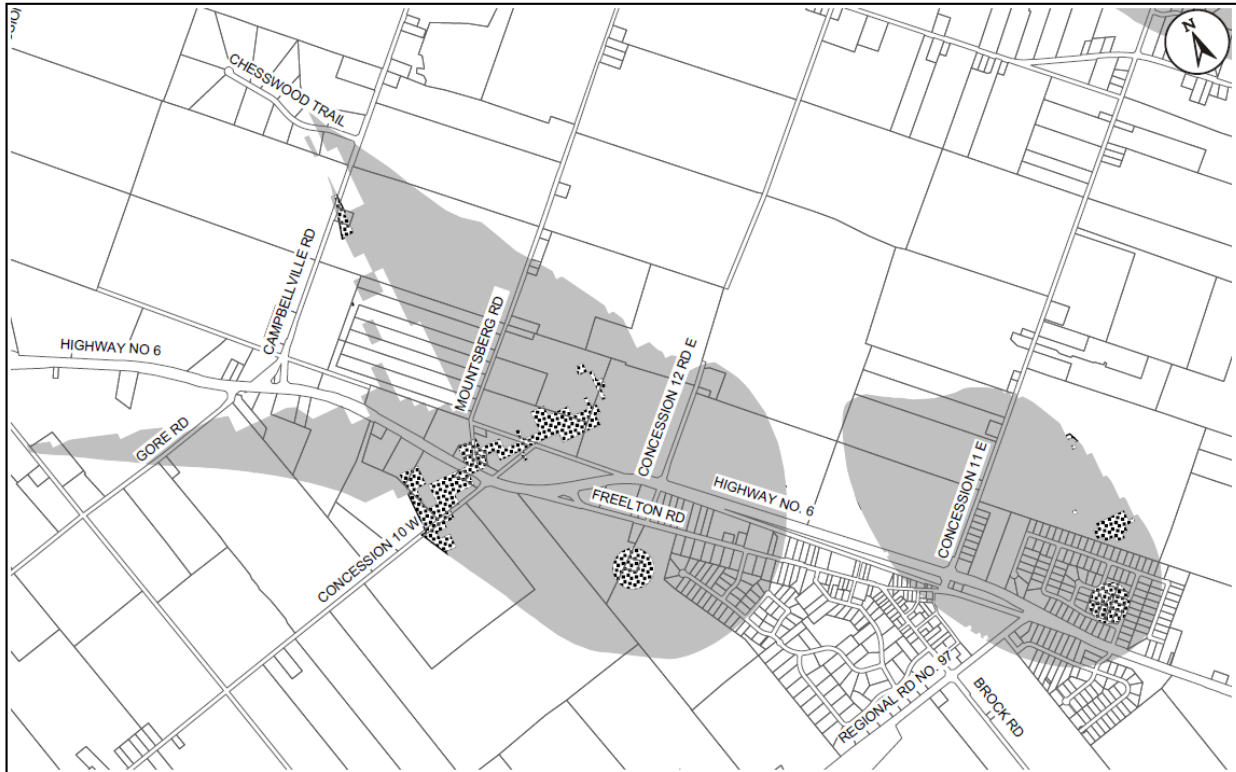





Figure 5.1: Source Water Protection Vulnerability Score (Freelon)

Date:  
 May 24, 2018

Legend

-  Vulnerable Area 1
-  Vulnerable Area 2
-  Property Boundary



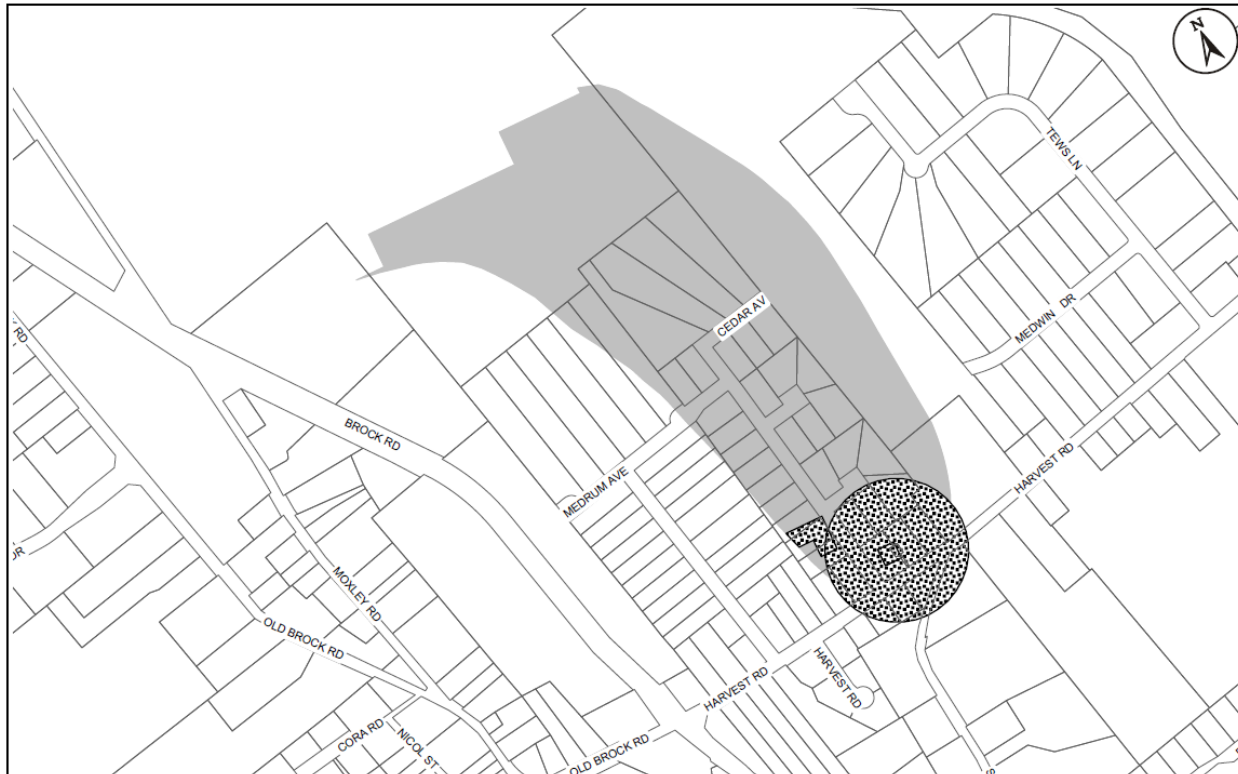





Figure 5.2: Source Water Protection Vulnerability Score (Greenville)

Date:  
May 24, 2018

Legend

-  Vulnerable Area 1
-  Vulnerable Area 2
-  Property Boundary



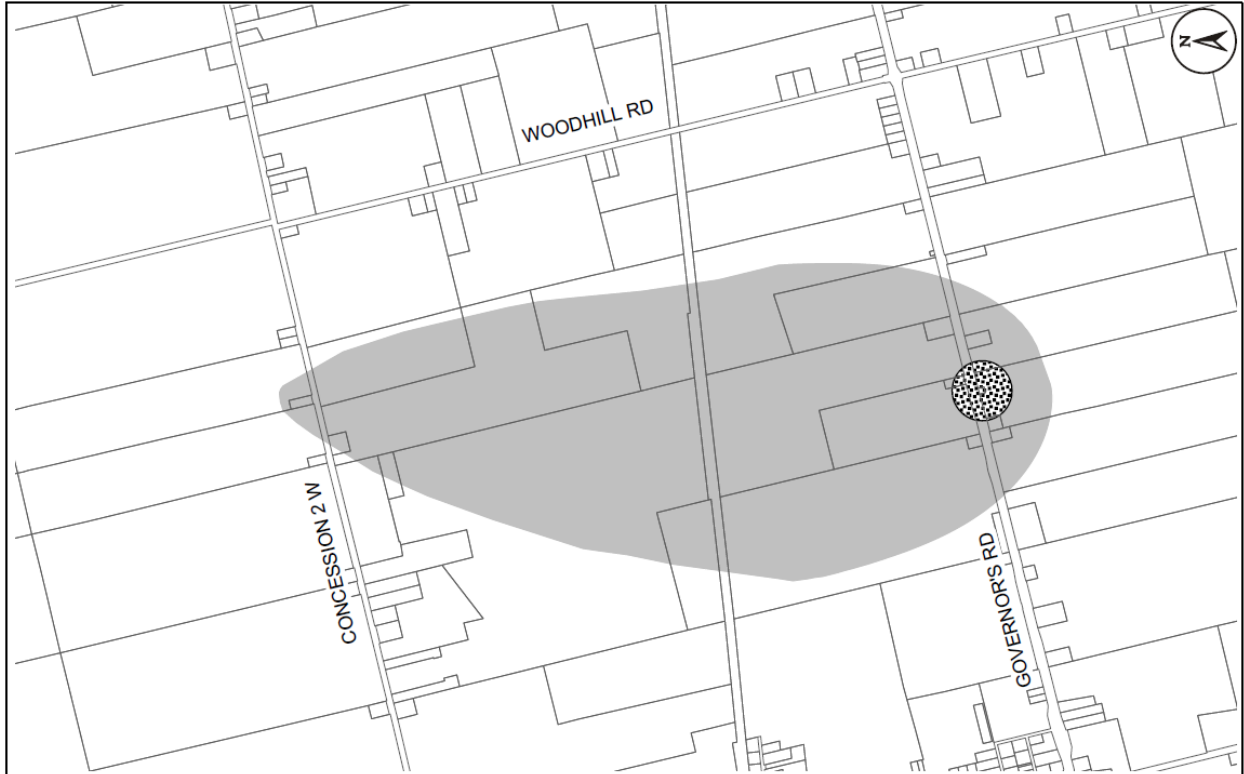





Figure 5.3: Source Water Protection Vulnerability Score (Lynden)

Date:  
May 24, 2018

Legend

-  Vulnerable Area 1
-  Vulnerable Area 2
-  Property Boundary





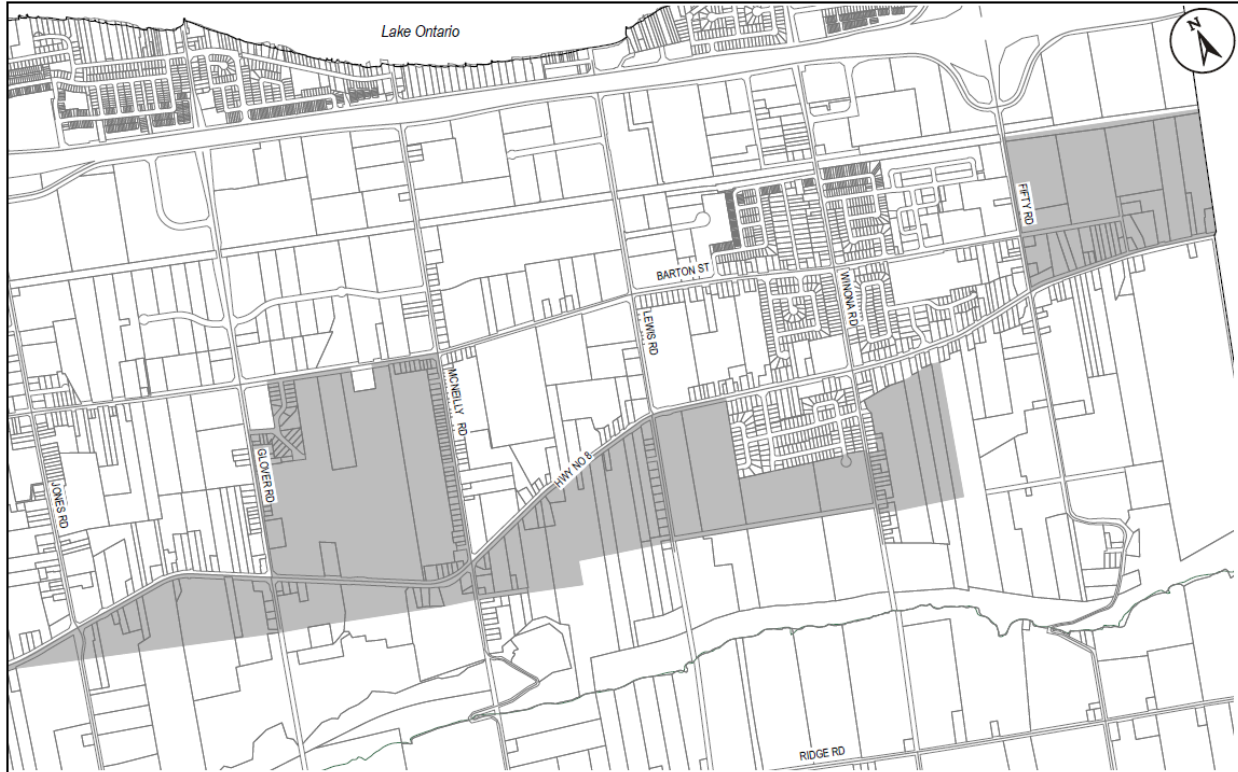




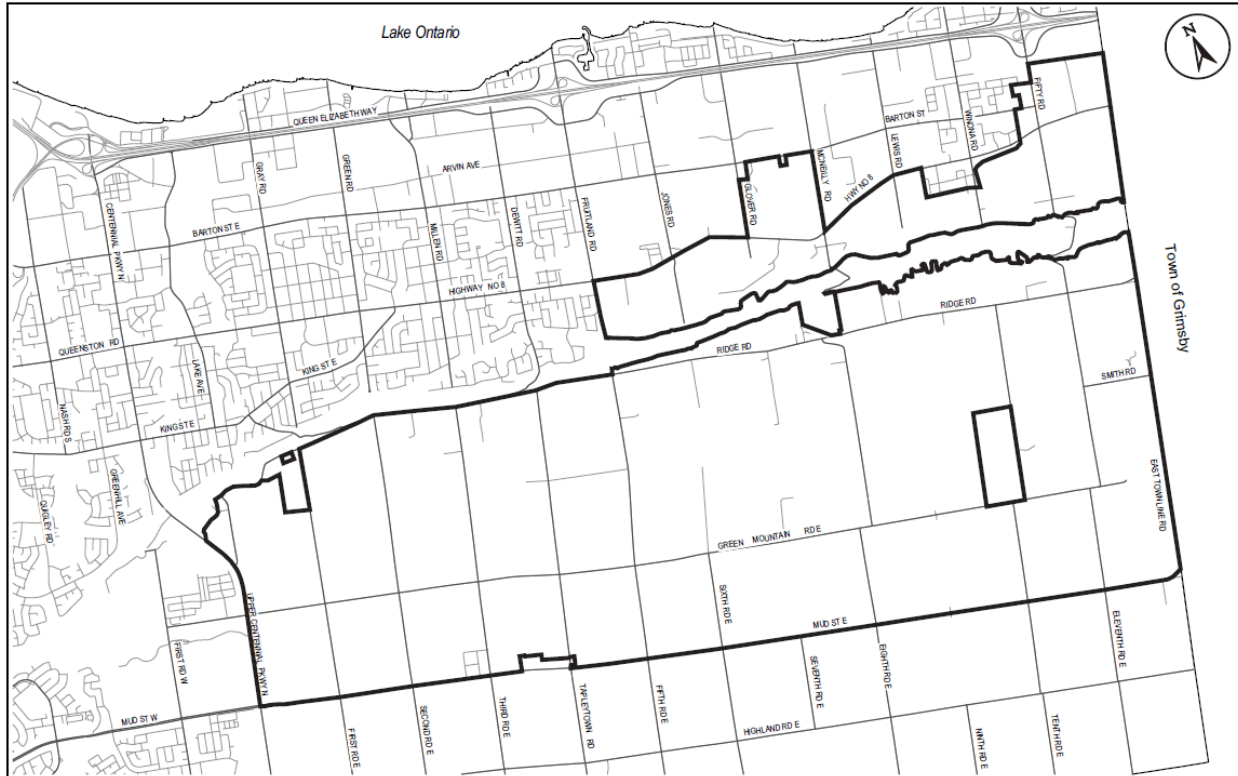
Figure 6: Lower Stoney Creek Lands

Date:  
May 24, 2018

Legend

-  Lower Stoney Creek Lands
-  Property Boundary







**Figure 7: Specialty Crop Lands**

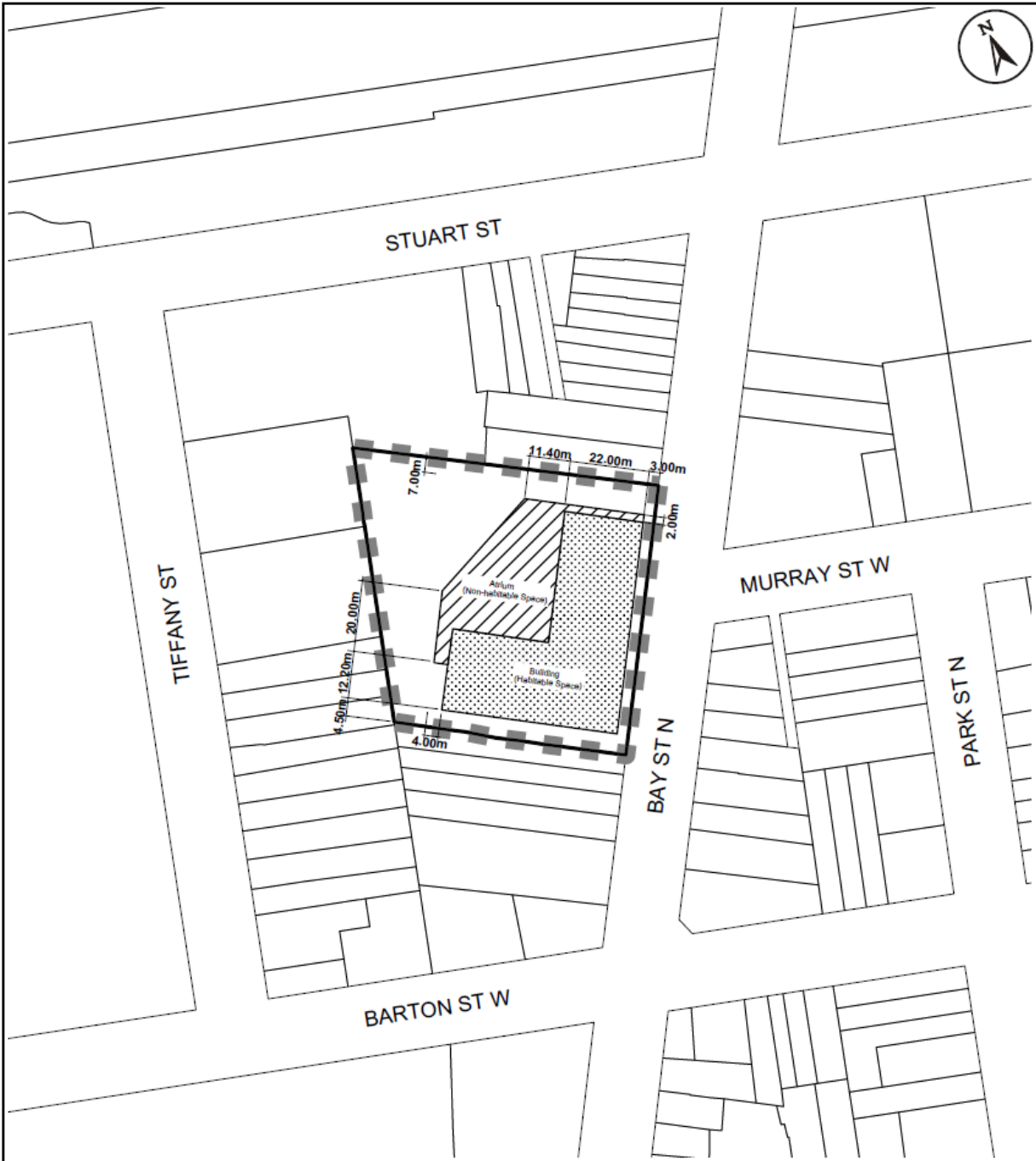
**Date:**  
 May 24, 2018

**Legend**

-  Specialty Crop Lands
-  Property Boundary



**Hamilton**  
 PLANNING AND ECONOMIC  
 DEVELOPMENT DEPARTMENT



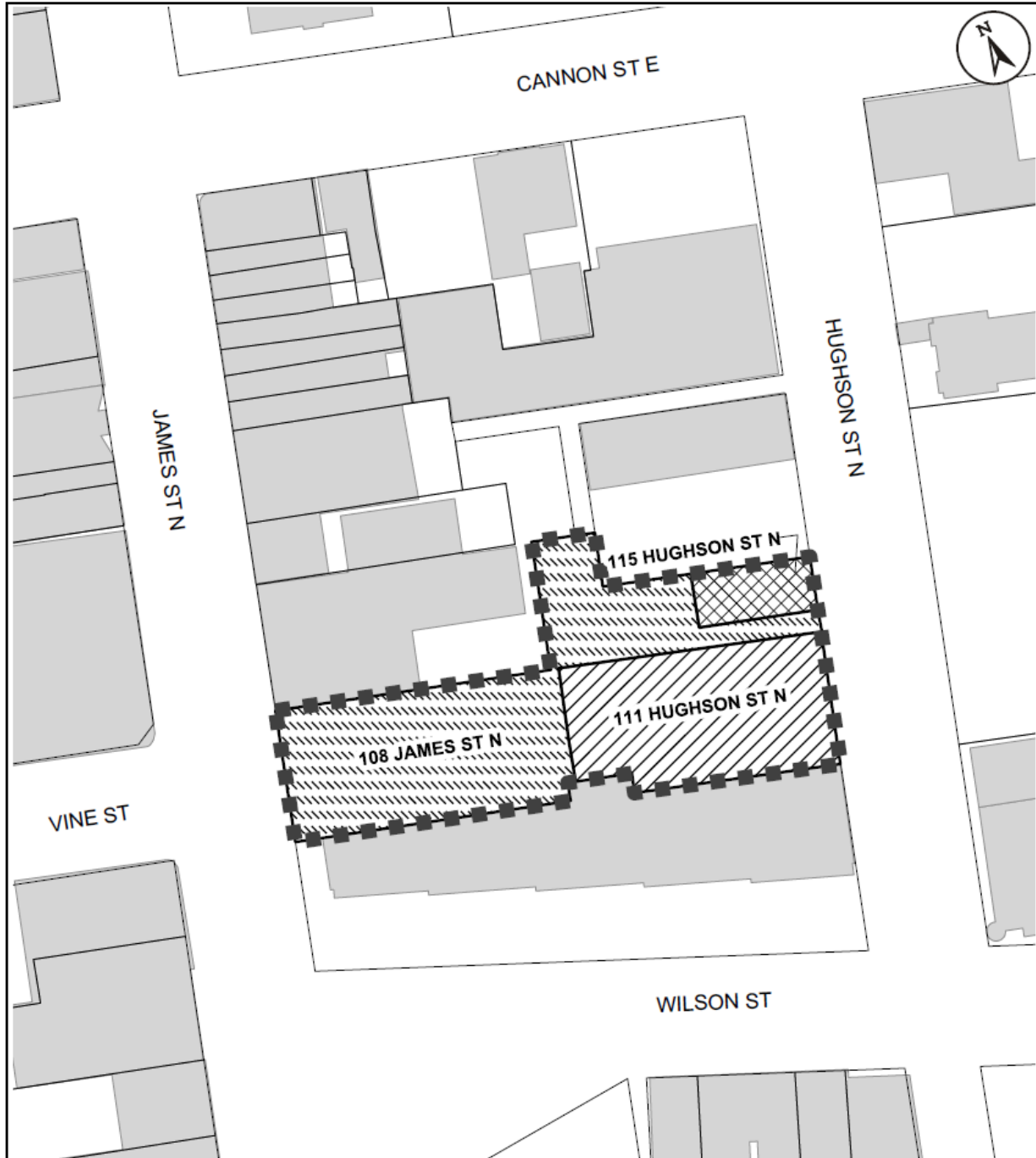
**Figure 16: 257, 259, 263, 269, 271, 275 and 279 Bay Street North, Hamilton**

Date:  
 March 1, 2018

**Legend**

■ ■ ■ Subject Area - Special Exception 445





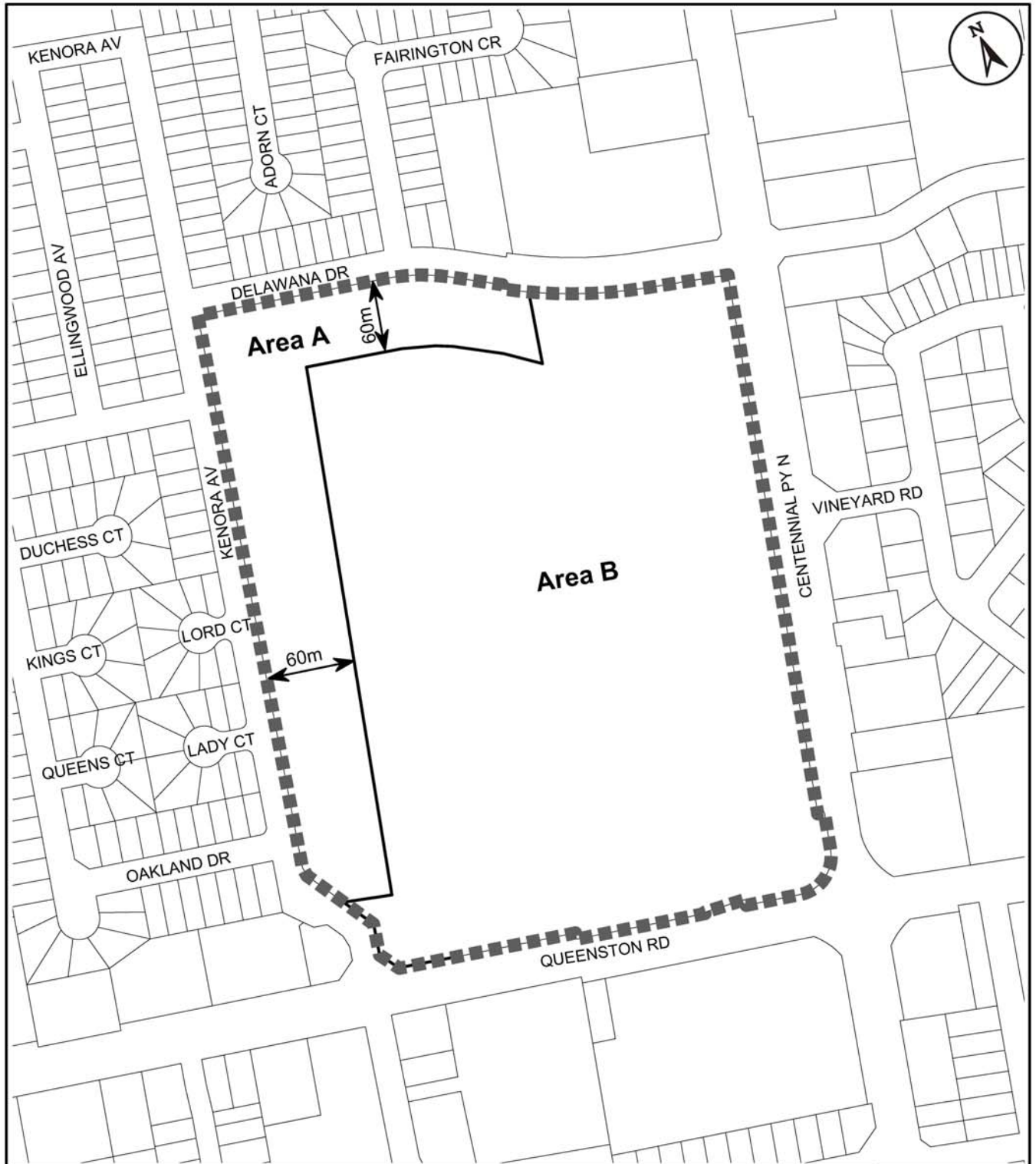
**Figure 17: 108 James Street North, 111 and 115 Hughson Street North**

Date;  
March 1, 2018

**Legend**

■ ■ ■ ■ Subject Area - Special Exception 451





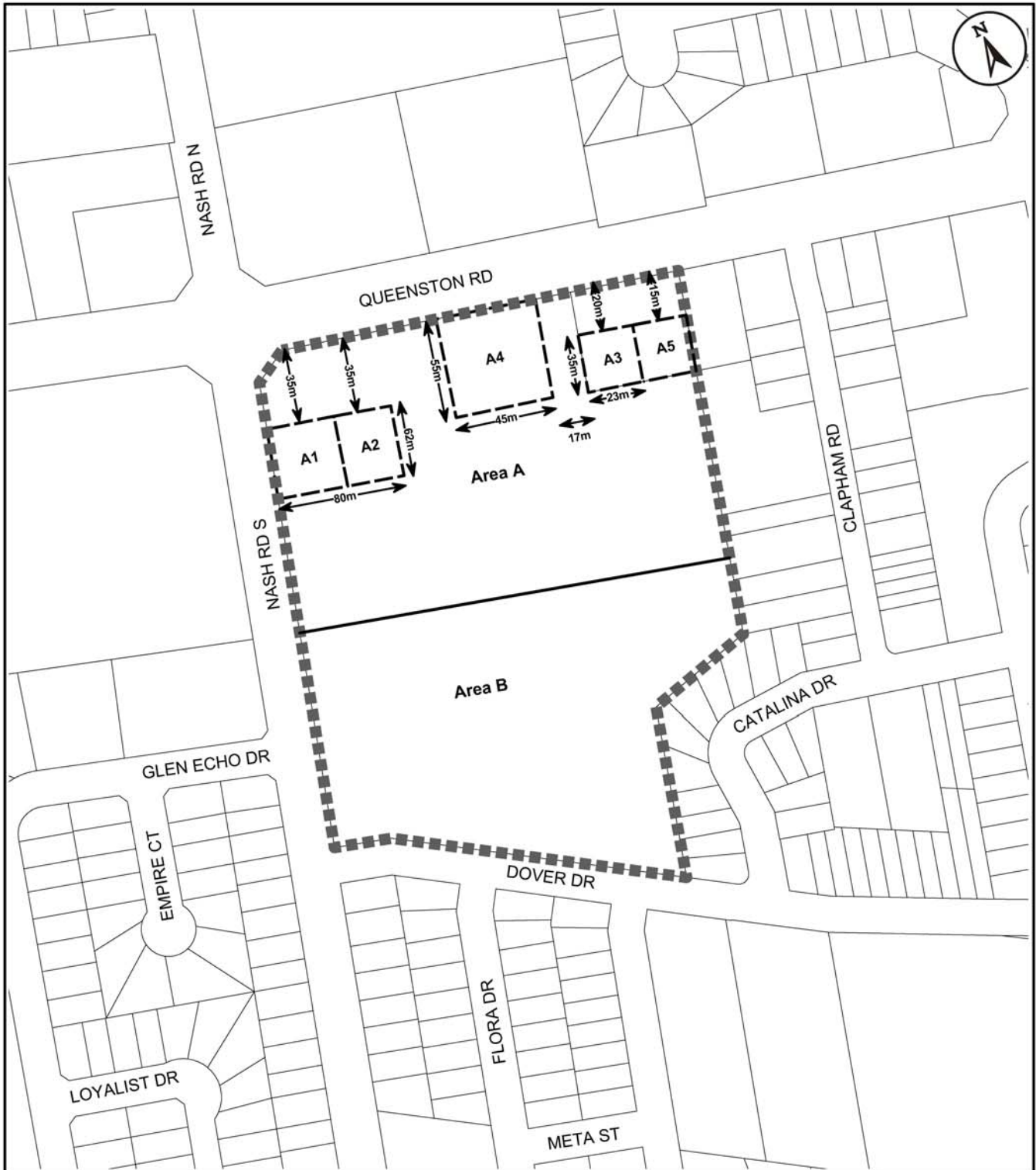
**Figure 18: 75 Centennial Parkway North (Eastgate Square)**

Date:  
 January 9, 2018

**Legend**

■ ■ ■ ■ Subject Area - Special Exception 633





**Figure 19:** 670, 674, 686, 692, 700 and 706 Queenston Road, Hamilton

Date:  
February 7, 2018

**Legend**

■ ■ ■ ■ Subject Area - Special Exception 637



**Hamilton**  
PLANNING AND ECONOMIC  
DEVELOPMENT DEPARTMENT

To Amend Zoning By-law No. 05-200  
Respecting Modifications and Updates

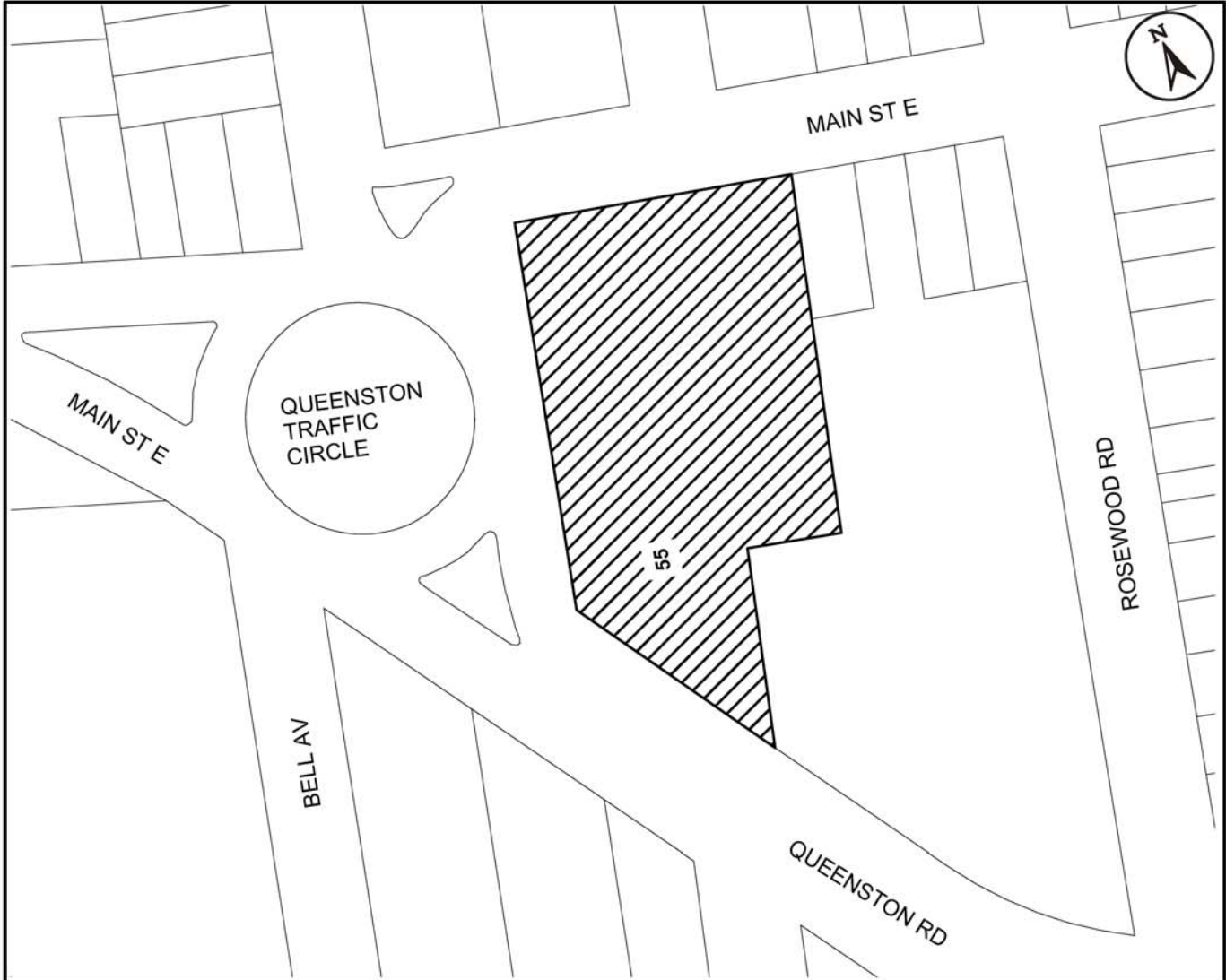
**PASSED** this 17<sup>th</sup> day of August, 2018.

---

F. Eisenberger  
Mayor

---


J. Pilon  
Acting City Clerk



This is Schedule "A1" to By-law No. 18-  
 Passed the ..... day of ....., 2018

-----  
 Mayor  
 -----  
 Clerk

**Schedule "A1"**  
 Map Forming Part of  
 By-law No. 18-\_\_\_\_\_  
 to Amend By-law No. 05-200  
 Map 1091

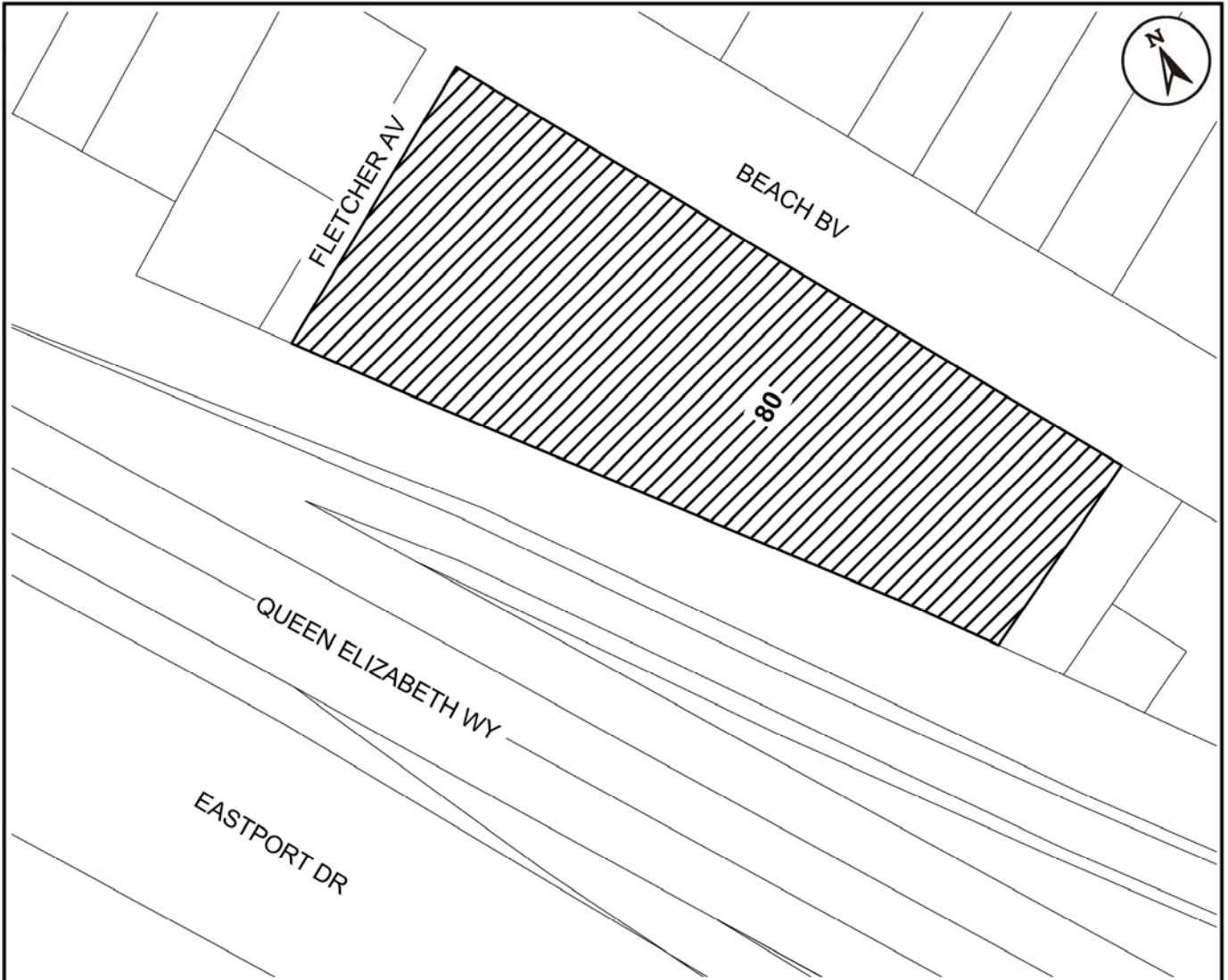
**Subject Property**  
 55 Queenston Road, Hamilton  
 Lands to be rezoned from Downtown Mixed Use (D3, 461, H54) Zone, Modified with a Holding to Transit Oriented Corridor Mixed Use Medium Density (TOC1, 461, H54) Zone, Modified with a Holding

Scale:  
 N.T.S.  
 Date:  
 February 23, 2018

File Name/Number:  
 55 Queenston Rd  
 Planner/Technician:  
 MG/NB







This is Schedule "A2" to By-law No. 18-  
Passed the ..... day of ....., 2018

-----  
Mayor  
-----  
Clerk

## Schedule "A2"

Map Forming Part of  
By-law No. 18-\_\_\_\_\_

to Amend By-law No. 05-200  
Map 877

### Subject Property

80 Beach Boulevard, Hamilton



Lands to be added to Zoning By-law No. 05-200  
and zoned Neighbourhood Park (P1) Zone

Scale:  
N.T.S.

File Name/Number:  
80 Beach Blvd

Date:

February 26, 2018

Planner/Technician:  
MG/NB



Hamilton



This is Schedule "A3" to By-law No. 18-  
 Passed the ..... day of ....., 2018

-----  
 Mayor  
 -----  
 Clerk


## Schedule "A3"

Map Forming Part of  
 By-law No. 18-\_\_\_\_\_

to Amend By-law No. 05-200  
 Map 1286

### Subject Property

1169 Garner Road East, Ancaster

 Lands to be added to Zoning By-law No. 05-200  
 and zoned Conservation / Hazard Land (P5) Zone

Scale:  
 N.T.S.

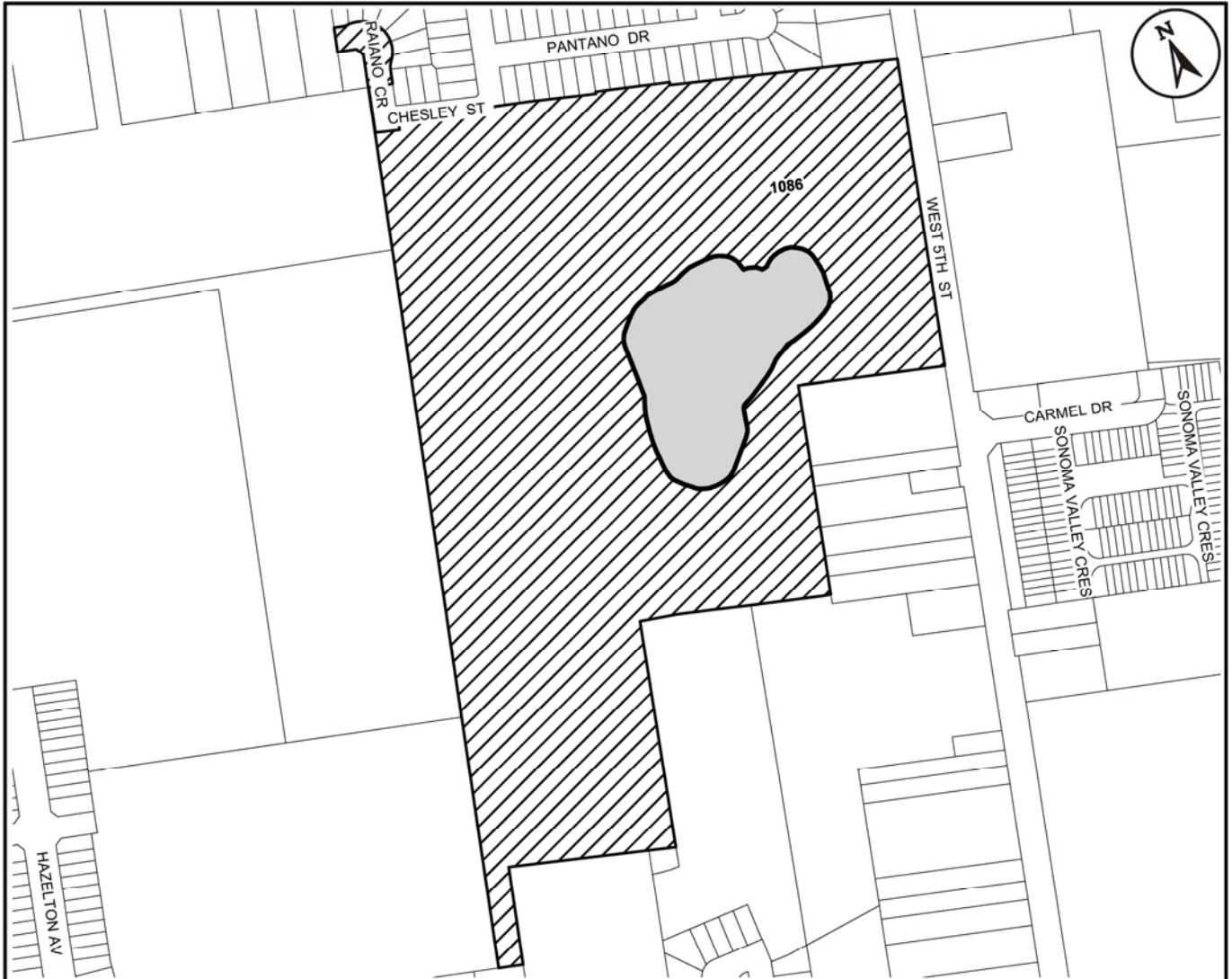
File Name/Number:  
 1169 Garner Rd E

Date:  
 April 6, 2018

Planner/Technician:  
 MG/AL



Hamilton



This is Schedule "A4" to By-law No. 18-

Passed the ..... day of ....., 2018

-----  
 Mayor

-----  
 Clerk

## Schedule "A4"

Map Forming Part of  
 By-law No. 18-\_\_\_\_\_

to Amend By-law No. 05-200  
 Maps 1289, 1342, 1393 & 1394

### Subject Property



1086 West 5th Street, Hamilton



Lands to be rezoned from City Wide (P3) Zone  
 to City Wide (P3, 676) Zone, Modified

Scale:  
 N.T.S.

File Name/Number:  
 1086 West 5th St

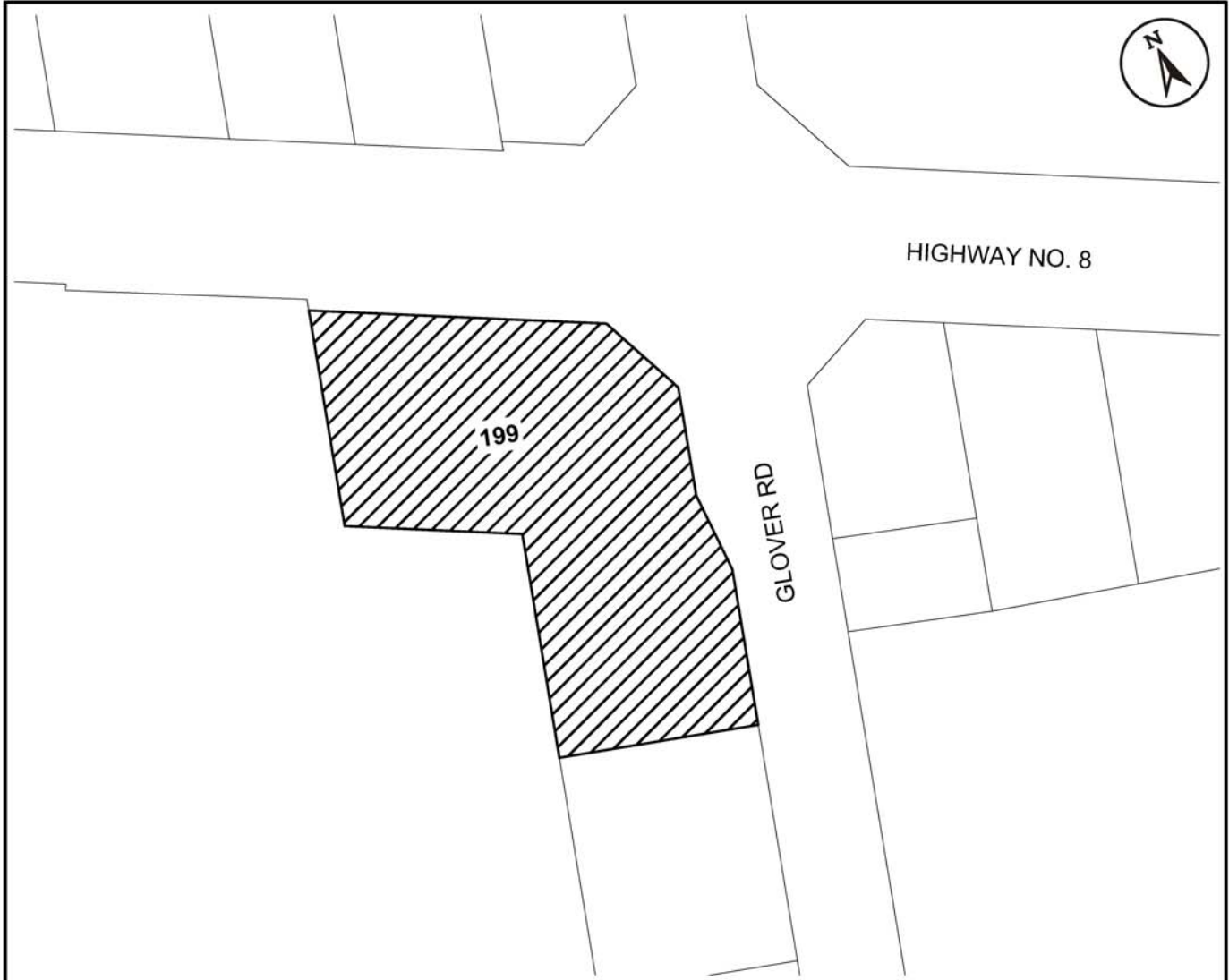
Date:  
 April 27, 2018

Planner/Technician:  
 MG/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT




This is Schedule "A5" to By-law No. 18-  
 Passed the ..... day of ....., 2018

-----  
 Mayor  
 -----  
 Clerk

**Schedule "A5"**  
  
 Map Forming Part of  
 By-law No. 18-\_\_\_\_\_  
  
 to Amend By-law No. 05-200  
 Map 138

**Subject Property**  
 199 Glover Road, Stoney Creek

 Lands to be rezoned from Agriculture (A1) Zone to  
 Agriculture (A1, 681) Zone, Modified

Scale:  
 N.T.S.

File Name/Number:  
 199 Glover Rd

Date:  
 February 28, 2018

Planner/Technician:  
 MG/NB




PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



This is Schedule "A6" to By-law No. 18-  
Passed the ..... day of ....., 2018

-----  
Mayor  
-----  
Clerk

**Schedule "A6"**  
  
Map Forming Part of  
By-law No. 18-\_\_\_\_\_  
  
to Amend By-law No. 05-200  
Maps 907 & 949

**Subject Property**  
122 Longwood Road South, Hamilton  
 Lands to be added to Zoning By-law No. 05-200 and zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1, 310) Zone, Modified

Scale:  
N.T.S.

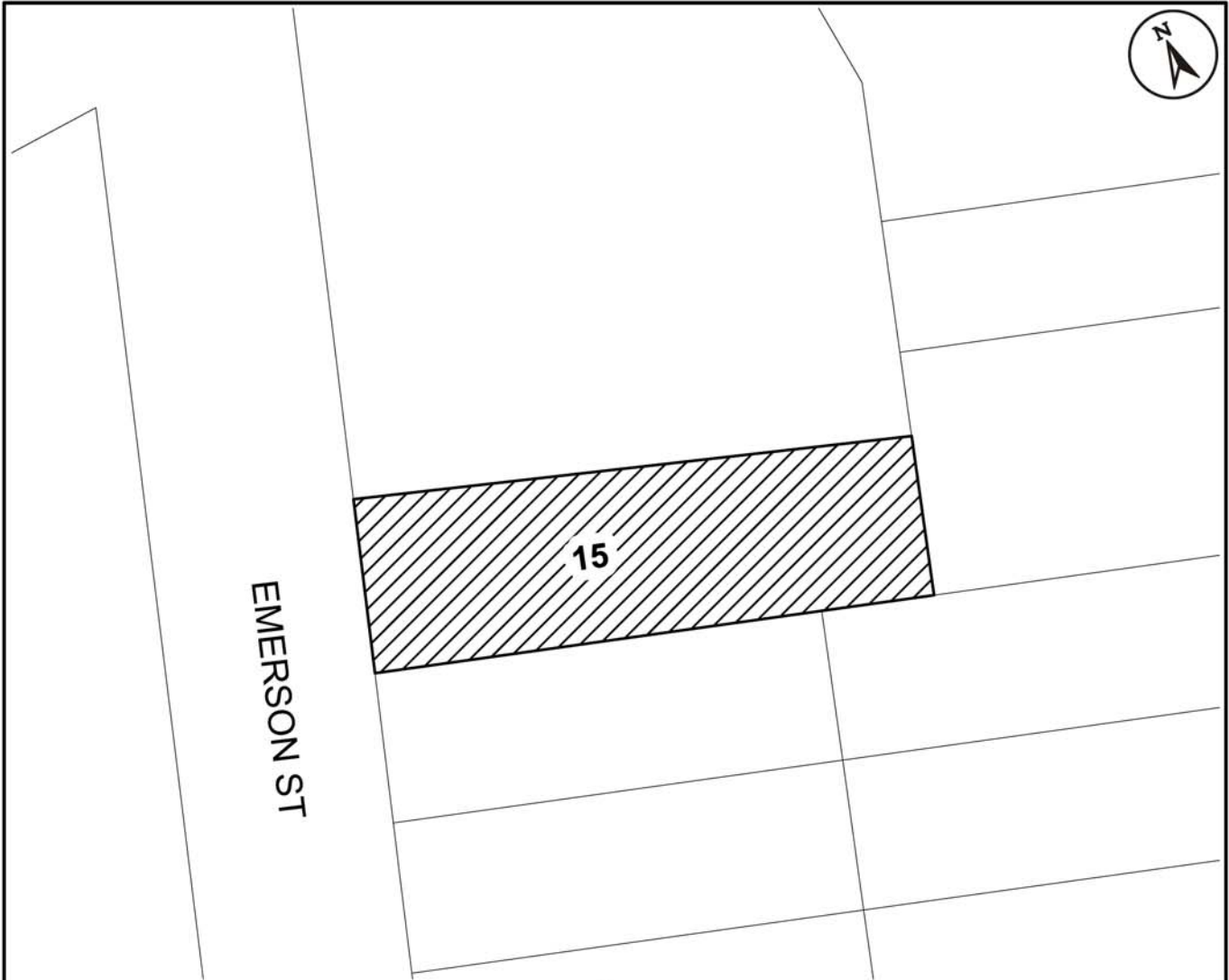
File Name/Number:  
122 Longwood Rd S

Date:  
May 10, 2018

Planner/Technician:  
MG/AL



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



This is Schedule "A7" to By-law No. 18-

Passed the ..... day of ....., 2018

-----  
 Mayor

-----  
 Clerk

## Schedule "A7"

Map Forming Part of  
 By-law No. 18-\_\_\_\_\_

to Amend By-law No. 05-200  
 Map 948

### Subject Property

15 Emerson Street, Hamilton



Lands to be added to Zoning By-law No. 05-200  
 and zoned Transit Oriented Corridor Mixed Use  
 Medium Density (TOC1) Zone

Scale:  
 N.T.S.

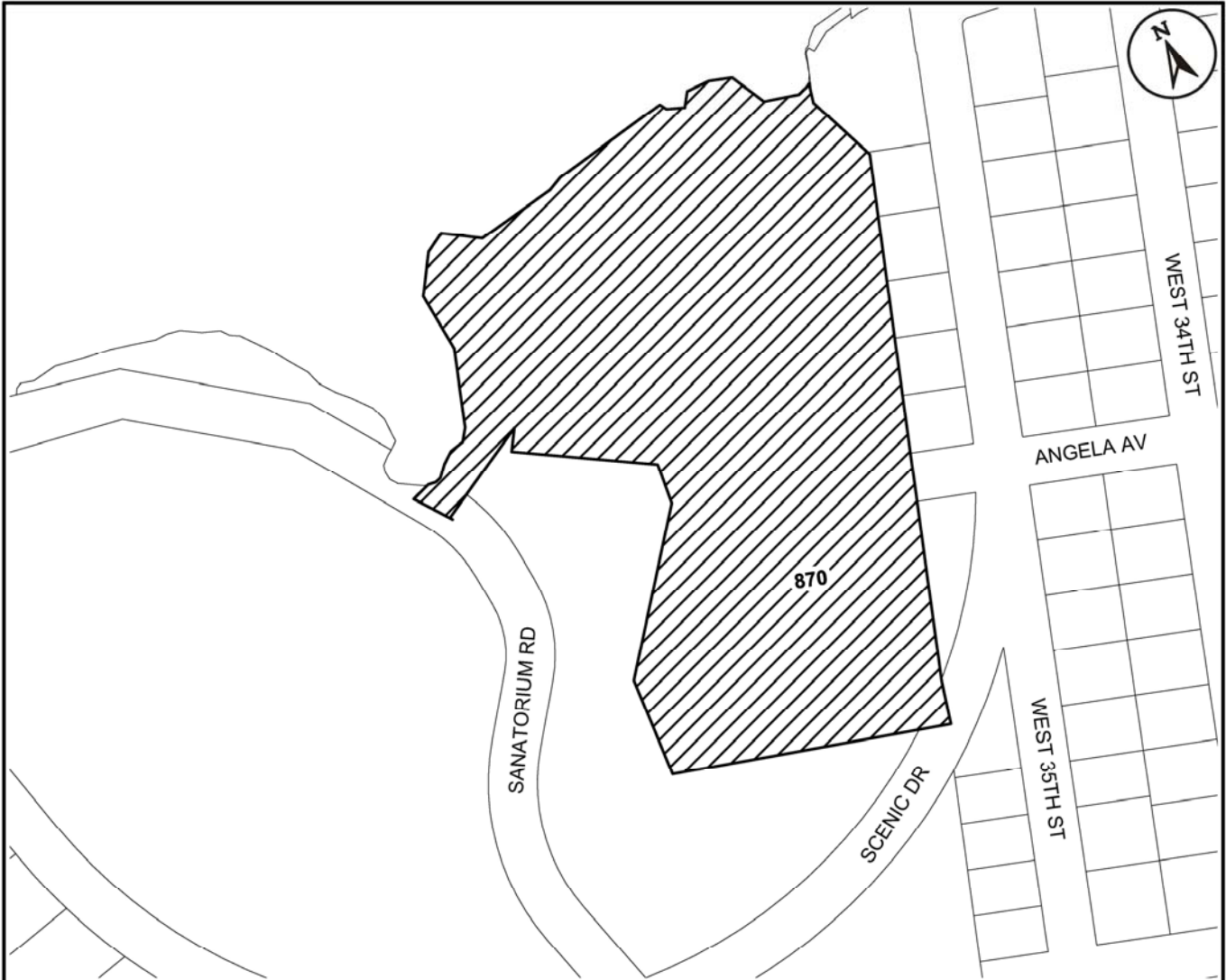
File Name/Number:  
 15 Emerson St

Date:  
 May 22, 2018

Planner/Technician:  
 MG/AL



Hamilton



This is Schedule "A8" to By-law No. 18-  
 Passed the ..... day of ....., 2018


-----  
 Mayor  
 -----  
 Clerk

**Schedule "A8"**

Map Forming Part of  
 By-law No. 18-\_\_\_\_\_

to Amend By-law No. 05-200  
 Map 1034

**Subject Property**  
 870 Scenic Drive, Hamilton

 Lands to be rezoned from  
 Conservation / Hazard Land (P5) Zone to  
 Conservation / Hazard Land (P5, 672, H69)  
 Zone, Modified with a Holding

Scale:  
 N.T.S.

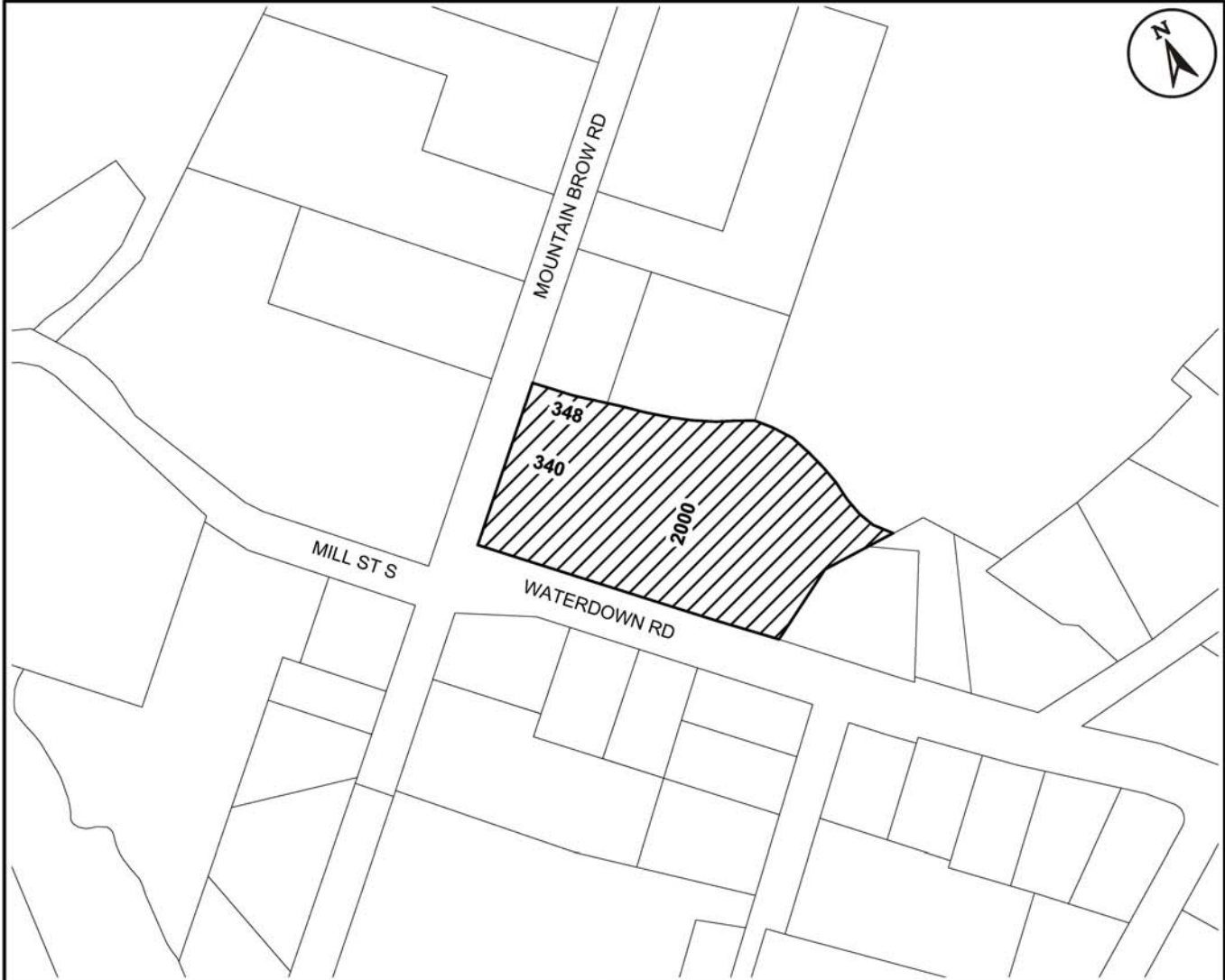
File Name/Number:  
 870 Scenic Dr

Date:  
 May 22, 2018

Planner/Technician:  
 MG/AL



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



This is Schedule "A9" to By-law No. 18-  
 Passed the ..... day of ....., 2018

-----  
 Mayor  
 -----  
 Clerk

**Schedule "A9"**

Map Forming Part of  
 By-law No. 18-\_\_\_\_\_

to Amend By-law No. 05-200  
 Maps 63 & 75

**Subject Property**

340 & 348 Mountain Brow Road &  
 2000 Waterdown Road, Flamborough



Lands to be added to Zoning By-law 05-200 as  
 Conservation / Hazard Land - Rural (P6) Zone

Scale:  
 N.T.S.

File Name/Number:  
 304, 348 Mountain Rd

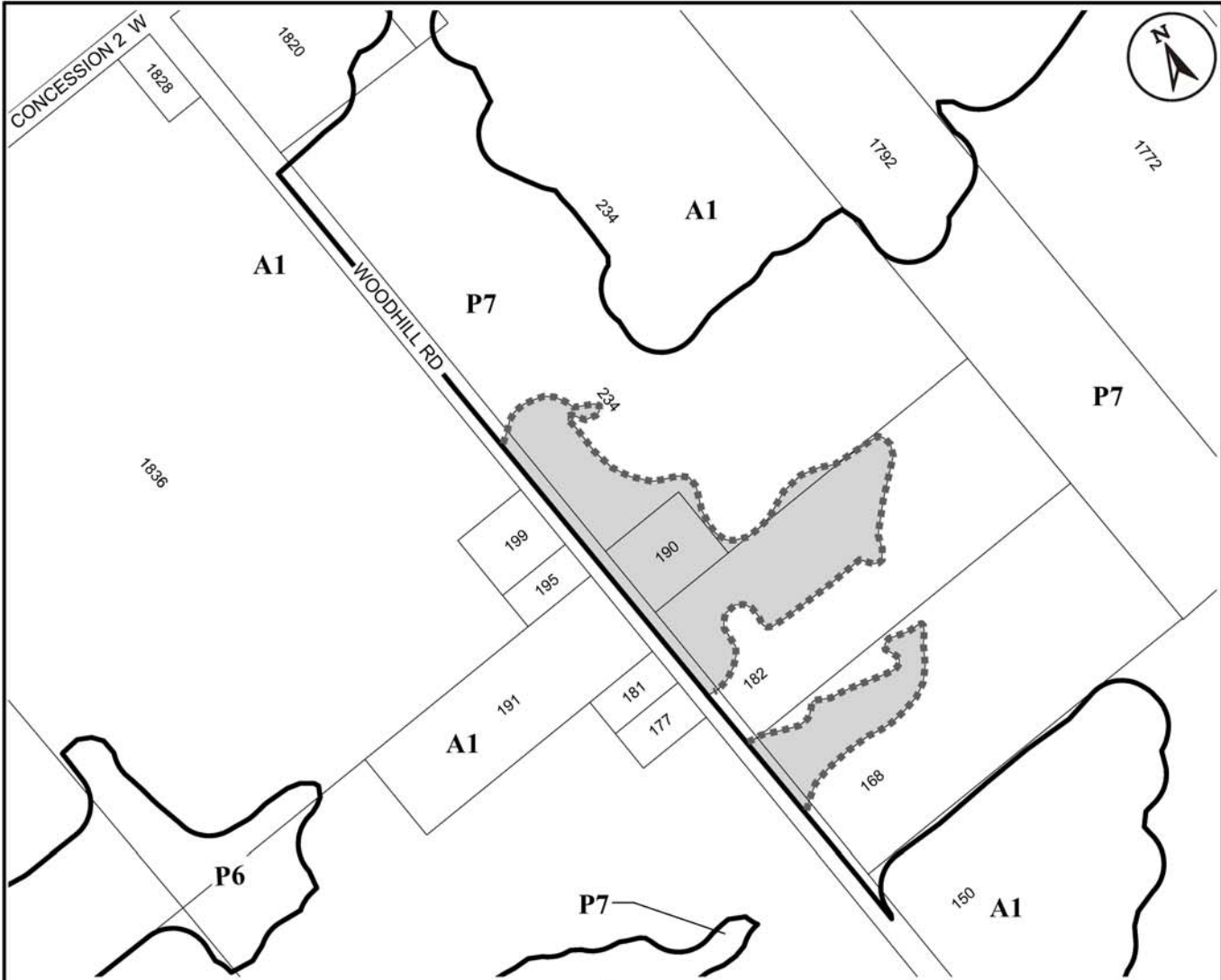
Date:  
 May 29, 2018

Planner/Technician:  
 MG/AL



Hamilton





This is Schedule "B1" to By-law No. 18-  
Passed the ..... day of ....., 2018

-----  
Mayor  
-----  
Clerk




## Schedule "B1"

Map Forming Part of  
By-law No. 18-\_\_\_\_\_

to Amend By-law No. 05-200  
Map 112

### Subject Property

168, 182, 190 and 234 Woodhill Road, Flamborough

-  Lands to be rezoned from Conservation/Hazard Land Rural (P7) Zone to Agriculture (A1) Zone
-  Proposed Zoning Boundary Adjustment
-  Existing Zoning Boundary

Scale:  
N.T.S.

File Name/Number:  
168, 182, 190 & 234 Woodhill Rd

Date:  
August 11, 2017

Planner/Technician:  
MG/NB



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



This is Schedule "B2" to By-law No. 18-  
Passed the ..... day of ....., 2018

-----  
Mayor  
-----  
Clerk





## Schedule "B2"

Map Forming Part of  
By-law No. 18-\_\_\_\_\_

to Amend By-law No. 05-200  
Map 128

### Subject Property

767, 831 and 893 Weir Road, Ancaster

-  Lands to be rezoned from Conservation/Hazard Land Rural (P7) Zone to Agriculture (A1) Zone
-  Lands to be rezoned from Agriculture (A1) Zone to Conservation/Hazard Land Rural (P7) Zone
-  Proposed Zoning Boundary Adjustment
-  Existing Zoning Boundary

Scale:  
N.T.S.

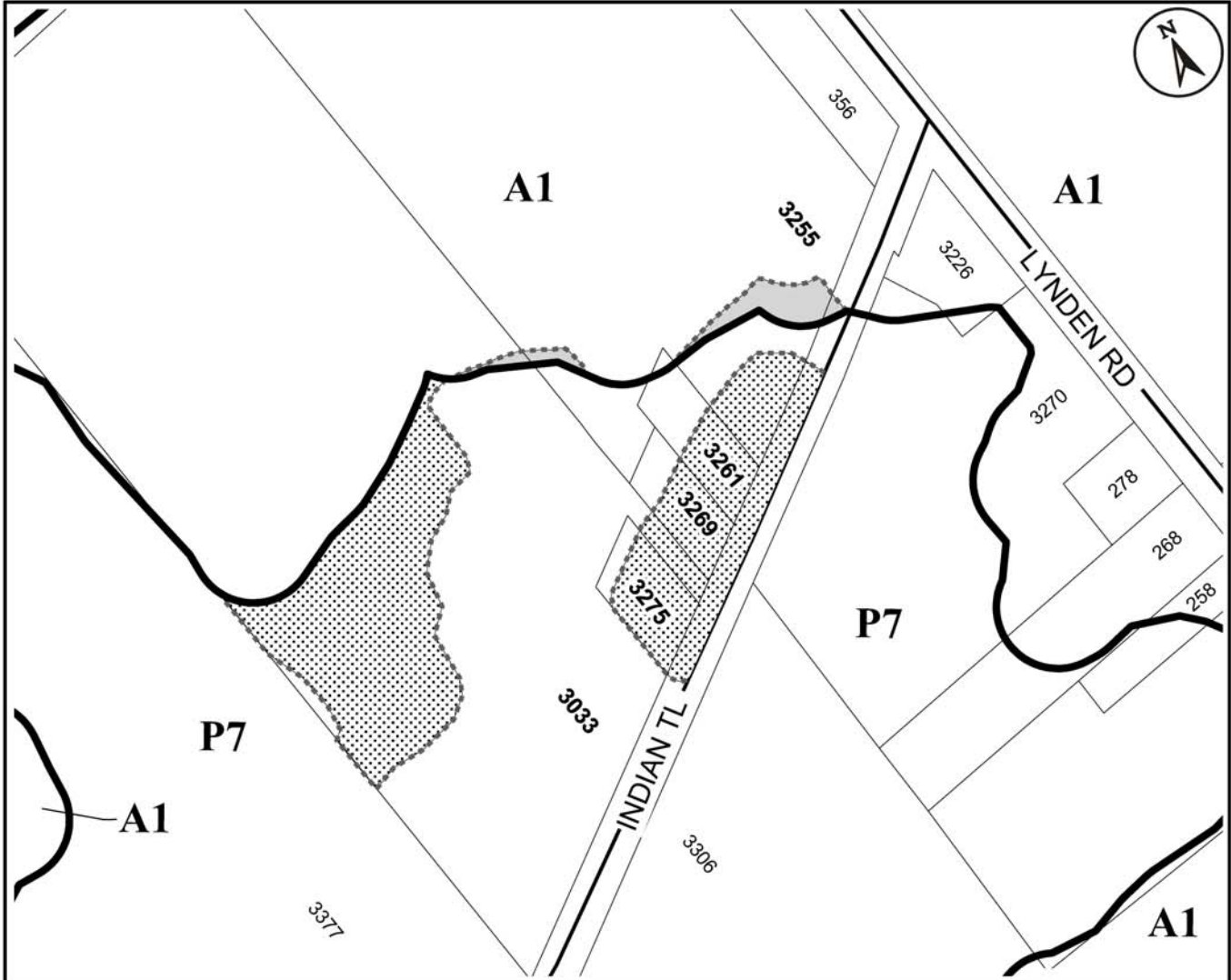
File Name/Number:  
767, 831 and 893 Weir Rd.

Date:  
April 24, 2018

Planner/Technician:  
MG/AL



Hamilton



This is Schedule "B3" to By-law No. 18-  
Passed the ..... day of ....., 2018

-----  
Mayor  
-----  
Clerk

### Schedule "B3"


Map Forming Part of  
By-law No. 18-\_\_\_\_\_

to Amend By-law No. 05-200  
Map 141

#### Subject Property

3255, 3261, 3269, 3275 & 3303 Indian Trail, Ancaster

 Lands to be rezoned from  
Conservation/Hazard Land Rural (P7)  
Zone to Agriculture (A1) Zone

 Lands to be rezoned from Agriculture (A1)  
Zone to Conservation/Hazard Land Rural  
(P7) Zone

----- Proposed Zoning Boundary Adjustment

———— Existing Zoning Boundary

Scale:  
N.T.S.

File Name/Number:  
3303, 3275, 3269, 3261 & 3255 Indian Trail

Date:  
March 1, 2018

Planner/Technician:  
MG/NB



Hamilton



This is Schedule "B4" to By-law No. 18-

Passed the ..... day of ....., 2018

-----  
Mayor

-----  
Clerk

## Schedule "B4"

Map Forming Part of  
By-law No. 18-\_\_\_\_\_

to Amend By-law No. 05-200  
Map 204, 212

### Subject Property

3065, 3295, 3311, 3323, 3335, 3341, 3349, 3359, 3369, 3379, 3383, 3385, 3395, 3403, 3409 Tisdale Road & 5050, 5056, 5084, 5126, 5134, 5144, 5150, 5156, 5164 Chippewa Road East, Glanbrook



Lands to be rezoned from  
Conservation/Hazard Land Rural (P6) Zone to  
Conservation/Hazard Land Rural (P7) Zone



Lands to be rezoned from Rural (A2) Zone to  
Conservation/Hazard Land Rural (P7) Zone



Lands to be rezoned from Conservation/Hazard Land  
Rural (P6) Zone to Rural (A2) Zone



Proposed Zoning Boundary Adjustment



Existing Zoning Boundary

Scale:  
N.T.S.

File Name/Number:  
3065 Tisdale Rd.

Date:  
April 24, 2018

Planner/Technician:  
MG/AL



Hamilton





This is Schedule "B5" to By-law No. 18-  
 Passed the ..... day of ....., 2018


-----  
 Mayor  
 -----  
 Clerk

**Schedule "B5"**  
  
 Map Forming Part of  
 By-law No. 18-\_\_\_\_\_  
  
 to Amend By-law No. 05-200  
 Map 219

**Subject Property**  
 4235 & 4250 Trimble Road, Glanbrook

 Lands to be rezoned from Conservation/Hazard Land Rural (P7) Zone to Agriculture (A1) Zone

 Proposed Zoning Boundary Adjustmant

 Existing Zoning Boundary

Scale:  
 N.T.S.

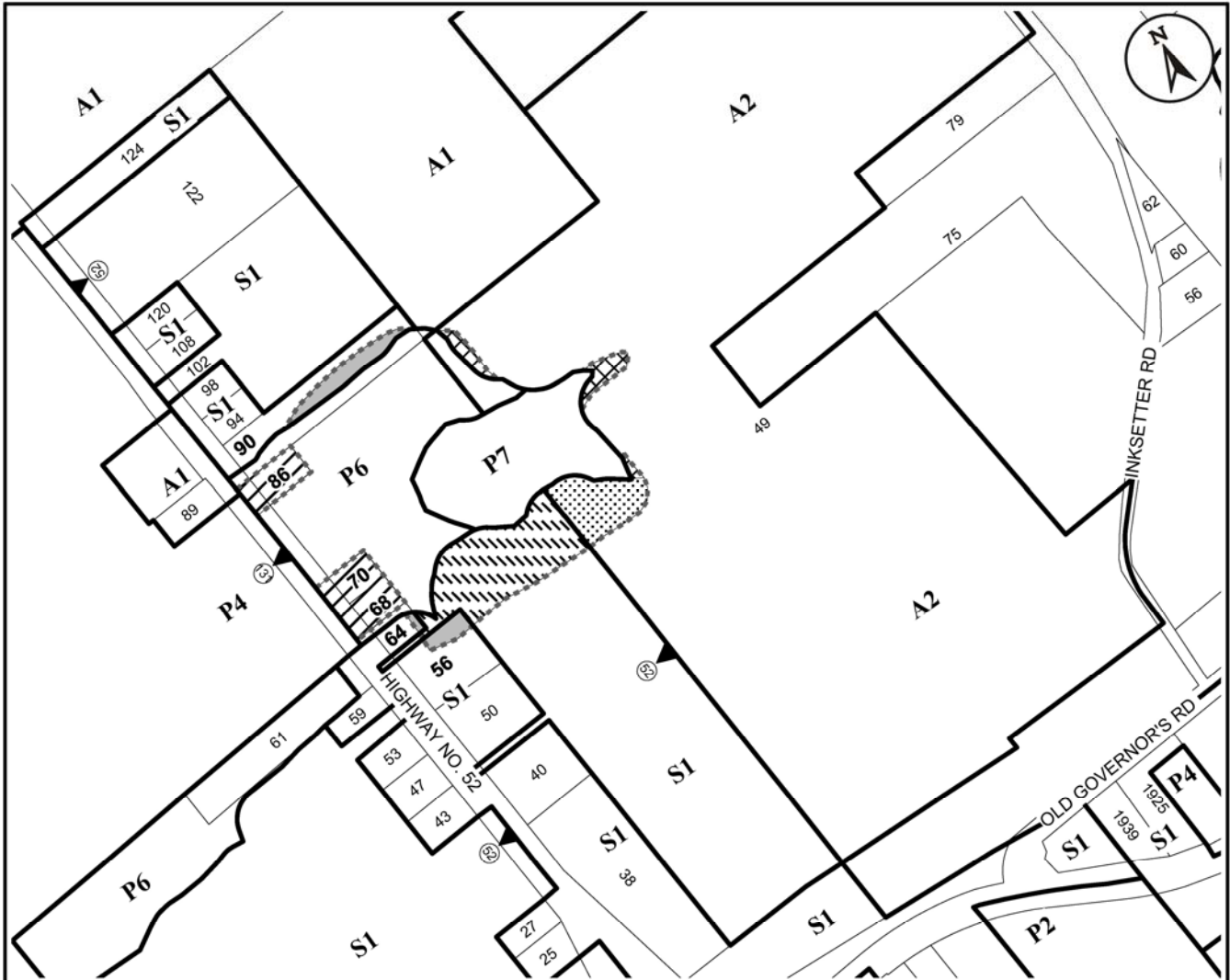
File Name/Number:  
 4250 Trimble Rd

Date:  
 August 14, 2017

Planner/Technician:  
 MG/NB

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT





This is Schedule "B6" to By-law No. 18-  
Passed the ..... day of ....., 2018

-----  
Mayor  
-----  
Clerk

## Schedule "B6"

Map Forming Part of  
By-law No. 18-\_\_\_\_\_

to Amend By-law No. 05-200  
Map 113, 114

### Subject Property

Part of 49 Inksetter Road &  
56, 64, 68, 70, 86 & 90 Highway 52, Flamborough

- Lands to be rezoned from Settlement Residential (S1, 52) Zone Modified to Conservation/Hazard Land Rural (P6) Zone
- Lands to be rezoned from Settlement Residential (S1) Zone to Conservation/Hazard Land Rural (P6) Zone
- Lands to be rezoned from Rural (A2) Zone to Conservation/Hazard Land Rural (P6) Zone
- Lands to be rezoned from Rural (A2) Zone to Conservation/Hazard Land Rural (P7) Zone
- Lands to be rezoned from Conservation/Hazard Land Rural (P6) Zone to Settlement Residential (S1) Zone
- Proposed Zoning Boundary Adjustmant
- Existing Zoning Boundary

Scale:  
N.T.S.

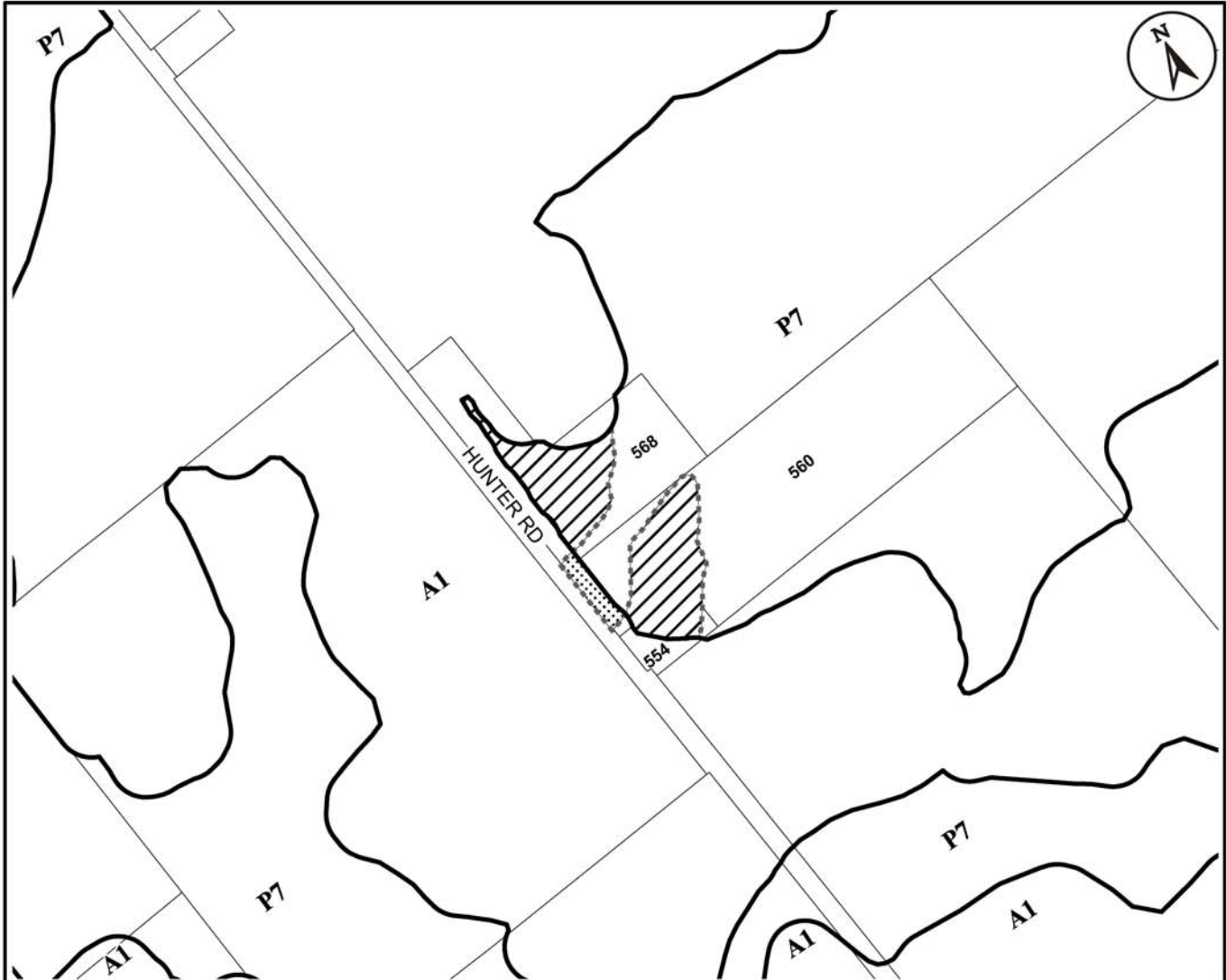
File Name/Number:  
Part of 49 Inksetter Rd.

Date:  
August 3, 2017

Planner/Technician:  
MG/NB



Hamilton



This is Schedule "B7" to By-law No. 18-  
 Passed the ..... day of ....., 2018

-----  
 Mayor  
 -----  
 Clerk


## Schedule "B7"


Map Forming Part of  
 By-law No. 18-\_\_\_\_\_

to Amend By-law No. 05-200  
 Map 101

### Subject Property

554, 560 & 568 Hunter Road, Flamborough

 Lands to be rezoned from Agriculture (A1) Zone to Conservation/Hazard Land Rural (P7) Zone

 Lands to be rezoned from Conservation/Hazard Land Rural (P7) Zone to Agriculture (A1) Zone

 Proposed Zoning Boundary Adjustment

 Existing Zoning Boundary

Scale:  
 N.T.S.

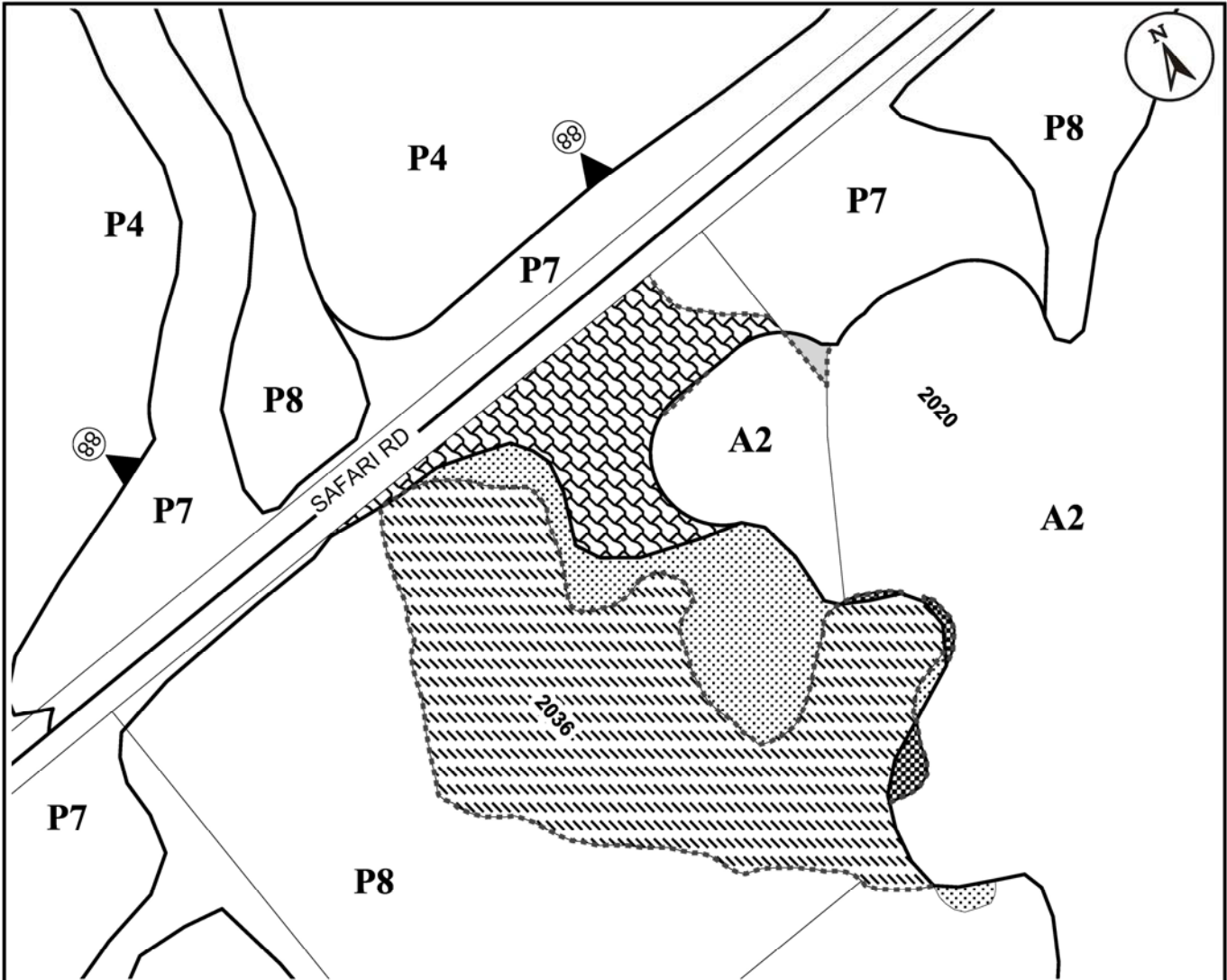
File Name/Number:  
 554, 560 & 568 Hunter Rd.

Date:  
 February 27, 2018

Planner/Technician:  
 MG/NB



Hamilton



This is Schedule "B8" to By-law No. 18-  
Passed the ..... day of ....., 2018

-----  
Mayor  
-----  
Clerk








## Schedule "B8"

Map Forming Part of  
By-law No. 18-\_\_\_\_\_

to Amend By-law No. 05-200  
Map 54

### Subject Property

2020 & 2036 Safari Road, Flamborough

-  Lands to be rezoned from Conservation/Hazard Land Rural (P8) Zone to Conservation/Hazard Land Rural (P6) Zone
-  Lands to be rezoned from Conservation/Hazard Land Rural (P8) Zone to Rural (A2) Zone
-  Lands to be rezoned from Rural (A2) Zone to Conservation/Hazard Land Rural (P7) Zone
-  Lands to be rezoned from Conservation/Hazard Land Rural (P7) Zone to Rural (A2) Zone
-  Lands to be rezoned from Rural (A2) Zone to Conservation/Hazard Land Rural (P6) Zone
-  Proposed Zoning Boundary Adjustment
-  Existing Zoning Boundary

Scale:  
N.T.S.

File Name/Number:  
2020 & 2036 Safari Rd

Date:  
April 18, 2018

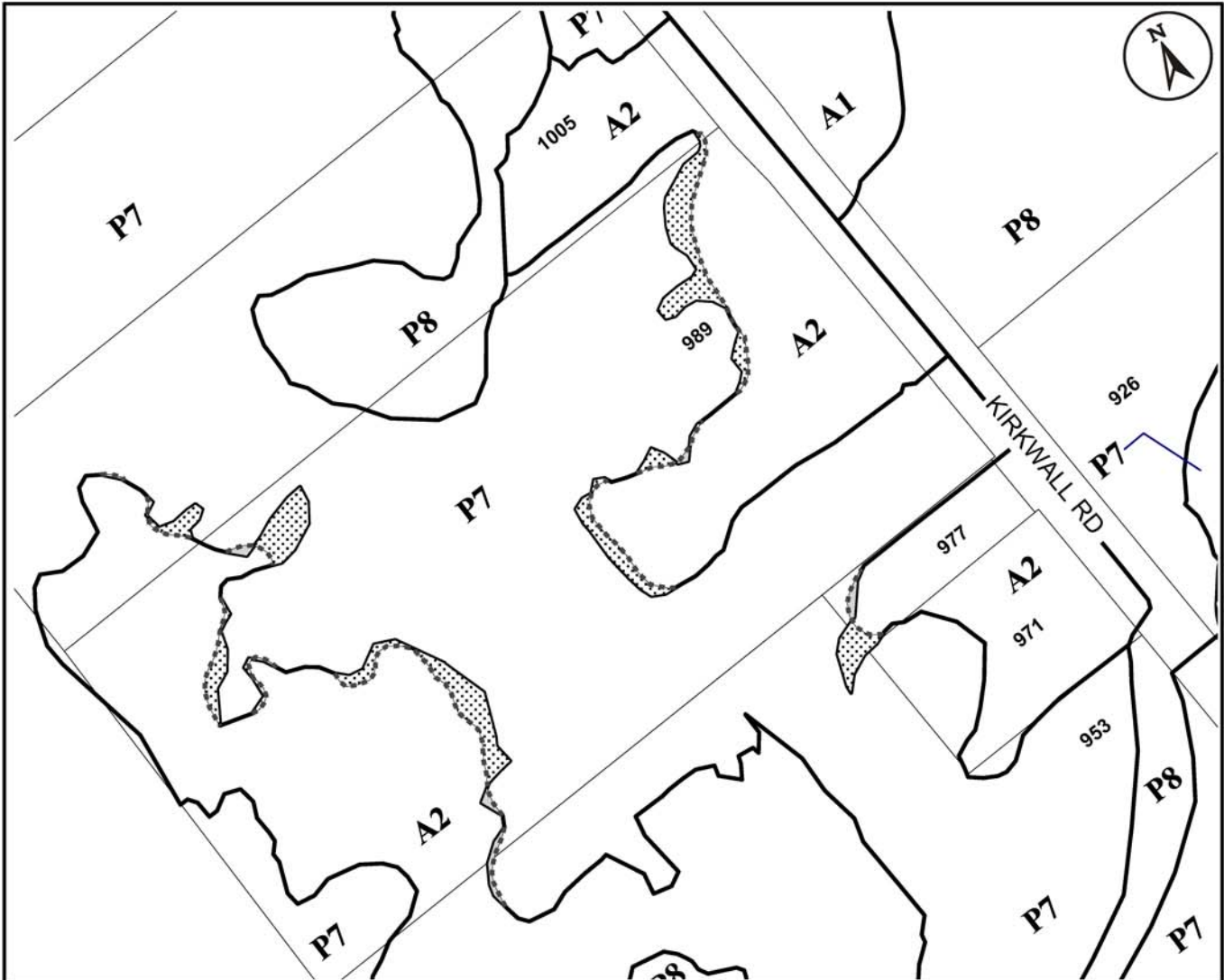
Planner/Technician:  
MG/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT





This is Schedule "B9" to By-law No. 18-

Passed the ..... day of ....., 2018

-----  
Mayor

-----  
Clerk

## Schedule "B9"

Map Forming Part of  
By-law No. 18-\_\_\_\_\_

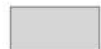
to Amend By-law No. 05-200  
Map 67

### Subject Property

953, 971, 977, 989 and 1005 Kirkwall Road, Flamborough



Lands to be rezoned from Rural (A2) Zone to  
Conservation/Hazard Lands Rural (P7) Zone



Lands to be rezoned from Conservation/Hazard Lands  
Rural (P7) Zone to Rural (A2) Zone



Proposed Zoning Boundary Adjustment



Existing Zoning Boundary

Scale:  
N.T.S.

File Name/Number:  
953, 971, 977, 989 and 1005 Kirkwall Rd

Date:  
March 1, 2018

Planner/Technician:  
MG/NB



Hamilton



This is Schedule "B10" to By-law No. 18-

Passed the ..... day of ....., 2018

-----  
Mayor

-----  
Clerk


## Schedule "B10"


Map Forming Part of  
By-law No. 18-\_\_\_\_\_

to Amend By-law No. 05-200  
Maps 55 & 67

### Subject Property

1195 Kirkwall Road, Flamborough

 Lands to be rezoned from Conservation/Hazard Land Rural (P6) Zone to Rural (A2) Zone

 Lands to be rezoned from Conservation/Hazard Land Rural (P7) Zone to Rural (A2) Zone

----- Proposed Zoning Boundary Adjustment

———— Existing Zoning Boundary

Scale:  
N.T.S.

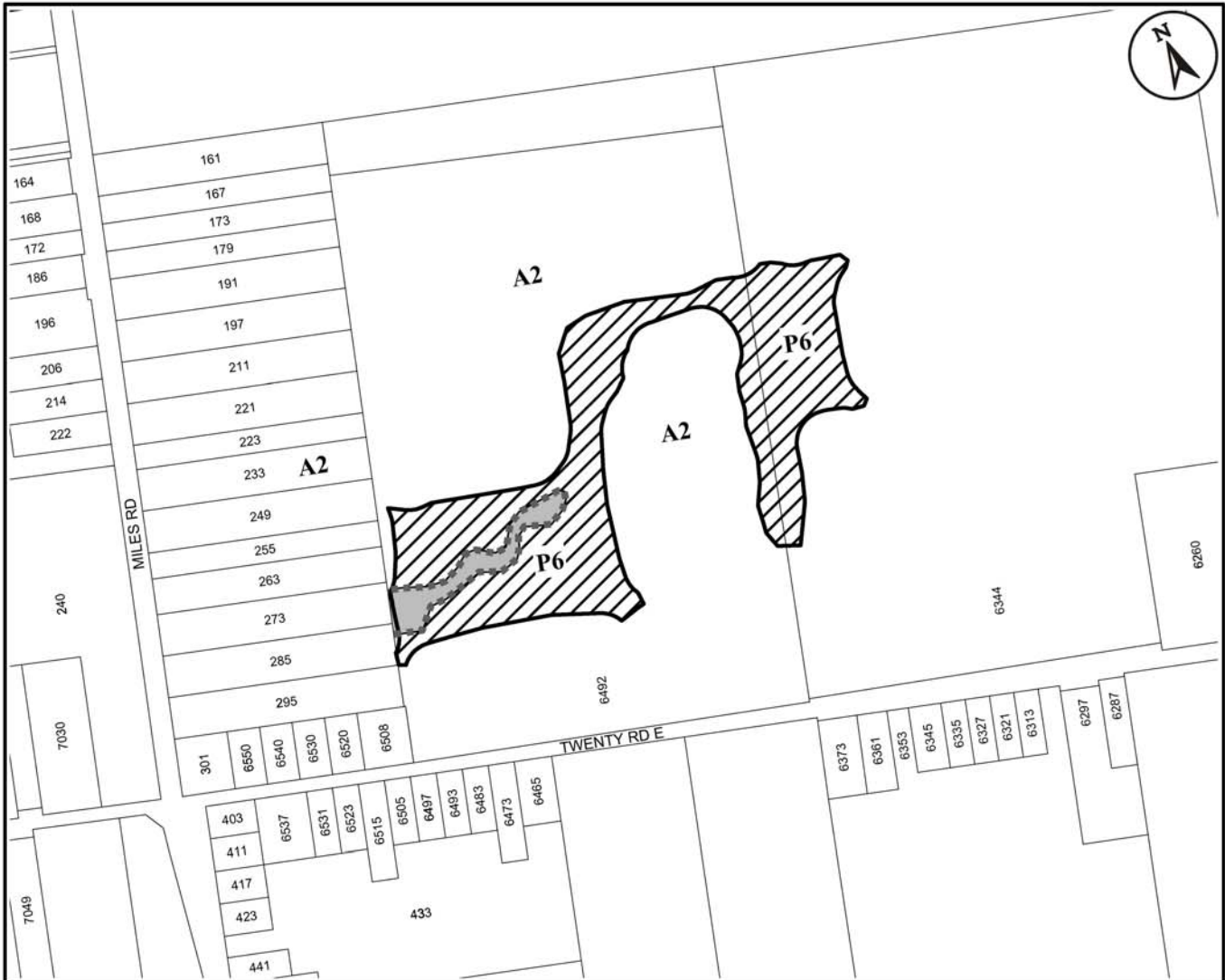
File Name/Number:  
1195 Kirkwall Rd

Date:  
March 2, 2018

Planner/Technician:  
MG/AL



Hamilton



This is Schedule "B11" to By-law No. 18-  
Passed the ..... day of ....., 2018

-----  
Mayor  
-----  
Clerk

**Schedule "B11"**

Map Forming Part of  
By-law No. 18-\_\_\_\_\_

to Amend By-law No. 05-200  
Map 163 & 164

**Subject Property**

6344 & 6492 Twenty Road East, Glanbrook

- Lands to be rezoned from Conservation/Hazard Lands Rural (P6) Zone to Conservation/Hazard Lands Rural (P8) Zone
- Lands to be rezoned from Conservation/Hazard Lands Rural (P6) Zone to Rural (A2) Zone
- Proposed Zoning Boundary Adjustment
- Existing Zoning Boundary

Scale:  
N.T.S.

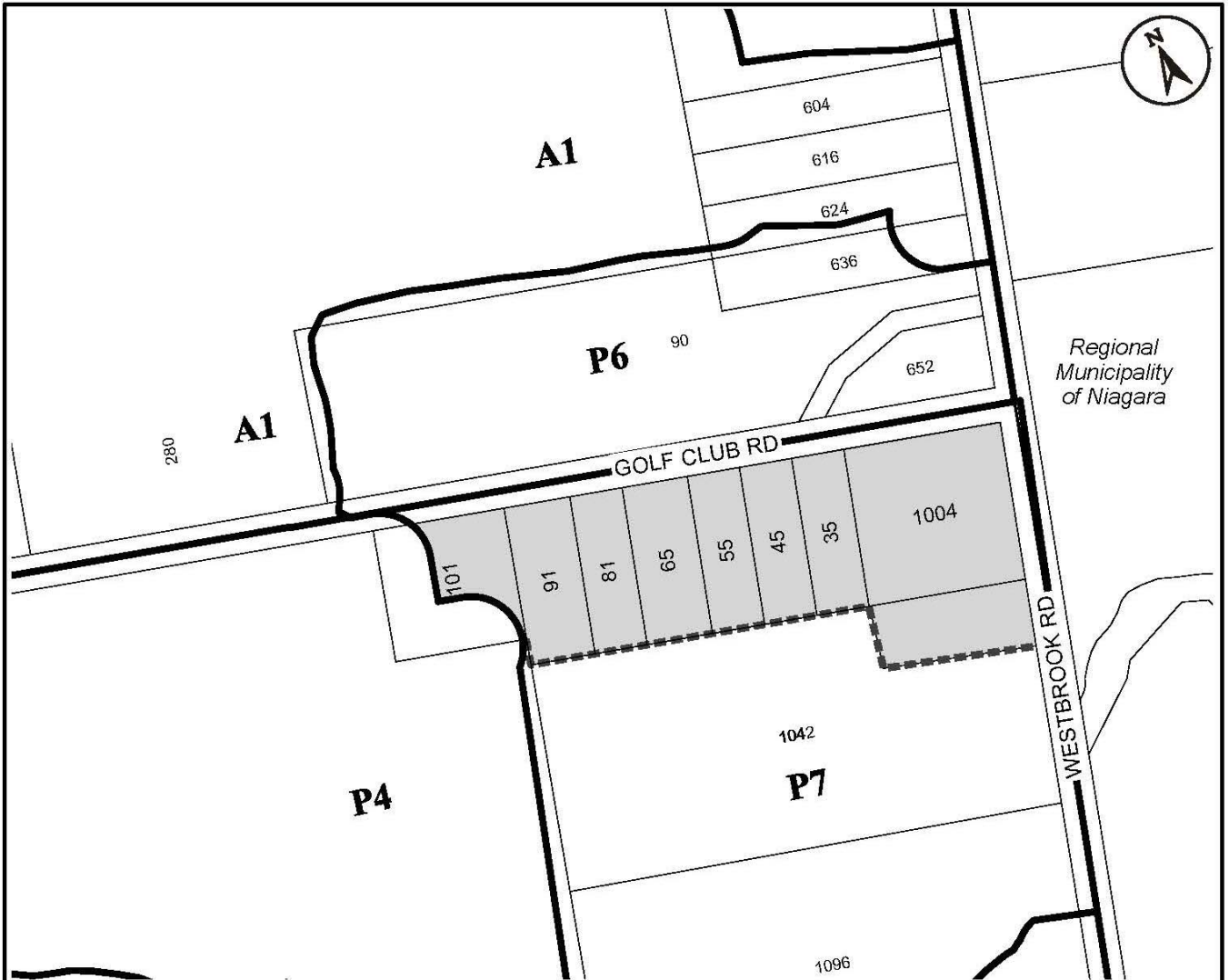
File Name/Number:  
6492 Twenty Rd E

Date:  
April 24, 2018

Planner/Technician:  
MG/NB



Hamilton





This is Schedule "B12" to By-law No. 18-  
Passed the ..... day of ....., 2018


-----  
Mayor  
-----  
Clerk

**Schedule "B12"**  
  
Map Forming Part of  
By-law No. 18-\_\_\_\_\_  
  
to Amend By-law No. 05-200  
Map RU196

**Subject Property**  
1004 Westbrook Road, Part of 1042 Westbrook Road,  
35, 45, 55, 65, 81, 91 Golf Club Road and Part of 1101 Golf Club Road

 Lands to be rezoned from Conservation/Hazard Land Rural (P7) Zone to Agriculture (A1) Zone

 Proposed Zoning Boundary Adjustment

 Existing Zoning Boundary

Scale:  
N.T.S.

File Name/Number:  
Housekeeping Amendment

Date:  
May 31, 2018

Planner/Technician:  
MG/NB



**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**To Amend By-law No. 3581-86  
Respecting Lands Located at 40 Parkside Avenue, Dundas**

**WHEREAS** the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap.14, Sch. C did incorporate, as of January 1<sup>st</sup>, 2001, the municipality “City of Hamilton”;

**WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as the “The Corporation of the Town of Dundas” and is the successor to the former Regional Municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

**WHEREAS** the *City of Hamilton Act, 1999*, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**WHEREAS** Zoning By-law No. 3581-86 (Dundas) was enacted on the 22nd day of May 1986, and approved by the Ontario Municipal Board on the 10th day of May, 1988;

**WHEREAS** the Council of the City of Hamilton, in adopting Item 12 of Report 18-011 of the Planning Committee, at its meeting held on the 13<sup>th</sup> day of July, 2018, which recommended that Zoning By-law No. 3581-86 (Dundas) be amended as hereinafter provided; and,

**WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No 109.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Schedule “A” appended to and forming part of Zoning By-law No. 3581-86 (Dundas) as amended, is hereby further amended by changing the zoning of part of 40 Parkside Avenue from Single-Detached Residential “R2” Zone to Open Space – Conservation “OS” Zone and from Open Space – Conservation “OS” Zone to Single-Detached Residential “R2” Zone, the extent and boundaries of which are shown on Schedule “A”, annexed hereto and forming part of this By-law.
2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

To Amend By-law No. 3581-86  
Respecting Lands Located at 40 Parkside Avenue, Dundas

**PASSED** this 17<sup>th</sup> day of August, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk



This is Schedule "A" to By-law No. 18-  Passed the ..... day of ....., 2018	----- Mayor  ----- Clerk
-----------------------------------------------------------------------------------	--------------------------------------

<h2 style="margin: 0;">Schedule "A"</h2>  <h3 style="margin: 0;">Map Forming Part of By-law No. 18-_____</h3>  <h3 style="margin: 0;">to Amend By-law No. 3581-86</h3>	<b>Subject Property</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 20px; border: 1px solid black; background-color: #cccccc;"></td> <td>40 Parkside Avenue</td> </tr> <tr> <td style="width: 20px; border: 1px solid black; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px);"></td> <td>Change in zoning from Single-Detached Residential "R2" Zone to Open Space - Conservation "OS" Zone</td> </tr> <tr> <td style="width: 20px; border: 1px solid black; background: repeating-linear-gradient(-45deg, transparent, transparent 2px, black 2px, black 4px);"></td> <td>Change in zoning from Open Space - Conservation "OS" Zone to Single - Detached Residential "R2" Zone</td> </tr> </table>		40 Parkside Avenue		Change in zoning from Single-Detached Residential "R2" Zone to Open Space - Conservation "OS" Zone		Change in zoning from Open Space - Conservation "OS" Zone to Single - Detached Residential "R2" Zone
	40 Parkside Avenue						
	Change in zoning from Single-Detached Residential "R2" Zone to Open Space - Conservation "OS" Zone						
	Change in zoning from Open Space - Conservation "OS" Zone to Single - Detached Residential "R2" Zone						

Scale: N.T.S.	File Name/Number: 40 Parkside Av	 Hamilton
Date: July 11, 2018	Planner/Technician: MG/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

**Authority:** Item 12, Planning Committee  
Report 18-011 (PED18147)  
CM: July 13, 2018  
Ward: 12

**Bill No. 221**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend Zoning By-law No. 87-57 Respecting Section 7.18 Accessory Buildings**

**WHEREAS** the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the Town of Ancaster” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

**AND WHEREAS** the *City of Hamilton Act, 1999* provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 12 of Report 18-011 of the Planning Committee at its meeting held on the 13<sup>th</sup> day of July, 2018, which recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That SECTION 7: GENERAL PROVISIONS of Zoning By-law No. 87-57 is amended as follows:

1.1 That Section 7.18 (a) (ii) be amended by adding a new Clause (A) follows:

“(A) Notwithstanding Subsection 7.18 (a) (ii), accessory buildings excluding totally inground swimming pools shall not be located less than 1.5 metres from any side lot line and less than 6.0 metres from any flankage lot line for any lot located in an Existing Residential “ER” Zone.”

1.2 That Section 7.18 (a) (vi) be amended by adding a new Clause (A) as follows:



“(A) Notwithstanding Subsection 7.18 (a) (vi), accessory buildings in excess of 12 square metres ground floor area shall not be less than 7.5 metres from the rear lot line for any lot located in an Existing Residential “ER” Zone.”

2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

**PASSED** this 17<sup>th</sup> day of August, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

CI-18-G

**Authority:** Item 11, Planning Committee  
Report: 18-011 (PED18148)  
CM: July 13, 2018  
Ward: City Wide

**Bill No. 222**

**CITY OF HAMILTON  
BY-LAW NO. 18-**

**To Adopt:**

**Official Plan Amendment No. 18 to the  
Rural Hamilton Official Plan**

Respecting:

**Updates and Modifications to the Rural Hamilton Official Plan (City Wide)**

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Amendment No. 18 to the Rural Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 17<sup>th</sup> day of August, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

## Rural Hamilton Official Plan Amendment No. 18

The following text, together with:

### Volume 1

Appendix "A"	Chapter C – City Wide Systems and Designations
Appendix "B"	Chapter F – Implementation
Appendix "C"	Volume 1, Schedule A – Provincial Plans
Appendix "D"	Volume 1, Schedule C – Functional Road Classification
Appendix "E"	Volume 1, Schedule D – Rural Land Use Designations
Appendix "F"	Volume 1, Schedule F – Airport Influence Area
Appendix "G"	Volume 1, Appendix A – Parks Classification
Appendix "H"	Volume 1, Appendix C-1 – Non-Renewable Resources – Gas and Petroleum Wells
Appendix "I"	Volume 1, Appendix D – Noise Exposure Forecast Contours and Primary Airport Zoning Regulations
Appendix "J"	Volume 1, Appendix E – Rural Municipal Landfill Sites

### Volume 2

Appendix "K"	Chapter A – Rural Settlement Area Plans
--------------	-----------------------------------------

### Volume 3

Appendix "L"	– Volume 3, Map A – Special Policy Areas
Appendix "M"	– Volume 3, Appendix A – Site Specific Area Key Map

attached hereto, constitutes Official Plan Amendment No. 18 to the Rural Hamilton Official Plan.

### 1.0 Purpose and Effect:

The purpose of this amendment is to make administrative changes to correct policy and mapping errors, amend existing policies to add clarification, to add a policy regarding the usage of cisterns as a water source in the rural area, to amend the policy regarding minor lot adjustments in relation to lot area and servicing requirements, and to add a site specific policy to permit an existing dwelling to connect to municipal services.

The effect of this Amendment is to improve clarity and understanding and ensure correctness of the Rural Hamilton Official Plan, and to update rural servicing policies in relation to cisterns and minor lot additions to facilitate rural

development.

## **2.0 Location:**

The lands affected by this Amendment are located within the Rural Area of the City of Hamilton.

## **3.0 Basis:**

The basis for permitting this Amendment is as follows:

- The proposed Amendment will clarify policies by correcting administrative errors (i.e. formatting, numbering, typographical and grammar) in the Rural Hamilton Official Plan.
- The proposed Amendment will allow greater flexibility in rural servicing requirements related to the usage of a cistern as a primary water source and related to minor lot additions to increase the size of undersized lots.
- The proposed Amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the Greenbelt Plan, 2017, the Niagara Escarpment Plan, 2017, and the Growth Plan for the Greater Golden Horseshoe, 2017.

## **4.0 Actual Changes:**

### **4.1 Volume 1 – Parent Plan**

#### *Text*

#### **4.1.1 Chapter C – City Wide Systems and Designations**

- a. That Volume 1: Chapter C – City Wide Systems and Designations be amended as outlined in Appendix “A”.

#### **4.1.2 Schedule C-1 – Future Road Widenings**

- a. That Schedule C-1 – Future Road Widenings be renamed to Schedule C-1 – Future Right-of-Way Dedications in the Header and Chart Title.

#### **4.1.3 Chapter F – Implementation**

- a. That Volume 1: Chapter F – Implementation be amended as outlined in Appendix “B”.

***Schedules and Appendices***

4.1.3 Schedules

- a. That Volume 1: Schedule A – Provincial Plans be amended by:
  - i. adding lands located at the southeast corner of Mountain Brow Road and Waterdown Road , Flamborough to the Municipal Boundary and to the Niagara Escarpment Area; and,
  - ii. designating lands located in the southeast corner of Mountain Brow Road and Waterdown Road, Flamborough as “Protection Area” under the Niagara Escarpment Plan Designations;

as shown on Appendix “C”, attached to this Amendment.

- b. That Volume 1: Schedule C – Functional Road Classification be amended by adding lands located at the southeast corner of Mountain Brow Road and Waterdown Road, Flamborough to the Municipal Boundary, as shown on Appendix “D”, attached to this amendment.

- c. That Volume 1: Schedule D – Rural Land Use Designations be amended by:

- i. adding lands located at the southeast corner of Mountain Brow Road and Waterdown Road, Flamborough to the Municipal Boundary; and
- ii. designating lands located at the southeast corner of Mountain Brow Road and Waterdown Road, Flamborough as “Rural”;

as shown on Appendix “E”, attached to this Amendment.

- d. That Volume 1: Schedule F – Airport Influence Area be amended by adding lands located at the southeast corner of Mountain Brow Road and Waterdown Road, Flamborough to the Municipal Boundary, as shown on Appendix “F”, attached to this Amendment.

4.1.4 Appendices

- a. That Volume 1: Appendix A – Parks Classification be amended by adding lands located at the southeast corner of Mountain Brow Road and Waterdown Road, Flamborough to the Municipal Boundary, as shown on Appendix “G”, attached to this Amendment.

- b. That Volume 1: Appendix C-1 – Non-Renewable Resources – Gas and Petroleum Wells be amended by adding lands located at the southeast corner of Mountain Brow Road and Waterdown Road, Flamborough to the Municipal Boundary, as shown on Appendix “H”, attached to this Amendment.
- c. That Volume 1: Appendix D – Noise Exposure Forecast Contours and Primary Airport Zoning Regulations be amended by adding lands located at the southeast corner of Mountain Brow Road and Waterdown Road, Flamborough to the Municipal Boundary, as shown on Appendix “I”, attached to this Amendment.
- d. That Volume 1: Appendix E – Rural Municipal Landfill Sites be amended by adding lands located at the southeast corner of Mountain Brow Road and Waterdown Road, Flamborough to the Municipal Boundary, as shown on Appendix “J”, attached to this Amendment.

**4.2 Volume 2 – Secondary Plans and Rural Settlement Areas**

*Text*

4.2.1 Chapter A – Rural Settlement Area Plans

- a. That Volume 2: Chapter A – Rural Settlement Area Plans, Section A.2 – Ancaster Rural Settlement Area Plans be amended by adding the word “Ancaster” between the phrases “Chapter A” and “Rural Settlement Areas” in the section header, so the header reads as follows:

“Volume 2, Chapter A – Ancaster Rural Settlement Areas”;

- b. That Volume 2: Chapter A – Rural Settlement Area Plans, Section A.3 – Flamborough Rural Settlement Area Plans be amended by adding the word “Flamborough” between the phrases “Chapter A” and “Rural Settlement Areas” in the section header, so the header reads as follows:

“Volume 2, Chapter A – Glanbrook Rural Settlement Areas”;

- c. That Volume 2: Chapter A – Rural Settlement Area Plans, Section A.3 – Glanbrook Rural Settlement Area Plans be amended by adding the word “Glanbrook” between the phrases “Chapter A” and “Rural Settlement Areas” in the section header, so the header reads as follows:

“Volume 2, Chapter A – Glanbrook Rural Settlement Areas”; and,

- d. That Volume 2: Chapter A – Rural Settlement Area Plans, Section A.3 – Stoney Creek Rural Settlement Area Plans be amended by adding the word “Stoney Creek” between the phrases “Chapter A” and “Rural Settlement Areas” in the section header, so the header reads as follows:

“Volume 2, Chapter A – Stoney Creek Rural Settlement Areas”.

### **4.3 Volume 3 – Special Policy and Site Specific Areas**

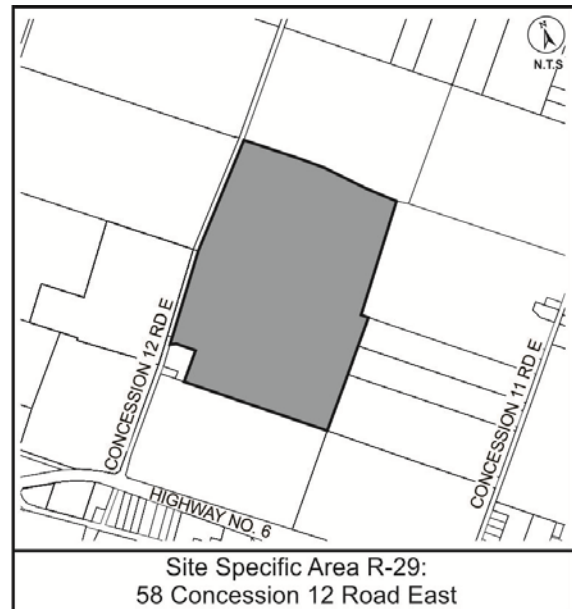
#### *Text*

#### 4.3.1 Chapter B – Rural Site Specific Areas

- a. That Volume 3: Chapter B – Rural Site Specific Areas be amended as outlined in Appendix “K”;
- b. That Volume 3: Chapter B – Rural Site Specific Areas be amended by renumbering Site Specific Policy – Area R-7 to Site Specific Policy – Area R-29 for lands located at 58 12<sup>th</sup> Concession Road East, Flamborough in title, text, and inset map, so that the policy reads as follows:

#### **R-29 Lands known municipally as 58 12th Concession Road East, former Town of Flamborough**

1.0 Notwithstanding Section D.4.0, Rural Designation of this Plan, for the lands designated Rural, known municipally as 58 12th Concession Road East and identified as Site Specific Policy R-29, consisting of approximately 60 ha, may be used for 100 seasonal trailer sites and ancillary uses, which may include a single detached dwelling for a park manager or superintendent, a pavilion or recreation centre, utility or maintenance buildings associated with a private sewage and water distribution system and sports fields. All of the trailer sites and ancillary uses shall be located on lands which do not contain key natural heritage features.



- c. That Volume 3: Chapter B – Rural Site Specific Areas be amended by adding a new site specific policy to the lands known as 296 York Road, Dundas, as follows:

**“R-40 Lands known municipally as 296 York Road, Former Town of Dundas**

- 1.0 Notwithstanding Policy C.5.3.2, the existing dwelling located at 296 York Road, designated Open Space on Schedule “D”, and identified as Site Specific Policy R-40 may connect to municipal water and wastewater systems.”



**Maps**

**4.3.2 Maps**

- a. That Volume 3: Map A – Special Policy Areas be amended by adding lands located at the southeast corner of Mountain Brow Road and Waterdown Road, Flamborough to the Municipal Boundary, as shown on Appendix “L”, attached to this amendment.
- b. That Volume 3: Appendix A – Site Specific Key Map be amended by:
- i. adding lands located at the southeast corner of Mountain Brow Road and Waterdown Road, Flamborough to the Municipal Boundary;
  - ii. renumbering Site Specific Area R-7 (located at 58 12th Concession Road East, former Town of Flamborough) as “R-29”; and,
  - ii. identifying lands known as 296 York Road, Dundas as “R-40”,
- as shown on Appendix “M”, attached to this Amendment.

**5.0 Implementation:**

An implementing Zoning By-Law will give effect to the intended uses on the subject lands.



This Official Plan Amendment is Schedule "1" to By-law No. 18-222 passed on the 17<sup>th</sup> day of August, 2018.

**The  
City of Hamilton**

---

F. Eisenberger  
MAYOR

---

J. Pilon  
ACTING CITY CLERK

Appendix "A" – Volume 1, Chapter C – City Wide Systems and Designations

Proposed Change	Proposed New / Revised Policy
Grey highlighted strikethrough text = text to be deleted	Bolted text = text to be added
Replace the phrases "Road Widening" and "Road allowance" with the phrase "Right-of-Way Dedication" throughout the entire chapter.	Right-of-Way Dedication
Replace the phrase "Future Road Widenings" with the phrase "Future Right-of-Way Dedications" throughout the entire chapter.	Future Right-of-Way Dedications
C.4.4 Municipal public transit in the <i>rural area</i> is limited to the Accessible Transit System ( <del>DARTS</del> ), Trans-Cab service in small defined areas, and urban routes that cross stretches of <i>rural lands</i> to access urban destinations.	C.4.4 Municipal public transit in the <i>rural area</i> is limited to the Accessible Transit System, Trans-Cab service in small defined areas, and urban routes that cross stretches of <i>rural lands</i> to access urban destinations.
C.4.5.2 b) iii) The maximum basic right-of-way width for arterial roads shall generally be 36.567 metres, but in certain circumstances a right of way width of 45.720 may be required, <b>unless otherwise specifically described in Schedule C-1 – Future Right-of-Way Widenings.</b>	C.4.5.2 b) iii) The maximum basic right-of-way width for arterial roads shall generally be 36.567 metres, but in certain circumstances a right of way width of 45.720 may be required, unless otherwise specifically described in Schedule C-1 – Future Right-of-Way Widenings.
C.4.5.2 c) ii) The maximum basic right-of-way widths for collector roads in the <i>rural area</i> shall be 36 metres, <b>unless otherwise specifically described in Schedule C-1 – Future Right-of-Way Widenings.</b>	C.4.5.2 c) ii) The maximum basic right-of-way widths for collector roads in the <i>rural area</i> shall be 36 metres, unless otherwise specifically described in Schedule C-1 – Future Right-of-Way Widenings.
C.4.5.2 d) ii) The maximum basic right-of-way widths for local roads in the <i>rural area</i> shall be 36 metres, <b>unless otherwise specifically described in Schedule C-1 – Future Right-of-Way Widenings.</b>	C.4.5.2 d) ii) The maximum basic right-of-way widths for local roads in the <i>rural area</i> shall be 36 metres, unless otherwise specifically described in Schedule C-1 – Future Right-of-Way Widenings.
C.4.5.2 d) v) The minimum right of way width for <del>all</del> local road classifications shall be 20.117 metres.	C.4.5.2 d) v) The minimum right of way width for local road classifications shall be 20.117 metres.

Proposed Change	Proposed New / Revised Policy
Grey highlighted strikethrough text = text to be deleted	Bolded text = text to be added
<p>Road Widening</p> <p>C.4.5.6 The City may reserve or obtain land for future road widenings for <del>rights-of-way</del> <b>right-of-way dedications</b> as described in Schedule C-1 – Future <del>Road Widenings</del> <b>Right-of-Way Dedications</b> (Rural). Where a future <del>road widening for rights-of-way</del> <b>right-of-way dedication</b> is not described in Schedule C-1 – Future <del>Road Widenings</del> <b>Right-of-Way Dedications</b> (Rural), the City may reserve or obtain land for road widenings for rights-of-way as described in Section C.4.5.2. The aforesaid <del>road widening</del> <b>right-of-way</b> land conveyances may be reserved or obtained through subdivision approval, condominium approval, land severance consent, site plan approval or by gift, bequeathment, purchase or through expropriation where necessary and feasible.</p>	<p>Road Widening</p> <p>C.4.5.6 The City may reserve or obtain land for future road widenings for <b>right-of-way dedications</b> as described in Schedule C-1 – Future Right-of-Way Dedications (Rural). Where a future right-of-way dedication is not described in Schedule C-1 – Future Right-of-Way Dedications (Rural), the City may reserve or obtain land for road widenings for rights-of-way as described in Section C.4.5.2. The aforesaid right-of-way land conveyances may be reserved or obtained through subdivision approval, condominium approval, land severance consent, site plan approval or by gift, bequeathment, purchase or through expropriation where necessary and feasible.</p>
<p>C.4.5.6.3 Where a proposed development is subject to site plan approval as detailed in Policy F.1.7 – Site Plan Control, the following provisions shall apply:</p> <p>b)Where feasible and where the City requires dedication of property for future <del>rights-of-way</del> widths, lands shall be dedicated equally from both sides of the road unless otherwise specified. Where the City requires more than one half of the widening from one side of the <del>road</del> <b>right-of-way</b>, the City shall require, from said side of the <del>road</del> <b>right-of-way</b>, dedication at no cost to the City of one half of the total proposed widening and shall acquire the remaining land required for the <del>road</del> <b>right-of-way</b> widening through gift, bequeathment, purchase, expropriation or other methods.</p>	<p>C.4.5.6.3 Where a proposed development is subject to site plan approval as detailed in Policy F.1.7 – Site Plan Control, the following provisions shall apply:</p> <p>b)Where feasible and where the City requires dedication of property for future <b>right-of-way</b> widths, lands shall be dedicated equally from both sides of the road unless otherwise specified. Where the City requires more than one half of the widening from one side of the <b>right-of-way</b>, the City shall require, from said side of the <b>right-of-way</b>, dedication at no cost to the City of one half of the total proposed widening and shall acquire the remaining land required for the <b>right-of-way</b> widening through gift, bequeathment, purchase, expropriation or other methods.</p>

Proposed Change	Proposed New / Revised Policy
Grey highlighted strikethrough text = text to be deleted	Bolted text = text to be added
<p>C.4.5.6.7 Notwithstanding Section C.4.5.6 and C.4.5.7, the City shall interpret the required right-of-way widths detailed in Section C.4.5.2 and Schedule C-1 – Future <del>Road Widening</del> <b>Right-of-Way Dedications</b> (Rural), where applicable to denote only the basic requirement for the section of the road. Additional rights-of-ways may be required at intersections to provide for exclusive turning lanes, daylight triangles and other special treatments to accommodate the optimum road/ intersection geometric design. There may also be additional requirements for rights-of-ways to provide lands for environmental considerations, the construction of bridges, overpasses, earth filled ramps, grade separations, depressed sections of roads, pathways, roundabouts, and traffic control in accordance with Section C.4.5.7. Any such additional right-of-way requirements shall be determined at the time of design of the road facilities and shall become part of the total required right-of-way.</p>	<p>C.4.5.6.7 Notwithstanding Section C.4.5.6 and C.4.5.7, the City shall interpret the required right-of-way widths detailed in Section C.4.5.2 and Schedule C-1 – Future <b>Right-of-Way Dedications</b> (Rural), where applicable to denote only the basic requirement for the section of the road. Additional right-of-ways may be required at intersections to provide for exclusive turning lanes, daylight triangles and other special treatments to accommodate the optimum road/ intersection geometric design. There may also be additional requirements for right-of-ways to provide lands for environmental considerations, the construction of bridges, overpasses, earth filled ramps, grade separations, depressed sections of roads, pathways, roundabouts, and traffic control in accordance with Section C.4.5.7. Any such additional right-of-way requirements shall be determined at the time of design of the road facilities and shall become part of the total required right-of-way.</p>

Proposed Change	Proposed New / Revised Policy
Grey highlighted strikethrough text = text to be deleted	Bolted text = text to be added
<p>C.5.1.1 h) Add a new policies as h)  <b>h) Notwithstanding Policy C.5.1.1 g), a cistern that meets current accepted standards may be used as a primary water source in the following circumstances:</b>  <b>i) the building of a dwelling on an <i>existing</i> lot in accordance with Policy F.1.12.6, where insufficient water supply is due to the impacts of dewatering for mineral aggregate extraction as demonstrated by a quarry area of influence study, approved by the Province and provided by the proponent.</b>  <b>ii) redevelopment of an <i>existing</i> use, on an <i>existing</i> lot, which is serviced by an <i>existing</i> water cistern, provided there is no negative impact of the proposal on the cistern.</b>  <b>iii) new development on an <i>existing</i> lot if it is demonstrated by an applicant, through the submission of evidence in the form of a well test, hydrogeological study or other, that groundwater quality or quantity is inadequate to support the use, to the satisfaction of the City.</b>  <b>iv) the severance of an <i>existing</i> dwelling in accordance with Section F.1.14.2, serviced by an <i>existing</i> water cistern, provided there is no negative impact on the cistern.</b></p>	<p>C.5.1.1h)  h) Notwithstanding Policy C.5.1.1 g), a cistern that meets current accepted standards may be used as a primary water source in the following circumstances:  i) the building of a dwelling on an <i>existing</i> lot in accordance with Policy F.1.12.6, where insufficient water supply is due to the impacts of dewatering for mineral aggregate extraction as demonstrated by a quarry area of influence study, approved by the Province and provided by the proponent.  ii) redevelopment of an <i>existing</i> use, on an <i>existing</i> lot, which is serviced by an <i>existing</i> water cistern, provided there is no negative impact of the proposal on the cistern.  iii) new development on an <i>existing</i> lot if it is demonstrated by an applicant, through the submission of evidence in the form of a well test, hydrogeological study or other, that groundwater quality or quantity is inadequate to support the use, to the satisfaction of the City.  iv) the severance of an <i>existing</i> dwelling in accordance with Section F.1.14.2, serviced by an <i>existing</i> water cistern, provided there is no negative impact on the cistern.</p>
<p>Delete Policy C.5.1.4 in its entirety.  <del>C.5.1.4 Notwithstanding Policies F.1.14.2.1 c) v), F.1.14.2.1 e), and the water supply requirements of C.5.1.1, Private Water and Wastewater Services, which prohibit <i>development</i> on a water cistern, in the case of the severance of an <i>existing</i> surplus farm dwelling in accordance with Section F.1.14.2.8, the severance of an <i>existing</i> dwelling serviced by an <i>existing</i> water cistern may be permitted provided there is no negative impact of the proposal on the cistern. All other aspects of Policies F.1.14.2.1 c) v) and F.1.14.2.1 e), and Section C.5.1 shall continue to apply.</del></p>	<p>N/A</p>

Proposed Change	Proposed New / Revised Policy
Grey highlighted strikethrough text = text to be deleted	Bolted text = text to be added
<p>Delete Policy C.5.1.5 in its entirety.</p> <p><del>C.5.1.5 Notwithstanding the water supply requirements of C.5.1.1 f) Private Water and Wastewater Services which prohibit <i>development</i> on a water cistern, the building of a dwelling on an <i>existing</i> vacant legal lot of record in accordance with Policy F.1.12.6, serviced by a water cistern, where insufficient water supply is due to the impacts of dewatering for mineral aggregate extraction as demonstrated by a quarry area of influence study, approved by the Province and provided by the proponent, may be permitted at the discretion of the City. All other aspects of Section C.5.1 shall continue to apply. No severances shall be permitted on the basis of an <i>existing</i> water cistern except in accordance with Policy C.5.1.4.</del></p>	N/A
<p>Delete Policy C.5.1.6 in its entirety.</p> <p><del>C.5.1.5 Where a new dwelling is permitted under Policy C.5.1.5, the servicing or hydrogeological study required in Policy C.5.1.1 shall consider potential hydrologic and hydrogeological changes when the mineral aggregate operation ceases and the lands are rehabilitated.</del></p>	N/A

Appendix “B” Chapter F – Implementation

Proposed Change	Proposed New / Revised Policy
<p>Grey highlighted strikethrough text = text to be</p>	<p>Bolded text = text to be added</p>
<p>F.1.14.2.1 The following policies shall apply to all severances and lot additions, including minor lot line adjustments and boundary adjustments in the Agriculture, Rural, Specialty Crop, and Open Space designations, and designated Rural Settlement Areas, as shown on Schedule D-Rural Land Use Designations:</p> <p>b) Severances that create a new lot(s) may be permitted for only the following purposes:</p> <p>iv) Severances within designated Rural Settlement Areas in accordance with Policies F.1.14.2.1 c), <del>d) and e)</del>, Policy F.1.14.2.4, and Section C.5.1, Private Water and Wastewater Services;</p>	<p>F.1.14.2.1 The following policies shall apply to all severances and lot additions, including minor lot line adjustments and boundary adjustments in the Agriculture, Rural, Specialty Crop, and Open Space designations, and designated Rural Settlement Areas, as shown on Schedule D-Rural Land Use Designations:</p> <p>b) Severances that create a new lot(s) may be permitted for only the following purposes:</p> <p>iv) Severances within designated Rural Settlement Areas in accordance with Policy F.1.14.2.1 c), Policy F.1.14.2.4, and Section C.5.1, Private Water and Wastewater Services;</p>
<p>F.1.14.2.1 The following policies shall apply to all severances and lot additions, including minor lot line adjustments and boundary adjustments in the Agriculture, Rural, Specialty Crop, and Open Space designations, and designated Rural Settlement Areas, as shown on Schedule D-Rural Land Use Designations:</p> <p>b) Severances that create a new lot(s) may be permitted for only the following purposes:</p> <p>v) Acquiring land for infrastructure, petroleum resource extraction, and <i>mineral aggregate resource</i> extraction purposes in accordance with Policy F.1.14.2.1 <del>h</del>g);</p>	<p>F.1.14.2.1 The following policies shall apply to all severances and lot additions, including minor lot line adjustments and boundary adjustments in the Agriculture, Rural, Specialty Crop, and Open Space designations, and designated Rural Settlement Areas, as shown on Schedule D-Rural Land Use Designations:</p> <p>b) Severances that create a new lot(s) may be permitted for only the following purposes:</p> <p>v) Acquiring land for infrastructure, petroleum resource extraction, and <i>mineral aggregate resource</i> extraction purposes in accordance with Policy F.1.14.2.1 g);</p>

Proposed Change	Proposed New / Revised Policy
<p>Grey highlighted strikethrough text = text to be</p>	<p>Bolded text = text to be added</p>
<p>F.1.14.2.1 The following policies shall apply to all severances and lot additions, including minor lot line adjustments and boundary adjustments in the Agriculture<del>al</del>, Rural, Specialty Crop, and Open Space designations, and designated Rural Settlement Areas, as shown on Schedule D-Rural Land Use Designations:</p> <p>b) Severances that create a new lot(s) may be permitted for only the following purposes:</p> <p>vi) Facilitating conveyances of land to a public body or approved private <i>land trust</i> in accordance with Policy F.1.14.2.1 <del>h</del>);</p>	<p>F.1.14.2.1 The following policies shall apply to all severances and lot additions, including minor lot line adjustments and boundary adjustments in the Agriculture, Rural, Specialty Crop, and Open Space designations, and designated Rural Settlement Areas, as shown on Schedule D-Rural Land Use Designations:</p> <p>b) Severances that create a new lot(s) may be permitted for only the following purposes:</p> <p>vi) Facilitating conveyances of land to a public body or approved private <i>land trust</i> in accordance with Policy F.1.14.2.1 h);</p>
<p>F.1.14.2.1 The following policies shall apply to all severances and lot additions, including minor lot line adjustments and boundary adjustments in the Agriculture<del>al</del>, Rural, Specialty Crop, and Open Space designations, and designated Rural Settlement Areas, as shown on Schedule D-Rural Land Use Designations:</p> <p>d) All proposed lot additions shall:</p> <p>iv) meet the requirements of Section C.5.1, Private Water and Wastewater Services, including the requirement for submission of <del>complete information</del> a <b>hydrogeological study</b> regarding existing or proposed water and wastewater services prior to or at the time of application, <b>except as permitted in F.1.14.2.7d).</b></p>	<p>F.1.14.2.1 The following policies shall apply to all severances and lot additions, including minor lot line adjustments and boundary adjustments in the Agriculture, Rural, Specialty Crop, and Open Space designations, and designated Rural Settlement Areas, as shown on Schedule D-Rural Land Use Designations:</p> <p>d) All proposed lot additions shall:</p> <p>v) meet the requirements of Section C.5.1, Private Water and Wastewater Services, including the requirement for submission of a hydrogeological study regarding existing or proposed water and wastewater services prior to or at the time of application, except as permitted in F.1.14.2.7d).</p>
<p>Policy F.1.14.2.1 e) to be deleted in its entirety, and the remaining subsections re-numbered accordingly.</p> <p><del>F.1.14.2.1 c) Proposed lot additions may be required to submit a hydrogeological study in accordance with C.5.1, Private Water and Wastewater Services, at the discretion of the City.</del></p>	



Proposed Change	Proposed New / Revised Policy
<p><del>Grey highlighted strikethrough text</del> = text to be</p>	<p><b>Bolded text</b> = text to be added</p>
<p>F.1.14.2.3 In the Rural designation, severances that create a new lot, except surplus farm dwelling severances, may be considered only for agricultural uses, agriculture-related uses, existing rural resource-based commercial uses, existing rural resource-based industrial uses, and existing rural institutional uses, provided all of the relevant conditions of Section D.4.2.1 and the following conditions are met:</p>	<p>F.1.14.2.3 In the Rural designation, severances that create a new lot, except surplus farm dwelling severances, may be considered only for agricultural uses, agriculture-related uses, existing rural resource-based commercial uses, existing rural resource-based industrial uses, and existing rural institutional uses, provided all of the relevant conditions of Section D.4.1 and the following conditions are met:</p>
<p>F.1.14.2.4 Within designated Rural Settlement Areas all proposed severances that create a new lot and proposed lot additions shall: f) meet the requirements of Section C.5.1, Private Water and Wastewater Services, <b>except as permitted in F.1.14.2.7 d).</b></p>	<p>F.1.14.2.4 Within designated Rural Settlement Areas all proposed severances that create a new lot and proposed lot additions shall: f) meet the requirements of Section C.5.1, Private Water and Wastewater Services, except as permitted in F.1.14.2.7 d).</p>
<p>F.1.14.2.5 Lot additions, except within designated Rural Settlement Areas, may be considered for permitted uses provided the following conditions are met: b)All resulting lots shall be: i) a minimum of 0.4 hectares (1 acre), or such larger area as may be required by Section C.5.1, Private Water and Waterwater Services of this Plan, <b>except as permitted in F.1.14.2.7 d); and,</b></p>	<p>F.1.14.2.5 Lot additions, except within designated Rural Settlement Areas, may be considered for permitted uses provided the following conditions are met: b)All resulting lots shall be: i) a minimum of 0.4 hectares (1 acre), or such larger area as may be required by Section C.5.1, Private Water and Waterwater Services of this Plan, except as permitted in F.1.14.2.7 d); and,</p>
<p>F.1.14.2.5 Lot additions, except within designated Rural Settlement Areas, may be considered for permitted uses provided the following conditions are met: <del>b) All resulting lots shall be:</del> <b>iii c)</b> For lands within the Agriculture designation where the lot addition is for <i>agricultural uses</i> the minimum lot size of all resulting lots shall be 40.4 hectares (100 acres).</p>	<p>F.1.14.2.5 Lot additions, except within designated Rural Settlement Areas, may be considered for permitted uses provided the following conditions are met: c) For lands within the Agriculture designation where the lot addition is for <i>agricultural uses</i> the minimum lot size of all resulting lots shall be 40.4 hectares (100 acres).</p>
<p>F.1.14.2.5 Lot additions, except within designated Rural Settlement Areas, may be considered for permitted uses provided the following conditions are met: f) The minimum lot size requirements in F.1.14.2.5 <del>b), c) and d) and e)</del> may also include lands designated as Open Space on Schedule D – Rural Land Use Designations, or identified as within the Natural Heritage System on Schedule B – Natural Heritage System.</p>	<p>F.1.14.2.5 Lot additions, except within designated Rural Settlement Areas, may be considered for permitted uses provided the following conditions are met: f) The minimum lot size requirements in F.1.14.2.5 b), c) and d) may also include lands designated as Open Space on Schedule D – Rural Land Use Designations, or identified as within the Natural Heritage System on Schedule B – Natural Heritage System.</p>

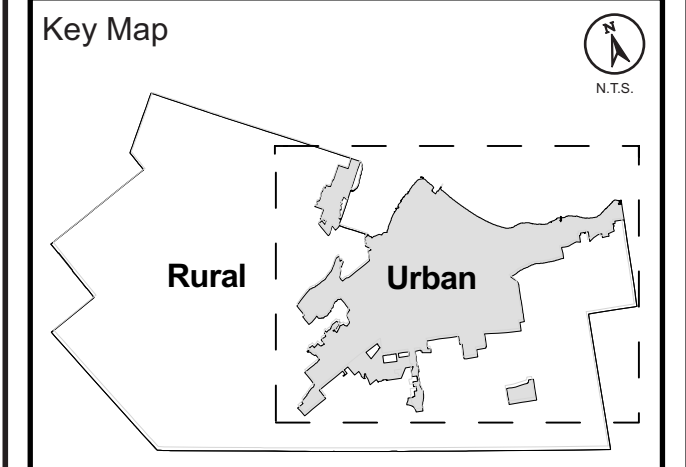
Proposed Change	Proposed New / Revised Policy
Grey highlighted strikethrough text = text to be	Bolded text = text to be added
<p>F.1.14.2.5 Lot additions, except within designated Rural Settlement Areas, may be considered for permitted uses provided the following conditions are met:</p> <p><b>h) The lands to be severed and conveyed are added to and merged in title with an abutting property or properties.</b></p>	<p>F.1.14.2.5 Lot additions, except within designated Rural Settlement Areas, may be considered for permitted uses provided the following conditions are met:</p> <p>h) The lands to be severed and conveyed are added to and merged in title with an abutting property or properties.</p>
<p>F.1.14.2.6 Minor lot line adjustments and minor boundary adjustments may be considered for <i>legal and technical reasons</i> only provided:</p> <p>c) the land area of the lot adjustment does not exceed the land area required to address the legal or technical issue, meet the requirements of Section C.5.1, Private Water and Wastewater Services, and meet F.1.14.2.6 b) <del>and c)</del> above with as little acreage as possible taken out of <i>agricultural use</i>; and,</p>	<p>F.1.14.2.6 Minor lot line adjustments and minor boundary adjustments may be considered for <i>legal and technical reasons</i> only provided:</p> <p>c) the land area of the lot adjustment does not exceed the land area required to address the legal or technical issue, meet the requirements of Section C.5.1, Private Water and Wastewater Services, and meet F.1.14.2.6 b) above with as little acreage as possible taken out of <i>agricultural use</i>; and,</p>
<p>F.1.14.2.7 <del>Notwithstanding</del> <b>In addition to</b> Policy F.1.14.2.6, minor lot additions may be permitted where additional land is required for <i>existing</i> undersized lots to meet <del>all of</del> the applicable requirements of Section C.5.1, Private Water and Wastewater Services, as determined by the City, for <i>existing</i> uses only, provided all of the following are met:</p> <p>c) there is no increased fragmentation of a <i>key natural heritage feature</i> or <i>key hydrologic feature</i>; and,</p> <p><b>d) the lot being enlarged is not required to demonstrate conformity with Policy C.5.1.1 c), but should generally be a minimum of one acre in size following the lot addition; and,</b></p> <p>e) the land area of the minor lot addition does not exceed the land area needed to meet the requirements of Section C.5.1, Private Water and Wastewater Services, and F.1.14.2.7 b) and <del>v</del>c) above with as little acreage as possible taken out of agricultural use.</p>	<p>F.1.14.2.7 In addition to Policy F.1.14.2.6, minor lot additions may be permitted where additional land is required for <i>existing</i> undersized lots to meet the applicable requirements of Section C.5.1, Private Water and Wastewater Services, as determined by the City, for <i>existing</i> uses only, provided all of the following are met:</p> <p>c) there is no increased fragmentation of a <i>key natural heritage feature</i> or <i>key hydrologic feature</i>;</p> <p>d) the lot being enlarged is not required to demonstrate conformity with Policy C.5.1.1 c), but should generally be a minimum of one acre in size following the lot addition; and,</p> <p>e) the land area of the minor lot addition does not exceed the land area needed to meet the requirements of Section C.5.1, Private Water and Wastewater Services, and F.1.14.2.7 b) and c) above with as little acreage as possible taken out of agricultural use.</p>

Proposed Change	Proposed New / Revised Policy
<p><del>Grey highlighted strikethrough text</del> = text to be</p>	<p><b>Bolded text</b> = text to be added</p>
<p>Policy F.1.14.2.9 is being deleted in its entirety. Subsection F.1.14.2.9 f) ii) has been renumbered to F.1.14.2.5 h) and re-located.</p> <p><del>Lot additions shall be permitted in the Rural, Agriculture and Specialty Crop designations provided the following conditions are met:</del></p> <p><del>b) No new lots shall be created;</del></p> <p><del>c) All lot additions shall comply with Sections F.1.14.2.2 d) ii), iii), iv) and v) of this Plan;</del></p> <p><del>d) For lands within the Agriculture designation Section F.1.14.2.1 b) i), c) and d) shall apply;</del></p> <p><del>e) For lands within the Specialty Crop designation Section F.1.14.2.1 b) ii), c) and d) shall apply;</del></p> <p><del>f) For lands within the Rural designation the following conditions shall apply:</del></p> <p><del>i) Where a lot addition severance will result in the creation of a non-agricultural lot, an existing building or structure for an established residential, commercial or industrial use must be located on the proposed non-agricultural lot; and</del></p> <p><del>ii) The lands to be severed and conveyed are added to and merged in title with an abutting property or properties.</del></p>	

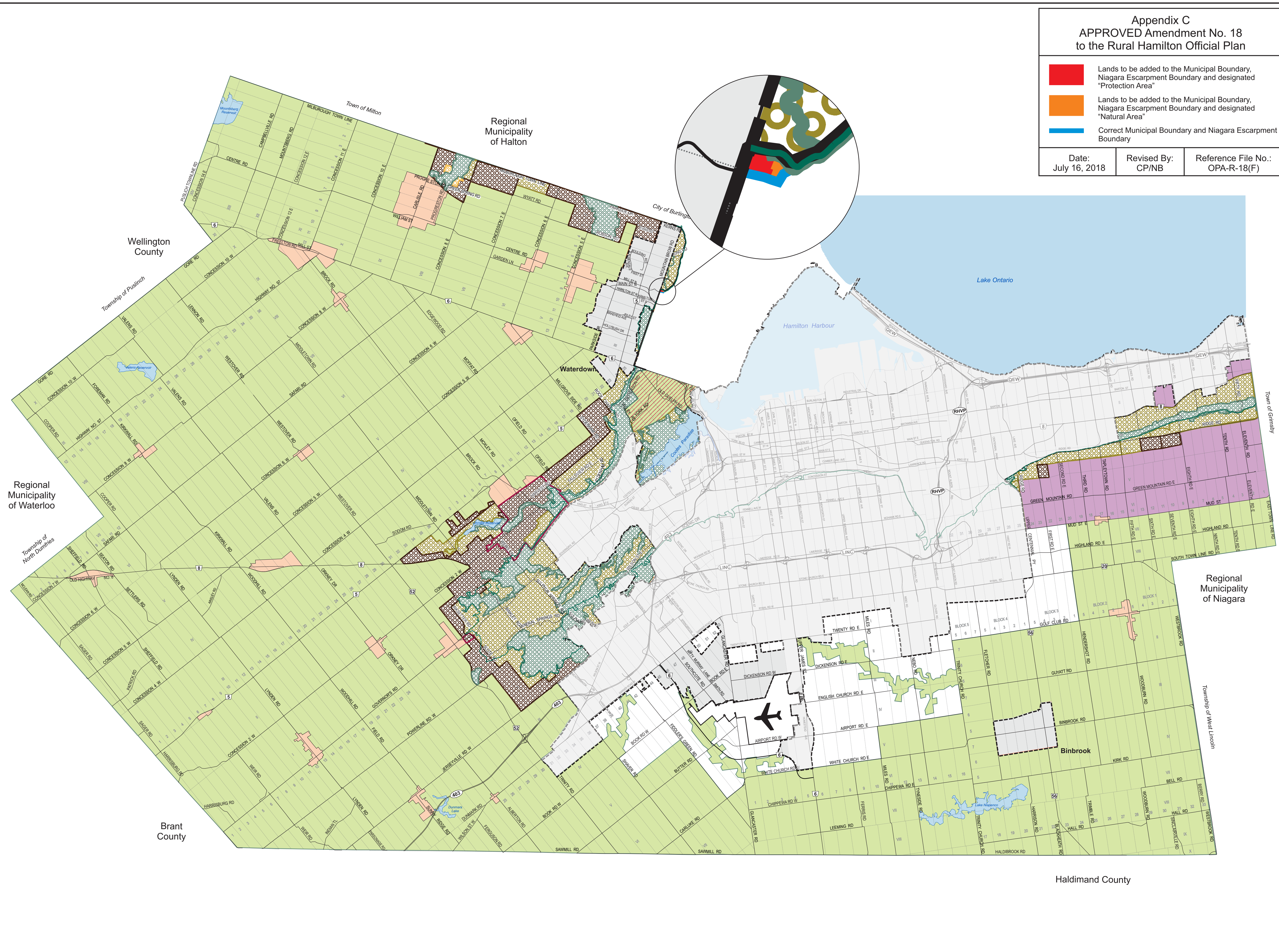
Appendix C  
**APPROVED Amendment No. 18**  
 to the Rural Hamilton Official Plan

- Lands to be added to the Municipal Boundary, Niagara Escarpment Boundary and designated "Protection Area"
- Lands to be added to the Municipal Boundary, Niagara Escarpment Boundary and designated "Natural Area"
- Correct Municipal Boundary and Niagara Escarpment Boundary

Date: July 16, 2018	Revised By: CP/NB	Reference File No.: OPA-R-18(F)
------------------------	----------------------	------------------------------------



**Note:** For Urban Provincial Plan Designations, refer to Schedule A of the Urban Hamilton Official Plan.



- Legend**
- Parkway Belt West Plan Area
  - Greenbelt Plan Designations**
    - Protected Countryside
    - Hamlets (Rural Settlement Areas)
    - Towns and Villages
    - Specialty Crop
  - Niagara Escarpment Plan Designations**
    - Natural Area
    - Protection Area
    - Mineral Resource Extraction Area
    - Rural Area
    - Urban Area
    - Minor Urban Centres
  - Other Features**
    - Urban Area
    - John C. Munro Hamilton International Airport
    - Niagara Escarpment
    - Urban Boundary
    - Municipal Boundary
- \* Note: Refer to the appropriate Provincial Plan for detailed mapping*

Council Adoption: September 27, 2006  
 Ministerial Approval: December 24, 2008  
 Effective Date: March 7, 2012

**Rural Hamilton Official Plan**  
**Schedule A**  
 Provincial Plans

Not To Scale

Date: April 10, 2015

**PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT**

© Teranet Land Information Services Inc. and its licensors. (2005) May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

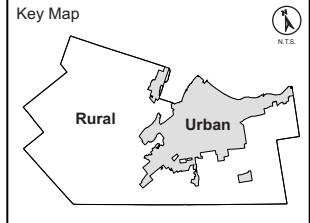
Appendix D  
 APPROVED Amendment No. 18  
 to the Rural Hamilton Official Plan

 Correct Municipal Boundary and  
 Niagara Escarpment Boundary

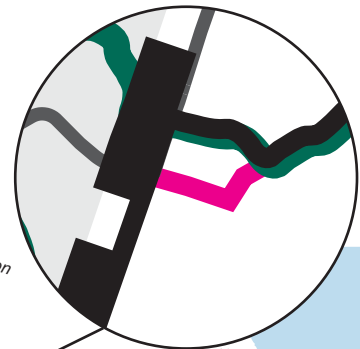
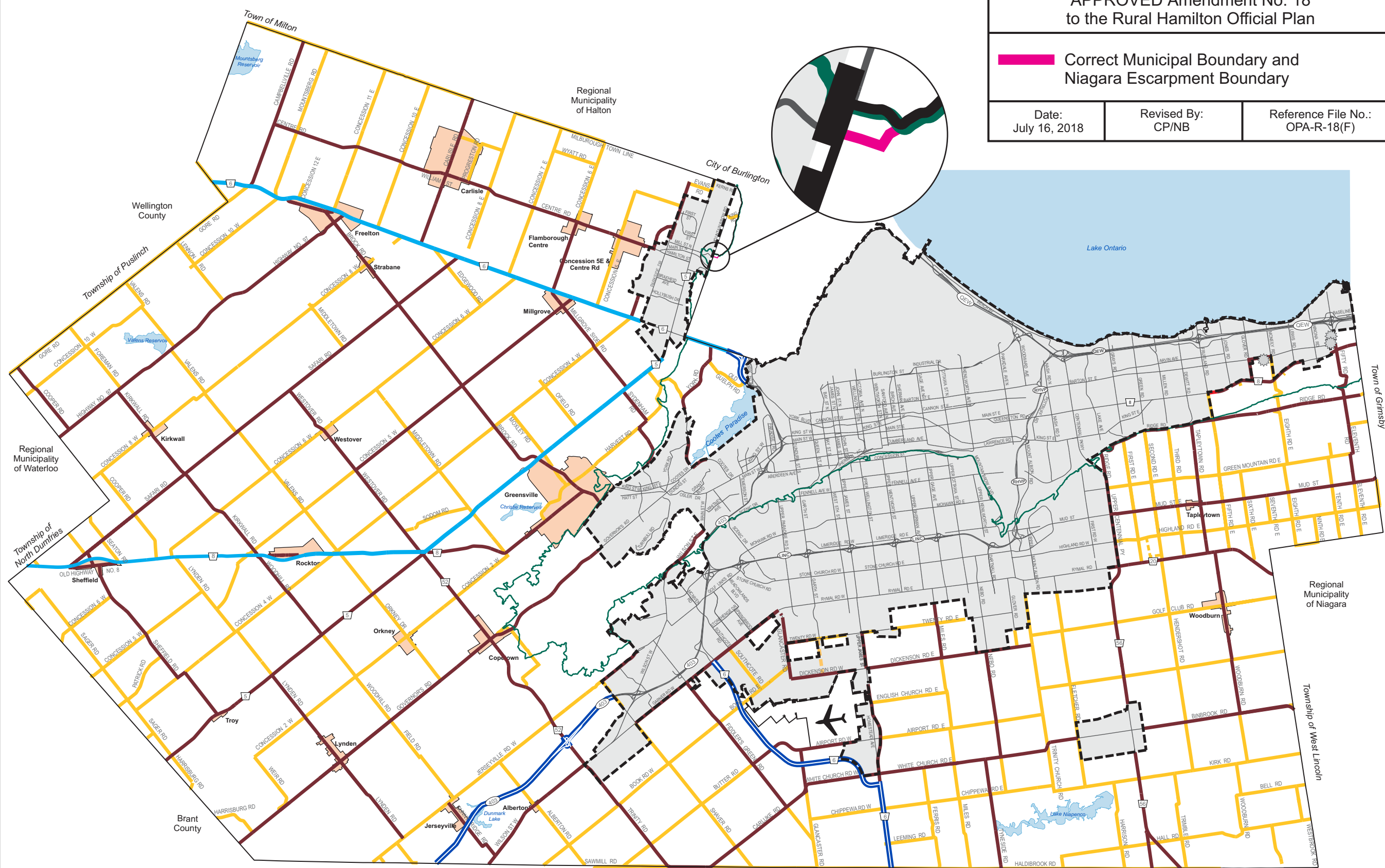
Date:  
 July 16, 2018

Revised By:  
 CP/NB





Reference File No.:  
 OPA-R-18(F)




**Note:** For Urban Functional Road Classification, refer to Schedule C-1 of the Urban Hamilton Official Plan.









**Legend**

-  Arterial
-  Collector
-  Provincial Highway (Controlled Access)
-  Provincial Highway

**Proposed Roads**

-  Collector

**Other Features**

-  Rural Settlement Areas
-  Urban Area
-  John C. Munro Hamilton International Airport
-  Municipal Boundary
-  Urban Boundary
-  Niagara Escarpment

**Hamilton Official Plan  
 Schedule C  
 Rural Functional  
 Road Classification**

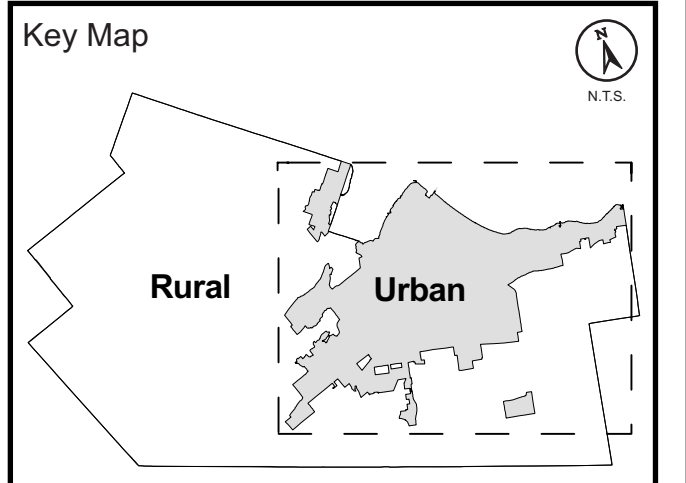


Date: April 10/15  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Teranet Land Information Services Inc. and its licensors. [2010] May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY.

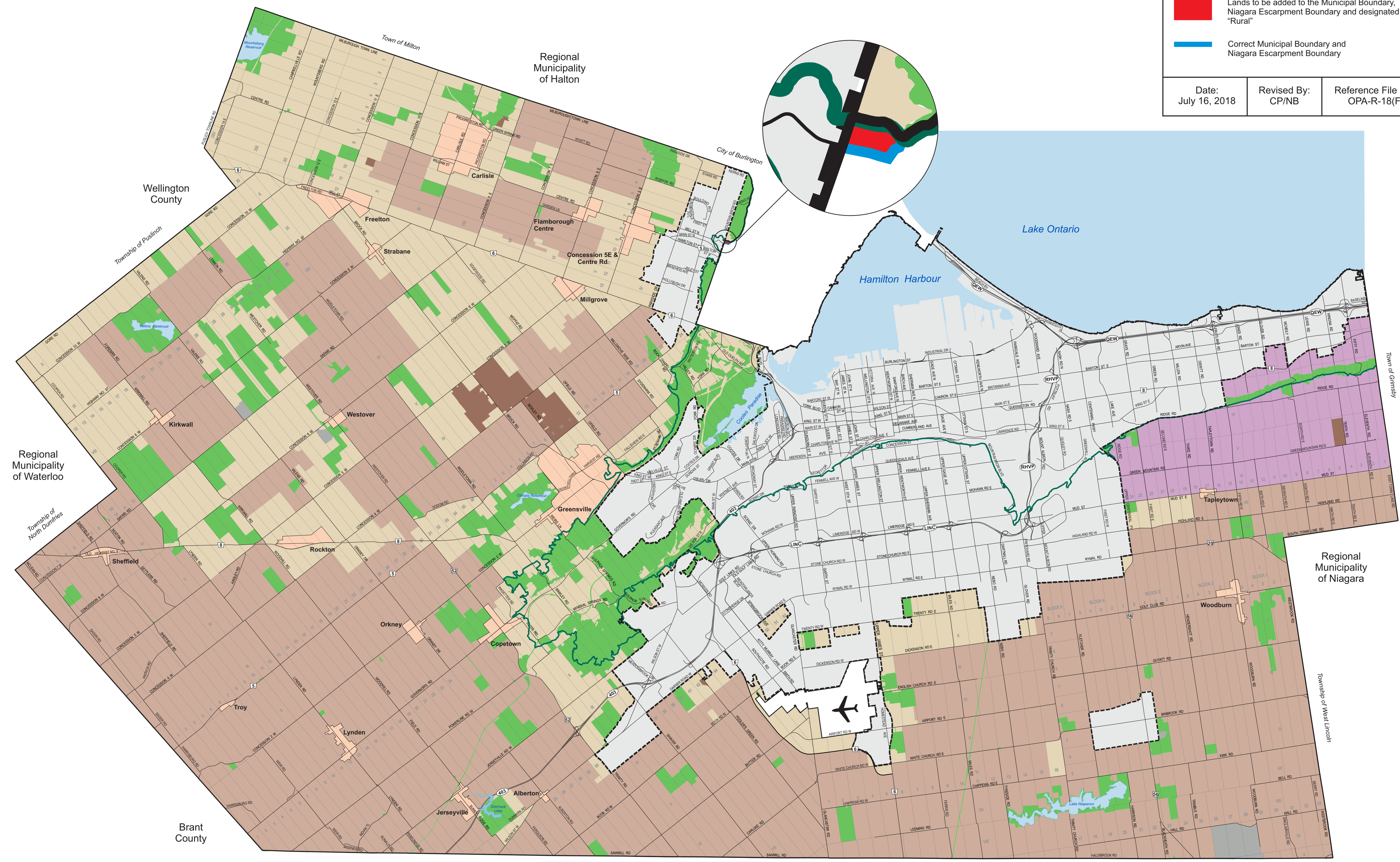
Appendix E  
**APPROVED Amendment No. 18**  
 to the Rural Hamilton Official Plan

- Lands to be added to the Municipal Boundary, Niagara Escarpment Boundary and designated "Rural"
- Correct Municipal Boundary and Niagara Escarpment Boundary

Date: July 16, 2018	Revised By: CP/NB	Reference File No.: OPA-R-18(F)
------------------------	----------------------	------------------------------------



Note: For Urban Land Use Designations, refer to Schedule E-1 of the Urban Hamilton Official Plan.



- Legend**
- Rural Settlement Areas
- Rural Land Use Designations**
- Agriculture
  - Specialty Crop
  - Rural
  - Mineral Aggregate Resource Extraction Areas
  - Open Space
  - Utility
- Other Features**
- Urban Area
  - John C. Munro Hamilton International Airport
  - Niagara Escarpment
  - Urban Boundary
  - Municipal Boundary

Council Adoption: September 27, 2006  
 Ministerial Approval: December 24, 2008  
 Effective Date: March 7, 2012

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



PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Teranet Land Information Services Inc. and its licensors. (2005) May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

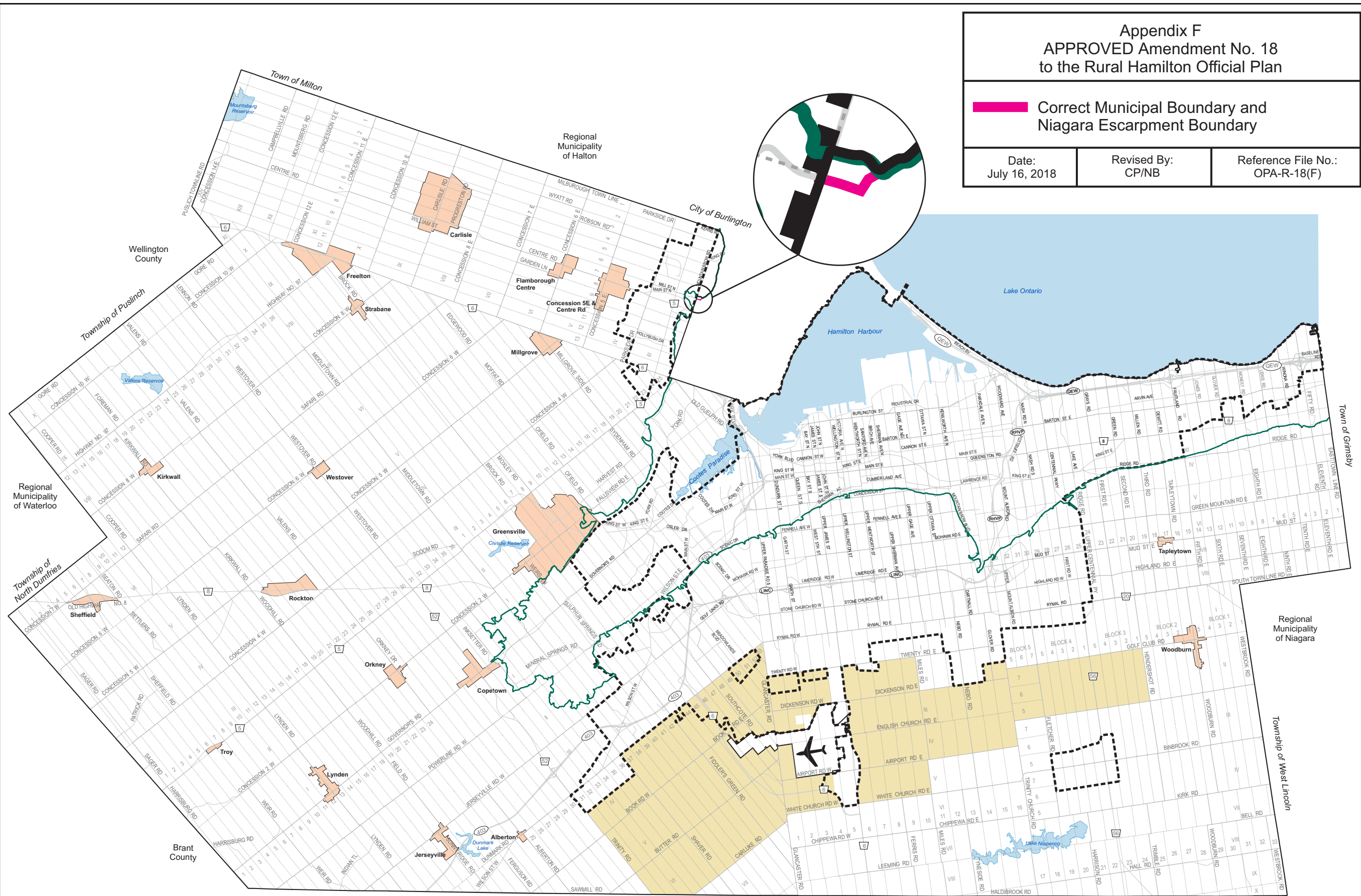
Appendix F  
 APPROVED Amendment No. 18  
 to the Rural Hamilton Official Plan








 Correct Municipal Boundary and  
 Niagara Escarpment Boundary

Date:  
 July 16, 2018

Revised By:  
 CP/NB

Reference File No.:  
 OPA-R-18(F)



- Legend**
-  Rural Settlement Areas
  -  Airport Influence Area
- Other Features**
-  Urban Area
  -  John C. Munro Hamilton International Airport
  -  Niagara Escarpment
  -  Urban Boundary
  -  Municipal Boundary

Council Adoption: September 27, 2006  
 Ministerial Approval: December 24, 2008  
 Effective Date: March 7, 2012

**Rural Hamilton Official Plan  
 Schedule F  
 Airport Influence Area**

Not To Scale  
 Date: April 10, 2015  


PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Terane Land Information Services Inc. and its licensors. [2005]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN  
 OF SURVEY

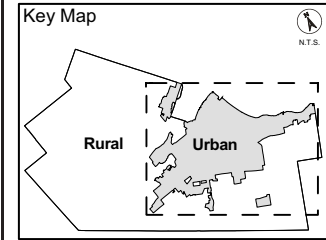
Appendix G  
 APPROVED Amendment No. 18  
 to the Rural Hamilton Official Plan

**Correct Municipal Boundary and  
 Niagara Escarpment Boundary**

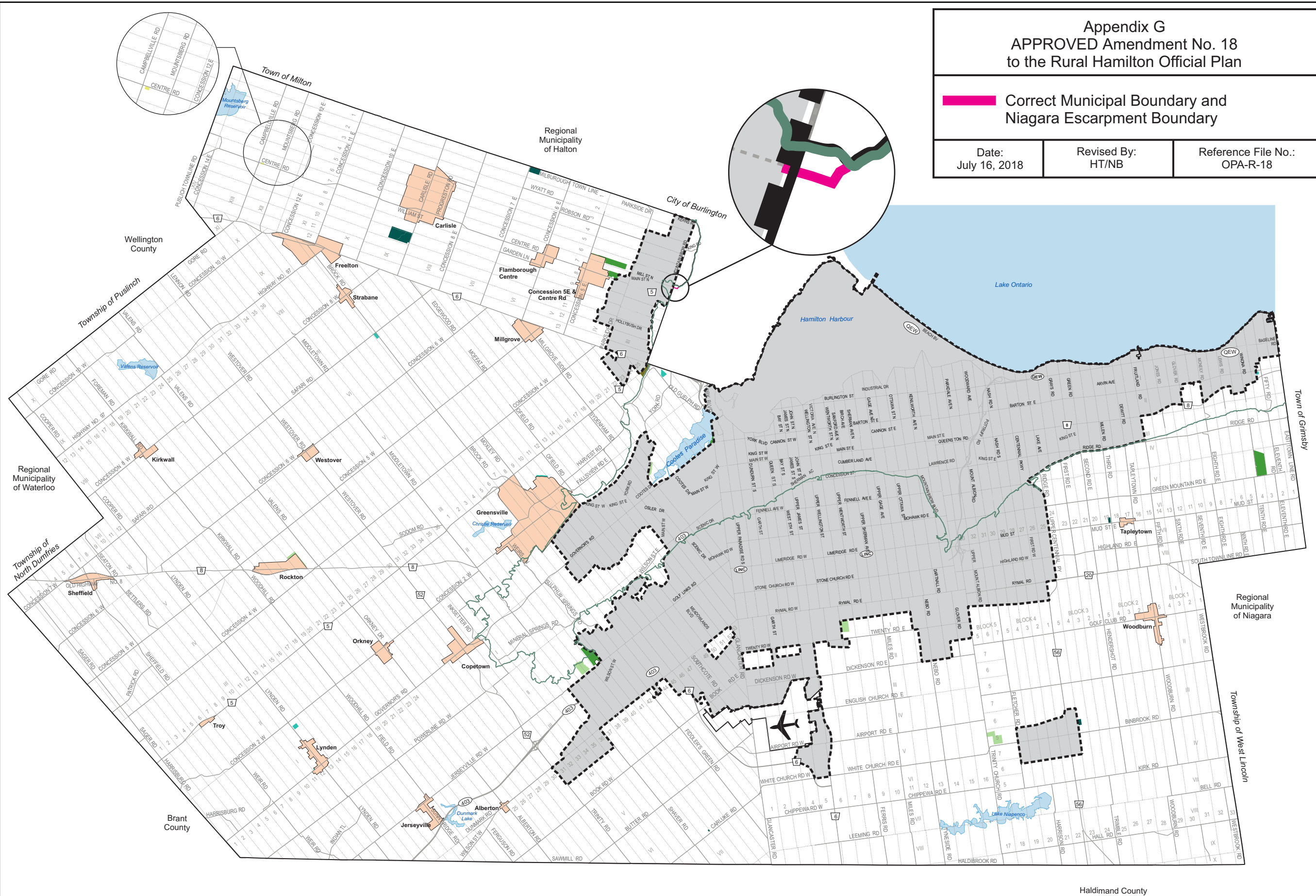
Date:  
 July 16, 2018

Revised By:  
 HT/NB

Reference File No.:  
 OPA-R-18



**Note:** For Urban Parks Classification Designations, refer to Appendix A of the Urban Hamilton Official Plan.



**Legend**

Rural Settlement Areas

**Parks Classification**

- Parkette
- General Open Space
- Natural Open Space
- City Wide
- Community
- Neighbourhood

**Other Features**

- Urban Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary

Council Adoption: September 27, 2006  
 Ministerial Approval: December 24, 2008  
 Effective Date: March 7, 2012

**Rural Hamilton Official Plan  
 Appendix A  
 Parks Classification**

Not To Scale  
 Date: April 10, 2015



PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Teramet Land Information Services Inc. and its licensors. (2005)  
 May Not Be Reproduced without Permission. THIS IS NOT A PLAN  
 OF SURVEY



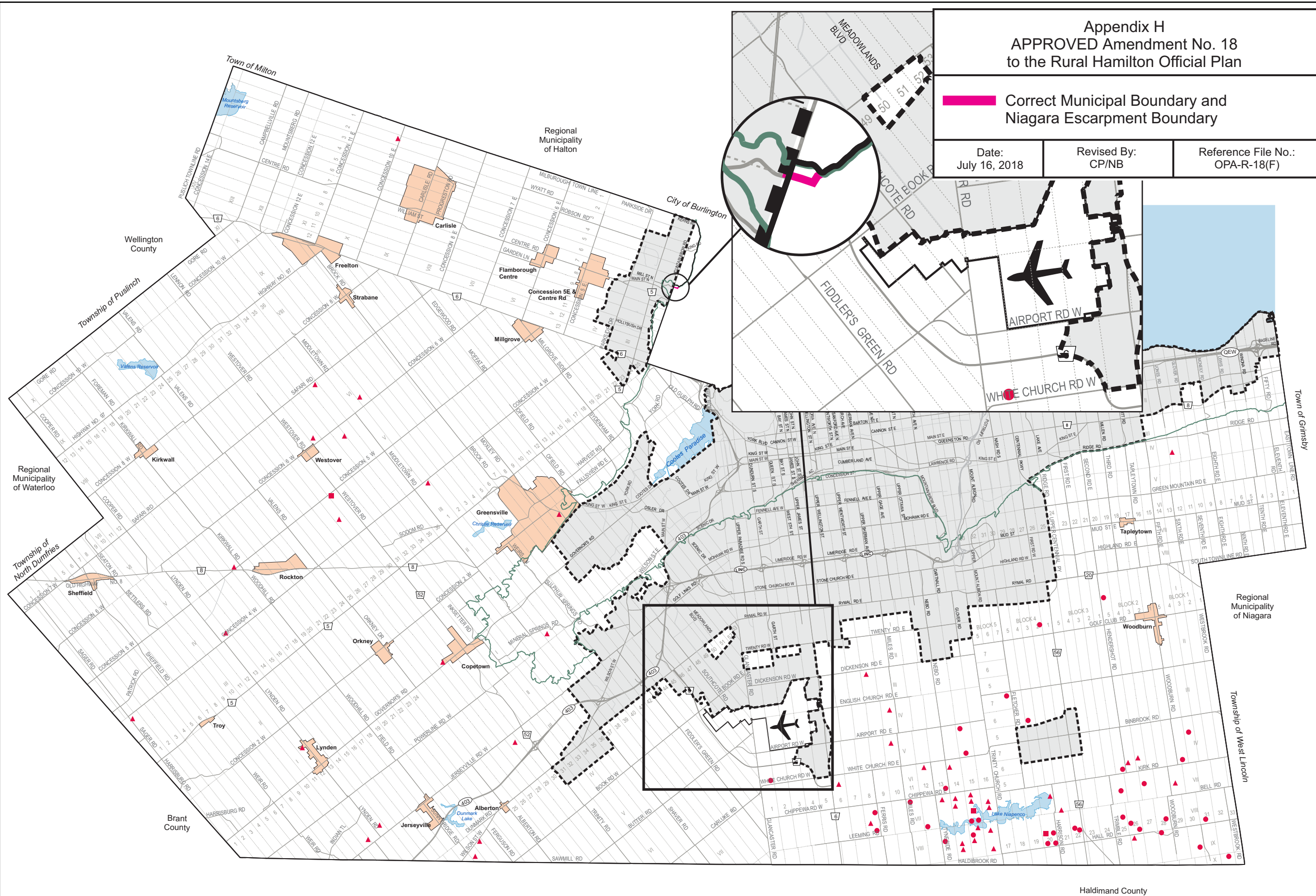
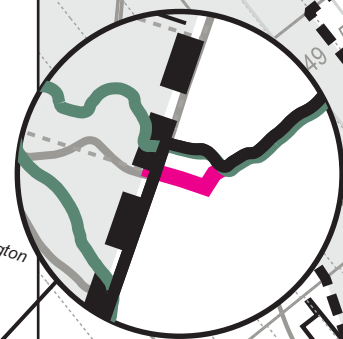
Appendix H  
 APPROVED Amendment No. 18  
 to the Rural Hamilton Official Plan

 Correct Municipal Boundary and  
 Niagara Escarpment Boundary










Date:  
 July 16, 2018

Revised By:  
 CP/NB

Reference File No.:  
 OPA-R-18(F)




**Legend**

-  Rural Settlement Areas
- Gas and Petroleum Wells**
  -  Active Wells
  -  Suspended Wells
  -  Abandoned Wells
- Other Features**
  -  Urban Area
  -  John C. Munro Hamilton International Airport
  -  Niagara Escarpment
  -  Urban Boundary
  -  Municipal Boundary

Council Adoption: September 27, 2006  
 Ministerial Approval: December 24, 2008  
 Effective Date: March 7, 2012

**Rural Hamilton Official Plan  
 Appendix C-1  
 Non-Renewable Resources  
 Gas and Petroleum Wells**

Not To Scale  
 Date: April 10, 2015  
  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
© Terrestrial Land Information Services Inc. and its licensors. [2005] May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

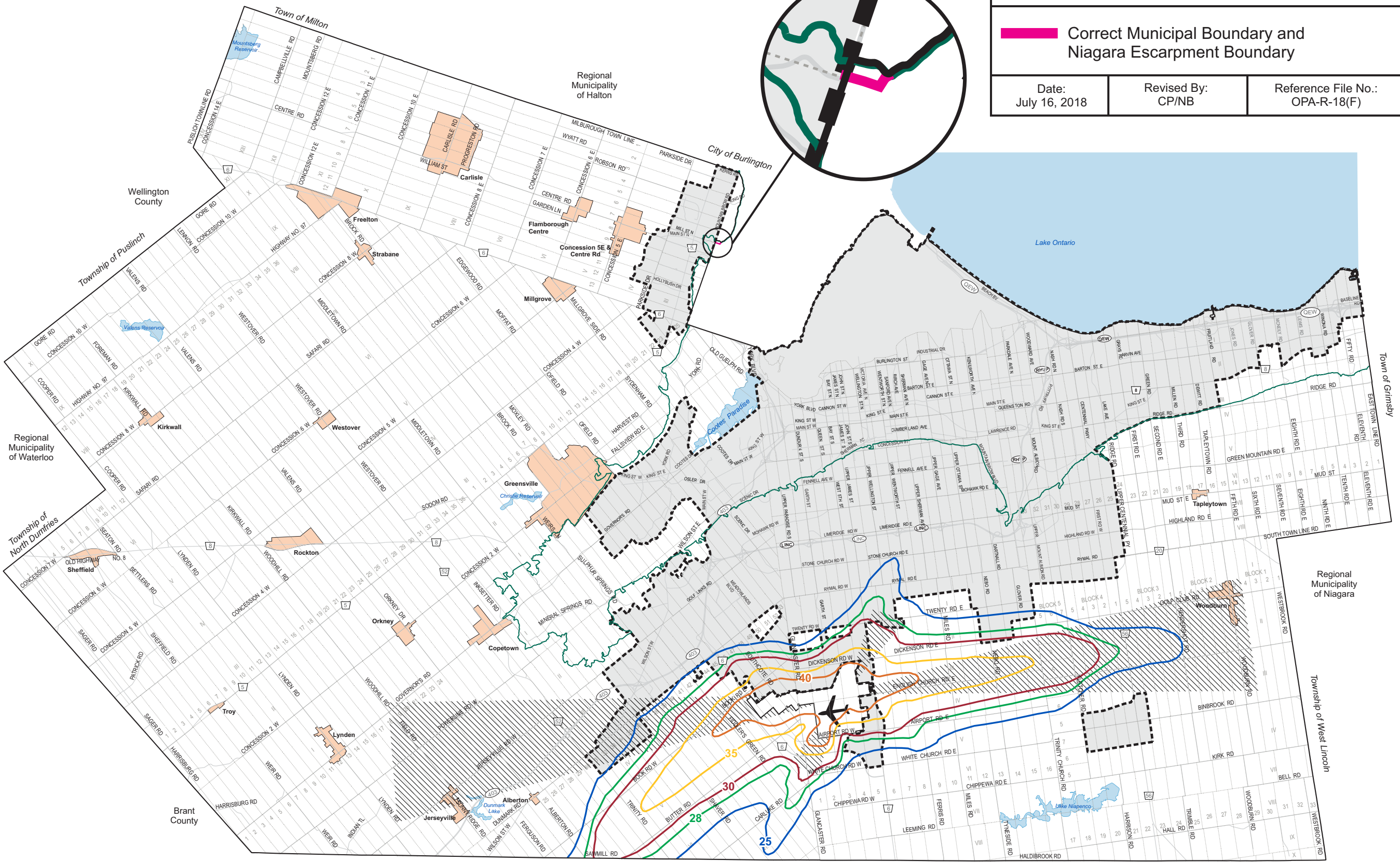
Appendix I  
 APPROVED Amendment No. 18  
 to the Rural Hamilton Official Plan













 Correct Municipal Boundary and  
 Niagara Escarpment Boundary

Date:  
 July 16, 2018

Revised By:  
 CP/NB


Reference File No.:  
 OPA-R-18(F)



- Legend**
-  Rural Settlement Areas
  - Noise Exposure Forecast Contours**
  -  -25- 2010 NEF Contour - 25dB
  -  -28- 2010 NEF Contour - 28dB
  -  -30- 2010 NEF Contour - 30dB
  -  -35- 2010 NEF Contour - 28dB
  -  -40- 2010 NEF Contour - 30dB
  -  Primary Airport Zoning Regulation Area
  - Other Features**
  -  Urban Area
  -  John C. Munro Hamilton International Airport
  -  Niagara Escarpment
  -  Urban Boundary
  -  Municipal Boundary

Council Adoption: September 27, 2006  
 Ministerial Approval: December 24, 2008  
 Effective Date: March 7, 2012

**Rural Hamilton Official Plan**  
**Appendix D**  
 Noise Exposure Forecast Contours  
 and Primary Zoning Regulation Area

Not To Scale  
 Date: April 10, 2015  
  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
© Teramet Land Information Services Inc. and its licensors. [2005] May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

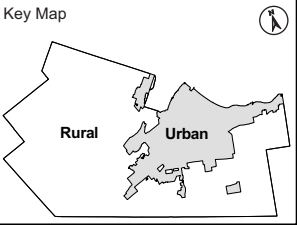
Appendix J  
 APPROVED Amendment No. 18  
 to the Rural Hamilton Official Plan

 Correct Municipal Boundary and  
 Niagara Escarpment Boundary

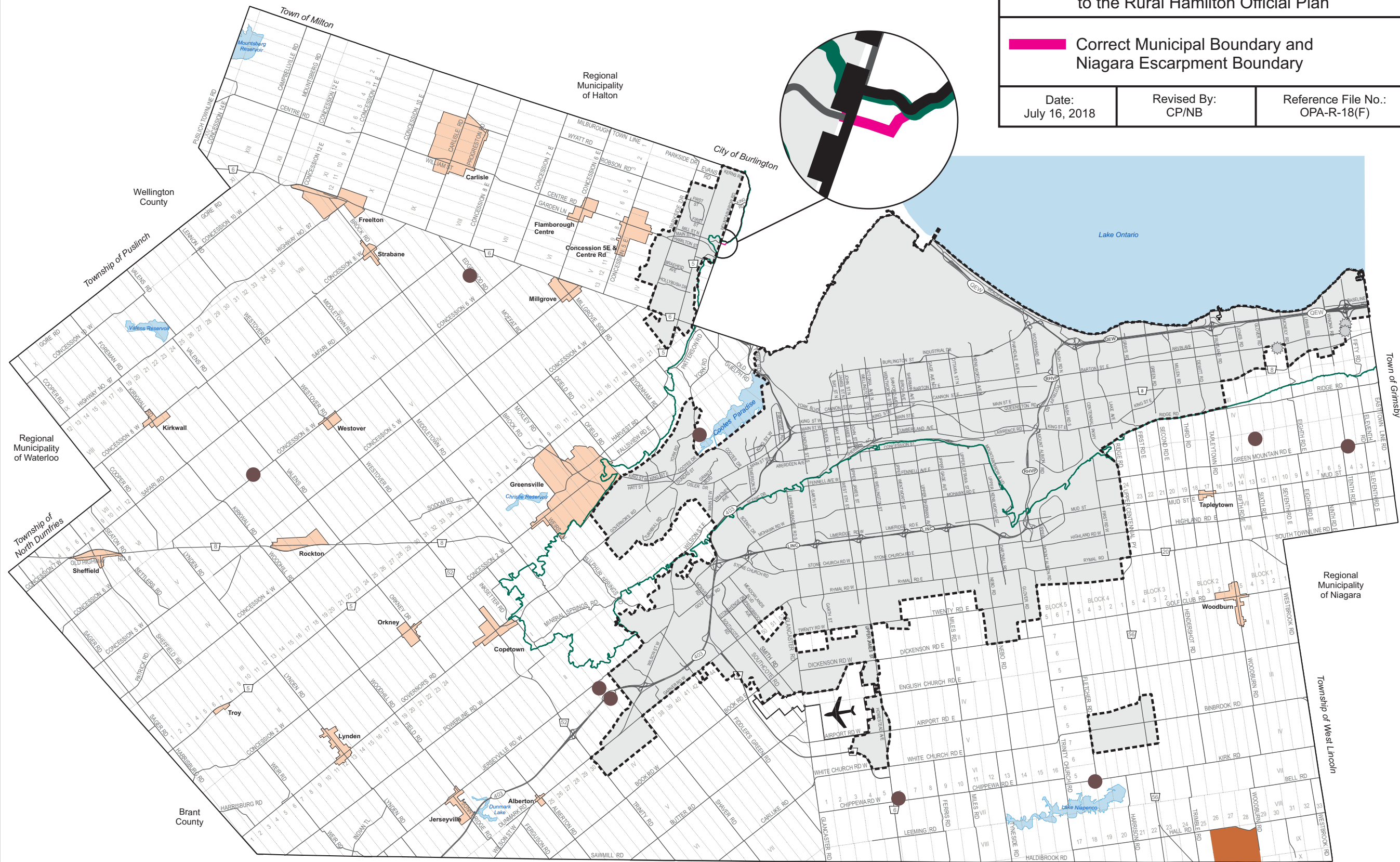
Date:  
 July 16, 2018

Revised By:  
 CP/NB



Reference File No.:  
 OPA-R-18(F)










Note: For Urban Former Municipal Landfill Sites, refer to Appendix E of the Urban Hamilton Official Plan.



**Legend**

-  Operating Municipal Landfill
-  Former Municipal Landfill Sites (boundaries not defined)

**Other Features**

-  Rural Settlement Areas
-  Urban Area
-  John C. Munro Hamilton International Airport
-  Municipal Boundary
-  Urban Boundary
-  Niagara Escarpment
-  Subject to Future OMB Hearing

**Hamilton Official Plan  
 Appendix E  
 Rural Municipal Landfill Sites**



Date: April 10, 2015  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Teramet Land Information Services Inc. and its licensors. [2015]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

Appendix "K" – Chapter A – Rural Settlement Area Plans

Proposed Change	Proposed New / Revised Policy
<p><del>Grey highlighted strikethrough text</del> = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<p>R-4 Lands known municipally as <del>159 and 163</del><b>167</b> Highway No. 5 West, former Town of Flamborough. 1.0 Notwithstanding Section C.3.3, Open Space of this Plan, the lands designated Open Space, known municipally as <del>159 and 163</del><b>167</b> Highway No. 5 West, shall be used for public or private recreation, golf course and agriculture, together with limited commercial uses which are ancillary to, and support the permitted Open Space uses.</p>	<p>R-4 Lands known municipally as 167 Highway No. 5 West, former Town of Flamborough. 1.0 Notwithstanding Section C.3.3, Open Space of this Plan, the lands designated Open Space, known municipally as 167 Highway No. 5 West, shall be used for public or private recreation, golf course and agriculture, together with limited commercial uses which are ancillary to, and support the permitted Open Space uses.</p>

Appendix L  
 APPROVED Amendment No. 18  
 to the Rural Hamilton Official Plan

 Correct Municipal Boundary and  
 Niagara Escarpment Boundary

Date:  
 July 16, 2018

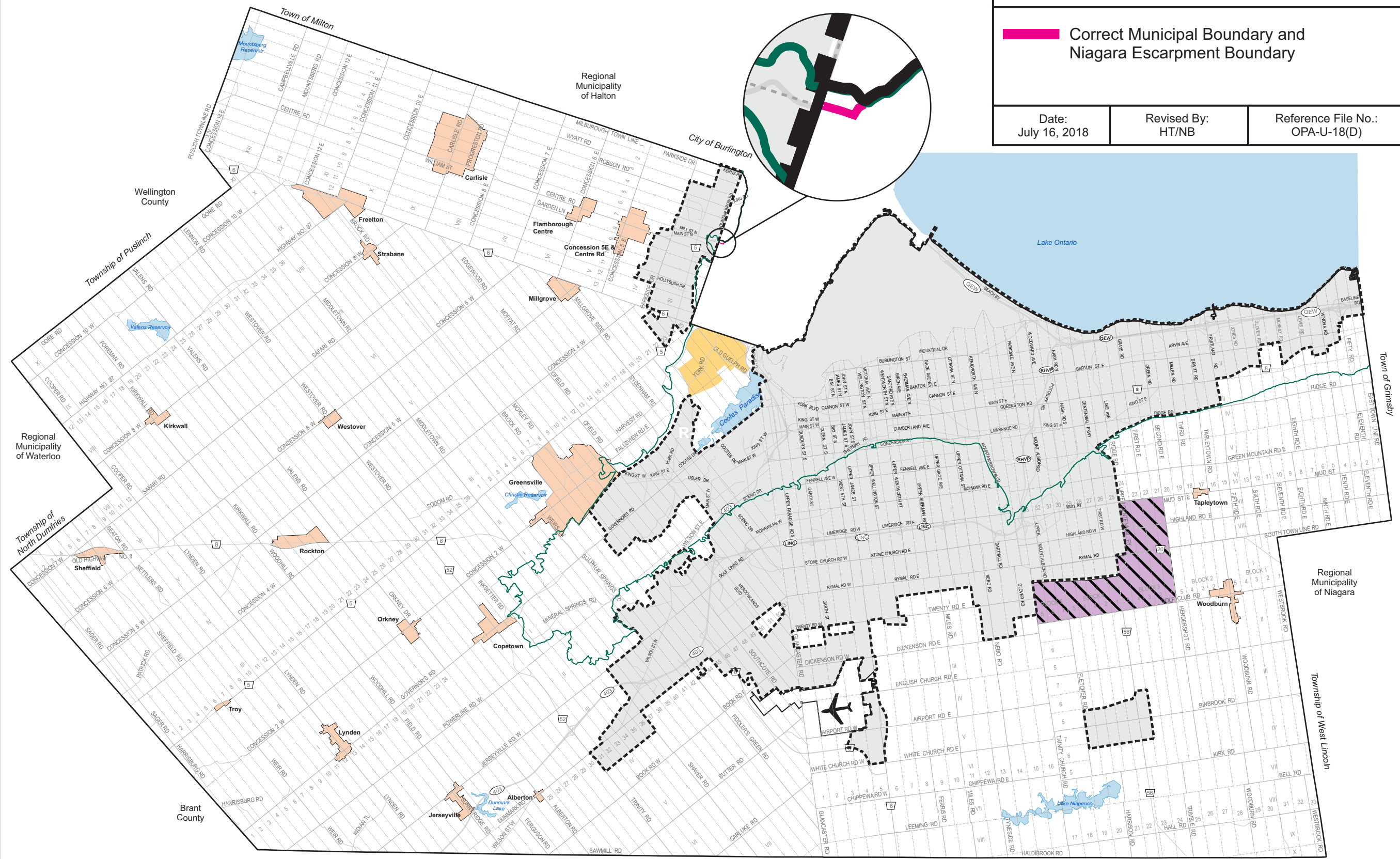
Revised By:  
 HT/NB

Reference File No.:  
 OPA-U-18(D)









**MODIFICATION 49**

 Delete Special  
 Policy Area B

Special Policy Area B is still  
 under appeal - Multiple Parties




**Legend**




-  Rural Settlement Areas
- Special Policy Areas**
-  Special Policy Area A - Pleasantview
-  Special Policy Area B - Future Urban Growth Node
- Other Features**
-  Urban Area
-  John C. Munro Hamilton International Airport
-  Niagara Escarpment
-  Urban Boundary
-  Municipal Boundary

Council Adoption: September 27, 2006  
 Ministerial Approval: December 24, 2008  
 Effective Date: March 7, 2012

**Rural Hamilton Official Plan  
 Volume 3: Map A  
 Special Policy Areas**

Not To Scale  
 Date: April 10, 2015  
  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
© Terane Land Information Services Inc. and its licensors. (2005) May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

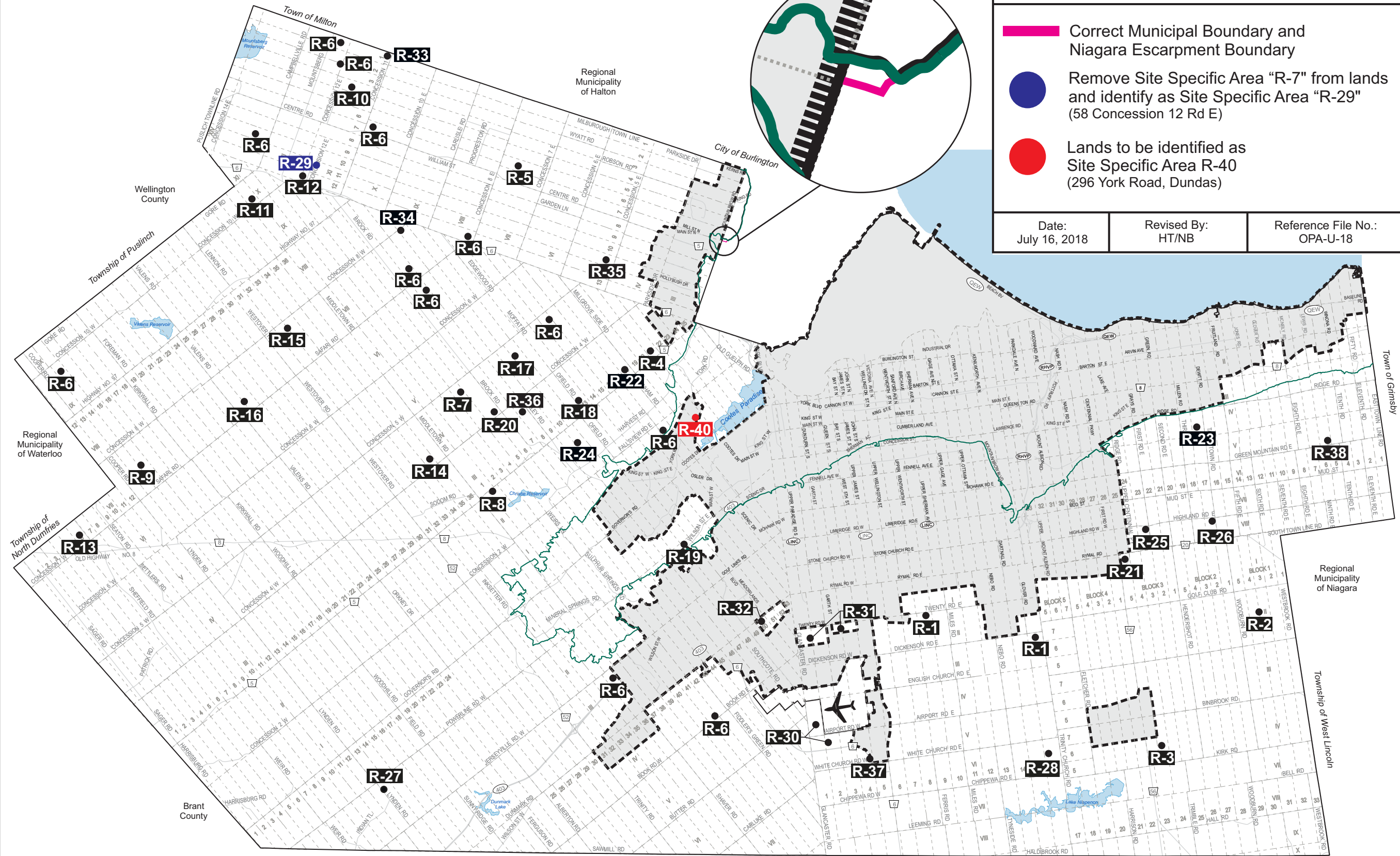
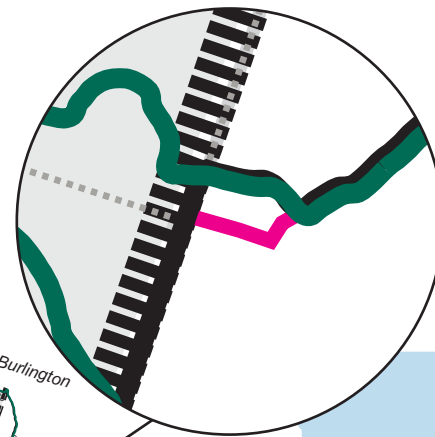
Appendix M  
 APPROVED Amendment No. 18  
 to the Rural Hamilton Official Plan




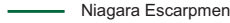


-  Correct Municipal Boundary and Niagara Escarpment Boundary
-  Remove Site Specific Area "R-7" from lands and identify as Site Specific Area "R-29" (58 Concession 12 Rd E)
-  Lands to be identified as Site Specific Area R-40 (296 York Road, Dundas)

Date:  
 July 16, 2018

Revised By:  
 HT/NB

Reference File No.:  
 OPA-U-18



- Legend**
-  Site Specific Areas (SSA)
  - R-** Refers to Rural Site Specific Area #, Volume 3, Chapter B
- Other Features**
-  Urban Area
  -  John C. Munro Hamilton International Airport
  -  Niagara Escarpment
  -  Urban Boundary
  -  Municipal Boundary

Council Adoption: September 27, 2006  
 Ministerial Approval: December 24, 2008  
 Effective Date: March 7, 2012

**Rural Hamilton Official Plan**  
**Volume 3: Appendix A**  
**Site Specific Key Map**

Not To Scale  
 Date: April 6, 2018  


PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Teramet Land Information Services Inc. and its licensors. (2009)  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

**Authority:** Item 11, Planning Committee  
Report: 18-011 (PED18148)  
CM: July 13, 2018  
Ward: 2

**Bill No. 223**

**CITY OF HAMILTON  
BY-LAW NO. 18-**

**To Adopt:**

**Official Plan Amendment No. 239 to the  
City of Hamilton Official Plan**

Respecting:

**366 Bay Street North, Former City of Hamilton**

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Amendment No. 239 to the City of Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 17<sup>th</sup> day of August, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
City Clerk

## Amendment to the Official Plan of the City of Hamilton

Appendix "A" - Schedule M-2: General Land Use attached hereto, constitutes Official Plan Amendment No. 239 to the City of Hamilton Official Plan.

### 1.0 Purpose and Effect:

The purpose and effect of this amendment is to redesignate lands within the West Harbour (Setting Sail) Secondary Plan to implement the direction of Ontario Municipal Board (OMB) Decision PL101293 (Decision Date August 9, 2011) to allow for the development of the site for medium density residential purposes.

### 2.0 Location:

The lands affected by this Amendment are known municipally as 366 Bay Street North, Hamilton.

### 3.0 Basis:

The basis for permitting this Amendment is as follows:

- The Amendment conforms to the Residential policies of the Former City of Hamilton Official Plan;
- The Amendment implements a planning decision of the OMB; and,
- The Amendment is consistent with the Provincial Policy Statement, 2014 conforms to the Growth Plan for the Greater Golden Horseshoe, 2017.

### 4.0 Actual Changes:

#### Schedule Changes:

4.1.1 That Schedule M-2 – General Land Use – West Harbour Secondary Plan be amended by redesignating lands located at 366 Bay Street North from "Low Density Residential" to "Medium Density Residential 1", as shown on Appendix "A", attached hereto.

### 5.0 Implementation:

An implementing Zoning By-law will give effect to intended uses on the subject lands.



This is Schedule "1" to By-law No. 18-223 passed on the 17<sup>th</sup> day of August, 2018.

**The  
City of Hamilton**


---

F. Eisenberger  
MAYOR

---

J. Pilon  
CITY CLERK

Appendix A  
 APPROVED Amendment No. 239  
 to the Former City of Hamilton Official Plan

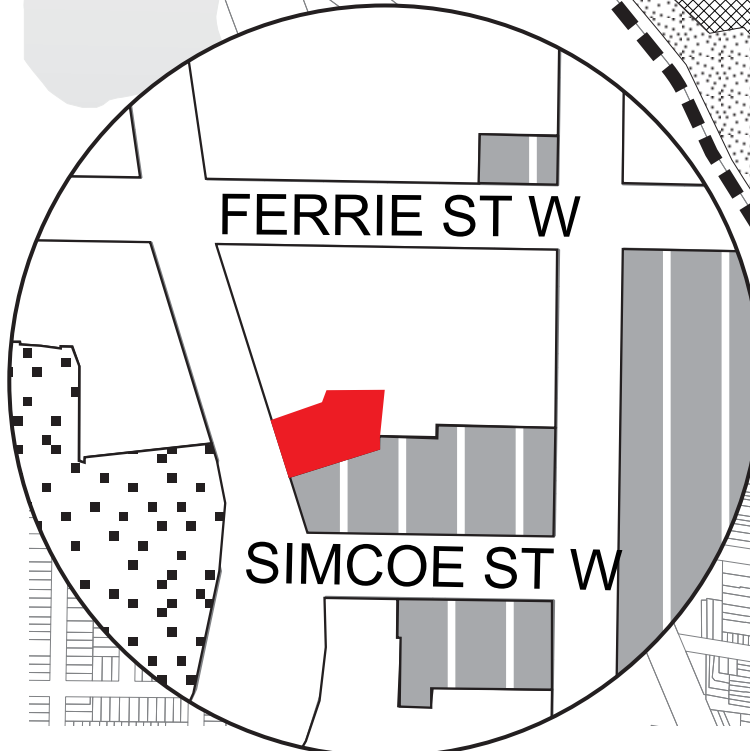
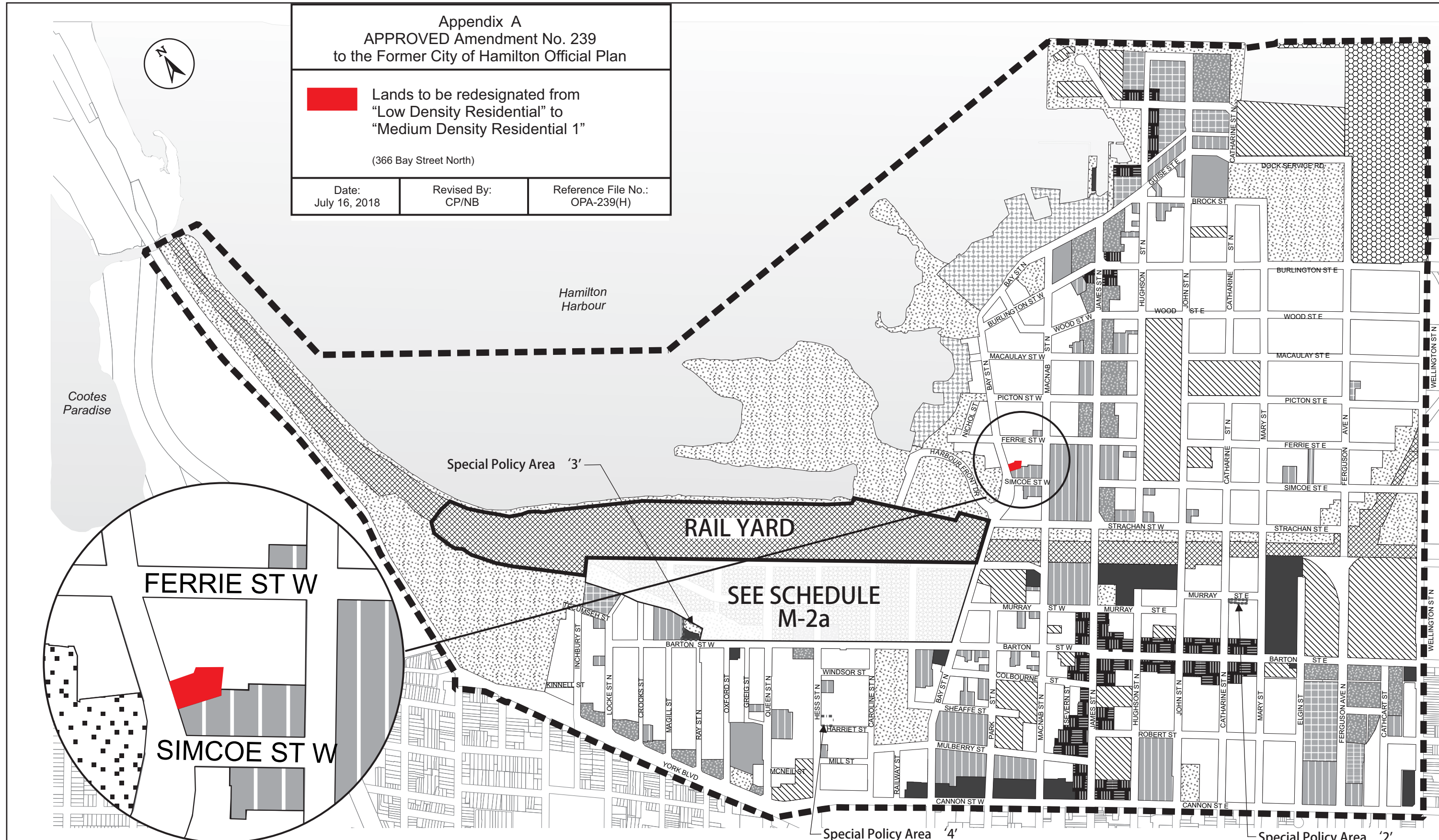
 Lands to be redesignated from  
 "Low Density Residential" to  
 "Medium Density Residential 1"



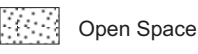
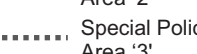





(366 Bay Street North)

Date:  
 July 16, 2018

Revised By:  
 CP/NB

Reference File No.:  
 OPA-239(H)



Legend									
 Low Density Residential	 Medium Density Residential 2	 Mixed Use	 Institutional	 Open Space	 Utilities and Transportation	 Special Policy Area	 Special Policy Area '2'	 Special Policy Area '3'	 Special Policy Area '4'
 Medium Density Residential 1	 High Density Residential	 Local Commercial	 Prime Retail	 Marine Recreational	 Shipping & Navigation	 Study Area Boundary			

**Authority:** Item 31, Planning and Economic  
Development Committee  
Report 06-005  
CM: April 12, 2006

**Bill No. 224**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

**To Amend Zoning By-law No. 87-57, as amended by By-law No. 10-199,  
Respecting Lands Located at 279-315 Springbrook Avenue; and as amended by  
By-law No. 13-208 Respecting Lands Located at 331-335 Springbrook Avenue**

**WHEREAS** the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

**AND WHEREAS** the *City of Hamilton Act, 1999* provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 87-57 (Ancaster) was enacted on the 22<sup>nd</sup> day of June 1987, and approved by the Ontario Municipal Board on the 23<sup>rd</sup> day of January, 1989;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 26 of Report 10-016 of the Economic Development and Planning Committee at its meeting held on the 12<sup>th</sup> day of August, 2010, recommended that the Director of Development Engineering be authorized to give notice and prepare by-laws for presentation to Council, to remove the "H" Holding provision from By-laws where the conditions have been met;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 9 of Report 13-012 of the Planning Committee at its meeting held on the 16<sup>th</sup> day of August, 2013, recommended that the Senior Director of Growth Management be authorized to give notice and prepare by-laws for presentation to Council, to remove the “H” Holding provision from By-laws where the conditions have been met;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Map 1 of Schedule "B" of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended as follows:
  - (a) by changing the zoning from the Residential “H-R4-548” Zone, Modified, Holding, to the Residential “R4-548” Zone, Modified, on the lands the extent and boundaries of which are shown as “Block 1” on Schedule "A" annexed hereto and forming part of this by-law; and
  - (b) by changing the zoning from the Residential “H-R4-619” Zone, Modified, Holding, to the Residential “R4-619” Zone, Modified, on the lands the extent and boundaries of which are shown as “Block 2” on Schedule "A" annexed hereto and forming part of this by-law.
2. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.
3. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential “R4-548” Zone, Modified or the Residential “R4-619” Zone, Modified provisions, as applicable.

To Amend Zoning By-law No. 87-57, as amended by By-law 10-199, Respecting Lands Located at 279-315 Springbrook Avenue; and as amended by By-law 13-208 Respecting Lands Located at 331-335 Springbrook Avenue

Page 3 of 4

4. That this By-law No. 18-213 shall come into force and be deemed to come into force in accordance with Sub-section 34(21) of the *Planning Act*, upon the date of passage of this By-law.

**PASSED** this 17<sup>th</sup> day of August, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

ZAH-18-033



This is Schedule "A" to By-law No. 18-  
Passed the ..... day of ....., 2018

-----  
Mayor  
-----  
Clerk

## Schedule "A"

Map Forming Part of  
By-law No. 18-\_\_\_\_\_

to Amend By-law No. 87-57

### Subject Property

279-315 & 331-335 Springbrook Avenue



**Block 1** - Change in Zoning from the Residential "H-R4-548" Zone, Modified, Holding to the Residential "R4-548" Zone, Modified



**Block 2** - Change in Zoning from the Residential "H-R4-619" Zone, Modified, Holding to the Residential "R4-619" Zone, Modified

Scale: N.T.S.	File Name/Number: ZAH-18-033
Date: June 22, 2018	Planner/Technician: TV/AL



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

**Authority:** Item 14, Committee of the Whole  
Report 01-003 (FCS01007)  
CM: February 6, 2001  
Wards: 1,2,3,4,7,8

**Bill No. 225**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking**

**WHEREAS** *Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*,

**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

**AND WHEREAS** it is necessary to amend By-law No. 01-218, as amended.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. By-law No. 01-218, as amended, is hereby further amended by adding/deleting from the identified Schedules and Sections noted in the table below as follows:
- 2.

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
8 – No Parking	E	<b>Burlington</b>	North	Westerly end to James	Anytime	Deleting
8 – No Parking	E	<b>Onyx Dr.</b>	South	22m west of Jessica St. to 6m westerly	Anytime	Adding
8 – No Parking	E	<b>Roxborough</b>	North	Paling to 40 feet west	7 am - 6 pm Mon - Sat	Deleting
8 – No Parking	E	<b>Vespari Pl.</b>	East/ North	70m south of Megna Crt. to 20m south/east	Anytime	Adding

To Amend By-law No. 01-218, as amended,  
Being a By-law to Regulate On-Street Parking

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
12 – Permit	<i>E</i>	<b>Burton</b>	South	from 24.7m east of Emerald to 5.2m easterly	Anytime	Deleting
12 – Permit	<i>E</i>	<b>Melbourne St.</b>	North	60m east of Dundurn St. to 6m easterly	Anytime	Adding
12 – Permit	<i>E</i>	<b>Melbourne St.</b>	South	42m east of Dundurn St. to 6m easterly	Adding	Adding
12 – Permit	<i>E</i>	<b>Ivon</b>	East	from 24.5m south of Roxborough to 5.7m southerly	Anytime	Deleting
12 – Permit	<i>E</i>	<b>Elgin St.</b>	West	50m north of Robert St. to 6m northerly	Anytime	Adding
12 – Permit	<i>E</i>	<b>Garside Ave. N</b>	West	8m north of Roxborough Ave. to 6m northerly	Anytime	Adding
12 – Permit	<i>E</i>	<b>Barnesdale</b>	East	from 9.9m north of Case to 6m northerly	Anytime	Deleting
12 – Permit	<i>E</i>	<b>Barnesdale</b>	West	From 18m north of Case to 4.9m northerly	Anytime	Deleting

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
13 – No Stopping	<i>E</i>	<b>Burlington St.</b>	South	James St. to 30m westerly	Anytime	Adding



To Amend By-law No. 01-218, as amended,  
Being a By-law to Regulate On-Street Parking

Page 3 of 3

3. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
  
4. This By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED** this 17<sup>th</sup> day of August, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

To Confirm the Proceedings of City Council at its meeting held on August 17, 2018.

**THE COUNCIL OF THE  
CITY OF HAMILTON  
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 17<sup>th</sup> day of August, 2018, in respect of each recommendation contained in,

General Issues Committee Report 18-016 – August 13, 2018  
Planning Committee Report 18-012 – August 14, 2018,  
Healthy & Safe Communities Report 18-008 – August 15, 2018  
Audit, Finance & Administration Committee Report 18-011 – August 15, 2018,  
and  
Public Works Committee Report 18-011 – August 16, 2018,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting is hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

**PASSED** this 17<sup>th</sup> day of August, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk