



City of Hamilton

PLANNING COMMITTEE REVISED AGENDA

Meeting #: 23-010
Date: June 13, 2023
Time: 9:30 a.m.
Location: Council Chambers (Planning)
Hamilton City Hall
71 Main Street West

Lisa Kelsey, Legislative Coordinator (905) 546-2424 ext. 4605

	Pages
1. CEREMONIAL ACTIVITIES	
2. APPROVAL OF AGENDA (Added Items, if applicable, will be noted with *)	
3. DECLARATIONS OF INTEREST	
4. APPROVAL OF MINUTES OF PREVIOUS MEETING	
4.1 May 30, 2023	6
5. COMMUNICATIONS	
6. DELEGATION REQUESTS	
7. DELEGATIONS	
7.1 Scott McInnes respecting Property Standards issues in Ainslie Wood area (Approved at the May 30th meeting) (in-person)	
7.2 Matt Johnston, Urban Solutions, respecting Redesignation of Class 4 Noise Designation for 115 and 121 Vansitmart Avenue (Approved at the April 4th meeting)	
8. CONSENT ITEMS	

8.1	Rental Housing Licensing Pilot Program Update (PED21097(d)) (Wards 1, 8 and part of 14)	23
8.2	Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED23141) (City Wide)	28
9.	STAFF PRESENTATIONS	
9.1	Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) (Was previously Item 11.1 on this agenda)	49
9.2	Bill 97, Proposed Helping Homebuyers, Protecting Tenants Act, 2023 and Proposed Provincial Planning Statement 2023 (PED23145) (City Wide) (Was previously Item 11.2 on this agenda)	103
9.3	Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide) (Was previously Item 11.3 on this agenda)	199
10.	PUBLIC HEARINGS	
10.1	Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 382 Southcote Road, Ancaster (PED23119) (Ward 12)	465
	*a. Added Written Submissions:	509
	(i) Paul Graham	
10.2	Application for Zoning By-law Amendment for Lands Located at 140 Wilson Street West, Ancaster (PED23122) (Ward 12)	511
	a. Written Submissions:	576
	(i) Larry McClung	
	(ii) Ilija Pavlic	
	Added Written Submissions:	
	*(iii) Judy Tottman, President, Board of Directors for Ancaster Mews	
	*(iv) Ken Singh	
10.3	Application for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12)	581

- a. Registered Delegations:
 - (i) Carl Maragno (virtual)
- *b. Added Written Submissions: 636
 - (i) Caitlin Kelterborn

11. DISCUSSION ITEMS

- 11.1 Provincial Amendments to the Greenbelt Plan (Greenbelt Plan Amendment No. 3) (PED23046(a)) (City Wide) 637

12. MOTIONS

13. NOTICES OF MOTION

- *13.1 Demolition Permit for 3260 Homestead Drive 657
- *13.2 Demolition Permit for 2600 Regional Road 56, Binbrook 658

14. GENERAL INFORMATION / OTHER BUSINESS

14.1 Outstanding Business List

- a. Items to be Removed:
 - 22L - Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 05-200 for Lands Located at 392, 398, 400, 402, 406, and 412 Wilson Street East and 15 Lorne Avenue (Ancaster) (PED22070) (Ward 12) (9.5). Addressed at the May 3, 2022 Report 22-007, Item 6.
 - 23H - Five-Year Review of the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan and Associated Financial Assistance Programs (Addressed as Item #4 on Report 23-009, May 30)

15. PRIVATE AND CONFIDENTIAL

- *15.1 Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Official Plan Amendment Application (UHOPA-17-005), Zoning By-law Amendment Application (ZAC-17-015) and Draft Plan of Subdivision Application (25T-201703)
for Lands located at 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterfront Crescent, Stoney Creek (LS23008/PED22150(b)) (Ward 10)

Pursuant to Section 9.3, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

- *15.2 Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-18-004) and Zoning By-law Amendment Application (ZAC-18-009)
for lands located at 299-307 John Street South and 97 St. Joseph Drive (LS22007(b)/PED22038(c)) (Ward 2)

Pursuant to Section 9.3, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

- *15.3 Appeal to the Ontario Land Tribunal (OLT) for Refusal of Official Plan Amendment Application (UHOPA-22-004) and Zoning By-law Amendment Application (ZAC-22-011)
for Lands Located at 392, 398, 400, 402, 406 and 412 Wilson Street East and 15 Lorne Avenue, Ancaster (LS23024/PED22070(a)) (Ward 12)

Pursuant to Section 9.3, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

- *15.4 Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Zoning By-law Amendment (ZAC-18-049) and for Lack of Decision on Draft Plan of Subdivision Application (25T-202109)
for Lands Located at 860 and 884 Barton Street (Stoney Creek) (LS22022(a)/PED22138(a)) (Ward 12)

Pursuant to Section 9.3, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

16. ADJOURNMENT



PLANNING COMMITTEE MINUTES

23-009

May 30, 2023

9:30 a.m.

**Council Chambers, Hamilton City Hall
71 Main Street West**

Present: Councillor J.P. Danko (Chair)
Councillor T. Hwang (1st Vice Chair)
Councillor C. Cassar (2nd Vice Chair)
Councillors J. Beattie, M. Francis, T. McMeekin,
N. Nann, M. Tadeson, A. Wilson, M. Wilson

Absent with regrets: Councillor C. Kroetsch – Personal
Councillor E. Pauls – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

- 1. Municipal Reporting on Planning Matters – Proposed Minister’s Regulation Under the Planning Act (PED23082(a)) (City Wide) (Item 9.1)**

(Hwang/Cassar)

That Report PED23082(a), respecting Municipal Reporting on Planning Matters – Proposed Minister’s Regulation Under the Planning Act, be received.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
NOT PRESENT – Ward 2 Councillor C. Kroetsch
YES – Ward 3 Councillor N. Nann
YES – Ward 4 Councillor T. Hwang
YES – Ward 5 Councillor M. Francis
NOT PRESENT – Ward 7 Councillor E. Pauls
YES – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
YES – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

2. Application for a Zoning By-law Amendment for Lands Located at 300 Albright Road, Hamilton (PED23104) (Ward 5) (Item 10.1)

(Francis/Cassar)

- (a) That Amended Zoning By-law Amendment Application ZAC-21-043 by MHBC Planning, on behalf of Valerie Homes, Owner, for a change in zoning from “AA” (Agricultural) District to “RT-20/S-1829” (Townhouse-Maisonette) District, Modified, and to add the Conservation/Hazard Land (P5) Zone in Zoning By-law No. 05-200 (which was a proposed amendment from Staff) to a portion of the lands, to permit 101 townhouse units (five standard townhouses and multiple dwelling units in the form of 96 stacked townhouses) with a total of 124 on-site parking spaces, for the lands located at 300 Albright Road, Hamilton, as shown on Appendix “A” attached to Report PED23104, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “B” to Report PED23104, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
 - (iii) That the proposed changes in zoning comply with the Urban Hamilton Official Plan (UHOP).

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
 NOT PRESENT – Ward 2 Councillor C. Kroetsch
 YES – Ward 3 Councillor N. Nann
 YES – Ward 4 Councillor T. Hwang
 YES – Ward 5 Councillor M. Francis
 NOT PRESENT – Ward 7 Councillor E. Pauls
 YES – Ward 8 Councillor J.P. Danko
 YES – Ward 10 Councillor J. Beattie
 YES – Ward 11 Councillor M. Tadeson
 YES – Ward 12 Councillor C. Cassar
 YES – Ward 13 Councillor A. Wilson
 YES – Ward 15 Councillor T. McMeekin

3. **Application for Approval of a Draft Plan of Subdivision for Lands Located at 9236 and 9322 Dickenson Road West, Glanbrook (PED23111) (Ward 11) (Item 10.2)**

(Tadeson/Hwang)

- (a) That Draft Plan of Subdivision Application 25T-202002, by WEBB Planning Consultants Inc. (c/o James Webb), on behalf of GreyCan 11 Properties Limited Partnership by its General Partner GreyCan 11 Properties Inc., and North Hamilton Airport Lands Limited Partnership by its General Partner 11693387 Canada Inc., Owners, on lands located at 9236 and 9322 Dickenson Road West (Glanbrook), as shown on Appendix "A" attached to Report PED23111, be APPROVED, subject to the following:
- (i) That this approval apply to the Draft Plan of Subdivision application 25T-202002 certified by Odan-Detech Consulting Engineers dated April 14, 2023, consisting of one block for industrial development (Block 1), one block for future development (Block 2), a Vegetation Protection Zone block (Block 3), a block for a right-of-way dedication (Block 4), a block for a temporary cul-de-sac (Block 5), and a public road (Street "A") attached as Appendix "B" to Report PED23111;
 - (ii) That the Owner enter into a Standard Form Subdivision Agreement as approved by City Council and with the Special Conditions attached as Appendix "C" to Report PED23111;
 - (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the issuance of each building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council;
 - (iv) Acknowledgement by the City of Hamilton of its responsibility for cost sharing with respect to this development shall be in accordance with the City's Financial Policies and will be determined at the time of development.

Result: Motion CARRIED by a vote of 6 to 4, as follows:

NO – Ward 1 Councillor M. Wilson
 NOT PRESENT – Ward 2 Councillor C. Kroetsch
 NO – Ward 3 Councillor N. Nann

YES – Ward 4 Councillor T. Hwang
 YES – Ward 5 Councillor M. Francis
 NOT PRESENT – Ward 7 Councillor E. Pauls
 YES – Ward 8 Councillor J.P. Danko
 YES – Ward 10 Councillor J. Beattie
 YES – Ward 11 Councillor M. Tadeson
 NO – Ward 12 Councillor C. Cassar
 NO – Ward 13 Councillor A. Wilson
 YES – Ward 15 Councillor T. McMeekin

4. Implementation of Changes to the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan, Community Improvement Project Area and Associated Financial Assistance Programs (PED23076(a)) (City Wide) (Item 10.3)

(Hwang/McMeekin)

- (a) That the Environmental Remediation and Site Enhancement Community Improvement Project Area (2023) draft By-law, prepared in a form satisfactory to the City Solicitor and attached as Appendix “A” to Report PED23076(a), be enacted;
- (b) That the Environmental Remediation and Site Enhancement Community Improvement Plan (2023), attached as Appendix “B” to Report PED23076(a) and implementing financial assistance program descriptions, be approved and the Environmental Remediation and Site Enhancement Community Improvement Plan (2023) draft By-law, prepared in a form satisfactory to the City Solicitor and attached as Appendix “C” to Report PED23076(a), be enacted;
- (c) That existing By-law No. 05-086 “Environmental Remediation and Site Enhancement (ERASE) (April 2005) Community Improvement Project Area”, as amended, be repealed on such day that the By-law enacting the new Environmental Remediation and Site Enhancement Community Improvement Plan (2023) comes into effect in accordance with Subsection 28(4) of the Planning Act;
- (d) That existing By-law No. 05-087 “Environmental Remediation and Site Enhancement (ERASE) (April 2005) Community Improvement Plan”, as amended, be repealed on such day that Environmental Remediation and Site Enhancement Community Improvement Plan (2023) comes into effect;
- (e) That the following implementing financial assistance program descriptions be approved and appended to the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan (2023):

- (i) The ERASE Study Grant Program Description attached as Appendix “D” to Report PED23076(a);
 - (ii) The ERASE Redevelopment Grant Program Description attached as Appendix “E” to Report PED23076(a);
 - (iii) The ERASE Tax Assistance Program Description attached as Appendix “F” to Report PED23076(a);
 - (iv) The ERASE Commercial Districts Remediation Loan Program Description attached as Appendix “G” to Report PED23076(a);
 - (v) The ERASE Affordable Housing Grant Program Description attached as Appendix “H” to Report PED23076(a);
- (f) That the draft By-law to Delegate Authority to the Planning and Economic Development Department to Issue Approvals for Loans/Grants Under Certain ERASE Financial Assistance Programs, prepared in a form satisfactory to the City Solicitor and attached as Appendix “I” to Report PED23076(a), be enacted and come into force on such day that the Environmental Remediation and Site Enhancement Community Improvement Plan (2023) comes into effect.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
 NOT PRESENT – Ward 2 Councillor C. Kroetsch
 YES – Ward 3 Councillor N. Nann
 YES – Ward 4 Councillor T. Hwang
 YES – Ward 5 Councillor M. Francis
 NOT PRESENT – Ward 7 Councillor E. Pauls
 YES – Ward 8 Councillor J.P. Danko
 YES – Ward 10 Councillor J. Beattie
 YES – Ward 11 Councillor M. Tadeson
 YES – Ward 12 Councillor C. Cassar
 YES – Ward 13 Councillor A. Wilson
 YES – Ward 15 Councillor T. McMeekin

5. Hamilton Municipal Heritage Committee Report 23-005 (Item 11.1)

(A. Wilson/Beattie)

- (a) Heritage Permit Application HP2023-019, Under Part V of the Ontario Heritage Act, for the Construction of a Rear Detached Accessory Structure at 32 John Street East, Flamborough (PED23126) (Ward 15) (Item 8.2)**

That Heritage Permit Application HP2023-019, for the erection of a rear detached accessory structure on the designated property at 32 John

Street East, Flamborough (Mill Street Heritage Conservation District), as shown in Appendix “A” attached to Report PED23126, be approved, subject to the approval of any required *Planning Act* applications, and the following Heritage Permit conditions:

- (i) That the final details of the windows, garage doors, siding and roofing material be submitted to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation;
- (ii) That any minor changes to the plans and elevations following approval shall be submitted to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;
- (iii) That construction and site alterations, in accordance with this approval, shall be completed no later than June 30, 2026. If the construction and site alterations are not completed by June 30, 2026, then this approval expires as of that date, and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

(b) Recommendation to Designate 3 Main Street, Dundas, under Part IV of the Ontario Heritage Act (PED23125) (Ward 13) (Item 8.3)

That the City Clerk be directed to give notice of Council’s intention to designate 3 Main Street, Dundas, shown in Appendix “A” attached to Report PED23125, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report PED23125, subject to the following:

- (i) If no objections are received to the notice of intention to designate in accordance with the Ontario Heritage Act, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
- (ii) If an objection to the notice of intention to designate is received in accordance with the Ontario Heritage Act, City Council directs staff to report back to Council to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

(c) Monthly Report on Proactive Listings for the Municipal Heritage Register, April 2023 (PED23101) (Wards 3 and 11) (Item 10.1)

That staff be directed to list the following properties on the Municipal Heritage Register as non-designated properties that Council believes to be of cultural heritage value or interest, as outlined in Report PED23136, in accordance with Section 27 of the Ontario Heritage Act:

- (i) 9575 Twenty Road West, Glanbrook (Ward 11);
- (ii) 9511 Twenty Road West, Glanbrook (Ward 11).

(d) Ontario Heritage Conference 2023 (Added Item 13.3)

- (i) That the following members of the Hamilton Municipal Heritage Committee be designated as the Committee's representatives at the Ontario Heritage Conference on June 15 to 17, 2023:
 - (i) Lyn Lunsted;
 - (ii) Will Rosart;
 - (iii) Graham Carrol;
 - (iv) Alissa Denham-Robinson; and,
- (ii) That the costs incurred by the Committee's representatives attending the Ontario Heritage Conference for the conference, accommodations and travel, be reimbursed from Account Number 56328-814000.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
 NOT PRESENT – Ward 2 Councillor C. Kroetsch
 YES – Ward 3 Councillor N. Nann
 YES – Ward 4 Councillor T. Hwang
 YES – Ward 5 Councillor M. Francis
 NOT PRESENT – Ward 7 Councillor E. Pauls
 YES – Ward 8 Councillor J.P. Danko
 YES – Ward 10 Councillor J. Beattie
 YES – Ward 11 Councillor M. Tadeson
 YES – Ward 12 Councillor C. Cassar
 YES – Ward 13 Councillor A. Wilson
 YES – Ward 15 Councillor T. McMeekin

FOR INFORMATION:**(a) APPROVAL OF AGENDA (Item 2)**

The Committee Clerk advised of the following changes to the agenda:

10. PUBLIC MEETINGS

10.2 Application for Approval of a Draft Plan of Subdivision for Lands Located at 9236 and 9322 Dickenson Road West, Glanbrook (PED23111) (Ward 11)

(a) Added Written Submissions

- (i) Donna and Verne Deneault
- (ii) Jill Tonini
- (iii) Anne Gabrielle Walker
- (iv) Suzanne Cooper
- (v) Harriet Woodside
- (vi) John Radoman
- (vii) Bruce R. Allen
- (viii) Irene Schieberl and Stephen Suggett
- (ix) Gail Lorimer
- (x) Heather Vaughan
- (xi) Joan Styan
- (xii) Paul R. Dekar
- (xiii) Peter Banting
- (xiv) Myrna McBrien
- (xv) Tina Brajic
- (xvi) Marie Covert
- (xvii) Laurel Imeson
- (xviii) Don Brown
- (xix) Hilde Reis-Smart
- (xx) Carolanne Forster
- (xxi) Kristina Wilson
- (xxii) Nicole Doro
- (xxiii) Kiran Larsen
- (xxiv) Victoria Koch
- (xxv) Hailey Van Sickle
- (xxvi) Frances Neufeld
- (xxvii) Gord McNulty
- (xxviii) Wendy Leigh-Bell
- (xxix) Mike Robitaille
- (xxx) Elizabeth Knight

- (b) Added Registered Delegations
 - (i) Don McLean (virtual)
 - (ii) David Bennett (in-person)

(Hwang/Cassar)

That the agenda for the May 29, 2023 Planning Committee meeting be approved, as amended.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
 NOT PRESENT – Ward 2 Councillor C. Kroetsch
 NOT PRESENT – Ward 3 Councillor N. Nann
 YES – Ward 4 Councillor T. Hwang
 YES – Ward 5 Councillor M. Francis
 NOT PRESENT – Ward 7 Councillor E. Pauls
 YES – Ward 8 Councillor J.P. Danko
 YES – Ward 10 Councillor J. Beattie
 YES – Ward 11 Councillor M. Tadeson
 YES – Ward 12 Councillor C. Cassar
 YES – Ward 13 Councillor A. Wilson
 YES – Ward 15 Councillor T. McMeekin

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) May 16, 2023 (Item 4.1)

(McMeekin/Hwang)

That the Minutes of the May 16, 2023 meeting be approved, as presented.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
 NOT PRESENT – Ward 2 Councillor C. Kroetsch
 NOT PRESENT – Ward 3 Councillor N. Nann
 YES – Ward 4 Councillor T. Hwang
 YES – Ward 5 Councillor M. Francis
 NOT PRESENT – Ward 7 Councillor E. Pauls
 YES – Ward 8 Councillor J.P. Danko
 YES – Ward 10 Councillor J. Beattie

YES – Ward 11 Councillor M. Tadeson
 YES – Ward 12 Councillor C. Cassar
 YES – Ward 13 Councillor A. Wilson
 YES – Ward 15 Councillor T. McMeekin

(d) DELEGATION REQUESTS (Item 6)

(i) Scott McInnes respecting Property Standards Issues in Ainslie Wood Area (For the June 13th meeting) (Item 6.1)

(Francis/Hwang)

That the delegation request from Scott McInnes respecting Property Standards Issues in Ainslie Wood Area, be approved for the June 13th meeting.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
 NOT PRESENT – Ward 2 Councillor C. Kroetsch
 NOT PRESENT – Ward 3 Councillor N. Nann
 YES – Ward 4 Councillor T. Hwang
 YES – Ward 5 Councillor M. Francis
 NOT PRESENT – Ward 7 Councillor E. Pauls
 YES – Ward 8 Councillor J.P. Danko
 YES – Ward 10 Councillor J. Beattie
 YES – Ward 11 Councillor M. Tadeson
 YES – Ward 12 Councillor C. Cassar
 YES – Ward 13 Councillor A. Wilson
 YES – Ward 15 Councillor T. McMeekin

(e) PUBLIC HEARINGS (Item 10)

In accordance with the *Planning Act*, Chair J.P. Danko advised those viewing the meeting that the public had been advised of how to pre-register to be a delegate at the Public Meetings on today's agenda.

In accordance with the provisions of the *Planning Act*, Chair J.P. Danko advised that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Development applications before the Committee today, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Land Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

(i) Application for a Zoning By-law Amendment for Lands Located at 300 Albright Road, Hamilton (PED23104) (Ward 5) (Item 10.1)

Alaina Baldassara, Planner II provided the Committee with a presentation with the aid of a PowerPoint presentation.

(Francis/Hwang)

That the staff presentation be received.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
 NOT PRESENT – Ward 2 Councillor C. Kroetsch
 YES – Ward 3 Councillor N. Nann
 YES – Ward 4 Councillor T. Hwang
 YES – Ward 5 Councillor M. Francis
 NOT PRESENT – Ward 7 Councillor E. Pauls
 YES – Ward 8 Councillor J.P. Danko
 YES – Ward 10 Councillor J. Beattie
 YES – Ward 11 Councillor M. Tadeson
 YES – Ward 12 Councillor C. Cassar
 YES – Ward 13 Councillor A. Wilson
 YES – Ward 15 Councillor T. McMeekin

Stephanie Mirtitsch, MHBC Planning was in attendance, indicated support for the staff report and addressed the Committee with the aid of a PowerPoint presentation.

(Francis/Hwang)

That the presentation from Stephanie Mirtitsch, MHBC Planning, be received.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
 NOT PRESENT – Ward 2 Councillor C. Kroetsch
 YES – Ward 3 Councillor N. Nann
 YES – Ward 4 Councillor T. Hwang
 YES – Ward 5 Councillor M. Francis
 NOT PRESENT – Ward 7 Councillor E. Pauls
 YES – Ward 8 Councillor J.P. Danko
 YES – Ward 10 Councillor J. Beattie
 YES – Ward 11 Councillor M. Tadeson
 YES – Ward 12 Councillor C. Cassar

YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

Chair Danko called three times for public delegations and none came forward.

(McMeekin/Francis)

- (a) That the public submissions regarding this matter were received and considered by the Committee; and
- (b) That the public meeting be closed.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
NOT PRESENT – Ward 2 Councillor C. Kroetsch
YES – Ward 3 Councillor N. Nann
YES – Ward 4 Councillor T. Hwang
YES – Ward 5 Councillor M. Francis
NOT PRESENT – Ward 7 Councillor E. Pauls
YES – Ward 8 Councillor J.P. Danko
YES – Ward 10 Councillor J. Beattie
YES – Ward 11 Councillor M. Tadeson
YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 2.

(ii) Application for Approval of a Draft Plan of Subdivision for Lands Located at 9236 and 9322 Dickenson Road West, Glanbrook (PED23111) (Ward 11) (Item 10.2)

Aminu Bello, Planner II, addressed the Committee with the aid of a PowerPoint presentation.

(Tadeson/Francis)

That the staff presentation be received.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
NOT PRESENT – Ward 2 Councillor C. Kroetsch
YES – Ward 3 Councillor N. Nann
NOT PRESENT – Ward 4 Councillor T. Hwang
YES – Ward 5 Councillor M. Francis

NOT PRESENT – Ward 7 Councillor E. Pauls
 YES – Ward 8 Councillor J.P. Danko
 YES – Ward 10 Councillor J. Beattie
 YES – Ward 11 Councillor M. Tadeson
 YES – Ward 12 Councillor C. Cassar
 YES – Ward 13 Councillor A. Wilson
 YES – Ward 15 Councillor T. McMeekin

James Webb, Webb Consulting was in attendance and indicated support for the staff report.

(Hwang/Tadeson)

That the delegation from James Webb, Webb Consulting be received.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
 NOT PRESENT – Ward 2 Councillor C. Kroetsch
 YES – Ward 3 Councillor N. Nann
 YES – Ward 4 Councillor T. Hwang
 NOT PRESENT – Ward 5 Councillor M. Francis
 NOT PRESENT – Ward 7 Councillor E. Pauls
 YES – Ward 8 Councillor J.P. Danko
 YES – Ward 10 Councillor J. Beattie
 YES – Ward 11 Councillor M. Tadeson
 YES – Ward 12 Councillor C. Cassar
 YES – Ward 13 Councillor A. Wilson
 YES – Ward 15 Councillor T. McMeekin

The following Registered Delegations addressed the Committee:

- (i) Don McLean
- (ii) David Bennett

Chair Danko called three times for additional public delegations and the following delegate came forward:

- (iii) Lynn Gates

(Tadeson/Hwang)

- (a) That the following written submissions and delegations, be received and considered by the Committee:

- (i) Added Written Submissions:

- (i) Donna and Verne Deneault, Opposed
- (ii) Jill Tonini, Opposed
- (iii) Anne Gabrielle Walker, Opposed
- (iv) Suzanne Cooper, Opposed
- (v) Harriet Woodside, Opposed
- (vi) John Radoman, Opposed
- (vii) Bruce R. Allen, Opposed
- (viii) Irene Schieberl and Stephen Suggett, Opposed
- (ix) Gail Lorimer, Opposed
- (x) Heather Vaughan, Opposed
- (xi) Joan Styan, Opposed
- (xii) Paul R. Dekar, Opposed
- (xiii) Peter Banting, Opposed
- (xiv) Myrna McBrien, Opposed
- (xv) Tina Brajic, Opposed
- (xvi) Marie Covert, Opposed
- (xvii) Laurel Imeson, Opposed
- (xviii) Don Brown, Opposed
- (xix) Hilde Reis-Smart, Opposed
- (xx) Carolanne Forster, Opposed
- (xxi) Kristina Wilson, Opposed
- (xxii) Nicole Doro, Opposed
- (xxiii) Kiran Larsen, Opposed
- (xxiv) Victoria Koch, Opposed
- (xxv) Hailey Van Sickle, Opposed
- (xxvi) Frances Neufeld, Opposed
- (xxvii) Gord McNulty, Opposed
- (xxviii) Wendy Leigh-Bell, Opposed
- (xxix) Mike Robitaille, Opposed
- (xxx) Elizabeth Knight, Opposed

(ii) Added Delegations:

- (i) Don McLean, Opposed
- (ii) David Bennett, Opposed
- (iii) Lynn Gates, Opposed

(b) That the public meeting be closed.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
 NOT PRESENT – Ward 2 Councillor C. Kroetsch
 YES – Ward 3 Councillor N. Nann
 YES – Ward 4 Councillor T. Hwang

NOT PRESENT – Ward 5 Councillor M. Francis
 NOT PRESENT – Ward 7 Councillor E. Pauls
 YES – Ward 8 Councillor J.P. Danko
 YES – Ward 10 Councillor J. Beattie
 YES – Ward 11 Councillor M. Tadeson
 YES – Ward 12 Councillor C. Cassar
 YES – Ward 13 Councillor A. Wilson
 YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 3.

(iii) Implementation of Changes to the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan, Community Improvement Project Area and Associated Financial Assistance Programs (PED23076(a)) (City Wide) (Item 10.3)

Chair Danko called three times for public delegations and none came forward.

(Hwang/McMeekin)

- (a) That there were no public submissions received regarding this matter; and
- (b) That the public meeting be closed.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
 NOT PRESENT – Ward 2 Councillor C. Kroetsch
 YES – Ward 3 Councillor N. Nann
 YES – Ward 4 Councillor T. Hwang
 YES – Ward 5 Councillor M. Francis
 NOT PRESENT – Ward 7 Councillor E. Pauls
 YES – Ward 8 Councillor J.P. Danko
 YES – Ward 10 Councillor J. Beattie
 YES – Ward 11 Councillor M. Tadeson
 YES – Ward 12 Councillor C. Cassar
 YES – Ward 13 Councillor A. Wilson
 YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 4.

(f) PRIVATE & CONFIDENTIAL (Item 15)

The Committee determined that discussion of Item 15.1 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

(i) Closed Session Minutes - May 16, 2023 (Item 15.1)

(Francis/Nann)

- (a) That the Closed Session Minutes dated May 16, 2023, be approved as presented; and,
- (b) That the Closed Session Minutes dated May 16, 2023, remain private and confidential.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
 NOT PRESENT – Ward 2 Councillor C. Kroetsch
 YES – Ward 3 Councillor N. Nann
 YES – Ward 4 Councillor T. Hwang
 YES – Ward 5 Councillor M. Francis
 NOT PRESENT – Ward 7 Councillor E. Pauls
 YES – Ward 8 Councillor J.P. Danko
 YES – Ward 10 Councillor J. Beattie
 YES – Ward 11 Councillor M. Tadeson
 YES – Ward 12 Councillor C. Cassar
 YES – Ward 13 Councillor A. Wilson
 YES – Ward 15 Councillor T. McMeekin

(g) ADJOURNMENT (Item 16)

(Francis/Tadeson)

That there being no further business, the Planning Committee be adjourned at 12:19 p.m.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES – Ward 1 Councillor M. Wilson
 NOT PRESENT – Ward 2 Councillor C. Kroetsch
 YES – Ward 3 Councillor N. Nann
 YES – Ward 4 Councillor T. Hwang
 YES – Ward 5 Councillor M. Francis
 NOT PRESENT – Ward 7 Councillor E. Pauls
 YES – Ward 8 Councillor J.P. Danko
 YES – Ward 10 Councillor J. Beattie
 YES – Ward 11 Councillor M. Tadeson

**Planning Committee
Minutes 23-009**

**May 30, 2023
Page 17 of 17**


YES – Ward 12 Councillor C. Cassar
YES – Ward 13 Councillor A. Wilson
YES – Ward 15 Councillor T. McMeekin

Councillor J.P. Danko, Chair
Planning Committee

Lisa Kelsey
Legislative Coordinator



INFORMATION REPORT

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	June 13, 2023
SUBJECT/REPORT NO:	Rental Housing Licensing Pilot Program Update (PED21097(d)) (Wards 1, 8 and part of 14)
WARD(S) AFFECTED:	Wards 1, 8 and part of 14
PREPARED BY:	Dan Smith (905) 546-2424 Ext. 6435
SUBMITTED BY:	Monica Ciriello Director, Licensing & By-Law Services Planning & Economic Development
SIGNATURE:	

COUNCIL DIRECTION

At its meeting on August 13, 2021, Council approved item 9 of Planning Committee Report 21-012 directing staff to report back to the Planning Committee every 6 months with an update on the Rental Housing Licensing Pilot Program for Wards 1, 8, and parts of Ward 14.

INFORMATION

This is the third information update on the status of implementing the Rental Housing Licensing Pilot Program (Pilot Program) for Wards 1, 8 and parts of Ward 14. Focusing on the information in Zone 1-4 collected from April 1, 2022, to March 31, 2023.

Rental Housing Licence Applications

During the application in-take period for Zone 1-4, see attached as Appendix "A" to Report PED21097(d):

- **223** rental housing licence applications have been received by the City's Licensing Section.

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Rental Housing Licensing Pilot Program Update (PED21097(d)) (Wards 1, 8 and part of 14) - Page 2 of 4

- 311 zoning verification applications have been processed by Zoning Examiners.
- 84 inspections have been completed by the Hamilton Fire Prevention Division.
- 69 licensing compliance (property standards) inspections have been completed by the Licensing Compliance Officers (LCO).
- 69 of Licenses issued as of March 31, 2023.

Of the 223 applications submitted:

- 84.3% of the applications operate as single-family dwelling units.
- 7.9% are duplexes (two-family dwelling units).
- The remaining 7.8% are three and four family dwelling units.
- There is an average of 5.5 bedrooms per unit.

During the licensing process:

- 12 rental properties were determined to be operating as illegal duplexes.
 - 3 of these properties were identified as a duplex via the occupancy assessment completed during the fire inspection.
 - 9 of these were identified through the zoning verification certificate, as not legally recognized. A building permit is required to recognize illegal dwelling units.

Compliance Rates

Based on the original identified list of suspected Rental Housing Units presented to Council, below are the percentages of applications received and licences issued:

Status	Zone 1	Zone 2	Zone 3	Zone 4
Applied	40.3%	33.1%	25.3%	6.1%
Licensed	13.4%	15.3%	9.8%	0.8%

23.8% of all applications received are a direct result of pro-active enforcement.

Licensed Rental Units

Between April 1, 2022, to March 31, 2023, a total of 69 licenses have been issued:

Zone 1	Zone 2	Zone 3	Zone 4	Zone 5
27	24	14	2	2

The average days to licence for a rental housing licence is approximately 86 days, inclusive of the administrative process, completion of electrical, fire and property standard inspections, coordinating date and times with the property owner and

SUBJECT: Rental Housing Licensing Pilot Program Update (PED21097(d)) (Wards 1, 8 and part of 14) - Page 3 of 4

compliance of any outstanding requirements (orders, open building permits). Staff recognize that this average days to licence is high, and attribute it to a combination of administration, Electrical Safety Authority inspection delays and working with property owners to coordinate Fire and Licensing inspection dates.

Trends to Date**Occupancy Change**

To date, 6 of the rental housing properties have been determined as lodging homes by Fire Prevention during their inspection (occupancy assessment). One of these homes changed occupancy by reducing the number of tenants from 6 to 4. This allowed the property owner to obtain a rental housing licence and avoid re-zoning the property to permit the lodging home, as a lodging home was not a permitted use within the zone.

The remainder 5 homes are currently in the process of changing the operations of their rental units to reflect that of a single housekeeping establishment (single family dwelling unit). These properties also do not permit lodging homes under the City of Hamilton Zoning By-law. None of the determined lodging homes have moved forward with legalizing the use through a Committee of Adjustment (COA) application. All appear to be decreasing tenant occupancy to fall within the Rental Licensing framework.

Proactive Licensing Investigations

To date, LCO's have investigated 657 properties in zones past their application period. A larger number of these have been proactive visits in addition to visiting properties on the original rental housing properties list. As noted in the report, these LCO investigations have resulted in an increase in zoning verification applications and licence applications. Prior to proactive enforcement, Licensing was receiving approximately 16 applications per month. Following increase proactive enforcement that number has increased to 26 per month (average).

With increased applications submitted and requiring inspection, less time is available to proactive enforcement. Staff would benefit from additional resourcing focused solely on pro-active enforcement methods.

Of the pro-active work to date:

- 119 properties did not require a rental housing licence.
- 45 suspected rentals were identified as multi-residential properties (containing 5 or more self-contained units), falling outside the scope of the Rental Housing Licensing By-law.
- 74 were identified to be solely owner occupied.

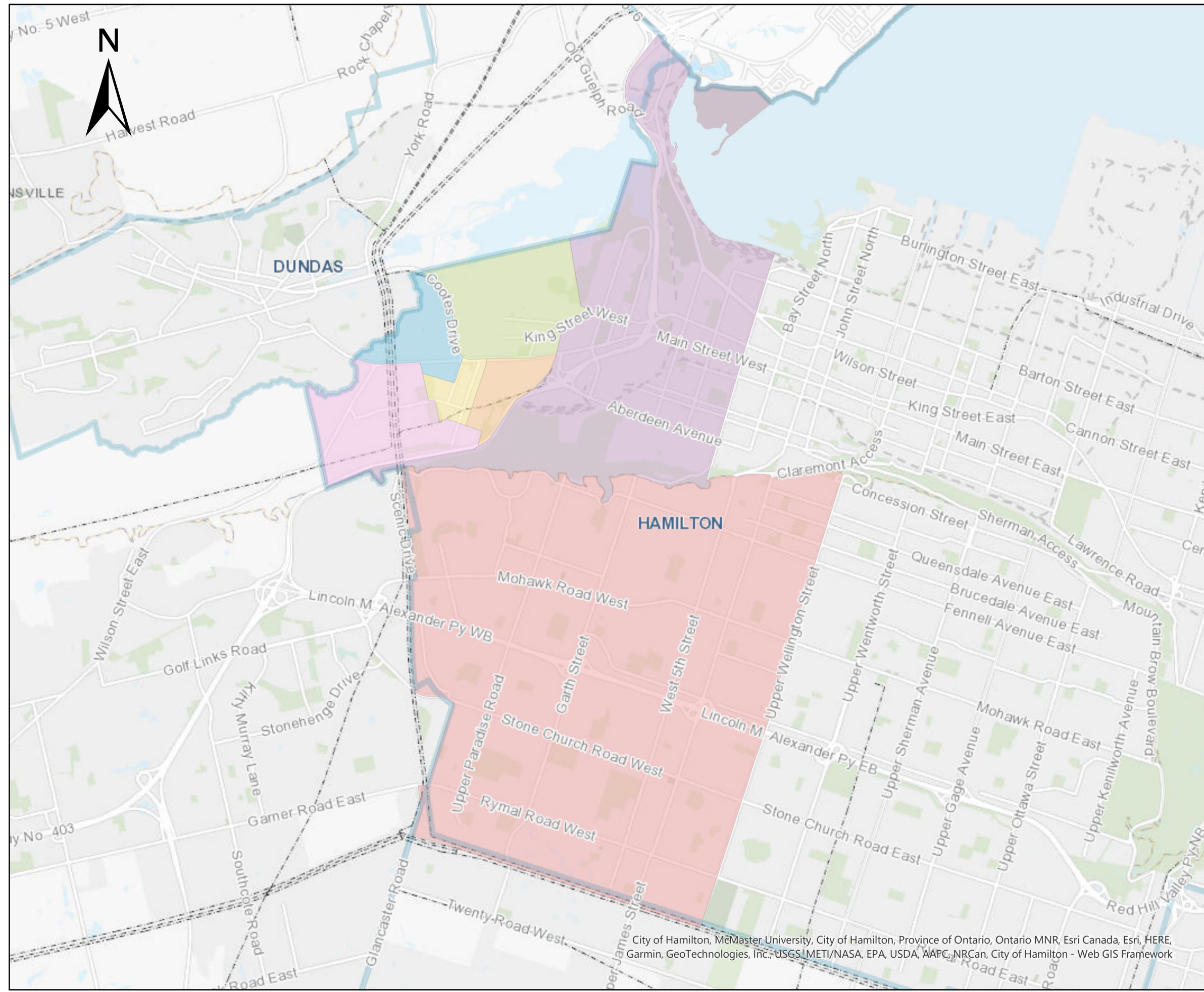
SUBJECT: Rental Housing Licensing Pilot Program Update (PED21097(d)) (Wards 1, 8 and part of 14) - Page 4 of 4

- 42 Notices of Non-Compliance have been served to properties passed the application period and requiring a licence.
- 1 Administrative Penalty Notice has been issued for non-compliance.

Through pro-active enforcement measures, we have identified an additional 84 suspected rental properties not originally identified.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED21097(d) – Application Zone Map



Rental Property Licensing Pilot

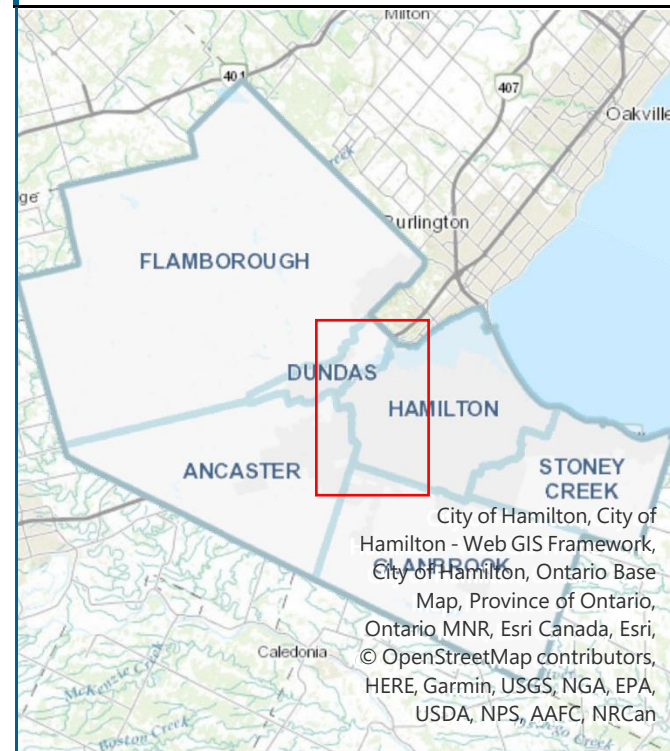
Wards 1, 8, and portion of 14

Licensing Application Dates by Zone

Starting April 2022

- Zone 1: Applications Open April - June.
- Zone 2: Applications Open July - Sept.
- Zone 3: Applications Open Oct. - Dec. 2023
- Zone 4: Applications Open Jan. - March
- Zone 5: Applications Open April - June
- Zone 6: Applications Open July - Sept.
- Zone 7: Applications Open Oct. - Dec.

Note: Enforcement of licensing requirements will begin after each zone's application period has ended.



City of Hamilton, McMaster University, City of Hamilton, Province of Ontario, Ontario MNR, Esri Canada, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, METI/NASA, EPA, USDA, AAFC, NRCan, City of Hamilton - Web GIS Framework





INFORMATION REPORT

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	June 13, 2023
SUBJECT/REPORT NO:	Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED23141) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Anita Fabac (905) 546-2424 Ext. 1258
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

COUNCIL DIRECTION

In accordance with the June 16, 2015, Planning Committee direction, this Report provides a status of all active Zoning By-law Amendment, Official Plan Amendment and Plan of Subdivision Applications relative to the statutory timeframe provisions of the *Planning Act* for non-decision appeals. In addition, this Report also includes a list and status of all Applications appealed to the Ontario Land Tribunal (OLT) for non-decision.

INFORMATION

Staff were directed to report back to Planning Committee with a reporting tool that seeks to monitor Applications where the applicable statutory timeframes apply. This reporting tool would be used to track the status of all active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications.

For the purposes of this Report, the status of active Zoning By-law Amendment, Official Plan Amendment and Plan of Subdivision Applications have been divided, relative to the statutory timeframe provisions of the *Planning Act*, that were in effect pursuant to statutory timeframes prescribed in *Bill 73*, *Bill 139* and *Bill 108*.

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SUBJECT: Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED23141) (City Wide) - Page 2 of 3

Applications Deemed Complete Prior to Royal Assent of Bill 139 (December 12, 2017)

Attached as Appendix “A” to Report PED23141 is a table outlining the active Applications received prior to December 12, 2017, sorted by Ward, from oldest Application to newest. As of May 9, 2023, there were:

- 3 active Official Plan Amendment Applications, all of which were submitted after July 1, 2016, and therefore subject to the 90 day extension to the statutory timeframe from 180 days to 270 days;
- 6 active Zoning By-law Amendment Applications; and,
- 3 active Plan of Subdivision Applications.

Within 60 to 90 days of May 9, 2023, all six development proposals have passed the applicable 120, 180 and 270 day statutory timeframes.

Applications Deemed Complete After Royal Assent of Bill 139 (December 12, 2017)

Attached as Appendix “B” to Report PED23141 is a table outlining the active Applications received after December 12, 2017, but before Royal Assent of Bill 108, sorted by Ward, from oldest Application to newest. As of May 9, 2023, there were:

- 3 active Official Plan Amendment Applications, all of which are subject to the 90 day extension to the statutory timeframe from 210 days to 300 days;
- 6 active Zoning By-law Amendment Applications; and,
- 3 active Plan of Subdivision Applications.

Within 60 to 90 days of May 9, 2023, all six development proposals have passed the applicable 150, 180 or 300 day statutory timeframes.

Applications Deemed Complete After Royal Assent of Bill 108 (September 3, 2019)

Attached as Appendix “C” to Report PED23141 is a table outlining the active Applications received after September 3, 2019, and subject to the new statutory timeframes, sorted by Ward, from oldest Application to newest. As of May 9, 2023, there were:

- 29 active Official Plan Amendment Applications;
- 57 active Zoning By-law Amendment Applications; and,
- 19 active Plan of Subdivision Applications.

SUBJECT: Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED23141) (City Wide) - Page 3 of 3

As of May 9, 2023, one development proposal is approaching the 90 or 120 day statutory timeframe and will be eligible for appeal. Sixty-three (63) development proposals have passed the 90 or 120 day statutory timeframe.

Planning Division Active Files

Combined to reflect property addresses, there are 76 active development proposals. Twelve (12) proposals are 2023 files (16%), 31 proposals are 2022 files (41%), 33 proposals are pre-2022 files (43%).

Staff continue to work with the AMANDA Implementation Team to add enhancements to the database that will allow for the creation of more detailed reporting. As a result, future tables will include a qualitative analysis of the status of active Applications. Furthermore, the long-term goal of the Planning Division is to make this information available on an interactive map accessed through the City of Hamilton website, and an e-mail system will provide notification of when a new Application is received.

Current Non-Decision Appeals to the Ontario Land Tribunal

At the February 2, 2021, Planning Committee meeting, Planning Committee requested that information be reported relating to development applications that have been appealed for non-decision to the Ontario Land Tribunal. Attached as Appendix “D” to Report PED23141 is a table outlining development applications, along with the applicant/agent, that have been appealed for non-decision to the Ontario Land Tribunal. There are currently 18 active appeals for non-decision of which one is a rezoning application, one is a subdivision application, and 16 are combined official plan, rezoning and subdivision applications. Third party appeals are not included in this information as Council has made a decision to approve the application.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED23141 - List of Active Development Applications (prior to December 12, 2017)

Appendix “B” to Report PED23141 - List of Active Development Applications (after December 12, 2017, but before September 3, 2019)

Appendix “C” to Report PED23141 - List of Active Development Applications (after September 3, 2019)

Appendix “D” to Report PED23141 - *Planning Act* Applications Currently Appealed for Non-Decision to the Ontario Land Tribunal

AF:sd

**Active Development Applications
Deemed Complete Prior to December 12, 2017
(Effective May 9, 2023)**

File	Address	Date Received	Date ¹ Deemed Incomplete	Date ¹ Deemed Complete	120 day cut off (Rezoning)	180 day cut off (Plan of Sub)	270 day cut off OPA*	Applicant/ Agent	Days Since Received and/or Deemed Complete as of May 9, 2023
Ward 7									
UHOPA-17-31 ZAC-17-071	1625 - 1655 Upper James Street, Hamilton	27-Sep-17	n/a	02-Oct-17	25-Jan-18	n/a	24-Jun-18	MB1 Development Consulting Inc.	2108
Ward 9									
UHOPA-16-26 ZAC-16-065 25T-201611	478 and 490 First Road West, Stoney Creek	12-Oct-16	n/a	02-Nov-16	09-Feb-17	10-Apr-17	09-Jul-17	T. Johns Consultants Inc.	2428
UHOPA-16-27 ZAC-16-066 25T-201612	464 First Road West, Stoney Creek	12-Oct-16	n/a	02-Nov-16	09-Feb-17	n/a	09-Jul-17	T. Johns Consultants Inc.	2428
Ward 10									
ZAC-15-040	9 Glencrest Avenue, Stoney Creek	02-Jul-15	n/a	17-Jul-15	30-Oct-15	n/a	n/a	WEBB Planning Consultants Inc.	2896

**Active Development Applications
Deemed Complete Prior to December 12, 2017
(Effective May 9, 2023)**

File	Address	Date Received	Date ¹ Deemed Incomplete	Date ¹ Deemed Complete	120 day cut off (Rezoning)	180 day cut off (Plan of Sub)	270 day cut off OPA*	Applicant/ Agent	Days Since Received and/or Deemed Complete as of May 9, 2023
Ward 12									
ZAC-16-006 25T-201602	285, 293 Fiddlers Green Road, Ancaster	23-Dec-15	n/a	06-Jan-16	21-Apr-16	20-Jun-16	n/a	Liam Doherty	2722
ZAC-17-062	45 Secinaro Avenue, Ancaster	28-Jul-17	n/a	01-Aug-17	25-Nov-17	n/a	n/a	T. Johns Consultants Inc.	2139

Active Development Applications

- When an Application is deemed incomplete, the new deemed complete date is the day the new materials are submitted. In these situations, the 120, 180 and 270 day timeframe commences on the date the new materials were submitted. In all other situations, the 120, 180 and 270 day timeframe commences the day the Application was received.
- * In accordance with Section 17 (40.1) of the *Planning Act*, the City of Hamilton has extended the approval period of Official Plan Amendment Applications by 90 days from 180 days to 270 days. However, Applicants can terminate the 90 day extension if written notice to the Municipality is received prior to the expiration of the 180 statutory timeframe.

**Active Development Applications
Deemed Complete After December 12, 2017
(Effective May 9, 2023)**

File	Address	Date Received	Date ¹ Deemed Incomplete	Date ¹ Deemed Complete	150 day cut off (Rezoning)	180 day cut off (Plan of Sub.)	300 day cut off (OPA)	Applicant/Agent	Days since Received and/or Deemed Complete as of May 9, 2023
Ward 2									
ZAR-19-008	124 Walnut Street South, Hamilton	21-Dec-18	n/a	18-Jan-19	20-May-19	n/a	n/a	IBI Group	1628
Ward 11									
UHOPA-18-016* ZAC-18-040 25T-2018007	9511 Twenty Road West, Glanbrook	10-Jul-18	n/a	15-Aug-18	n/a	06-Jan-19	06-May-19*	Corbett Land Strategies	1792
Ward 12									
ZAC-18-048 25T-2018009	387, 397, 405 and 409 Hamilton Drive, Ancaster	09-Sep-18	n/a	28-Sep-18	06-Feb-19	08-Mar-19	n/a	Fothergill Planning & Development Inc.	1731
UHOPA-18-022* ZAC-18-056 25T-2018010	26 Southcote Road, Ancaster	05-Nov-18	n/a	15-Nov-18	n/a	04-May-19	01-Sep-19*	A.J. Clarke & Associates Ltd.	1674
Ward 14									
ZAC-19-011	1933 Old Mohawk Road, Ancaster	12-Dec-18	n/a	10-Jan-19	11-May-19	n/a	n/a	Urban Solutions Planning & Land Development	1637

**Active Development Applications
Deemed Complete After December 12, 2017
(Effective May 9, 2023)**

File	Address	Date Received	Date ¹ Deemed Incomplete	Date ¹ Deemed Complete	150 day cut off (Rezoning)	180 day cut off (Plan of Sub.)	300 day cut off (OPA)	Applicant/Agent	Days since Received and/or Deemed Complete as of May 9, 2023
Ward 15									
RHOPA-18-020* ZAC-18-045	173 and 177 Dundas Street East, Flamborough	23-Jul-18	n/a	15-Aug-18	n/a	n/a	19-May-19*	MHBC Planning Limited	1773

Active Development Applications

1. When an Application is deemed incomplete, the new deemed complete date is the day the new materials are submitted. In these situations, the 150, 180, 210 and 300 day timeframe commences on the date the new materials were submitted. In all other situations, the 150, 180, 210 and 300 day timeframe commences the day the Application was received.

* In accordance with Section 34 (11.0.0.0.1), of the *Planning Act*, the approval period for Zoning By-law Amendment Applications submitted concurrently with an Official Plan Amendments, will be extended to 210 days.

* In accordance with Section 17 (40.1) of the *Planning Act*, the City of Hamilton has extended the approval period of Official Plan Amendment Applications by 90 days from 210 days to 300 days. However, Applicants can terminate the 90 day extension if written notice to the Municipality is received prior to the expiration of the 210 statutory timeframe.

**Active Development Applications
Deemed Complete After September 3, 2019
(Effective May 9, 2023)**

File	Address	Date Received	Date ¹ Deemed Incomplete	Date ¹ Deemed Complete	90 day cut off (Rezoning)	120 day cut off (OPA or Plan of Sub)	Applicant/Agent	Days Since Received and/or Deemed Complete as of May 9, 2023
Ward 1								
UHOPA-20-027 ZAC-20-042	1629-1655 Main Street West, Hamilton	2-Nov-20	n/a	1-Dec-20	n/a	02-Mar-21	GSP Group	940
UHOPA-22-005 ZAC-22-012	200 Market Street, 55 Queen Street North, Hamilton	19-Jan-22	n/a	19-Jan-22	n/a	19-May-22	GSP Group	475
ZAC-23-007	81 Chatham Street, Hamilton	2-Dec-22	n/a	14-Dec-22	2-Mar-22	n/a	GSP Group	159
Ward 2								
UHOPA-20-025 ZAC-20-038	115 George Street and 220-222 Main Street West, Hamilton	04-Sep-20	n/a	28-Sep-20	n/a	02-Jan-21	GSP Group	1005
UHOPA-21-007 ZAC-21-014	101 Hunter Street East, Hamilton	23-Mar-21	n/a	8-Apr-21	n/a	21-Jul-21	Coletara Developments	835
UHOPA-22-001 ZAC-22-003	65 Guise Street, Hamilton	15-Nov-21	n/a	18-Nov-21	n/a	15-Mar-22	James Webb Consulting Inc.	536

**Active Development Applications
Deemed Complete After September 3, 2019
(Effective May 9, 2023)**

File	Address	Date Received	Date ¹ Deemed Incomplete	Date ¹ Deemed Complete	90 day cut off (Rezoning)	120 day cut off (OPA or Plan of Sub)	Applicant/Agent	Days Since Received and/or Deemed Complete as of May 9, 2023
Ward 3								
ZAC-22-049	338 Cumberland Avenue, Hamilton	20-July-22	n/a	20-July-22	18-Oct-22	n/a	Urban Solutions Planning & Land Development	294
ZAC-22-053	83 Emerald Street South, Hamilton	9-Aug-22	n/a	22-Aug-22	7-Nov-22	n/a	Gladki Planning Associates Inc.	274
Ward 4								
UHOPA-23-006 ZAC-23-012	1284 Main Street East, Hamilton	14-Dec-22	n/a	10-Jan-23	n/a	13-Apr-23	GSP Group	147
Ward 5								
ZAC-21-043	300 Albright Road, Hamilton	29-Sep-21	n/a	30-Sep-21	04-Jan-22	n/a	MHBC Planning Ltd.	615
ZAC-22-013	200 Centennial Parkway North, Hamilton	19-Jan-22	n/a	20-Jan-22	19-April-22	n/a	Calloway REIT (Stoney Creek) Inc.	474

**Active Development Applications
Deemed Complete After September 3, 2019
(Effective May 9, 2023)**

File	Address	Date Received	Date ¹ Deemed Incomplete	Date ¹ Deemed Complete	90 day cut off (Rezoning)	120 day cut off (OPA or Plan of Sub)	Applicant/Agent	Days Since Received and/or Deemed Complete as of May 9, 2023
Ward 5 Continued								
UHOPA-22-016 ZAC-22-030	399 Greenhill Avenue, Stoney Creek	26-Apr-22	n/a	27-Apr-22	n/a	28-July-22	Bousfields Inc.	378
Ward 6								
ZAC-22-037 25T-202207	61 Eleanor Avenue, Hamilton	13-June-22	n/a	15-June-22	n/a	12-Oct-22	A.J. Clarke & Associates Ltd.	331
ZAC-22-038	4 and 10 Trinity Church Road, Hamilton	13-June-22	n/a	22-June-22	12-Sep-22	n/a	T. Johns Consulting Group	331
UHOPA-22-019 ZAC-22-045	570 Upper Ottawa Street, Hamilton	8-July-22	n/a	8-July-22	n/a	5-Nov-22	Urban Solutions Planning & Land Development	306
UHOPA-22-027 ZAC-22-065	1400 Limeridge Road East, Hamilton	31-Oct-22	n/a	10-Nov-22	n/a	28-Feb-23	MHBC Planning Ltd.	191
25T-202210	705 Rymal Road East, Hamilton	22-Oct-22	n/a	2-Dec-22	n/a	24-Feb-23	Wellings Planning Consultants	200
ZAC-23-009	1280 Rymal Road East, Hamilton	15-Dec-22	n/a	6-Jan-23	15-Mar-23	n/a	Fothergill Planning & Development Inc.	146

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Ward 7								
UHOPA-20-021 ZAC-20-037 25T-202006	544 and 550 Rymal Road East, Hamilton	11-Sep-20	n/a	11-Oct-20	n/a	09-Jan-20	Rymal East Development Corp.	1035
ZAC-22-016	48 Miles Road, Hamilton	25-Jan-22	n/a	10-Feb-22	25-Apr-22	n/a	IBI Group	453
ZAR-22-052	311 Rymal Road East, Hamilton	3-Aug-22	n/a	n/a	1-Nov-22	n/a	GSP Group Inc.	280
UHOPA-23-001 ZAC-23-001	499 Mohawk Road East, Hamilton	8-Nov-22	n/a	21-Nov-22	n/a	21-Feb-23	Urban Solutions Planning & land Development	183
Ward 8								
ZAC-20-018	212 and 220 Rymal Road West, Hamilton	20-Feb-20	n/a	16-Mar-20	19-Jun-20	n/a	T. Johns Consulting Group	1202
UHOPA-20-017 ZAC-20 029 25T-202003	393 Rymal Road West, Hamilton	20-Jul-20	n/a	19-Aug-20	n/a	17-Nov-20	GSP Group Inc.	1043
ZAC-21-029 25T-202108	204, 212, 220, 226 Rymal Road West, Hamilton	05-July-21	n/a	09-Aug-21	n/a	02-Nov-21	T. Johns Consulting Group	667

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Ward 8 Continued								
ZAC-22-024 25T-202204	1456-1460 Upper James Street, Hamilton	28-Mar-22	n/a	08-Apr-22	n/a	26-Jul-22	A.J. Clarke & Associates	408
UHOPA-22-021 ZAC-22-047	1177, 1183, 1187 West 5 th Street, Hamilton	13-July-22	n/a	13-July- 22	n/a	10-Nov-22	Urban Solutions Planning & Land Development	301
ZAC-22-066	81 Rymal Road East, Hamilton	24-Oct-22	n/a	24-Nov- 22	22-Jan-22	n/a	GSP Group Inc.	198
UHOPA-23-004 ZAC-23-005	1550 Upper James Street, Hamilton	24-Nov-22	n/a	9-Dec-22	n/a	24-Mar-23	Arcadis IBI Group	167
Ward 9								
ZAC-20-004	329 Highland Road West, Stoney Creek	20-Dec-19	n/a	16-Jan-20	18-Apr-20	n/a	WEBB Planning Consultants Inc.	1264
ZAC-22-064 25T-202209	82 Carlson Street, Stoney Creek	11-Oct-22	n/a	13-Oct-22	n/a	12-Jan-23	MHBC Planning Ltd.	211
UHOPA-20-010 ZAC-20-015 25T-200303R	2080 Rymal Road East, Glanbrook	20-Dec-19	20-Jan-20	31-Jan-20	n/a	19-May-20	A.J. Clarke & Associates Ltd.	1222

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Ward 9 Continued								
ZAC-22-001	2153, 2155, and 2157 Rymal Road East, Stoney Creek	4-Nov-21	n/a	n/a	2-Feb-22	n/a	Weston Consulting	551
ZAC-22-029 25T-202206	481 First Road W., Stoney Creek	22-Apr-22	n/a	n/a	n/a	24-Jul-22	Kuok Kei Hong	384
UHOPA-23-005 ZAC-23-006	1065 Paramount Drive, Stoney Creek	18-Nov-22	n/a	13-Dec-22	n/a	18-Mar-23	Arcadis IBI Group	173
25T-202304	157 Upper Centennial Parkway, Stoney Creek	22-Dec-22	n/a	11-Apr-23	n/a	11-Aug-23	MHBC Planning Ltd.	138
Ward 10								
UHOPA-21-018 ZAC-21-039	1400 South Service Road, Stoney Creek	10-Sep-21	n/a	16-Sep-21	n/a	14-Jan-22	MHBC Planning Ltd.	628
UHOPA-21-006 ZAC-21-011	582 and 584 Hwy. 8, Stoney Creek	08-Feb-21	n/a	08-Mar-21	n/a	21-Jul-21	SIMNAT Consulting Inc.	848

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Ward 10 Continued								
UHOPA-22-020 ZAC-22-046 25T-202208	220 McNeilly Road, Hamilton	8-July-22	n/a	22-July-22	n/a	5-Nov-22	T. Johns Consulting Group	306
UHOPA-22-026 ZAC-22-063	1310 South Service Road, Stoney Creek	28-Sep-22	n/a	30-Sep-22	n/a	5-Jan-23	The Planning Partnership	224
ZAC-23-004	48 Jenny Court	29-Nov-22	n/a	4-Jan-23	27-Feb-23	n/a	T. Johns Consulting Group	162
Ward 11								
25T-202002	9326 and 9322 Dickenson Road, Glanbrook	16-May-20	n/a	09-Apr-20	n/a	07-Aug-20	WEBB Planning Consultants Inc.	1180
UHOPA-21-001 ZAC-21-001 25T-202101	3169 Fletcher Road, Glanbrook	14-Dec-20	n/a	12-Jan-21	n/a	12-May-21	A.J. Clarke & Associates Ltd.	904
ZAC-22-008 25T-202201	3479 Binbrook Road, Glanbrook	10-Jan-22	n/a	24-Jan-22	n/a	10-May-22	Metropolitan Consulting	485
UHOPA-22-008 ZAC-22-017	3054 Homestead Drive, Hamilton	27-Jan-22	n/a	10-Feb-22	n/a	25-May-22	Urban Solutions Planning & Land Development	470

**Active Development Applications
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Ward 11 Continued								
UHOPA-22-014 ZAC-22-027 25T-202205	2876 Upper James Street, Glanbrook	05-Apr-22	n/a	05-Apr-22	n/a	03-Aug-22	Rice Group	400
ZAC-22-055	2640 Binbrook Road, Glanbrook	16-Aug-22	n/a	18-Aug-22	14-Nov-22	n/a	IBI Group	267
Ward 12								
UHOPA-20-013 ZAC-20-017	210 Calvin Street, Ancaster	18-Feb-20	04-Mar-20	11-Jun-20	n/a	09-Oct-20	SGL Planning & Design Inc.	1090
ZAC-20-024	140 Wilson Street West, Ancaster	15-Jun-20	n/a	02-Jul-20	13-Sep-20	n/a	A.J. Clarke & Associates Ltd.	1086
25T-202102	370 Garner Road East, Ancaster	18-Dec-20	n/a	22-Jan-21	n/a	17-Apr-21	A.J. Clarke & Associates Ltd.	900
25T-202105	700 Garner Road East, Ancaster	18-Jan-21	n/a	04-Feb-21	n/a	18-May-21	MHBC Planning Ltd.	869
ZAC-21-027	140 and 164 Sulphur Springs Road, Ancaster	05-Jul-21	n/a	16-July-21	02-Oct-21	n/a	Fothergill Planning & Development Inc.	691

**Active Development Applications
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Ward 12 Continued								
UHOPA-22-002 ZAC-22-005	487 Shaver Road, Ancaster	2-Nov-21	n/a	17-Nov-21	n/a	2-Mar-22	GSP Group Inc	537
ZAC-22-058	111 Fiddlers Green Road, Ancaster	6-Sep-22	n/a	7-Sep-22	16-Nov-22	n/a	T. Johns Consulting Group	254
UHOPA-23-003 ZAR-23-003	382 Southcote Road, Ancaster	9-Nov-22	n/a	5-Dec-22	n/a	9-Mar-23	Urban Solutions Planning & Land Development	182
ZAC-23-010	299 Fiddlers Green Road, Ancaster	19-Dec-22	n/a	6-Jan-23	19-Mar-23	n/a	Wellings Planning Consultants	142
Ward 13								
ZAC-22-044	64 Hatt Street, Dundas	6-July-22	n/a	7-July-22	4-Oct-22	n/a	GSP Group Inc.	308
ZAR-22-004	12 Louisa Street, Flamborough	15-Nov-21	n/a	23-Nov-21	13-Feb-22	n/a	MB1 Development Consulting Inc.	531
ZAR-23-008	211 York Road, Dundas	1-Dec-22	n/a	19-Dec-22	1-Mar-23	n/a	GSP Group Inc.	160

**Active Development Applications
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Ward 13 Continued								
UHOPA-23-015	3479 Binbrook Road, Glanbrook	23-Mar-23	n/a	March 27, 2023	n/a	21-Jul-23	Metropolitan Consulting	48
Ward 14								
UHOPA-22-015 ZAC-22-028	631 and 639 Rymal Road West, Hamilton	22-Apr-22	n/a	28-Apr-22	n/a	29-July-22	Bousfields Inc.	386
Ward 15								
ZAC-20-006	518 Dundas Street East, Dundas	23-Dec-19	n/a	22-Jan-20	n/a	21-Apr-20	Urban Solutions Planning and Land Development	1234
UHOPA-21-003 ZAC-21-007 25T-202103	562 Dundas Street East, Flamborough	23-Dec-20	n/a	08-Feb-21	n/a	22-Apr-21	Metropolitan Consulting Inc.	868
25T-201507R	74 Parkside Drive, Flamborough	11-Aug-22	n/a	18-Aug-22	n/a	17-Oct-22	IBI Group	272

**Active Development Applications
Deemed Complete After September 3, 2019
(Effective May 9, 2023)**

Active Development Applications

1. When an Application is deemed incomplete, the new deemed complete date is the day the new materials are submitted. In these situations, the 90 and 120 day timeframe commences on the date the new materials were submitted. In all other situations, the 90 and 120 day timeframe commences the day the Application was received.

**Planning Act Applications
Currently Appealed for Non-Decision to the
Ontario Land Tribunal (OLT)
(Effective May 9, 2023)**

	Address	Applicant /Agent	Date Appeal Received
Ward 2			
1	299-307 John Street South, Hamilton	Urban Solutions Planning & Land Development Consultants Inc.	November 2021
2	186 Hunter Street West, Hamilton	Urban Solutions Planning & Land Development Consultants Inc.	June 2022
Ward 5			
3	651 Queenston Road, Hamilton	A.J. Clarke & Associates Ltd	September 2022
4	2900 King Street East, Hamilton	Urban Solutions Planning & Land Development Consultants Inc.	November 2022
Ward 9			
5	157 Upper Centennial Parkway, Stoney Creek	WEBB Planning Consultants Inc.	September 2017
Ward 10			
6	1036, 1038, 1054, 1090 Barton Street, and 262 McNeilly Road, Stoney Creek	Glen Schnarr & Associates Inc.	November 2021
Ward 11			
7	526 Winona Road, Stoney Creek	Urban Solutions Planning & Land Development Consultants Inc.	June 2022

**Planning Act Applications
Currently Appealed for Non-Decision to the
Ontario Land Tribunal (OLT)
(Effective May 9, 2023)**

	Address	Applicant /Agent	Date Appeal Received
Ward 11 Continued			
8	3160, 3168, 3180, and 3190 Regional Road 56, Binbrook	MHBC Planning Limited	November 2022
9	3064, 3070, 3078, 3084 Regional Road 56, Glanbrook	MHBC Planning Limited	November 2022
10	11, 19, 20, 21, 23, 27 & 30 Lakeside Drive, 81 Waterford Crescent, Stoney Creek	IBI Group	December 2022
Ward 12			
11	140 Garner Road, Ancaster	Urban Solutions Planning and Land Development Consultants Inc.	February 2022
12	1019 Wilson Street West, Ancaster	MHBC Planning Limited	July 2022
13	442-462 Wilson Street East, Ancaster	GSP Group	July 2022
Ward 14			
14	801-870 Scenic Drive, Hamilton	Valery Developments Inc.	May 2021

**Planning Act Applications
Currently Appealed for Non-Decision to the
Ontario Land Tribunal (OLT)
(Effective May 9, 2023)**

Ward 15			
15	609 and 615 Hamilton Street North and 3 Nesbit Boulevard and 129 – 137 Trudell Circle, Flamborough (Waterdown)	Urban Solutions Planning and Land Development Consultants Inc.	October 2017
16	111 Silverwood Drive (111 Parkside Drive, Flamborough (Waterdown)	Metropolitan Consulting Inc.	October 2017
17	30, 36 and 42 Dundas Street East, 50 Horseshoe Crescent, and 522 Highway 6, Flamborough	MHBC Planning	August 2021
18	909 North Waterdown Drive, Flamborough	Corbett Land Strategies Inc.	December 2022



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	June 13, 2023
SUBJECT/REPORT NO:	Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Mallory Smith (905) 546-2424 Ext. 1249
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That Report PED23069 and Draft Mid Rise Residential Zone Provisions, attached as Appendix "A" and Appendix "B" to Report PED23069, be received;
- (b) That staff be authorized to proceed with public engagement on the Draft Zoning By-law regulations with respect to Mid Rise Residential Zones and that staff report back to the Planning Committee summarizing public input and to identify the preferred approach for the new Zones to be incorporated into Section 15: Residential Zones in Hamilton Zoning By-law No. 05-200;
- (c) That staff be authorized to proceed with public engagement for the proposed expansion of the Transit Oriented Corridor Zones along the BLAST transit network, and that staff report back to the Planning Committee summarizing public input and to identify the preferred approach for incorporating additional lands into the Transit Oriented Corridor Zones in Hamilton Zoning By-law No. 05-200.

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SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) - Page 2 of 20

EXECUTIVE SUMMARY

The Comprehensive Zoning By-law No. 05-200 has been completed by land use category. The final phase, Residential Zones, is being implemented in phases including: Low Density Residential, Mid Rise Residential, and High Rise Residential.

To implement the Medium Density policies of the City's Urban Hamilton Official Plan (UHOP) staff have prepared Draft Mid Rise Residential Zones (MRR) for the Urban Area to be incorporated in Zoning By-law No. 05-200. The Draft MRR Zones are intended to accommodate additional intensification and redevelopment opportunities along the City's minor and major arterial roads which are identified in the City's Official Plans. The Draft MRR Zones have been developed to encourage appropriate mid rise development with appropriate built form standards. The Draft MRR Zones allow for a built form that provides what is commonly referred to as the 'missing middle'. There are two Draft MRR Zones (see Appendix "A" and "B" attached to Report PED23069):

- Mid Rise Residential (R3) Zone; and,
- Mid Rise Residential – Small Lot (R3a) Zone.

Additionally, staff have explored the expansion of Transit Oriented Corridor Zones (TOC) to lands along the BLAST transit network. The BLAST network is represented on Appendix "B" - Major Transportation Facilities and Routes as the Potential Higher Order Transit routes in the UHOP (see Appendix "C" attached to Report PED23069).

The proposed zoning will not apply to the lands within the Urban Boundary Expansion area. The zoning for those lands will be determined subsequent to the completion of the Secondary Planning process.

As part of this work, staff will evaluate, consult, and report back on the applicability of the MRR and TOC Zones along these corridors/arterial roads to consider existing context, urban design, and achieving the City's intensification targets in appropriate ways throughout the City.

Staff is requesting the attached Draft MRR Zones be received for information, and to authorize public engagement on the expansion of the TOC Zones and the creation of the new Draft MRR Zones. Staff will continue to develop the zones, refining the location for mid rise development, testing the built form regulations, taking into consideration public and stakeholder comments.

Alternatives for Consideration – See Page 19

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SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) - Page 3 of 20

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND

The City of Hamilton's new Comprehensive Zoning By-law No. 05-200 came into effect on May 25, 2005 and is being implemented in phases. The Comprehensive Zoning By-law Project has introduced new zones in phases by geographic area or land use type.

- Downtown (2005);
- Parks and Open Space (2006);
- Institutional (2007);
- Industrial (2010);
- Rural (2015);
- Utility (2015);
- Transit Oriented Corridors (2016);
- Commercial and Mixed Use (2017);
- Waterfront (2017); and,
- Low Density Residential (2022).

Subsequent to the completion of Zoning By-law No. 05-200, housekeeping amendments have also been brought forward to address administration and interpretation issues that arise through the use of the regulations in an effort to keep Zoning By-law No. 05-200 up to date.

In 2016 the City of Hamilton introduced Transit Oriented Corridor Zones (TOC) to Zoning By-law No. 05-200 through Reports PED16100 and PED16100(a). The TOC Zones support residential and commercial intensification that is beneficial to transit investment, contribute to city building, and remove regulatory barrier for new investment and/or redevelopment opportunities. When the TOC Zones were introduced, the new zones were applied along the proposed Light Rail Transit (LRT) corridor and later extended along Queenston Road to Centennial Parkway North through Report PED18012.

Staff initiated the Municipal Comprehensive Review (MCR)/Growth Related Integrated Development Strategy (GRIDS2) to allocate forecasted population and employment growth for the 2021 to 2051 time period in accordance with Provincial mandated

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SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) - Page 4 of 20

requirements. The process resulted in 10 Directions to Guide Growth, which was presented at General Issues Committee on November 9, 2021, as Report PED17010(o). On November 19, 2021, Council adopted a No Urban Boundary Expansion growth option which plans for all forecasted population (236,000 people) and employment (122,000 jobs) growth to the year 2051 to be accommodated within the current urban boundary. To implement Council's direction, amendments were prepared to the UHOP and RHOP, which were subsequently approved by Council on June 8, 2022 as Urban Hamilton Official Plan Amendment No. 167 and Rural Hamilton Official Plan Amendment No. 34. The amendments to the UHOP and RHOP represent the completion of the first phase of the City's Municipal Comprehensive Review / Official Plan Review. A decision on OPA No. 167, as amended, was issued by MMAH on November 4, 2022. The resulting policy changes have been incorporated into the development of the Draft MRR Zones and are reflected in the expansion to the existing TOC Zones.

To implement the UHOP, as amended by OPA No. 167, staff have developed two new Draft MRR Zones and are proposing an expansion of the TOC Zones for the entirety of the BLAST network. The proposed zoning will not apply to the Urban Boundary Expansion lands through OPA No. 167 until such time as Secondary Plans are completed.

Further to the Minister of Municipal Affairs and Housing letter dated October 25, 2022 the City of Hamilton endorsed a Municipal Housing Pledge (PED23056) to facilitate the construction of 47,000 units by 2031. This initiative facilitates the 'up zoning' of many of the City's Urban Corridors and major and minor arterial roads in a form that is commonly referred to as the 'missing middle'. The incorporation of additional lands into a zoning category that allows for as of right intensification will help to achieve the goals set out in the City's Municipal Housing Pledge by facilitating increased construction opportunities.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The Draft MRR Zones implement the policies of the UHOP, which, in turn, were guided by the Provincial Policy Statement 2020 (PPS, 2020) and the Growth Plan for the Greater Golden Horseshoe (A Place to Grow, 2020). These policy documents provide detailed direction regarding the goals related to land use, scale, compatibility, and design, as well as permitted uses to be incorporated into implementing Zoning By-laws.

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SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) - Page 5 of 20

1.0 Provincial Legislation

1.1 Bill 108 – *More Homes, More Choice Act, 2019*

Bill 108 (*More Homes, More Choice Act, 2019*) received Royal Assent on June 6, 2019 for a broad change to various pieces of legislation such as the *Planning Act*, *Ontario Heritage Act*, and the *Development Charges Act*, amongst others. To implement the Bill, the Province released the first annual Housing Supply Action Plan which is aimed at increasing housing supply in the Province.

1.2 Bill 109 – *More Home for Everyone Act, 2022*

Bill 109 amends six statutes, including the *Planning Act*, *Development Charges Act*, and the *City of Toronto Act, 2006*. Under the *Planning Act*, amendments impact:

- Ministerial approval authority for Official Plan Amendments;
- The Site Plan Control process;
- Planning application fees;
- Municipal review of Community Benefits Charges by-laws;
- Parkland requirements on land designated as transit-oriented community land;
- Extensions for Plan of Subdivision approvals; and,
- Ministerial authority to make certain regulations respecting surety bonds.

The Bill alters local decision making with respect to the development application process and has the potential to move the decision making to the Ontario Land Tribunal. Finally, a significant impact of the legislation is the requirement for the City to refund development application fees for Official Plan Amendment/Zoning By-law Amendment, and Site Plan Control applications if prescribed timelines for approval or decision-making are not met.

1.3 Bill 23 – *More Homes Built Faster Act, 2022*

This legislation is part of the government's plans to achieve construction of build 1.5 million homes by 2032. Bill 23 implements recommendations from the Ontario Housing Affordability Task Force Report. Bill 23 made fundamental changes to the land use planning system in Ontario through changes to the *Development Charges Act*, *Planning Act*, *Municipal Act*, and others.

1.4 Bill 97 – *Helping Homebuyers, Protecting Tenants Act, 2023*

Bill 97 is the latest of a series of legislative amendments intended to facilitate Ontario's Housing Supply Action Plan and increase housing supply in the province.

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SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) - Page 6 of 20

The bill proposes to introduce amendments to the following statutes:

1. *Building Code Act, 1992;*
2. *City of Toronto Act, 2006;*
3. *Development Charges Act, 1997;*
4. *Ministry of Municipal Affairs and Housing Act;*
5. *Municipal Act, 2001;*
6. *Planning Act; and,*
7. *Residential Tenancies Act, 2006.*

2.0 Provincial Policy

2.1 Growth Plan for the Greater Golden Horseshoe (A Place to Grow, 2020)

The Growth Plan directs municipalities to accommodate intensification in a manner that encourages complete communities, resulting in connected and transit supportive urban areas. The TOC Zones achieve these goals through the implementation of flexible permitted uses, pedestrian oriented built form standards and higher density development opportunities. Expanding TOC Zoning along arterials on the BLAST network encourages a mixed-use, transit-supportive, pedestrian-friendly urban environment. The creation of Draft MRR Zones within Zoning By-law No. 05-200 is necessary to allow intensification that allows for complete communities and is supportive of transit service.

“2.2.1 Managing Growth

- 2.2.1.2 a) The vast majority of growth will be directed to settlement areas that: have a delineated built boundary;
- i. Have existing or planned municipal water and wastewater systems; and,
 - ii. Can support the achievement of complete communities;
- 2.2.1.2 c) Within settlement areas, growth will be focused in:
- i. Delineated built-up areas;
 - ii. Strategic growth areas;
 - iii. Locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and,
 - iv. Areas with existing or planned public service facilities;
- 2.2.1.3 c) Provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the

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SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) - Page 7 of 20

achievement of complete communities through a more compact built form;

- 2.2.1.4 a) Feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities; and,
- 2.2.1.4 c) Provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes.”

The Growth Plan encourages focusing growth in built up areas, particularly along transit corridors. Providing diverse unit types and land uses is a common theme within the policies, in addition to creating accessible communities that provide options for different stages of life. Given the forgoing the expansion of the TOC Zones, and the Draft MRR Zones conform to the policies of the Growth Plan.

2.2 Provincial Policy Statement 2020 (PPS)

The Provincial Policy Statement (2020) came into effect on May 1, 2020, which replaced the 2014 version. The PPS provides policy direction on matters of Provincial interest related to land use planning and development. Both the Rural and Urban Hamilton Official Plans implements provincial policy. More specifically, the Draft MRR Zones and the TOC Zones implement the following policies:

- Creating healthy, liveable, and safe communities are sustained by accommodating an appropriate range and mix of residential (Policy 1.1.1b);
- Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by permitting and facilitating all forms of residential intensification (Policy 1.4.3b); and,
- Requiring transit-supportive development and prioritizing intensification, in proximity to transit, including corridors and stations (Policy 1.4.3e).

Based on the foregoing, development of the Draft MRR Zones within Zoning By-law No. 05-200, and the potential expansion of the application of the TOC Zones are consistent with the PPS (2020).

On April 6, 2023, the Ministry of Municipal Affairs and Housing issued notice for a new Provincial Policy Statement, which combines both the PPS and the Growth Plan into

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SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) - Page 8 of 20

one comprehensive document and modifies policies therein. The City of Hamilton is providing comments on the proposed PPS in advance of the June 5, 2023, commenting deadline. The proposed changes would not impact the draft MRR Zones or the expansion of the TOC Zones. Any changes to the PPS and Growth Plan will be reviewed to ensure any changes to the Zoning By-law are in conformity.

3.0 Urban Hamilton Official Plan

The Draft MRR Zones have been developed to implement the policies of the UHOP. The UHOP provides direction on the development of the City's Urban Corridors, which provides that Urban Systems shall accommodate growth through the development of compact, mixed use urban environments that support existing or planned transit. Further, the Growth Plan for the Greater Golden Horseshoe: A Place to Grow, (2020) distributed a population of 820,000 people and 360,000 jobs to the City of Hamilton by the year 2051. The UHOP identifies intensification in the built-up area as one means to meet the 2051 targets. A portion of the intensification is to be directed to arterial roads in the built-up area as a means of managing growth to support a strong competitive economy; making more efficient and effective use of infrastructure and public service facilities; conserving and promoting cultural heritage resources; protecting and enhancing our natural resources including land, air and water; and planning for more resilient communities and infrastructure.

As a result of the direction within the UHOP, staff have evaluated opportunities on the Urban Corridors and Major and Minor Arterial Roads for intensification to meet the goals laid out in Section E of the UHOP. The Draft MRR Zones were developed to encourage intensification to provide for a denser built form that allows for a broader range of dwelling types, that promotes walkability, supports transit, and allows for efficient use of resources. The Neighbourhoods designation is to primarily consist of residential uses and complementary facilities and services intended to serve the residents, including, parks, schools, trails, recreation centres, places of worship, small retail stores, offices, restaurants, and personal and government services. The draft R3 Zone has been developed to incorporate some forms of local commercial uses on the ground floor of multiple dwellings to serve local residents. The expansion of the TOC Zones allows for a pedestrian focused mixed-use built form along the City's BLAST network, which is supportive of complete communities that support transit, and provide opportunities to live, work, and play for the residents of Hamilton. Infill and intensification along the City of Hamilton's Urban Corridors and Arterial Roads is consistent with the policies contained within the UHOP.

The Draft MRR Zones and TOC expansion achieve the policies in the UHOP by permitting additional opportunities for a denser built form along the Urban Corridors to meet the social, health and well-being requirements of all current and future residents. The built form of the Urban Corridors will support transit oriented communities, provide

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SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) - Page 9 of 20

infill opportunities, and more efficiently utilize existing infrastructure and services. The intensification of the Urban Corridors through MRR and TOC Zoning will also support the growth targets set out in the UHOP, while maintaining a mixed use pedestrian focus.

City Wide Corridor Planning Principles and Design Guidelines

The purpose of the City-Wide Corridor Planning Principles and Design Guidelines is to provide planning and design directions for Corridors in the City of Hamilton. Corridors link Nodes and important areas of activity within the City and are intended to be key locations for residential intensification. Corridors may form the boundaries of residential subdivisions or neighbourhoods but should act as a linear focus for activities and uses within the community. The City's Corridors provide a significant opportunity for creating vibrant pedestrian and transit oriented places through investment in hard and soft infrastructure, residential intensification, infill and redevelopment.

The following principles, along with Official Plan policies are the basis for the Design Guidelines. These principles also provide a guide to other planning initiatives: Corridors should be planned and developed to:

- a) Support and facilitate development and investment that contributes to the economic and social vitality of the Corridor and adjacent neighbourhoods;
- b) Promote and support development which enhances and respects the character of existing neighbourhoods where appropriate and creates vibrant, dynamic, and liveable urban places through high quality urban design;
- c) Develop compact, mixed use urban environments that support transit and active transportation;
- d) Promote and support an innovative sustainable built environment that uses resources efficiently and encourages a high quality of life; and,
- e) Identify areas of change as the locations for new development along Corridors.

These guidelines are intended to guide site and building design to achieve the following goals:

- a) Encourage new intensification and infill development by allowing flexibility and providing alternatives to minimize constraints and provide opportunities;
- b) Create streetscapes that are attractive, safe and accessible for pedestrians, transit users, cyclists and drivers;
- c) Minimize the negative effects of shading on existing adjacent properties, streets and public spaces;
- d) Minimize the negative effects of changes in building scale and character on existing streetscapes and adjacent properties;
- e) Minimize the negative effects of overview on existing adjacent private properties; and,

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SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) - Page 10 of 20

- f) Encourage a diversity of built form, neighbourhood character and development opportunities along the Corridors.

The TOC Zones implement the policies in the City Wide Corridor Planning Principles and Design Guidelines. The pedestrian oriented and mixed use nature of the Zones assist in achieving the goals outlined in the Guidelines. Based on the aforementioned, the expansion of the TOC Zones is consistent with the Guidelines.

RELEVANT CONSULTATION

Staff from the Urban Design Section and Development Planning Sections have been consulted and have reviewed the attached Draft MRR Zones. Comments have been provided to further refine the Draft Zones prior to releasing it for public review and feedback. At the meeting, staff suggested changes to add clarity to the proposed zone regulations and definitions, and appropriate changes were made to the Draft zones.

Prior to the final Draft MRR Zones being brought forward to for approval, staff will engage in robust consultation with relevant internal departments, stakeholders, industry professionals, and members of the public. Staff will focus on refining the Draft MRR Zones to include good urban design measures, sustainability measures, and to meet intensification targets.

As discussed in Section 4.0 Next Steps of this Report (see below), the public consultation for the projects is proposed to be undertaken with other current Zoning By-law Reform projects in order to showcase a more complete picture and avoid duplication in information presented to the public. Consultation will occur between June – September of 2023. The projects include Low Density Residential Phase 2, Mid Rise Residential, Transit Oriented Corridor Zones (expanded area), the Low Density Residential Urban Design Standards, and the Sustainable Building Guidelines. The intent of this work is to develop a diverse and creative public consultation plan incorporating multiple methods of consultation.

ANALYSIS AND RATIONALE FOR RECOMMENDATIONS

1.0 Zoning and Climate Change Initiatives

The Mid Rise Residential Zoning is being developed in conjunction with a number of City led initiatives including the complete streets manual, the pending development engineering guidelines updated with the Low Impact Development Guidelines, the Green Development standards, the Urban Forestry Strategy, and are being developed to respond to climate change and housing affordability.

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SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) - Page 11 of 20

2.0 Mid Rise Residential Zones

Zoning By-law No. 05-200 introduced Low Density Residential Zones in August of 2022 R1 and R1a (Report PED22154). Planning staff have since begun work on developing MRR Zones as the next phase in the Residential Zones project. Staff have evaluated arterial roads within the built-up area to identify opportunities for intensification to meet population and job targets, to accomplish more efficient use of infrastructure and services, and to support transit and pedestrian oriented communities.

The Draft MRR Zones are intended to introduce zoning provisions for multiple dwelling buildings and similar uses, typically up to six storeys. The UHOP, through OPA No. 167, introduced increased height permissions to Medium Density Designation of up to 12 storeys in height without the need of an Official Plan Amendment. As a result of this change, the draft provisions are scaled to allow height flexibility, to a maximum of 12 storeys, provided the site can meet several criteria.

To accommodate development to a maximum height of 12 storeys, the site must also be able to accommodate:

- Increased side yard setbacks;
- Maximum lot coverage;
- Height stepbacks;
- Angular plane requirements;
- Minimum landscaped open space;
- Visual buffer planting strips; and,
- Amenity area on site.

The combination of these criteria prevents over development of a lot and decreases impact on neighbouring properties and the streetscape, meaning not all sites will meet the requirements to be developed at a height of 12 storeys. Holding provisions may be required to ensure the above criteria can be achieved on individual properties in order to allow the full extent of the permissions, and the use of a holding provisions will be explored when the proposed zones are applied to specific properties.

Zoning By-law No. 05-200 is a “living document”, which is flexible, user friendly, and responsive to the needs of residents and the business community. In developing the Zones, staff have taken direction from the UHOP which sets out specific policies in the Neighbourhoods designation with respect to permitted and prohibited uses, designation-specific policies such as parcel size, setbacks, and scale and design of the built form.

The Draft MRR Zones allow for a built form that provides what is commonly referred to as the ‘missing middle’.

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SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) - Page 12 of 20

The missing middle incorporates different forms of multiple dwellings including:

- Townhouses;
- Stacked townhouses;
- Block townhouses; and,
- Mid rise apartment/condominium buildings.

“Missing middle” housing provides choice to residents, are typically more affordable than single detached dwelling and other LDR uses, make more efficient use of land, infrastructure, transit, and other services, and can create a more walkable and dense community. The Draft MRR Zones provide infill opportunities while not disrupting the existing residential fabric. The Draft MRR Zones are meant to be applied on the periphery of neighbourhoods and serve as a transitional zone between Low Density Residential Zones and Commercial, Institutional, and High Rise Residential Zones. Providing transitional zones allows for a cohesive built form that manages conflicts between land uses and building forms and assists with maintaining area character.

The permitted uses, prohibited uses and zoning regulations were developed based on the character and desired built form and will direct future development, ensuring conformity with the UHOP policies.

There are two Draft MRR Zones that are being brought forward for permission to conduct public consultation through June – September 2023.

- Mid Rise Residential (R3) Zone; and,
- Mid Rise Residential – Small Lot (R3a) Zone.

The primary difference between the R3 and R3a Zone is the building scale and the function. The maximum height is proposed at 6 storeys in R3a whereas the maximum height is up to 12 storeys in the R3 Zone. The R3 Zone has a minimum lot area of 1575 square metres to ensure only larger lots are included in the zone, the R3 Zone also allows for mixed use buildings through permitting local commercial uses on the ground floor. Through the next stage, staff will contemplate land assembly requirements to achieve the full extent of zoning permissions in the R3 Zone and will be assessing the application criteria for implementation of each of the zones. Application criteria will be fully demonstrated through mapping changes which will form part of public consultation and final recommendations to Planning Committee.

The above Draft Zone provisions are attached as Appendix “A” and Appendix “B” to Report PED23069.

The following is a discussion of each of the Draft MRR Zones in greater detail.

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**SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor
Zones in Zoning By-law No. 05-200 Public Consultation (PED23069)
(City Wide) - Page 13 of 20**

2.1 Mid Rise Residential (R3) Zone

The vision for the R3 Zone is to be implemented along arterial roads with regular transit service, near commercial and institutional uses, and will not apply internal to existing neighbourhoods. The intent of the R3 Zone is to permit a range of unit types to meet the needs of the residents of the City. This Zone represents a more intense form of residential built form with a maximum building height of 44.0 metres (12 storeys) to align with UHOP OPA. 167. This Zone will generally be applied to large lots, at intersections, and on primary corridors.

Permitted uses include multiple dwellings, residential care facilities, and retirement homes. The Zone permits more flexibility on building height to allow for more housing units on main arterial roads. Additionally, local commercial type uses will be permitted on the ground floor of multiple dwellings and include uses such as Medical Clinic, Personal Services, Social Services Establishment, Retail, and Restaurant. In contrast to the Commercial Mixed Use Zones, C1, C2, and C3, the primary intent of the R3 Zone is providing residential units. In comparison, C1, C2, and C3, allow for commercial uses with accessory dwelling units, whereas R3 focuses on housing opportunities and allows for, but does not require, commercial accessory to residential.

2.2 Mid Rise Residential – Small Lot (R3a) Zone

The R3a Zone is intended to accommodate mid rise residential uses with a built form that is more appropriate near a low density residential context. The intent of the R3a Zone is to be implemented along arterial roads with access to transit, and along secondary corridors provide a mix of unit types and accommodate additional units. The maximum building height within this zone is proposed to be 22.0 metres (six storeys). This Zone creates an appropriate transition to low density residential uses by implementing increased setbacks, stepback requirements and reduced height permissions.

Permitted uses include multiple dwellings, residential care facilities, and retirement homes.

3.0 Municipal Zoning By-laws Comparisons

As part of the development of the Draft MRR Zones, staff compiled all zones in the former communities Zoning By-laws including, Ancaster, Dundas, Flamborough, Glanbrook, Stoney Creek, and the former City of Hamilton, that allowed for multiple dwellings in the height range of 6 to 12 storeys. The evaluation compared zone regulations for most restrictive, least restrictive, and identified common themes.

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SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) - Page 14 of 20

Many of the former community residential zones were created under a past provincial policy framework and previous iterations of the Official Plans and may not represent today's best practices. The comparison of zone regulations for the former community Zoning By-laws, municipal comparators, and the Draft MRR Zones, are presented in Appendix "E" attached to Report PED23069. The most notable differences between the Former Community By-law zone provisions for a 6 to 12 storey multiple dwelling, and the Draft MRR Zone provisions include:

- Allowing a maximum building height of 44.0 metres (12 storeys);
- A reduced front yard of 3.0 – 6.0 metres;
- A scaling interior side yard setback relative to height;
- A scaling stepback relative to height;
- Increased amenity area per unit; and,
- Increased minimum landscaped open space.

Staff also reviewed common mid rise residential practices from other neighbouring municipalities such as Kitchener, London, Kingston, Barrie, and Toronto to gain an understanding of current trends in land use and zoning. Elements of these trends have been incorporated into the Draft MRR Zones.

4.0 Additions to Other Sections of Zoning By-law No. 05-200

As the Draft MRR Zones move through the next phase, staff will evaluate additional amendments needed to other sections of the Zoning By-law, such as;

- Section 3: Definitions;
- Section 4: General Provisions; and,
- Section 5: Parking Regulations.

Further, existing special exceptions and holding provisions will be investigated to determine if they need to be carried forward.

5.0 Transit Oriented Corridor Zone Expansion

The TOC Zone expansion is part of a larger effort to comprehensively evaluate opportunities for intensification within the urban boundary. As staff reviewed intensification opportunities, arterial roads presented the most appropriate means of intensification. The BLAST network and primary corridors presented a different land use context and opportunity for increased intensification and more diverse uses. Opportunities identified included;

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SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) - Page 15 of 20

- Arterials roads, not along the BLAST network, present an opportunity for Mid Rise Residential intensification; and,
- BLAST network opportunity for expansion of the TOC Zones.

Currently, there are four TOC Zones within Zoning By-law No. 05-200;

- Transit Oriented Corridor – Mixed Use Medium Density (TOC1) Zone;
- Transit Oriented Corridor – Local Commercial (TOC2) Zone;
- Transit Oriented Corridor – Multiple Residential (TOC3) Zone; and,
- Transit Oriented Corridor – Mixed Use High Density (TOC4) Zone.

The following descriptions of each of the TOC Zones provides context on the different applications and intent for each.

5.1 TOC1 Zone

The TOC1 Zone is located along collector and arterial roads that function as higher order transit corridors. The Zone provides for a mixture of service commercial, retail and residential uses in stand-alone or mixed use buildings. The intent of the built form requirements is to create complete streets that are transit supportive and will provide for active, and pedestrian oriented streets.

5.2 TOC2 Zone

The TOC2 Zone is located along collector and arterial roads which function as higher order transit corridors. The intent of the TOC2 Zone is to maintain areas of the corridor for uses that provide the daily and weekly services required for the local residents and surrounding community. The TOC2 Zone permits a mix of commercial and residential uses, however the priority of these areas is to maintain and provide service commercial and retail uses to meet the needs of the local community.

5.3 TOC3 Zone

The TOC3 Zone is located along collector and arterial roads that function as higher order transit corridors. The Zone recognizes the residential nature of sections of the corridor and the need to maintain these areas for residential purposes in the future. The built form requirements allow for medium-density development; however, this zone also recognizes existing built form.

5.4 TOC4 Zone

The TOC4 Zone is applied within the Centennial Sub-Regional Service Node, along the major arterial road that functions as a higher order transit corridor. The Zone provides

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SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) - Page 16 of 20

for a mixture of service commercial and retail uses intended to serve a regional market and the day-to-day needs of residents in the immediate area. The intent of the built form requirements is to create a people place through the design and physical arrangement of service commercial, retail and high density residential uses to facilitate the function of the area as a major transit hub.

5.5 Application of the TOC Zones

The BLAST network arterials will be evaluated on a case by case basis to provide context for the most appropriate TOC Zone application. The TOC Zones provide flexibility in use, while consistently providing a pedestrian focused built form. As part of the evaluation, the TOC Zone provisions will be reviewed as the context of lands within the Zones expand. The variability through TOC Zones 1-4 allows for flexibility in application. The BLAST network is partially comprised of primary and secondary Urban Corridors, including Mohawk Road West, Upper James Street, and Rymal Road East, as seen on “Schedule E – Urban Structure” of the UHOP. The UHOP provides that Urban Corridors should be the focus of intensification and mixed use built form. These corridors should connect neighbourhoods, support transit, and provide opportunities for live, work, and play. The TOC Zones provide regulations through the Zoning By-law that implement these policies and are therefore being explored along the BLAST network.

6.0 Current Development Application Review

Staff have been reviewing active Development Applications to compare existing zoning regulations against the Draft MRR Zones. This review has identified common areas of variance as well as opportunities for regulations to better implement the policies of the UHOP and other guiding documents including commonalities in built form, massing and site layout. Staff further tested the Draft Zone provisions through highlighting discrepancies in recent applications that would require an amendment or minor variance.

Some trends were identified, such as similar minimum landscaped area percentages, however, generally were diverse. As a result of the testing of sites and formal consultation development proposals, staff revised the Zone provisions to represent a realistic and flexible set of regulations. Flexibility is built into Zoning to account for various site contexts, conditions, layout and design. Development proposals reviewed represented a wide array of building form and site design, including multiple dwellings in the form of apartment/condo buildings of various heights, various forms of townhomes, and a combination of built forms.

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SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) - Page 17 of 20

Additionally, staff tested the Draft MRR Zone provisions through modelling software on a number of sites throughout the City. The following regulations were tested using different development scenarios:

- Height;
- Front yard setback;
- Rear yard setback;
- Side yard setback;
- Height step-backs;
- Lot coverage; and,
- Minimum landscaped area.

Site testing was done on a number of sites including lots of varying size, location, and context. Neighbouring properties were reviewed to evaluate impact on the street. As a result of site testing, the proposed setback from the front lot line and side yard was increased, and more measures were implemented to mitigate shadow impact from height increases. The required landscaped area was also increased to avoid over development of lots. Further site testing is to be completed through summer of 2023.

7.0 Green Building Standards

On September 6, 2022, Planning Committee approved Report PED22185 which gave staff permission to further consult on the Sustainable Building and Development Guidelines – Low Density Residential. At that meeting, staff heard feedback that Committee desired a more comprehensive review of Green Building Standards (GBS) to be applied across all zones. As a result, staff retained the consultant who completed Phase 1 – Low Density Residential, to conduct a larger review across all zones. That work is currently underway and is expected to be brought to Planning Committee in Q4 of this year. Following the adoption of the GBS, the MRR Zones will incorporate the principals of the GBS as a form of implementation.

The City of Hamilton received a letter from the Ministry of Municipal Affairs and Housing regarding amendments to the Building Code which will include new Green Building Standards for all new development. The City is participating in the consultation process in the development of the new standards and the City's Green Building Standards will reflect any changes made to the Building Code. Municipalities are not permitted to be more restrictive than the Building Code, and therefore, any Standards will be aligned.

8.0 City-Wide Parking Study

In 2022 Transportation Planning and Planning staff initiated a City-wide Parking Study that will review parking rates for all residential uses. The study is expected to be completed and brought to Planning Committee in 2023. As a result of the Parking

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SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) - Page 18 of 20

Study, some changes to the MRR Zones and Section 5: Parking of Zoning By-law No. 05-200 may be required. Staff will monitor the progress of the study and incorporate any changes as necessary.

9.0 Implementation

The implementation of the draft MRR Zones and expansion of the TOC Zones align with the Residential Intensification targets established through the GRIDS Master Plan work. Staff will continue to discuss the zoning changes with colleagues in Development Engineering, Transportation Planning and Public Works to ensure that the proposed zoning framework, lands subject to the change in zoning and any infrastructure modelling contemplate the additional development permissions and reflect the City's goals for growth.

The draft MRR Zones and the expansion of the TOC Zones will facilitate an 'up zoning' of the properties along the City's Urban Corridors and major and minor arterial streets. Development along the corridors will be subject to normal development processes including Site Plan Control, Land Severance, and possibly Minor Variance applications to accommodate specific development proposals.

10.0 Next Steps: Consultation

Staff will be proceeding with a robust consultation plan for the Draft MRR Zones and the expansion of the TOC Zones in coordination with other ongoing City Initiatives. It is contemplated that the results of the consultation plan will inform updates and changes to the draft MRR Zones and implementing mapping. Areas of interest such as urban design, transportation, permitted uses, and waste management, may have impact on the final zoning regulations. The following is a detailed summary of the particulars of each phase.

10.1 Open House In-Person and Virtual

A number of statutory open houses will be held throughout the City between June and September 2023 at varying times of day. This format was successful during the Rural Zoning, CMU Zoning, and TOC Zoning, as the format allows residents and business owners the opportunity to attend either one of these events based on their availability and provide the necessary feedback to Staff on the proposed Zones. The open houses will consult on multiple ongoing projects that are all contributing to the future built form of the City of Hamilton. These projects are being consulted on concurrently to provide the public with a whole picture, rather than a piece meal approach that does not accurately depict the full scope of projects being brought forward. The location of the meetings will be as accessible as possible with access to public transit, sufficient

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SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (PED23069) (City Wide) - Page 19 of 20

parking, and be barrier-free. The virtual open houses will provide an opportunity for those that cannot physically attend in person open houses.

The Statutory Open Houses will include a presentation along with a series of display panels identifying the Draft MRR and TOC Zones and pertinent proposed regulations. Staff will be available throughout the Statutory Open Houses to provide assistance on questions and feedback.

10.2 Engage Hamilton and Project Webpages

In addition to the Open Houses, a webpage will be made available for public information on www.engagehamilton.ca. Further to EngageHamilton, a webpage for each project will provide a summary of the project and an opportunity for members of the public to submit questions or feedback.

The webpage for the Draft MRR Zones project will provide the draft zone provisions, modelling imagery showcasing zone provisions, as well as draft mapping to show potential sites to be re-zoned to an MRR Zone. The website will provide contact information for more details and to submit questions or comments.

The webpage for the TOC Zones Expansion project will provide modelling imagery showcasing zone provisions, as well as draft mapping to show potential sites to be re-zoned to a TOC Zone.

10.3 Public Feedback Summary and Consultation Summary Report

Following the public and stakeholder consultation, as well as internal staff consultation with various departments and the Technical Advisory Committee (TAC), a summary will be provided of all public feedback, which will be included in a consultation summary report. Each of the respective projects will contain a section speaking to both the public feedback summary and consultation summary report, and how comments, questions, and concerns were addressed.

All comments received will be reviewed and will inform the final Draft MRR Zones and the expansion of the TOC Zones and will return to Planning Committee for approval.

ALTERNATIVES FOR CONSIDERATION

Council may choose not to support authorization for staff to commence public consultation on the Draft MRR Zones and TOC Zone expansion. Planning Committee / Council may choose to have further discussion on changes to the draft zoning before public consultation begins. The alternative would delay the Residential Zones work plan and delay the implementation of the Draft Zones.

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OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Mid Rise Residential Zones and Expanded Transit Oriented Corridor
Zones in Zoning By-law No. 05-200 Public Consultation (PED23069)
(City Wide) - Page 20 of 20**

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED23069 - Draft Mid Rise Residential R3 Zone

Appendix “B” to Report PED23069 - Draft Mid Rise Residential R3a Zone

Appendix “C” to Report PED23069 - UHOP Appendix “B” – Major Transportation
Facilities and Routes

Appendix “D” to Report PED23069 - “Schedule E – Urban Structure” of the UHOP

Appendix “E” to Report PED23069 - Comparison Chart for Zoning Provisions of 6-12
Storey Multiple Dwellings in the Former
Community Zoning By-laws

MS:sd

OUR Vision: To be the best place to raise a child and age successfully.

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SECTION 15: RESIDENTIAL ZONES

“15.4 MID RISE RESIDENTIAL(R3) ZONE

Explanatory Note: The Arterial Mid Rise Residential (R3) Zone applies to lands on major arterial roads. The intent of the R3 Zone is to permit a range of medium density residential housing types, and local commercial uses to meet the needs of the residents of the city and provide a transition between low density residential and denser forms of development.

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Mid Rise Residential (R3) Zone for any purpose other than one or more of the following uses or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

- 15.4.1 PERMITTED USES**
- Art Gallery
 - Commercial School
 - Community Garden
 - Craftsperson Shop
 - Day Nursery
 - Financial Establishment
 - Lodging House
 - Medical Clinic
 - Multiple Dwelling
 - Office
 - Personal Services
 - Place of Worship
 - Repair Service
 - Restaurant
 - Retail
 - Residential Care Facility
 - Retirement Home
 - Social Services Establishment
 - Studio
 - Tradesperson Shop
 - Urban Farm
 - Veterinary Service

15.4.1.1 RESTRICTED USES In addition to Section 15.4.1, the following uses shall be permitted in accordance with the following restrictions:

- i) Residential Care Facility
 - 1. Maximum Capacity is 24 residents.

SECTION 15: RESIDENTIAL ZONES

- ii) The following uses shall only be permitted as an accessory use to a Multiple Dwelling and shall only be permitted within the ground floor of a building:

- Art Gallery
- Commercial School
- Craftsperson Shop
- Day Nursery
- Financial Establishment
- Medical Clinic
- Office
- Personal Services
- Place of Worship
- Repair Service
- Restaurant
- Retail
- Studio
- Social Services Establishment
- Veterinary Service

- iii) Restriction of dwelling units within a building:
 - 1. The finished floor elevation of any dwelling unit shall be a minimum of 0.9 metres above grade; and,
 - 2. Notwithstanding Subsection 15.4.1.1 iv) 1., dwelling unit(s) shall be permitted in a basement or cellar.

15.4.2 REGULATIONS

15.4.2.1 RESIDENTIAL CARE FACILITY, MULTIPLE DWELLING, LODGING HOUSE, AND RETIREMENT HOME REGULATIONS

- a) Minimum Setback from a Street Line 4.5 metres.
- b) Minimum Side Yard
 - i) 3.0 metres.

SECTION 15: RESIDENTIAL ZONES

- ii) Notwithstanding 15.4.2.1 b) i) above, where windows of a habitable room face an interior side yard, the minimum setback shall be 5.5 metres.
- c) Minimum Rear Yard
 - i) 7.5 metres.
- d) Minimum Lot Area 1575 square metres.
- e) Minimum Lot Width 30.0 metres.
- f) Building Height
 - i) Maximum 44.0 metres.
 - ii) Notwithstanding Subsection 15.4.2.1 f) i), any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirements established in Subsection 15.4.2.1 a) b), and c), to a maximum of 44.0 metres.
 - iii) In addition to the definition of Building Height, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:
 - 1. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not exceed 10% of the floor area of the storey directly beneath;
 - 2. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback

SECTION 15: RESIDENTIAL ZONES

a minimum of 3.0 metres from the exterior walls of the storey directly beneath; and,

3. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.

g) Minimum Separation Distance

- i) Between two exterior walls which contain no windows to a habitable room, a minimum of 3.0 metres; and
- ii) Between two exterior walls one of which contains windows to a habitable room, a minimum of 5.5 metres; and,
- iii) Between two exterior walls both of which contain windows to a habitable room, a minimum of 11 metres.

h) Built Form for New Development

- In the case of buildings constructed after the effective date of this By-law excluding any alterations to façade, windows or doors, after the effective date of this by-law:
- i) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 50% of the measurement of the front lot line.
 - iii) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line and flankage lot line.
 - iv) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.

SECTION 15: RESIDENTIAL ZONES

ZONING BY-LAW

- i) Minimum Amenity Area for Multiple Dwelling 5.0 square metres per unit.
- j) Planting strip Where a property lot line abuts a property lot line within a Residential Zone, Institutional Zone, or Downtown (D5) Zone and not a Laneway, a minimum 3.0 metre wide Planting Strip shall be provided and maintained.
- k) Visual Barrier A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, or Downtown (D5) Zone line in accordance with the requirements of Section 4.19 of this By-law.
- l) Minimum Landscaped Area 25%.
- m) Parking In accordance with the requirements of Section 5 of this By-law.
- n) Accessory Buildings In accordance with the requirements of Section 4.8 of this By-law.
- 15.4.2.2 URBAN FARM** In accordance with the requirements of Section 4.26 of this By-law.
- 15.4.2.3 COMMUNITY GARDEN REGULATIONS** In accordance with the requirements of Section 4.27 of this By-law.

SECTION 15: RESIDENTIAL ZONES

15.5 MID RISE RESIDENTIAL – SMALL LOT (R3a) ZONE

Explanatory Note: The R3a Zone applies to mid rise residential areas on small lots on minor and major arterial roads. The intent of the R3a Zone is to permit a range of medium density residential housing types to meet the needs of the residents of the city and provide a transition between low density residential zones and denser forms of developments.

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Mid Rise Residential – Small Lot (R3a) Zone for any purpose other than one or more of the following uses or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

- 15.5.1 PERMITTED USES**
- Community Garden
 - Lodging House
 - Multiple Dwelling
 - Residential Care Facility
 - Retirement Home
 - Urban Farm

15.5.1.1 RESTRICTED USES

In addition to Section 15.5.1, the following uses shall be permitted in accordance with the following restrictions:

- i) Residential Care Facility
 - 1. Maximum Capacity is 24 residents.
- ii) Restriction of Uses within a building:
 - 1. The finished floor elevation of any dwelling unit shall be a minimum of 0.9 metres above grade; and,
 - 2. Notwithstanding Subsection 15.5.1.1 iii) 1., Dwelling Units(s) shall be permitted in a basement or cellar.

15.5.2 REGULATIONS

15.5.2.1 RESIDENTIAL CARE FACILITY, MULTIPLE DWELLING, LODGING HOUSE, AND RETIREMENT HOME REGULATIONS

SECTION 15: RESIDENTIAL ZONES

- a) Minimum Setback from a Street Line
 - i) 3.0 metres for the first 11.0 metres in building height.
 - ii) 4.5 metres for the any portion of building exceeding 11.0 metres, to a maximum of 22.0 metres.
- b) Minimum Setback from a Side Lot Line
 - i) 3.0 metres.
 - ii) Notwithstanding 15.5.2.1 b) i) above, where windows of a habitable room face an interior side yard, the minimum setback shall be 5.5 metres.
- c) Minimum Setback from the Rear Lot Line
 - i) 7.5 metres.
- d) Minimum Lot Width
 - i) 30.0 metres.
- e) Building Height
 - i) Maximum 22.0 metres.
 - ii) In addition to the definition of Building Height, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:
 - 1. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not exceed 10% of the floor area of the storey directly beneath;
 - 2. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area

SECTION 15: RESIDENTIAL ZONES

shall be setback a minimum of 3.0 metres from the exterior walls of the storey directly beneath; and,

3. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.



















- | | |
|-----------------------------------|--|
| f) Minimum Separation Distance | <ol style="list-style-type: none">i) Between two exterior walls which contain no windows to a habitable room, a minimum of 3.0 metres; andii) Between two exterior walls one of which contains windows to a habitable room, a minimum of 5.5 metres; andiii) Between two exterior walls both of which contain windows to a habitable room, a minimum of 11 metres. |
| g) Built Form for New Development | <p>In the case of buildings constructed after the effective date of this By-law excluding any alterations to façade, windows or doors, after the effective date of this by-law:</p> <ol style="list-style-type: none">i) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 50% of the measurement of the front lot line.ii) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line and flankage lot line.iii) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street |

SECTION 15: RESIDENTIAL ZONES

- h) Minimum Amenity Area for Multiple Dwelling 5.0 square metres per dwelling unit.
- i) Planting Strip Where a property lot line abuts a property lot line within a Residential Zone, Institutional Zone, or Downtown (D5) Zone and not a laneway, a minimum 3.0 metre wide planting strip shall be provided and maintained.
- j) Visual Barriers A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, or Downtown (D5) Zone line in accordance with the requirements of Section 4.19 of this By-law.
- k) Minimum Landscaped Area 25%.
- l) Parking In accordance with the requirements of Section 5 of this By-law.
- m) Accessory Buildings In accordance with the requirements of Section 4.8 of this By-law.
- 15.5.2.2 URBAN FARM** In accordance with the requirements of Section 4.26 of this By-law.
- 15.5.2.3 COMMUNITY GARDEN REGULATIONS** In accordance with the requirements of Section 4.27 of this By-law.




Legend

-  Provincial Highway (Controlled Access)
-  Parkway
-  Railway
-  Railyard
-  Urban Expansion Area - Neighbourhoods
-  Urban Expansion Area - Employment
-  Port of Hamilton
-  Potential Multi Modal Hub
-  MTSA - GO Transit Station
-  MTSA - Future LRT Station
-  Priority Transit Corridor
-  Potential Higher Order Transit
-  Potential Multi Modal Hub
- Other Features**
-  Rural Area
-  John C. Munro Hamilton International Airport
-  Niagara Escarpment
-  Urban Boundary
-  Municipal Boundary

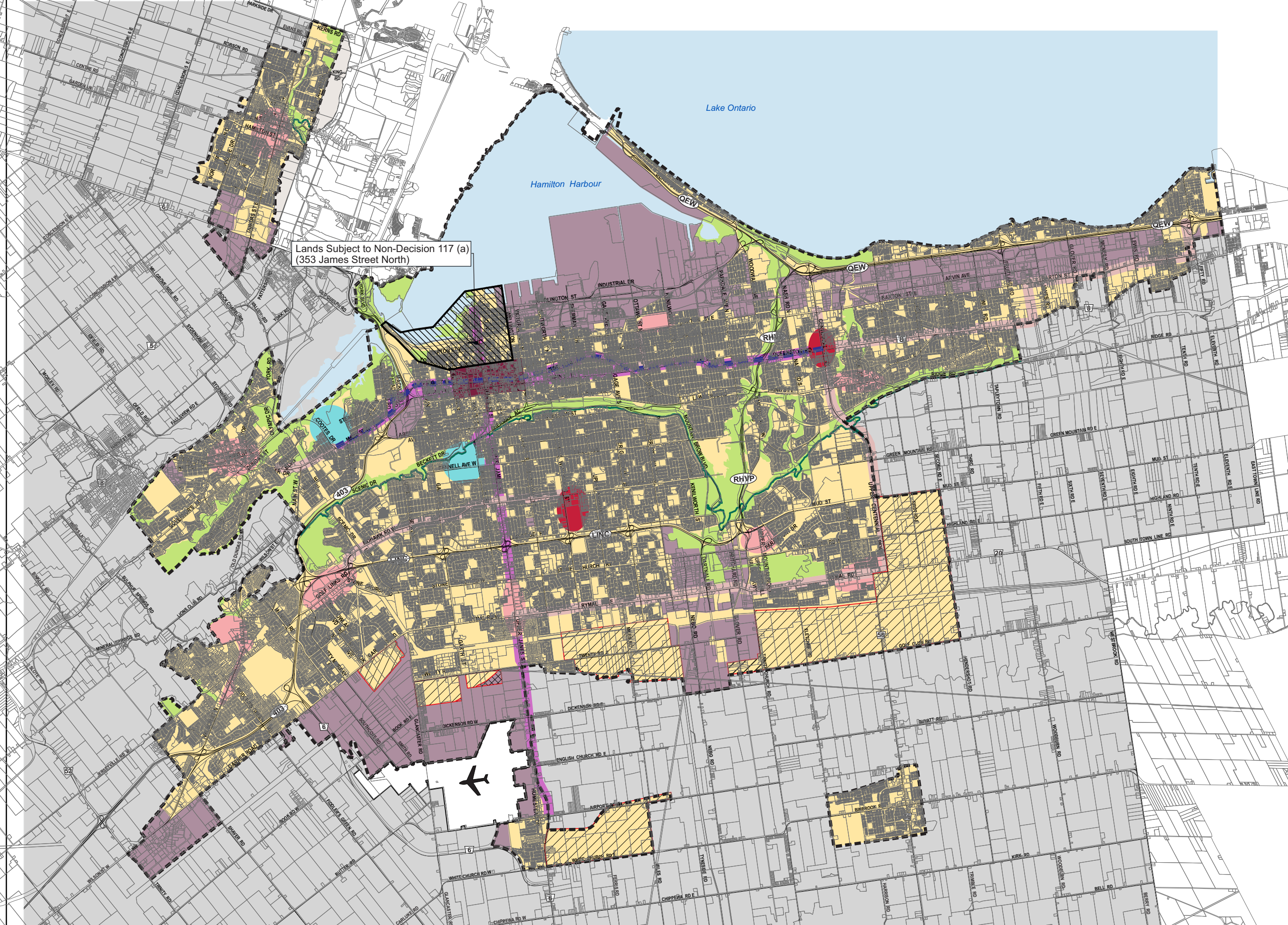
Council Adoption: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan
 Appendix B
 Major Transportation
 Facilities and Routes**

Not To Scale



Date: Nov. 2022
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
 © Teranel Land Information Services Inc. and its licensors, [2009]
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 OF SURVEY



Lands Subject to Non-Decision 117 (a)
 (353 James Street North)

Legend
Urban Structure Elements

- Neighbourhoods
- Employment Areas
- Major Activity Centres
- Major Open Space
- Urban Expansion Area - Neighbourhoods
- Urban Expansion Area - Employment

Nodes

- Downtown Urban Growth Centre
- Sub Regional Service
- Community

Corridors

- Primary
- Secondary
- Priority Transit Corridor

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
 Urban Structure**



Appendix “E” to Report PED23069
Page 1 of 3

Comparison Chart for Zoning Provisions of 6-12 Storey Multiple Dwellings in the Former Community Zoning By-Laws

Zones	Permitted Uses	Min lot area	Min Lot frontage	Max Height	Front Yard	Rear Yard	Interior Side Yard	Flankage Yard	Landscaped Area/ Landscaped Open Space	Amenity area
Proposed Zones Hamilton Zoning By-law No. 05-200										
Proposed Mid Rise Residential (R3)	Multiple Dwelling	1575 m ²	30 m	44 m	4.5 m	7.5 m	3.0 – 5.5 m	4.5 m	25%	5.0 m ² per unit
Proposed Mid Rise Residential (R3a)	Multiple Dwelling	N/A	30 m	22 m	3.0 *	7.5 m	3.0 – 5.5 m	3.0 *	25%	5.0 m ² per unit
Hamilton Zoning By-law No. 6593										
“E” District (Multiple Dwellings, Lodges, Clubs, etc.) District	Multiple Dwelling	450 m ²	15 m	8 storeys or 26.0 m, up to 12 storeys or 39.0 m*	3.0-7.5 m*	3.0-13.5 m *	4.5 – 13.5m *	3.0-7.5 m*	25%	
“E-2” (Multiple Dwellings) District	Multiple Dwelling	540 m²	15 m	8 storeys or 26.0 m, up to 12 storeys or 39.0 m*	3.0-7.5 m*	7.5 m	1.5 – 13.5 m *	3.0-7.5 m*	25%	
“E-3” (High Density Multiple Dwellings) District	Multiple Dwelling	450 m ²	15 m	8 storeys or 26.0 m, up to 18 storeys or 57.0 m*	3.0-7.5 m*	3.0 - 13.5 m*	1.5 – 13.5 m*	3.0 – 7.5 m*	40%	
Stoney Creek Zoning By-law No. 3692-92										

Appendix “E” to Report PED23069
Page 2 of 3

Multiple Residential “RM3” Zone	Apartment Dwelling	4000 m ²	50m	11m	7.5 m	15 m	½ building height, no less than 6m*	½ building height, no less than 7.5 m*	25%	
Multiple Residential “RM4” Zone	Apartment Dwelling	4000 m ²	45 m	25m	7.5 m*	7.5 m*	7.5 m*	9.0 m*	50%	1.5 – 4m ² per unit
Multiple Residential “RM5” Zone	Apartment dwelling	1 hectare	60m	No Maximum	7.5m*	7.5m*	7.5m*	9m*	50%	1.5 – 4 m ² per unit
Town of Ancaster Zoning By-law No. 87-57										
6-12 Storeys not permitted as of right.										
Town of Dundas Zoning By-law No. 3581-86										
Medium to High Density Multiple Dwelling Zone (RM3)	Apartment dwelling	1380 m ²	30m	16.5 m	7.5 m	7.5 m	45% of building height	45% of building height	30%	
High Density Multiple Dwelling Zone (RM4)	Apartment dwelling	1380 m ²	30m	16.5m	7.5 m	7.5 m	40% of building height	40% of building height	30%	
Town of Glanbrook Zoning By-law No. 464										
6-12 Storeys not permitted as of right.										

Appendix "E" to Report PED23069

Page 3 of 3

Town of Flamborough Zoning By-law No. 90-145-Z										
Medium- High Density Residential (R7) Zone	Apartment Building	4000 m ²	45m	33m	7.5m	10m	7.5m	7.5m	30%	
High Density Residential (R8) Zone	Apartment Building	4000 m ²	45m	44m	7.5m	10m	7.5	7.5	30%	

*Denotes a calculation is required to obtain the final number



WELCOME TO THE CITY OF HAMILTON

PLANNING COMMITTEE

June 13, 2023

PED23069 – Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation (City Wide)

Presented by: Mallory Smith

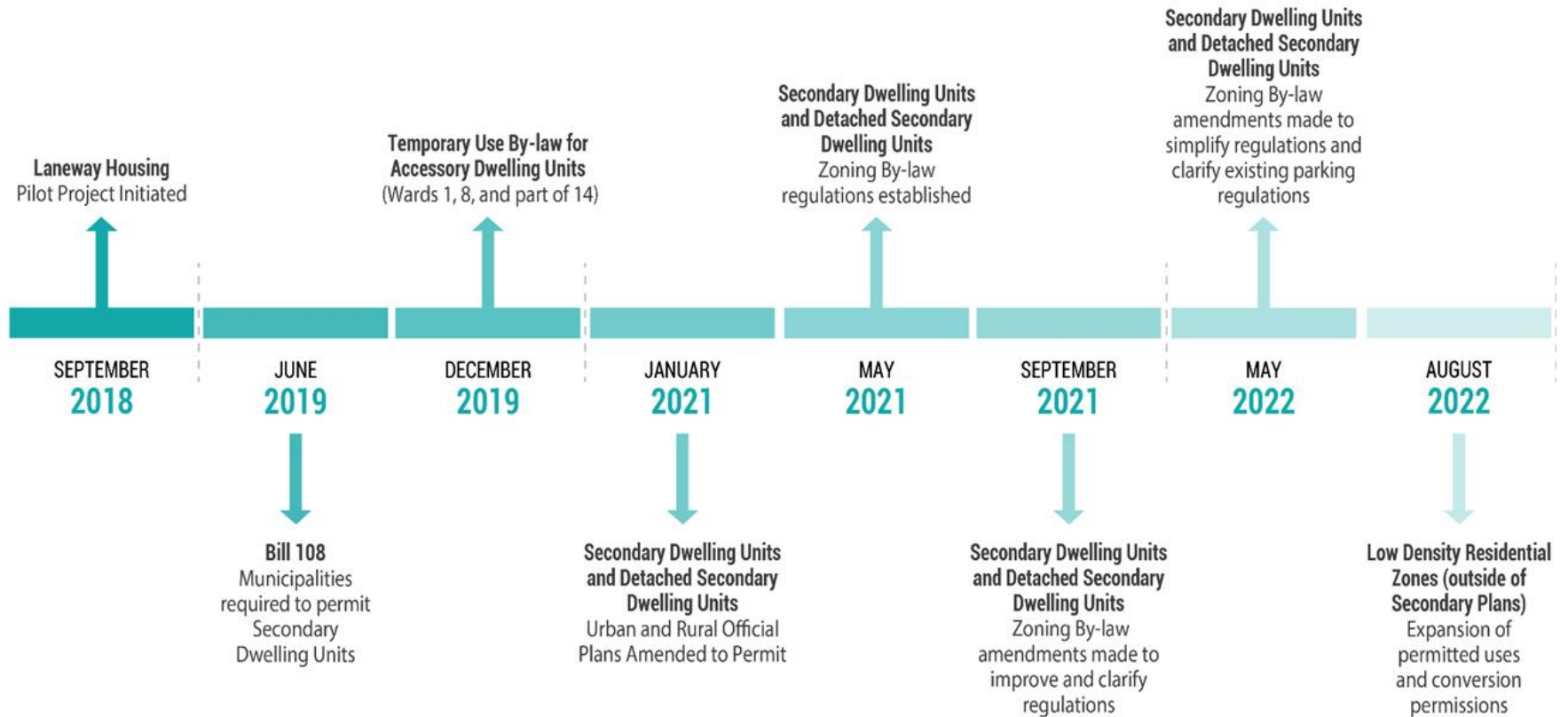
Background

- Zoning By-law No. 05-200
 - ‘Living Document’ completed in phases



WHERE WE WERE

An Incremental Approach to Increasing Housing Choice



WHERE WE ARE

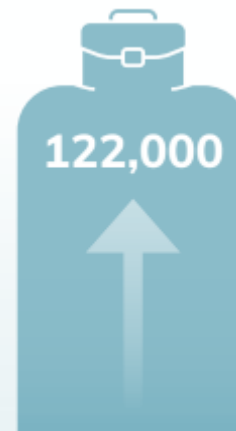
Intensification of Corridors

- To accommodate Hamilton's forecasted growth over the next 30 years, a significant amount of intensification will need to occur across the built-up area.
- The UHOP places a strong emphasis on growth in existing built-up areas by encouraging intensification, redevelopment, and compact built form throughout the urban area.

An increase of at least **236,000 people**, for a total population of at least **820,000 people**.



An increase of at least **122,000 jobs**, for a total employment of at least **360,000 jobs**.



As our City grows, we can achieve more sustainable growth that makes use of existing infrastructure and services by growing within the built-up areas of the City.

Background

- Municipal Housing Pledge (March 2023) to facilitate 47,000 units by 2031
- 'Up Zoning' of the City's Urban Corridors and major and minor arterial roads to the 'missing middle' which considered 12 storeys or less



Increased Housing Opportunities in Hamilton Through Zoning Reform

Increasing Housing Opportunities



120,380
Number of properties with a Low Density Residential Zone in the City of Hamilton (Urban Area)

82,810 - 69%
Number of properties where the zoning has changed to allow for a greater range of housing options



112,721.90 hectares
Total City of Hamilton Land Area

26,267.20ha - 23.3%
Urban Area

2,240.90ha - 8.53%
Urban Expansion Areas

86,454.70ha - 76.70%
Rural Area

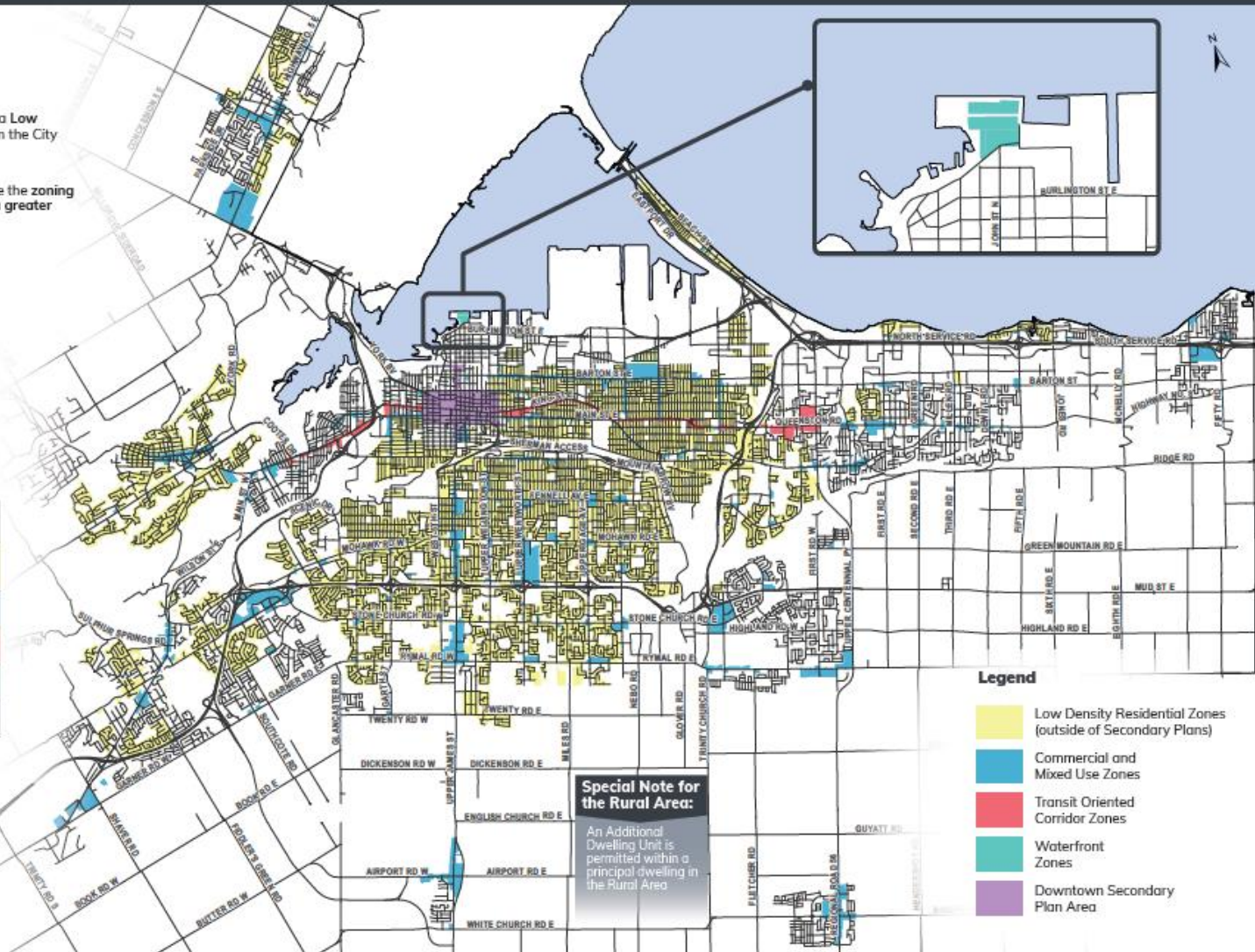
Current Housing Opportunities in Neighbourhoods, the Downtown, and Zones Permitting Mixed-Use Development

Of the Total Urban Area	Hectares	%	Number of properties
Low Density Residential Zones (outside of Secondary Plans)	5,550.00	21.13	82,810
Commercial and Mixed Use Zones	1,092.60	4.16	3,838
Transit Oriented Corridor Zones	150.90	0.57	934
Waterfront Zones	6.90	0.03	6
Downtown Hamilton Secondary Plan Area	177.2	0.67	1,494

Future Housing Opportunities Planned for:

Secondary Plans ¹	8,031.81ha - 30.57% (of the total urban area)
Urban Expansion Areas	2,240.90ha - 8.53% (of the total urban area)

¹ Does not include lands within the West Harbour (Setting Sail) Secondary Plan or the Downtown Hamilton Secondary Plan.

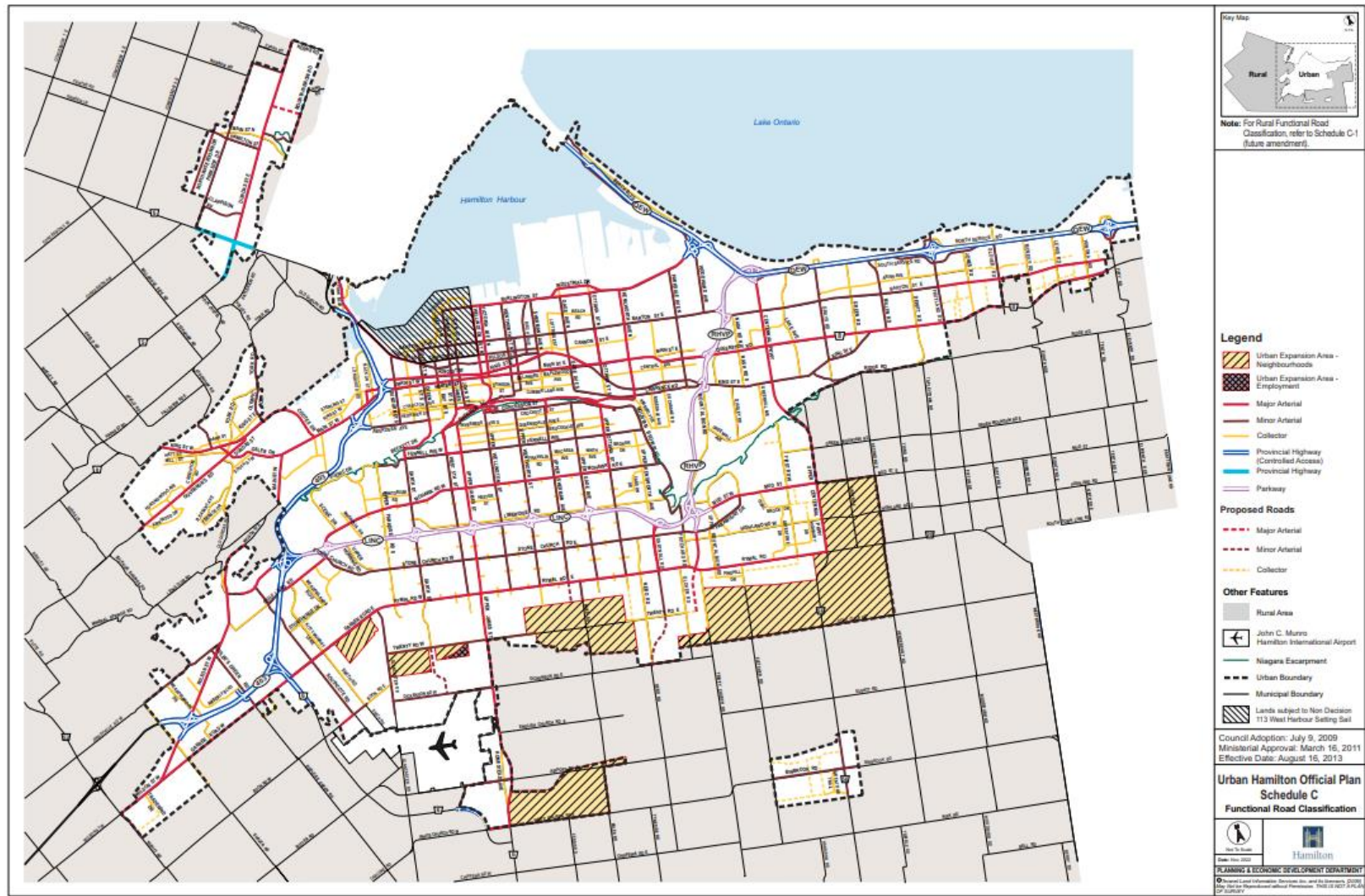


Special Note for the Rural Area:
An Additional Dwelling Unit is permitted within a principal dwelling in the Rural Area

Legend

- Low Density Residential Zones (outside of Secondary Plans)
- Commercial and Mixed Use Zones
- Transit Oriented Corridor Zones
- Waterfront Zones
- Downtown Secondary Plan Area

Intensification on Arterials



Mid Rise Residential Zone (R3)

- 15.4.1 PERMITTED USES**
- Art Gallery
 - Commercial School
 - Community Garden
 - Craftsperson Shop
 - Day Nursery
 - Financial Establishment
 - Lodging House
 - Medical Clinic
 - Multiple Dwelling
 - Office
 - Personal Services
 - Place of Worship
 - Repair Service
 - Restaurant
 - Retail
 - Residential Care Facility
 - Retirement Home
 - Social Services Establishment
 - Studio
 - Tradesperson Shop
 - Urban Farm
 - Veterinary Service



Mid Rise Residential Zone – Small Lot (R3A)

15.5.1 PERMITTED USES

- Community Garden
- Lodging House
- Multiple Dwelling
- Residential Care Facility
- Retirement Home
- Urban Farm



Highlights of Proposed Mid Rise Residential Zones

- Flexibility for residents by improving housing choices.
- Providing opportunities for intensification by allowing a broader range of housing types on the periphery of neighbourhoods across the City.
- Provides for a transition between Low Density Residential and more intense uses (High Density Residential, Commercial, etc.)

Within the City's existing neighbourhoods, more people can be accommodated by providing a greater mix of housing options.

This improves the housing choice and more affordable housing options for residents.



TOC on BLAST



Intensification on Arterials

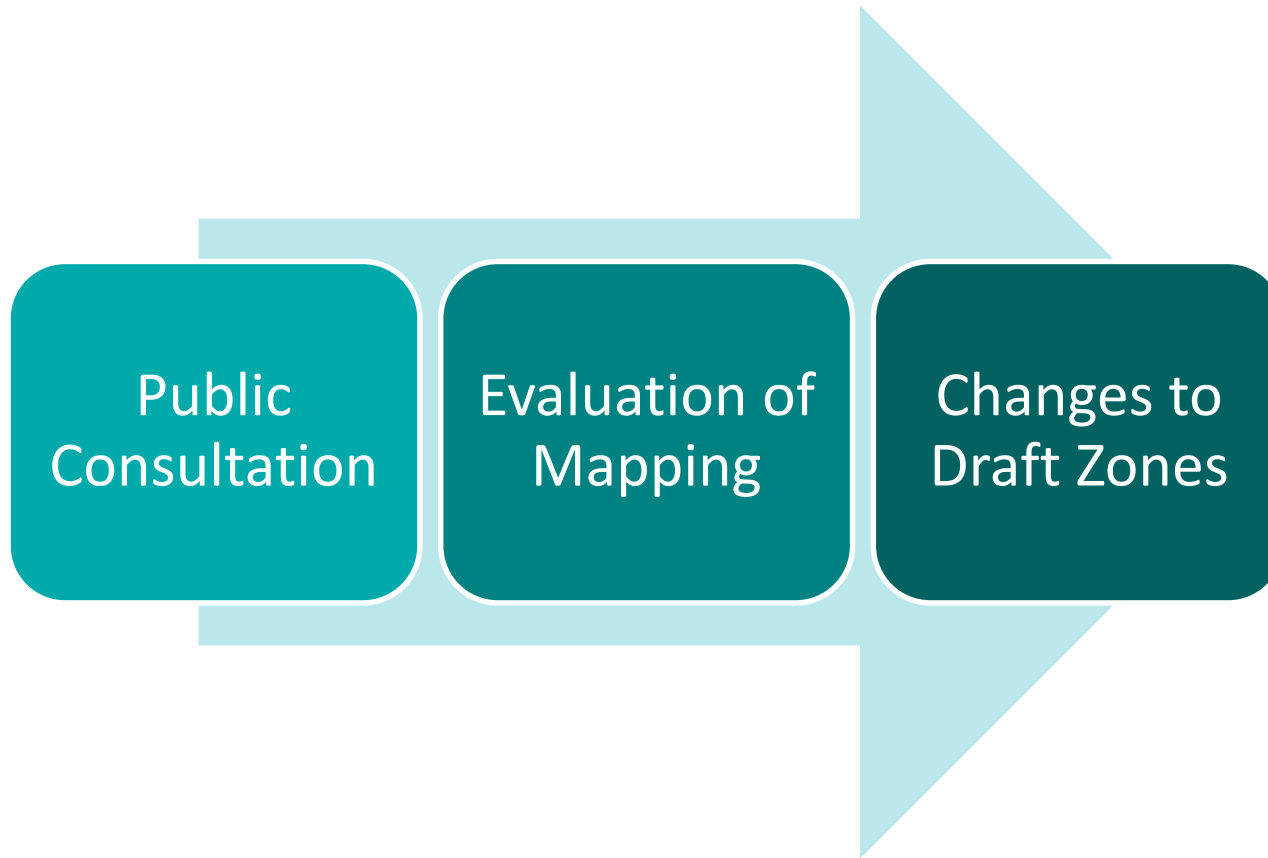
Opportunities identified included;

- Arterials roads, not along the BLAST network, present an opportunity for Mid Rise Residential intensification; and,
- BLAST network opportunity for expansion of the TOC Zones.



WHERE WE ARE GOING

Next Steps

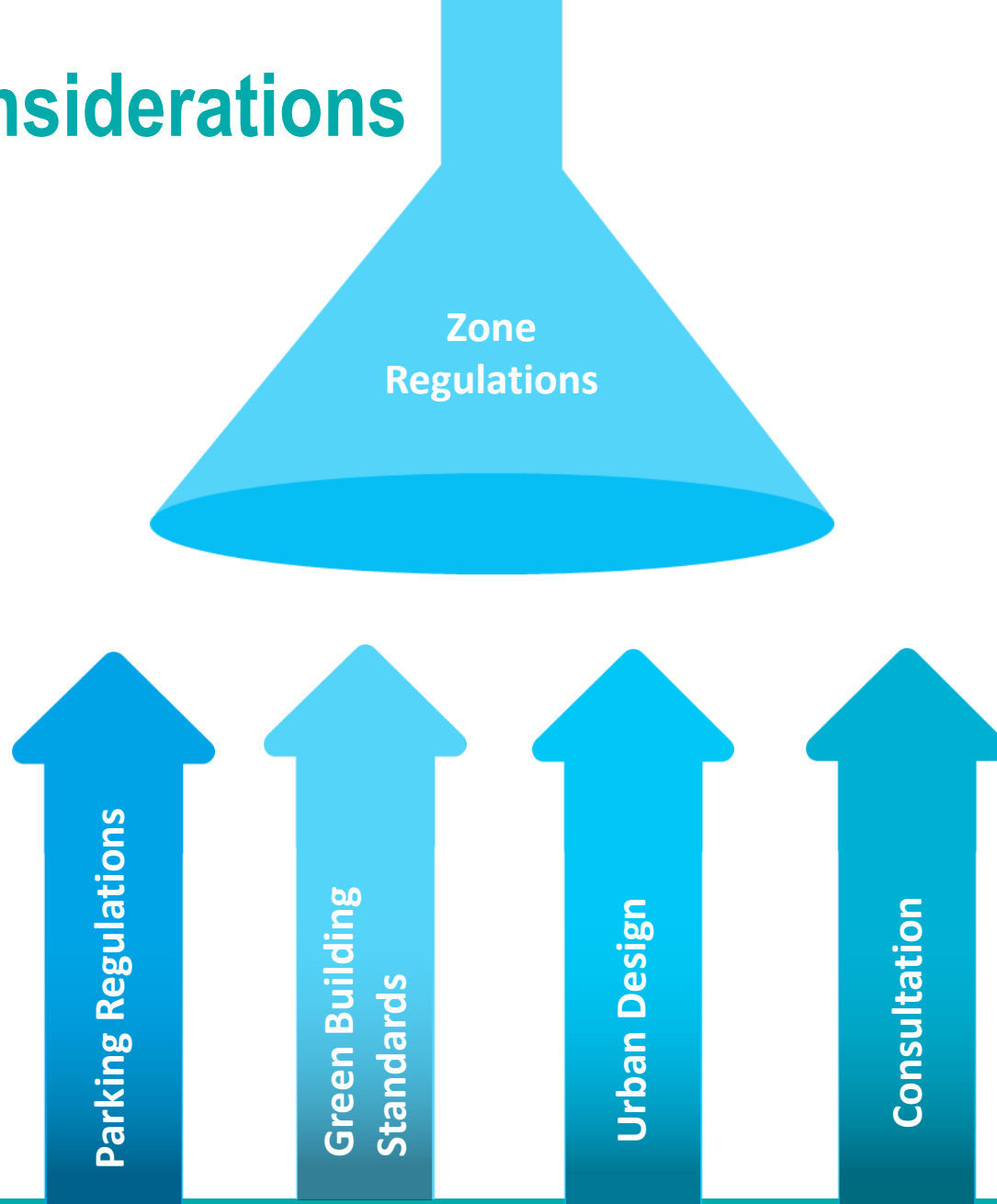


Public
Consultation

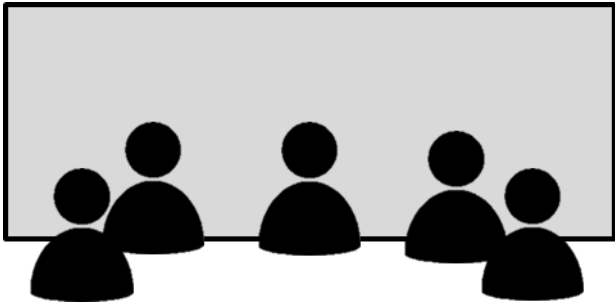
Evaluation of
Mapping

Changes to
Draft Zones

Further Considerations



Open Houses



Stakeholder & Advisory Committee Meetings



Public
Consultation

Project Website



Written Submissions





THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	June 13, 2023
SUBJECT/REPORT NO:	Bill 97, Proposed <i>Helping Homebuyers, Protecting Tenants Act, 2023</i> and Proposed Provincial Planning Statement, 2023 (PED23145) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Charlie Toman (905) 546-2424 Ext. 5863 Jennifer Allen (905) 546-2424 Ext. 4672
SUBMITTED BY:	Steve Robichaud Director of Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That Council adopt the submissions and recommendations as provided in Report PED23145 regarding Schedules 3, 4, 5 and 6 of proposed Bill 97, *Helping Homebuyers, Protecting Tenants Act, 2023*;
- (b) That Council adopt the submissions and recommendations as provided in Report PED23145 regarding the proposed new Provincial Planning Statement, 2023;
- (c) That the Director of Planning and Chief Planner be authorized and directed to confirm the submissions made to the Province attached as Appendix "A" to Appendix "D" to Report PED23145;
- (d) That staff report back to Council should Bill 97, *Helping Homebuyers, Protecting Tenants Act, 2023*, and the proposed new Provincial Planning Statement be proclaimed on any required staffing, process, fee and By-law changes necessary to implement the proposed changes;
- (e) That the Director of Planning and Chief Planner and the City Solicitor be authorized to make submissions on *Bill 97, Helping Homebuyers, Protecting Tenants Act, 2023*, the proposed Provincial Planning Statement, 2023 and any

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Bill 97, Proposed *Helping Homebuyers, Protecting Tenants Act, 2023* and Proposed Provincial Planning Statement, 2023 (PED23145) (City Wide) - Page 2 of 15

associated regulations consistent with the comments and concerns raised in Report PED23145.

EXECUTIVE SUMMARY

On April 6, 2023, Bill 97, *Helping Homebuyers, Protecting Tenants Act, 2023* was introduced at the Ontario Legislature. If enacted, this Bill would make amendments to the *Building Code Act, 1992*, the *City of Toronto Act, 2006*, the *Development Charges Act, 1997*, the *Ministry of Municipal Affairs and Housing Act*, the *Municipal Act, 2001*, the *Planning Act* and the *Residential Tenancies Act, 2006*. On the same day the Province released a new Provincial Planning Statement (PPS) adapted from, and replacing the Provincial Policy Statement, 2020 and Growth Plan for the Greater Golden Horseshoe, 2019 as amended (Growth Plan). Combined, the proposed changes overhaul Provincial legislation and policies governing land use planning in Ontario.

Through the Environmental Registry of Ontario (ERO), the Government of Ontario has requested comments on:

- Proposed *Planning Act, City of Toronto Act, 2006, Development Charges Act* and *Ministry of Municipal Affairs Act* changes through Bill 97, the proposed *Helping Homebuyers, Protecting Tenants Act, 2023*;
- Proposed new regulations for Site Plans for residential developments of 10 or fewer units through Bill 97: the proposed *Helping Homebuyers, Protecting Tenants Act, 2023*; and,
- A proposed Provincial Planning Statement that takes policies from *A Place to Grow* and the Provincial Policy Statement

The ERO bulletin also requested comments on changes to the *Building Code Act, 1992* and the *Residential Tenancies Act, 2006*, including changes to rental rules related to Air Conditioning, Building Code fees, changes intended to help protect tenants from bad faith renovation evictions, timeframe for occupancy for landlord's own use evictions, maximum fines for offenses under the act and amendments to require a standard form of rental repayment agreement under the Landlord and Tenant Board. Note that this Report does not include all comments respecting changes to the *Residential Tenancies Act, 2006* which will be submitted to City Council under a separate communication. The purpose of this Report is to provide information on the changes proposed to be made and to seek Council adoption of City Staff's comments to the Province.

It is understood that the legislative changes through Bill 97 combined with the new PPS are generally intended to help address Ontario's housing crisis and to increase housing starts to reach the Province's goal of 1.5 million new homes by 2031. It is important to note that the legislative and policy changes proposed differs from recent legislation adopted by the Government of Ontario through Bill 23 and 109 in that the changes

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SUBJECT: Bill 97, Proposed *Helping Homebuyers, Protecting Tenants Act, 2023* and Proposed Provincial Planning Statement, 2023 (PED23145) (City Wide) - Page 3 of 15

mostly impact when and how Municipalities plan for future growth; whereas, the previous legislation impacted how Municipalities consider development applications.

While City staff support the increase in housing supply as a measure to address the current housing crisis, overall the proposed legislation and PPS are contrary to balanced decision making, protection of the natural environment, employment lands and agricultural lands, diminish the role of local participation in land use planning and represent a significant shift away from the policy led planning system in Ontario . As such, City staff have several areas of concern with the proposed legislative changes and new PPS which are intended to provide for increased flexibility but will have the unintended consequence of creating more uncertainty. These include:

- Reducing the required justification and direction for settlement area expansion;
- Reducing emphasis on residential intensification and development in locations that support transit;
- Increasing opportunities for rural residential lot creation in rural and agricultural areas;
- Weakening restrictions on conversion of Employment Lands and making it more challenging to designate Employment Lands;
- Reducing land use compatibility criteria for sensitive land uses near Major Facilities;
- Weakening Climate Change policies;
- Removing existing Natural Heritage System policies with the potential they will be replaced with downgraded policies (i.e. less protection); and,
- Allowing Minister Zoning Orders to exempt Provincial plans and policies.

The deadline for comment on Schedules 2, 4 and 6 of Bill 97 was May 6, 2023, the deadline for comment on new Site Plan regulations under Bill 97 was May 21, 2023 and the deadline for comment on the proposed PPS was June 5, 2023 but has been extended to August 4, 2023.

Given the timing, staff comments contained in Appendix “A” to Appendix “C” attached to Report PED23145 have been submitted to the Province. With the extension of the commenting deadline on the proposed PPS to August 4, 2023, the City can add or revise the comments contained in Appendix “D” attached to Report PED23145. If the recommendations of this Report are approved by Council, the Chief Planner will notify the Province that the submissions that were made have been adopted by Council for the City of Hamilton and of any changes to staff comments as a result of Council’s consideration of the matter.

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SUBJECT: Bill 97, Proposed *Helping Homebuyers, Protecting Tenants Act, 2023* and Proposed Provincial Planning Statement, 2023 (PED23145) (City Wide) - Page 4 of 15

Alternatives for Consideration – See Page 14

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: *Bill 97* and the proposed PPS will have financial implications on the City, largely related to long term planning. The degree and magnitude of the financial implications are not fully known at the time of preparation of this report. Staff will continue to monitor, analyze and report back to Council as necessary.

Staffing: At this time, *Bill 97* and the proposed PPS only proposes legislative changes. As such there are no staffing implications at this time. However, if *Bill 97* and the proposed PPS are enacted as currently drafted, there may be staffing resourcing implications associated with the changes.

Legal: Legal Services and the Planning Division will continue to monitor the status of Schedules 3, 4, 5, 6, and 7 of *Bill 97* and the proposed PPS and report back where necessary with recommendations for the implementation of *Bill 97* and proposed PPS, if enacted.

HISTORICAL BACKGROUND

Over the last number of years, the Provincial Government has introduced various legislative changes which although including some positive changes, have generally diminished the land use planning system in Ontario; as outlined below:

- *Bill 139 (2017)* - established the Ontario Land Tribunal;
- *Bill 66 (2019)* - amendments related to the ‘open-for-business planning by-law’;
- *Bill 108 (2019)* - changes to processes, heritage and appeals;
- *Bill 276 (2021)* - changes to subdivision control;
- *Bill 197 (2021)* - changes to site plan control and MZO’s;
- *Bill 13 (2021)* - additional delegated authority from Council to staff;
- *Bill 109 (2022)* - fee refunds for applicants for certain development applications;
- and,
- *Bill 23 (2022)* – amendments related to increasing the supply of housing.

Bill 97 passed its first reading on April 6, 2023, was subject to second reading on April 20, 2023, April 26, 2023, May 10, 2023. Hearings on *Bill 97* and clause-by-clause consideration of *Bill 97* by the Standing Committee on Heritage, Infrastructure and Cultural Policy occurred on May 10 to 11, 2023 and May 24, 2023 respectively.

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SUBJECT: Bill 97, Proposed *Helping Homebuyers, Protecting Tenants Act, 2023* and Proposed Provincial Planning Statement, 2023 (PED23145) (City Wide) - Page 5 of 15

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2020)

The Provincial Planning Policy framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement. It provides municipal governments with the direction and authority to guide development and land use planning through official plans, secondary plans and zoning by-laws. The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with policy statements and plans issued by the Province.

The Government of Ontario is proposing to replace the Provincial Policy Statement, 2020 with the new Provincial Planning Statement. Similar to the current framework, the proposed Provincial Planning Statement will require that all municipal land use decisions affecting planning matters be consistent with policy statements and plans issued by the Province.

Growth Plan for the Greater Golden Horseshoe (2019)

The Growth Plan for the Greater Golden Horseshoe is a provincial plan which provides direction for managing growth in Ontario to the year 2051. The *Planning Act* requires all municipal decisions to conform to all provincial plans.

The Government of Ontario is proposing to repeal the Growth Plan and carry forward some of its policies respecting strategic growth areas and density targets to 29 “large and fast growing” municipalities across Ontario into the new PPS. However, municipal official plans and land use planning decisions will no longer have the more stringent requirement of conformity to those policies.

RELEVANT CONSULTATION

Staff from within the Planning, Growth Management, Housing Services, Climate Change Initiatives, Indigenous Relations, Transportation Planning, Public Works, Finance, Economic Development and Legal Services were consulted in the drafting of this report, recommendations and appendices.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

For the last 30 plus years, the Provincial Government’s direction has been a policy led planning framework with a deliberate focus on balancing various competing objectives when making planning decisions. Specifically, through the Provincial Policy Statement, Growth Plan and Greenbelt Plan, a policy framework has been created that requires Municipalities to plan for new population and employment growth in a manner that

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SUBJECT: Bill 97, Proposed *Helping Homebuyers, Protecting Tenants Act, 2023* and Proposed Provincial Planning Statement, 2023 (PED23145) (City Wide) - Page 6 of 15

protects its natural heritage systems and agricultural systems while also considering the long term economic, social, health and financial implications of growth on communities.

Bill 97 and the proposed PPS continues the Government of Ontario's departure from this established planning framework towards pursuing a market based response to the housing crises.

Overall, the proposed legislative changes and new PPS are contrary to balanced decision making, protection of the natural environment and agricultural lands, building complete communities, limiting urban sprawl through intensification, and enabling local participation in decision making.

1.0 Provincial Planning Statement

The proposed PPS includes numerous changes from the current Provincial Policy Statement, 2020 and the Growth Plan. As the proposed PPS requires that all municipal decisions on planning matters be consistent with its policy direction and the Growth Plan requires all municipal decisions conform to the Growth Plan, the implications of these changes are far reaching. City staff have summarized the areas of land use planning impacted below with detailed analysis and staff comment on the proposed changes included in Appendix "D" attached to Report PED23145.

1.1 Municipal Comprehensive Reviews and Long Range Planning

The proposed PPS would remove the requirement for a Municipal Comprehensive Review (MCR) before a municipality can expand its urban boundary or convert employment lands to other uses. The Provincial Policy Statement, 2020 and Growth Plan requires municipalities demonstrate through, among other things, a Land Needs Assessment (LNA) that there is a need to expand its urban boundaries to accommodate future growth that can't be accommodated through intensification.

The proposed PPS could allow private landowners to submit an Official Plan Amendment to expand its urban boundary; whereas, currently an MCR must be municipally initiated if the proposed expansion is greater than 40 hectares.

In place of these requirements, the proposed PPS establishes criteria that municipalities *should* consider before expanding its urban boundaries and makes no reference to intensification. Removal of the clear directive policies from current Provincial Policy Statement and Growth Plan and replacement with policies that do not require adherence will cause confusion for municipalities.

The removal of the requirement for demonstration of need does not support the efficient use of land through infill and intensification first, nor does it support the efficient use of

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SUBJECT: Bill 97, Proposed *Helping Homebuyers, Protecting Tenants Act, 2023* and Proposed Provincial Planning Statement, 2023 (PED23145) (City Wide) - Page 7 of 15

existing municipal infrastructure and public services. In addition, opening up the ability of private landowners to apply for boundary expansions at any point of in time, which may be subject to Ontario Land Tribunal appeals, further erodes the City's ability to make land use decisions based on public engagement, local conditions and municipal priorities and creates uncertainty in terms of the design and delivery of both "hard" infrastructure and community services required for complete communities.

Another significant concern is that the proposed PPS does not carry forward specific policies and requirements of the Growth Plan including minimum intensification targets, employment land protections, enhanced settlement boundary expansion requirements as well as detailed policies that support urban growth centres, public infrastructure, natural heritage systems and transit planning among others.

1.2 Rural Lands and Prime Agricultural Areas

Both the proposed PPS and current Provincial Policy Statement, 2020 establish specific policies for Prime Agricultural Areas¹ and Rural Lands². The proposed PPS includes several changes from the current Provincial Policy Statement, 2020 to both areas to increase residential land development. These include:

- Allowing up to two subordinate dwellings to a primary farm dwelling in Prime Agricultural Areas dwellings on each lot designated Prime Agricultural Area;
- Allowing up to three residential lots within Prime Agricultural Areas where currently only surplus farm dwelling severances are permitted;
- Removing the ability of municipalities to have more restrictive Prime Agricultural Area lot creation policies;
- Allowing multi-lot residential subdivisions on rural lands;
- Removes policy directing lot creation on rural lands to Rural Settlement Areas; and,
- Removes policy that limits residential lot creation that is "locally appropriate" on rural lands.

With these changes it is important to note that the majority of Hamilton's Prime Agricultural Areas and Rural Lands are located within the Greenbelt Plan and designated Protected Countryside which maintains more restrictive lot creation policies than what is being proposed. The proposed PPS states that the Provincial Plans (e.g. Greenbelt Plan) takes precedence over the PPS. As a result and as currently worded, the changes proposed by the Province would apply to approximately 1,700 hectares of land south of the Hamilton. Staff note that without the Greenbelt Plan, the proposed PPS could result in approximately 2,000 properties becoming eligible for new residential

¹ Prime Agricultural Areas are lands where Canada Land Inventory Class 1, 2 and 3 predominate.

² Rural Lands are lands located outside Settlement Areas and which are outside Prime Agricultural Areas.

SUBJECT: Bill 97, Proposed *Helping Homebuyers, Protecting Tenants Act, 2023* and Proposed Provincial Planning Statement, 2023 (PED23145) (City Wide) - Page 8 of 15

lot creation within the Rural Hamilton Official Plan within both rural lands and prime agricultural areas, creating 4,000 new rural residential lots and the conversion of between 1,600 to 2,400 hectares of rural and prime agricultural land to residential uses³ which is equal to the net developable land added to the City's urban area as a result of the Ministerial changes to Official Plan Amendment No. 167.

Based on a 2022 Farm Credit Canada analysis, agricultural land in the rural areas of Hamilton and the surrounding communities sells for up to \$30,000/acre. New non-farm residential lots would sell for significantly more, and thereby put upward pressure on lands values which would impact the ability of the agricultural community to acquire land to expand farm operations.

City staff have significant concerns with the proposed changes which have been echoed by other rural municipalities, the Ontario Federation of Agriculture and several other agricultural organizations. If enacted, a proliferation of agricultural severances would:

- Remove productive agricultural lands;
- Severely limit the adaptability for agriculture in the future by increasing lot fragmentation and limiting future livestock operations based on Minimum Distance Separation calculations, especially if multiple severances creates a cluster of residential properties;
- Negatively impact the City's groundwater resources by increasing the number of residential septic systems;
- Increase demand for municipal services that are inefficient to extend to agricultural areas (e.g. police, fire, health care, schools, active transportation), negatively impacting the City's finances;
- Increase real estate speculation for agriculture properties based on their residential development potential, increasing the price of farmland and limiting the ability of new family farms to be established; and,
- Increase the potential for land use conflicts between rural residential uses and agricultural uses.

On May 29, 2023 the Minister of Municipal Affairs and Housing sent a letter to the Beef Farmers of Ontario (see Appendix "E" attached to Report PED23145) that the intention behind the increased permission for residential lot creation within prime agricultural areas was to allow for retirement lots and succession planning on family farms and that any ambiguity will be "clarified, eliminated and resolved". At this time, the Government of Ontario has not released a revised version of the proposed PPS and City staff will continue to monitor and respond to subsequent requests for comment by the Province.

³ Calculation is based on the number of lots that have at least 5 hectares of land zoned Agricultural (A1) and Rural (A2) Zone outside of Specialty Crop Areas and assumes a minimum residential lot size of between 0.4 to 0.6 hectares.

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SUBJECT: Bill 97, Proposed *Helping Homebuyers, Protecting Tenants Act, 2023* and Proposed Provincial Planning Statement, 2023 (PED23145) (City Wide) - Page 9 of 15

1.3 Employment Areas

In addition to removing the requirement for municipalities to undertake an MCR before removing lands from designated Employment Areas as defined in Official Plans, the proposed PPS redefines the uses that are part of Employment Areas. The new PPS proposes to exclude institutional and commercial uses, including retail and office uses, unless those institutional or commercial uses are associated with the primary employment area use. The revisions to the definition of employment area matches corresponding amendments to the *Planning Act* under Bill 97.

The new definition of Employment Area proposed in both the *Planning Act* amendment and the new PPS is awkward and needs some clarification to determine if the definition is applied at the site specific level or across the entire employment area. Staff believe the intent is that the policies restricting specific uses are to be applied on a site specific basis which would create very strict areas for heavy manufacturing types of employment, only permitting office, retail and commercial uses associated with the employment use. Areas that are considered as business parks that have permissions for a wider range of uses like office uses, or areas in business parks that contain commercial or retail uses supportive to the employment use, would not be permitted.

While the new PPS speaks to supporting a modern economy, the proposed definition does not reflect modern integrated economic activities that are occurring in employment areas, such as clustering of different employment uses that provide synergies – often including research and development uses, employee supportive uses such as collaborative spaces for learning and training, and retail, office and commercial uses that provide services and support the employees within employment areas. Modern employment areas are developing as complete ‘employment’ communities in response to the changing economy. There is also uncertainty on the impact of this policy on the film industry and the presence of film studios and related uses within employment areas.

There are 4,468 hectares of land zoned Industrial in Zoning By-law No. 05-200 within designated Employment Lands in the Urban Hamilton Official Plan. Of this total, approximately 18% or 812 hectares are zoned based on the narrow definition proposed in the PPS. As such, the remaining 82% or 3,656 hectares, may meet the Provincial definition and would therefore need to be rezoned to a commercial or quasi commercial zone and would be subject to pressures for conversions to residential uses or would have to respond to possible land use conflicts if adjacent lands were converted.

Staff will need to review existing Employment Areas policy with respect to the restriction on standalone office buildings, notably within the Business Park designation. It is intended that the Employment Area – Business Parks designation allow for employment supportive uses, like offices, to develop as prestige employment areas.

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SUBJECT: Bill 97, Proposed *Helping Homebuyers, Protecting Tenants Act, 2023* and Proposed Provincial Planning Statement, 2023 (PED23145) (City Wide) - Page 10 of 15

1.4 Land Use Compatibility

The proposed PPS reduces protections that help ensure the long term viability for Major Facilities by removing the following criteria currently used to determine if the sensitive use may be permitted:

- That there is an identified need for the proposed use; and,
- That alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations.

The removal of these criteria in the PPS allows sensitive land uses to encroach to Major Facilities because they “can” and doesn’t consider whether they “should”, “need to” and the associated implications for existing and planned uses on adjacent lands.

City staff have concerns that the relaxation of these protective measures is likely to restrict and frustrate the ability of major facilities to expand and/or redevelop over the long term (e.g. 20+ year horizon) to meet future demands, compete economically at a national or international level and adjust with evolving technologies.

1.5 Natural Heritage Systems

The Natural Heritage System within the Province has been delineated based on a “systems” approach recognizing that features and their functions are important. This is based on the concept of Landscape Ecology and has been in place in the Province since 2005 that recognizes the need to balance growth and the natural environment to foster a healthy population. The City implements a systems approach through mapping and policies in its Official Plans to protect and restore these features and natural functions as a permanent environmental resource for the community.

The proposed PPS proposes to introduce new Natural Heritage policies and definitions entirely. The proposed PPS notes that these policies “under consideration” and once policies and definitions are ready for review and input, they will be made available through a separate posting on the ERO. City staff have highlighted the importance of strong natural heritage policies as part of an integrated land use planning framework. Staff cannot fully evaluate the proposed PPS without being able to review changes to the proposed PPS Natural Heritage System policies.

1.6 Planning for Climate Change

Planning for climate change within several sections, including land use pattern, energy conversation, air quality, public infrastructure and healthy communities’ policies is proposed to be removed.

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SUBJECT: Bill 97, Proposed *Helping Homebuyers, Protecting Tenants Act, 2023* and Proposed Provincial Planning Statement, 2023 (PED23145) (City Wide) - Page 11 of 15

The City of Hamilton has declared a climate change emergency and is undertaking many initiatives to support healthy, resilient communities including the Climate Action Strategy, Community Energy and Emissions Plan, Urban Forest Strategy and Biodiversity Action Plan. The changes to the proposed PPS threaten the City's ability to incorporate and implement these initiatives through its Official Plan policies by increasing the potential for Ministry of Municipal Affairs and Housing (MMAH) modifications and by weakening the City's position to defend its policies at OLT hearings.

1.7 Local Decision Making

The proposed PPS removes the existing Provincial Policy Statement, 2020 policy that "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans." In addition, the proposed PPS specifically restricts municipalities from establishing more restrictive policies than what is proposed respecting permissions for sensitive land uses within certain employment areas and residential lot creation within Prime Agricultural Areas.

City staff have strong concerns with the removal of this policy which deemphasizes and minimizes the critical role that municipal official plans have in creating clear and detailed land use planning goals and policies based on extensive public engagement and local conditions.

1.8 Indigenous Consultation

The proposed PPS include stronger language around engaging with Indigenous communities. Specifically, it states municipalities shall "undertake early engagement with Indigenous communities and coordinate on land use planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights." The proposed PPS also states that municipalities must engage with Indigenous communities early in the process when identifying, protecting and managing archaeological resources.

The City of Hamilton has adopted the Urban Indigenous Strategy (UIS) which identifies meaningful consultation with Indigenous people as a key principle and includes actions to improve meaningful consultation with Indigenous residents and First Nations communities on municipal projects, plans and approvals. Similarly, the City has an approved Archeology Management Plan (AMP) which includes a First Nations Consultation and Engagement Protocol which speaks to involving indigenous communities as early as possible on matters related to Indigenous archaeology. Both the UIS and AMP appear to align with the proposed PPS.

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SUBJECT: Bill 97, Proposed *Helping Homebuyers, Protecting Tenants Act, 2023* and Proposed Provincial Planning Statement, 2023 (PED23145) (City Wide) - Page 12 of 15

2.0 Bill 97

Bill 97 proposes amendments to the *Building Code Act, 1992*, the *City of Toronto Act, 2006*, the *Development Charges Act, 1997*, the *Ministry of Municipal Affairs and Housing Act*, the *Municipal Act, 2001*, the *Planning Act* and the *Residential Tenancies Act, 2006*. In addition, the Province has requested comments on proposed regulations associated with the legislative amendments respecting Site Plan Control and Rental Housing replacements. City staff have summarized the areas of land use planning impacted below with a detailed analysis of the proposed changes is included in Appendix “A”, Appendix “B” and Appendix “C” attached to Report PED23145.

2.1 Allowing Minister Zoning Order to Exempt Private Lands from Provincial Plans and Policies

Bill 97 proposes to amend the *Planning Act* to give the Minister of Municipal Affairs and Housing to exempt certain subsequent approvals required to establish uses permitted by Minister’s zoning orders from having to align with provincial plans or policies.

City staff strongly oppose this amendment. Provincial plans and policies are expected to provide a framework of policies which give direction on provincial interests. It is unclear what scenario would constitute a zoning order that does not comply with the policies of provincial and official plans; however, as worded this change would allow the Minister to approve new urban developments within rural areas including Greenbelt areas.

2.2 Rental Replacement Regulations

Bill 97 amends the *Municipal Act* to allow the Minister to make regulations respecting a municipalities ability to require owners of land to make payments and provide compensation for the removal of rental housing.

The City is currently conducting a review of the planning policy and process framework around conversions and demolitions of rental housing. Establishing a permit process to regulate demolitions and conversions of rental housing through a by-law using the powers of Section 99.1 of the *Municipal Act* was identified in the review as a key feature which can strengthen the City’s strategy to protect existing rental housing, particularly affordable rental housing.

Overall, staff have concerns with any limits imposed by the Province through regulations that restrict a Municipality’s ability to protect its existing rental housing stock. The City of Hamilton has seen historically low vacancy rates and rapidly increasing rental rates over recent years which in turn has increased homelessness and residents in core housing need. The City has concerns with any regulations that may limit the City’s ability to develop and implement creative solutions to address this significant issue.

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SUBJECT: Bill 97, Proposed *Helping Homebuyers, Protecting Tenants Act, 2023* and Proposed Provincial Planning Statement, 2023 (PED23145) (City Wide) - Page 13 of 15

2.3 Zoning By-law Amendment and Site Plan Control Application Fee Refunds

Bill 97 amends the *Planning Act* to delays the requirement for municipalities to refund zoning by-law application and site plan application fees so that it only applies to applications submitted on or after July 1, 2023 instead of January 1, 2023. In addition, Bill 97 gives the Minister the authority to exempt municipalities from the fee refund provisions if needed. It is unclear in which scenarios the fee may be waived however this could be used to provide flexibility for the applicant to opt to work with the municipality to come to an agreement on a proposal outside of the prescribed timelines.

The City has revised the process for reviewing development in response to the required fee refunds implemented through Bill 109. This includes changes to the submission requirements to ensure all the necessary information has been provided to staff in order for a decision to be made by council within the prescribed timelines. City staff are currently adhering to this new review timeline in processing development applications that were received after January 1, 2023.

While the City of Hamilton has previously commented that the City does not support the fee refunds implemented through Bill 109, City staff support the proposed change to defer the date when the fee refunds will apply.

2.4 Site Plan Control

A recent amendment to the *Planning Act* under Bill 23 was to exclude municipalities from requiring Site Plan Control for residential developments of 10 dwellings or less. Bill 97 further amends the *Planning Act* to now municipalities to require Site Plan Control for residential developments with 10 dwellings or less where it is located within 120 metres of a railway line or 300 metres of a shoreline.

Generally, City of Hamilton staff are supportive of site plan control being applied to residential developments of 10 units or less on a single lot in the identified circumstances. Site plan control is an effective tool to manage and review development to ensure development is designed to minimize negative impacts.

The proposed prescribed areas apply to a very large area in City of Hamilton. Approximately 17,059 properties zoned residential in the City of Hamilton are located either 120m from the shoreline or 300m from a railway line. A full site plan control may not be warranted and a scoped, minor process dealing with only specific issues relating to impacts on the shoreline and noise from the railway should be enacted. However, based on the geographic impacts of this change, to include some areas of the City, but not other areas (even when the development proposed is identical), thereby create different requirements causing confusion. Further analysis of the merits of this change is warranted.

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SUBJECT: Bill 97, Proposed *Helping Homebuyers, Protecting Tenants Act, 2023* and Proposed Provincial Planning Statement, 2023 (PED23145) (City Wide) - Page 14 of 15

If the City of Hamilton decides to use site plan control for residential developments of 10 or fewer units on a single lot in the noted specific circumstances, a new Site Plan By-law must be prepared and approved, as well as a new process for a Minor Site Plan to deal with the specific issues relating to shoreline and railway lines. Planning staff, are currently reviewing the proposed change and upon proclamation of *Bill 97*, staff will report to Council with a recommendation on this matter.

2.5 Interim Control By-laws

The purpose of an Interim Control By-law (ICBL) is to prohibit development in a defined area for a period of one year to allow a necessary review or study to be undertaken prior to any new development. In recent years the City of Hamilton has issued ICBLs in conjunction with the Waterdown Community Node Secondary Plan and Pleasantview Land Use Study.

Currently the initial adoption of an ICBL only be appealed by the Minister within 60 days of the notice of passing. Under the proposed Bill 97, any person or public body who was given notice of passing can appeal the interim control by-law within 50 days.

Staff anticipate that if enacted, appeals would be received from land owners following the passing of new interim control by-laws as they would want to avoid prohibitions or restrictions on the development of their properties regardless of the broader community initiative to which the ICBL is related.

3.0 Next Steps

Should the Province proceed with the proposed changes, staff will report back to Council on any financial, process changes and staffing implications expected.

ALTERNATIVES FOR CONSIDERATION

Council may amend the staff-level comments attached as Appendix “A” to Appendix “D” to Report PED23145 or supplement the staff-level comments with additional comments.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

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SUBJECT: Bill 97, Proposed *Helping Homebuyers, Protecting Tenants Act, 2023* and Proposed Provincial Planning Statement, 2023 (PED23145) (City Wide) - Page 15 of 15

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure

Hamilton is supported by state-of-the-art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED23145 - City of Hamilton Staff Submission on Schedules 3, 4, 5, 6, and 7 of Bill 97– *More Homes Built Faster Act, 2023*

Appendix “B” to Report PED23145 - City of Hamilton Staff Submission on new regulation under the *Planning Act* of Bill 97– *More Homes Built Faster Act, 2023*

Appendix “C” to Report PED23145 - City of Hamilton Staff Submission on Municipal Rental Housing Replacement By-laws, ORR – Proposal 23-MMAH005

Appendix “D” to Report PED23145 - City of Hamilton Staff Submission on the Proposed Provincial Planning Statement, 2023

Appendix “E” to Report PED23145 - MMAH Letter to Beef Farmers of Ontario dated May 29, 2023.

CT/JA:sd

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

Attachment "A" to Letter of Transmittal for ERO Posting 019-6821

***City of Hamilton Comments on
Bill 97, Helping Homebuyers, Protecting Tenants Act,
2023 Comments on Schedules, 3, 4, 5 and 6
Subject to Council Ratification and / or Modification***

<p>ERO Posting 019-6821 City of Hamilton Comments May 5, 2023</p>
<p>Schedule 3 – Development Charges Act</p>
<p>Subsections 2(3.2) and (3.3)</p>
<p>Description:</p> <p>Amend subsection 2(3.2) and 3.3) to replace “parcel of urban residential land” with “parcel of land”.</p>
<p>See comments below under Schedule 6 – Planning Act.</p>
<p>Schedule 4 – Ministry of Municipal Affairs and Housing Act</p>
<p>Minister Authority under subsection 12(3)</p>
<p>Description:</p> <p>Re-enacting subsection 12(3) to authorize the Minister to appoint the Facilitator and up to four Deputy Facilitators and fix their terms of reference and to require the Facilitator and Deputy Facilitators to perform specified functions at the direction of the Minister.</p>
<p>City of Hamilton comments:</p> <p>Under the <i>Ministry of Municipal Affairs and Housing Act</i> the Province of Ontario has created a Provincial Land and Development Facilitator (PLFD) to helps the province, municipalities, developers, businesses and community groups resolve issues related to growth management, land use and infrastructure planning, and environmental protection by providing impartial facilitation services or by acting as a negotiator on behalf of the province. The office was first created in 2005.</p> <p>Examples of the facilitator’s role in the past include providing advice on MMAH on amendments to the Growth Plan and assisting in boundary negotiations between municipalities. The Province, Municipalities or landowners could submit a request to the PLFD to resolve the issue.</p>

The proposed amendment to the Act to increase the number of deputy facilitators from one to four indicates the Province of Ontario intends to utilize this office more moving forward.

Without additional information from the Province on whether the function of the PFLD is being expanded to include additional powers, City staff consider the proposed amendment premature and are unable to provide any additional comment on this proposed amendment.

Schedule 5 – Municipal Act

Minister Authority under section 99.1 (Rental Replacement By-laws)

Description:

Amending section 99.1 to authorize the Minister to make regulations with respect to a variety of matters including governing the powers of local municipalities under section 99.1 and authorizing certain local municipalities to require certain owners of land to make payments and provide compensation.

In the event of conflict, the provisions of regulations made under section 99.1 will prevail over the provisions of the Act or any other Act or regulations (new subsection 99.1(8)).

City of Hamilton comments:

The City is currently conducting a review of the planning policy and process framework around conversions and demolitions of rental housing. Establishing a permit process to regulate demolitions and conversions of rental housing through a by-law using the powers of Section 99.1 of the Municipal Act was identified in the review as a key feature which can strengthen the City's strategy to protect existing rental housing, particularly affordable rental housing (Report PED22091).

Overall, staff have concerns with any limits imposed by the Province through regulations that restrict a Municipality's ability to protect its existing rental housing stock. The City of Hamilton has seen historically low vacancy rates and rapidly increasing rental rates over recent years which in turn has increased homelessness and residents in core housing need. The City has concerns with any regulations that may limit the City's ability to develop and implement creative solutions to address this significant issue.

City staff will have additional comments on the proposed regulations establishing criteria and limits on the City's ability to protect existing rental housing and will provide those comments through Ontario's Regulatory Registry Posting on 23-MMAH05.

<p>Schedule 6 – Planning Act</p>
<p>Definition of “areas of employment” under subsection 1(1)</p>
<p>Description:</p> <p>Modifying the definition of area of employment to only include heavy industry and other employment uses that cannot be located near sensitive uses, (i.e., not suitable for mixed use) to scope the applicability of existing provisions which limit appeals of municipal refusals and non-decisions.</p>
<p>City of Hamilton comments:</p> <p>Generally, the intent of the definition remains the same as the previous version, however it is more explicit that institutional uses and standalone commercial and office uses are not to be permitted in an “Area of Employment”. The revised definition provides additional clarification that office uses must be associated with a manufacturing, research and development use related to manufacturing, or a warehousing use, whereas the previous definition allowed standalone office uses.</p> <p>The additional subsection proposed (1.1) further clarifies that an area of land that is designated in an OP for business and economic uses is an “area of employment” even if there are one or more parcels where the existing use is institutional or standalone commercial/office, provided that the parcels of land are appropriately designated in the OP for the current use, and the use existed before the day that the Bill 97 amendments to the <i>Planning Act</i> come into force. As the Province is also consulting on the proposed Provincial Planning Statement (PPS) which contains significant changes relating to employment land definitions and policies, the Province should defer any decision on the proposed <i>Planning Act</i> changes until such time as a decision is made on the PPS, including the requested reconsideration of the proposed Employment Land policies.</p> <p>Policy Planning staff will need to review existing Employment Areas policy with respect to the restriction on standalone office buildings, notably within the Business Park designation. It is intended that the Employment Area – Business Parks designation allow for employment supportive uses, like offices, to develop as prestige employment areas. Underutilized lands in this designation are planned for major employment growth to meet the City’s employment growth targets to 2051.</p> <p>Staff are concerned the proposed changes will result in a conflict between the D-series Guidelines for land use compatibility specifically related to the industrial categorization criteria and definitions used to establish an appropriate transition between major facilities and sensitive land uses. The Province should ensure alignment between the definitions in this legislation and definitions within the D-series Guidelines.</p>

<p>Fee refund for development applications under section 34</p>
<p>Description:</p> <p>Delaying the requirement for municipalities to refund zoning by-law application fees so that it only applies to applications submitted on or after July 1, 2023.</p> <p>Creating Minister's regulation-making authority to be able to exempt municipalities from the fee refund provisions in the future if needed (no exemptions are being proposed at this time).</p>
<p>City of Hamilton comments:</p> <p>The City has revised the process for reviewing development applications including Zoning By-law Amendments, in response to the required fee refunds implemented through Bill 109. This includes changes to the submission requirements to ensure all the necessary information has been provided to staff in order for a decision to be made by council within the prescribed timelines.</p> <p>Bill 97 proposes to delay the refund to only apply to applications submitted on or after July 1, 2023 instead of January 1, 2023. This provides municipalities with a transition period while adjusting to new processes for the review of Zoning By-law Amendment applications.</p> <p>Bill 97 also proposes to give the Minister the authority to exempt municipalities from the fee refund provisions if needed. It is unclear in which scenarios the fee may be waived however this could be used to provide flexibility for the applicant to opt to work with the municipality to come to an agreement on a proposal outside of the prescribed timelines.</p> <p>While the City of Hamilton has previously commented that the City does not support the fee refunds implemented through Bill 109, we support the proposed change to defer the date when the fee refunds will apply.</p>
<p>Interim Control By-law Appeals under section 38</p>
<p>Description:</p> <p>Enabling an individual to appeal an interim control by-law under subsection 38(1) (Adoption of new Interim Control By-law) and 38(2) (Extension of Interim Control By-law) whereas previously the Minister could only appeal the initial passing of an interim control by-law under subsection 38(1).</p> <p>Amends the notice and appeal timelines to provide 20 days for municipalities to give notice of the passing of an interim control by-law or a by-law extension (instead of the current 30 days) and for appeals to be made within 50 days of the by-law being passed. A transition provision has been added as subsection 38(4.1).</p>

City of Hamilton comments:

The purpose of an interim control by-law is to prohibit development in a defined area for a period of one year to allow a necessary review or study to be undertaken prior to any new development.

Currently the initial adoption of an interim control by-law (ICBL) can only be appealed by the Minister within 60 days of the notice of passing. Under the proposed Bill 97, any person or public body who was given notice of passing can appeal the interim control by-law within 50 days.

The passing of an ICBL is rare as only five interim control by-laws have been passed in the City of Hamilton over the last 20 years. Typically, ICBLs are considered where there is an immediate concern about development applications which could conflict with the future land use vision or intent for an area.

Staff anticipate that if enacted, appeals would be received from land owners following the passing of new interim control by-laws as they would want to avoid prohibitions or restrictions on the development of their properties regardless of the broader community initiative to which the ICBL is related.

These appeals would undermine the intent of the ICBL by providing uncertainty on whether the ICBL will stay, be revised by the OLT and potentially result in 'donut holes' in the By-law.

Section 38(6.1) may need to be updated to specify if the interim control by-law is in effect while it is under appeal.

Bill 97 proposes to reduce the timeline for the municipality to send the notice of passing from 30 days to 20 days and the time to appeal from 60 days to 50 days. Staff are generally supportive of this change but request the province to clarify the rationale for the reduced timelines.

Amend definition of "development" under subsection 41(1.2)

Description:

Amending subsection 41(1.2) to provide that a parcel of land containing more than 10 residential units will constitute "development" if the parcel of land is in a prescribed area.

City of Hamilton comments:

Site plan control is an effective tool to manage and review development to ensure development is designed to minimize negative impacts.

The City of Hamilton has previously commented that the City does not support the exemption of site plan control for residential developments up to 10 units as implemented through Bill 23. Staff are supportive of site plan control being applied to residential developments of 10 units or less on a single lot in the prescribed areas as this will provide the City of Hamilton with an additional tool to address stormwater management and noise related matters on lands in the vicinity of shorelines and railway lines.

Fee refund for development applications under section 41

Description:

Delaying the requirement for municipalities to refund site plan application fees so that it only applies to applications submitted on or after July 1, 2023.

Create Minister's regulation-making authority to be able to exempt municipalities from the fee refund provisions in the future if needed (no exemptions are being proposed at this time).

City of Hamilton comments:

The City has revised the process for reviewing development applications including Site Plan Control applications, in response to the required fee refunds implemented through Bill 109. This includes changes to the submission requirements to ensure all the necessary information has been provided to staff in order for a decision to be made by council within the prescribed timelines.

Bill 97 proposes to delay the refund to only apply to applications submitted on or after July 1, 2023 instead of January 1, 2023. This provides municipalities with a transition period while adjusting to new processes for the review of Site Plan Control applications.

Bill 97 also proposes to give the Minister the authority to exempt municipalities from the fee refund provisions if needed. It is unclear in which scenarios the fee may be waived however this could be used to provide flexibility for the applicant to opt to work with the municipality to come to an agreement on a proposal outside of the prescribed timelines.

While the City of Hamilton has previously commented that the City does not support the fee refunds implemented through Bill 109, we support the proposed change to defer the date when the fee refunds will apply.

<p>Information submitted for appeals for non-decision under Section 41</p>
<p>Description:</p> <p>Including the information and materials required under subsections 41 (3.3) and (3.4) to be forwarded by the clerk to Ontario Land Tribunal for appeals of non-decision under Section 41.</p>
<p>City of Hamilton comments:</p> <p>No comments.</p>
<p>Site Plan Refunds – Start of 60 day review.</p>
<p>Description:</p> <p>Subsection 41 (12) of the Act to be amended by striking out “submitted to the municipality” and substituting “received by the municipality”.</p>
<p>City of Hamilton comments:</p> <p>While the City of Hamilton was not supportive of the change to timelines this Section through Bill 109, Staff are supportive of this amendment which provides clarity on when ‘the clock starts’ for Site Plan refunds under the recent changes made to the <i>Planning Act</i> through Bill 109.</p>
<p>New Minister’s Zoning Orders subsection 47(4.01)</p>
<p>Description:</p> <p>Amending Section 47 to give the Minister of Municipal Affairs and Housing the authority to exempt certain subsequent approvals required to establish uses permitted by Minister’s zoning orders from having to align with provincial plans or policies.</p>
<p>City of Hamilton Comments:</p> <p>Bill 97 proposes a new subsection under Section 47 to provide the Minister with the authority to exempt zoning orders to establish uses from having to align with provincial plans or policies such as the Provincial Policy Statement.</p> <p>Provincial plans and policies are expected to provide a framework of policies which give direction on provincial interests. It is unclear what scenario would constitute a zoning order that does not comply with the policies of provincial and official plans.</p> <p>Such powers do not allow for any certainty on what land uses can be expected on any given land and if used, would undermine public trust in the planning process.</p>

<p>If this subsection is enacted, there should be prescribed criteria when this can apply so there is a better understanding of the intention behind the proposed subsection.</p>
<p>Development Agreements under section 49.2 (new)</p>
<p>Description:</p> <p>Providing the Minister of Municipal Affairs and Housing with the authority to make an order to require landowners to enter into development agreements with the Minister or municipality in matters where the Provincial Land and Development Facilitator or the Deputy Facilitator has been directed by the Minister to advise, make recommendations or perform any other functions with respect to the land.</p>
<p>City of Hamilton comments:</p> <p>It's not clear how this agreement differs from a Development Agreement under other <i>Planning Act</i> applications. Is it in addition to those, or an addendum? No regulations are provided, and it would be helpful if examples were provided of the types of development agreements are contemplated with this proposed legislation.</p> <p>The proposed change gives the Province the power to require a land owner to enter into a development agreement with the Minister or the municipality where land is of provincial interest. Staff are concerned that this additional power has the ability for the Province to impose financial agreements with municipalities or private landowners in order to resolve a dispute. It's not clear how limited these powers are and if it is intended to provide an option to resolve issues provided all parties are agreeable, or something that would be imposed by the Province without an owner's or municipalities acceptance.</p> <p>There is risk that the proposed legislation opens the door for Provincial downloading of its financial obligations to landowners and/or municipalities to implement Provincial priorities without their consent and outside of established land use processes through the <i>Planning Act</i> and <i>Municipal Act</i>.</p>
<p>Parking for additional dwelling units subsections 16 (3.1) and 35.1(1.1)</p>
<p>Description:</p> <p>Amending subsection 16(3.1) and 35.1(1.1) to clarify that an official plan or zoning by-law cannot require the provision of more than one parking spot for each residential unit other than the primary residential unit.</p>
<p>City of Hamilton comments:</p> <p>City of Hamilton amending by-laws Nos. 22-132 to 22-138 which consist of updates to the regulations for secondary dwelling units and secondary dwelling units detached</p>

do not require additional parking for additional dwelling units. Staff are supportive of the proposed changes to provide clarification on this requirement.

Subsections 17 (24.1)(c), 17(36.1)(c)(iii), 22(7.2)(c)(iii), 34(19.1)(c), and 42(1.3)

Amending subsection 17(24.1)(c), 17(36.1)(c), 22(7.2)(c)(iii), 34(19.1)(c), and 42(1.3) to replace “parcel of urban residential land” with “parcel of land”.

City of Hamilton comments:

These sections of the *Planning Act* restrict appeals to the Ontario Land Tribunal for Official Plan policies and Zoning By-law regulations to allow additional dwelling units on a single property.

Staff's do not support the amendment to replace “parcel of urban residential land” to “parcel of land” which aligns with changes proposed to the new Provincial Planning Statement to allow additional dwelling units on rural and prime agriculture lands.

City staff are currently preparing zoning regulations to allow Additional Dwelling Unit – Detached as a permitted use on lands zoned Agriculture (A1) and Rural (A2) under Zoning By-law No. 05-200. If enacted, the proposed legislation would clarify that any Council adopted Zoning By-law Amendment associated with those regulations are not subject to a third-party appeal.

Staff do not have a direct concern with the proposed amendment to limit appeals of new Official Plan policies and Zoning By-law Amendment regulations to allow additional dwelling units on rural and agriculture lands. However, Staff do have significant concerns with the new PPS, as proposed to allow new residential development in the rural and prime agricultural areas and in particular new lot creation, without the ability for municipalities to impose more stringent review criteria. Additional comments on the proposed PPS will be submitted under ERO 019-6813

ERO Posting 019-6822 City of Hamilton Comments May 19, 2023
Regulation for Site Plan for Residential Developments of 10 or Fewer Units
<p>If proposed changes to the <i>Planning Act</i> through Bill 97 is passed, it would provide the Minister of Municipal Affairs and Housing with regulation-making authority to permit municipalities to use site plan control for residential developments of 10 or fewer units on a single lot in specific circumstances, specifically for parcels of land:</p> <ul style="list-style-type: none"> • Any part of which is located within 120 metres of a shoreline; and • Any part of which is located within 300 metres of a railway line
<p>Staff provided comments in response to Bill 23 related to the concerns with removing the requirement for Site Plan Control for parcels of land that will contain no more than 10 residential units.</p> <p>As these changes have been implemented, staff comments are limited to adding a new regulation to allow municipalities to use site plan control for residential developments of 10 or fewer units within 120 metres of a shoreline and within 300 metres of a railway.</p> <p>Staff are looking for clarification for the rational for these specific circumstances.</p> <p>Generally, City of Hamilton staff are supportive of site plan control being applied to residential developments of 10 units or less on a single lot in the identified circumstances. Site plan control is an effective tool to manage and review development to ensure development is designed to minimize negative impacts.</p> <p>The proposed prescribed areas apply to a very large area in City of Hamilton. Approximately 17,059 properties zoned residential in the City of Hamilton are located either 120m from the shoreline or 300m from a railway line. A full site plan control may not be warranted and a scoped, minor process dealing with only specific issues relating to impacts on the shoreline and noise from the railway should be enacted.</p> <p>If the City of Hamilton decides to use site plan control for residential developments of 10 or fewer units on a single lot in the noted specific circumstances, a new Site Plan By-law must be prepared and approved, as well as a new process for a Minor Site Plan to deal with the specific issues relating to shoreline and railway lines.</p> <p>It is unclear if the regulation as it relates to Shorelines is to reflect a natural hazard situation or to address natural heritage considerations. If the later, consideration should be given to other natural heritage features to protect features and functions within local natural heritage systems through the design process. In Hamilton, the permission should be extended to development that is located within or adjacent to Core Areas within the City’s NHS to ensure the development aligns with the existing PPS and City Official Plans related to site alterations within or adjacent to the natural heritage system. This evaluation is often through the submission of an Environmental Impact Statement (EIS). Site Plan provides the mechanism to implement these policies and evaluate proposed developments to determine if an EIS is required.</p>

Appendix "B" to Report PED23145
Page 2 of 2

Processes, based on best management practices, could be put in place to ensure that this was not overly onerous to the homeowner (e.g., Site Plan would not be required if the work was already in a disturbed area, or it was a substantial distance from a Core Area).

Appendix “C” to Report PED23145
Page 1 of 4

*Attachment to City of Hamilton Letter of Submittal
Municipal Rental Housing Replacement By-laws, ORR – Proposal 23-MMAH005
May 19, 2023*

Ontario Regulatory Registry Posting 23-MMAH005

Explanation of changes:

Under s.99.1 of the Municipal Act, 2001 (MA) municipalities may enact bylaws to regulate the demolition or conversion of multi-unit residential rental properties of six units or more. These are sometimes referred to “Rental Replacement By-laws” because they typically contain requirements to replace demolished rental units. By-laws can include requirements around the number, size, type and rent levels of rental replacement units.

As part of Bill 23, the Minister was provided the authority to prescribe limits to municipal powers related to demolition and conversion of residential rental properties of six or more units.

Bill 97 is proposing to permit the Minister to set minimum requirements for rental replacement by-laws. As part of this, the Ministry is seeking feedback on potential regulations that would apply to Municipalities that enact by-laws regulating the demolition and conversion of residential rental properties; and has also requested feedback on additional questions that could be part of this proposal. Details and staff comments are included in the chart below.

Potential Regulation	Comments
Consideration of future regulations that prescribe minimum requirements for landowners to give tenants the option to rent a replacement unit at the same location as their demolished unit, and at a similar rent.	Prescribing minimum requirements which mandate the provision of replacement units at the same location as a demolished unit would help to ensure appropriate protections for rental units. Staff support the intent of this regulation.
Consideration of future regulations that set common rules about the types of compensation that would be required to be provided to displaced tenants.	Staff support compensation measures for displaced tenants to help mitigate impacts. Compensation measures should include options to apply one of the following: a) Where tenants are not interested in returning to replacement units, a set compensation amount which exceeds minimum requirements set out in the Residential Tenancies Act. Best practices in municipalities with rental replacement by-laws typically base this

Appendix “C” to Report PED23145

Page 2 of 4

Attachment to City of Hamilton Letter of Submittal
Municipal Rental Housing Replacement By-laws, ORR – Proposal 23-MMAH005
May 19, 2023

	<p>amount on a set number of months of rent. A sliding scale for compensation could also be used based on the length of a tenancy, where longer tenancies receive greater compensation; or,</p> <p>b) Where tenants are interested in returning to replacement units, rent top-up payments, capped at defined amounts, to bridge the gap between current rent levels and potential higher rent levels for a unit that a tenant must relocate to until a replacement unit becomes available.</p> <p>Other required compensation measures should include:</p> <ul style="list-style-type: none"> • Financial compensation for moving costs. • Covering costs of additional supports for low income tenants or tenants with other special needs or barriers who may require additional assistance to find appropriate housing and complete a move.
<p>Consideration of future regulations that prescribe minimum requirements for landowners to build replacement units with the same core features (e.g bedrooms) as demolished units.</p>	<p>A requirement to provide the same core features (e.g. number of bedrooms) in replacement units is recommended by the draft rental protection by-law being developed for the City of Hamilton. This is an important element of ensuring rental replacement units meet tenant’s needs.</p> <p>Staff support the intent of this requirement.</p>
<p>Limit municipalities from imposing minimum square footage requirements for ‘replacement units’.</p>	<p>Square footage requirements were not contemplated by the draft rental protection by-law being developed by the City of Hamilton. However, there may need to be some consideration given to the original size of a unit in comparison to the size of a</p>

Appendix “C” to Report PED23145

Page 3 of 4

Attachment to City of Hamilton Letter of Submittal

Municipal Rental Housing Replacement By-laws, ORR – Proposal 23-MMAH005

May 19, 2023

	<p>proposed replacement unit. Significant differences in size should be avoided as this may result in substantial negative impacts to a tenant, even where a replacement unit with the same number of bedrooms is being provided.</p>
Additional questions:	
Should rent for replacement units be regulated? If so, how?	<p>Municipalities should be permitted to require replacement units to be offered to tenants at a similar rent as the original unit, with any annual increases as per the rent increase guideline in the Residential Tenancies Act.</p> <p>Similar rent levels should be maintained on a long-term basis.</p>
Are there any types of entities/institutions that own or operate residential rental properties of six or more units that should be exempt from rental replacement rules? If so, what are they, and why should they be exempt?	<p>Regulations should consider how they apply to non-profit affordable housing (i.e. rent geared to income) to avoid undue hardship to affordable housing providers.</p> <p>Where non-profit housing is being demolished, non-profit affordable housing providers should be required to ensure a permanent replacement option for tenants which maintains the same level of affordability for tenants. Available units in a non-profit housing provider’s portfolio in other locations should be permitted as a replacement option, or rehousing with other non-profit providers. Alternative housing within the same area or neighbourhood should be prioritized.</p> <p>Support with relocation and compensation for moving costs should continue to be provided in all circumstances.</p>
Are there any other elements the government should consider?	<p>The City of Hamilton’s Official Plan contains policies which limit conversions and demolitions, to assist with preserving rental housing stock. Of primary concern is the preservation of rental housing stock with lower rent levels.</p>

Appendix “C” to Report PED23145

Page 4 of 4

Attachment to City of Hamilton Letter of Submittal

Municipal Rental Housing Replacement By-laws, ORR – Proposal 23-MMAH005

May 19, 2023

	<p>Minimum standards for rental replacement by-laws should not mandate that all rental units must be replaced in all circumstances. Municipalities should be able to apply criteria in rental replacement by-laws to identify exceptions when a replacement is not needed. These circumstances may include conditions where vacancy rates in the primary rental market have achieved healthy levels and the average market rents for units proposed to be converted or removed are greater than average market rents.</p>
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**Appendix “D” to Report PED23145
Page 1 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
Chapter 1: Introduction	
<u>Overall Comments</u>	
<p>There is fundamental concern with the movement away from a Provincial Policy Statement combined with a detailed Growth Plan for the Greater Golden Horseshoe (Growth Plan), to the proposed Provincial Planning Statement (PPS). While one document may be administratively easier to utilize, the new PPS is inadequate as a replacement for the combined PPS and GGH GP as explained further below.</p> <p>The Growth Plan and the existing PPS work together to provide fundamental guidance and requirements for building complete communities in Ontario, particularly in the highly populated and growing GGH. A solution here may be not to eliminate the Growth Plan but to develop detailed and customized Growth Plans for additional ‘fast growing urban areas’ outside of the Greater Golden Horseshoe that are listed in Schedule 1 of the proposed new PPS. This is an option as the other growth plans could be created under that legislation. This is a pathway that could be considered.</p> <p>These proposed changes are disastrous as they would eliminate intentional, structured and, in some instances, required actions designed to build complete and subsequently more climate resilient communities. The Growth Plan was also meant to work in tandem with a strong Greenbelt Plan (designed also to build up local food security, protect rural open spaces and natural areas that enable ‘natural attenuation’, provide habitat and help in many other ways with climate resilience). Based on the proposed changes within this document, there is concern changes will be proposed to the Greenbelt Plan which further threaten the protection of our natural areas and prime agricultural land,.</p> <p>Currently, the Growth Plan for the Greater Golden Horseshoe (Growth Plan) requires that municipal Official Plans and planning decisions “conform” to it. With the consolidation of the Growth Plan policies into the proposed Provincial Planning Statement (PPS), municipal Official Plans and planning decisions now must be “consistent with” those policies – a less strict test. It is also stated that the PPS represents minimum standards and that municipalities can go beyond these minimums as long as municipalities do not conflict with any PPS policy. The City is supportive of having flexibility to establish growth policies based on local conditions, goals, priorities, and values. however policies related to creating climate resilient communities, protecting our natural heritage systems and negating potential risks to public health and safety shall not have any flexibility.</p> <p>Another significant concern is that the proposed PPS does not carry forward specific policies and requirements of the Growth Plan including minimum intensification targets, employment land protections, enhanced settlement boundary expansion requirements as well as detailed policies that support urban growth centres, public infrastructure, natural heritage systems and transit planning among others.</p>	

**Appendix “D” to Report PED23145
Page 2 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	<p>Since Natural Heritage policies have not yet been included within the PPS, it is unclear if the protection of Environmentally Significant Areas will conflict with PPS policy. In addition, to provide further clarity and authority, it is recommended that this concept be included as a policy in Chapter 6 (Implementation). This would be like the approach provided in the 2014 PPS.</p> <p>There is no longer a Section 1.7 that speaks to Long-Term Economic Prosperity and the role of optimizing land, resources, infrastructure and public service facilities; heritage conservation, redevelopment of existing building stock; energy conservation; among others, in supporting it. There needs to be a policy connection that ties good planning with economic prosperity.</p> <p>At the time of writing these comments the Province has not proposed any changes to the Greenbelt Plan. However, the Growth Plan is referenced throughout the Greenbelt Plan with certain Growth Plan policies being applied. Should the proposed PPS come into effect, the Greenbelt Plan will need to be updated to remove reference to the Growth Plan and update reference to the corresponding policies of the new PPS, if still applicable.</p> <p><u>Proposed Vision</u></p> <p>In the current PPS, it is stated in the vision that “<i>the Province <u>must</u> ensure that its resources are managed in a sustainable way to conserve biodiversity, protect essential ecological processes and public health and safety, provide for the production of food and fauna, minimize environmental and social impacts, provide for recreational opportunities (e.g., fishing, hunting and hiking) and meets its long term needs</i>”. The City of Hamilton has concerns with the language in the proposed vision being softened to “encourage”. In addition, the concepts of biodiversity and protection of ecological processes have been removed. This does not recognize the importance of the natural environment in building healthy, livable, and safe communities or commitments made through other Provincial initiatives (i.e., Ontario Biodiversity Strategy). The City is not supportive of this change since it does not recognize the value of the natural environment, even though, it has been identified as a matter of Provincial Interest.</p> <p>The proposed vision indicates that the Province, planning authorities, and conservation authorities will need to work together. With changes associated with Bill 23, the role of the Conservation Authority in planning matters has been diminished. This statement does not adequately reflect these changes.</p> <p>There is no longer a recognition on the value of cultural heritage in the overall Vision. The importance and value of cultural heritage in creating great communities is more than just providing a sense of place, it provides environmental, economic and social benefits to communities and needs to be recognized in the vision although it is noted policies are still included under “Wise Management of Resources” section in Chapter 4.</p>
Chapter 2: Building Homes, Sustaining Strong and Competitive Communities	
	<p>There is very little mention of the environment or climate change as it relates to development in Chapter 2 of the proposed PPS. It appears that the proposed PPS is purporting that despite the</p>

Appendix “D” to Report PED23145
Page 3 of 38

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
<p>sweeping changes proposed, “Above all, Ontario will continue to be a great place to live, work and visit where all Ontarians enjoy a high standard of living and an exceptional quality of life.” It is debatable what a “high standard of living and exceptional quality of life” must reflect climate change and how municipalities respond to the potential impacts of climate change.</p> <p>The information for Natural Heritage has not yet been provided, which indicates that there will be changes. Natural Heritage planning is intrinsically linked to Provincial planning policy, this information should have been provided with this draft of the PPS to understand the implications.</p>	
2.1 Planning for People and Homes	
<p>1. At the time of each official plan update, sufficient land must be available for the projected needs for <u>at least</u> 25 years (instead of “up to”). Planning for infrastructure, public service facilities, <i>strategic growth areas</i> and <i>employment areas</i> may extend beyond this time horizon.</p> <p>2. Where the Minister has made a zoning order, the resulting development must be in addition to the projected needs over the planning horizon established in the official plan and the additional growth must be incorporated into the next official plan and related infrastructure plans.</p>	<p>2. The added policy language which states development resulting from a Minister’s Zoning Orders (MZO) shall be in addition to the projected growth needs established in an Official Plan is extremely concerning for allowing a municipality to plan for growth appropriately through a meaningful evaluation of local needs. A Minister’s Zoning order which permits growth not previously anticipated through official plan policies and related infrastructure plans will trigger the need to make additional unanticipated updates to plans and programs and will have implications for City budgets and workplans as well as unintended impacts on infrastructure capacity in areas not included within an MZO.</p> <p>This policy change has the potential to undermine or negate policies designed to achieve both the City’s and Province’s planning objectives, most notably achieving greater levels of intensification to prevent the need for further boundary expansion and protecting critical natural heritage systems. The ability for development resulting from an MZO to exceed projected needs established in an official plan will also lead to public distrust as there will be no certainty in what level of growth and development can be expected in their neighbourhood.</p> <p>The proposed approach does not help build complete communities, ensure affordable and deeply affordable housing options are increased, ensure residential development occurs in locations where people can easily live/work/play or</p>

**Appendix “D” to Report PED23145
Page 4 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	<p>encourage the use of public transit and active transportation.</p> <p>It is unclear what factors are considered by the Province when issuing an MZO. The Province should be required to comply with the criteria for supporting a complete community outlined in policy 2.1.4 of the proposed PPS when considering issuing an MZO</p> <p>There is a fundamental concern with the ‘lock-in’ of land requirements that a policy shift like this enables, given that it is coupled with the removal of any serious requirement to intensify within existing built-up areas or within existing planned greenfield lands. This proposed approach will lead to geographic expansion of urban areas and will make it more challenging for municipalities to meet their greenhouse gas emission targets over time as a result.</p> <p>This change raises the question of whether the provincial government has shifted away from its stated commitment to only pursue MZOs requested by municipalities?</p> <p>1. The City of Hamilton does not have significant comments related to the proposed change in Planning horizon from “up to” 25 years to “at least” 25 years with respect to infrastructure and non-linear fixed assets and facilities. However, with respect to land use designations, and in particular land needs and urban boundaries, as the time horizon extends, there is greater risk and uncertainty. Furthermore, there is no cap on the time period under the proposed “at least” wording which, while intended to create flexibility will result in uncertainty when assessing land needs.</p>
Replaces the criteria for sustaining healthy, liveable and safe communities (previous policy 1.1.1) with new criteria to promote the achievement of complete communities.	The current PPS has strong policy language to direct intensification to create compact built forms that make efficient use of land. This policy framework enables cost effective development patterns which optimize infrastructure, services and transit promotes the conservation of natural heritage systems and helps in

Appendix “D” to Report PED23145
Page 5 of 38

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	<p>preparing for the regional and local impacts of a changing climate.</p> <p>This policy change significantly weakens the existing Provincial direction to encourage greater levels of intensification and provides more flexibility for outward growth which could lead to the need for further boundary expansion.</p> <p>While the City understands the importance of growth to address the current housing supply crisis, this can be accommodated in existing areas identified for growth and intensification without undermining other provincial interests and public health and safety.</p> <p>The statement – <i>“avoiding development and land use patterns which may cause environmental or public health and safety concerns”</i>, should be added back into the consideration of complete communities.</p> <p>The increased focus on achieving complete communities without supplementary policy direction for residential intensification, responding to the impacts of a changing climate and conservation of biodiversity is of concern.</p> <p>In addition, the removal of strong policy direction for compact built forms may result in an increase in the development of low density residential uses. These uses alone will not enable an efficient use of services and facilities. As such, the achievement a complete community, especially in areas that have not been contemplated for this type and / or level of growth, will require significantly more resources to provide the necessary services and facilities to align with the proposed PPS.</p> <p>A higher level of secondary planning may need to be completed to ensure there are sufficient lands planned for schools, open spaces and other facilities which contribute to a complete community.</p>
Other wording changes as outlined in PPS Comparison .	All references to residential intensification have been removed from the proposed policies. This de-emphasizes the importance of intensification as an

Appendix “D” to Report PED23145

Page 6 of 38

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	important way to accommodate growth in a sustainable manner.
2.2 Housing	
<p>Revises policy 2.2.1 (previously 1.4.3) to remove minimum targets for market based and affordable housing and expand residential intensification to include the conversion of existing commercial and institutional buildings for residential use.</p> <p>In addition, removes specific direction to facilitate compact form to minimize the cost of housing and make efficient use of land.</p>	<p>While there is still policy direction to plan for a full range of housing options including housing affordably needs, the City of Hamilton is concerned about the proposed removal of minimum targets for the provision of housing that is affordable to low and moderate income households.</p> <p>Currently the Urban Hamilton Official Plan includes policies related to targets for affordable housing. UHOP Policy B.3.2.2. states that to meet the housing targets for housing affordable for low and moderate income households. Given the existing housing crisis, staff question the rationale for removing these minimum targets. This policy change is not supported by the the City of Hamilton.</p> <p>The proposed PPS removes direction to minimize the cost of housing, facilitate compact built form and plan for development where appropriate levels of infrastructure, public service facilities and transit are available. This policy change conflicts with the direction to promote the creation of complete communities and may have the effect of encouraging outward growth where services cannot be optimized.</p> <p>The proposed PPS removes policy 1.4.3 f) which permits establishing development standards for residential intensification, redevelopment and new residential development to minimize the cost of housing and facilitate compact built form. The Urban Hamilton Official Plan contains policies for evaluating residential intensification developments within the built up area. These policies look at items like transition in scale, compatibility of various nuisance effects, conservation of cultural heritage resources, infrastructure and transportation capacity. It is unclear if this change will require the City of Hamilton to remove these policies from the UHOP. This may have the effect of changing the submission requirements for <i>Planning Act</i> applications for infill developments for residential intensification. These are important considerations for</p>

Appendix “D” to Report PED23145
Page 7 of 38

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	<p>ensuring residential intensification is developed appropriately and has regard for public health and safety. The City of Hamilton is not supportive of this proposed policy change.</p> <p>Staff note reference to brownfield sites in reference to intensification has been replaced with conversion of existing commercial and institutional buildings for residential use. This change appears to align with policy direction that allows industrial, manufacturing and small scale warehousing to be located adjacent to sensitive land uses without adverse effects in strategic growth areas and other mixed use areas (proposed policy 2.8.1.2) which is further discussed in the Employment Policies of the proposed PPS.</p> <p>The proposed PPS proposes to replace the term <i>special needs requirement</i> with <i>additional needs housing</i>. The language of the definition has not changed, therefore the City does not have any comments related to this change.</p> <p>It is unclear how the requirement to coordinate land use planning and planning for housing with Service Managers will be operationalized.</p>
2.3 Settlement Areas and Settlement Area Boundary Expansions	
Revises Policy 2.3.1 (previously 1.1.3.1) to provide that within settlement areas, growth should be focused in strategic growth areas, including major transit station areas.	<p>This proposed policy directs that within settlement areas, growth should be focused in strategic growth areas, where applicable. The inclusion of “where applicable” provides more flexibility in this policy than previously through 2.2.1.2 c) of the Growth Plan, as it is meant to apply to all municipalities, however only large and fast growing municipalities are required to identify strategic growth areas.</p> <p>Growth within strategic growth areas including around Major Transit Station Areas (MTSAs) is important especially if the outcome is transit-oriented development and complete communities. The City of Hamilton generally supports identification of strategic growth areas in other suitable locations that can accommodate complete communities and make efficient use of land and public service facilities.</p>

**Appendix “D” to Report PED23145
Page 8 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
2.3.2 (replaces 1.1.3.2) removes “shall” and replaces with “should”	<p>Land use patterns within settlement areas are no longer strictly required to be based on the prescribed criteria. The inclusion of “should” vs “shall” indicates that the criteria are guidance only, and land use patterns are not required to meet these criteria in all circumstances.</p> <p>The policy also removes reference to consideration of minimizing the negative impacts to air quality and climate change and promotion of energy efficiency through development. Reference to preparing for the impacts of a changing climate has also been removed.</p> <p>The City of Hamilton has declared a Climate Emergency and is committed to undertaking work to mitigate and adapt to climate change and its impacts. Removal of reference to climate change considerations through land use and development patterns may undermine the efforts of the City to achieve its climate change goals.</p> <p>Preparing for the impacts of a changing climate is imperative in ensuring public safety and reducing hazards in the event of extreme weather.</p> <p>Removal of preparing for the impacts of a changing climate from the determination of land use patterns may result in harm to the public through development in inappropriate locations.</p>
Adds policy 2.3.3 to encourage intensification and redevelopment to support the achievement of complete communities by planning for a range and mix of housing options and prioritizing planning and investment in infrastructure and public service facilities.	<p>This policy replaces more detailed policies that “Planning authorities shall support intensification and redevelopment to support the achievement of complete communities....”. While the policy still speaks to many of the major policy themes in the PPS, it has been weakened by replacing the word ‘shall’ with ‘should’ suggests that these requirements are optional.</p> <p>It is unclear why this policy is worded to include a should statement and “general intensification”. The policy should be revised to provide clear direction in policy should be provided with respect to planning for complete communities through intensification.</p>

**Appendix “D” to Report PED23145
Page 9 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
<p>Removes previous policies 1.1.3.3 to 1.1.3.7</p>	<p>The deletion of 1.1.3.3 removes the requirement for municipalities to plan for growth in locations that support transit and have sufficient existing and planned infrastructure and public service facilities. The UHOP already identifies corridors for development that will support existing and future transit through the urban structure.</p> <p>Additional deletions in this section include removal of development of appropriate standards to mitigate risks to public health and safety, removal of encouraging growth within existing building stock, removal of minimum targets for intensification, removing the requirement for development in growth areas to be adjacent to the built up area, and removal of policies that implement an orderly progression of development.</p> <p>The City does not support the removal of policies related to requiring growth areas to be adjacent to the existing built up area, phasing of development within growth areas to ensure orderly provision of infrastructure and public service facilities and requiring that settlement expansion occur only where growth targets for intensification and redevelopment have been achieved. The policies removed include important elements to emphasize in order to effectively facilitate urban intensification for the effective creation of complete communities.</p> <p>The deletion of policies 1.1.3.3 to 1.1.3.7 limits municipality’s ability to appropriately manage and plan for growth is supported by the City.</p>
<p>Revises policy 2.3.4 (previously 1.1.3.8 and 1.1.3.9) to remove the requirement for municipal comprehensive review and allow settlement area expansions to be considered at any time provided the prescribed criteria is met.</p> <p>The criteria previously prescribed in the PPS, 2020 and Growth Plan has been scoped and identifies an agricultural impact assessment could</p>	<p>The deletion of policy 1.1.3.8 removes the process of considering a settlement area boundary expansion through a municipal comprehensive review.</p> <p>In its place, the proposed PPS states municipalities should consider certain (revised) criteria for expanding a settlement area.</p> <p>There is no requirement to “demonstrate” that there is not enough land in the existing settlement area to accommodate development, or any of the other previous criteria under the former 1.1.3.8.</p>

Appendix “D” to Report PED23145
Page 10 of 38

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
<p>be submitted if the expansion may impact agricultural lands and operations.</p>	<p>The removal or the requirement for demonstration of need does not support the efficient use of land through infill and intensification first, nor does it support the efficient use of existing municipal infrastructure and public services. There is no link in the criteria to any land needs assessment or other tool to allow expansions only to the extent they are needed to accommodate growth.</p> <p>These proposed changes eliminate the ability of municipalities to effectively plan for orderly and comprehensive land use planning over time. These revisions remove the elements that enable a more orderly approach to land use planning across the Greater Golden Horseshoe and protect prime agricultural land across Ontario.</p> <p>Staff are concerned that the new criteria to allow Urban Expansion requests for areas that may not be needed to meet growth targets, may not be financially viable or allow for the protection of the environment and public health and safety.</p> <p>The City of Hamilton is not supportive of the proposed deletion of this policy.</p>
<p>Adds policy 2.3.5 which encourages <i>Large and fast-growing municipalities</i> to plan for minimum density targets for new settlement areas or settlement area expansions of 50 residents and jobs per hectare.</p>	<p>The City of Hamilton is identified as a “large and fast-growing municipality”. The City has significant concerns with the policy changes which provide added flexibility for permitting new settlement areas and settlement area expansions.</p> <p>Staff have no concerns with the proposed minimum density targets for new settlement areas or settlement area expansions but the 50 residents and jobs per hectare is significantly lower than the current UHOP target of 70 residents and jobs per hectare.</p> <p>The City of Hamilton recommends that the proposed PPS require (instead of encourage) a minimum greenfield density. The use of “encourage” wording opens the door for lower greenfield densities which in turn results in pressure for additional urban boundary expansions to accommodate future growth.</p>

Appendix “D” to Report PED23145
Page 11 of 38

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	In addition, to achieve the proposed PPS objectives related to intensification, climate change, efficient use of infrastructure etc., the City of Hamilton recommends that Section 2.3 of the proposed PPS include a policy encouraging that new residential neighbourhoods consist of a <i>compact built form</i> as defined.
2.4 Strategic Growth Areas	
Adds policy 2.4.1.1 which requires <i>Large and fast-growing municipalities</i> to identify appropriate minimum density targets for each strategic growth area and continue to identify the appropriate type and scale of development in <i>strategic growth areas</i> for transition of built form to adjacent areas.	<p>The City of Hamilton supports directing growth within strategic growth areas which would consist of the downtown urban growth centre and the MTSAs which are currently under reviewed to be delineated.</p> <p>Staff support setting a minimum density targets in these areas but with the removal of Policy 1.4.3 a) and f) from the current PPS, there needs to be policies in place to ensure that development includes housing for low and moderate income households and maintains appropriate levels of public health and safety.</p> <p>The proposed PPS's deemphasis on residential intensification and increased emphasis on rural and greenfield residential development, may result in changes in the housing market away from reurbanization and towards greenfield development especially within strategic growth areas.</p> <p>While there is direction related to the density targets within MTSAs in the proposed PPS and within the Urban Hamilton Official Plan, there should be direction on appropriate minimum targets for other strategic growth areas and how quickly the municipality need to establish those targets.</p>
Adds policy 2.4.1.2 which provides that reductions in size or change in location of an <i>urban growth centres</i> in an official plan may only occur through a new official plan or official plan amendment.	Downtown Hamilton is an Urban Growth Centre. This proposed policy indicates existing urban growth centres will remain in effect but new urban growth centres will not be delineated and an official plan amendment is required to make a reduction or remove. The City of Hamilton is supportive of ensuring that existing urban growth centres remain in place and require an official plan amendment to make any change to the size.

**Appendix “D” to Report PED23145
Page 12 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
Adds policy 2.4.2.1 which requires <i>large and fast-growing municipalities</i> to delineate the boundaries of major transit station areas on higher order transit corridors in their official plan. The defined area shall be within a 500 to 800 metre radius of a transit station that maximizes the number of potential transit users within walking distance of the station.	<p>This proposed policy is consistent with the definition of Major Transit Station Areas (MTSAs) within the Growth Plan.</p> <p>The City of Hamilton is supportive of policies that require the delineation of MTSAs which encourage intensification that creates more transit-oriented development in an urban area.</p> <p>The City is already completing work to delineate Major Transit Station Areas within a 500 to 800 metre radius of a transit station.</p>
Adds policy 2.4.2.2 which requires <i>large and fast growing municipalities</i> to plan for the prescribed minimum density targets (consistent with current Growth Plan targets) within MTSAs.	This proposed policy is consistent with policy 2.2.3 of the Growth Plan with no significant changes. The City of Hamilton has no comment.
Adds policy 2.4.2.3 which allows large and fast growing municipalities to request the Minister to approve an official plan or official plan amendment with a lower density target established in policy 2.4.2.2 where it is demonstrate the target cannot be achieved.	<p>This proposed policy is consistent with policy 2.2.4 of the Growth Plan. The City is supportive of allowing for flexibility for the required density targets within MTSAs where growth cannot be accommodated due to other considerations.</p> <p>However, municipal decision on the minimum density target should not be subject to privately initiated Official Plan Amendments to reduce the density target.</p>
Adds policy 2.4.2.5 which provides that planning authorities may plan for major transit station areas that are not on higher order transit corridors by delineating boundaries and establishing minimum density targets.	This proposed policy allows the City of Hamilton to consider local conditions where higher densities would be appropriate without limiting intensification and growth to transit corridors. This flexibility facilitates more comprehensive node / corridor planning and helps build more transit oriented development across Hamilton more quickly (e.g. along express bus corridors that might ultimately transition into higher order transit corridors). The City supports this policy.
Softens the language of policy 2.4.2.6 (2.2.4.8 of Growth Plan) for requiring major transit station areas to be transit supportive and achieve multimodal access to stations and	It is unclear, based on the definition of <i>Major Transit Station Area</i> and <i>Transit-supportive</i> , why an MTSA would not be transit-supportive. MTSAs have minimum density targets of people and jobs per hectare in order to achieve compact, mixed use, built form in those areas. This change to soften the language directly

**Appendix “D” to Report PED23145
Page 13 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
connections to nearby major trip generators.	<p>conflicts with policy direction to encourage complete communities throughout municipalities.</p> <p>If strategic growth areas are not planned to be transit supportive or have multi-modal access, there could be significant implications on the capacity of the road network in these areas.</p> <p>The City of Hamilton is supportive of the additional language related to infrastructure that accommodates a range of mobility needs and supports in order to make MTSAs accessible to all ages and abilities.</p>
2.5 Rural Areas in Municipalities	
Revises policy 2.5.1 (previously 1.1.4.1) to remove “encouraging the conservation and redevelopment of existing rural housing stock on rural lands” related to development of rural areas.	<p>It is not clear what the intent of removing this policy which directly conflicts with the emphasis of increased housing supply and options within Rural Areas. The preservation of existing housing stock within rural areas support this goal without taking additional lands out of agricultural production or developed on undistributed natural heritage areas. In addition, rural housing stock often has significant heritage value or interest given that the City’s Inventory and Registry of Heritage Properties includes dwellings constructed prior to Confederation. and the policy to be removed supports the restoration and reuse of buildings that reflect Ontario’s rural character and history.</p>
Removes policy 1.1.4.2 that growth and development in rural areas shall be focused in rural settlement areas.	<p>Rural Settlement Areas are intended to be residential and service centres that serve the immediate community and the surrounding rural area. They typically include schools, places of worship, small scale commercial businesses and recreational amenities that help form a complete community, reducing residents need to travel to larger urban centers for services. In addition, rural settlement areas include public infrastructure (water/wastewater systems, streetlighting, sidewalks etc.) not found in other rural areas.</p> <p>Directing rural growth to settlement areas optimizes existing and planned infrastructure and public service facilities, supports active transportation. It represents good planning. The proposed removal of this policy is</p>

**Appendix “D” to Report PED23145
Page 14 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	<p>very problematic as it will likely result in more residential development outside of settlement areas.</p> <p>The City of Hamilton is not supportive of the proposed removal of this policy from the new PPS.</p>
<p>Revises policy 2.5.2 (previously 1.1.4.3) to add “locally appropriate” when referring to rural characteristics to be considered for development in rural settlement areas.</p>	<p>The City of Hamilton has established Rural Settlement Plan Areas within its Rural Hamilton Official Plan that provides specific land use planning policies and mapping for each of Hamilton’s 19 Rural Settlement Areas.</p> <p>The City is supportive of adding “locally appropriate” to this policy which helps support the City’s efforts to establish rural settlement area specific policies that reflect local conditions and priorities. “Locally appropriate” and “rural characteristics” should be defined in the proposed PPS. Defining these terms will help to clarify questions such as whether the conservation and enhancement of cultural heritage resources such as agricultural landscapes and historic settlement areas are considered “rural characteristics”</p>
<p>Other wording changes as outlined in PPS Comparison.</p>	<p>In policy 2.5.1 g, it has been stated “healthy, integrated and viable rural communities should be supported by conserving biodiversity and considering the ecological benefits provided by nature”. These are important considerations within both the urban <u>and</u> rural areas.</p> <p>Section 2.5 of the preamble has been removed in the proposed PPS. Preambles play an important role in a policy document providing context for the intent of the policies. By removing this section of the preamble, it no longer provides a background and context of the importance of preserving the social and environmental fabric of rural areas. Rural areas are not future urban areas, and are no longer being seen as assets or contributors of a foundation for a sustainable economy. In the previous wording there was a greater cohesion that recognized the purposes that the Rural lands provided, including protection for Natural Heritage features. The lack of preamble does not adequately introduce the purpose and function of Rural lands in the greater context of the Province of Ontario.</p>

Appendix “D” to Report PED23145
Page 15 of 38

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
2.6 Rural Lands in Municipalities	
Removes policy 1.1.5.1 which requires planning authorities to apply relevant policies of the PPS when directing development on <i>rural lands</i> .	The City of Hamilton is not supportive of the proposed removal of policy 1.1.5.1.. Rural Lands are directly connected to the wise use and management of resources as well as ensuring that public health and safety is protected when considering development proposals for sensitive land uses on rural lands. While these policies are covered in other sections of the proposed PPS, staff recommend this policy remain or as an alternative, additional wording be provided under Section 2.6 to provide context around the role of rural lands have in supporting these priorities.
Clarifies residential dwellings which are part of resource based recreational uses are not intended as permanent residences in policies 2.6.1 b), 2.7.1 and 2.7.4 (previously 1.1.5.2, 1.1.6.1, 1.1.6.4)	The City of Hamilton is generally supportive of this clarification but suggest it go further to specifically exclude permanent non-farm dwellings as a permitted use on rural lands. The City of Hamilton encourage locating more temporary ‘recreational residences’ in rural areas.
Removes policy 1.1.5.3 to promote recreational, tourism and other economic opportunities on rural lands.	No comment.
Revises policy 2.6.2 (previously 1.1.5.4) to remove language “compatible with rural landscape”.	The City of Hamilton is not supportive of this proposed policy change which limits the ability to develop site specific policies and/or guidelines to ensure that new rural development is sympathetic and compatible with the rural character of the area.
Revises policy 1.1.5.2 c) that limits residential lot creation that is “locally appropriate” to remove the reference to “locally appropriate” and allow for multi-lot development.	The City’s Rural Hamilton Official Plan has more restrictive residential lot creation than the PPS, not permitting new residential lot severances in Rural Areas outside of surplus farm dwelling severances. Historically, the former townships within the City of Hamilton experienced significant fragmentation of its Rural Lands through residential lot creation which has had negative impacts on the City’s agricultural and natural heritage systems (including protection of groundwater), mineral aggregate resources and created countless land use conflicts.

**Appendix “D” to Report PED23145
Page 16 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	<p>While an amendment is not currently proposed to the Greenbelt Plan which has maintains more restrictive policy respecting rural lands within the Protected Countryside, the City of Hamilton does not support the removal of “locally appropriate” from this policy which threatens the City’s ability to maintain its more restrictive lot creation policies to prevent further fragmentation of Rural lands. Similarly, the City of Hamilton opposes multi-lot residential development (e.g. rural residential subdivisions) for the same reasons discussed above.</p>
2.7 Territory Without Municipal Organization	
Wording changes as outlined in PPS Comparison .	No Comments.
2.8 Employment	
<p>Revises the definition of employment area to exclude institutional and commercial uses, including retail and office uses, unless those institutional or commercial uses are associated with the primary employment area use. The revisions to the definition of employment area matches corresponding amendments to the <i>Planning Act</i>.</p>	<p>It appears the intent definition change is to create strict areas for heavy manufacturing type of employment, and would not include areas that are considered as business parks that have permissions for a wider range of uses like office uses, or areas in business parks that contain commercial or retail uses supportive to the employment use.</p> <p>There is value to having amenities/supports located in close proximity / integrated into significant employment areas. This needs to be done with care, but can be done in a manner that ensures the outcome is ‘supported’ employment areas and advancing climate resilience through reducing automobile trips and encouraging pedestrian connections.</p> <p>The Industrial Zones in City of Hamilton Zoning By-law 05-200 do not permit commercial or institutional uses unless to support the Business park. The M4 Zone allows restricted restaurant and retail uses in support of the Business Parks and is located at the intersections entering into parks.</p>

**Appendix “D” to Report PED23145
Page 17 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
<p>Adds policy 2.8.1.2 which provides that industrial, manufacturing and small scale warehousing uses that could be located adjacent to sensitive land use without adverse effects are encouraged in strategic growth areas and other mixed use areas where frequent transit service is available, outside of employment areas.</p>	<p>The proposed policy change to allow industrial and manufacturing and small scale warehousing in strategic growth areas may result in land use patterns that create conflict between users. Although, the proposed policy notes these uses would only be permitted where there are no adverse effects.</p> <p>This approach could be helpful in facilitating the creation of more complete communities (live/work/play), however the type and scale of use would need to be refined through zoning to ensure that there is no risk of adverse impacts on any sensitive land uses. In addition, there is concern the proposed policy change may result in decentralized movement of goods, increasing truck traffic which in turn may result increased truck traffic, impacting the Truck Route Master Plan.</p> <p>Zoning By-law updates may be required to accommodate warehouse uses outside of the Employment Areas and Arterial Commercial Zones. The City of Hamilton will need to complete further review of performance standards and locational requirements necessary to establish the appropriate regulations.</p>
<p>Adds policy 2.8.1.3 which permits residential, employment, public service facilities and other institutional uses on lands for employment that are outside of employment areas to support the achievement of complete communities, taking into account the transition of uses to prevent adverse effects.</p>	<p>This proposed policy contemplates the uses described in 2.8.1.2, and frames them as part of a complete community. The concept of “lands for employment” that exists outside of and “employment area” will need to be carefully considered in terms of how they are described in local policy. Currently, the City of Hamilton has Employment Areas, and the consideration of “lands for employment” will need to be taken into account through future policy revisions.</p> <p>The remnant employment lands will be reviewed and assessed for the appropriate zoning. It is not clear if this proposed policy is meant to cover those lands that aren’t designated for but are currently zoned or used for employment purposes.</p>
<p>Adds policy 2.8.1.4 which provides that official plans and zoning by-laws shall not contain provisions that are</p>	<p>The City of Hamilton note consideration of what would be considered under “public health and safety” is vague</p>

**Appendix “D” to Report PED23145
Page 18 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
more restrictive than Section 2.8.1.3 of the Provincial Planning Statement, except for the purposes of public health and safety.	and could be interpreted broadly. This policy should be clarified.
Adds policy 2.8.1.5 which directs major office and major institutional development to major transit station areas or other strategic growth areas where frequent transit service is available.	<p>The proposed policy is already reflected in the UHOP through new policy E.2.1 b) added through OPA 167 and in City of Hamilton Zoning By-law 05-200 through the TOC Zones. The difference is that the proposed PPS policy specifies that frequent transit service “is” available, not that it may also be “planned”.</p> <p>The City of Hamilton is supportive of this proposed policy.</p>
Other wording changes as outlined in PPS Comparison .	<p>Policy 2.8.3 is now a “shall” policy, directing that municipalities shall assess and update employment areas in their OPs. The previous instruction for timing of this review was through the MCR process, however it is unclear when and how often a municipality should now be undertaking such a review.</p> <p>Policy 2.8.4 allows a municipality to remove lands from an employment area at any time since there is no further requirement for a comprehensive review. It is now open for consideration through Official Plan amendment at any time, and through private applications, provided the tests can be demonstrated.</p> <p>City of Hamilton staff require guidance from the Province for updating Official Plans in accordance with Policy 2.8.3.</p>
2.9 Energy Conservation, Air Quality and Climate Change	
<p>Modifies the approaches for planning for the impacts of a changing climate under Section 2.9 (previously 1.8) with less focus on the location of certain land uses to minimize transportation congestion.</p> <p>(Relates to other sections such as Employment and Transportation Systems)</p>	<p>The proposed energy conservation, air quality and climate change policies deemphasize the importance of building complete communities as an important method for reducing travel requirements / facilitating peoples’ ability to use public transit as effective methods for reducing Green House Gases (GHG).</p> <p>The current PPS Section provides a better framework for addressing climate change through land use planning.</p>

**Appendix “D” to Report PED23145
Page 19 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	<p>The City of Hamilton has developed City-wide initiatives such as the Climate Change Adaptation Strategy and the draft Urban Forest Strategy. These strategies recognize that the preservation of mature vegetation is essential in maintaining the urban forest canopy, mitigating the impacts of climate change and providing a healthy community.</p> <p>These proposed changes have weakened the policies related to climate change. There should much more robust policies related to climate change that include targets to provide municipalities with the ability to require green infrastructure and low impact development when review <i>Planning Act</i> development applications. Specific reference should be made to the role of the retention and retrofitting existing buildings, including buildings of cultural heritage value, to achieve these goals.</p> <p>This section was previously more comprehensive and effectively reinforced by other elements within the PPS, 2020 and Growth Plan. The approaches described in the proposed PPS are not supported / reinforced by policies set out in other parts of the Planning Statement and does not appear the Province is interested in promoting planning approaches that will reduce GHG emissions or climate change mitigation.</p>
Chapter 3: Infrastructure and Facilities	
The City of Hamilton are not supportive of the revision in the proposed PPS that removes “prepares for the impacts of climate change” in its infrastructure and public service facilities General Policies and removal of “Green infrastructure” respecting investments in infrastructure.	
3.1 General Policies for Infrastructure and Public Service Facilities	
Adds policy 3.1.6 which encourages innovative approaches in the design of schools in strategic growth areas or other areas with compact built form in consultation with school boards.	<p>The City of Hamilton is generally supportive of this change but recommend that the PPS provide specific policies or tools enabling local Official Plans or School Boards to require this as part of a planning approval.</p> <p>The terms <i>infrastructure</i> and <i>public service facilities</i> do not include parks or natural areas so consideration</p>

**Appendix “D” to Report PED23145
Page 20 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	<p>should be made to ensure innovative approaches to schools will require the integration of parks.</p> <p>The City of Hamilton requires clarification on the meaning of “where appropriate” within the new policy 3.1.1 (b) which appears to weaken the proposed policy.</p> <p>The City of Hamilton does not support the removing reference to preparing for the impacts of a changing climate.</p>
3.2 Transportation Systems	
<p>Removes policy 1.6.7.4 which states a land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.</p> <p>(Relates to Energy Conservation, Air Quality and Climate Change)</p>	<p>The City of Hamilton does not support the removal of this policy in the proposed PPS. The intersection of land use planning and transportation planning is essential to creating compact, transit supportive communities and has been a supported principle of good planning for decades.</p> <p>The City of Hamilton is projected to grow by over 300,000 people over the next 30 years. Establishing land use patterns and densities that reduce reliance on single occupancy vehicle trips and increasing transit ridership, multimodal options and active transportation is critical to ensuring that this population growth can be accommodated making efficient use of existing infrastructure.</p> <p>From a transit perspective, this removal weakens the core objective to increase ridership and mode share. Further, it is a step backwards in promoting active travel in communities. Striking 1.6.7.4, is contrary to good planning with respect to the importance of transit, mode share, active travel, the climate emergency, air quality and energy conservation – all the inputs necessary to reduce carbon emissions. The absence of such a positioning reinforces the importance of the care and is unsustainable.</p> <p>The City of Hamilton notes the previous language in this policy was “should” not “shall” and therefore was not restrictive in cases where it cannot be achieved.</p>

**Appendix “D” to Report PED23145
Page 21 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	The City seeks clarification from the Province on the justification for removing this policy as there does not appear to be any defensible justification for removing this policy given that transportation is a major source of GHG emissions in every Ontario urban area.
3.3 Transportation and Infrastructure Corridors	
Modifies policy 3.3.3 (previously 1.6.8.3 to add “or where avoidance is not possible”	No comment.
Removes policy 1.6.8.6 to consider the significant resources in Section 2: Wise Use of Management of Resources when planning for corridors and rights of way for significant transportation, electricity transmission and infrastructure facilities.	<p>As the PPS still has to be read as a whole, this revision alone should not have any adverse impact. However, the City has concerns with the intent behind this revision and notes that transportation / infrastructure corridors should not be exempt from careful consideration of potential impacts on ‘significant resources’ identified in Section 2 which include 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.</p> <p>The City recommends this policy be kept in the new PPS.</p>
3.4 Airports, Rail and Marine Facilities	
Numbering changes only.	No comment.
3.5 Land Use Compatibility	
<p>Revised policy 3.5.2 (previously 1.2.6.2) related to locating major facilities in proximity to sensitive lands uses which removes the previously prescribed criteria.</p> <p>(relates to Employment Section)</p>	<p>This proposed policy change reduces protections that help ensure the long term viability for major facilities by removing the following criteria currently used to determine if the sensitive use may be permitted:</p> <ul style="list-style-type: none"> - That there is an identified need for the proposed use; and,

**Appendix “D” to Report PED23145
Page 22 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	<ul style="list-style-type: none"> - That alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations. <p>The City is not supportive of this amendment which, if enacted, allows sensitive land uses to encroach to these uses that provide critical employment and infrastructure just because they “can” and doesn’t consider whether they “should” or “need to”.</p> <p>The relaxation of these protective measures is likely to restrict and frustrate the ability of major facilities to expand and/or redevelop over the long term (e.g. 20+ year horizon) to meet future demands, compete economically at a national or international level and adjust with evolving technologies. This in turn increases the risk that existing major facilities become obsolete.</p> <p>With that said, the City notes that Major facilities are still protected by ensuring adjacent sensitive land uses are only permitted where potential impacts are mitigated. Criteria a) and b) that existed previously were difficult to implement in a brownfield scenario where former industrial areas are transitioning to residential uses (especially the “no alternative locations” criteria because alternative locations for residential uses do exist but there may be sound planning rationale for transitioning industrial areas to residential provided potential impacts on major facilities are mitigated).</p>
3.6 Sewage, Water and Stormwater	
Significant modifications to policies 3.6.1 to 3.6.8 (previously 1.6.6.1 to 1.6.6.7).	The City of Hamilton does not support the revision to Section 3.6.1 b) and 3.6.8 c) of the proposed PPS which removes reference to preparing for the impacts of a changing climate in the planning of sewage and water systems. This is very concerning as it is critical that the implications of climate change are considered and are driving efforts to effectively manage stormwater and water supply. The City of Hamilton notes that new communal water systems are prohibited by the Rural Hamilton Official Plan. Stronger language about the need to use green infrastructure is recommended within this section.

**Appendix “D” to Report PED23145
Page 23 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	<p>The City of Hamilton supports the inclusion of proposed policy 3.6.1 f) that Planning for sewage and water systems shall “integrate with source protection planning”.</p> <p>The City of Hamilton recommends modifying policy 3.6.5 to include provision for partial services along urban boundary roads where the service already exists and where the design of the services accommodates the connection.</p> <p>The City of Hamilton supports the addition of proposed policy 3.6.8 g) regarding aligning stormwater management plans with comprehensive municipal plans which consider cumulative impacts of stormwater management at a watershed scale. The City recommends Section 3.6.8 be further revised to include that planning for stormwater management shall include watershed planning.</p> <p>The reference to the suitability of on-site private services under proposed 3.6.4 leaves room for interpretation by removing some of the previous details and adding the financial viability aspects. For example, the changes to the policy framework must be accompanied by changes to the Ontario Building Code to allow for the effective monitoring and enforcement of the operating parameters of Tertiary Septic Systems. City Staff do not support any policy changes that would encourage communal servicing systems (water and / or wastewater) due the financial risk to the City in the event of a system failure and subsequent MOECP order for the City to assume the system.</p> <p>financial viability of individual on-site services?</p>
3.7 Waste Management	
Revised policy 3.7.1 (previously 1.6.10.1) related to planning for integrated waste management.	Section 3.7 of the proposed PPS includes the requirement to plan for waste management systems and the definition of waste management system means “sites and facilities to accommodate solid waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and

Appendix “D” to Report PED23145
Page 24 of 38

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	<p>disposal sites.” This definition should specify organics processing sites such as anaerobic digestion or aerobic processing facilities as there is a need for these in the province currently.</p> <p>This change deletes simple language to describe Integrated Waste Management (IWM) with no definition of IWM included in the proposed PPS. The City of Hamilton recommends retaining the original text or at least defining IWM in the definitions section.</p>
3.8 Energy Supply	
Numbering changes only.	No Comment.
3.9 Public Spaces, Recreation Parks, Trails and Open Space	
Wording changes as outlined in PPS Comparison related to inclusive communities.	<p>The City of Hamilton is supportive of the added language to support the needs of all ages and abilities.</p> <p>In proposed policy 3.9. d) reference is made to “other protected areas”. It is unclear if this would include specific natural heritage features or areas that are specific to municipalities (i.e., Environmentally Significant Areas) since what would be considered in this category has not been defined. In addition, “negative impact” has not been defined in terms of this policy. Further clarification should be provided in Section 7 (Definitions).</p>
Chapter 4: Wise Use and Management of Resources	
There is no mention of proper management of waste as a resource in this section even though certain waste streams are now considered resources under the Resource Recovery and Circular Economy Act (2016). Chapter 4 should recognize this and should include how the infrastructure to support waste as a resource is protected and how.	
4.1 Natural Heritage	
The natural heritage policies and related definitions remain under consideration the province.	“The protection of ecological systems, including natural areas, features, and functions” has been identified as a matter of Provincial Interest, however, Natural Heritage policies and related definitions have not been considered within the proposed PPS (these will be available through a separate Environmental Registry of

Appendix “D” to Report PED23145
Page 25 of 38

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	<p>Ontario posting). This does not recognize the importance of the natural environment in the planning framework or the interconnections with other policies.</p> <p>The Natural Heritage System (NHS) within the Province has been delineated based on a “systems” approach recognizing that features and their functions are important. This approach is based on the concept of Landscape Ecology and has been in place in the Province since 2005. A balance of growth and healthy environments are required. A healthy Natural Heritage System leads to a healthy population.</p> <p>The Natural Heritage Reference Manual was developed to implement the natural heritage policies of the 2005 Provincial Policy Statement. The Manual has not been updated since 2010. It is recommended that this Manual be updated.</p> <p>As the PPS is to be read and applied in its entirety, it is unclear how the proposed PPS policies will relate, and be applied to lands containing or adjacent to NHS features.</p>
4.2 Water	
<p>Revises the requirements for protecting, improving and restoring the quality and quantity of water prescribed in policy 4.2.1 (previously 2.2.1)</p>	<p>Reference to evaluation and preparation for the impacts of a changing climate has been removed from proposed policy 4.2.1. Water resource systems need to be protected and conserved since they are important components in preparing for climate change. It is recommended that climate change continue to be considered in this policy.</p> <p>In policy 4.2.1 a), it has been identified that the watershed scale is to be used as a foundation for considering cumulative impacts of development. It is unclear how “cumulative impacts” are defined since this term is missing from the definition section. It is recommended that Section 7 (Definitions) be revised accordingly.</p> <p>In policy 4.2.1 b), reference has been made to “negative impacts”. While this term has been defined, it is unclear how this will be measured in practical terms.</p>

**Appendix “D” to Report PED23145
Page 26 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	<p>It is recommended that guidance documents be developed in order to implement this policy.</p> <p>Elimination of 1 (i) is also troubling as it sets out practices (i.e stormwater management practices) that are rooted in building climate resilience</p> <p>The definition for water resource systems references natural heritage features and areas. There is concern that “natural heritage features and areas” have not been included within Section 7 (Definitions). The City assumes that definitions related to natural heritage will be brought forward when the natural heritage policies are released for review.</p> <p>Overall, the City of Hamilton has concerns related to increased rural development with potential private communal servicing, settlement expansions at any time. The water features enhancements that were added in 2020 are removed. Planning authorities can prioritize protecting or restoring the quality and quantity of resources including water, minerals, as well as cultural heritage and archaeological sites from land alterations based on watershed studies.</p> <ul style="list-style-type: none"> • “residential development, including lot creation, and multi-lot residential development, where site conditions are suitable for the provision of appropriate sewage and water services; • Additional residences will be permitted on farm properties (up to two additional on one parcel and up to three additional residential parcels)” <p>The City of Hamilton is not supportive of these changes.</p>
Revises policy 4.2.2 (previously 2.2.2) to remove reference to <i>sensitive surface water features</i> , <i>sensitive ground water features</i> and their <i>hydrologic functions</i> .	<p>The intent of this proposed policy is supported, however, it is unclear what is meant by mitigative measures and/or alternative development approaches. It is recommended that this policy be rephrased. The City of Hamilton is not supportive of this change as currently proposed.</p>

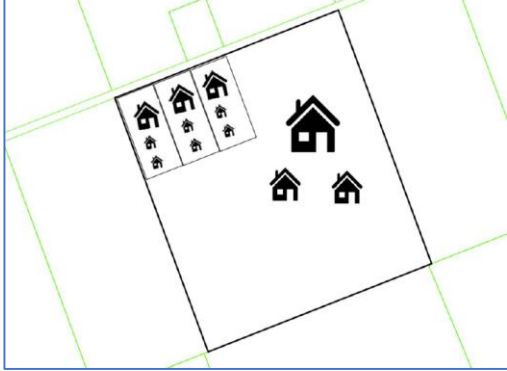

**Appendix “D” to Report PED23145
Page 27 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
Adds policy 4.2.3 to require municipalities to undertake <i>watershed planning</i> .	It has been identified that municipalities are encouraged to undertake watershed planning. The intent of the policy is supported, however, there is concern that the focus is only limited to water and water resources. The overall Natural Heritage System is to be considered (not just water). In addition, this policy specifically references municipalities. This type of planning is complex, involves several disciplines, and can be multi-jurisdictional. Conservation Authorities, who have valuable knowledge of the larger system have not been considered within this policy. It is suggested that the policy be revised accordingly. It is also recommended the word “management” is replaced with “infrastructure”.
4.3 Agriculture	
Adds policy 4.3.2.4 to permit a principal dwelling associated with an agricultural operation in prime agricultural areas as an agricultural use unless otherwise prohibited.	No comment.
Adds policy 4.3.2.5 to permit up to two additional residential units subordinate to the principal dwelling in prime agricultural areas subject to prescribed criteria.	<p>The City of Hamilton is currently developing zoning regulations to support detached Accessory Dwelling Units in rural areas; however, the intent of these permission is to ensure that the detached ADU is clearly secondary and subordinate to the principle dwelling.</p> <p>It is understood that the polices for Prime Agricultural Areas within the Protected Countryside designation of the Greenbelt Plan which only permit Additional Dwelling Units within single detached dwellings or existing accessory structures on the same lot, would take precedence over the proposed PPS.</p> <p>Regardless, the City of Hamilton has concerns that this policy will allow residential dwellings on agricultural properties and recommends the policy be revised to limit one additional dwelling and include policy that municipalities shall establish appropriate policies and regulations to ensure that additional dwelling will be clearly subordinate to the principle dwelling.</p>

Appendix “D” to Report PED23145
Page 28 of 38

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
<p>Revises policy 4.3.3.1 (previously 2.3.4.1) to allow residential lot creation in prime agricultural areas for up to three parcels is permitted in accordance with prescribed criteria.</p>	<p>It is understood that the polices for Prime Agricultural Areas within the Protected Countryside designation of the Greenbelt Plan which restrict lot creation to surplus farm dwellings, would take precedence over the proposed PPS.</p> <p>The City of Hamilton have significant concerns with the introduction of new residential lot creation permissions within Prime Agricultural Areas, including that it would:</p> <ul style="list-style-type: none"> • Remove productive agricultural lands. • Severely limit the adaptability for agriculture in the future by increasing lot fragmentation and limiting future livestock operations based on MDS calculations. • Negatively impact the City’s groundwater resources by increasing the number of residential septic systems. • Increase demand for municipal services that are inefficient to extend to agricultural areas (e.g. police, fire, health care, schools, active transportation), negatively impacting the City’s finances. • Increase real estate speculation for agriculture properties based on their residential development potential, increasing the price of farmland and limiting the ability of new family farms to be established. • Increase the potential for land use conflicts between rural residential uses and agricultural uses. <p>Further, this policy change combined with the revision described immediately below will introduce a significant threat to Ontario farmland opening the door to extensive new residential lot creation and development on agricultural land in Ontario. The diagrams below (shared by Dr. Caldwell et al in a recent Ontario Farmland Trust webinar) illustrates the impact that these policy changes could have on agricultural lots. They raise additional concerns about disruption of farm activity, including the implications with respect to Minimum Distance Separation requirements, that could result with the proximity of more residential dwellings as a potential problem too.</p>

**Appendix “D” to Report PED23145
Page 29 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	<div style="text-align: center;">  </div> <div style="text-align: center;">  </div> <p data-bbox="719 1220 1443 1419">While the proposed policy may seem minor by limiting the total number of lots to two per agricultural operation, the cumulative impact of severances for new rural residential building lots has the impact of transforming agricultural areas to exurban areas as residential uses slowly becomes the predominate use.</p> <p data-bbox="719 1457 1443 1656">The proposed policy is not clear as to what constitutes an ‘agricultural operation’ as the term is not defined in the proposed PPS. The City of Hamilton recommend if this proposed policy is to remain, that additional regulations be provided establishing a minimum lot area of at least 40.4 hectares.</p> <p data-bbox="719 1694 1443 1881">Rural Hamilton Official Plan Policies will need to be reviewed to implement and corresponding zoning changes may be required to establish the necessary lot standards. It is not clear if this proposed policy should also relate to Additional Dwelling Units and Additional Dwelling Units-Detached.</p>

**Appendix “D” to Report PED23145
Page 30 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
Adds policy 4.3.3.2 which provides that official plans and zoning by-laws shall not contain provisions that are more restrictive than Policy 4.3.3.1(a) of the proposed PPS for lot creation in prime agricultural areas except to address public health and safety concerns.	The City of Hamilton strongly object to this proposed policy which limits the ability to establish 'locally appropriate' Official Plan policies and regulations.
Adds policy 4.3.3.3 which discourages non-residential lot creation in prime agricultural areas and prescribes criteria when it is permitted.	The City of Hamilton recommends including the facilitating the retention and conservation of a significant cultural heritage resource in the prescribed criteria for permissions for lot creation.
Revises policy 4.3.5.2 (previously 2.3.6.2) to provide that impacts from new or expansions of nonagricultural uses on surrounding agricultural lands and operations can be minimized or mitigated as determined through an agricultural impact assessment or equivalent analysis when they cannot be avoided.	No comment. Staff support the retention of the existing policy framework.
Other wording changes as outlined in PPS Comparison .	<p>The current PPS requires municipalities to use Provincial based on provincial guidelines in mapping its Prime Agricultural Areas whereas proposed policy 4.3.1 and the revised definition of Prime Agricultural Area allows municipalities to complete its own mapping based on provincial guidance.</p> <p>In developing the Rural Hamilton Official Plan, the City of Hamilton established its Agriculture and Rural land use designations based on agricultural land mapping and guidelines provided through the OMAFRA. This new policy appears to provide flexibility to municipalities on other data sources for identifying Prime Agricultural Areas in Official Plan mapping. It is not clear what the intent of this change is or what 'guidance' is being referred to. The City of Hamilton (likely similar to other municipalities with agricultural lands) relies on the expertise of OMAFRA staff in providing accurate</p>

Appendix “D” to Report PED23145
Page 31 of 38

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	agricultural mapping which has been effective in ensuring that municipalities use consistent, readily available data in its agricultural system planning.
4.4 Minerals and Petroleum	
Numbering changes only.	No comment.
4.5 Mineral Aggregate Resources	
Revisions to section 4.5.4 (previously 2.5.4) related to extraction in Prime Agricultural Areas as outlined in document.	No comment.
4.6 Cultural Heritage and Archaeology	
<p>4.6.1 Replacement of “significant” cultural heritage resources (including built heritage resources and cultural heritage landscapes) with “protected heritage property”.</p> <p>This change is in conjunction with the removal of the definition of <i>significant</i>, in regard to cultural heritage (definition e), and revisions to the definition of <i>protected heritage property</i>, <i>built heritage resource</i>, <i>cultural heritage landscape</i> from the Definitions section.</p>	<p>The change from “significant” to “protected heritage property” is not consistent with the language in Section 2 of the Planning Act outlining the provincial interest, which includes: (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest; [emphasis added]</p> <p>The proposed change diminishes the City’s ability to conserve signature heritage resources.</p> <p>Through the revision of PPS, 2020 policy 2.6.1, now 4.6, and the corresponding removal of the definition of <i>significant</i> with regard to cultural heritage resources, the ability of the municipality to evaluate and protect a significant built heritage resource or cultural heritage landscape is diminished. The previous definition of <i>significant</i> included a recognition that not all significant heritage properties have been identified, even with proactive inventory work (as proposed with new policy 4.6.4(b)), and there may still be significant resources that would be identified and evaluated through the <i>Planning Act</i> process that should be conserved.</p> <p>This policy change will require municipalities to designate properties containing cultural heritage resources to ensure that they are <i>conserved</i> through the <i>Planning Act</i> process. In the case of applications</p>

Appendix “D” to Report PED23145
Page 32 of 38

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	<p>considered to be “prescribed events” as per <i>Ontario Regulation 385/21</i> of the <i>Ontario Heritage Act</i>, this would require the City to proactively designate prior to an application or within 90-days of a prescribed event being triggered.</p> <p>The changes to the language in this policy will require a review and update of the City’s cultural heritage resource policies in the official plans, which currently include policies to ensuring that previously unidentified cultural heritage resources (built heritage resources and cultural heritage landscapes) are conserved, and allow the municipality to require Cultural Heritage Impact Assessments and Documentation and Salvage Reports for properties of heritage interest that are not yet <i>protected heritage property</i>.</p> <p>This policy revision, in conjunction with the removal of the definition of <i>significant</i> and the revision of the definition of <i>cultural heritage landscape</i>, will require the City to re-evaluate the Cultural Heritage Landscapes (CHL) identified on the Official Plans and in the City’s Inventory of CHLs, and to take alternative actions to ensure their conservation, such as designation under the <i>Ontario Heritage Act</i>. This is anticipated to have significant impacts on budget and staffing and may result in the loss of features and buildings within cultural heritage landscapes of interest without <i>Ontario Heritage Act</i> protections.</p> <p>Note: There are minor administrative changes to the definition of <i>protected heritage property</i>, but the intent of the definition remains the same.</p> <p>There is now stronger language around engaging with Indigenous groups early in the process when identifying, protecting and managing archaeological resources. Staff support early engagement with Indigenous communities in the Planning process. Archaeological assessments for parks, trails, open space projects are regularly conducted by Environmental Services staff when identified by Planning staff to have archaeological potential.</p>

Appendix “D” to Report PED23145
Page 33 of 38

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
Proposed policy 4.6.4 a) revises current PPS policy 2.6.4.	<p>The proposed revisions include the removal of language that encouraged the development of cultural plans in the conservation of cultural heritage resources, and adds language to encourages planning authorities to develop and implement “proactive strategies for identifying properties for evaluation under the <i>Ontario Heritage Act</i>.” This policy revision is consistent with</p> <p>The City’s Built Heritage Inventory (BHI) Strategy is a proactive initiative for the identification of built heritage resources of cultural heritage value or interest. To date, the City’s BHI Strategy has focused on listing properties of heritage interest on the Municipal Heritage Register to provide interim protection from demolition, and flagging significant heritage properties that may be worthy of designation under Part IV of the <i>Ontario Heritage Act</i>. Recent staff Report PED22211(a) identified the need to re-evaluate and focus the BHI Strategy work in light of the Bill 23 amendments to the <i>Ontario Heritage Act</i>, and to focus on Part IV designation of properties and the identification of new Heritage Conservation Districts for designation under Part V of the Act. Staff will be reporting back before the end of 2023 with recommendation actions for refocusing the BHI Strategy and for new HCD work moving forward.</p>
Proposed policy 4.6.5 Revises previous PPS, 2020 policy 2.6.5.	<p>The proposed revisions include the addition of “early” to the direction for planning authorities to engage with Indigenous communities when identifying, protecting and managing cultural heritage resources, including archaeology, built heritage resources and cultural heritage landscapes. The revised language also directs planning authorities to “ensure” that the interests of Indigenous communities are considered, rather than they “consider their interests”.</p> <p>Early engagement is already a best practice in the City of Hamilton and is already reflected in the City’s Archaeology Management Plan (AMP) and Indigenous Archaeological Monitoring Policy.</p>
Chapter 5: Protecting Public Health and Safety	

**Appendix “D” to Report PED23145
Page 34 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
5.1 General Policies for Natural and Human-Made Hazards	
Wording changes as outlined in PPS Comparison .	The City of Hamilton does not support elimination of reference to a changing climate and need to take heed of implications of these changes.
5.2 Natural Hazards	
Adds policy 5.2.1 requiring planning authorities to identify hazardous lands and hazardous sites and manage development in these areas.	<p>The City of Hamilton seeks clarification to determine how the hazardous lands and sites will be identified. Currently hazardous lands and hazardous sites are regulated by Conservation Authorities. It is unclear what the role of Conservation Authorities will be in the identification / management of these areas.</p> <p>The proposed policy should outline how these areas will be identified. It is unclear if there will be funding/resources available to update this information and Staff recommend the Province provide guidance to assist in implementing this policy direction.</p>
Removes policy 3.2.3 related to the reuse of excess soil.	<p>The City needs further information on the intent behind removing this policy but are concerned it may exacerbate existing problems with excess soil being dumped in rural areas..</p> <p>City park spaces are already exempt from reuse of excess soils, per the amendment to O.Reg.406/19 Excess Soils Management, but the removal of this policy altogether does not compel municipalities to investigate reusing excess soil.</p>
Chapter 6: Implementation and Interpretation	
6.1 General Policies for Implementation and Interpretation	
Adds policy 6.1.6 requiring planning authorities to keep zoning and	It is unclear how the changes to Section 2.1 which added policy language about Minister’s Zoning Orders

Appendix “D” to Report PED23145
Page 35 of 38

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
development permit by-laws up to date in their official plans related to permitted uses, minimum densities, heights and other standards.	being in addition to projected growth needs will impact municipalities ability to keep zoning up to date.
Removes the policy from current PPS “The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans” and adds that wording to the preamble.	The City of Hamilton strongly object to the removal of this policy in the proposed PPS which deemphasizes and minimizes the critical role that municipal official plans have in creating clear and detailed land use planning goals and policies based on extensive public engagement and local conditions.
Other wording changes as outlined in PPS Comparison .	In policy 6.1.5, reference to further evaluation to determine the significance of natural heritage features has been removed. There is concern with this approach since policies associated with natural heritage have not been included within the proposed PPS. It is unclear if there will be changes to the definitions of “significance” or in the mechanisms that are used to evaluate natural heritage features and their functions (i.e., Environmental Impact Statements).
6.2 Coordination	
Revises policy 6.2.2 (previously 1.2.2) to require early engagement with Indigenous communities.	The City of Hamilton seeks guidance from the Province on what satisfies this requirement to undertake early engagement with Indigenous communities and coordinate on all land use planning matters.
Adds policy 6.2.3 to encourage early engagement with the public and stakeholders.	The proposed PPS requires municipalities to engage the public and stakeholder early in local efforts to implement the proposed PPS. The City of Hamilton finds the addition of this policy discourteous and audacious considering that: <ul style="list-style-type: none"> • The PPS adds policy 6.1.7 which prevents the City of Hamilton from having time to update its Official Plans to be consistent with the new PPS and which would include, among other things, meaningful engagement to of the public and stakeholders, before being required to implement the new policy directions.

**Appendix “D” to Report PED23145
Page 36 of 38**

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	<ul style="list-style-type: none"> • The proposed PPS removes policy stating that the official plan is the most important vehicle for implementation of the PPS. • The proposed PPS specifically removes the City of Hamilton’s ability to develop locally appropriate policies to implement updated PPS direction on Employment Lands and Prime Agricultural Lands. <p>Engagement on the proposed PPS has been limited with a short review window to allow municipalities to fully consider and comment on the wide-reaching implications of the new policy directions. The Province has not engaged early with municipalities on the development of the proposed PPS.</p>
Adds policy 6.2.4 to require collaboration with school boards to meet current and future needs for planning for schools and associated childcare facilities.	The City of Hamilton supports this policy addition to the PPS.
Adds policy 6.2.6 to encourage a coordinated approach between municipalities, the Province and stakeholders, for planning for large areas with high concentrations of employment uses that cross municipal boundaries.	The City of Hamilton supports this policy addition to the PPS.
Chapter 7: Definitions	
Agricultural & Rural Lands	
<ul style="list-style-type: none"> - Creates a definition of Agricultural Impact Assessment that “means the evaluation of potential impacts of non-agricultural uses on agricultural lands and operations and, where applicable, the agricultural system. An assessment recommends ways to avoid or if avoidance is not possible, minimize and mitigate adverse impacts.” This definition aligns with the Rural Hamilton Official Plan’s description and draft Terms of Reference for Agricultural Impact Assessments. 	

Appendix “D” to Report PED23145
Page 37 of 38

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
<p>Natural Heritage</p> <ul style="list-style-type: none"> • Natural Heritage definitions have not been considered within the revised Provincial Policy Statement. There is concern with this approach. This does not recognize the importance of the natural environment in the planning framework. In addition, policies or definitions have referenced “natural heritage features and areas”. This is a missing term within the definition section. • Removes the definition of “Coastal wetland” and “Ecological function” • Removes reference considering negative impacts to natural heritage features from its definition of “Adjacent Lands” • Adds a new definition for Watershed Planning and Water resource systems. <p>Land Use Planning</p> <ul style="list-style-type: none"> • Includes a new definition for Compact built form which means “means a land use pattern that encourages the efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace, and institutional) all within one neighbourhood, proximity to transit and reduced need for infrastructure. Compact built form can include detached and semi-detached houses on small lots as well as townhouses, duplexes, triplexes and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail. Walkable neighbourhoods can be characterized by roads laid out in a well-connected network, destinations that are easily accessible by transit and active transportation, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along roads”. The City of Hamilton has no concerns with how the proposed PPS defines compact built form; however, the new definition is only discussed in relation to planning for schools and daycares and should be expanded to encourage and/or require this form of development in more areas. <p>Cultural Heritage</p> <ul style="list-style-type: none"> • Areas of Archaeological Potential – There are minor administrative changes to the definition of <i>areas of archaeological potential</i>, but the intent of the definition remains the same. • Built Heritage Resource – The definition of <i>built heritage resource</i> has been revised to remove the following: <i>Built heritage resources are located on property that may be designated under Parts IV or V of the Ontario Heritage Act, or that may be included on local, provincial, federal and/or international registers.</i> <p>The removal of this language from the definition is consistent with the corresponding policy change of new policy 4.6.1 which removes reference to a significant built heritage resources and requires a BHR to be a protected heritage property in order to be conserved through the development process. This will require the City to re-evaluate Inventoried and Listed</p>	

Appendix “D” to Report PED23145
Page 38 of 38

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	<p>(Registered) properties identified on the Official Plans and to take alternative actions to ensure their conservation, such as designation under the <i>Ontario Heritage Act</i>.</p> <ul style="list-style-type: none"> • Conserved - The definition of <i>conserved</i> has been strengthened to indicate that mitigative measures and alternative development approaches “should” be included in related heritage studies required as part of the development application process, rather than “can”. • Cultural Heritage Landscape - The definition of <i>cultural heritage landscape</i> has been revised to remove the following: <p style="margin-left: 40px;"><i>Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the Ontario Heritage Act, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms.</i></p> <p>The removal of this language from the definition is consistent with the corresponding policy change of new policy 4.6.1 which removes reference to a significant cultural heritage landscape and requires a CHL to be a protected heritage property in order to be conserved through the development process. This will require the City to re-evaluate the CHLs identified on the Official Plans and to take alternative actions to ensure their conservation, such as designation under the <i>Ontario Heritage Act</i>.</p> • Employment Area – The definition of <i>Employment Area</i> is revised to state that “Uses that are excluded from <i>employment areas</i> are institutional and commercial, including retail and office not associated with the primary employment use listed above.” As discussed under the City’s comments on the proposed employment policies under the PPS there is value to having amenities/supports located in close proximity / integrated into significant employment areas. • Heritage Attribute - The definition of <i>heritage attributes</i> has been updated to clarify its relationship to attributes identified as part of designation under the <i>Ontario Heritage Act</i>. • Protected Heritage Property - There are minor administrative changes to the definition of <i>protected heritage property</i>, but the intent of the definition remains the same. • Significant - The definition of <i>significant</i>, in regard to cultural heritage, (definition e) has been removed from the Definitions section. This is in conjunction with the removal of significant from new Section 4.6 - Cultural Heritage and Archaeology. The definition of Significant in the PPS, 2020, was: <p style="margin-left: 40px;"><i>e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.</i></p>

Appendix “D” to Report PED23145
Page 39 of 38

City of Hamilton Comments on Proposed Provincial Policy Statement	
Summary of Proposed Change	Comments
	<p><i>Criteria for determining significance for the resources identified in sections (c)-(d) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.</i></p> <p><i>While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.</i></p> <p>Through the removal of the definition of significant and the corresponding policy from previous PPS 2.6.1, the ability of the municipality to evaluate and protect a significant built heritage resource or cultural heritage landscape is diminished. The previous definition include a recognition that not all significant heritage properties have been identified, even with proactive inventory work, and there may still be significant resources that would be identified and evaluated through the <i>Planning Act</i> process that should be conserved.</p>

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto (Ontario) M7A 2J3
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234-2023-2791

May 29, 2023

Jack Chaffe
President
Beef Farmers of Ontario
jdchaffe@quadro.net

Richard Horne
Executive Director
Beef Farmers of Ontario
richard@ontariobeef.com

Dear Jack Chaffe and Richard Horne:

I want to begin by thanking you for the constructive dialogue over the last several weeks regarding our government's proposed Provincial Planning Statement (PPS), which would integrate and replace the current Provincial Policy Statement and A Place to Grow: The Growth Plan for the Greater Golden Horseshoe. Premier Ford, myself and my colleagues across government hold a deep appreciation for the hard work being done by Ontario farmers every day, and we welcome your advice and partnership as we move forward.

The proposed Provincial Planning Statement is part of our government's efforts to tackle Ontario's housing supply crisis by supporting the construction of 1.5 million homes by 2031. It is important to note that while the policies proposed for inclusion within the PPS were introduced at the same time as Bill 97 (the *Helping Homebuyers, Protecting Tenants Act*), these proposals, which include the consultation on rural lot severances, are not legislative changes and therefore are not a part of Bill 97. In other words, should the legislature choose to pass Bill 97 into law, the proposed PPS would not be affected or go into force as a result. The proposals remain open for comment on the Environmental Registry of Ontario.

I also want to clarify the government's intentions regarding consultation on rural lot severances. Our goal has always been to support farmers, their families and agricultural workers by providing housing options that would let children taking over the farm or retiring parents live close by to assist with succession planning. We understand that farming is often a multi-generational family enterprise, and our government has been

asked by many farmers to offer practical support to them and their families by making it easier for the next generation to live and work in the same place where they grew up.

At the same time, we have clearly heard the concerns that have been raised about the need to preserve Ontario's farmland – and we share that goal. To be clear: It has never been our intention for severed lots to be transferred or sold to non-family/farm owners, nor for these lots to have anything more than single-family homes (i.e. no multi-residential structures). Any ambiguity regarding our intentions will be clarified, eliminated and resolved.

We want to continue working with the agricultural sector to look at alternatives that would assist farm families in succession planning, but do not involve additional severances. At the same time, we want to make sure we are protecting farming operations from residential uses, while ensuring health and safety requirements are met. It is of the utmost importance for Premier Ford and our government that we support Ontario farmers and their families being able to continue growing their operations unencumbered.

To facilitate these objectives, the government is extending the commenting deadline on the Environmental Registry of Ontario by an additional 60 days, for a revised closing date of August 4, 2023. This will give the public an enhanced opportunity to comment on the proposals and will give our government more time to consider alternative solutions to support multi-generational farm families without adding additional severances. We appreciate the commitment of agricultural groups on working with us to develop solutions that do not negatively impact the ability to farm.

Once again, I would like to thank you for bringing your concerns to our government's attention and assure you of the continued importance our government places on a collaborative partnership with Ontario farmers. I trust this extended commentary period will give us the chance to work together to find a solution that continues to protect Ontario's farmland while ensuring all Ontarians – including farmers – can find a home that meets their needs and budget.

Sincerely,



Steve Clark
Minister

- c. The Honourable Doug Ford, Premier of Ontario
The Honourable Lisa Thompson, Minister of Agriculture, Food and Rural Affairs



WELCOME TO THE CITY OF HAMILTON

PLANNING COMMITTEE

June 13, 2023

PED23145 - Bill 97 and Proposed Provincial Planning Statement

Bill 97, Proposed Helping Homebuyers, Protecting Tenants Act, 2023
Proposed Provincial Planning Statement, 2023

Presented by: Charlie Toman and Jennifer Allen

Introduction

- Introduced at the Ontario Legislature on April 6, 2023.
- Intended to help address the current housing crisis through increased flexibility and facilitate a market-based response to increase housing supply.
- Represents a significant departure from the established planning framework.
- The proposed changes focus on how municipalities can plan for growth
- Commenting deadline for proposed PPS extended to August 5, 2023.

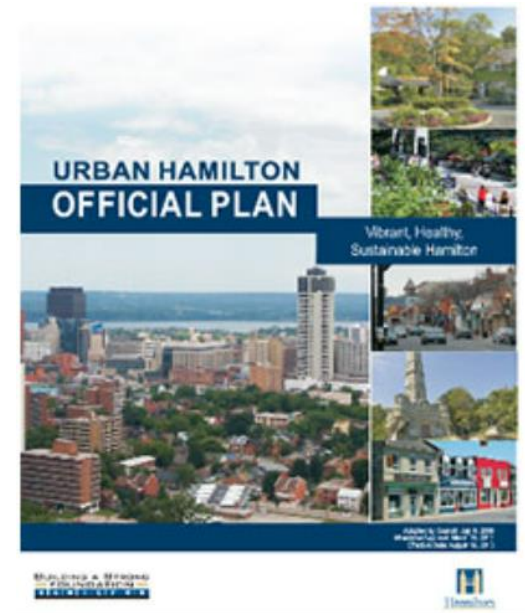
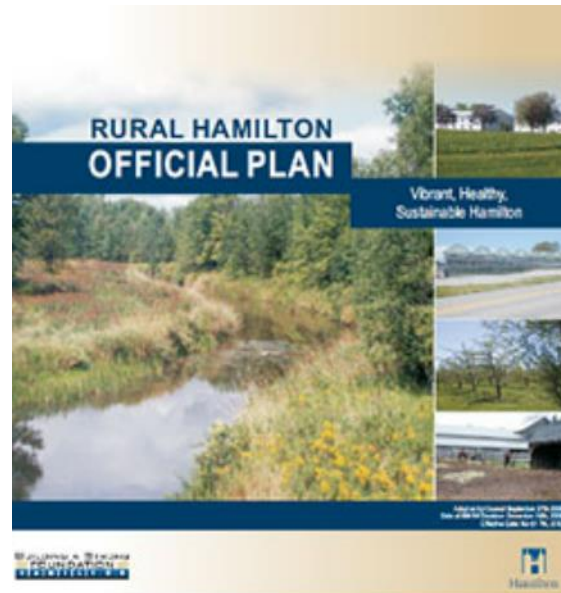
Proposed Provincial Planning Statement (PPS)



Proposed Provincial Planning Statement

Local Decision Making

- Removes PPS, 2020 policy stating that “the official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans”
- Restricts municipalities from establishing more restrictive policies respecting permissions for sensitive lands uses within certain employment areas and residential lot creation within Prime Agricultural Areas.



Proposed Provincial Planning Statement

Municipal Comprehensive Reviews (MCR) and Long Range Planning

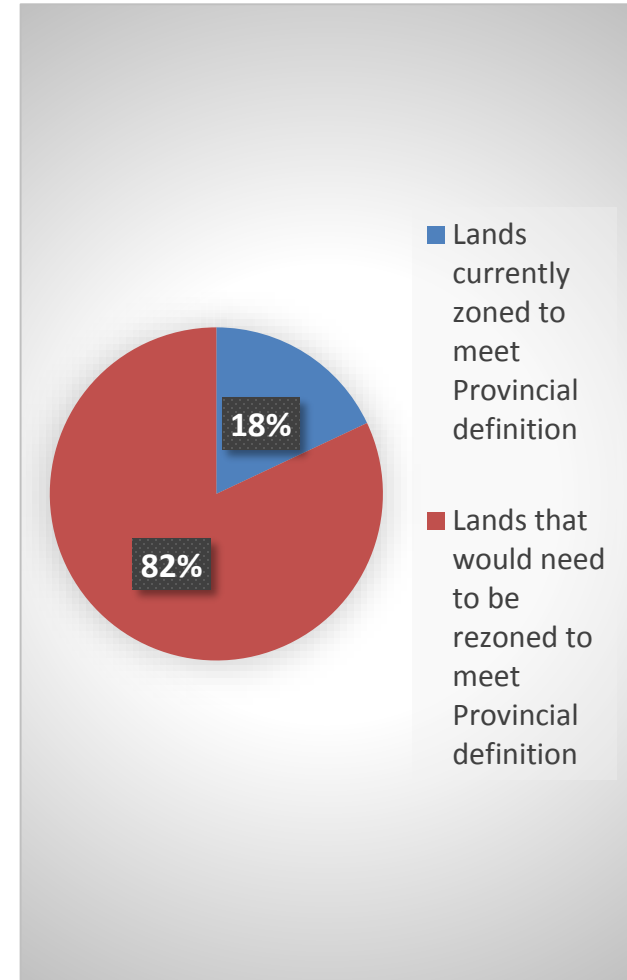
- Removes the requirement for MCR before a municipality can expand its urban boundary or convert employment lands to other uses.
- No requirement to demonstrate need and no reference to intensification.
- Removes intensification targets in the Growth Plan.



Proposed Provincial Planning Statement

Employment Areas

- Redefines uses that are part of Employment Areas under the *Planning Act* and in the proposed new PPS.
- Office, retail and commercial uses only be permitted when associated with the employment use.
- 4,468 hectares of land are currently zoned Industrial under Zoning By-law 05-200 and designated “Employment Lands” in the Urban Hamilton Official Plan.



Proposed Provincial Planning Statement

Land Use Compatibility

- Relaxes criteria for locating sensitive land uses in proximity to major facilities.
- Allows sensitive land uses to locate near major facilities without demonstrating whether they “should” or “need to” or demonstrating there are no alternative locations.



Proposed Provincial Planning Statement

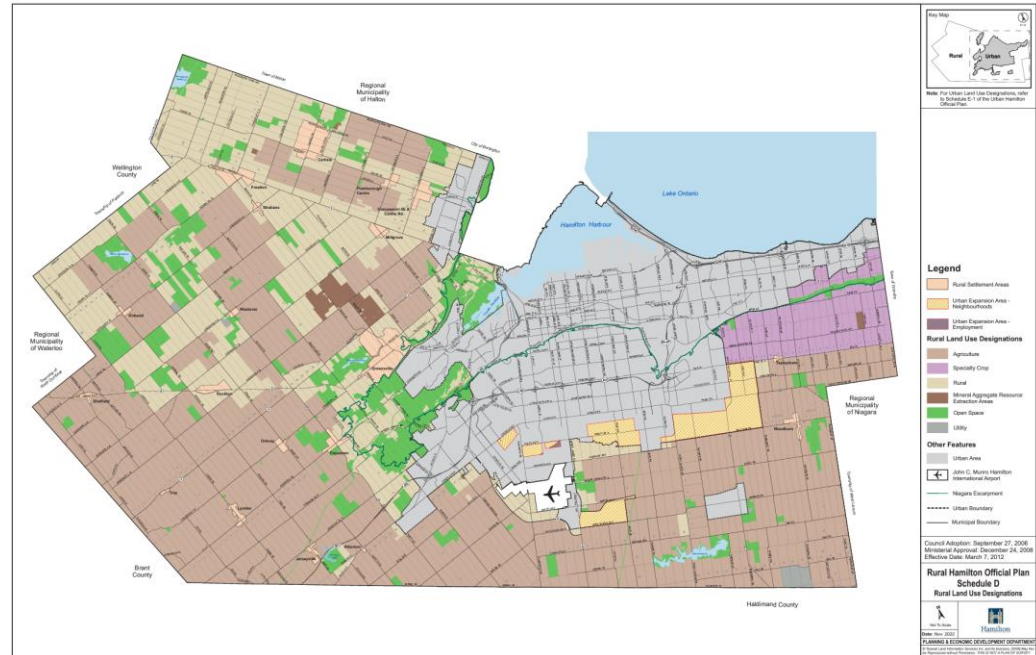
Rural Lands and Prime Agricultural Areas

Within Prime Agricultural Areas

- Allow up to two residential lots to be severed off a farm where currently only surplus farm dwellings severances are permitted.
- Allow two subordinate dwellings on each lot designated Prime Agricultural Area.

Within Rural Areas

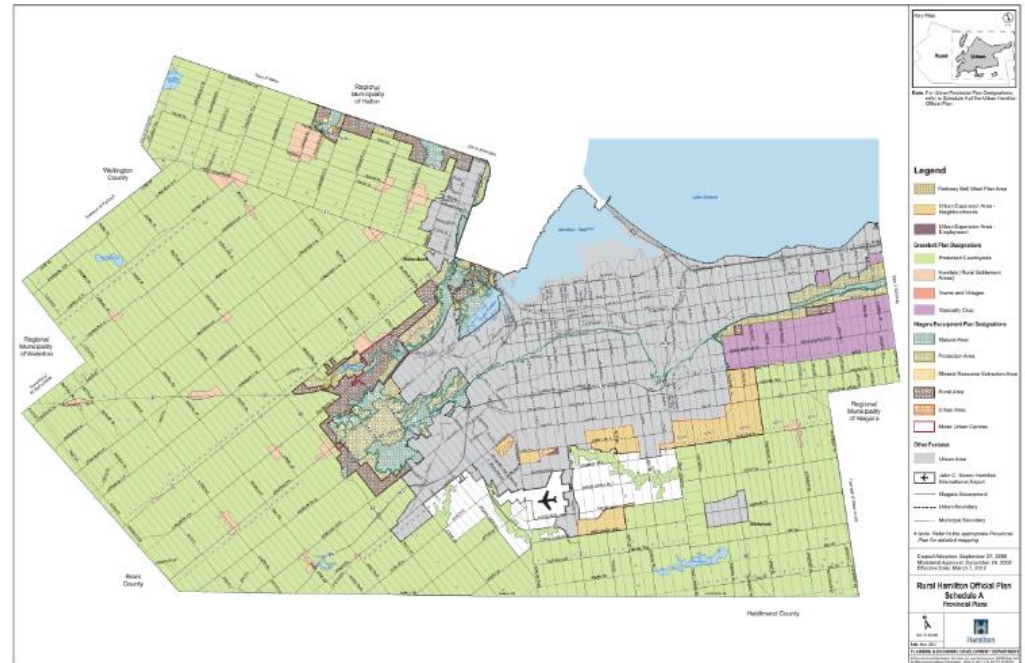
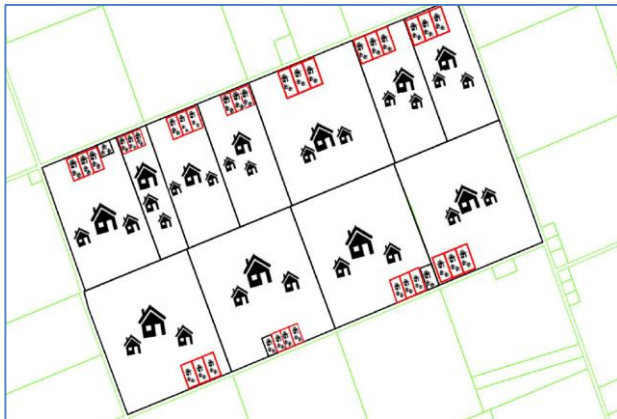
- Allow multi-lot residential subdivisions
- Remove existing policy directing lot creation to Rural Settlement Areas; and
- Remove a policy that rural lot creation be “locally appropriate”



Proposed Provincial Planning Statement

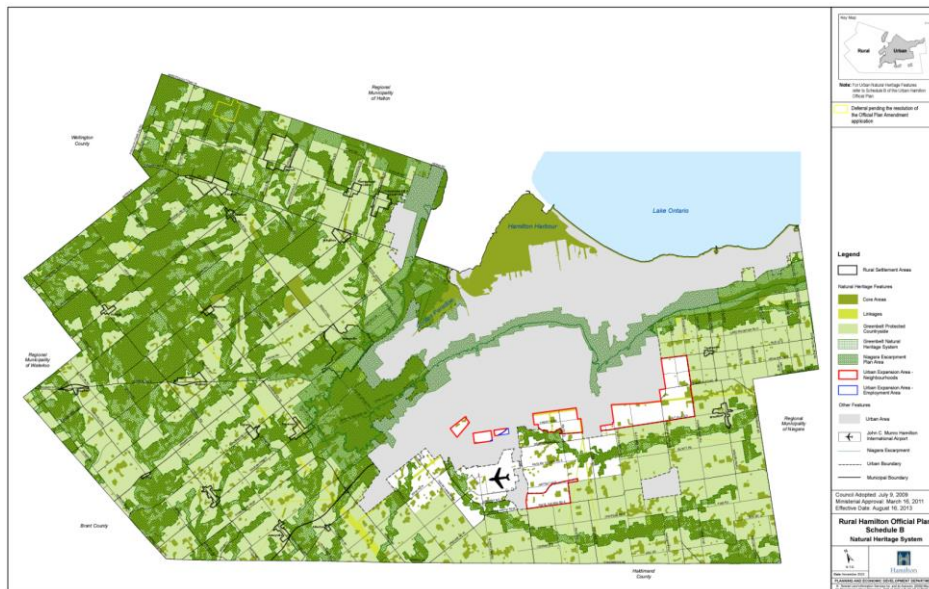
Rural Lands and Prime Agricultural Areas

- Lands within the Greenbelt Plan – Protected Countryside will maintain more restrictive lot creation policies. Without Greenbelt Plan, approximately 2,000 properties could become eligible for new residential lot creation.
- Government of Ontario advised that the Prime Agricultural Land lot creation policies will be “clarified, eliminated and resolved”



Natural Heritage Systems

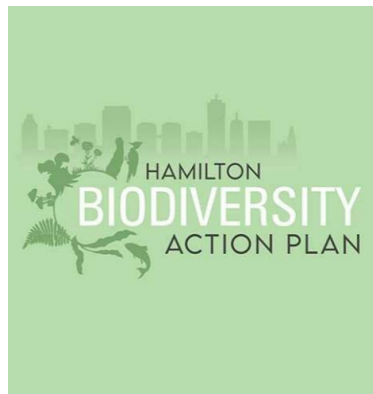
- Proposes to introduce new Natural Heritage policies and definitions entirely which currently remain “under consideration”.
- Staff cannot properly evaluate the proposed PPS without understanding the proposed changes to the Natural Heritage System (NHS) policies.
- Strong NHS policies are a vital part of an integrated land use planning framework.



Proposed Provincial Planning Statement

Planning for Climate Change

- Removes “planning for the impacts of a changing climate” from several sections of the proposed PPS.
- Threaten the City’s ability to incorporate and implement environmental initiatives.



Other Changes

- Removes the definition of affordable and minimum targets for market based and affordable housing.
- Removes policies requiring municipalities to plan for growth in locations that support transit
- Deemphasizes the importance of protecting cultural heritage resources.
- Maintains the Growth Plan policies respecting strategic growth areas and density targets for large and fast growing municipalities but softens the requirement for Major Transit Stations Areas to be transit supportive with multi-modal access.
- Strengthens policy respecting engagement with Indigenous communities.
- Encourages innovative approaches to the design of schools in consultation with school boards.

Bill 97 - Proposed Helping Homebuyers, Protecting Tenants Act, 2023

Schedule 4 - Ministry of Municipal Affairs and Housing Act

Deputy Facilitators

- Authorize the Minister to appoint the Facilitator and four Deputy Facilitators to perform specified functions at the direction of the Minister.

Schedule 5 – Municipal Act

Rental Replacement By-laws

- Amends Section 99.1 of the *Municipal Act* to allow the Minister to regulate and set minimum requirements for rental replacement by-laws.
- Comments respecting the changes to the *Residential Tenancies Act* have been provided by Housing Services and will be submitted to Council under a separate communication.

RENTAL HOUSING PROTECTION POLICY REVIEW

Schedule 6 – Planning Act

Minister's Zoning Orders

- Amends the *Planning Act* to allow the Minister of Municipal Affairs and Housing (MMAH) to issue Minister's Zoning Orders (MZOs) that do not align with provincial plans or policies.



Schedule 6 – Planning Act

Site Plan Control

- Adds new regulation under the *Planning Act* to allow municipalities to require site plan control for residential developments with 10 units or fewer in:
 - Areas within 300 metres of a railway line
 - Areas within 120 metres of a shoreline
- Amends definition of development under subsection 41 (1.2) of the *Planning Act*.



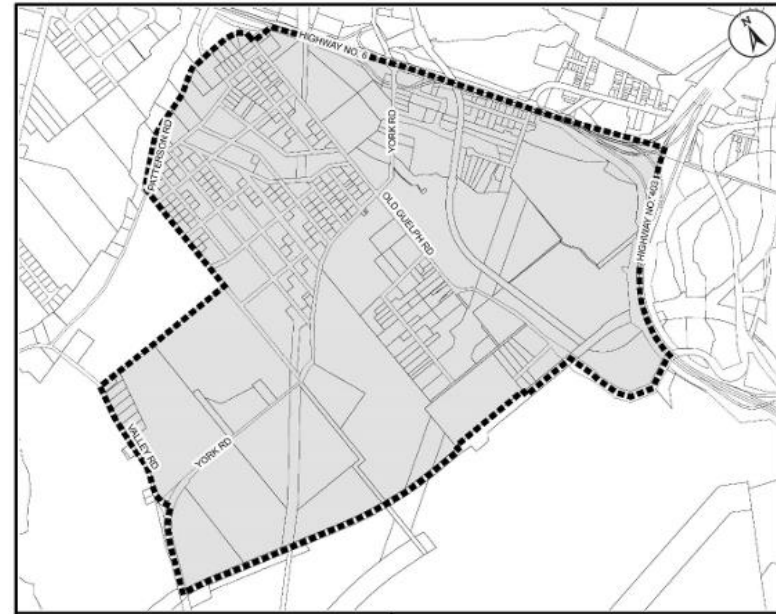
Schedule 6 – Planning Act

Interim Control By-laws (ICBL)

- Amends Section 38 of the *Planning Act* to allow any person or public body who was given notice of passing of an ICBL to appeal within 50 days.



By-law 20-102 - Waterdown Community Node (expired)



By-law 20-186 / By-law 21-169 – Pleasantview (expired)

Schedule 6 – Planning Act

Zoning By-law Amendment and Site Plan Control Application Fee Refunds

- Delays requirement for municipalities to refund applications fees under section 34 and 41.
- Amends subsection 41(12) for the start of 60 day review period.

Development Agreements

- Adds Section 49.2 authorizing the Minister to make an order to require landowners or the municipality to enter into development agreements.

Parking for Additional Dwelling Units

- Clarifies an Official Plan or Zoning By-law cannot require more than one parking spot for each residential unit other than the primary residential unit.

Areas of Employment

- Amends the definition of “areas of employment” under subsection 1(1).

Schedule 3 and 6 – Development Charges Act / Planning Act

Replacement of “parcel of urban residential land” with “parcel of land”.

- Amends sections of *Planning Act* which restrict appeals to the OLT for Official Plan policies and Zoning By-law regulations to replace “parcel of urban residential land” with “parcel of land”.
- Amends sections 2(3.2) and 2(3.3) of Development Charges Act to replace “parcel of urban residential land” with “parcel of land”.

Summary

- Contrary to balanced decision making.
- Has little regard for the protection of the natural environment and agricultural lands.
- Fails to limit urban sprawl through intensification.
- Does not enable local participation in decision making.
- Significant departure from the existing Planning framework.
- Will have significant unintended consequences and lead to uncertainty.

Bill 97 and Proposed Provincial Planning Statement

Recommendations

- Council adopt the submissions and recommendations as provided regarding Schedules 3, 4, 5 and 6 of proposed Bill 97 and the Proposed Provincial Planning Statement.
- Staff report back to Council on the required staffing, process, fee and By-law changes should Bill 97 and the new Provincial Planning Statement be proclaimed.
- Council authorize the Director of Planning and Chief Planner and the City Solicitor to make submissions on Bill 97 and the proposed Provincial Planning Statement, 2023 and any associated regulations consistent with the comments and concerns raised in Report PED23145.



THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	May 30, 2023
SUBJECT/REPORT NO:	Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Ken Coit (905) 546-2424 Ext. 7557
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That the “City of Hamilton Urban Forest Strategy”, attached as Appendix “A” to Report PED20173(a) be approved as a background study to the City of Hamilton Official Plan review and that staff be directed to integrate the actions identified in Appendix “D” as part of future Departmental workplans;
- (b) That the “City of Hamilton Urban Forest Strategy Technical Report”, attached as Appendix “B” to Report PED20173(a) be received;
- (c) That the Urban Forest Strategy Implementation Chart, attached as Appendix “D”, to Report PED20173(a) be received;
- (d) That the City adopt a target of 40% tree canopy coverage for the urban area by 2050, and to achieve the 40% tree canopy target:
 - (i) That staff be directed to refer to the 2024 budget process two Full Time Employee enhancements as follows:
 - (1) An enhancement of one Full-Time Employee (FTE) within the Forestry Section of Public Works to undertake the ongoing monitoring, reporting and facilitation of the implementation of the

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SUBJECT: Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide) - Page 2 of 15

Urban Forest Strategy including prioritizing those areas with greatest need for tree canopy;

- (2) An enhancement of one Full-Time Employee (FTE) within the Forestry Section of Public Works to supplement the City's tree planting program, with a goal of increasing the annual target for City-led tree planting from 12,000 to 20,000 trees per year and increasing the annual free tree giveaway from 3,000 trees to 5,000 trees per year;
- (ii) The staff be directed to refer to the 2024 budget process a capital budget allocation of up to \$100,000 to purchase Laser Imaging Detection and Ranging or other appropriate data to accurately measure the city's tree canopy city-wide and by ward;
- (iii) That staff be directed to explore the feasibility of using carbon credits as a possible means to fund tree planting initiatives as part of their review of the Tree Protection Guidelines and polices;
- (iv) That as one action to respond to food insecurity and to increase biodiversity, that the Forestry Section of Public Works include opportunities for increased planting of fruit and nut trees in the urban area as part of the City's expanded tree planning initiatives;
- (v) That staff be directed to include in their 2024 workplan, the development of a City-wide tree protection by-law on private property within the urban area as defined in the Urban Hamilton Official Plan and lands removed from the Greenbelt Plan;
- (vi) That staff be directed to report back with recommendations to revise the Tree Protection Guidelines and polices for private property to require compensation for the removal of existing trees to accommodate new development through replanting or payment to the city based on calliper and species as per the current polices for City property;
- (vii) That up to \$150,000 be provided from the Woodland Protection Strategy Capital ID Account No. 81217755700 to fund any necessary consulting, research or related costs to prepare options and recommendations regarding a City-wide tree protection by-law, City-wide woodlot protection by-law and revisions to the Tree Protection Guidelines and policies.

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SUBJECT: Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide) - Page 3 of 15

EXECUTIVE SUMMARY

The urban forest includes all trees and woodlands on public and private lands within the urban area of Hamilton as defined in the Urban Hamilton Official Plan (UHOP). This includes individual trees growing on private residential, institutional, commercial, and industrial lands as well as in public parks and along streets. Natural areas such as the Niagara Escarpment, Cootes Paradise, Environmentally Significant Areas, small woodlands, and groups of trees are also part of the urban forest. In addition, the Province has removed lands from the Greenbelt Plan and has indicated that these lands are to be developed for urban type uses to provide for additional housing opportunities.

The Hamilton Urban Forest Strategy (UFS) and Technical Report (attached as Appendices “A” and “B” to PED20173(a)) sets out the importance of the urban forest to the economic, social and environmental health of the city, outlines the health of the urban forest (including an estimated 22% tree canopy cover in 2017) and sets out 26 recommended actions to protect, enhance, maintain, and monitor it over the next 20 years.

An Implementation Chart (attached as Appendix D to PED20173(a)) outlines how staff are currently implementing or proposing to implement the 26 recommended actions outlined in the UFS.

This report is recommending the approval of a target of 40% tree canopy cover by 2050. This target is more than the 30% target identified in the UFS but is similar to targets set by other GTHA municipalities and is appropriate to address the climate change emergency declared by council in 2019. The recommend actions in the UFS and this report provide direction on how to achieve the 40% tree canopy cover target through education about the value of our urban forest, better protection of the existing resource and growing the urban forest in Hamilton.

If approved the recommendations of this report would allow staff to better protect existing trees and woodlots through a consolidation and update of the current Dundas, Ancaster and Stoney Creek Tree Protection By-laws into a single city-wide by-law and updating the woodlot protection by-law to better define and protect existing woodlots across the City.

A review and update of the current Tree Protection Guidelines, which were adopted in 2010, is also recommended. The focus on this review would be on the current 1-for-1 tree replacement framework to a framework that would provide for increased retention of trees and tree canopy in private development and opportunities for enhanced compensation planting or cash in lieu for city sponsored planting commensurate with the size and species of trees being removed to maintain or expand the existing tree canopy in Hamilton.

SUBJECT: Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide) - Page 4 of 15

Recommendations of this report, if approved will also allow staff to grow the urban forest. To implement the actions outlined in this report including monitoring, reporting and facilitating the implementation of the UFS, and to work with citizen and partner agencies to increase planting in the urban area and to develop possible funding sources through carbon credits, sponsorships and compensation from development, two full-time employees (FTE's) in the Forestry Section are proposed to be referred to the 2024 Budget process .

Accurately and consistently measuring the urban forest canopy which represents the amount of land both private and publicly owned covered by individual trees and woodlots overtime is important to the successful implementation of the UFS.

The 2017 canopy cover estimate of 21.2% (detailed on page 14 of the UFS attached as Appendix "A" to PED20173(a)) was determined using i-tree software and area samples. In 2022 City staff were provided Laser Imaging Detection and Ranging (LiDAR) data from the Provincial and Federal governments which provided more detailed 3D data points city wide. The analysis of this data, considered to be more accurate (attached as Appendix "E" to PED20173(a)) indicated a 17.8% -20% canopy coverage. This report includes a recommendation to fund the purchase of future data flown at the appropriate time of year to accurately measure the urban forest canopy.

Alternatives for Consideration – See Page 14

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Operating funding requests for two FTEs at \$250,000 are to be referred to the 2024 budget process.

A Capital funding request for \$100,000 is to be referred to the 2024 budget process for the purchase on LiDAR data. Staff will work with other city departments and levels of government that may benefit from the use of LiDAR data to determine if other funding sources may be used to offset this request

The Woodland Protection Strategy Capital ID No. 81217755700 that funded the UFS has a balance of \$171,000 as of March 31, 2023. If approved, these funds can be used to fund the By-law development and Tree Protection Guidelines review requested in recommendations (d) (vii) of Report PED20173(a).

This report recommends staff review carbon credits as a possible funding source for future tree planting and report back to council.

SUBJECT: Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide) - Page 5 of 15

This report recommends that staff review and update compensation for removal of existing trees that could include in-lieu of planting payments that may be used as a possible funding source for future tree planting and report back to council

City staff have reviewed each UFS action as per the Implementation Chart, shown in Appendix “D” attached to Report PED20173(a). Any additional costs or staffing that may be required to implement the UFS will be determined in 2024 and presented to City Council through subsequent budget processes for implementation over the life of the UFS.

Staffing: Action 2 of the UFS calls for two Senior Program Coordinator positions to be created in the Public Works Department to implement the following actions of the UFS:

- Implement the communications strategy (e.g., web page, social media, coordinate volunteer planting and invasive species control events, respond to inquiries, maintain, and analyse data, publicize the Free Street Tree Program, and prepare educational materials and videos);
- Monitor implementation progress;
- Strengthen existing partnerships and actively seek new partnerships with organizations and individuals to support the City’s UFS;
- Develop a best management practices manual for tree protection, planting and preservation to share with all City departments and utilities;
- Complete a tree planting priority analysis to guide a City-wide tree planting strategy;
- Develop programs and planting methods to target planting to areas of the city with low canopy coverage; and,
- Implement a forest health monitoring program (i.e., insects and diseases). Continue data management of urban forest inventories.

Staff recommend that this new position be referred to the 2024 Budget process for consideration by Council (Recommendations (d)(i) of Report PED20173(a)).

Legal: N/A

SUBJECT: Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide) - Page 6 of 15

HISTORICAL BACKGROUND

The background to the development of the UFS is presented below.

UFS Milestones	
August 2014	New Urban Woodland Conservation By-law approved by Council. Report PD02229(d) recommended preparing an Urban Forest Strategy.
December 2016	Council approved a Capital Budget of \$150,000 for the UFS.
February 2017	Work plan was approved by Council (Report PD02229(g)).
February 2018	Consultant team (Bioforest, KBM Resources Group and Dillon Consulting) retained through an RFP process. Background information and data review begins.
UFS Milestones	
May 2018	First round of public engagement to introduce project and gather background information (online survey, stakeholder workshops, public information centre, meetings with stakeholders). Engagement conducted through to November, 2018.
April 2019	Second round of public engagement begins to review the draft vision, themes and actions (five workshops and various stakeholder meetings, presentation at forum, seniors tree walk).
June 2019	Information Report (PD02229(h)) and presentation to Planning Committee to provide a verbal update on the UFS. Draft vision, themes and actions were presented to Planning Committee in advance of public engagement.
December 2020	Report PED20173 and presentation to Planning Committee to release draft UFS reports and seek public input on drafts.
January to February 2021	Public and stakeholder engagement using Engage Hamilton to gather input on the draft reports. Included one virtual public meeting, an online poll, and survey.
March to December 2021	Review of public and stakeholder feedback on draft Urban Forest Strategy. Revisions to draft Urban Forest Strategy.
February 2022	New LiDAR data provided to update canopy measurements

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide) - Page 7 of 15

UFS Milestones	
January 2022 – March 2023	Review of report and actions in terms of new data, new staff, and new Provincial policies and regulations.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The Provincial Policy Statement (PPS) and A Place to Grow Plan are currently subject to an ERO posting and it is anticipated that they will be revised in June 2023. Should the government adopt the policies outlined in the ERO, the government would consequentially revoke the Provincial Policy Statement, 2020 and A Place to Grow, as well as amend regulations (O. Reg. 416/05 and O. Reg. 311/06) under the *Places to Grow Act, 2005*.

Provincial Policy Statement (2020):

The current 2020 PPS contains the following policies which support tree and forest protection for the values they provide to all:

- Planning authorities should promote green infrastructure to complement infrastructure (Policy 1.6.2);
- Long-term economic prosperity should be supported by minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature (Policy 1.7.1 (k));
- Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which promote design and orientation which maximizes efficiency and conservation and considers the mitigating effects of vegetation and green infrastructure. (Policy 1.8.1(f));
- The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored, or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features, and ground water features (Policy 2.1.2); and,
- Planning authorities shall consider the potential impacts of climate change that may increase the risk associated with natural hazards (Policy 3.1.3).

SUBJECT: Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide) - Page 8 of 15

A Place to Grow Growth Plan for the Greater Golden Horseshoe (2020)

The following policies in the current A Place to Grow Growth Plan support forest health in urban areas:

- Proposals for large-scale development proceeding by way of a secondary plan, plan of subdivision, vacant land plan of condominium or site plan will be supported by a stormwater management plan or equivalent, that establishes planning, design, and construction practices to minimize vegetation removal, grading, and soil compaction, sediment erosion, and impervious surfaces (Policy 3.2.7.2(f)); and,
- The water resource systems, Natural Heritage System for the Growth Plan, and Agricultural System for the GGH also play an important role in addressing climate change and building resilience. Greenhouse gas emissions can be offset by natural areas that act as carbon sinks. Municipalities play a crucial role in managing and reducing Ontario's greenhouse gas emissions and supporting adaptation to the changing climate. The Province will work with municipalities to develop approaches to inventory, reduce, and offset greenhouse gas emissions in support of provincial targets as we move towards environmentally sustainable communities (Policy 4.1).

Hamilton Climate Change Action Plan:

In December 2019, the Corporate Goals and Areas of Focus for Climate Change Mitigation and Adaptation was presented to General Issues Committee (Report CMO19008/HSC19073). Under Goal 6, "Protect and Restore the Natural Environment", there were a number of focus areas (including adopting the UFS) which would contribute to increasing carbon sinks.

Urban and Rural Hamilton Official Plans:

The Urban (UHOP) and Rural (RHOP) Hamilton Official Plans contain policies (C.2.11 in UHOP and C.2.10.4 in RHOP) on Tree and Woodland Protection. These policies state that:

"A Woodland Protection Strategy to protect tree cover on new development sites within urban and rural settlement areas and provides technical direction and practices to protect trees and other vegetation during construction shall be prepared to minimize the impacts on trees and woodlands to be retained."

The UFS implements the Provincial Policy Statement, A Place to Grow Growth Plan, the Hamilton Climate Change Action Plan, and Rural and UHOP policies

SUBJECT: Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide) - Page 9 of 15

Biodiversity Action Plan

The City is working in partnership with local conservation and environmental organizations to develop a Biodiversity Action Plan (BAP) for Hamilton. The intent of the BAP is to coordinate strategic actions across organizations to ensure Hamilton's unique biodiversity is protected, enhanced, and restored. The draft BAP for Hamilton was recently endorsed by Council on May 2, 2023, with direction to engage with the public, stakeholders, and indigenous community representatives to inform updates to the final plan. The BAP is intended to work in tandem with the actions outlined in the UFS, and not to duplicate work programs or actions. However, given that both plans address matters of natural heritage management and urban greening, it is anticipated that there may need to be coordination in monitoring the implementation of both plans and subsequent reporting.

RELEVANT CONSULTATION**External Consultation**

Highlights of previous public engagement leading up to the draft reports is available in Report PED20173 (Appendix "B", Technical UFS Report).

Public engagement ran from January 26 to February 28, 2021. Due to the COVID-19 pandemic, engagement was through the UFS web page and the Engage Hamilton platform. There were a variety of ways to participate, including:

- An online poll (143 participants);
- An online survey (129 participants);
- Submitting a question to staff, with answers posted (20);
- Attending the virtual public meeting on February 9 (84 people); and,
- Submitting comments by phone, email or mail (58).

The January to February 2021 public consultation allowed for the draft UFS technical and summary reports to be presented for public review and comment. The public was asked if there was any information missing from the draft reports, and if there were any new threats to the urban forest or opportunities that the City should consider.

During public consultation, participants stressed the importance of rapid implementation of the important actions in the UFS which are urgently needed to address immediate issues like climate change, equity, flooding, public health, and biodiversity loss.

The detailed results of public engagement are contained in Appendix "C" attached to Report PED20173(a).

SUBJECT: Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide) - Page 10 of 15

Internal Consultation

- Manager Forestry & Horticulture;
- Manager Parks and Cemeteries;
- Director Office of Climate Change Initiatives;
- Director Municipal Law Enforcement;
- Director of Environmental Services; and,
- Manager Indigenous Relations.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Summary of the Changes Made to the Draft Reports

During the 2021 public engagement, staff received comments on the draft UFS. Appendix “C” attached to Report PED20173(a) provides detailed information on comments received, along with the staff response, and identifies the changes made to the UFS report. Public input is also documented in the UFS Technical Report, attached as Appendix “B” attached to Report PED20173(a).

A summary of public and stakeholder input received during the draft report consultation from January to February 2021 is outlined below:

- There was general support for the reports and the UFS. Residents urged the City to approve and implement the UFS as soon as possible. Some felt the actions were not bold or specific enough to address the climate crisis. Many advised that it was essential to provide the resources (staff and funding) to implement the actions;
- Social equity was an important issue raised. Residents and stakeholders were concerned about the uneven distribution of canopy cover across the City. They felt that the benefits of the urban forest should be equally available to all. Residents noted that achieving equitable canopy cover should be the focus for implementation, by prioritizing tree planting and maintenance in the communities that need it most;
- Better protection for private trees, especially during development, was considered very important. Many people felt a private tree by-law to regulate individual trees, as well as incentives to protect trees, was essential. There was concern about the current uneven protection of private trees across the City. In an online poll, 96% of participants felt that consistent protection for private trees was required across the City. They also wanted better implementation of private tree protection measures during development and better compensation when private trees are removed;

SUBJECT: Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide) - Page 11 of 15

- Residents indicated that planting native species was important, and that the City should lead by example. Also, invasive plants were a growing threat to the health of the urban forest that needed to be immediately addressed;
- Since natural areas are important to the health of the urban forest, actions related to controlling invasive species and forest management should be more prominent in the UFS;
- The UFS should align with the Hamilton Urban Indigenous Strategy and should specifically reference the important role of Indigenous people in implementing the UFS;
- There was support for increasing the tree canopy. Some agreed with a canopy cover target of 30% over the 20-year time frame of the UFS, while others supported a higher target in the 35% to 45% range; and,
- How the canopy is measured was a concern. Maps were provided during the consultation process that showed canopy cover by Ward. Some of the participants indicated that including the Niagara Escarpment and natural areas in the analysis and reporting skewed the canopy cover results.

Final Urban Forest Strategy

The UFS report is a high-level, comprehensive document which summarizes the necessary actions for a healthy urban forest. Two final reports have been prepared: the “City of Hamilton Urban Forest Strategy and the “City of Hamilton Urban Forest Strategy Technical Report”, attached as Appendices “A” and “B” to Report PED20173(a).

The UFS report identifies 26 actions for a sustainable urban forest,

The Technical Report provides more detailed information, including the methods and results of data collection, public engagement, comparison of Hamilton to five other municipalities’ urban forest programs, and a baseline assessment of Hamilton’s urban forest using indicators in the “Sustainable Urban Forest Guide: A Step-by-Step Approach” (2016), which will be used to monitor our progress in implementing the UFS.

The 26 actions represent a list of projects and tasks that will be completed to implement the UFS. Staff have prepared an Implementation Chart, provided in Appendix “D” attached to Report PED20173(a) that identifies the timing, lead City Department and resources required for each action.

Canopy Cover Target

This report is recommending the approval of a target of 40% tree canopy cover in the urban area by 2050. This target is more than the 30% identified in the UFS by 2043 but is similar to targets recently set by other GTHA municipalities such as Toronto and York

SUBJECT: Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide) - Page 12 of 15

Region. This is an appropriate goal to help address the climate change emergency declared by council in 2019.

The canopy cover in 2021 in the urban area of Hamilton is 17.8-20%. Coverage on public lands is approximately 31.7% to 33% and Private Lands 16.2% -18% as per Appendix "E" attached to Report PED20173(a). Based on the experience of other municipalities in southern Ontario, increases to canopy cover are slow and gradual. For example, Toronto has planted 1.3 million trees from 2008 to 2018 which resulted in a canopy cover increase of 1.8%. Mississauga has increased its canopy cover from 15% to 19% (an increase of 4%) from 2007 to 2014. City staff wanted a challenging long-term target.

The strategy is to increase private and public tree planting. Young trees planted now will not provide much canopy at first, but as they age, they will provide exponential growth and canopy cover will show notable improvement.

Since 60% of the urban forest is located on private lands which has the lowest coverage rate, implementation will need to involve efforts from residents, institutions, business, Indigenous people, and stakeholders. The City will actively seek partnerships with the community. Community and stakeholder involvement are vital to the successful implementation of the UFS.

Protecting the Existing Canopy

If approved the recommendations of this report would allow staff to better protect existing trees and woodlots through a consolidation and update of the current Dundas, Ancaster and Stoney Creek Tree Protection By-laws into a single city-wide by-law and updating the woodlot protection by-law to better define and protect existing woodlots across the City. In addition, an update of the current 2010 Tree Protection Guidelines which require a 1-for-1 tree replacement is recommended to better guide the retention of trees in private development and provide compensation planting or cash in lieu for city sponsored planting commensurate with the size and species of trees being removed in order not to reduce the existing canopy.

Forestry staff will continue to monitor the health of the urban forest, develop, and implement an Invasive Species Management Strategy and expand existing monitoring program in partnership with other City Sections.

SUBJECT: Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide) - Page 13 of 15

Growing the Urban Forest Canopy

Recommendations of this report, if approved will also allow staff to grow the urban forest. Two FTE's in the Forestry Section are proposed to implement the actions outlined in this report including:

- Implement a communications strategy (e.g. web page, social media, coordinate volunteer planting and invasive species control events, respond to inquiries, maintain, and analyse data, publicize the Free Street Tree Program, and prepare educational materials and videos);
- Monitor implementation progress;
- Strengthen existing partnerships and actively seek new partnerships with organizations and individuals to support the City's UFS;
- Develop a best management practices manual for tree protection, planting, and preservation to share with all City departments and utilities;
- Complete a tree planting priority analysis to guide a City-wide tree planting strategy;
- Develop programs and planting methods such as mini forests to target planting to those areas with greatest need for tree canopy; and,
- Develop possible funding sources through carbon credits, sponsorships, and compensation from development.

Carbon credits are one option to generate revenue to fund tree planting initiatives. Staff are proposing to explore the feasibility of developing carbon credits. The revenue from these credits could be used to offset the cost to plant additional trees either directly by the City or in partnership with community organizations. Staff will monitor the carbon credit market, and if the market would facilitate the sale of carbon credits for City owned tree assets, staff will report back to Council with a recommendation on whether or not to proceed with this possible revenue stream.

In addition to the environmental and mental health benefits associated with growing the City's urban forest, through strategic planting initiatives, urban forest initiative can also contribute to addressing food insecurity concerns. Specifically, and where appropriate, fruit trees can be planted in publicly accessible locations, community gardens or within residential developments similar to the approach taken at City Hall with vegetable plantings along Hunter Street.

Measuring the Canopy

Accurately and consistently measuring the urban forest canopy which represents the amount of land both private and publicly owned covered by individual trees and woodlots overtime both city-wide and at a neighbourhood scale is important to the successful implementation of the UFS. It will allow staff to gauge the long-term success

SUBJECT: Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide) - Page 14 of 15

and adjust planting programs moving forward to address low canopy areas and identify opportunities for planting.

The 2017 canopy cover estimate of 21.2% detailed on page 14 of the UFS was determined using ltree software and area samples. This process does not easily provide accurate neighbourhood scale measurement of the canopy. In 2022 City staff were provided at no cost one-time Laser Imaging Detection and Ranging (LiDAR) data from the Provincial and Federal governments. This data provided detailed 3D data points city wide. Unfortunately, this data was flown two weeks too early to measure full leaf out for some species and may therefore be low. However, the analysis of this data is thought to be more accurate (attached as Appendix E to PED20173(a)) and it allows for detailed area measurement of the canopy. The analysis indicated a 17.8% -20% city wide canopy coverage and some significant differences in canopy cover on ward basis compared to the 2017 measurement.

This report includes a recommendation to fund the purchase of future data flown at the appropriate time of year to accurately measure the urban forest canopy. Future request for capital to fund the purchase of LiDAR data will be made on an as needed basis to monitor canopy growth.

ALTERNATIVES FOR CONSIDERATION

Council could decide to not approve the final UFS reports or the recommendations to support its implementation. This option is not recommended because it will delay the implementation of the important actions in the UFS which are urgently needed to address immediate issues like climate change, equity, public health, flooding, and biodiversity loss.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED20173(a) – City of Hamilton Urban Forest Strategy Final Report

SUBJECT: Hamilton Urban Forest Strategy Final Report (PED20173(a)) (City Wide) - Page 15 of 15

Appendix “B” to Report PED20173(a) – City of Hamilton Urban Forest Strategy Final
Technical Report

Appendix “C” to Report PED20173(a) – Summary of Public Consultation (2021)

Appendix “D” to Report PED20173(a) – Implementation Chart

Appendix “E” to Report PED20173(a) – Canopy Coverage 2021

KC:sd



Hamilton



2021

City of Hamilton

A graphic illustration of a city skyline with green trees and buildings, positioned above the text 'URBAN FOREST STRATEGY'.

**URBAN
FOREST
STRATEGY**

INTRODUCTION

The Urban Forest – A Shared Resource 7
What Trees Do for Us 9
What You Can Do for Trees 11

5

13

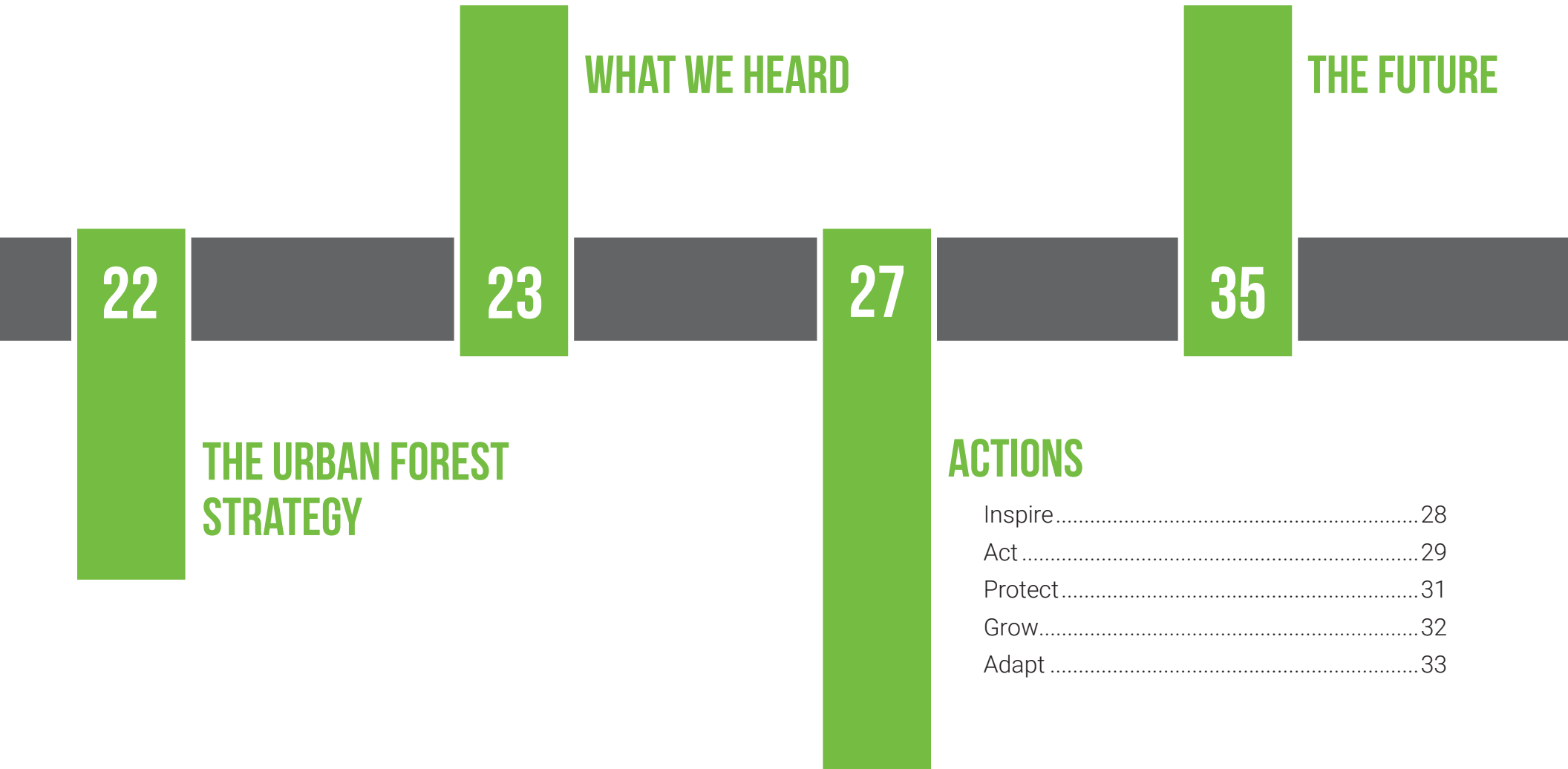
18

STATE OF THE FOREST

Environment 19
Economy 20
Community 21

THE BIG PICTURE

Hamilton's Urban Forest 13
Distribution of Canopy Cover 13
Species Diversity 15
Tree Size 16
Street Trees 16
Land Cover Change 17



22

THE URBAN FOREST STRATEGY

23

WHAT WE HEARD

27

ACTIONS

Inspire.....28
Act.....29
Protect.....31
Grow.....32
Adapt.....33

35

THE FUTURE

ACKNOWLEDGEMENT STATEMENT

The City of Hamilton is situated upon the traditional territories of the Erie, Neutral, Huron-Wendat, Haudenosaunee and Mississauga's. This land is covered by the 'Dish With One Spoon' Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabe to share and care for the resources around the Great Lakes. We further acknowledge that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation.

Today the City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and we recognize that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners and caretakers.



INTRODUCTION

Hamilton's urban forest is unique. The Niagara Escarpment winds through the urban area, separating it into downtown and "Hamilton Mountain" areas. Cootes Paradise, Dundas Valley, and Red Hill Valley form major natural corridors connecting the escarpment to Lake Ontario. Throughout the city, there are greenspaces and trees that provide habitat for native plants and animals, maintain watershed function, support public health, and make Hamilton a beautiful place to live.

Hamilton's urban forest can be defined as all trees, whether single trees, groups of trees or woodlands that are found on public and private land within the urban boundary. The urban forest is more than just trees - it is part of the natural environment that provides a home to all the species that live within it, including people. Recognizing how important forests are for protecting nature and building livable cities, the Urban Hamilton Official Plan sets a target to reach 30% canopy cover.

Both the Urban and Rural Hamilton Official Plans and the 2016-2025 City Strategic Plan include goals for environmental sustainability and for achieving a balance of healthy natural and urban spaces. The urban forest has an important role in achieving this balance.

This is the first Urban Forest Strategy (UFS) for the City of Hamilton. The UFS is a high-level plan and the roadmap for a sustainable urban forest. It sets the long-term direction for the urban forest for the next 20 years and is supported by a technical report that provides background for the UFS priorities. The UFS includes actions that will help the City achieve its urban forest vision, as defined by the many people who helped shape this plan.

WHAT IS THE URBAN FOREST?

Hamilton's urban forest includes all of the publicly and privately-owned trees and supporting vegetation in the urban area. The urban forest includes more than Hamilton's natural areas.

Individual trees and groups of trees along streets, in backyards, parks, and commercial areas within Hamilton's urban boundary are also part of the urban forest.



CITY OF HAMILTON URBAN FOREST VISION
**HAMILTON'S URBAN FOREST IS RESILIENT,
CONTRIBUTES TO THE WELL-BEING
OF ALL NEIGHBOURHOODS, AND IS VALUED
AS A SHARED ASSET.**

DID YOU KNOW?

- The Niagara Escarpment is home to some of the world's oldest cliff-dwelling trees, with the oldest living eastern white cedar germinating about 1,050 years ago.
- Original trees are the oldest living things in our streets. They are reminders of the natural habitats they came from and now live among the neighbourhoods that grew up around them. There is a bur oak tree (*Quercus macrocarpa*) on Mountwood Avenue that is older than the City of Hamilton.
- The tallest tree in Hamilton is a native tulip tree (*Liriodendron tulipifera*) that measures 150 feet high - about 50 metres tall.

THE MANY BENEFITS OF HAMILTON'S URBAN FOREST

Investing in the urban forest supports other important City goals like sustainable urban development, stormwater management, recreation and protection of natural assets. In 2019, Hamilton joined other cities across Canada in declaring a climate emergency. Climate change will affect many aspects of life in the city, from public health to infrastructure to transportation and energy systems to biodiversity. A healthy urban forest provides an important tool for mitigating climate change effects and meeting the City's goal to reduce greenhouse gas emissions by 80% by the year 2050.

THE URBAN FOREST STRATEGY SUPPORTS OTHER STRATEGIC OBJECTIVES IN THE CITY OF HAMILTON

STORMWATER MANAGEMENT	TRANSPORTATION AND GROWTH PLANNING	CLIMATE CHANGE RESILIENCE	PUBLIC AND COMMUNITY HEALTH	ENVIRONMENT AND BIODIVERSITY
Stormwater Management Master Plan	Growth Related Integrated Development Strategy (GRIDS 2)	Hamilton Community Climate Change Action Plan	Healthy Schools Approach	Natural Heritage System Official Plan Policies
Flooding and Drainage Master Servicing Study	Official Plan and Zoning By-laws	Hamilton Community Energy and Emissions Plan	Clean Air Hamilton	Biodiversity Action Plan
		+	Neighbourhood Development	
			Hamilton Urban Indigenous Strategy	

There are many pressures threatening Hamilton’s urban forest today.

- Invasive tree and plant species are affecting local biodiversity;
- Introduced pests, like Emerald Ash Borer, have caused large-scale losses of ash trees;
- Climate change is increasing environmental stress on trees and natural areas; and,
- Development pressure for housing and infrastructure is reducing growing space for trees.

Without intervention, there is a risk that Hamilton will see a slow and steady loss of urban tree canopy cover as the City continues to grow. A clear strategy to guide urban forest management is an urgent priority to prevent further loss and impacts to urban forest health.

Recognizing how important the urban forest is for protecting nature and building livable cities, the Urban Hamilton Official Plan sets a target to reach 30% canopy cover.

THE URBAN FOREST – A SHARED RESOURCE

The urban forest is a shared resource. Managing the forest is a joint effort between City departments and other agencies working together. It also relies on the actions of residents, community groups, Council and the private sector. Working together and communicating often are important ingredients for a successful urban forestry program.



WHAT TREES DO FOR US

“To be the best place to raise a child and age successfully” reflects the kind of city Hamiltonians want to aspire to become. Research shows that exposure to nature including trees, is good for the well-being of residents at all ages. Hamilton’s urban forest contributes to the City’s vision of a healthy community. It also provides many other environmental and economic benefits to government and the community.¹

TREES ARE PART OF HAMILTON’S “GREEN INFRASTRUCTURE”

Green infrastructure (GI) is defined as the *“natural vegetative systems and green technologies that together provide a multitude of economic, environmental and social benefits.”*² It includes soils that can sustain vegetation and absorb water, as well as other stormwater infiltration and retention technologies like porous pavements, bioswales, rain barrels and cisterns. All of these mimic natural ecosystem services. The urban forest is an important part of Hamilton’s green infrastructure.

Trees contribute to GI services in a number of ways:

- Trees reduce stormwater runoff by capturing and storing rainfall in their canopy and releasing water into the atmosphere;
- Trees draw moisture from the soil ground surface, thereby increasing soil water storage potential;
- Tree roots and leaf litter create soil conditions that promote the infiltration of rainwater into the soil as well as reduce erosion and sedimentation;
- Trees help slow down and temporarily store runoff and reduce pollutants by taking up nutrients and other pollutants from soils and water through their roots: and,
- The urban forest canopy lowers air temperatures and reduces the urban heat island effect through shading and evapotranspiration, which improves energy efficiency in buildings.

ENVIRONMENTAL

- Improved local air and water quality
- Biodiversity conservation
- Reduced flooding
- Mitigate urban heat island effect
- Carbon sequestration and storage

ECONOMIC

- Reduced pressure on stormwater infrastructure
- Extended pavement life
- Increased residential property values
- Improved visitor perception
- Lower energy costs for heating and cooling
- Improved climate resiliency

SOCIAL

- Mental health benefits
- Shade and cooling
- Increased physical activity
- Better walking environments
- Noise reduction
- Solace and a sense of place
- Cultural and heritage values

Source: Tree Canada, Benefits of Urban Trees

¹ See Tree Canada – Compendium of Best Urban Forest Management Practices, Chapter 3: Benefits of Urban Trees with literature cited.

² Green Infrastructure Ontario – <https://greeninfrastructureontario.org>.

WAYS TREES HELP US

10. Improved climate resiliency



11. Cultural history and meaning

12. Resources - food, medicines.



1. Reduced storm water runoff and improved flood mitigation

2. Improved local air and water quality



9. Shading and cooling to mitigate the urban heat island effect

8. Noise buffering

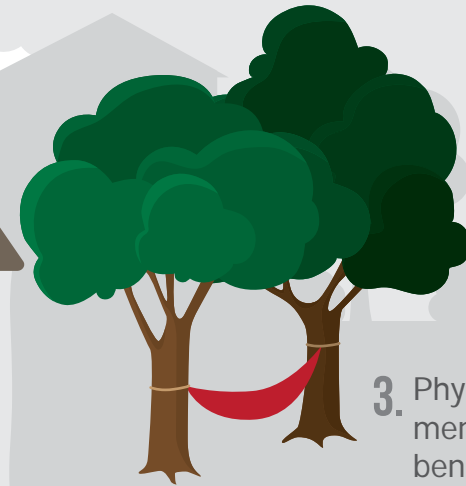
7. Lower energy costs for heating and cooling

6. Habitat for wildlife



FOR SALE

5. Increased property values, benefiting developers and homeowners



3. Physical and mental health benefits for residents

4. More attractive and livable neighbourhoods and commercial areas

WHAT YOU CAN DO FOR TREES

With approximately 58% of Hamilton’s trees located on private property, residents and business owners have a large stake in the urban forest. Many people believe that planting new trees is the best way to grow the urban forest. Planting helps to maintain a sustainable tree population by replacing trees that are lost. Tree planting can also help increase canopy cover in the longer term.

Taking care of existing healthy trees is actually one of the best ways to grow the urban forest. Large trees and their big crowns provide the most benefits to the residents of Hamilton. Large trees are not ‘replaceable’ – it took a century or more to grow some of the mature trees that spread their branches over Hamilton’s oldest neighbourhoods. Trees are a long-term investment and every resident and business owner has an important role to play in the effort to protect Hamilton’s valuable urban forest.

10 THINGS YOU CAN DO FOR TREES

- PRESERVE EXISTING TREES ON YOUR PROPERTY WHENEVER POSSIBLE**
- PLANT NEW TREES ON YOUR PROPERTY AND PARTICIPATE IN COMMUNITY TREE PLANTING EVENTS**
- WATER YOUNG TREES DURING PERIODS OF LOW RAINFALL**
- HAVE MATURE TREES ASSESSED BY A QUALIFIED ARBORIST**
- PROTECT TREE STEMS AND ROOTS FROM DAMAGE DURING CONSTRUCTION AND LANDSCAPING**
- RESPECT CITY TREE BY-LAWS**
- ADVOCATE FOR BETTER TREE PROTECTION IN HAMILTON**
- PARTICIPATE IN CITIZEN SCIENCE**
- SPEND TIME WITH TREES - GO FOR A HIKE IN THE WOODS OR A WALK IN YOUR LOCAL PARK**
- TALK TO YOUR NEIGHBOURS ABOUT WHY TREES ARE IMPORTANT**

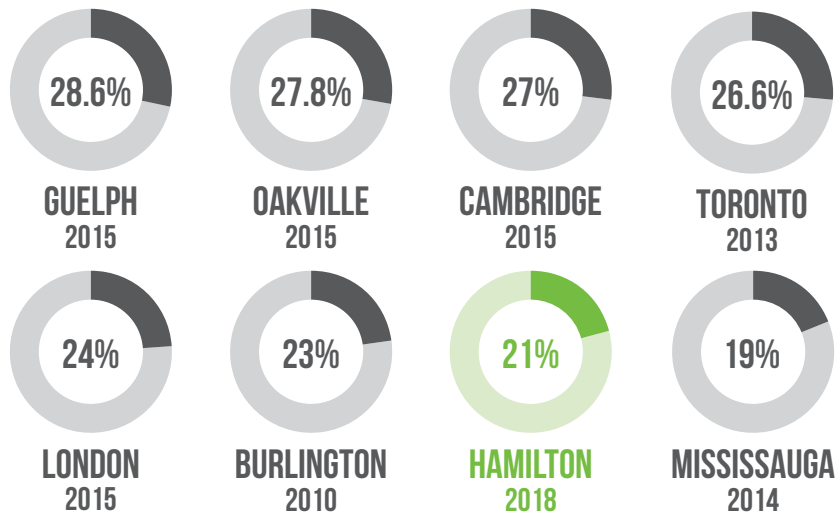


THE BIG PICTURE

HAMILTON'S URBAN FOREST

Hamilton's urban forest is part of the Carolinian forest region, one of the most biologically diverse areas in Canada. In the past, the Carolinian forest covered 80% of the region before settlers started clearing land and building cities.³ Total canopy cover in Hamilton's urban area is currently estimated at approximately 21%.⁴ Compared to other Ontario municipalities, Hamilton's canopy cover is relatively low, at approximately two thirds of the city's 30% target. The canopy cover target for this Strategy has been set at 30% by the year 2041. This target will be reviewed in 10 years and can be increased as Hamilton makes progress.

CANOPY COVER IN NEARBY CITIES



DISTRIBUTION OF CANOPY COVER

The distribution of the urban forest is uneven across the city. Canopy distribution is affected by tree species, geography, soils, and historic and current land uses. Areas with large parks or mature residential neighbourhoods generally have higher average levels of canopy than industrial or commercial areas, and generally have more room for planting new trees as well. This shows the effect that different land uses have on the amount of canopy cover, as well as potential canopy cover. It also means that access to the benefits of trees is not equal around the city. Studies in other jurisdictions have found lower canopy cover in low-income neighbourhoods, leaving these areas vulnerable to the consequences of low canopy cover - extreme heat, flooding and pollution. Identifying and prioritizing planting opportunities across all land uses can help improve the future distribution of the urban canopy.

WHAT IS CANOPY COVER?

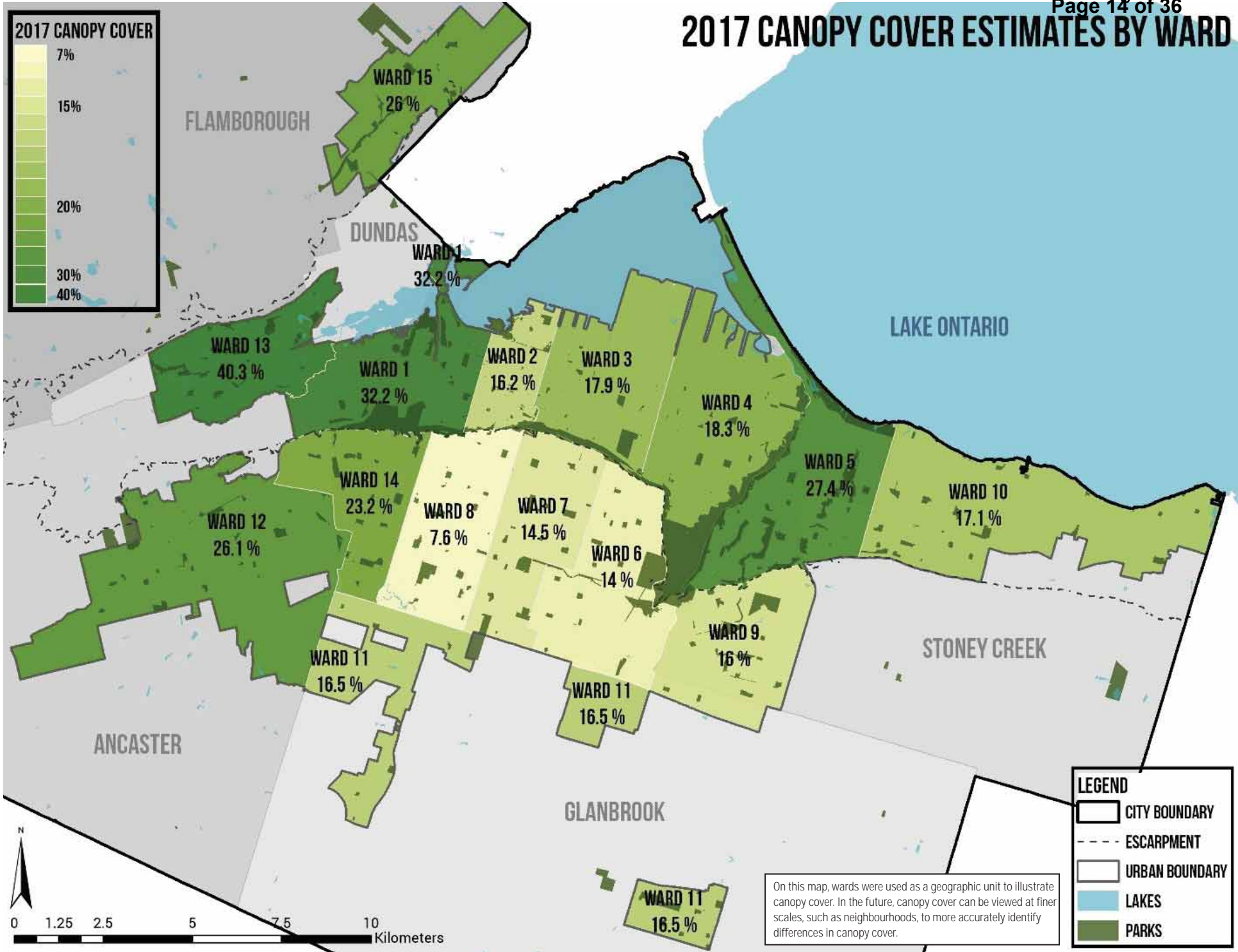
Canopy cover represents the amount of land area covered by individual trees and woodlands as seen from above. It is one of many ways to describe the urban forest. Individual trees, groups of trees, and natural areas, such as the Niagara Escarpment and valleys, are included in the canopy cover calculation.

Many cities are setting canopy cover targets, recognizing the many benefits of urban trees for people, for sustaining watershed function and for supporting biodiversity.

³ According to LANDSAT TM satellite imagery (vintage 1987-1993).

⁴ Land and tree cover were assessed using the USDA Forest Service i-Tree Canopy tool using 2017/2018 leaf-on imagery from Google Earth. This was the most recent and complete year available.

2017 CANOPY COVER ESTIMATES BY WARD





European Buckthorn

SPECIES DIVERSITY

Although it makes up only one percent of Canada's total land area, the Carolinian forest is home to more species than all the other forest regions in Canada. Oak, hickory, ash, chestnut, black walnut, red and sugar maple, sassafras, tulip tree, and beech are just some of the tree species that are found in the Carolinian forest.

In Hamilton, black walnut, Norway maple and Manitoba maple represent the top three species in terms of leaf area⁵. Norway and

Manitoba maple are classified as invasive species in Ontario. About 67% of the total forest leaf area consists of native species and about 29% consists of invasive species.⁶ Some of these species, like Norway maple, were commonly planted because of their ability to thrive in tough urban environments but later became invasive in natural areas. Now, forest managers develop tree planting lists for streets and natural areas that reflect the different management goals and growing conditions on these sites. Climate change is another factor that will affect tree species selection for the City of Hamilton.

⁵ Leaf area is a measure of the total one-sided surface area contributed by all leaves on a tree. It is used, along with the number of trees, to describe the extent of Hamilton's urban forest.

⁶ The remainder are non-native, non-invasive species.

TOP FIVE TREE AND SHRUBS SPECIES BY LEAF AREA

(SOURCE: 2018 HAMILTON I-TREE ECO STUDY)

TREE SPECIES	% OF TOTAL LEAF AREA	SHRUB SPECIES	% OF TOTAL LEAF AREA
Black walnut	19.8	Gray dogwood	17.4
Norway maple*	7.3	Honeysuckle species	13.4
Manitoba maple*	4.8	European buckthorn*	7.3
Silver maple	4.7	Yew species	5.8
Black locust	4.6	Eastern white cedar (shrub form)	4.5

*Invasive species

The presence of these invasive species shows how dramatically Hamilton’s forests have changed over time. This is also true of the urban forest shrub layer, with 14.3% of the shrub leaf area made up of invasive species like European buckthorn. This shift in species matters, because it causes changes in the structure and composition of ecosystems. Invasive species can quickly change natural areas and degrade their ecological, aesthetic and recreational values. Early detection and active management of invasive species is critical for reducing the negative impacts of invasive species in Hamilton’s parks and natural areas.

NATIVE, EXOTIC OR INVASIVE?

Native plants are those that occur naturally in an area.

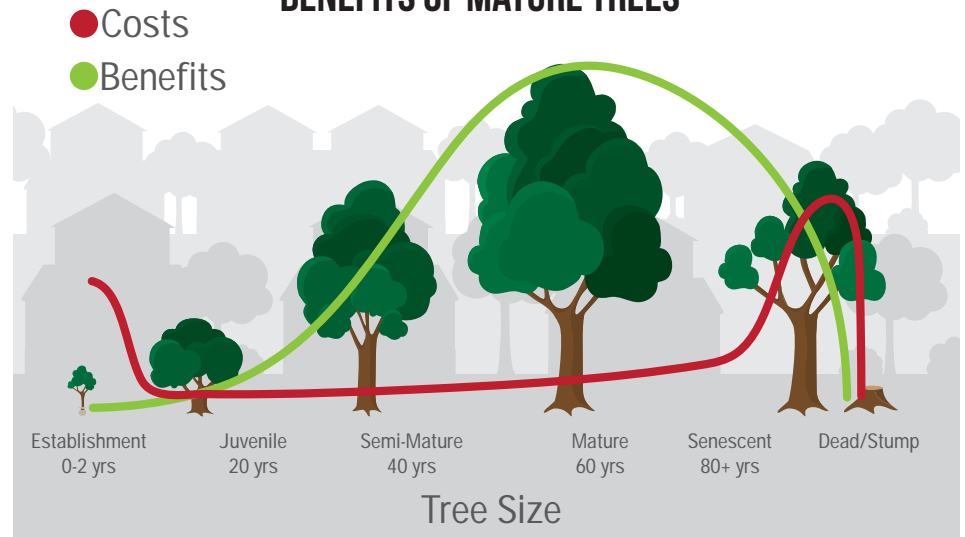
Invasive plants are not local and are spread by global trade, human and animal transport and escape from gardens. They tend to spread quickly and interfere with native plants, which reduces habitat for native wildlife.

Exotic, non-invasive plants are non-native species that have been introduced from an area out of their natural distribution but do not generally cause environmental harm.

TREE SIZE

The average diameter of trees in Hamilton is 12.3 cm, measured at 1.3 metres from the ground (this is referred to as “diameter at breast height”, or DBH). This includes newly planted trees and new growth found in the understory in woodlands, on vacant properties and other areas left to naturalize. Street trees tend to be larger, with an average diameter of 25.1 cm. Hamilton has a comparable number of small trees as nearby cities but falls short on trees in the largest size classes, which provide the most benefit for the City and its residents. Keeping a range of age classes is important for urban forest health. Protecting healthy, large trees is also one of the best ways to grow the canopy and optimize early investments in the urban forest.

BENEFITS OF MATURE TREES



STREET TREES

Hamilton’s street trees are the most intensively managed trees within the urban forest. This is because street trees occupy prominent locations in the city and provide some of the most tangible benefits to people. In some neighbourhoods, street trees represent almost all of the canopy cover and make an important contribution to neighbourhood character and livability. The structural (replacement) value of Hamilton’s 168,610 street trees is approximately \$500 million.

This is about 24% of the total forest value even though they represent only 3.2% of Hamilton's total tree population.

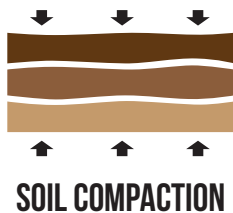
Their location on city roadways means that street trees face additional stress like compacted soil, road salt and limited growing space. Despite these pressures, 87% of street trees are rated in good condition. This shows the benefit of a good maintenance program for protecting the City's investments in its valuable street trees.

Overall, there is a good diversity of street tree species in Hamilton with the exception of an overabundance of maple species. This makes street trees more vulnerable to pest outbreaks like Asian Longhorned Beetle that target certain tree species. A recent, sample-based inventory showed that city right-of-ways may offer some opportunity for growing Hamilton's tree canopy, with approximately 37,000 possible planting sites located along city roadways. However, gaining community support for tree planting in right-of-ways will be an important part of greening Hamilton's streets.

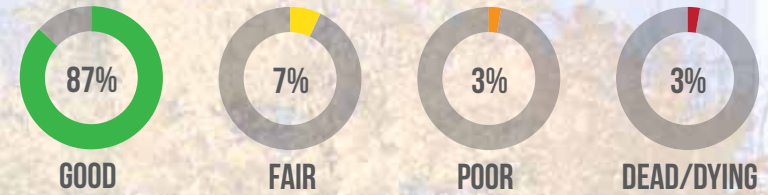
LAND COVER CHANGE

Another important change in Hamilton has been an increase in paved area across the city. Between 2008 and 2018, the amount of hard surface in the city increased from 42.3% to 46.3%. This increase in roads, sidewalks, driveways, parking lots, decks, pools and patios means less growing space for trees. As cities grow, the use of hard surface planting techniques will become an important tool for maintaining and expanding the urban forest in increasingly urban areas. At the same time, the City should develop better policy tools to protect growing space (including native soils) for trees.

STRESSES ON TREES PLANTED IN HARD SURFACES



CONDITION OF HAMILTON'S STREET TREES





STATE OF THE FOREST

Hamilton's existing urban forest management activities were graded with a set of performance indicators used by many cities in North America.⁷ This approach allows for comparison between municipalities using the same criteria. Currently, Hamilton's urban forest program lands mainly in the 'fair' performance category.

Areas of strength that Hamilton can build on in its urban forest program include:

- A successful city-wide street tree maintenance program;
- Strong community engagement;
- The Niagara Escarpment, which runs through the City and connects natural areas.

Key areas for improvement noted during the course of planning include:

- Protection of private trees;
- More even and equitable distribution of canopy cover,
- Integration of trees in infrastructure and development projects; and,
- Management of natural areas, including invasive species.

The UFS includes baseline measures that can be used in the future to measure progress towards Hamilton's urban forest goals. These are grouped into three themes (Environment, Economy and Community) to describe the many benefits that urban forests provide.

**HAMILTON URBAN FOREST
STRATEGY PERFORMANCE
CRITERIA SCORING**

USING THE USDA'S SUSTAINABLE URBAN
FOREST GUIDE: A STEP-BY-STEP APPROACH

LOW OR LOW FAIR = 2
FAIR = 12
FAIR TO GOOD = 6
GOOD = 8
OPTIMAL = 0

NUMBERS REFER TO THE NUMBER OF
CRITERIA RANKED WITHIN THAT CATEGORY

⁷ Leff, Michael. 2016. *The Sustainable Urban Forest Guide: A Step-by-Step Approach*. Davey Institute and United States Department of Agriculture, Forest Service.



STATE OF THE FOREST: ENVIRONMENT



% CANOPY COVER

The city's goal is to achieve 30% canopy cover in the next 20 years.

Hamilton currently has 21.2% canopy cover.



OF TREES IN HAMILTON

Hamilton's urban forest consists of about 5.2 million trees.

168,000 (3.2%) of those are street trees.



SPECIES SUITABILITY

67.3% of total canopy leaf area is comprised of native Ontario species.

29.3% of total leaf area is comprised of invasive species.



AVERAGE TREE DIAMETER

Large, healthy trees provide more benefits.

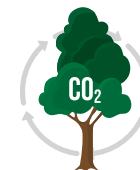
The average size of all trees is 12.3 cm. Street trees have a larger average size of 25.1 cm.



TREE CONDITION

Overall, 80.1% of Hamilton's trees (public and private) are in good or excellent condition.

87% of street trees are in good condition.



CARBON STORAGE AND SEQUESTRATION

Trees sequester 13,412 tonnes of carbon annually and store a total of 395,000 metric tonnes of carbon.

STATE OF THE FOREST: ECONOMY



AVOIDED STORMWATER RUNOFF

Trees reduce the burden on stormwater infrastructure by slowing surface runoff.

Hamilton's trees intercept 815,639 m³/year of stormwater, a service worth \$1.9 million annually.



ENERGY SAVINGS

Trees contribute to cost savings related to heating and cooling.

Hamilton's trees reduce energy use by 282,319 MBTUs, with a value of \$3.63 million annually.



GRID MAINTENANCE RETURN CYCLE

Hamilton has achieved a 7 year pruning return cycle for street trees.



ECOSYSTEM SERVICES

Ecosystem services produced by the urban forest include pollution removal, oxygen production, stormwater and climate change mitigation, energy savings.

Hamilton's urban forest provides \$8.2 million in ecosystem services annually.



OF TREES PLANTED

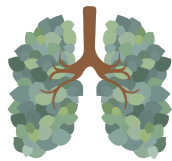
Planting trees can help replace and grow the canopy, if growth rates exceed removals.

Hamilton planted approximately 10,000 trees a year between 2013-2018.





STATE OF THE FOREST: COMMUNITY



AIR QUALITY

Hamilton's urban forest improves local air quality by producing 13.46 thousand metric tonnes of oxygen and absorbing 256 tonnes of pollution every year.

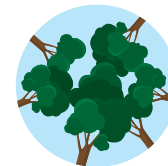


OF STREET TREES

Street trees contribute to healthy, walkable communities.

Hamilton has 168,000 street trees.

There are an estimated 37,000 planting locations in City right-of-ways (ROWs).



DISTRIBUTION OF CANOPY COVER

Canopy cover is distributed unevenly across the City, creating potential inequities.

There is a 32.7 percentage point difference between the wards with the highest and lowest percent canopy cover.



SCHOOLS ENGAGED

The Forestry Schools Program engaged with an average of 19 schools per year between 2013-2018.



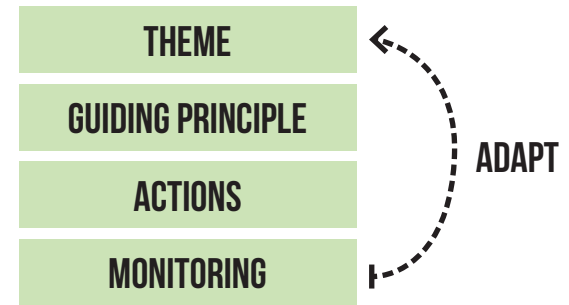
THE URBAN FOREST STRATEGY

Hamilton's first Urban Forest Strategy (UFS) is an important step toward achieving a healthy urban forest that provides maximum benefits to residents and to the City of Hamilton. Many people were involved in the development of a vision statement for the urban forest and helped define the themes, guiding principles and actions for the UFS.

The UFS is a high-level document that will guide management decisions moving forward. The UFS is meant to answer the 'what and why' questions of urban forest management under a set of themes and guiding principles. The UFS also includes a monitoring approach that uses a set of criteria and targets to track progress.

Actions to support UFS goals are identified under each theme and range from simple to complex. For that reason, the details of 'how' to implement the UFS actions will be part of operational planning moving forward. This will consider local context, resources, opportunities and constraints that are best understood by City staff and other stakeholders whose work influences the urban forest.

Successful implementation requires a group effort that involves City departments, stakeholders and agencies, residents, Indigenous people, and the business community in Hamilton.



A bold strategy for Hamilton's urban forest, endorsed by Council, signals to all stakeholders that Hamilton is committed to building a climate resilient, livable city where people want to live and work. This includes trees and healthy natural areas as an essential part of city infrastructure. It also means investing in the urban forest and doing the hard work to make that vision a reality.

PHASE ONE

January to December 2018

Background Information Review

Data Collection and Analysis

PHASE TWO

May to December 2018

Public Engagement

Activities:

May 17, 2018 – Stage 1 Internal and External Stakeholder Workshops

May 29, 2018 – Public Open House

June – September 2018 – Online Survey

April 17, 2019 – Stage 2 Internal and External Stakeholder Workshops

June 5, 19, and 24, 2019 – Public Workshops

PHASE THREE

Fall 2019 to Fall 2020

Draft Report Preparation

PHASE FOUR

Draft Report Review and Public Engagement

January to February 2021

2021

Final Report and Council Approval

WHAT WE HEARD

Collecting input from the community, City staff and stakeholders was an important part of creating the UFS. Community members and stakeholders were very engaged in the process and concerned about the future health of the urban forest. They came to the table to talk about challenges, but they also came with ideas for better management of the urban forest.

Phase 1 of the UFS development included an online survey, stakeholder workshops and a public open house that helped shape UFS priorities. In Phase 2 of the process, consultations were held to review these priorities and define the key values, themes and actions for Hamilton’s UFS. In Phase 4, engagement involved reviewing the draft UFS and confirming the themes and actions.



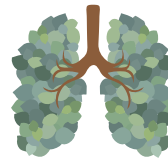
THINGS WE VALUE MOST ABOUT THE URBAN FOREST

Hundreds of comments were received from members of the public and stakeholders – both in person and online – that helped identify key values and priorities. The following represents a summary of what people value most about Hamilton’s urban forest:



BEAUTY

Trees contribute to the beauty of the urban landscape. That perception of beauty can promote a sense of local pride and add value to tourism. Trees can create a sense of connection to where people live, work and play. They can also screen unattractive views.



AIR QUALITY

Trees provide oxygen, remove carbon dioxide from the atmosphere and trap particulate matter (air pollution) through their leaves.



STORMWATER MANAGEMENT

Trees absorb water from the ground, preserve soil, and reduce the risk of flooding. This is increasingly important in order to manage the impacts of intensified development and land use.



CLIMATE CHANGE MITIGATION

Climate change is an increasing concern for many people. Trees are widely recognized as part of the green infrastructure in cities that will help mitigate the impacts of climate change (absorbing CO₂, reducing major storm flooding, shading homes to reduce energy demands, providing relief from hot summer temperatures).



ENVIRONMENTAL PROTECTION

The urban forest provides habitat for wildlife, insects and plants. Ensuring proper tree maintenance, removal, and replacement benefits trees and other living organisms in local ecosystems.



MENTAL HEALTH AND WELL-BEING

The innate beauty and benefits that trees offer can provide people with calmness, serenity and improved quality of life. They can also encourage outdoor activity, provide opportunities for play and create linkages to other green spaces.



THEME 1: INSPIRE

Guiding Principle:
Engage and inspire the
community with a bold
vision for Hamilton's
urban forest.

THEME 2: ACT

Guiding Principle: "Goals
are good. Action is better."
(Vibrant Cities Lab)

THEME 3: PROTECT

Guiding Principle: Trees
are a valued city asset
and an essential part of
Hamilton's infrastructure.

THEME 4: GROW

Guiding Principle: Regular
investments in tree planting
and maintenance programs will
optimize long-term benefits and
reduce risk to people, property and
the health of the urban forest.

THEME 5: ADAPT

Guiding Principle: Urban
forest management is
evidence-based and
responsive to change.

ACTIONS

The UFS includes five themes and guiding principles that are the foundation for a good urban forestry program. Using this information, the UFS identifies 26 actions that will address some of Hamilton's immediate challenges and build on opportunities for growth.

The actions and guiding principles were developed with consideration for current management context and resources, a review of scientific and technical literature, what other similar Ontario cities have accomplished as well as consultations with City staff, other management agencies and a range of stakeholders and representatives of Hamilton's community.

The actions include immediate activities that will contribute to better forest planning and management as well as longer-term policy actions that will support Hamilton's urban forestry goals.

THEME 1: INSPIRE **CONTEXT**

Guiding Principle: Engage and inspire the community with a bold vision for Hamilton’s urban forest.

Short term (1-2 years)

- | | |
|---|---|
| 1. Develop and implement an inspiring urban forest communications strategy. | Creating a greater public appreciation for the value of Hamilton’s urban forest through frequent, transparent and positive communications will help support the City’s forestry goals. Applying marketing and branding principles with a consistent message to promote the value of the urban forest can be a powerful, effective tool to improve awareness of and support for trees in Hamilton. These should include all aspects of the City’s urban forestry presence, including a web page, educational materials and videos, public events, social media and open data. The strategy will focus on improving collaboration and consultation with all marginalized groups, including local Indigenous people. |
| 2. Create a permanent new staff position in the Public Works Department to implement UFS (e.g. monitoring, outreach, partnership development, data maintenance). | A major goal of the UFS is increasing general awareness of and appreciation for the urban forest. Inspiring the community to value trees is critical for building a strong forestry program in Hamilton. Outreach and education should target city departments, Council, private landowners, planners, Indigenous people, developers, utilities and any other groups with an interest in the urban forest. Activities will include outreach to landowners to identify opportunities for tree planting on private lands, coordinating volunteers to control and monitor invasive plants, conducting neighbourhood tree counts, and stewardship of urban woodlands. The staff person would also be responsible for seeking partnerships, providing access to data, and implementing the communications strategy. This position is critical for supporting UFS implementation. |
| 3. Work directly with Hamilton’s development community to improve awareness, identify urban forest allies, and recognize best practices and innovation. | Integrating the urban forest in new community design or revitalization projects has social and economic benefits that are often poorly understood and communicated. Regular dialogue between planners, forest managers and the development community may uncover opportunities for innovative design and cost-neutral options for making trees a valued part of Hamilton’s urban future. Recognizing best practices and innovation is an important part of this work. |
| 4. Work with the Indigenous community and local First Nations to understand and respect the spiritual, emotional, mental and physical connection that Indigenous peoples have to land and that Indigenous peoples are the original caretakers of the land Hamilton sits upon. | In the future, implementation of the UFS offers opportunities to consult and partner with Indigenous people to further goals under the Land, Spirit, and People Themes in the Hamilton Urban Indigenous Strategy. For example, this would include exploring opportunities to create outdoor spaces to carry out traditional ceremonies and teachings, using Traditional Ecological Knowledge (TEK) to guide tree planting and habitat restoration projects, using markers and signs to identify Indigenous landmarks on trails, parks, and Conservation Areas, and by involving Indigenous persons in decision-making in municipal projects that affect them. |
| 5. Partner with organizations that support the City’s urban forestry program. | Many types of external organizations can add value to municipal urban forestry programs and help diversify funding sources for urban forest management. The city will expand its existing partnerships with non-government organizations and environmental agencies, who are willing to do more. In addition, the City will look for opportunities to partner with organizations beyond what we have done in the past. These could include emergency response agencies, power companies, philanthropic organizations, medical and corporate foundations, and local universities and colleges. Identify areas where urban forestry intersects with organizational mandates and support partnership work with a dedicated staff position (see Action 1). |
| 6. Carry out an annual evaluation of the effectiveness of stakeholder engagement strategies. | Including social indicators in UFS monitoring is important for understanding trends in citizen and private sector engagement. The urban forest communications and engagement strategies should include indicators with supporting data to monitor and report on progress. This information should be included in the “State of the Forest” report. |

THEME 2: ACT **CONTEXT**

Guiding Principle: "Goals are good. Action is better." (Vibrant Cities Lab)

Short-term (1-2 years)

7. Establish an inter-departmental working group to support UFS implementation.	The UFS includes actions that require collaboration to support successful implementation of the plan. Because the mandate for forest management is currently divided among several city departments, a working group will also support plan implementation and ensure that roles and responsibilities are assigned appropriately. The working group should meet regularly for the first five-year term of the UFS and report back to Council and residents on progress through 'State of the Forest' report every three years.
8. Improve implementation of Tree Protection / Management Plans and Landscape Plans required through development application review.	The city should ensure that required landscape and tree protection plans submitted as part of development applications are fully implemented. This should include costing, collection and release of securities, ensuring that qualified staff are conducting site inspections and providing a complete set of plans to inspection staff.
9. Complete land cover and canopy cover mapping for the City of Hamilton urban area.	<p>Land cover maps describe the location and distribution of water, soil, trees, buildings, grass, roads and paved areas in the urban landscape. Detailed tree canopy maps can be derived from land cover data. Satellite imagery and specialized software are used to develop these maps, which are an important part of the urban forestry toolbox. They can be used to:</p> <ul style="list-style-type: none"> • Map the distribution of canopy cover in Hamilton; • Identify and monitor Hamilton's progress in achieving a more even and equitable distribution of canopy cover, so all residents can enjoy the benefits of the urban forest; • Set canopy cover targets for defined management areas, such as the municipality, wards, or neighbourhoods; • Help staff identify and prioritize possible planting areas; and, • Track land and tree cover change.
10. Apply standardized tree planting details and specifications in all city tree planting projects.	Tree planting details and specifications should be based on a review of best practices from other jurisdictions and address soil volume and quality, stormwater management and other key factors affecting tree growth. These should be implemented by all city departments that are involved in planting trees.
11. Develop and apply minimum canopy cover targets to new development proposals.	One of the key issues limiting expansion of the urban tree canopy in Hamilton is a lack of tools to translate high level policy goals (e.g., Official Plan goal of 30% canopy cover) into site level development activities. Targets for canopy cover can be set by land use area, neighbourhood, ward, secondary plan area, sub-watershed or other geographic unit of interest. These targets can be integrated in urban design guidelines to provide guidance for staff. Up-to-date data for land and tree cover can guide targets by land use or other area of interest for individual development projects. This will help Hamilton reach its 30% canopy cover goal and facilitate more equitable distribution of canopy cover.

Medium-term (3-5 years)

<p>12. Identify and complete priority amendments to improve the integration of trees through applicable policies, plans, and guidelines..</p>	<p>Legislation, policies, plans, standards and guidelines that regulate and promote development in Hamilton have a strong influence on the current and future health of the urban forest. Having a strong voice for the urban forest at the table when these are being developed will help ensure trees are considered early on in urban planning, design and development. The city should research best practices and put forward a list of priority amendments to improve urban forest canopy retention and establishment in planning processes such as Official Plan, secondary plans, urban design guidelines, master plans for stormwater & transportation planning, streetscape and urban design guidelines, Draft Plan Guidelines, Draft Plan of Condominium and Subdivision Guidelines, Site Plan Guidelines, City-Wide Corridor Planning Principles and Design Guidelines, Tree Protection/Management Plans for new developments, zoning by-laws, and other relevant guiding documents. Existing City-wide policy documents and guidelines should be reviewed to identify where amendments can be made to improve urban forest canopy retention and establishment. New City-wide or area-specific documents such as Secondary Plans should reflect the targets and goals established within the UFS.</p>
<p>13. Determine the main drivers of canopy change in Hamilton.</p>	<p>A change detection completed for the UFS showed that canopy cover has remained the same or possibly declined between 2008 and 2018. However, it does not any provide information on the underlying cause of change. Understanding what is driving canopy change based on empirical data gives managers information to develop effective solutions. It also allows managers to allocate limited resources most efficiently.</p>
<p>14. Present regular 'State of the Forest' reports to City Council and the public.</p>	<p>One of the most critical success factors for urban forestry programs is a supportive Council that understand the value of forests for creating livable, resilient cities. Council support for regulatory and policy changes that promote the integration of trees in planning and urban development is key. A regular 'State of the Forest' Report to Council and residents can help highlight progress and challenges, and provide context for funding requests. Every three years, a 'State of the Forest' report to Council and residents will highlight progress and challenges, and provide context for funding requests.</p>
<p>15. Review current management structures and identify resources required to achieve the City's urban forest vision.</p>	<p>The urban forest is defined as all trees and forested landscape features within the urban area and the UFS reflects the high degree of connection between these elements. However, urban trees in Hamilton are currently managed separately of natural areas in the City, giving the Forestry Section a very limited mandate for managing only a small portion of the city's urban forest resource. Consolidating responsibility for urban forest management under one city department may present opportunities to achieve cost efficiencies and improved forest management. The city should carry out a review of urban forest management structure and determine if the current division of roles and responsibilities is optimal for achieving UFS and other strategic environmental goals.</p>

THEME 3: PROTECT **CONTEXT**

Guiding Principle: Trees are a valued city asset and an essential part of Hamilton’s infrastructure.

Short-term (1-2 years)

- | | |
|---|---|
| <p>16. Identify and implement options for increasing the preservation of healthy trees in Hamilton.</p> | <p>During public engagement, residents and stakeholders overwhelmingly called for better private tree protection. Hamilton should investigate the feasibility of a private tree by-law in Hamilton. Other approaches include direct outreach to private landowners with significant trees, incentives for preserving existing trees on proposed development sites, outreach on best practices with other city departments and improved monitoring and enforcement of tree protection requirements. The City will explore assistance (financial and technical advice) to support landowners with planting and maintaining trees on private property.</p> |
| <p>17. Complete a climate change vulnerability assessment for Hamilton’s natural systems, including the urban forest.</p> | <p>Climate change is already having impacts on the urban forest and these will increase in the future. Every city is different and is uniquely affected by climate change. ‘Vulnerability assessments’ look at the local context and work with community input to prioritize and find the best ways to mitigate the risks and reduce the residual effects of climate change on Hamilton’s natural systems, including the urban forest.</p> |

Medium-term (3-5 years)

- | | |
|--|---|
| <p>18. Develop and implement an Invasive Species Management Strategy.</p> | <p>The 2018 forest inventory shows that about 25 % of Hamilton’s urban forest leaf area is comprised of Category 1 and 2 invasive species, which represent aggressive plants that interfere with native ecosystems. In the last ten years, the invasive Emerald Ash Borer has also resulted in the widespread loss of ash species across Ontario. Another invasive pest (the Asian Longhorned Beetle) represents a future threat to a third of Hamilton’s urban tree canopy. Without intervention, invasive insect pests, diseases and plants will continue to degrade the quality of the urban forest. Hamilton should cooperate with neighbouring municipalities, Conservation Authorities and other levels of government to develop and implement an invasive species management strategy. Implementation could include local stewardship of urban woodlands to monitor and control invasive species and partnerships with non-government organizations.</p> |
| <p>19. Develop service standards and emergency response plans for:</p> <ul style="list-style-type: none"> • Hazard trees and other forestry service requests. • Severe weather events. | <p>Risk management is currently undertaken through a combination of proactive and reactive methods. Risk management on City trees through removal of deadwood and structural pruning is a part of the City’s regular grid maintenance program. City staff currently performs tree risk assessments, and if deemed necessary, conduct aerial inspections or hire consultants to perform advanced tree risk assessments as needed. Formalizing the current risk management and emergency response approach is recommended as part of the UFS outcomes.</p> |

THEME 4: GROW **CONTEXT**

Guiding Principle: Regular investments in tree planting and maintenance programs will optimize long-term benefits and reduce risk to people, property and the health of the urban forest.

Short-term (1-2 years)

<p>20. Increase the level of tree planting and/or natural forest regeneration in the City over the next five years.</p>	<p>The base tree planting budget has not increased in Hamilton over the last five years even though pressures on the forest have increased through Emerald Ash Borer, ice storm damage and ongoing storm events. Allocating more funds to tree planting is one approach to increasing canopy cover. City departments can also co-operate to identify other opportunities for increasing the number of trees established such as using smaller stock material for planting or identifying areas to promote natural forest regeneration or planting groups of trees.</p> <p>The Community Energy and Emissions Plan may include a tree planting initiative as part of the implementation framework for the low-carbon scenario. This work is ongoing.</p>
<p>21. Develop a best practices manual for tree protection, planting and preservation to share with all City departments and utilities whose activities affect trees.</p>	<p>All City departments should prioritize the retention of mature trees, protection of trees from damage and the planting of new trees in capital and operations and maintenance projects. Early consideration of trees in planning should identify ways to reduce conflict for space with underground and overhead utilities. The manual should include clear criteria for planting site suitability and tree species selection as well as standardized tree planting specifications for all City departments, other agencies or private sector organizations involved with planting trees. Staff workshops to roll out a best practices manual will help improve awareness and reduce conflicts between trees and infrastructure/utilities in Hamilton. The manual should be reviewed periodically to ensure it reflects changing environmental conditions such as climate-adapted native species.</p>
<p>22. Complete a tree planting priority analysis to guide a city-wide tree planting strategy.</p>	<p>To increase canopy cover on both public and private lands, the City can use detailed land cover data to identify priority tree planting locations. These could include areas with low canopy cover, prone to flooding, extreme summer temperatures, and poor air quality, or other criteria as determined by input from the community.</p>
<p>23. Fund regular, active management of natural areas in Hamilton to support native biodiversity and forest health.</p>	<p>Urban trees and natural areas are interconnected systems, though they are managed separately in the City of Hamilton. Invasive species and growing recreation pressure (e.g. litter, vegetation trampling, and informal trails) are affecting the health of natural areas. These pressures will increase as Hamilton grows and the effects of climate change intensify. Increasing active forest management in high priority areas will help protect native biodiversity and maintain the natural character of the City's trees and forests. There are many agencies and groups in Hamilton who can contribute expertise to identifying priority management areas. The city should investigate the costs of establishing a dedicated funding stream for natural areas management and include it as an annual budget request to Council.</p>

THEME 5: ADAPT **CONTEXT**

Guiding Principle: Urban forest management is evidence-based and responsive to change.

Short-term (1-2 years)

24. Implement a forest health monitoring program in Hamilton, including natural areas.

Forest health threats in Hamilton have already put intense pressure on the City's canopy cover. Emerald ash borer led to the removal of thousands of ash trees across the City. Insect and disease cycles are dynamic, and the City needs to have access to up-to-date information to be able to respond pro-actively to future forest health threats. Potential future threats include oak wilt and the Asian Longhorned Beetle which could affect over a third of Hamilton's total tree leaf area. The City should co-operate with other agencies to pro-actively monitor and report on forest health threats in Hamilton.

Medium-term (3-4 years)

25. Implement a forestry asset management system.

Tree inventory data and location information should be managed using specialized software programs designed for urban forest management and other green assets. There are customized software programs for public works agencies that facilitate updating and link inventories to work order systems. These programs are also capable of producing reports like:

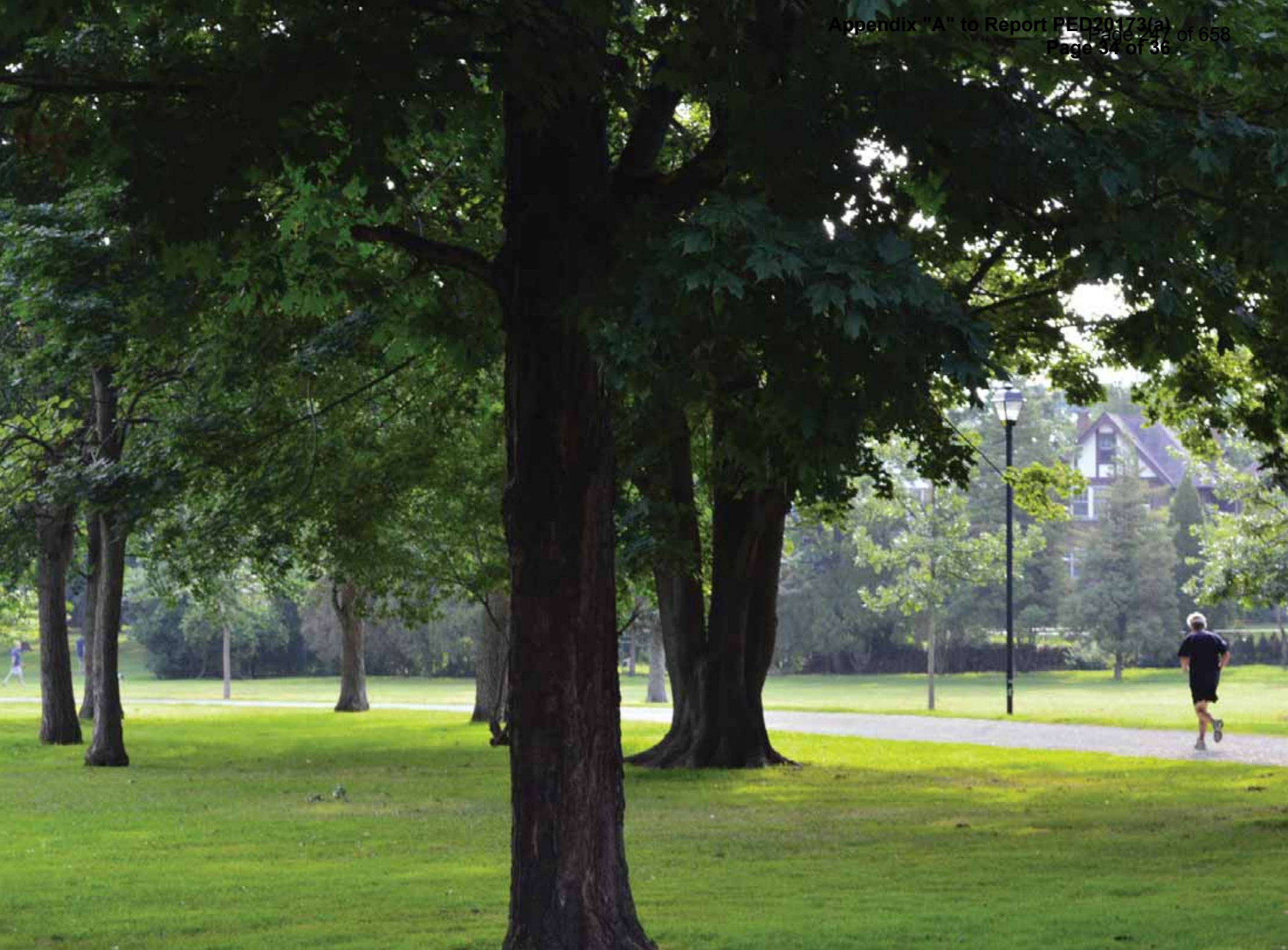
- Work histories and costs for each tree
- Citizen service and information requests
- Work orders
- Available planting sites
- Tree valuation
- Maps

As a management tool, customized software programs promote efficient allocation of work crews and equipment; speed up responses to service requests; identify safety risks; help with cost analysis; provide data for accurate reporting to Council and other departments; can provide information needed for grant applications and improve budget forecasting based on historical data.

Long-term

26. Update urban forest inventories and studies every 10 years or in response to significant environmental change.

Urban forest inventories are the cornerstone of good asset management. Having up-to-date information about urban forest structure, composition and condition is critical to effective strategic and operational planning as well as risk management in Hamilton. Inventories should be undertaken in tandem with the implementation of GIS-based asset management software that links the inventory to work order systems, to ensure that asset information remains reliable and up to date.



THE FUTURE

Hamilton currently has a relatively healthy and diverse urban forest. The City can build on its current practices and approaches to managing the urban forest. Hamilton has an engaged public and knowledgeable and enthusiastic non-profit community. There is high level policy support for the urban forest and the foundations of a good street tree maintenance program are in place.

However, background studies completed in support of the UFS shows that the city is not meeting urban forestry goals and targets as set out in the Official Plan. The health of the urban forest is threatened by climate change and invasive species. These have resulted in a long-term decline in forest cover as well as the quality of natural habitats in and around Hamilton. While there is support for the urban forest in principle through the Official Plan and other policies, staff have limited tools to support the achievement of 30% canopy cover at the site level.

Public input to the UFS helped identify some key gaps in the City's urban forest management and participants emphasized the need for urgent action. These gaps are addressed through the 26 actions outlined in the UFS. Some solutions will be easy to implement on a short time horizon. Others are more complex, and solutions will rely

on collaboration between City departments and other stakeholders over longer periods of time.

While the UFS findings provide valuable information about current forest condition and change, they also raise new questions. These can be answered through future research and community partnerships as part of the ongoing process of learning and adapting to change. Some of the areas for future learning include:

- What are the main causes of canopy cover change?
- Where are invasive species located in Hamilton? How quickly are they spreading? How can threats from invasive species be prioritized and managed?
- How would an improved private tree protection by-law help prevent future canopy cover loss?
- What factors are affecting the survival of newly planted trees?

Answers to these questions will inform UFS implementation moving forward. This will support Hamilton's vision to achieve a resilient urban forest that is valued by the entire community as a shared asset. A bold strategy backed by strong Council support will help ensure a thriving urban forest that contributes to the well-being of all residents of Hamilton now and into the future.





Hamilton



2021

City of Hamilton

A graphic for the Urban Forest Strategy logo, showing a stylized city skyline with green trees in front of it.

URBAN
FOREST
STRATEGY

TABLE OF CONTENTS

ACKNOWLEDGEMENT STATEMENT	4
EXECUTIVE SUMMARY	5
INTRODUCTION	7
HAMILTON’S FIRST URBAN FOREST STRATEGY	8
Purpose and Scope	8
URBAN FOREST STRATEGY APPROACH AND METHODOLOGIES	10
CONTEXT FOR THE URBAN FOREST STRATEGY	10
The Natural Environment.....	10
Community Awareness and Appreciation of Urban Forest Value	11
Climate Change	12
The Policy Environment	13
The Urban Forest Strategy supports other strategic objectives in the City of Hamilton.....	14
Private Tree By-laws	15
Other Options for Protecting and Preserving Trees	17
Urban Forestry in Hamilton - Program Structure	18
Implications of Current Management Framework for Canopy Cover in Hamilton	19

HAMILTON’S URBAN FOREST TODAY 20

- Forest Structure, Diversity and Distribution 21
- Size Class Distribution 23
- Forest Health 24
- Ecosystem Services 25
- Climate Change Mitigation..... 25
- Street Trees 26
- Tree Canopy and Land Cover Change..... 28
- Canopy Cover Change by Ward (2018 Ward Boundaries) 29
- State of the Urban Forest Asset (2016)..... 30
 - Challenges for Hamilton’s Urban Forest Program..... 30
 - Asset Management 31
- Expanding the Urban Forest..... 31

HOW DOES HAMILTON COMPARE? 35

WHAT WE HEARD 37

- Feedback on Hamilton’s Urban Forest Program 39

THE FUTURE OF HAMILTON’S URBAN FOREST 40

- Themes and Actions..... 40

TRACKING PROGRESS 52

- The Urban Forest: A Shared Resource..... 53

APPENDIX A: UFS THEMES AND ACTIONS..... 54

APPENDIX B: I-TREE ECO STUDY REPORT 61

APPENDIX C: I-TREE STREETS STUDY REPORT 96

APPENDIX D: I-TREE CANOPY STUDY REPORT 102

APPENDIX E: COMPARATIVE REVIEW OF CITY OF HAMILTON URBAN FOREST PROGRAM 107

APPENDIX F: SUMMARY OF CONSULTATION ACTIVITIES 120

APPENDIX G: BASELINE ASSESSMENT OF SUSTAINABLE URBAN FOREST CRITERIA FOR THE CITY OF HAMILTON, 2018..... 166





Acknowledgement Statement

The City of Hamilton is situated upon the traditional territories of the Erie, Neutral, Huron-Wendat, Haudenosaunee and Mississauga's. This land is covered by the 'Dish With One Spoon' Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabe to share and care for the resources around the Great Lakes. We further acknowledge that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation.

Today the City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and we recognize that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners and caretakers.

Executive Summary

The City of Hamilton's urban forest includes all trees, forests and natural landscape features found in the urban area of Hamilton, on both public and private lands. Research shows that trees and forests in the urban area provide many environmental, economic and health benefits to urban residents. However, pressures on Hamilton's urban forest are growing, with stresses like climate change, urban development and invasive species creating significant challenges to forest management. Today, the City faces a slow and subtle loss in tree canopy cover as a result of these pressures. This means that Hamilton must proactively manage its urban forest. The need for an Urban Forest Strategy for the City of Hamilton was first identified in the 2014 Urban Woodland Conservation By-law Staff Report.¹

The purpose of the Strategy is to guide the protection, care and planting of the City's trees and forests on public and privately-owned land in the urban area. A bold strategy for Hamilton's urban forest is also needed to help the City meet its urban forestry goals as set out in the Urban Hamilton Official Plan.

URBAN FOREST STRATEGY VISION STATEMENT:

Hamilton's urban forest is resilient, contributes to the well-being of all neighbourhoods, and is valued as a shared asset.

The Strategy is guided by the vision statement above, which was developed with input from stakeholders, including community representatives and the people who manage Hamilton's urban forest. A study of Hamilton's urban forest was completed in the summer of 2018 using an approach developed by the United States Department of Agriculture Forest Service.² This approach has been used in cities across North America and produced information about the City's urban forest and the economic value of the ecosystem services it provides. The information from the study, along with a review of Hamilton's urban forest policies and programs and input from two rounds of stakeholder engagement and public consultation, resulted in a set of five themes and guiding principles that set the direction for Hamilton's first Urban Forest Strategy (refer to Appendix A: UFS Themes and Actions).

Grouped under these five themes are 26 actions to improve urban forest management in Hamilton. Implementing these actions will be an ongoing and collaborative effort between the many City departments, the public and the business community whose activities all affect the urban forest. The 26 actions link to a set of monitoring indicators that will be used to report on the state of the forest moving forward.

¹ A Woodland Conservation By-law for Private Property Within the Urban Area (PD02229(f)) (City Wide), 2014.

² USDA Forest Service i-Tree tools.



Introduction

Hamilton's urban forest is unique. The Niagara Escarpment winds through the urban area, separating it into downtown and "Hamilton Mountain" areas. Cootes Paradise, Dundas Valley, and Red Hill Valley form major natural corridors connecting the escarpment to Lake Ontario. Throughout the city, there are greenspaces and trees that provide habitat for native plants and animals, maintain watershed function, support public health, and make Hamilton a beautiful place to live.

Tree Canada broadly defines the urban forest as *"trees, forests, greenspace and related abiotic, biotic and cultural components in areas extending from the urban core to the urban-rural fringe."*³ More simply, Hamilton's urban forest can be defined as all trees, whether single trees, groups or woodlands found on public and private land within the urban boundary. As a system, it also includes all the species that live within it.

The City's vision *"To be the best place to raise a child and age successfully"* reflects the kind of city Hamiltonians want to aspire to become. Research shows that the urban forest improves the health and well being of residents at all ages. Hamilton's urban forest not only contributes to the City's vision of a healthy community but provides many other environmental and economic benefits to the community (Figure 1).⁴

WHAT IS THE URBAN FOREST?

Hamilton's urban forest includes all publicly and privately-owned trees and supporting vegetation in the urban area. The urban forest includes more than Hamilton's natural areas.

Individual trees and groups of trees along streets, in backyards, parks, and commercial areas within Hamilton's urban boundary are also part of the urban forest.

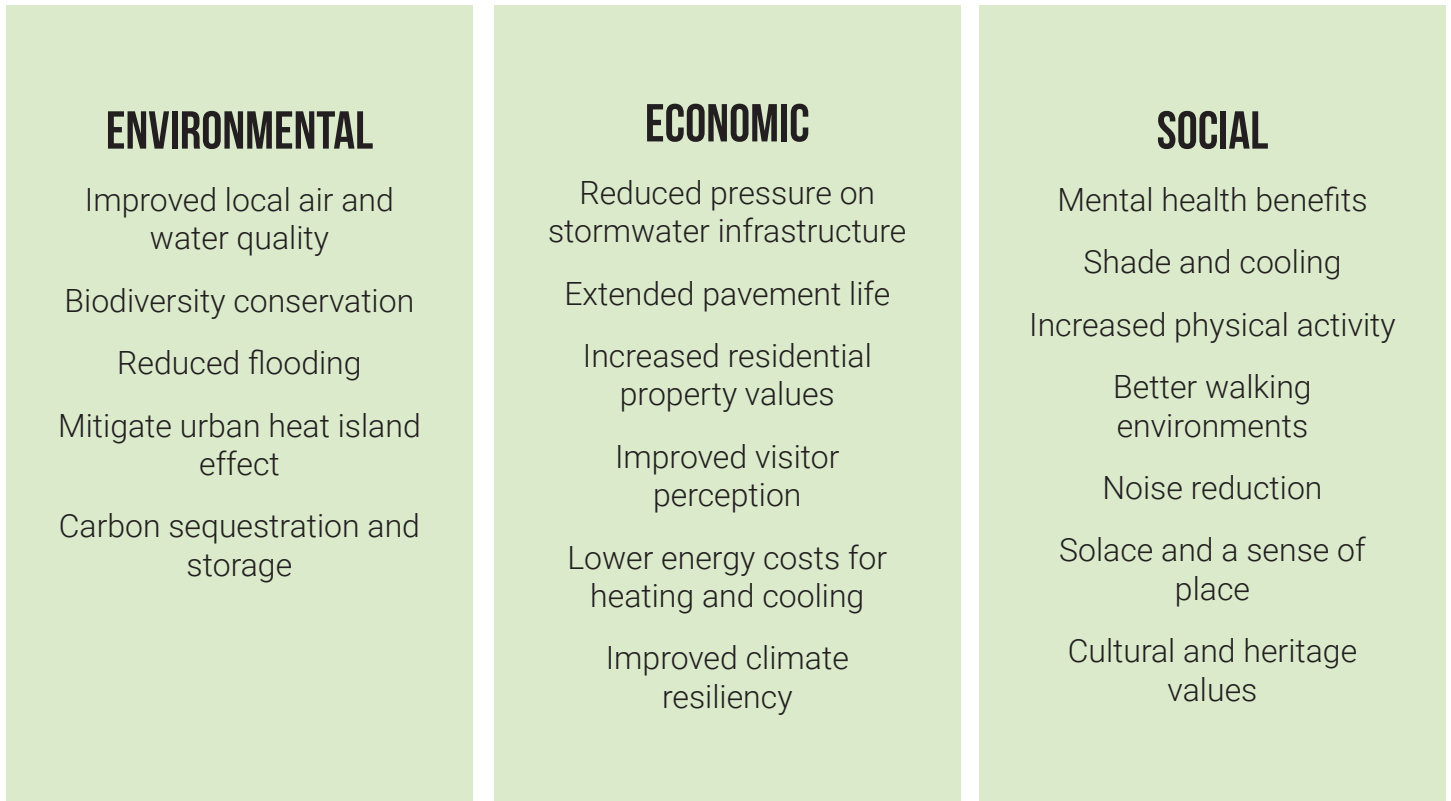


Figure 1. Environmental, economic and health benefits of urban trees (Source: Tree Canada, Benefits of Urban Trees)

³ Canadian Urban Forest Strategy 2019-2024. Tree Canada.

⁴ See Tree Canada – Compendium of Best Urban Forest Management Practices, Chapter 3: Benefits of Urban Trees with literature cited.

In a time where climate change is expected to have serious impacts on the livability and infrastructure of cities, urban forests are even more important to counteract some of the effects. Public health officials are also increasingly interested in how infrastructure improvements can be integrated with efforts to improve human health and wellness. In this respect, the urban forest is an important part of a city's 'green' infrastructure.⁵

Green infrastructure (GI) is defined as the *"natural vegetative systems and green technologies that together provide a multitude of economic, environmental and social benefits."*⁶ It includes the soils that can sustain vegetation (including trees) and absorb water, as well as other stormwater infiltration and retention technologies like porous pavement, bioswales, rain barrels and cisterns. All of these mimic natural ecosystem services. The urban forest is an important part of Hamilton's GI and contributes to the services it provides in a number of ways:

- Trees reduce stormwater runoff by capturing and storing rainfall in their canopy and releasing water into the atmosphere;
- Trees draw moisture from the soil ground surface, thereby increasing soil water storage potential;
- Tree roots and leaf litter create soil conditions that promote the infiltration of rainwater into the soil as well as reduce erosion and sedimentation;
- Trees help slow down and temporarily store runoff and reduce pollutants by taking up nutrients and other pollutants from soils and water through their roots; and,
- Urban forest canopy lowers air temperatures and reduces the urban heat island effect through shading and evapotranspiration, which improves energy efficiency in the buildings.

Hamilton's First Urban Forest Strategy

Purpose and Scope

Hamilton is fortunate to have many natural areas like Cootes Paradise, Dundas Valley and the Niagara Escarpment, all of which contribute to a beautiful and healthier urban environment. There are also many trees growing in parks, backyards and along streets and private properties throughout the City that provide many benefits to residents of Hamilton. However, pressures on trees in the urban area are increasing. Stresses include:

- Invasive non-native tree species which compete with native trees and reduce native biodiversity;
- Pests and diseases (emerald ash borer, gypsy moth, butternut canker, oak wilt, Dutch elm disease);
- Impacts of climate change (drought, flooding, storm damage), which increase environmental stress on trees;
- Difficult growing conditions in the urban area (poor soil, soil compaction, road salt and other pollutants, and limited space to plant); and,
- Urban development, which reduces available space for trees and can increase conflicts with other infrastructure.

Without intervention, the City may see a slow and steady loss of its urban tree canopy, conversion of existing forest cover to less-desirable invasive tree species and further loss of native biodiversity. The purpose of the Urban Forest Strategy (UFS) is to help guide the protection, care and planting of the City's

⁵ *Nearby Nature—A Cost-Effective Prescription for Better Community Health? 2018. USDA Forest Service Pacific Northwest Research Station, Science Findings.*

⁶ *Green Infrastructure Ontario.*

trees and forests on public and privately-owned land in the urban area. A bold strategy for Hamilton's urban forest is also needed to help the City meet its urban forestry goals as set out in the Urban Hamilton Official Plan (UHOP).

The scope of the UFS is focused within the City's urban boundary, where forest and tree cover have been most affected by ongoing urbanization (Figure 2).

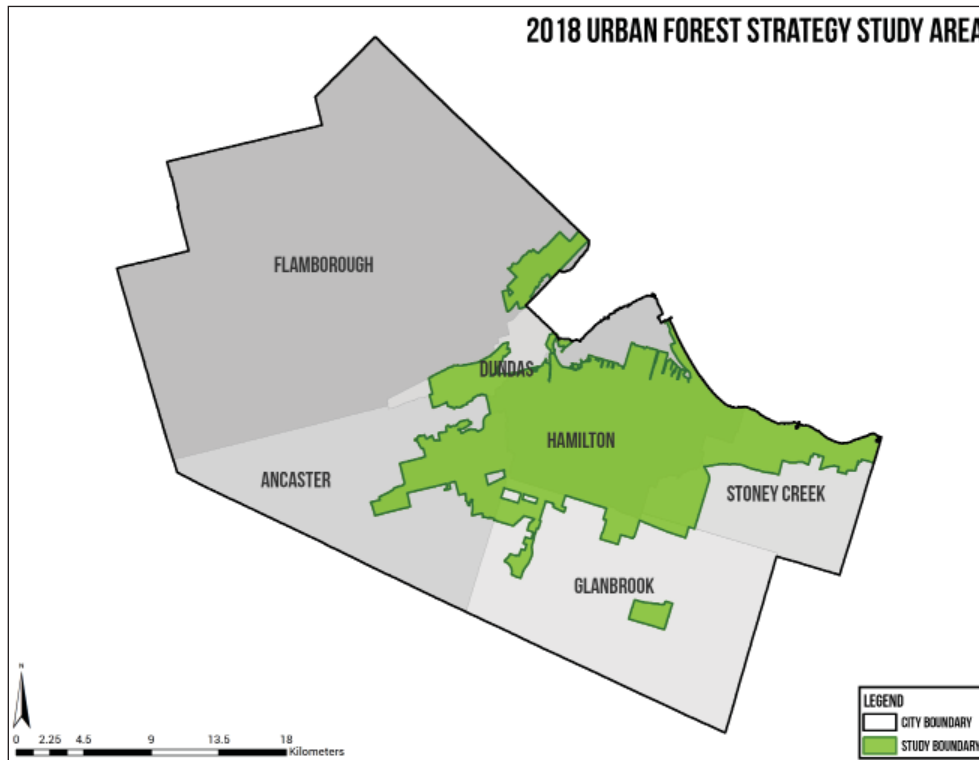


Figure 2. Map of Urban Forest Strategy scope – Hamilton urban boundary.

The UFS is guided by the following vision statement, which was developed with input from the community and the many people who manage Hamilton's urban forest.

Hamilton's urban forest is resilient, contributes to the well-being of all neighbourhoods, and is valued as a shared asset.

Data collection, background information review, and consultation resulted in the following five themes and principles to guide Hamilton's first UFS:

1. **Inspire:** A bold vision for Hamilton's urban forest will engage and inspire the community.
2. **Act:** Goals are good. Actions are better.⁷
3. **Protect:** Trees are a valued city asset and an essential part of Hamilton's infrastructure.
4. **Grow:** Regular tree planting and maintenance programs will maximize long-term benefits and reduce risk to people, property and the health of the urban forest.
5. **Adapt:** Management decisions are evidence-based and responsive to change.

Grouped under these five themes are 26 actions to improve urban forest management in Hamilton (refer to Appendix A: UFS Themes and Actions). Implementing these actions will be an ongoing and collaborative effort between City departments, the public and the community whose activities affect the urban forest. The actions link to a set of monitoring indicators that will be used to report on the state of the forest in future plans.

⁷ Vibrant Cities Lab. URL: <https://www.vibrantcitieslab.com/toolkit/plan-the-total-program/>.

Urban Forest Strategy Approach and Methodologies

The UFS was developed in several stages, which included: an urban forest assessment with field data collection, a background scan of existing programs, policy, legislation and environmental context, interviews with a City UFS working group and two rounds of staff, stakeholder, and public engagement that included an online survey, public information centre, meetings and a series of workshops. Draft Urban Forest Strategy reports were prepared in 2020. Public, staff, and stakeholder input was gathered during the engagement period, which ran from January until the end of February 2021.

The 2018 urban forest assessment used the USDA Forest Service's suite of i-Tree tools to collect and analyze data about the urban forest. These tools include:

- i-Tree Eco
 - A sample-based inventory tool that used data collected from 212 randomly located field plots to provide a picture of the structure and composition of the urban forest, as well as the value of ecosystem services it provides to the City of Hamilton.
- i-Tree Streets
 - An analysis tool that uses street tree inventory data to quantify the economic value of annual environmental and aesthetic benefits: energy conservation, air quality improvement, CO₂ reduction, stormwater control, and property value increase.
- i-Tree Canopy
 - A point-based, random sampling tool that uses leaf-on aerial imagery to provide a description of current land cover⁸ (including a tree canopy cover estimate) for the City of Hamilton.

More details about each assessment tool and the study approach can be found in Appendices B, C and D.

Context for the Urban Forest Strategy

The Natural Environment

Hamilton is located in Ontario's Deciduous (Carolinian) forest region, one of the most biologically diverse areas in Canada. Although it makes up only 1% of Canada's total land area, it is home to a larger number of species than any other forest region in Canada, many of which are rare. There are about 70 species of trees, 2,200 species of herbaceous plants, 64 species of ferns, 110 different grasses, and over 130 different sedge species found in the Carolinian forest. Oak, hickory, ash, chestnut, and walnut, as well as red and sugar maple, sassafras, tulip tree, and beech, are some of the tree species that make up the Carolinian forest canopy. Today, less than 15% of Ontario's Carolinian forest landscape still has natural canopy cover, a reduction from over 80% before European settlement and continued urbanization.

This region supports many different types of habitats including fens, swamps, bogs, tallgrass prairies, meadows, thickets, creek valleys, and the cliffs of the Niagara Escarpment. All of these ecosystems are considered part of the urban forest, which can be defined as all single trees, forests and natural landscape features found in the urban area of Hamilton, on both public and private lands.

Individual trees in urban areas, including the City's distinct population of street trees, can connect natural landscape features. These linkages are important for maintaining biodiversity, long-term forest health and supporting movement of wildlife and plants between habitats.

⁸ Land cover describes the physical surface cover on the ground, whether vegetation, urban infrastructure, water, bare soil or other (Natural Resources Canada).

Community Awareness and Appreciation of Urban Forest Value

“General Appreciation for Trees as a Community Resource” is identified and assessed as an indicator of a sustainable urban forest management program.⁹ At the low end of performance, municipalities might experience *“general ambivalence or negative attitudes about trees, which are perceived as neutral at best or as the source of problems. Actions harmful to trees may be taken deliberately.”*⁹ In an optimal situation, the urban forest is *“recognized as vital to the community’s environmental, social, and economic well-being...there is widespread public and political support and advocacy for trees, resulting in strong policies and plans that advance the viability and sustainability of the entire urban forest.”*⁹ A background scan carried out for the UFS in conjunction with stakeholder consultations suggest that Hamilton falls somewhere between ‘fair to good’.

A 2018 online survey (refer to Appendix F: Summary of Consultation Activities) that was part of the study background showed that survey participants have a high level of appreciation of trees as a community resource. 96% of survey respondents said they *“appreciate the beauty of trees and woodlands.”* However, current practices in Hamilton do not always reflect a high level of commitment to growing a sustainable urban forest and the state of the forest as observed through the UFS study reflects this. The UFS identifies gaps in the City’s urban forest management program. For this reason, certain UFS actions are aimed at improving the general awareness and appreciation of Hamilton’s urban forest resource as well as proper implementation of existing procedures and new actions to support the City’s urban forest goals. The following examples highlight areas where positive and pro-active actions may assist in addressing the City’s urban forest goals:

- Completing an evidence-based assessment of the costs and benefits of a private tree by-law for Hamilton.
 - The most recent efforts to improve private tree protection by-laws met with resistance and the proposed changes were not implemented. The City should base decisions on a review of evidence from other municipalities to have an accurate picture of the costs and benefits associated with implementing a comprehensive private tree by-law.
- Ensuring processes are in place to effectively implement tree protection and landscape plans (including tree planting) already required under site plan review.
- Giving staff better tools or providing incentives to protect mature trees in site plan review.
 - The arborist reports currently required in support of development applications do not provide any leverage for tree retention on site.
- Creating an interdepartmental working group to support UFS implementation.
 - Given the mandate for forest management across multiple City departments, create an inter-departmental working group to resolve challenging policy and operational issues around the protection and integration of trees in both City infrastructure as well as private sector projects and improve awareness/appreciation within government of trees as a municipal asset.
- Identifying possible social or values barriers to tree planting in Hamilton.
 - A 2019 outreach initiative by City staff to identify possible tree planting locations in City rights-of-way met with little positive uptake for street tree plantings. If the City is meeting with resistance to tree planting in public rights-of-way, the challenges for increasing tree canopy on private lands will be significant. This is important because private lands represent an area of opportunity for increasing canopy cover in Hamilton in the future.

One of the first priorities for Hamilton’s UFS is to improve the general awareness and appreciation of the urban forest as a community resource and valuable municipal asset. However, all too often the effort required to implement and sustain an effective engagement strategy and develop new partnerships is

⁹ Criteria C6, Community Framework in *The Sustainable Urban Forest: A step-by-step approach*. Davey Institute/USDA Forest Service.

underestimated. Because increasing awareness and appreciation has been identified as a priority, the UFS recommends a new staff position to support key aspects of UFS implementation. This position will support inter-departmental cooperation, education and outreach efforts and the development of partnerships with external agencies to support Hamilton's urban forestry goals.

ACTIONS:

- Create a new staff position dedicated to the implementation of the UFS, with a focus on communications, education and partnership development.
- Develop and implement an inspiring urban forest communications strategy.
- Work directly with Hamilton's development community to improve awareness, identify urban forest allies, and recognize best practices.
- Carry out an annual evaluation of the effectiveness of stakeholder engagement strategies.

Climate Change

In early 2019, the City of Hamilton joined other municipalities across Canada in declaring a climate emergency. Climate change affects virtually all aspects of life in the city, from public health to infrastructure to transportation and energy systems to biodiversity. The City has been very engaged on climate initiatives. Some key examples include:

- Member of the Federation of Canadian Municipalities Partners for Climate Change Program (PCP) since 1994.
- Member of the Global Covenant of Members (formerly Compact of Mayors), which requires Hamilton to submit annual GHG emissions.
- City of Hamilton Board of Health (BOH) passed the Community Climate Change Action Plan.
- City of Hamilton have joined and worked with ICLEI Canada through the Building Adaptive and Resilient Communities (BARC).
- Some key City of Hamilton staff were trained on community climate vulnerability and adaptation facilitation.

A 2017 community risk assessment for the City of Hamilton¹⁰ described some of the expected impacts of climate change. These include:

- More precipitation in the winter season;
- Increased heat waves;
- More frequent extreme storms; and,
- Warmer temperatures year-round.

All of these impacts have implications for the health and management of the urban forest. At the same time, the urban forest is a tool that can increase the resilience of cities to climate change. For example, planting large canopy trees where people walk and gather (e.g., streets, parking lots) provides shade and cooling in extreme summer temperatures. Trees can help improve local air quality by absorbing airborne particulate matter from engines. Strategic tree planting can reduce energy consumption and

¹⁰ Community Risk Assessment Workshop. December 2017. City of Hamilton.

emissions from heating and cooling of buildings. Trees sequester and store carbon in the trunks, roots, branches and leaves. They help preserve the life of pavement by shading it from the sun and support stormwater management by intercepting rainfall and slowing surface runoff, reducing the burden on grey infrastructure. In short, the urban forest can be an important adaptation tool in urban areas.

Climate change will have negative impacts on the urban forest. Warmer temperatures can lead to new pest and disease introductions. The City will face increased damage to trees from extreme weather events and the changing climate can make growing conditions more stressful as a result of prolonged drought and/or wet conditions. Understanding the vulnerability of the urban forest to climate change will help the City of Hamilton reduce these impacts to the forest. In order to understand the best options for responding to anticipated climate change impacts, the City should carry out a detailed assessment of the vulnerability of natural heritage systems and green infrastructure, including the urban forest, to climate change. There is no 'one-size-fits-all' solution when it comes to expected climate change impacts. Decisions should be based on local context, expected impacts, political and socio-economic priorities and sound data. One example of using local context to develop appropriate adaptation strategies would be looking at the species that make up Hamilton's urban forest and understanding which of these will be most susceptible to increased temperatures and drought. Integrating climate change adaptation into decision-making is an opportunity to enhance resilience and reduce the long-term costs and impacts of climate change.¹¹

ACTION:

Complete a climate change vulnerability assessment for Hamilton's natural systems, including the urban forest.

The Policy Environment

At the provincial level, several plans guide growth in Hamilton and enable the protection of natural heritage features, including the urban forest. These plans include:

- Provincial Policy Statement (PPS);
- Growth Plan for the Greater Golden Horseshoe;
- Greenbelt Plan ; and,
- Niagara Escarpment Plan.

The PPS requires that natural heritage features and the connections between them be protected. The PPS places certain restrictions on development, ranging from prohibiting development altogether to showing that there will be no negative impact on natural features or their ecological functions. The Greenbelt Plan, Growth Plan and the Niagara Escarpment Plan build on the existing policy framework established in the PPS to ensure that greater protection is applied in this part of Ontario.

Because they control land use at the local level, cities play an important part in protecting the urban forest and the benefits it provides. In Hamilton, urban forest management supports other City plans and initiatives that address a range of strategic objectives, including urban growth, stormwater management, climate change, public health, recreation and various environmental and natural heritage objectives for the City and surrounding region (Figure 3).

¹¹ Natural Resources Canada, 2007.

The Urban Forest Strategy supports other strategic objectives in the City of Hamilton



Figure 3. Urban Forest Strategy links to other City of Hamilton plans and objectives.

Over the years, the City of Hamilton has developed policies that support urban greening in principle, along with by-laws and guidelines to protect municipal trees and some private trees and woodlands in the City (Table 1).

Table 1. Plans, policies and guidelines that support the urban forest.

Urban Hamilton Official Plan, Volume 1, Section C.2.0 Natural Heritage System, C.2.11 Tree and Woodland Protection and Section B, 3.3. Urban Design Guidelines
City of Hamilton 2016-2025 Strategic Plan
Secondary Plans
Complete Livable Better (CLB) Streets policy and framework
Streetscape Master Plans
City-Wide Corridor Planning and Design Guidelines
The City of Hamilton Site Plan Guidelines
City of Hamilton Tree Protection Guidelines

These plans, policies, and guidelines provide opportunities to negotiate tree protection and planting through the plan of subdivision and/or site plan control process. However, staff are missing effective tools to turn high level policy goals (like 30% canopy cover) into trees in the ground during site planning and development and through the implementation of public works projects.

Staff need updated and detailed guidelines to:

- a. Require the retention of existing trees on private property; and,
- b. Implement minimum standards for tree planting and landscaping.

Other tools to support future tree establishment include the City's zoning by-laws. Unless adequate landscape strips are clearly required in zoning, they are very difficult to get or too narrow to support tree planting. Common urban design practices limit the future growth of the urban forest in new developments. For example:

- In both new residential and commercial developments, road allowances often do not provide adequate space and soil volumes to support street tree planting.
- Driveways and parking pads on narrow lots restrict front yard area and reduce potential growing space, thus limiting tree planting space on private land.

The City has developed a standard for new residential areas that requires a tree planted on every lot (three for corner lots). This will help improve the future livability of new residential areas, assuming these trees are planted properly and supported by adequate soil volumes and soil quality. However, without considering trees more comprehensively early on in the urban design process, other non-residential areas in Hamilton may lack trees to provide pedestrian comfort and character. This is contrary to Official Plan goals. Other cities have improved the integration of trees in planning by:

- Setting canopy cover targets to ensure trees are considered in site-level development and integrating these in urban design guidelines;
- Amending zoning by-laws to increase or require retention of plantable space suitable for trees; and,
- Having detailed requirements for creating suitable planting habitat, including minimum soil volumes and soil quality requirements at the development application level.

ACTIONS:

- Develop and apply minimum canopy cover targets to new development proposals.
- Review best practices and put forward a list of priority amendments to improve the integration of trees in applicable policies, plans and guidelines.

Hamilton's Tree By-Laws

Hamilton also has a suite of by-laws and policies that offer some protection to both public and private trees in the urban area (Table 2).

Table 2. Hamilton's tree by-laws and protection policies.

Public Tree Preservation and Sustainability Policy
Public Tree By-law (No. 15-125)
City of Hamilton Reforestation Policy (Municipal Lands)
Tree By-laws for Ancaster, Dundas, and Stoney Creek

Urban Woodlands By-law (2014)

Heritage Tree Protection

Tree Protection Guidelines

The City of Hamilton revised its private woodland tree by-law for urban areas in 2014. Recognizing that small urban woodlands have significant value, the new by-law regulates woodlands 0.2 hectares in size or larger. However, woodlands that don't meet the size criteria (less than 0.2 hectares) and individual private trees within the urban boundary are not protected.

The existing policies and by-laws have helped to prevent significant loss in the urban forest canopy over the last ten years despite loss of canopy cover to emerald ash borer and a severe ice storm in 2013 that caused widespread damage to Ontario's forests. However, Hamilton's current policies have not resulted in any expansion of the urban forest toward the City's 30% canopy target.

PRIVATE TREE BY-LAWS

In many cities, comprehensive private tree by-laws preserve and protect trees from both development impacts and private landowner removals. This is important because the growth of existing trees makes a significant contribution to increasing the urban tree canopy. When carefully designed and properly enforced, by-laws provide an important tool for preserving municipal canopy cover through the protection of existing trees and requirements for replacements. They also provide an important education tool and help promote the value of trees in urban areas.

Some of the advantages of implementing a private tree by-law are as follows:

- It is an effective public education tool for elevating the value of trees;
- Offers protection for mature trees by setting a diameter limit for removals;
- Permit process for removal of protected trees provides the ability to impose conditions (e.g., tree replacement);
- Gives the ability to issue Orders and apply penalties for contraventions; and,
- Can provide a reasonable level of governance and regulation to a valued City asset.

On the other hand, the effectiveness of municipal tree by-laws can be limited if they are not properly resourced and consistently enforced. Basic requirements for appropriate by-law implementation include:

- Suitable data management systems to support permit functions, tracking and reporting;
- Proper controls for permit issuance and collection of payments and deposits, as well as follow-up to verify compliance with permit conditions;
- Adequate staff to administer a by-law/permitting system; and,
- Effective enforcement mechanisms for by-law contraventions.

When properly designed, resourced and implemented, private tree protection tree by-laws have a positive effect in preserving trees in the urban environment.

Hamilton has recently declared a state of climate emergency. One outcome of this declaration was to establish a task force across City departments to find ways to achieve net zero carbon emissions by

2050. Urban trees have a role to play in the effort to address climate change, and the protection of existing mature trees is part of the local solution. For this reason, Hamilton should revisit the utility of a comprehensive private tree protection by-law for supporting the UFS goals and actions as well as the City's climate change initiatives. Decisions about private tree protection by-laws should be evidence-based, including an assessment of the pros and cons and costs of implementing a comprehensive private tree by-law in Hamilton. During public engagement in 2021, 97% of respondents agreed that Hamilton should update its current private tree cutting by-laws to provide consistent regulations across the urban area.

OTHER OPTIONS FOR PROTECTING AND PRESERVING TREES

In the absence of by-laws, there are other non-regulatory approaches that can help promote the protection and retention of trees. These may include:

- Working directly with developers and City project managers early in new development and infrastructure projects to design around existing trees;
- Educating homeowners about the value of tree preservation and alternatives to removal where appropriate;
- Providing financial support and technical advice to homeowners to help them plant and maintain trees on private property;
- Reaching out to the arboricultural industry to promote best practices for urban tree maintenance and retention;
- Integrating canopy cover targets in site-level development through site plan and urban design guidelines;
- Providing incentives (e.g. bonus credits) and recognition for preserving existing trees on site in development applications;
- Implementing stormwater credit/fee programs; and/or,
- Offering special zoning exceptions, expedited permitting, or modified stormwater requirements during the permitting/approvals process to encourage the preservation of trees and use of other GI practices on private property.

ACTIONS:

- Identify and implement options for increasing the preservation of healthy trees in Hamilton.
- Work directly with Hamilton's development community to improve awareness, identify urban forest allies, and recognize best practices and innovation.

Developing an appropriate suite of tree protection tools will be unique to the local context and should include input from all proponents whose activities affect trees.

Urban Forestry in Hamilton - Program Structure

In Hamilton, the responsibility for managing the urban forest is divided between several City divisions. The Forestry and Horticulture (F&H) department falls under the Environmental Services branch of the Public Works Division of the City. F&H oversee the management of street trees as well as trees in parks and cemeteries. The department is responsible for:

- Tree Planting - planting of trees on City property, including streets, parks and cemeteries. Tree planting involves site identification and inspection of proposed tree planting locations, planting trees and the inspection of trees after planting.
- Tree Maintenance - maintaining urban and rural trees, including customer requests, tree trimming, tree removal, forest health and emergency storm response.
- Development Review - Review of all development impacts to public trees, including administration of a tree by-law permitting process.
- Program Support - data management, health and safety, program development and coordination. Responding to public inquiries, educational materials and web content are also part of this service.

F&H has no mandate for natural areas management, aside from assisting with tree planting projects on public lands and removal of hazard trees along trails, as needed. Existing private tree by-laws for woodlots are enforced separately through Municipal Law Enforcement, which is part of the Planning and Economic Development Department. The management of natural areas falls mainly under the jurisdiction of Parks Operations and/or is done in partnership with local Conservation Authorities and other agencies or landowners. Currently, active management in City-owned natural areas is limited to some invasive species control (e.g., phragmites) as well as removal of hazardous trees along trails. With regard to hazard management, this is done in large part for street trees through the regular tree maintenance program and in woodlands by some pro-active trail maintenance but is otherwise reactive to calls from the public or reported hazard trees. Currently, there is no staff in place to support outreach to either partner agencies or private landowners, although private lands represent a significant opportunity for increasing Hamilton's tree cover in the longer term.

The Planning and Economic Development Department is responsible for the review of private trees on properties that are under the development review process. This process offers some opportunities to negotiate the protection of existing trees and request the integration of trees through landscape plans. However, in practice this is usually limited to compensation for tree removals on site based on the City's Tree Protection Guidelines. Compensation requirements for private trees are currently 1:1, so a large tree can be removed and replaced with one small tree. This practice can result in significant short-term net loss in tree canopy, particularly where a large tree is removed. For this reason, some jurisdictions in Ontario have gone to a diameter-replacement approach (e.g., a replacement tree required for every 10cm of diameter removed). Currently, there are no staff in place to support outreach to either partner agencies or private landowners, although private lands represent a significant opportunity for increasing Hamilton's tree cover in the long term.

The Growth Management Division of the Planning and Economic Development Department carries out final planting inspections to ensure developers have carried out the proper planting consistent with approved landscape plans. Forestry qualifications are currently not required for inspectors, who evaluate tree species, planting quality, and other factors that influence tree survival and urban forest health.

For development that is not under site plan control (such as building permits), there are limited tools for protecting private trees or encouraging their retention or replacement when removed.

¹² Environment Canada. 2013. *How Much Habitat is Enough? Third Edition*. Environment Canada, Toronto, Ontario.

IMPLICATIONS OF CURRENT MANAGEMENT FRAMEWORK FOR CANOPY COVER IN HAMILTON

The Urban Hamilton Official Plan (UHOP) sets a target to increase canopy cover from its current 21.2% to 30% across the City. This is based in part on research that suggests that 30% forest (canopy) cover is the minimum needed to support native species persistence and a minimum level of aquatic ecosystem function.¹² During public consultation, there was discussion about the canopy cover target. Some felt the target should be more bold (35 to 45%), while others agreed that the 30% target was ambitious based on the current canopy cover and the extent of planting required to achieve the target. It was decided to begin with a 30% canopy cover target for this first strategy (2021-2041). This target will be increased as we make progress.

The last ten years have been a period of significant canopy loss due to the emerald ash borer infestation. In that context, the City's approach to urban forest management has maintained canopy cover over the last 10 years, but it has not resulted in any measurable increase. If anything, there has been a slight decrease in overall canopy cover as measured in this study (though not statistically significant at a confidence level of 95%). Future monitoring will help establish a clear trend. The following factors were identified as some of the barriers to achieving the 30% canopy cover target and a healthy, sustainable urban forest.

- Staff are lacking tools like updated site plan guidelines, tree protection plan guidelines, and canopy targets to translate high level policy goals at the site level and ensure the integration of trees and urban woodlands in development and construction.
- Protection for private trees (both individual trees and woodlands that do not meet size criteria) is limited under current tree by-laws with different regulations across the City.
- Forest management responsibilities are divided between several City departments, leading to inconsistencies in the implementation of similar management activities. For example, compensation requirements differ for the removal of public vs. private trees and oversight to ensure implementation of tree protection and landscape plans is not consistent.
- Even though natural areas are part of the urban forest, their management is outside the scope of the Forestry department and there is no formal co-ordination with Parks who have oversight of these areas. Furthermore, funding for active management of natural areas is currently limited to the management of specific invasive species (phragmites).

CANOPY COVER

Canopy cover represents the amount of land area covered by forest canopy as seen from above. It is one of many ways to describe the urban forest. The term canopy cover includes all trees and shrubs that make up the urban forest.

Many cities are setting canopy cover targets because research shows that 30-40% cover is the minimum needed to support basic watershed function.

ACTIONS:

- Establish an inter-departmental working group to support UFS implementation.
- Improve implementation of Tree Protection/Management Plans and Landscape Plans.
- Develop a best practices manual for tree protection, planting and preservation to share with all City departments and utilities whose activities affect trees.
- Apply standardized tree planting details and specifications in all city tree planting projects.
- Develop service standards and emergency response plans for hazard trees and other forestry service requests as well as severe weather events.

These represent some of the current implementation challenges identified through a background policy and program scan. Other issues have been identified through the study findings and public consultation. The following actions are included to address the identified challenges.

Hamilton's Urban Forest Today

The following information from i-Tree studies and other data sources as cited provides a baseline picture of the state of Hamilton's urban forest, as assessed in 2018.¹³

HAMILTON'S URBAN FOREST

Canopy cover (2006): 22.1% (standard error 1.14%)

Canopy cover (2017): 21.2% (standard error 1.13%)

Land use with highest canopy cover: Open Space (54%)

Land use with lowest canopy cover: Industrial (2.3%)

Total number of trees: 5,212,000

Replacement value of trees: \$2.13 billion

Number of different species sampled: 97

Top three species by number of trees: Eastern white cedar, white ash, European buckthorn (invasive)

Top three species by leaf area (m²): Black walnut, Norway maple (invasive), Manitoba maple (invasive)

Native species: 67.3% of total leaf area is comprised of species native to southern Ontario

Invasive species: 29.2% of total leaf area is comprised of invasive species (the remaining 3.5% are non-native, non-invasive species)

Proportion of smallest trees (<15.2 cm diameter): 75.9% of total tree population

Proportion of largest trees: (>76 cm diameter): 0.5% of total tree population

Trees in good or excellent condition: 80.1%

Most significant threats (now and future): emerald ash borer, Asian longhorned beetle, gypsy moth, oak wilt

Increase in hard (impervious) surface in Hamilton (2006-2017): 4.1 percentage points

¹³ A detailed study report is found in Appendix B.

Forest Structure, Diversity and Distribution

There are approximately 5.2 million trees in the City of Hamilton urban area. Approximately 58% of these are located on private property with the remaining 42% on public land.

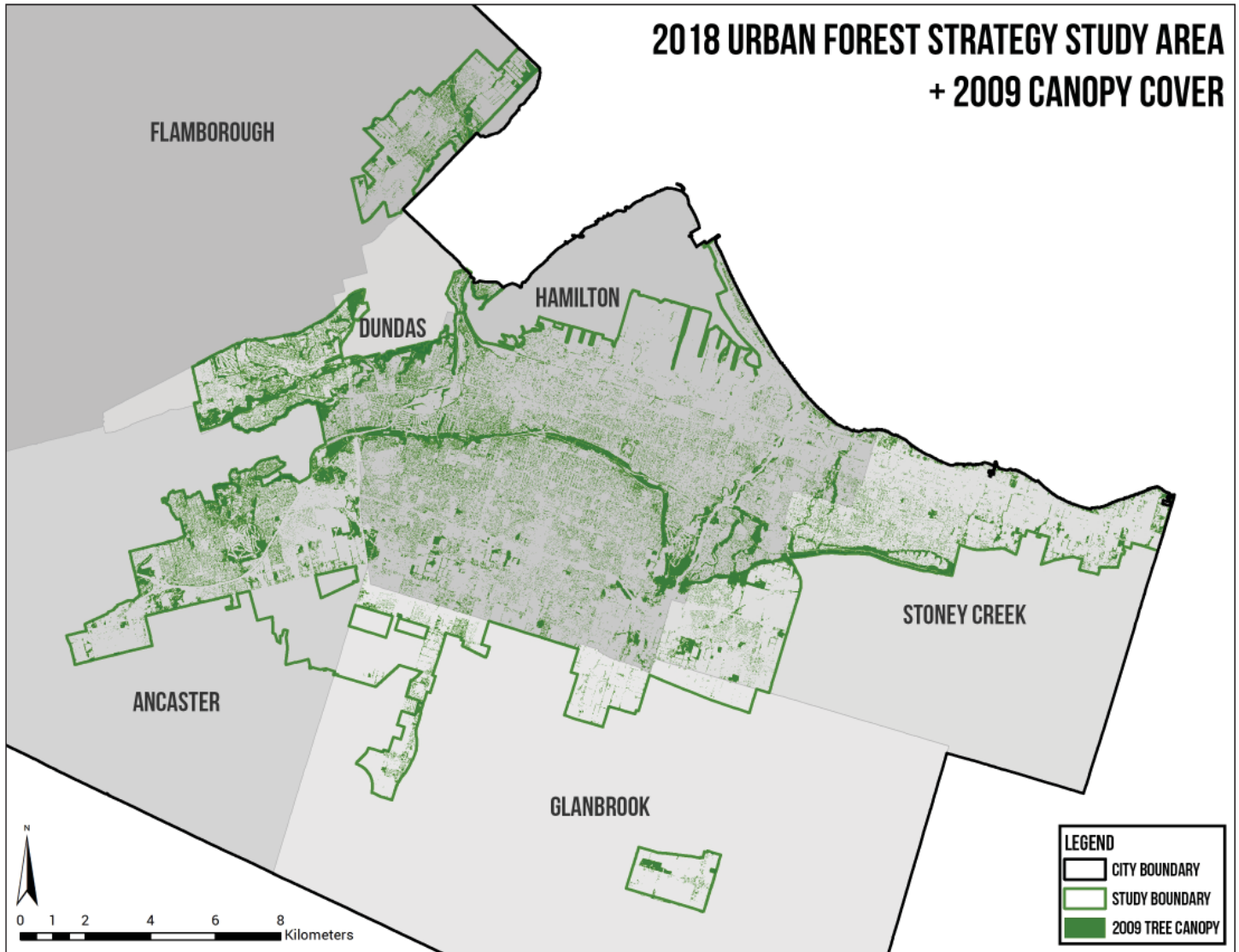


Figure 4. Distribution of canopy cover in Hamilton within urban boundary (Source: 2009 tree cover map, City of Hamilton).

Canopy cover¹⁴ across the City of Hamilton is estimated at 21.2%.¹⁵ This may represent a decrease from the 2006 canopy cover estimate of 22.1%. However, the change measured was not statistically significant.

Different land use classes tend to have different levels of tree cover, based on the intensity and type of development. In terms of canopy distribution, the Open Space land use category (including parks and natural areas) has the highest canopy cover relative to other land use classes at 54%. Industrial lands have the lowest amount of canopy cover at 2.3% (Figure 4).¹⁶

Black walnut, Norway maple and Manitoba maple represent the top three species in terms of leaf area.¹⁷ The prevalence of black walnut in the field sample is supported by Hamilton Conservation Authority canopy and sub-canopy mapping for the species. Historic records also suggest that black walnut was well represented in the Carolinian forest region of Ontario.¹⁸

¹⁴ Includes trees and shrub cover as these cannot be differentiated in canopy estimates using a point sampling methodology.

¹⁵ Land and tree cover were assessed using the US Forest Service i-Tree Canopy tool using 2017 leaf-on imagery that was the most recent year available.

¹⁶ Based on 2018 aerial point sampling using i-Tree Canopy tool and Google Earth imagery from 2017/2018.

¹⁷ Represents total area coverage of the canopy in metres squared.

¹⁸ What is a Carolinian Forest? https://caroliniancanada.ca/legacy/SpeciesHabitats_Forests.htm.

Norway and Manitoba maple are both classified as invasive species in Ontario.¹⁹ In terms of total leaf area, almost 25% of Hamilton’s urban forest consists of Category 1 and 2 invasive species (refer to footnote on Table 8). Invasive species are non-native plants, animals, and diseases that can cause harm to the economy, environment, and human health.

Some of these species, like Norway maple, were commonly planted in Hamilton because of their shade characteristics and ability to thrive in tough urban environments but later became invasive in natural areas. Now, forest managers develop tree planting lists for streets and natural areas that reflect the different management goals and growing conditions on these sites. Climate change is another factor that will affect tree species selection for the City of Hamilton.

The presence of these invasive species shows how dramatically Hamilton’s forests have changed over time, with native species increasingly replaced by invasive trees and shrubs. Table 3 shows the top ten species in Hamilton by number of trees, total leaf area²⁰ in square metres and the importance value, which combines these two measurements and describes how dominant a species is in a given forest area.

Table 3. Top ten tree species in Hamilton by population, leaf area and importance value (Source: i-Tree Eco study data, 2018).

Species Name	% of Population	Leaf Area (m ²)	Importance Value (IV)
Black walnut	5.9	19.8	25.7
White ash	9.7	4.0	13.7
Eastern white cedar	10.9	2.2	13.0
*European buckthorn	9.4	1.5	10.8
**Norway maple	2.8	7.3	10.2
Hawthorn spp.	6.9	3.1	10.0
*Manitoba maple (boxelder)	3.7	4.8	8.5
Green ash	6.6	0.9	7.5
**Black locust	2.7	4.6	7.4
Sugar maple	2.8	4.3	7.2

*Category 1 invasive species: Species that exclude all other species and dominate sites indefinitely. Plants in this category are a threat to natural areas wherever they occur because they tend to disperse widely.

**Category 2 invasive species: Species that are highly invasive but tend to dominate only certain niches or do not spread rapidly from major concentrations. Most persist in dense populations for long periods.

The dominant shrub species in Hamilton’s urban forest are gray dogwood (17.4%), honeysuckle (13.4%) and the invasive European buckthorn, comprising 7.3% of the total shrub layer leaf area. A significant proportion of Hamilton’s total shrub leaf area (14.3%) is also comprised of invasive species.

Invasive species are a growing problem for most Ontario municipalities. Invasive plants reproduce and grow quickly, easily invading adjacent natural areas, woodlands and landscaped areas. They interfere with the growth of desirable plants, resulting in loss of native diversity. They degrade wildlife habitat and can interfere with recreational activities. Management costs can quickly escalate and cost cities millions of dollars where invasions are not detected and treated early.

¹⁹ Government of Ontario. URL: <https://www.ontario.ca/page/invasive-species-ontario>

²⁰ Leaf area is the total one-sided surface area contributed by all leaves on the tree. Leaf area is estimated using measurements of crown dimensions and percentage of crown canopy missing.

Invasive insect pests like the emerald ash borer also pose a significant threat to the City’s tree canopy, as well as the health of the urban forest. The cost of managing the effects of emerald ash borer have been significant across all Ontario municipalities, and represent a huge loss for urban forests across the province.

In the face of climate change and increasing movement of people, invasive species represent a growing management challenge for Hamilton. For this reason, the UFS includes a recommendation to develop and implement an invasive species management strategy.

ACTIONS:

- Develop and implement an Invasive Species Management Strategy.
- Fund regular, active management of natural areas in Hamilton to support native biodiversity and forest health.

Size Class Distribution

The size class of an urban forest reflects the history of management, natural disturbance history and age of urban development and may differ across neighbourhoods. Ideally, the urban forest should include a sustainable distribution of sizes, including trees in the largest size class. Overall, Hamilton’s urban forest has a relatively sustainable size class distribution but falls somewhat short of suggested targets in the small and medium size classes (Figure 6). Because large trees provide more benefits, increasing the retention of mature trees (on both private and public land in Hamilton) has been identified as a priority in the UFS. There is a different trend for street trees, which is discussed on page 26.

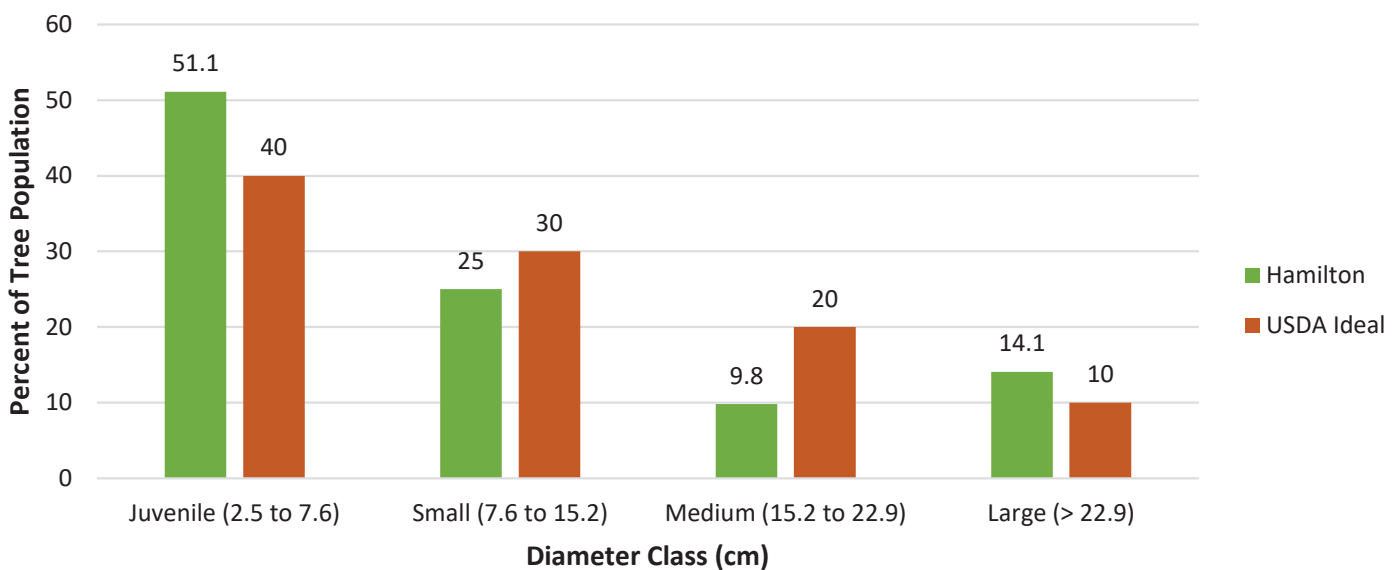


Figure 6. Overall size class distribution of the urban forest compared to the ideal, according to the USDA ideal distribution for an urban forest (Source: i-Tree Eco study data, 2018).

Forest Health

There are many insects and diseases that can potentially kill trees or threaten the health, structural value and sustainability of the urban forest. Major threats to Hamilton's forest currently include emerald ash borer, Asian longhorned beetle, gypsy moth and oak wilt. Although oaks represent a small portion of the City's tree population, they have a high relative structural value because of their large average size (Figure 7).

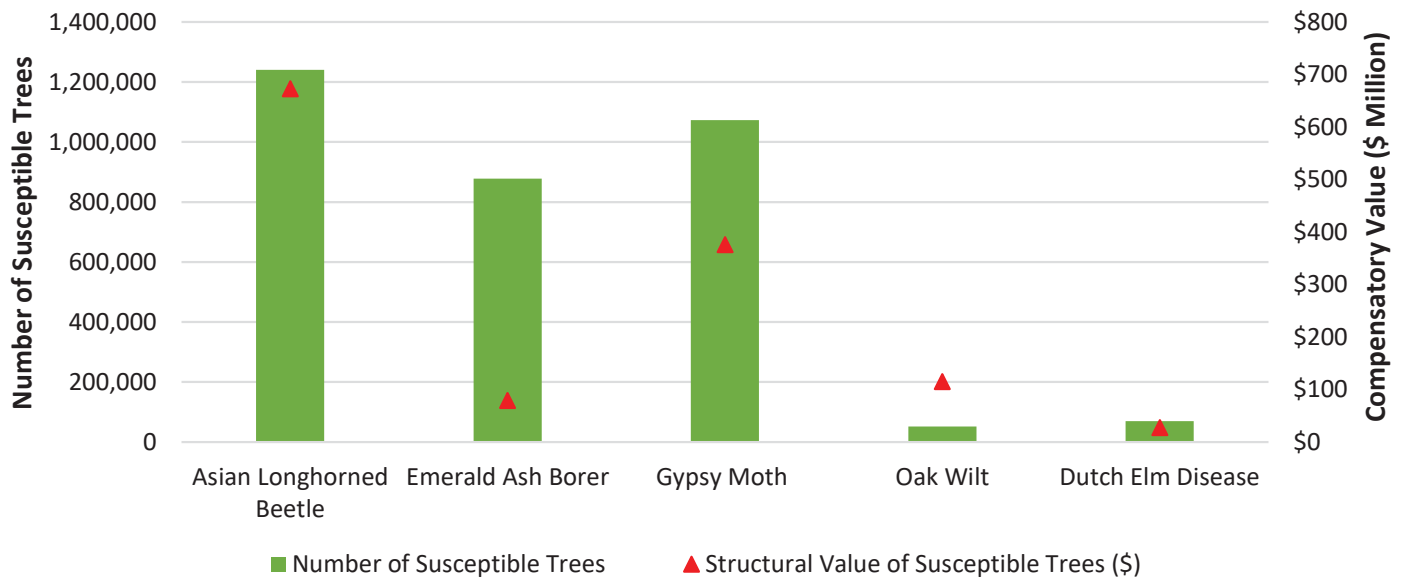


Figure 7. Susceptibility of Hamilton's trees to major invasive pests (Source: i-Tree Eco study data, 2018).

Some of these threats are preventable through early detection or treatable with appropriate management activities. For example, Asian longhorned beetle monitoring programs by municipal, provincial and federal agencies working together have prevented the spread of an infestation in west Toronto, which could affect about 32% of the total leaf area of the urban forest in Hamilton. Gypsy moth populations are also actively monitored by the City, and aerial spray programs are implemented when populations are high and threatening severe defoliation.

Recognition of the multiple value of urban forests through studies is resulting in increased public investment in trees in many North American cities. At the same time, systematic monitoring of the urban forest condition is infrequent. Monitoring is an important part of a program to sustain healthy community forests, to guide adaptive management and to ensure the long-term flows of net benefits from investments in trees. Interagency cooperation in Canada on Asian longhorned beetle monitoring and control, for example, contributed to declaring this pest eradicated from Ontario after it was first detected in 2003. Since then, it has been found again but constant monitoring and eradication efforts have kept the beetle under control in Ontario, resulting in avoided costs to municipalities in terms of large-scale tree removal and replacement programs.

ACTIONS: Implement a forest health monitoring program in Hamilton, including natural areas.

Ecosystem Services

The i-Tree assessments carried out as part of the UFS in 2018 used methods developed by the USDA Forest Service to determine the economic value of the ecosystem services and structural (replacement) value²⁴ of the City's urban forest. The study shows that Hamilton's urban forest provides ecosystem services worth approximately \$8.2 million per year, including avoided runoff, oxygen production, pollution removal, carbon storage and sequestration and energy savings.

Surface runoff can be a cause for concern in many urban areas as it can contribute to water pollution in streams, wetlands and lakes. Urban vegetation, including trees and shrubs help slow surface runoff. Trees and shrubs intercept precipitation, while their root systems promote infiltration and storage in the soil. The trees and shrubs of Hamilton help to reduce surface runoff by an estimated 815,639 m³/year²⁵ a year, with an associated value of \$1.9 million.

Trees in Hamilton are estimated to produce 13.46 thousand metric tonnes of oxygen per year, with some of the top contributors being black walnut, black locust, honeylocust and Norway maple.

Trees in Hamilton remove 256 tonnes of pollution from the air annually, including carbon monoxide, nitrogen dioxide, and sulfur dioxide, with an equivalent service value of \$1.13 million.²⁶

Climate Change Mitigation

Urban forests help mitigate climate change by sequestering atmospheric carbon in their leaves/branches/trunk and by altering energy use in buildings, consequently reducing carbon dioxide emissions from fossil-fuel based power sources²⁷.

Trees reduce the amount of carbon in the atmosphere by sequestering carbon in new growth every year. The amount of carbon sequestered increases with the size and health of the trees. The gross sequestration of Hamilton trees is about 13.41 thousand metric tonnes of carbon per year with an associated value of \$1.54 million.

Carbon storage is another way that trees can influence global climate change. As a tree grows, it stores more carbon by holding it in its accumulated biomass until it decays and dies. Trees in Hamilton's urban area are estimated to store 395,000 metric tonnes of carbon, which is valued at approximately

ECOSYSTEM SERVICES PROVIDED BY HAMILTON'S URBAN FOREST

Total value of annual benefits provided by Hamilton's urban forest:
 \$8.2 million

Structural (replacement) value of Hamilton's urban forest:
 \$2.134 billion (\$409/tree)

Oxygen production:
 13.46 thousand metric tonnes/year

Avoided runoff due to trees:
 815,639 m³/year (\$1.9 million)

Pollution removal:
 256 tonnes/year (\$1.13 million)

Gross carbon sequestration:
 13,412 tonnes (\$1.54 million)

Amount of carbon stored by Hamilton's urban forest:
 395,000 metric tonnes (worth \$45.4 million, based on the social cost of carbon)

Energy savings:
 282,319 MBTUs/year (\$3.63 million)

THE AMOUNT OF CARBON STORED BY THE CITY'S URBAN FOREST IS EQUIVALENT TO:

The amount of carbon emitted in Hamilton in 58 days

Annual carbon emissions from 308,000 cars

Annual carbon emissions from 126,000 single family houses

²⁴ Replacement value represents the cost of having to replace a tree with a similar tree (size and species).

²⁵ Avoided runoff is estimated based on local weather from the weather station at Hamilton International Airport, 2010.

²⁶ Pollution removal is calculated for ozone, sulfur dioxide, nitrogen dioxide, carbon monoxide, and particulate matter less than 2.5 microns.

²⁷ Abdollahi, K.K., Ning, Z.H., Appeaning, A., 2000. Global Climate Change and the Urban Forest. GCRCC and Franklin Press, Baton Rouge, pp. 31-44.

\$45.4 million²⁸ or \$7.9 million²⁹ based on the social cost of carbon³⁰ and the market price of carbon, respectively. Of the species sampled in Hamilton, white ash and black walnut store the most carbon.

Trees that are planted in proper locations relative to buildings can reduce energy consumption from heating and cooling by shading, providing evaporative cooling, and blocking winter winds. An additional \$3.6 million dollars³¹ in energy savings is provided by the urban forest through reductions in cooling and heating costs. Trees also provide an additional \$790,000 in value by reducing the amount of carbon released by fossil-fuel based power plants (a reduction of 6,880 tonnes of carbon emissions).

Street Trees³²

Street trees are a distinct population of trees in the City that tend to be more intensively managed. Their location on City road right-of-ways means that street trees have additional stresses like compacted soil, the effects of road salt and limited growing space. In some densely built neighbourhoods, street trees can represent most of the urban canopy cover. This makes them an important part of neighbourhood character and livability.

The structural (replacement) value of Hamilton's 168,610 street trees is approximately \$500 million. Structural value estimates the replacement or compensatory (if a tree is too large to be directly replaced) value of a tree and is based on a formula from the Council of Tree and Landscape Appraisers. This value can vary by location, tree size, species, and condition of the tree.³³

Street trees only make up about 3.2% of Hamilton's total tree population but their structural value represents about 23.7% of the total value of Hamilton's trees. This is because of their larger average size. Larger trees are worth more and contribute more urban forest benefits than small trees. In Hamilton, street trees are the most intensively managed portion of the urban forest, taking up a significant portion of the Forestry budget. Meanwhile, natural areas with high levels of forest cover see little investments in active management.

Approximately 82% of potential street tree planting

HAMILTON'S STREET TREES

Number of Street Trees:
168,610 (3.2% of all trees in Hamilton)

Structural Value of Street Trees:
\$500 million

Average dollar value selected benefits provided (carbon storage, air quality improvements, and aesthetic benefits):
\$88.50 per tree

Current stocking level in Right-of-Ways: 82%

Potential Planting Sites in Right-of-Ways: 37,000

Top three species by number of trees:
Norway maple, eastern white cedar, honeylocust

Top three species by leaf area (m²):
Norway maple, honeylocust, silver maple

Total number of street tree species: 155

Percentage of trees rated in 'Good' condition: 87%

²⁸ Calculated based on the social cost of carbon, \$114.87/tonne.

²⁹ Calculated based on the current market price of carbon, \$20/tonne.

³⁰ The social cost of carbon is a measure of the economic harm from those impacts, expressed as a dollar value, of the total damages from emitting one tonne of carbon dioxide into the atmosphere. It is meant to be a comprehensive estimate of climate change damages and includes, among other things, changes in net agricultural productivity, human health, property damages from increased flood risk and changes in energy systems costs, such as reduced costs for heating and increased costs for air conditioning. EPA Fact Sheet: Social Cost of Carbon, December 2016 - https://www.epa.gov/sites/production/files/2016-12/documents/social_cost_of_carbon_fact_sheet.pdf.

³¹ Based on the prices of Can\$75 per MWH and Can\$10.4544285106757 per MBTU. Refer to Urban Forest Effects and Values Report for City of Hamilton, November 2018.

³² A detailed study report is found in Appendix B. This report only includes trees found along City right-of-ways.

³³ Nowak, D. 2016. Assessing the Sustainability of Agricultural and Urban Forests in the United States. URL: https://www.fs.fed.us/nrs/pubs/jrnl/2016/nrs_2016_nowak_002.pdf

sites are currently planted with a tree. There are an estimated additional 37,000 possible street tree planting sites available across the City of Hamilton.³⁴ These sites represent an opportunity for Hamilton to increase its tree cover on public lands. However, public outreach and education about the value of trees will be an integral part of capitalizing on these planting opportunities. Forestry staff have had low uptake on street tree planting in right-of-ways located in front yards in recent efforts to increase planting in residential areas of the City.

The health of Hamilton’s street trees is relatively good. About 87% of all street trees were considered to be in ‘Good’ condition, while ‘Dead’ trees comprised just less than 3% of the street tree population. This speaks to the importance and success of the City’s street tree maintenance program.

Green and white ash are two species in the worst condition, with a significant percentage of their populations (57.3% and 34.0% respectively) either dead or dying. This is not surprising, given the severe impacts of emerald ash borer on ash trees in recent years.

In terms of size class distribution, Hamilton’s street trees fall short of the ideal.³⁵ Smaller trees are somewhat overrepresented, whereas the population currently falls short in the larger size classes (Figure 8). These numbers may be a reflection of the consistent and increasing street tree planting program, which has resulted in a relatively higher number of smaller trees. However, it may also indicate a need to examine options for reducing the number of mature street trees removed in Hamilton.

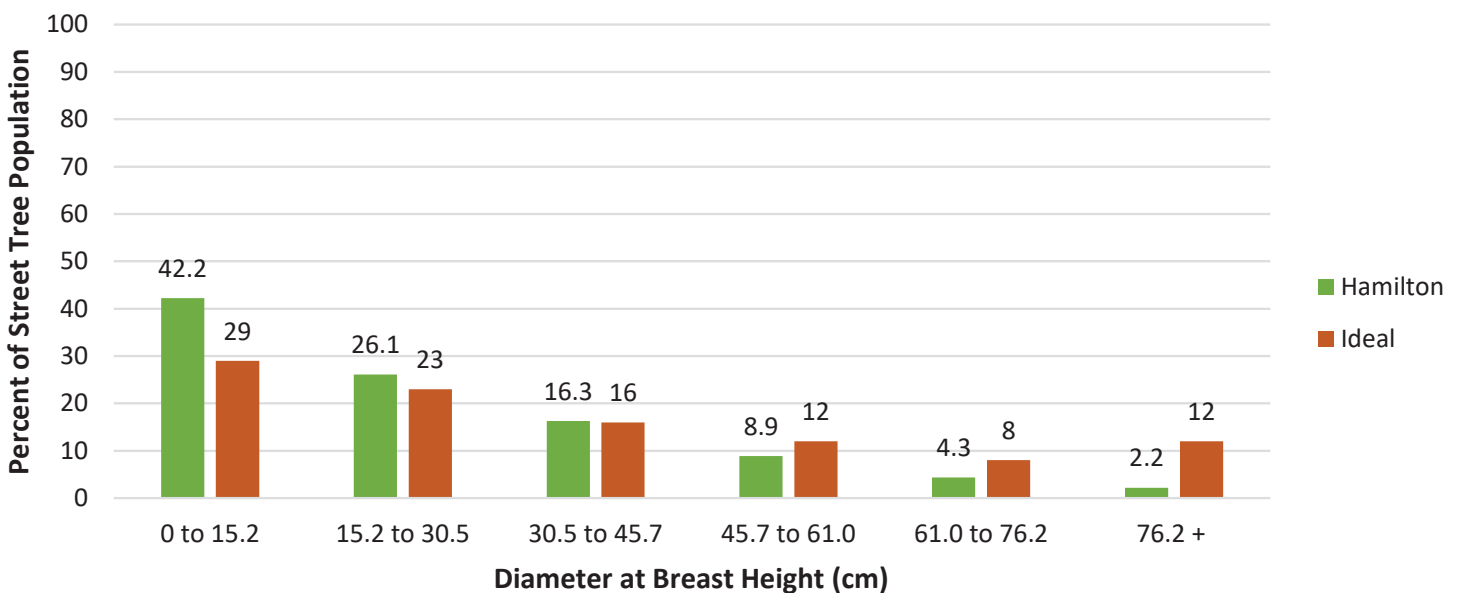


Figure 8. Size class distribution of street trees compared to the ideal (Source: i-Tree Streets study data, 2018).

In terms of population, Norway maple is the most abundant street tree, comprising 19.2% of the total street tree population and 22.9% of the total leaf area. This is followed by eastern white cedar (found extensively in hedge form along City streets) and honeylocust, a species that thrives in urban growing conditions (Figure 9). With the exception of maples, which make up a large portion of the street tree population, the overall composition of Hamilton’s street trees is fairly diverse. This helps to protect the City’s urban forest from threats due to pests and disease that target specific tree species. However, currently well over 30% of the City’s leaf area is comprised of maple species. This means that Hamilton’s street tree population is susceptible to an infestation of Asian longhorned beetle. To date, this pest has

³⁴ Extrapolated from i-Tree field data sample plots.

³⁵ This ideal distribution is being utilized by other Canadian municipalities, such as Toronto, Cambridge and Fredericton, and comes from Richards, N.A., 1983. Modeling survival and consequent replacement needs in a street tree population. *Journal of Arboriculture* 5 (11):251-255.

been controlled in Ontario, but future street tree planting should aim for a reduction in maple leaf area to ensure the resiliency of the City’s street tree population.

With the exception of eastern white cedar, callery pear, and Japanese lilac tree, Hamilton’s top ten street

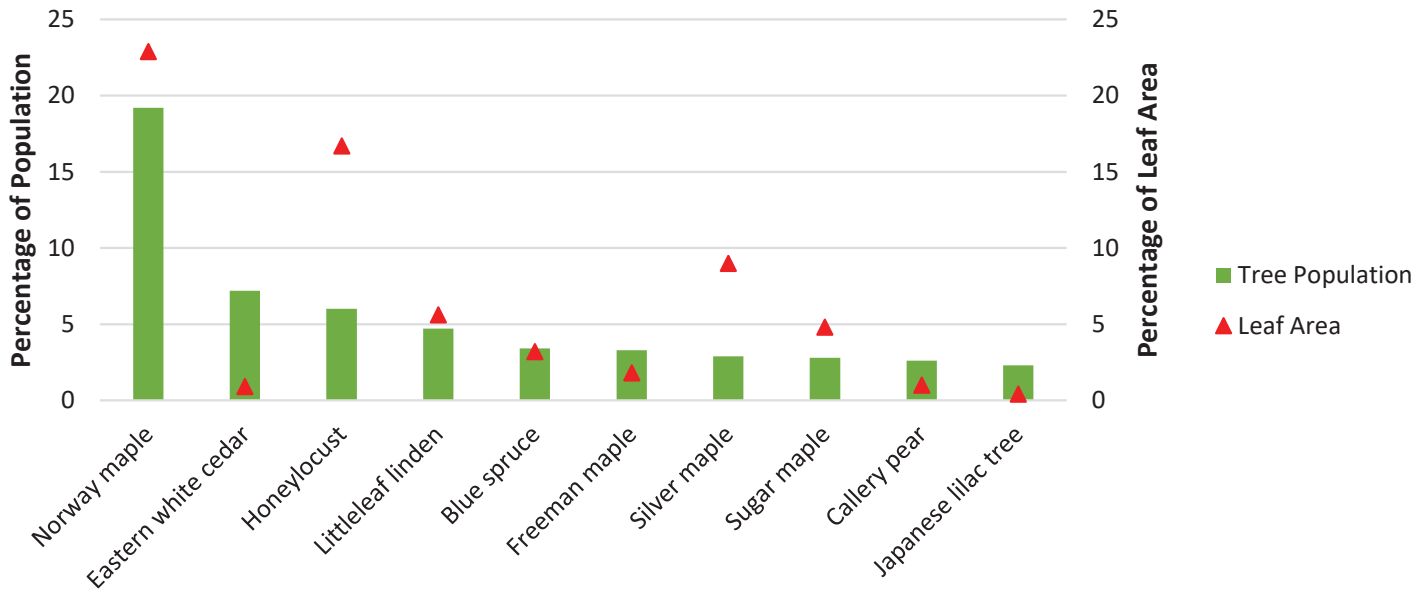


Figure 9. Top ten species of street trees by population, with total leaf area (Source: i-Tree Streets study data, 2018).

tree species are capable of growing into medium- to large-stature trees. This means that they have the potential to deliver more significant benefits, provided the conditions exist to allow them to grow to their full biological potential. As large stature trees, their per-tree leaf area would be much greater than a smaller stature tree such as Japanese lilac tree, and hence each tree would deliver proportionately more benefits.

Further investments in Hamilton's street trees will be needed so they continue to provide important environmental services to residents. Investments in Hamilton’s street trees have improved overall tree condition and provided benefits that are disproportionately large compared to the overall tree population. In order to maintain the degree of environmental benefits currently provided by street trees, there must be a combination of regular maintenance and sufficient tree planting to sustain a healthy street tree population over the long term.

Tree Canopy and Land Cover Change³⁶

Between 2006 and 2017, overall urban canopy cover decreased slightly (-0.9 percentage points) across Hamilton’s urban area from 22.1% to 21.2%, though the measured change was not statistically significant. Of note in Hamilton, however, is the high variability in canopy cover levels between wards and neighbourhoods. This means that access to the benefits of trees are not shared equally across the City.

In the same time period the amount of hard (impervious) surfaces³⁷ increased by 4.1 percentage points, while the amount of soft (pervious) surfaces decreased by 3.7 percentage points.³⁸ The increase in hard surface is relevant to forestry because an increase in hard surface in the City reduces the amount of potential growing

³⁶ A complete i-Tree Canopy study report is found in Appendix C.
³⁷ Buildings, parking lots, sidewalks, roads.
³⁸ The decline in grass cover was statistically significant.

space for trees (Figure 10). Maintaining pervious areas supports quality growing space for trees, but also has other benefits for stormwater management and mitigating the urban heat island effect.

Canopy Cover Change by Ward (2018 Ward Boundaries) ³⁹

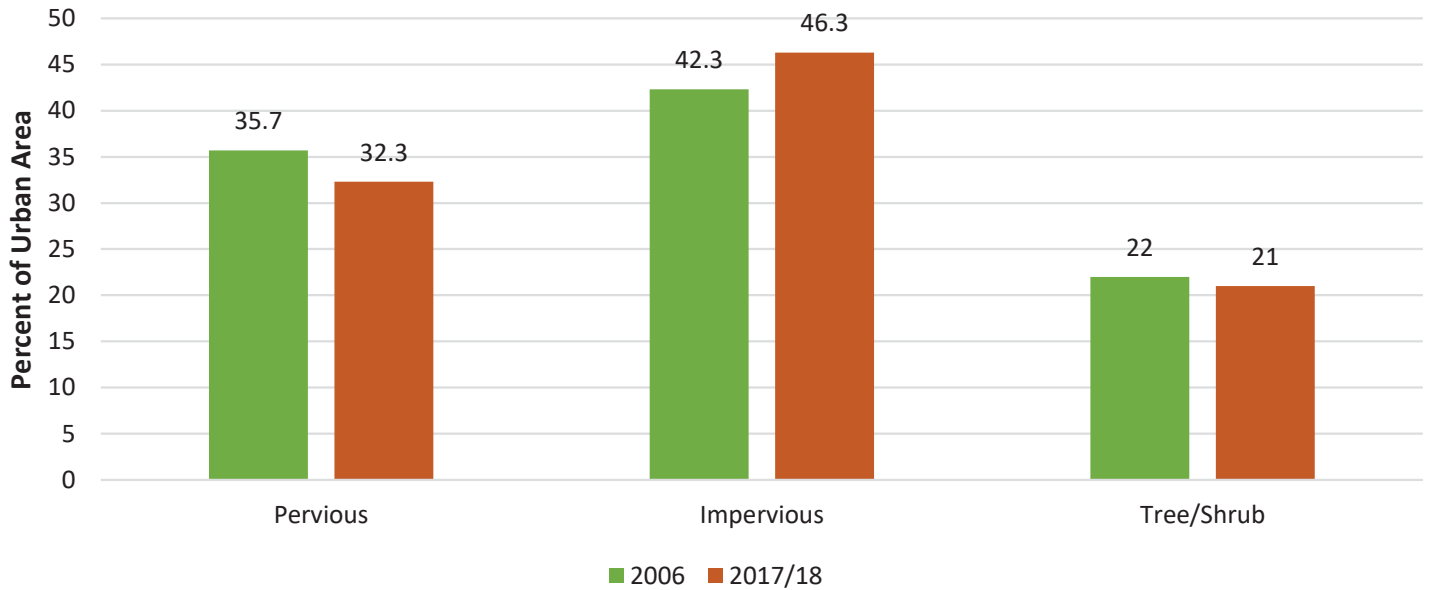


Figure 10. Change in impervious, pervious (not including Tree/Shrub), and Tree/Shrub land cover class from 2006 to 2017/2018. (Source: i-Tree Canopy point sample study data, 2006 and 2017/2018).

The highest areas of relative canopy loss were on the outskirts of Hamilton’s urban boundary, in Wards 7, 8, and 12, with Ward 7 showing the greatest loss (-27.3%). Wards 3, 14 and 15 have seen gains in tree canopy, with the greatest increase of 15% between 2006 and 2017 in Ward 15. Wards 1, 2, 5, and 13 saw no significant change in tree canopy between 2006 and 2017 (Figure 11).

While the study data provides information about the location and extent of canopy change, it does not give managers any information about the root cause of change. Local experience would suggest it is a combination of several factors: emerald ash borer removals over the last 10 years, ongoing urbanization and increased density leading to removal of trees to accommodate growth, some natural mortality of older/mature trees and private tree removals by homeowners. Understanding root cause is important, because it enables the development of appropriate solutions to address the main issues driving canopy change.

State of the Urban Forest Asset (2016)

ACTIONS:

- Complete land cover and canopy cover mapping for the City of Hamilton urban area.
- Determine the main drivers of canopy change in Hamilton.

³⁹ A small sample size resulted in a high standard error for some wards sampled.

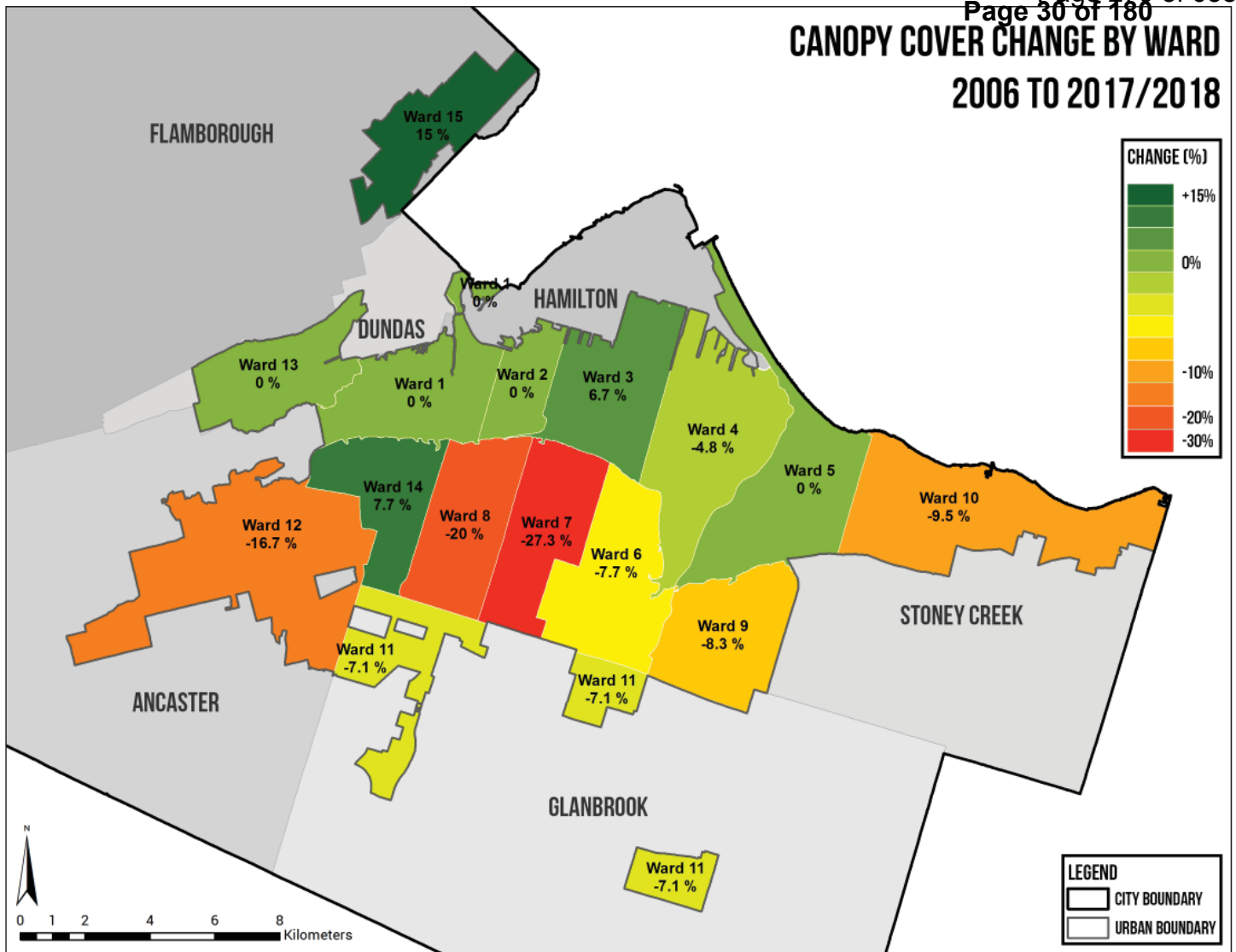


Figure 11. Percent tree cover change by 2018 municipal wards, Hamilton (Source: i-Tree Canopy study data, 2006 and 2017/2018). This map shows relative canopy cover change by Ward. More detailed estimates of canopy cover change can be made at a finer scale (e.g. neighbourhoods).

CHALLENGES FOR HAMILTON’S URBAN FOREST PROGRAM

In 2016, the City undertook a review of its forestry resources and trends in a State of the Asset Report. The report upgraded the City’s score on consolidated Forestry and Horticulture (F&H) assets from a “C-” to a “C”. However, this rating included all assets under the F&H umbrella.

Separating out trends in just the urban area within the scope of the UFS, the report identified that condition ratings for the City’s forestry asset were downgraded from their status in 2009. In addition, the projected 25-year urban forest trends were stable for assets in the City’s road allowances, but negative for these in parks and rural areas. This is an issue because of the declining condition and health of woodlands due to factors including climate change, increased recreation pressures and invasive species.

Several challenges were identified in the 2016 State of the Asset Report. Firstly, the City’s tree canopy goal of 35%⁴⁰ is not expected to be met by 2035 – reasons provided include a lack of capital funding for additional tree planting.

⁴⁰ As cited in the 2016 State of the Infrastructure Report & Asset Report Card – the Official Plan goal is 30%.

Hamilton has had a dedicated budget for tree planting that has remained fairly constant over time (at approximately \$1.345 million/year). Other funding sources include:

1. Cash in lieu of planting from developers, which funds subdivision planting;
2. The commemorative tree fund (\$500/tree), planted in parks;
3. Separate 'motion' funding for Wards 3, 4, and 5; and,
4. Emerald ash borer funding, to replace trees removed due to emerald ash borer mortality.

This funding has not been sufficient to increase the number of trees planted in the City over the last several years (Table 4). Tree planting is one of the limiting factors to canopy cover expansion, along with the protection of existing trees.

Table 4. Number of trees planted by type, 2016-2019 (Source: City of Hamilton Forestry data).

YEAR	2016	2017	2018	2019 (PLANNED)
Number of Trees Planted	14,338	8,587	11,862	11,500

ASSET MANAGEMENT

The 'adaptive management' cycle relies on reliable data to forecast and assess trends in the urban forest environment. Data from tree inventories and work management systems can be used to accurately track change in the urban forest. Hamilton's street tree inventory was completed in 2006-2007 and has not been updated. As a result, there is currently no reliable way to link management activities to the street tree inventory.

The Parks and Cemeteries inventory was updated between 2016 and 2019. This was identified as a priority because of known maintenance requirements. Amalgamation of inventory information into one spatial layer (street trees, parks and cemeteries) is underway. The City currently uses 'Hansen' software to manage and track City assets. The City has begun to link work orders to the tree inventory, but there is still no way to update tree condition based on work performed. Now that a baseline i-Tree inventory has also been completed, the City should consider making this part of the regular 10-year inventory update cycles as a series of permanent sample plots that can be used to assess change.

ACTIONS:

- Update urban forest inventories and studies every 10 years or in response to significant environmental change.
- Implement a forestry asset management system.

Expanding the Urban Forest

The i-Tree assessments completed as part of the UFS show that there are opportunities for tree planting across all land use classes in Hamilton. In terms of plantable area in hectares, the greatest opportunity for increasing Hamilton's tree cover is in the Low Density Residential, Vacant and Open Space land uses.

While the Open Space land use has achieved the highest level of ‘stocking’ (ratio of current to potential canopy cover), there are significant opportunities to increase canopy cover in this land use as well (Table 5).

Table 5. Summary of existing and potential canopy area and current stocking level by land use (Source: i-Tree Eco survey plot visual estimates).

LAND USE	CURRENT CANOPY COVER (hectares)	POTENTIAL PLANTABLE SPACE (hectares of pervious, non-treed land cover)	MAXIMUM POTENTIAL TREE CANOPY (hectares)	CURRENT STOCKING (ratio of existing to potential maximum canopy cover)
Agricultural	92	455	547	17%
Vacant Land ⁴¹	192	572	764	25%
Industrial	73	125	198	37%
Commercial/Office	63	87	150	42%
Institutional	180	156	336	54%
Transportation and Utility	166	136	302	55%
Low Density Residential	1590	953	2543	63%
Med/High Density Residential	201	96	297	68%
Open Space	1366	526	1892	72%

The area estimates are derived from the 2018 i-Tree Eco plots and represent a starting point for understanding planting opportunities in Hamilton at a very high level. In that respect, completing land cover mapping using imagery taken with leaf-on conditions can help identify two things to further inform priority planting areas: a) it identifies the location of existing urban tree canopy, and b) it identifies the location of potential planting areas based on pervious land cover types. This data can be used to work with stakeholders and planners to identify and prioritize future areas for tree planting in the City of Hamilton.

Part of this strategy will involve reaching out to private landowners to encourage planting on private lands in an effort to meet the overall canopy cover target. Currently, outreach to private landowners does not fall under the mandate of any City department involved in managing the urban forest. A new staff position dedicated to implementing an outreach and communications program can assist in identifying opportunities for increased tree planting on private lands within the urban area, organizing volunteer events, promoting stewardship, and developing partnerships. This position will be a key part of UFS implementation, particularly as it relates to community outreach and education.

⁴¹ Vacant lands are properties that do not contain any buildings or structures. These lands may have always been vacant, or may have become vacant due to demolition or redevelopment activity.

Evaluating the effectiveness of planting programs is an important part of assessing the return on investment for trees planted on public lands in the City. For example, the City will need to source a wider range of planting stock because some of the species currently being planted (including native species) have not survived. Climate change will also change the viability of some species for planting in the urban area. Genetic diversity and the suitability of genotypes to future climates to avoid/reduce maladaptation are important to create a resilient tree population. In the longer term, developing a plan for urban forest gene conservation is a much broader issue that affects many cities across the province. This work should be a coordinated effort between planting agencies, different levels of government and the private sector tree nurseries who grow the majority of stock that is used in municipal tree planting.

ACTIONS:

- Complete land cover and canopy cover mapping for the City of Hamilton urban area.
- Complete a tree planting priority analysis to guide a City-wide tree planting strategy.
- Increase the level of tree planting and/or natural forest regeneration in the City over the next five years.
- Apply standardized tree planting details and specifications in all City tree planting projects.

Tree canopy is also impacted by extreme weather and emerald ash borer damage which is increasing the demand on Operations and Maintenance (O&M) resources. Since 2014, the number of trees actually removed due to emerald ash borer exceeded the number of trees planned for removal (Figure 12). The rate of replacement has not kept pace with removals as the City has been prioritizing risk mitigation related to dead or dying ash trees. A lag in replacement planting following tree removals exacerbates canopy loss in the short term, since existing canopy is lost to tree removal and replacement canopy to support future growth and expansion of the City’s canopy cover is delayed.

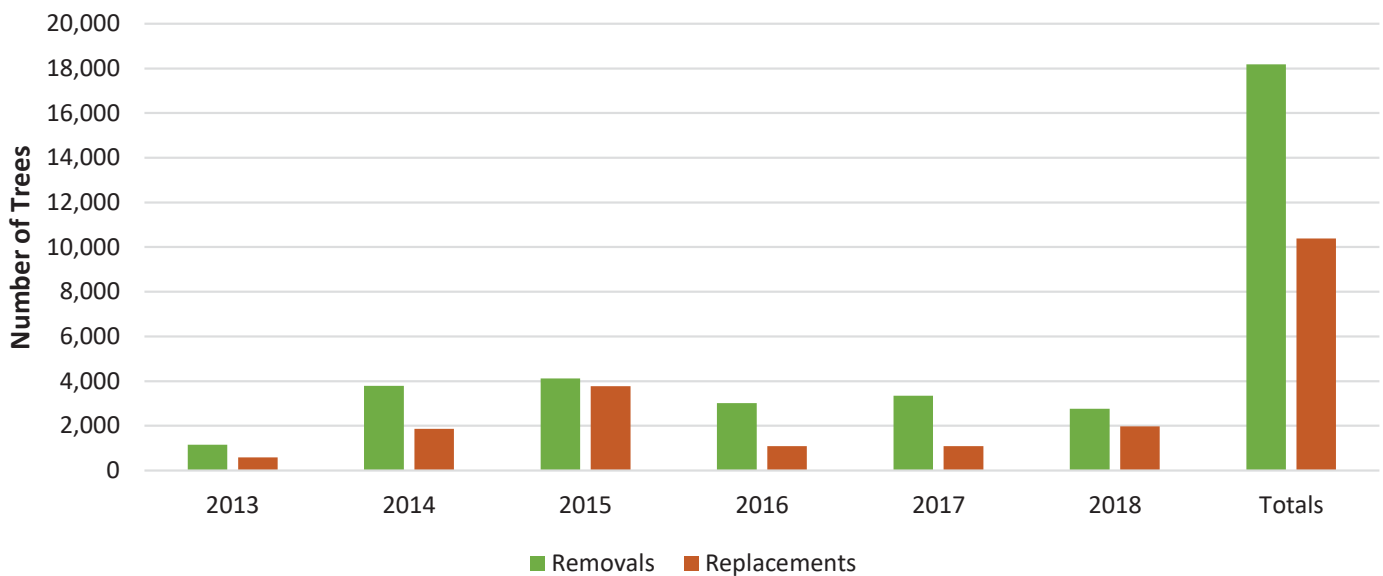


Figure 12. Number of tree removals and replacements done by City of Hamilton staff, 2013 to 2018 (Source: City of Hamilton, Forestry and Horticulture staff).

Growth of canopy, shrub and flower beds is resulting in increased service requests and demands, putting pressure on O&M budgetary resources that have not been increased in tandem with this growth. The increase in operations related service requests is shown in the forestry data for 2013 to 2018 (Figure 13).

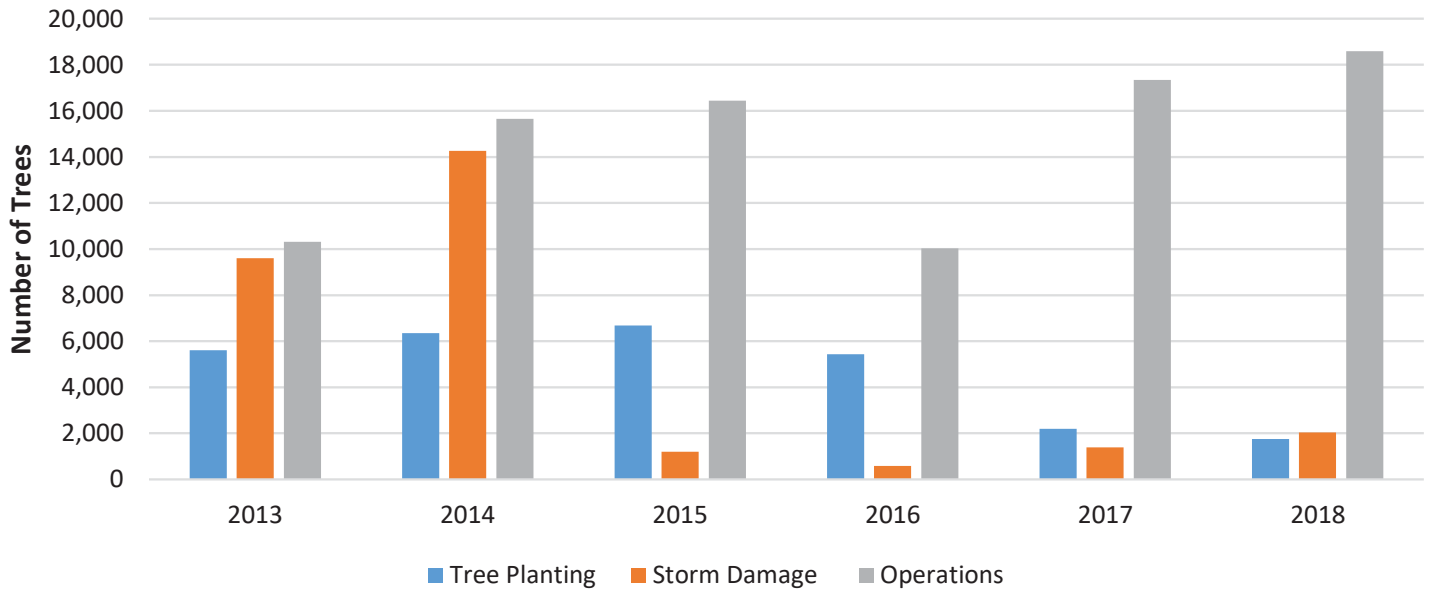


Figure 13. Service request by type, 2013 to 2018 (Source: City of Hamilton, Forestry and Horticulture staff).

To a certain extent and in tandem with current O&M practices, it may be possible to reallocate resources and find new approaches to achieve desired forestry outcomes without significant additional cost. For example, the number of trees established could be increased by reducing the number of large caliper trees planted in favour of smaller stock or allowing for natural regeneration by reducing mowing in designated park areas.

In Hamilton, however, many of the UFS goals and actions (including the management of natural areas) do not fall under the current mandate of the City departments tasked with managing the urban forest. For this reason, implementing the UFS will require additional investments in order to see positive gains in canopy cover and forest health, particularly in the City’s natural areas. Identifying key resource management gaps will be part of implementing the UFS moving forward. Keeping Council informed and engaged on UFS implementation will help support progress toward the UFS goals.

ACTIONS:

- Review current management structures and identify resources required to achieve the City’s urban forest vision.
- Present regular ‘State of the Forest’ reports to City Council and the public.

How Does Hamilton Compare?

Many cities use canopy cover to measure the success of their urban forestry program. Many things can affect canopy cover, like the amount and distribution of green space, the relative distribution of land use types (e.g. more industrial and commercial lands could affect overall level of canopy cover as these areas tend to have less trees), and the age of residential neighbourhoods. A comparison of Hamilton to other cities suggests that Hamilton ranks toward the lower end of the scale for canopy cover.

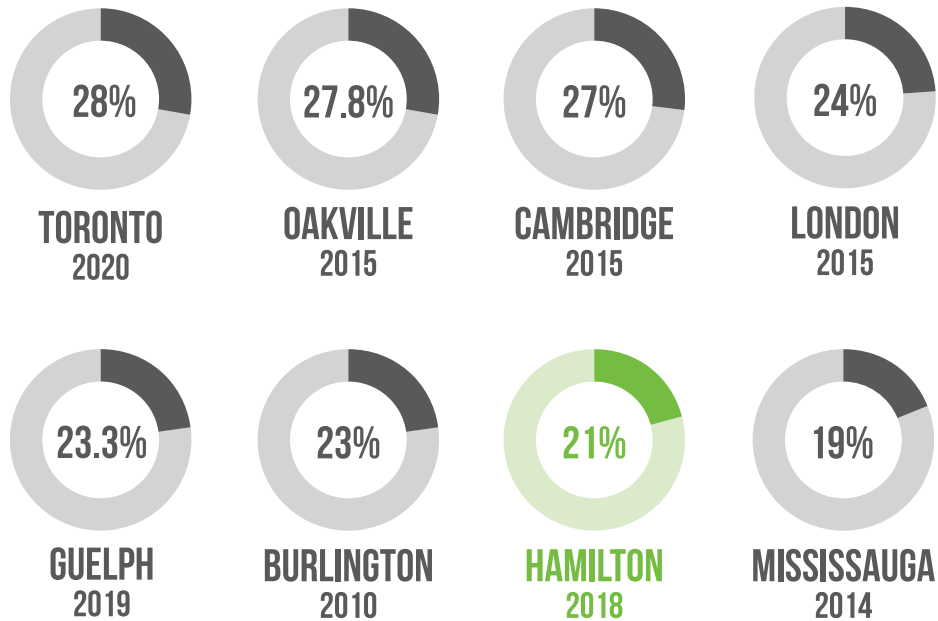


Figure 14. Canopy cover estimates in percent from various municipalities around southern Ontario.

A closer look at how canopy cover is distributed across land uses within cities (recognizing that the definition of land use may differ across municipalities) highlights some possible trends that may be worth further investigation. For example, Hamilton has considerably lower levels of canopy cover in Residential (particularly Low Density Residential), Industrial and Institutional land uses than most other cities (Table 6). On the other hand, canopy cover in the Commercial and Open Space land uses is comparable to levels reported by other jurisdictions.

Table 6. Urban canopy cover by land use in select southern Ontario cities (Sources: Available online study reports).

LAND USE CATEGORY	HAMILTON	OAKVILLE (2015 Study)	LONDON (2012 UFSMP)	MISSISSAUGA (2011 Technical Report)	NEWMARKET (2016 Study)	TORONTO (2018 Study)
Commercial	5.6	6.3	10	6	11	8
Industrial	2.3	N/A	12	5	11	8.7
Low Density Residential	18.6	44.2	27	20	27	33.2
Medium/High Density Residential	15.5	22.1	19	19	27	23.8
Parks/Open Space	54	64.6	55	44	53	58.3
Institutional	10.9	N/A	18	14	n/a	22

The background review compared Hamilton and the following five municipalities⁴²:

- City of London Urban Forestry Strategy – Enhancing the Forest City (2014);
- City of Mississauga Urban Forest Management Plan (2014);
- City of New Westminster Urban Forest Management Strategy (2016);
- Halifax Regional Municipality (HRM) Urban Forest Master Plan (2013); and,
- North Oakville Urban Forest Strategic Management Plan (2011).

The comparative analysis used the framework of criteria developed in the USDA (United States Department of Agriculture) document, *The Sustainable Urban Forest: A step-by-step approach*⁴³. The stepwise approach identifies 28 criteria (with associated ‘targets’) that can be used to assess the status of a municipality’s urban forest condition and urban forestry programming. The USDA targets are arranged in three broad categories:

- Trees and Forest,
- Community Framework, and,
- Resource Management Approach.

Each of the 28 criteria represent a key part of a sustainable municipal urban forest. For each criterion, a municipality’s performance can be evaluated against four levels of performance (Low, Fair, Good, and Optimal) using urban forestry performance indicators. The results are provided in Appendix E, including a summary of the applicable City of Hamilton urban forest policies, programs and by-laws assessed.

Key findings highlight the following priorities for the municipalities assessed:

- Establishing canopy cover targets;
- Completing and updating street tree inventories and urban forestry databases (in some but not all cases this can include woodlots);
- Developing policies for species diversity and native species selection;
- The importance of active management of publicly owned trees and natural areas; and,
- Creating a culture of cooperation and collaboration between municipal departments, higher levels of government, government agencies, the business community and industry.

For a minority (i.e., 7 of 28) of USDA targets, the City of Hamilton currently has urban forestry policies, programs, guidance documents and general practices that satisfy a low to moderate performance level based on indicators assessed (see Appendix E). An additional six USDA targets are partially satisfied. The USDA framework has been used to assess Hamilton’s current urban forestry plans, programs and practices, and to establish baselines to track performance of key targets using specific indicators summarized in this UFS. This tracking will also allow for adaptive management of the urban forest in order to facilitate improvements to the performance level of key targets during the next phase of implementation.

⁴² The detailed comparative review can be found in Appendix E.

⁴³ Leff, M. 2016. *The Sustainable Urban Forest: A step-by-step approach*. Davey Institute & United States Department of Agriculture, Forest Service.

What We Heard⁴⁴

This section summarizes the engagement activities that took place in support of the development of the UFS. Through workshops, an online survey, public information centre and stakeholder meetings broad participation was encouraged to ensure that the UFS is a reflection of both current and future needs and priorities as articulated by the residents of Hamilton (Table 7).

Table 7. Overview of engagement activities in support of the development of the Urban Forest Strategy.

PHASE OF WORK	DATES	CONSULTATION EVENTS	PURPOSE
Phase 1 – Background Information Review	Spring – Fall 2018	Data Collection and Analysis; Consultation with UFS working group.	Visioning exercise, understanding priorities and values, establishing perceived impacts on urban tree canopy.
Phase 2 – Public Engagement	Spring 2018 to Fall 2019	March 29, 2018, September 17, 2018, June 18, 2018, and September 16, 2019 - Development Industry Liaison Group May 17, 2018 – Stage 1 Internal and External Stakeholder Workshops; May 29, 2018 – Public Open House; June 7, 2018 - Hamilton Aboriginal Committee June – September, 2018 – Online Survey; September 10, 2018 - Clean Air Hamilton October 3, 2018 – Air, Trees, and Technology Forum – public meeting November 21, 2018 - Hamilton Industrial Environmental Association November 20, 2018 and October 22, 2019 – Hamilton Clean and Green Committee April 17, 2019 – Stage 2 Internal and External Stakeholder Workshops; June 5, 19, and 24, 2019 – Public Workshops July 4 and August 14, 2019 - External stakeholder meetings (Conservation Authorities and NGOs) September 17, 2019 - Ward 13 (Dundas) Community Council meeting November 19, 2019 – “More Trees Please” Community Meeting hosted by Environment Hamilton and Hamilton Naturalists’ Club November 28, 2019 - Seniors Tree Walk in Ancaster with Bruce Trail Conservancy March 10, 2020 - Bayfront Industrial Strategy Workshop	Collect feedback on the draft vision statement, canopy cover target, and goals and actions.

⁴⁴ A summary of consultation activities and reports can be found in Appendix F.

Phase 3 – Draft Report Preparation	Fall 2019 - Fall 2020	Draft Report Preparation	Preparing Technical and Summary Reports using data, research, and input from residents, staff, and stakeholders.
Phase 4 – Final Report	2021	Draft Report Review; Public Engagement; Engage Hamilton poll and survey - January 26 to February 26, 2021. Virtual Public Meeting on February 9, 2021. Final Report and Council Approval – 2021	Offer an opportunity for feedback from stakeholders on report findings and proposed actions, adoption of UFS by Council.

Hundreds of comments were received from members of the public and stakeholders – both in person and online – that helped identify key values and priorities. The following represents a summary of what was heard during the various engagement activities:

- **Beauty** – Trees contribute to the beauty of the urban landscape. That perception of beauty can promote a sense of local pride and add value to tourism. Trees can create a sense of connection to where people live, work and play. They can also screen unattractive views.
- **Air quality** – Trees provide oxygen, remove carbon dioxide from the atmosphere and make communities cleaner and more livable.
- **Stormwater management** – Trees absorb water from the ground, preserve soil, and reduce the risk of flooding. This is increasingly important in order to manage the impacts of intensified development and land use.
- **Climate change mitigation** – Trees mitigate the impacts of climate change by absorbing CO₂, reducing flooding during storms, providing shade, and reducing energy costs.
- **Environmental protection** – The urban forest provides habitat for wildlife, insects and plants. Ensuring proper tree maintenance, removal, and replacement benefits trees and other living organisms in local ecosystems.
- **Mental health and well-being** – The innate beauty and benefits that trees offer can provide people with calmness, serenity and improve quality of life. They can also encourage outdoor activity, provide opportunities for play and create linkages to other green spaces.

Extensive public input was utilized to develop five key UFS themes, as well as the actions that will help improve the state of Hamilton’s urban forest moving forward.

Another area of opportunity for Hamilton's urban forest program is the broad public support and high levels of engagement by non-profit groups in the City. Hamilton can benefit from the expertise of four Conservation Authorities involved in watershed management in the region. There are also several active community organizations that are engaged in urban forest stewardship in Hamilton. The City can capitalize on these resources by developing partnerships with agencies that support Hamilton's urban forestry goals, as well as with Hamilton's Indigenous communities.

ACTIONS:

- Partner with organizations that support the City's urban forestry goals.
- Work with the Indigenous community to acknowledge and respect the spiritual, mental, physical and emotional connections that Indigenous peoples have to land.

The Future of Hamilton's Urban Forest

Themes and Actions

Part of the background work for the UFS was to identify the main challenges and opportunities for growing the City's urban forest. The themes and actions that resulted from this background study identified the foundational work that needs to be done to accurately describe and monitor the urban forest, as well as the policy changes that will be necessary to move the City forward on its urban forestry goals. Five themes have been identified for Hamilton's UFS:

1. Inspire
2. Act
3. Protect
4. Grow
5. Adapt

The themes are supported by guiding principles, which are implemented through 26 actions. These follow below and include a brief overview of context for each action as well as the link to relevant USDA monitoring indicators under three categories: Trees and Forest (T - targets related to the status of the urban forest), Community Framework (C - the necessary engagement of stakeholders at all levels, and collaboration among them), and Resource Management (R - plans, practices, and policies to improve and sustain the forest resource). These monitoring indicators are described in detail in Appendix G.

Table 8. UFS Theme 1 (Inspire) with related actions.

THEME 1: INSPIRE	CONTEXT	SUSTAINABLE FOREST MANAGEMENT INDICATORS
<p>Guiding Principle: Engage and inspire the community with a bold vision for Hamilton's urban forest.</p>		
<p>Short-term (1-2 years)</p>		
<p>1. Develop and implement an inspiring urban forest communications strategy.</p>	<p>Creating a greater public appreciation for the value of Hamilton's urban forest through frequent, transparent and positive communications will help support the City's forestry goals. Applying marketing and branding principles with a consistent message to promote the value of the urban forest can be a powerful, effective tool to improve awareness of and support for trees in Hamilton. These should include all aspects of the City's urban forestry presence, including a web page, educational materials and videos, public events, social media and open data. The strategy will focus on improving collaboration and consultation with all marginalized groups, including local Indigenous people.</p>	<p>C5 – Citizen Involvement and Neighbourhood Action C6 – General Appreciation of Trees as a Community Resource</p>
<p>2. Create a permanent new staff position in the Public Works Department dedicated to UFS implementation, with a focus on outreach, communications, education, and partnership development.</p>	<p>A major goal of the UFS is increasing general awareness of and appreciation for the urban forest. Inspiring the community to value trees is critical for building a strong forestry program in Hamilton. Outreach and education should target city departments, Council, private landowners, planners, Indigenous people, developers, utilities and any other groups with an interest in the urban forest. Activities will include outreach to landowners to identify opportunities for tree planting on private lands, coordinating volunteers to control and monitor invasive plants, conducting neighbourhood tree counts, and stewardship of urban woodlands. The staff person would also be responsible for seeking partnerships, providing access to data, and implementing the communications strategy. This position is critical for supporting UFS implementation.</p>	<p>C1 – Municipal agency cooperation C2 – Utilities Cooperation C3 – Green Industry Cooperation C4 – Involvement of Large Private and Institutional Landholders C5 – Citizen Involvement and Neighbourhood Action C6 – General Appreciation of Trees as a Community Resource C7 – Regional Collaboration R5 – Municipality-wide Urban Forestry Funding</p>
<p>3. Work directly with Hamilton's development community to improve awareness, identify urban forest allies, and recognize best practices and innovation.</p>	<p>Integrating the urban forest in new community design or revitalization projects has social and economic benefits that are often poorly understood and communicated. Regular dialogue between planners, forest managers and the development community may uncover opportunities for innovative design and cost-neutral options for making trees a valued part of Hamilton's urban future. Recognizing best practices and innovation is an important part of this work.</p>	<p>C4 – Involvement of Large Private and Industrial Landowners C3 – Green Industry Cooperation</p>

THEME 1: INSPIRE	CONTEXT	SUSTAINABLE FOREST MANAGEMENT INDICATORS
<p>4. Work with the Indigenous community and local First Nations to understand and respect the spiritual, emotional, mental and physical connection that Indigenous peoples have to land and that Indigenous peoples are the original caretakers of the land Hamilton sits upon.</p>	<p>In the future, implementation of the UFS offers opportunities to consult and partner with Indigenous people to further goals under the Land, Spirit, and People Themes in the Hamilton Urban Indigenous Strategy. For example, this would include exploring opportunities to create outdoor spaces to carry out traditional ceremonies and teachings, using Traditional Ecological Knowledge (TEK) to guide tree planting and habitat restoration projects, using markers and signs to identify Indigenous landmarks on trails, parks, and Conservation Areas, and by involving Indigenous persons in decision-making in municipal projects that affect them.</p>	<p>C5 - Citizen Involvement and Neighbourhood Action</p>
<p>5. Partner with organizations that support the City's urban forestry goals.</p>	<p>Many types of external organizations can add value to municipal urban forestry programs and help diversify funding sources for urban forest management. The city will expand its existing partnerships with non-government organizations and environmental agencies, who are willing to do more. In addition, the City will look for opportunities to partner with organizations beyond what we have done in the past. These could include emergency response agencies, power companies, philanthropic organizations, medical and corporate foundations, and local universities and colleges. Identify areas where urban forestry intersects with organizational mandates and support partnership work with a dedicated staff position (see Action 2).</p>	<p>C5 – Citizen Involvement and Neighbourhood Action C3 – Green Industry Cooperation</p>
<p>6. Carry out an annual evaluation of the effectiveness of stakeholder engagement strategies.</p>	<p>Including social indicators in UFS monitoring is important for understanding trends in citizen and private sector engagement. The City should monitor engagement through social indicators, such as the number of visits to the City's Urban Forest webpage or the number of residents participating in community tree planting days. This information should be included in the "State of the Forest" report.</p>	<p>C5 – Citizen Involvement and Neighborhood Action C4 – Involvement of Large Private and Industrial Landowners</p>

Table 9. UFS Theme 2 (Act) with related actions.

THEME 2: ACT	CONTEXT	SUSTAINABLE FOREST MANAGEMENT INDICATORS
Guiding Principle: "Goals are good. Action is better." (Vibrant Cities Lab)		
Short-term (1-2 years)		
7. Establish an inter-departmental working group to support UFS implementation.	The UFS includes actions that require collaboration to support successful implementation. Because the mandate for forest management is currently divided among several city departments, a working group will also support plan implementation and ensure that roles and responsibilities are assigned appropriately. The working group should meet regularly for the first five-year term of the UFS and report back to Council and residents on progress through 'State of the Forest' report every three years.	C1 – Municipal Agency Cooperation
8. Improve implementation of Tree Protection / Management Plans and Landscape Plans required through development application review.	The city should ensure that required landscape and tree protection plans submitted as part of development applications are fully implemented. This should include costing, collection and release of securities, ensuring that qualified staff are conducting site inspections and providing a complete set of plans to inspection staff.	R2 – Canopy Cover Assessment Goals R5 – Municipality-wide Urban Forestry Funding
9. Complete land cover and canopy cover mapping for the City of Hamilton urban area.	<p>Land cover maps describe the location and distribution of water, soil, trees, buildings, grass, roads and paved areas in the urban landscape. Detailed tree canopy maps can be derived from land cover data. Satellite imagery and specialized software are used to develop these maps, which are an important part of the urban forestry toolbox. They can be used to:</p> <ul style="list-style-type: none"> • Map the distribution of canopy cover in Hamilton; • Identify and monitor Hamilton's progress in achieving a more even and equitable distribution of canopy cover, so all residents can enjoy the benefits of the urban forest. • Set canopy cover targets for defined management areas such as the municipality, wards, or neighbourhoods; • Help staff identify and prioritize possible planting areas; and, • Track land and tree cover change. 	R2 – Canopy Cover Assessment Goals R3 – Environmental Justice and Equity R7 – Tree Establishment Planning and Implementation

THEME 2: ACT	CONTEXT	SUSTAINABLE FOREST MANAGEMENT INDICATORS
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<p>10. Apply standardized tree planting details and specifications in all city tree planting projects.</p>	<p>Tree planting details and specifications should be based on a review of best practices from other jurisdictions and address soil volume and quality, stormwater management and other key factors affecting tree growth. These should be implemented by all city departments that are involved in planting trees.</p>	<p>R8 – Growing Site Suitability</p>
<p>11. Develop and apply minimum canopy cover targets to new development proposals.</p>	<p>One of the key issues limiting expansion of the urban tree canopy in Hamilton is a lack of tools to translate high level policy goals (e.g., Official Plan goal of 30% canopy cover) into site level development activities. Targets for canopy cover can be set by land use area, neighbourhood, ward, secondary plan area, sub-watershed or other geographic unit of interest. These targets can be integrated in urban design guidelines to provide guidance for staff. Up-to-date data for land and tree cover can guide targets by land use or other area of interest for individual development projects. This will help Hamilton reach its 30% canopy cover goal and facilitate more equitable distribution of canopy cover.</p>	<p>T1 – Relative Tree Canopy Cover R2 – Canopy Cover Assessment Goals R3 – Environmental Justice and Equity C1 – Municipal Agency Cooperation</p>

Medium-term (3-5 years)

<p>12. Identify and complete priority amendments to improve the integration of trees through applicable policies, plans, and guidelines.</p>	<p>Legislation, policies, plans, standards and guidelines that regulate and promote development in Hamilton have a strong influence on the current and future health of the urban forest. Having a strong voice for the urban forest at the table when these are being developed will help ensure trees are considered early on in urban planning, design and development. The city should identify and complete a list of priority amendments to improve urban forest canopy retention and establishment in planning processes such as Official Plan, secondary plans, urban design guidelines, master plans for stormwater and transportation planning, streetscape and urban design guidelines, Draft Plan Guidelines, Draft Plan of Condominium and Subdivision Guidelines, Site Plan Guidelines, City- Wide Corridor Planning Principles and Design Guidelines, Tree Protection/Management Plans for new developments, zoning by-laws, and other relevant guiding documents. Existing City-wide policy documents and guidelines should be reviewed to identify where amendments can be made to improve urban forest canopy retention and establishment. New City-wide or area-specific documents such as Secondary Plans should reflect the targets and goals established within the UFS.</p>	<p>T1– Relative Tree Canopy Cover R2 – Canopy Cover Assessment Goals C1 – Municipal Agency Cooperation</p>
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THEME 2: ACT	CONTEXT	SUSTAINABLE FOREST MANAGEMENT INDICATORS
13. Determine the main drivers of canopy change in Hamilton.	A change detection completed for the UFS showed that canopy cover has remained the same or possibly declined between 2008 and 2018. However, it does not provide any information on the underlying cause of change. Understanding what is driving canopy change based on empirical data gives managers information to develop effective solutions. It also allows managers to allocate limited resources most efficiently.	T1 – Relative Tree Canopy Cover R5 – Municipality-wide Urban Forestry Funding
14. Present regular ‘State of the Forest’ reports to City Council and the public.	One of the most critical success factors for urban forestry programs is a supportive Council that understand the value of forests for creating livable, resilient cities. Council support for regulatory and policy changes that promote the integration of trees in planning and urban development is key. A regular ‘State of the Forest’ Report to Council and residents can help highlight progress and challenges and provide context for funding requests. Every three years, a ‘State of the Forest’ report to Council and residents will highlight progress and challenges, and provide context for funding requests	R4 – Municipality-wide Urban Forest Management Plan
15. Review current urban forest management structures and identify resources required to achieve the City’s urban forest vision.	The urban forest is defined as all trees and forests within the urban area and the connections between them. However, urban trees in Hamilton are currently managed separately from natural areas in the City, giving the Forestry Section a very limited mandate for managing only a small portion of the city’s urban forest. Consolidating responsibility for urban forest management under one city department may present opportunities to achieve cost efficiencies and improved forest management. The City should carry out a review of the division of roles and responsibilities for managing the urban forest.	R6 – Municipal Urban Forestry Program Capacity T10 - Maintenance of Publicly Owned, “Intensively” Managed Trees T11 – Management of Publicly Owned Natural Areas

Table 10. UFS Theme 3 (Protect) with related actions.

THEME 3: PROTECT	CONTEXT	SUSTAINABLE FOREST MANAGEMENT INDICATORS
<p>Guiding Principle: Trees are a valued city asset and an essential part of Hamilton's infrastructure.</p>		
<p>Short-term (1-2 years)</p>		
<p>16. Identify and implement options for increasing the preservation of healthy trees in Hamilton.</p>	<p>Improving the retention of mature trees in Hamilton is a priority to prevent further canopy loss. Protection can be achieved through either regulation and incentives, or a combination of both. During public engagement, residents and stakeholders overwhelmingly called for better private tree protection. Hamilton should investigate the feasibility of a private tree by-law in Hamilton. Other approaches include direct outreach to private landowners with significant trees, incentives for preserving existing trees on proposed development sites, outreach on best practices with other city departments and improved monitoring and enforcement of tree protection requirements. The City will explore assistance (financial and technical advice) to support landowners with planting and maintaining trees on private property.</p>	<p>R9 – Tree Protection Policy Development and Enforcement</p>
<p>17. Complete a climate change vulnerability assessment for Hamilton's natural systems, including the urban forest.</p>	<p>Climate change is already having impacts on the urban forest and these will increase in the future. Every city is different and is uniquely affected by climate change. 'Vulnerability assessments' look at the local context and work with community input to prioritize and find the best ways to mitigate the risks and reduce the residual effects of climate change on Hamilton's natural systems, including the urban forest.</p>	<p>R4 – Municipality-wide Urban Forest Management Plan</p>

THEME 3: PROTECT	CONTEXT	SUSTAINABLE FOREST MANAGEMENT INDICATORS
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Medium-term (3-5 years)

<p>18. Develop and implement an Invasive Species Management Strategy.</p>	<p>The 2018 forest inventory shows that about 25 % of Hamilton’s urban forest leaf area is comprised of Category 1 and 2 invasive species, which represent aggressive plants that interfere with native ecosystems. In the last ten years, the invasive Emerald Ash Borer has also resulted in the widespread loss of ash species across Ontario. Another invasive pest (the Asian Longhorned Beetle) represents a future threat to a third of Hamilton’s urban tree canopy. Without intervention, invasive insect pests, diseases and plants will continue to degrade the quality of the urban forest. Hamilton should cooperate with neighbouring municipalities, Conservation Authorities and other levels of government to develop and implement an invasive species management strategy. Implementation could include local stewardship of urban woodlands to monitor and control invasive species and partnerships with non-government organizations.</p>	<p>T4– Species Suitability C7 – Regional Collaboration R1 – Management of Publicly Owned Natural Areas R14– Native Vegetation</p>
<p>19. Develop service standards and emergency response plans for:</p> <ul style="list-style-type: none"> • Hazard trees and other forestry service requests. • Severe weather events. 	<p>Risk management is currently undertaken through a combination of proactive and reactive methods. Risk management on City trees through removal of deadwood and structural pruning is a part of the City’s regular grid maintenance program. City staff currently performs tree risk assessments, and if deemed necessary, conduct aerial inspections or hire consultants to perform advanced tree risk assessments. Formalizing the current risk management and emergency response approach is recommended.</p>	<p>R10 – Maintenance of Public Managed Trees R12– Tree Risk Management</p>

Table 11. UFS Theme 4 (Grow) with related actions.

THEME 4: GROW	CONTEXT	SUSTAINABLE FOREST MANAGEMENT INDICATORS
<p>Guiding Principle: Regular investments in tree planting and maintenance programs will optimize long-term benefits and reduce risk to people, property and the health of the urban forest.</p>		
<p>Short-term (1-2 years)</p>		
<p>20. Increase the level of tree planting and/or natural forest regeneration in the City over the next five years.</p>	<p>The base tree planting budget has not increased in Hamilton over the last five years even though pressures on the forest have increased through Emerald Ash Borer, ice storm damage and ongoing storm events. Allocating more funds to tree planting is one approach to increasing canopy cover. City departments can also co-operate to identify other opportunities for increasing the number of trees established such as using smaller nursery stock for planting or identifying areas to promote natural forest regeneration or planting groups of trees. The Community Energy and Emissions Plan may include a tree planting initiative as part of the implementation framework for the low-carbon scenario. This work is ongoing.</p>	<p>C1 – Municipal Agency Cooperation R7 – Tree Establishment Planning and Implementation R8 – Growing Site Suitability</p>
<p>21. Develop a best practices manual for tree protection, planting and preservation to share with all City departments and utilities whose activities affect trees.</p>	<p>All City departments should prioritize the retention of mature trees, protection of trees from damage and the planting of new trees in capital and operations and maintenance projects. Early consideration of trees in planning should identify ways to reduce conflict for space with underground and overhead utilities. The manual should include clear criteria for planting site suitability and tree species selection as well as standardized tree planting specifications for all City departments, other agencies or private sector organizations involved with planting trees. Staff workshops to roll out a best practices manual will help improve awareness and reduce conflicts between trees and infrastructure/utilities in Hamilton. The manual should be reviewed periodically to ensure it reflects changing environmental conditions such as climate-adapted native species.</p>	<p>C1 – Municipal Agency Cooperation C2 – Utilities Cooperation</p>

THEME 4: GROW	CONTEXT	SUSTAINABLE FOREST MANAGEMENT INDICATORS
<p>22. Complete a tree planting priority analysis to guide a city-wide tree planting strategy.</p>	<p>Detailed land cover data can be used to complete an analysis of priority tree planting locations. This is an operational tool that will help staff identify potential priority areas for increasing canopy cover on both public and private lands. These could include areas with low canopy cover, prone to flooding, extreme summer temperatures, and poor air quality, or other criteria as determined by input from the community.</p>	<p>R7 – Tree Establishment Planning and Implementation</p> <p>R3 – Environmental Justice and Equity</p>
<p>23. Fund regular, active management of natural areas in Hamilton to support native biodiversity and forest health.</p>	<p>Urban trees and natural areas are interconnected systems, though they are managed separately in the City of Hamilton. Invasive species and growing recreation pressure (e.g. litter, vegetation trampling, and informal trails) are affecting the health of natural areas. These pressures will increase as Hamilton grows and the effects of climate change intensify. Increasing active forest management in high priority areas will help protect native biodiversity and maintain the natural character of the City’s trees and forests. There are many agencies and groups in Hamilton who can contribute expertise to identifying priority management areas. The city should investigate the costs of establishing a dedicated funding stream for natural areas management and include it as an annual budget request to Council.</p>	<p>R5 – Municipality-wide Urban Forestry Funding</p> <p>R11– Management of Publicly Owned Natural Areas</p> <p>R14– Native Vegetation</p>

Table 12. UFS Theme 5 (Adapt) with related actions.

THEME 5: ADAPT	CONTEXT	SUSTAINABLE FOREST MANAGEMENT INDICATORS
<p>Guiding Principle: Urban forest management is evidence-based and responsive to change.</p>		
<p>Short-term (1-2 years)</p>		
<p>24. Implement a forest health monitoring program in Hamilton, including natural areas.</p>	<p>Forest health threats in Hamilton have already put intense pressure on the City’s canopy cover. Emerald ash borer led to the removal of thousands of ash trees across the City. Insect and disease cycles are dynamic, and the City needs to have access to up-to-date information to be able to respond pro-actively to future forest health threats. Potential future threats include oak wilt and the Asian Longhorned Beetle which could affect over a third of Hamilton’s total tree leaf area. The City should co-operate with other agencies to pro-actively monitor and report on forest health threats in Hamilton.</p>	<p>R4 – Municipality-wide Urban Forest Management Plan R10 – Maintenance of Public Managed Trees R11 – Management of Publicly Owned Natural Areas</p>
<p>Medium-term (3-5 years)</p>		
<p>25. Implement a forestry asset management system.</p>	<p>Tree inventory data and location information should be managed using specialized software programs designed for urban forest management and other green assets. There are customized software programs for public works agencies that facilitate updating and link inventories to work order systems. These programs are also capable of producing reports like:</p> <ul style="list-style-type: none"> • Work histories and costs for each tree; • Citizen service and information requests; • Work orders; • Available planting sites; • Tree valuation; and, • Maps. <p>As a management tool, customized software programs promote efficient allocation of work crews and equipment, speed up responses to service requests, identify safety risks, help with cost analysis, provide data for accurate reporting to Council and other departments, can provide information needed for grant applications and improve budget forecasting based on historical data.</p>	<p>R6 – Municipal Urban Forest Program Capacity R5 – Municipality-wide Urban Forestry Funding</p>

THEME 5: ADAPT	CONTEXT	SUSTAINABLE FOREST MANAGEMENT INDICATORS
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Long-term (5-10 years)

26. Update urban forest inventories and studies every 10 years or in response to significant environmental change.

Urban forest inventories are the cornerstone of good asset management. Having up-to-date information about urban forest structure, composition and condition is critical to effective strategic and operational planning as well as risk management in Hamilton. Inventories should be undertaken in tandem with the implementation of GIS-based asset management software that links the inventory to work order systems, to ensure that asset information remains reliable and up to date.

- R1 – Tree Inventory
- T2 – Age Diversity (size class distribution)
- T3 – Species Diversity
- T4 – Species Suitability
- T5 – Publicly Owned Trees (managed “intensively”)
- T6 – Publicly Owned Natural Areas (managed “extensively”)
- T7 – Trees on Private Property

Tracking Progress

The UFS includes a framework for assessing progress using a set of criteria, indicators and targets (The Sustainable Urban Forest – A step-by-step approach see Appendix G).⁴⁷ This guide groups 28 indicators into three main categories, which were used previously to compare Hamilton’s current state of the forest to other cities of interest. These include:

1. Trees and Forest – Indicators related to the state of the urban forest resource.
2. Community Framework – Indicators to describe the engagement of stakeholders at all levels and the collaboration among them.
3. Resource Management – Indicators to track plans, practices, and policies to improve and sustain the forest resource.

The criteria are a good way to communicate progress to the public and Council and identify areas that need more support or improvement. A detailed assessment of Hamilton’s current level of achievement, based on information gathered in the background and policy review, i-Tree assessments, and feedback from City staff, is included in Appendix G.

A preliminary assessment of sustainable forest management criteria for Hamilton using data where available and a self-assessment by staff shows that the City is generally achieving a fair to good level of performance (Table 13). This is based on an assessment of the performance targets described in the monitoring approach.

Table 13. Baseline assessment of Hamilton’s performance on urban forest criteria.

CATEGORY AND RATINGS (LOW TO OPTIMAL)	NUMBER OF INDICATORS
Category: Trees and Forest	7
Fair	5
Fair to Good	1
Good	1
Category: Community Framework	7
Low	1
Low or Low-Fair	1
Fair	2
Fair to Good	1
Good	2
Category: Resource Management	14
Fair	5
Fair to Good	4
Good	5
TOTAL NUMBER OF INDICATORS	28

The scoring suggests that the basics of a good urban forest program are in place, but that there are still many areas of opportunity to improve on current practices.

⁴⁷ Leff, M. 2016. *The Sustainable Urban Forest: A step-by-step approach*. Davey Institute & United States Department of Agriculture, Forest Service.

The Urban Forest: A Shared Resource

Approximately 42% of Hamilton's urban forest is located on public land and managed by either the City of Hamilton or other public agencies. Because of its location in the Carolinian forest region and along the Niagara Escarpment, the City shares the responsibility for managing one of the most diverse and unique remnant forest ecosystems in Canada. Over the past decade, the City has invested in street tree maintenance and planting programs that have improved the condition and number of street trees in Hamilton. There are community groups that are interested and actively engaged in urban forest stewardship and the City has a good foundation of communications and programming to support a thriving urban forest program.

At the same time, the UFS study found that canopy cover in Hamilton has not increased over the past decade, and has declined in some Wards. The condition of natural areas is also declining as the forest suffers the growing impacts of climate change, an influx of invasive species and disturbance due to urban development.

Another important finding from the forestry study is that more than half (58%) of Hamilton's forest is located on private property. This means that the future of the urban forest depends not only on City management efforts but is also in the hands of Hamilton's residents and private landowners. Along with City government, private landowners can do many things to help protect and grow the urban forest.

Examples of ways to support a healthy urban forest include:

- Preserving existing trees whenever possible on private and City property;
- Protecting quality growing space (soil) for trees during property development;
- Planting new trees (in proper locations to maximize growth, shade and energy savings);
- Taking care of tree health by watering young trees, having qualified professionals selectively pruning established trees and protecting underground tree root systems from construction, digging, soil compaction and other activities activities; and,
- Volunteer at community tree planting events or participate in a neighbourhood tree inventory.

The vision of this first UFS for Hamilton is to achieve a diverse, resilient, and beautiful urban forest that is valued as a shared asset. A bold strategy backed by strong Council support will help ensure a thriving urban forest that contributes to the well-being of all residents of Hamilton now and into the future.

Appendix A: UFS Themes and Actions

Table 1. UFS Theme 1 (Inspire) with related actions.

THEME 1: INSPIRE	CONTEXT
<p>Guiding Principle: Engage and inspire the community with a bold vision for Hamilton's urban forest.</p>	
<p>Short-term (1-2 years)</p>	
<p>1. Develop and implement an inspiring urban forest communications strategy.</p>	<p>Creating a greater public appreciation for the value of Hamilton's urban forest through frequent, transparent and positive communications will help support the City's forestry goals. Applying marketing and branding principles with a consistent message to promote the value of the urban forest can be a powerful, effective tool to improve awareness of and support for trees in Hamilton. These should include all aspects of the City's urban forestry presence, including a web page, educational materials and videos, public events, social media and open data. The strategy will focus on improving collaboration and consultation with all marginalized groups, including local Indigenous people.</p>
<p>2. Create a permanent new staff position in the Public Works Department dedicated to implementing the UFS, with a focus on outreach, communications, education, and partnership development.</p>	<p>A major goal of the UFS is increasing general awareness of and appreciation for the urban forest. Inspiring the community to value trees is critical for building a strong forestry program in Hamilton. Outreach and education should target city departments, Council, private landowners, planners, Indigenous people, developers, utilities and any other groups with an interest in the urban forest. Activities will include outreach to landowners to identify opportunities for tree planting on private lands, coordinating volunteers to control and monitor invasive plants, conducting neighbourhood tree counts, and stewardship of urban woodlands. The staff person would also be responsible for seeking partnerships, providing access to data, and implementing the communications strategy This position is critical for supporting UFS implementation.</p>
<p>3. Work directly with Hamilton's development community to improve awareness, identify urban forest allies, and recognize best practices and innovation.</p>	<p>Integrating the urban forest in new community design or revitalization projects has social and economic benefits that are often poorly understood and communicated. Regular dialogue between planners, forest managers and the development community may uncover opportunities for innovative design and cost-neutral options for making trees a valued part of Hamilton's urban future. Recognizing best practices and innovation is an important part of this work.</p>

<p>4. Work with the Indigenous community and local First Nations to understand and respect the spiritual, emotional, mental and physical connection that Indigenous peoples have to land and that Indigenous peoples are the original caretakers of the land Hamilton sits upon.</p>	<p>In the future, implementation of the UFS offers opportunities to consult and partner with Indigenous people to further goals under the Land, Spirit, and People Themes in the Hamilton Urban Indigenous Strategy. For example, this would include exploring opportunities to create outdoor spaces to carry out traditional ceremonies and teachings, using Traditional Ecological Knowledge (TEK) to guide tree planting and habitat restoration projects, using markers and signs to identify Indigenous landmarks on trails, parks, and Conservation Areas, and by involving Indigenous persons in decision-making in municipal projects that affect them.</p>
<p>5. Partner with organizations that support the City's urban forestry goals.</p>	<p>Many types of external organizations can add value to municipal urban forestry programs and help diversify funding sources for urban forest management. The city will expand its existing partnerships with non-government organizations and environmental agencies, who are willing to do more. In addition, the City will look for opportunities to partner with organizations beyond what we have done in the past. These could include emergency response agencies, power companies, philanthropic organizations, medical and corporate foundations, and local universities and colleges. Identify areas where urban forestry intersects with organizational mandates and support partnership work with a dedicated staff position (see Action 2).</p>
<p>6. Carry out an annual evaluation of the effectiveness of stakeholder engagement strategies.</p>	<p>Including social indicators in UFS monitoring is important for understanding trends in citizen and private sector engagement. The City should monitor engagement through social indicators, such as the number of visits to the City's Urban Forest webpage or the number of residents participating in community tree planting days. This information should be included in the "State of the Forest" report.</p>

Table 2. UFS Theme 2 (Act) with related actions.

THEME 2: ACT	CONTEXT
<p>Guiding Principle: "Goals are good. Action is better." (Vibrant Cities Lab)</p>	
<p>Short-term (1-2 years)</p>	
<p>7. Establish an inter-departmental working group to support UFS implementation.</p>	<p>The UFS includes actions that require collaboration to support successful implementation. Because the mandate for forest management is currently divided among several city departments, a working group will also support plan implementation and ensure that roles and responsibilities are assigned appropriately. The working group should meet regularly for the first five-year term of the UFS and report back to Council and residents on progress through 'State of the Forest' report every three years.</p>
<p>8. Improve implementation of Tree Protection / Management Plans and Landscape Plans required through development application review.</p>	<p>The city should ensure that required landscape and tree protection plans submitted as part of development applications are fully implemented. This should include costing, collection and release of securities, ensuring that qualified staff are conducting site inspections and providing a complete set of plans to inspection staff.</p>
<p>9. Complete land cover and canopy cover mapping for the City of Hamilton urban area.</p>	<p>Land cover maps describe the location and distribution of water, soil, trees, buildings, grass, roads and paved areas in the urban landscape. Detailed tree canopy maps can be derived from land cover data. Satellite imagery and specialized software are used to develop these maps, which are an important part of the urban forestry toolbox. They can be used to:</p> <ul style="list-style-type: none"> • Map the distribution of canopy cover in Hamilton; • Identify and monitor Hamilton's progress in achieving a more even and equitable distribution of canopy cover, so all residents can enjoy the benefits of the urban forest; • Set canopy cover targets for defined management areas such as the municipality, wards, or neighbourhoods; • Help staff identify and prioritize possible planting areas; and, • Track land and tree cover change.
<p>10. Apply standardized tree planting details and specifications in all city tree planting projects.</p>	<p>Tree planting details and specifications should be based on a review of best practices from other jurisdictions and address soil volume and quality, stormwater management and other key factors affecting tree growth. These should be implemented by all city departments that are involved in planting trees.</p>
<p>11. Develop and apply minimum canopy cover targets to new development proposals.</p>	<p>One of the key issues limiting expansion of the urban tree canopy in Hamilton is a lack of tools to translate high level policy goals (e.g., Official Plan goal of 30% canopy cover) into site level development activities. Targets for canopy cover can be set by land use area, neighbourhood, ward, secondary plan area, sub-watershed or other geographic unit of interest. These targets can be integrated in urban design guidelines to provide guidance for staff. Up-to-date data for land and tree cover can guide targets by land use or other area of interest for individual development projects. This will help Hamilton reach its 30% canopy cover goal and facilitate more equitable distribution of canopy cover.</p>

Medium-term (3-5 years)

<p>12. Identify and complete priority amendments to improve the integration of trees through applicable policies, plans, and guidelines.</p>	<p>Legislation, policies, plans, standards and guidelines that regulate and promote development in Hamilton have a strong influence on the current and future health of the urban forest. Having a strong voice for the urban forest at the table when these are being developed will help ensure trees are considered early on in urban planning, design and development. The city should identify and complete a list of priority amendments to improve urban forest canopy retention and establishment in planning processes such as Official Plan, secondary plans, urban design guidelines, master plans for stormwater and transportation planning, streetscape and urban design guidelines, Draft Plan Guidelines, Draft Plan of Condominium and Subdivision Guidelines, Site Plan Guidelines, City- Wide Corridor Planning Principles and Design Guidelines, Tree Protection/Management Plans for new developments, zoning by-laws, and other relevant guiding documents. Existing City-wide policy documents and guidelines should be reviewed to identify where amendments can be made to improve urban forest canopy retention and establishment. New City-wide or area-specific documents such as Secondary Plans should reflect the targets and goals established within the UFS.</p>
<p>13. Determine the main drivers of canopy change in Hamilton.</p>	<p>A change detection completed for the UFS showed that canopy cover has remained the same or possibly declined between 2008 and 2018. However, it does not provide any information on the underlying cause of change. Understanding what is driving canopy change based on empirical data gives managers information to develop effective solutions. It also allows managers to allocate limited resources most efficiently.</p>
<p>14. Present regular 'State of the Forest' reports to City Council and the public.</p>	<p>One of the most critical success factors for urban forestry programs is a supportive Council that understand the value of forests for creating livable, resilient cities. Council support for regulatory and policy changes that promote the integration of trees in planning and urban development is key. A regular 'State of the Forest' Report to Council and residents can help highlight progress and challenges and provide context for funding requests. Every three years, a 'State of the Forest' report to Council and residents will highlight progress and challenges, and provide context for funding requests.</p>
<p>15. Review current urban forest management structures and identify resources required to achieve the City's urban forest vision.</p>	<p>The urban forest is defined as all trees and forests within the urban area and the connections between them. However, urban trees in Hamilton are currently managed separately from natural areas in the City, giving the Forestry Section a very limited mandate for managing only a small portion of the city's urban forest. Consolidating responsibility for urban forest management under one city department may present opportunities to achieve cost efficiencies and improved forest management. The City should carry out a review of the division of roles and responsibilities for managing the urban forest.</p>

Table 3. UFS Theme 3 (Protect) with related actions.

THEME 3: PROTECT	CONTEXT
<p>Guiding Principle: Trees are a valued city asset and an essential part of Hamilton's infrastructure.</p>	
<p>Short-term (1-2 years)</p>	
<p>16. Identify and implement options for increasing the preservation of healthy trees in Hamilton.</p>	<p>Improving the retention of mature trees in Hamilton is a priority to prevent further canopy loss. Protection can be achieved through either regulation and incentives, or a combination of both. During public engagement, residents and stakeholders overwhelmingly called for better private tree protection. Hamilton should investigate the feasibility of a private tree by-law in Hamilton. Other approaches include direct outreach to private landowners with significant trees, incentives for preserving existing trees on proposed development sites, outreach on best practices with other city departments and improved monitoring and enforcement of tree protection requirements. The City will explore assistance (financial and technical advice) to support landowners with planting and maintaining trees on private property.</p>
<p>17. Complete a climate change vulnerability assessment for Hamilton's natural systems, including the urban forest.</p>	<p>Climate change is already having impacts on the urban forest and these will increase in the future. Every city is different and is uniquely affected by climate change. 'Vulnerability assessments' look at the local context and work with community input to prioritize and find the best ways to mitigate the risks and reduce the residual effects of climate change on Hamilton's natural systems, including the urban forest.</p>
<p>Medium-term (3-5 years)</p>	
<p>18. Develop and implement an Invasive Species Management Strategy.</p>	<p>The 2018 forest inventory shows that about 25 % of Hamilton's urban forest leaf area is comprised of Category 1 and 2 invasive species, which represent aggressive plants that interfere with native ecosystems. In the last ten years, the invasive Emerald Ash Borer has also resulted in the widespread loss of ash species across Ontario. Another invasive pest (the Asian Longhorned Beetle) represents a future threat to a third of Hamilton's urban tree canopy. Without intervention, invasive insect pests, diseases and plants will continue to degrade the quality of the urban forest. Hamilton should cooperate with neighbouring municipalities, Conservation Authorities and other levels of government to develop and implement an invasive species management strategy. Implementation could include local stewardship of urban woodlands to monitor and control invasive species and partnerships with non-government organizations.</p>
<p>19. Develop service standards and emergency response plans for:</p> <ul style="list-style-type: none"> • Hazard trees and other forestry service requests. • Severe weather events. 	<p>Risk management is currently undertaken through a combination of proactive and reactive methods. Risk management on City trees through removal of deadwood and structural pruning is a part of the City's regular grid maintenance program. City staff currently performs tree risk assessments, and if deemed necessary, conduct aerial inspections or hire consultants to perform advanced tree risk assessments. Formalizing the current risk management and emergency response approach is recommended.</p>

Table 4. UFS Theme 4 (Grow) with related actions.

THEME 4: GROW	CONTEXT
<p>Guiding Principle: Regular investments in tree planting and maintenance programs will optimize long-term benefits and reduce risk to people, property and the health of the urban forest.</p>	
<p>Short-term (1-2 years)</p>	
<p>20. Increase the level of tree planting and/or natural forest regeneration in the City over the next five years.</p>	<p>The base tree planting budget has not increased in Hamilton over the last five years even though pressures on the forest have increased through Emerald Ash Borer, ice storm damage and ongoing storm events. Allocating more funds to tree planting is one approach to increasing canopy cover. City departments can also co-operate to identify other opportunities for increasing the number of trees established such as using smaller nursery stock for planting or identifying areas to promote natural forest regeneration or planting groups of trees. The Community Energy and Emissions Plan may include a tree planting initiative as part of the implementation framework for the low-carbon scenario. This work is ongoing.</p>
<p>21. Develop a best practices manual for tree protection, planting and preservation to share with all City departments and utilities whose activities affect trees.</p>	<p>All City departments should prioritize the retention of mature trees, protection of trees from damage and the planting of new trees in capital and operations and maintenance projects. Early consideration of trees in planning should identify ways to reduce conflict for space with underground and overhead utilities. The manual should include clear criteria for planting site suitability and tree species selection as well as standardized tree planting specifications for all City departments, other agencies or private sector organizations involved with planting trees. Staff workshops to roll out a best practices manual will help improve awareness and reduce conflicts between trees and infrastructure/utilities in Hamilton. The manual should be reviewed periodically to ensure it reflects changing environmental conditions such as climate-adapted native species.</p>
<p>22. Complete a tree planting priority analysis to guide a city-wide tree planting strategy.</p>	<p>Detailed land cover data can be used to complete an analysis of priority tree planting locations. This is an operational tool that will help staff identify potential priority areas for increasing canopy cover on both public and private lands. These could include areas with low canopy cover, prone to flooding, extreme summer temperatures, and poor air quality, or other criteria as determined by input from the community.</p>
<p>Medium-term (3-5 years)</p>	
<p>23. Fund regular, active management of natural areas in Hamilton to support native biodiversity and forest health.</p>	<p>Urban trees and natural areas are interconnected systems, though they are managed separately in the City of Hamilton. Invasive species and growing recreation pressure (e.g. litter, vegetation trampling, and informal trails) are affecting the health of natural areas. These pressures will increase as Hamilton grows and the effects of climate change intensify. Increasing active forest management in high priority areas will help protect native biodiversity and maintain the natural character of the City's trees and forests. There are many agencies and groups in Hamilton who can contribute expertise to identifying priority management areas. The city should investigate the costs of establishing a dedicated funding stream for natural areas management and include it as an annual budget request to Council.</p>

Table 5. UFS Theme 5 (Adapt) with related actions.

THEME 5: ADAPT	CONTEXT
<p>Guiding Principle: Urban forest management is evidence-based and responsive to change.</p>	
<p>Short-term (1-2 years)</p>	
<p>24. Implement a forest health monitoring program in Hamilton, including natural areas.</p>	<p>Forest health threats to Hamilton have already put intense pressure on the City's canopy cover. Emerald ash borer led to the removal of thousands of ash trees across the City. Insect and disease cycles are dynamic, and the City needs to have access to up-to-date information to be able to respond pro-actively to future forest health threats. Potential future threats include oak wilt and the Asian Longhorned Beetle which could affect over a third of Hamilton's total tree leaf area. The City should co-operate with other agencies to pro-actively monitor and report on forest health threats in Hamilton.</p>
<p>Medium-term (3-5 years)</p>	
<p>25. Implement a forestry asset management system.</p>	<p>Tree inventory data and location information should be managed using specialized software programs designed for urban forest management and other green assets. There are customized software programs for public works agencies that facilitate updating and link inventories to work order systems. These programs are also capable of producing reports like:</p> <ul style="list-style-type: none"> • Work histories and costs for each tree; • Citizen service and information requests; • Work orders; • Available planting sites; • Tree valuation; and, • Maps. <p>As a management tool, customized software programs promote efficient allocation of work crews and equipment; speed up responses to service requests; identify safety risks; help with cost analysis; provide data for accurate reporting to Council and other departments; can provide information needed for grant applications and improve budget forecasting based on historical data.</p>
<p>Long-term (5-10 years)</p>	
<p>26. Update urban forest inventories and studies every 10 years or in response to significant environmental change.</p>	<p>Urban forest inventories are the cornerstone of good asset management. Having up-to-date information about urban forest structure, composition and condition is critical to effective strategic and operational planning as well as risk management in Hamilton. Inventories should be undertaken in tandem with the implementation of GIS-based asset management software that links the inventory to work order systems, to ensure that asset information remains reliable and up to date.</p>

Appendix B: i-Tree Eco Study Report

2018 i-Tree Eco Field Survey

METHODOLOGY

i-Tree Eco (formerly known as UFORE) combines field data with local hourly pollution and meteorological data to quantify the structural attributes, environmental effects, and economic value provided by the urban forest.

PLOT SELECTION

In 2018, Hamilton established a total of 220 plots (0.04 hectare plots), in accordance with i-Tree Eco recommendations. Plots were randomly located throughout the City of Hamilton's urban area.

LANDOWNER CONTACT

In order to secure permission from landowners whose properties were included in the i-Tree Eco plots, the City of Hamilton drafted a letter to property owners explaining the project purpose and requesting permission for field crews to access their property. Hamilton mailed the letters, along with pre-paid return postage, to landowners in the spring of 2018. Contractor staff conducted in-person follow-up visits to some properties whose owners did not return a reply to the initial letters. Additional permissions were obtained in this manner, and field crews continued to conduct landowner outreach during the data collection period, as necessary. Where permission was denied, field crews did not enter the property and ceased contact with the landowner.

A total of 212 plots received full landowner permission and were completed by field crews.

I-TREE ECO FIELD METHODOLOGY

Field crews assessed a total of 212 plots during the 2018 field season. Plots are circular and measure 0.04 hectares. Field duties were carried out by BioForest staff, under contract to the City of Hamilton. There was one regular field crew, comprised of one crew lead and one crew member, supervised by a project manager and project coordinator. Occasionally, an additional crew member joined to support data collection at particularly challenging plots. Field crews were trained by senior BioForest staff, and training took place from May 28 to 31 at various plot locations. Field crews collected data independently from June 1 to September 14, 2018. Field crews recorded data on paper data forms or electronically using digital tablets. Crews measured a total of 1,456 trees.

Field crews collected the following data at each plot:

Plot Information

- Plot ID number
- Date of data collection
- Crew
- GPS coordinates of plot centre
- Plot address/notes
- Reference object descriptions, and distance and compass directions to plot centre
- Tree measuring point, if used, where plot centre was inaccessible
- Percent tree cover (visual estimate)

- Percent shrub cover (visual estimate)
- Percent plantable space (visual estimate)
- Land use, as observed in the field
- Percent of plot within each land use (visual estimate, based on field map)
- Percent ground cover (visual estimate of each cover type)
- Shrub Data

Species ID

- Shrub mass height
- Shrub mass percent of total shrub area (visual estimate)
- Shrub mass percent missing (visual estimate of the percentage of shrub's volume not occupied by leaves)

Tree Data

- Tree ID number
 - Standing at plot centre facing north, trees are numbered working clockwise (starting at 1)
- Tree status
 - Planted, ingrowth, or unknown
- Compass direction and distance from plot centre (or tree measuring plot, if using)
- Land use in which tree is rooted
- Species ID
- Diameter at breast height (1.37 m) for up to six stems, if tree is multi-stemmed
- Tree height
- Live crown height
- Height to crown base
- Crown width (two measurements, in east-west and north-south directions)
- Percent canopy missing (visual estimate)
- Percent dieback (visual estimate)
- Percent impervious surface area under the canopy of the tree (visual estimate)
- Percent shrub area under the canopy of the tree (visual estimate)
- Crown light exposure (number of sides of the tree's crown that are exposed to direct sunlight)
- Distance and direction to residential buildings, for trees at least 6 m in height, and within 18 m of a residential building
- Tree site (street tree or not)
- Presence of Pests
 - Insect selections were limited to Asian longhorned beetle (*Anoplophora glabripennis*), beech bark scale (*Cryptococcus fagisuga*), emerald ash borer (*Agrilus planipennis*), European elm scale (*Gossyparia spuria*), fall/spring cankerworm (*Alsophila pomataria* and *Paleacrita vernata*), gypsy moth (*Lymantria dispar* ssp. *dispar*), and hemlock woolly adelgid (*Adelges tsuga*)
 - Disease selections were limited to beech bark disease (*Neonectria faginata*), Dutch elm disease (*Ophiostoma ulmi*), and oak wilt (*Bretziella fagacearum*)
 - When a pest was observed on a host tree, all related signs or symptoms were recorded

Materials

- Clipboard
- Pencils
- Paper data sheets
- Rangefinder
- Clinometer
- 30 m measuring tape
- DBH tape
- Compass
- GPS unit
- Samsung Galaxy Note or Galaxy Tab A tablet, programmed with Workforce and Esri Collector apps
- Flagging tape
- Chalk

Quality Control Audits

The i-Tree Eco protocol outlines methods for ensuring quality and accuracy of the data collected by field crews during the survey. Hot checks are procedures in which an auditor works along with the field crew as they collect data at an i-Tree plot to ensure that the crews have a good understanding of the protocol. Errors are corrected in person, and these checks are typically included in the initial field crew training sessions. Cold checks are procedures in which an auditor makes follow-up visits to plots where the field crew has already collected data. The auditor verifies the crew's data to ensure that it is accurate and complete. Plots selected for cold checks are chosen at random, and ideally include a variety of settings. The i-Tree protocol advises a distribution of about 30% hot checks and 70% cold checks, encompassing about 5% of plots.

Senior BioForest staff completed hot checks in the first week of training and cold checks in the two weeks following training when field crews were working independently. A total of 10 plots were audited, which represents 5% of all plots, in accordance with i-Tree Eco protocols.

Cold check procedures varied slightly based on the number of trees present in a plot. For plots with 5 trees or less, each tree was audited. The species ID, DBH, height, crown width, and building interaction (if applicable) were confirmed by the auditor. The land use, as reported by field crews, plot tree cover, and number of trees in the plot were verified. For plots with more than 5 trees, the auditor randomly selected 5 trees and confirmed species ID, DBH, height, crown width, and building interaction (if applicable). The auditor also confirmed the land use, plot tree cover, and total tree count, and verified species ID for all trees in the plot. During the audits, auditors encountered minor errors, such as incorrect species identification, small discrepancies in DBH or crown measurements, or occasionally a measurement that was not recorded properly. In one case, the crew was asked to revisit a plot in order to correct deficiencies in the data. These errors were observed only in plots that were surveyed during the first days of data collection. Plots that were surveyed later were free of errors, as the crews had by then attained greater proficiency with the i-Tree protocol.

When field staff entered data from paper data sheets into the digital tablet, supplemental quality control (not prescribed by i-Tree) was undertaken by BioForest staff to reduce the chances of errors due to manual data entry. 10% of all plots where data was recorded on paper and subsequently entered into the tablet, were audited. All measurements were checked by the auditor and no major errors were reported. There were a few minor instances of discrepancies in distances, directions, and percentages, however the errors were not significant.

Data Submission and Analysis

Throughout the data collection period, field crews used their tablets to submit their data to the i-Tree server, allowing the project coordinator to download and view the data using i-Tree Eco v. 6 on a desktop computer. Data was either inputted directly through the i-Tree web form in the field, or was entered at a later date, when field crews used paper data sheets to record field data. Following the completion of data collection, the project coordinator reviewed the collected data for errors.

Once the final edited version of the 2018 database was prepared, it was submitted for analysis using i-Tree Eco v. 6. The results of the analysis were returned by the i-Tree server on the same day. Results were downloaded from i-Tree Eco and organized into Microsoft Excel databases for further analysis and reporting purposes.

Results are presented as an extrapolation of the field data gathered from the 212 i-Tree Eco plots used for this study. These plots constitute a statistically representative sample of Hamilton’s urban forest. A study using 200 urban plots in a stratified random sample is expected to yield a standard error of about 10%¹. Therefore, the 212 plots used in Hamilton’s i-Tree survey produce results that fall within the bounds of acceptable standard error. Only a complete inventory would eliminate the possibility of error, but the time requirements, ability to access private properties, and financial cost would make such an undertaking unfeasible.

2018 i-Tree Eco Study Results

Urban Forest Composition and Structure

TREE SPECIES AND DIVERSITY

Hamilton’s urban forest has an estimated 5,212,000 trees, at a density of about 205 trees per hectare. The three most common species are eastern white cedar (*Thuja occidentalis* [10.9%]),² white ash (*Fraxinus americana* [9.7%]), and European buckthorn (*Rhamnus cathartica* [9.4%]) (Figure 1). The highest tree densities occur in the Open Space land use category followed by Vacant Land and Low Density Residential (Figure 2).

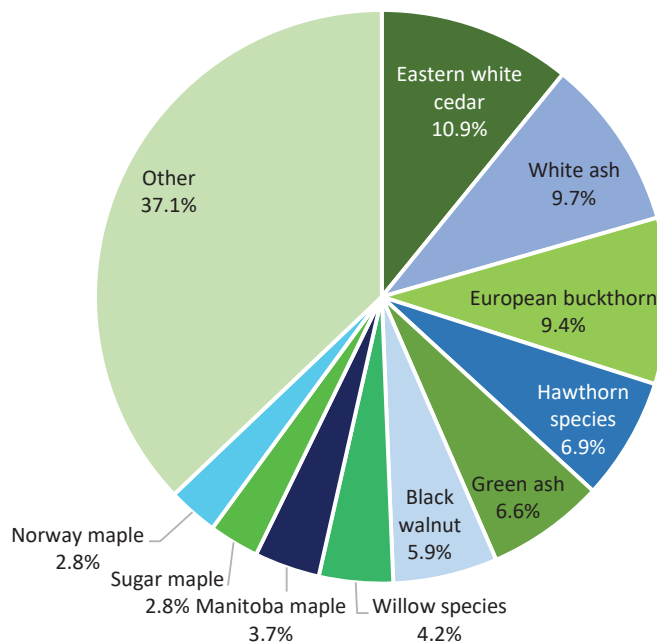


Figure 1. Tree species composition by population in Hamilton, 2018.

¹ i-Tree Eco v6.0 User’s Manual.

² It should be noted that the large population of eastern white cedar is not entirely due to natural cedar forests, but to the use of this species as hedges, primarily on residential properties.

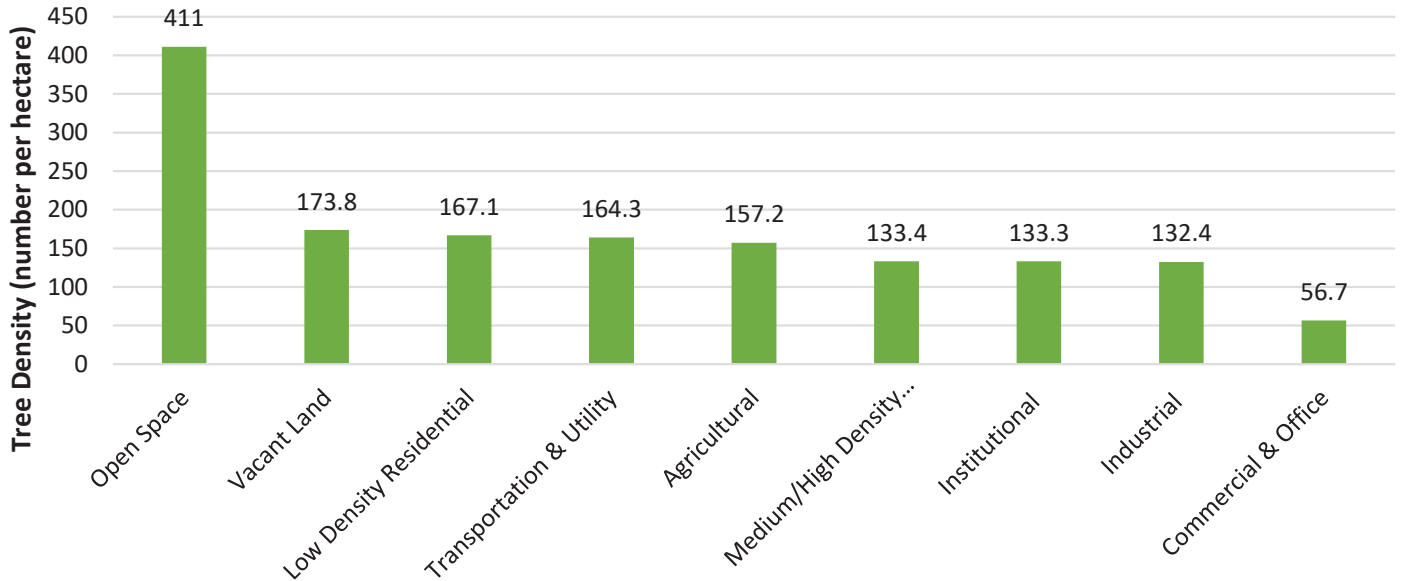


Figure 2. Number of trees per hectare in Hamilton by land use, 2018.

While tree populations provide insight into the relative abundance of tree species in the city’s tree population, measuring the species’ abundance by leaf area gives greater insight into which species are making greater contributions to the ecosystem services the urban forest provides. Leaf area is the primary part of a tree’s physiology that filters pollution, casts shade, releases oxygen, and provides other valuable benefits. Tree species with a greater potential size at maturity are likely to provide the greatest benefits in the long term, provided conditions exist to support growth to their full biological potential.

Trees cover approximately 293.6 square kilometers of leaf area. Total leaf area is greatest in Open Space followed by Low Density Residential and Vacant Land (Figure 3).

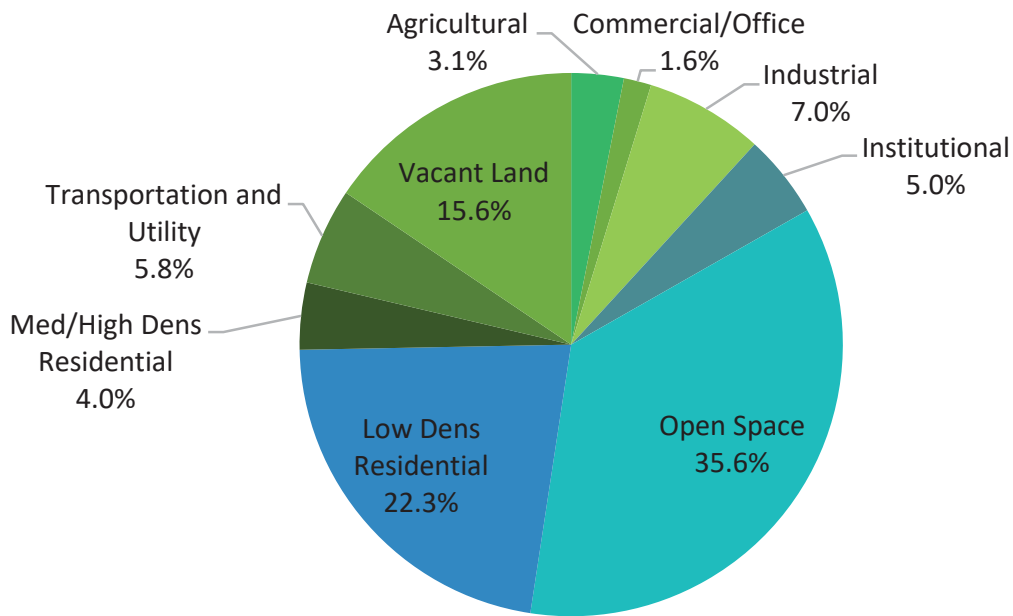


Figure 3. Leaf area by land use in Hamilton, 2018.

When ranked by leaf area, black walnut (*Juglans nigra*) is the most abundant tree in Hamilton's urban area, followed by Norway maple (*Acer platanoides*) and Manitoba maple (*Acer negundo*) (Figure 4).

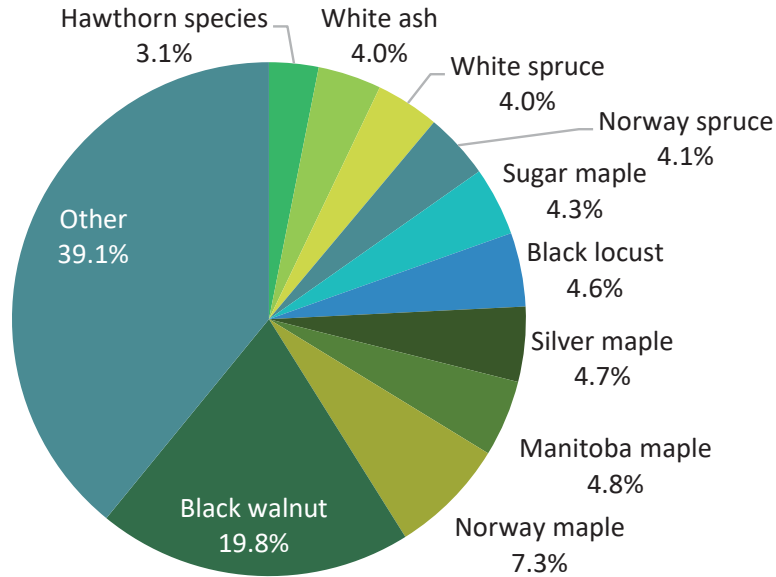


Figure 4. Leaf area by species in Hamilton, 2018.

Genetic diversity among trees in the urban forest ensures a resilient and sustainable urban forest. According to the USDA's Sustainable Urban Forest Guide,³ a fair measure of diversity is represented by the total tree population being comprised of not more than 10% of one species, 20% of one genus, and 30% of one family. A good diversity rating lowers those thresholds to 5%/10%/15%, city-wide.

The Oleaceae family is the only family that exceeds the good threshold of 15% (Figure 5). Three genus, Fraxinus, Thuja, and Acer, exceed the good threshold of 10%, though Fraxinus represents the most of all at 16.8% (Figure 6). The top 5 species in Hamilton all exceed the good threshold of 5%, and eastern white cedar (*Thuja occidentalis*) slightly exceeds the fair threshold of 10%, and white ash (*Fraxinus americana*) is just below the threshold (Figure 7).

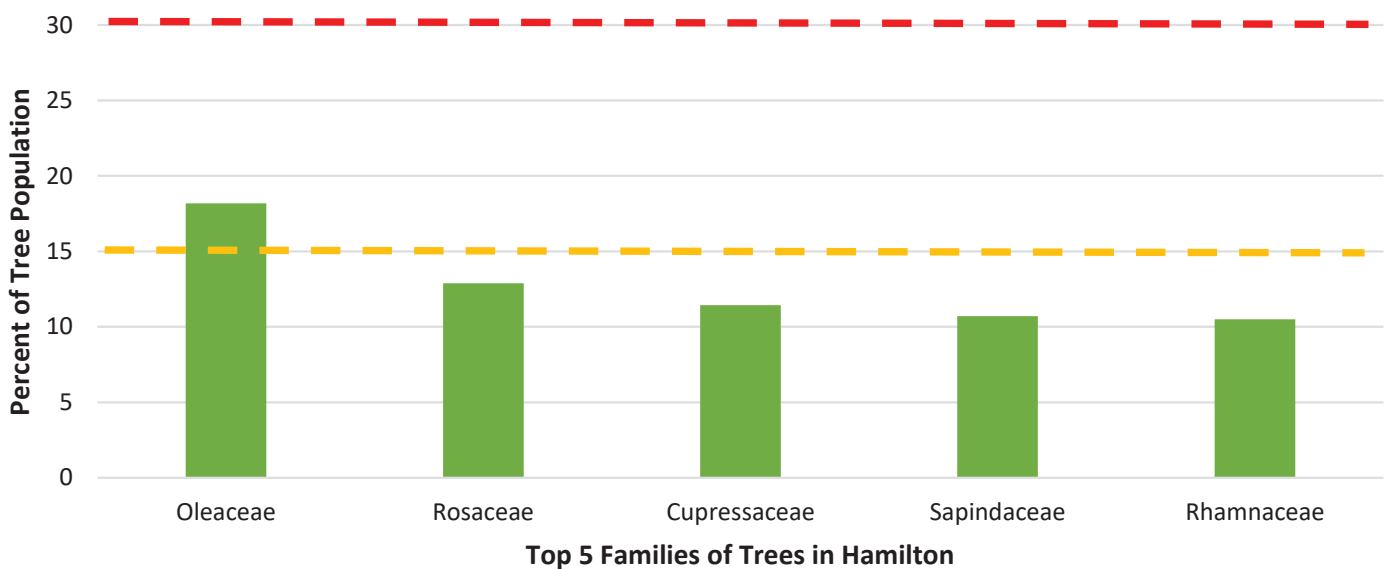


Figure 5. Top five families of trees in Hamilton, 2018, compared to USDA's "Fair" threshold of 30% (red line) and "Good" threshold of 15% (yellow line).

³ Leff, M. 2016. *The Sustainable Urban Forest: A step-by-step approach*. Davey Institute & United States Department of Agriculture, Forest Service.

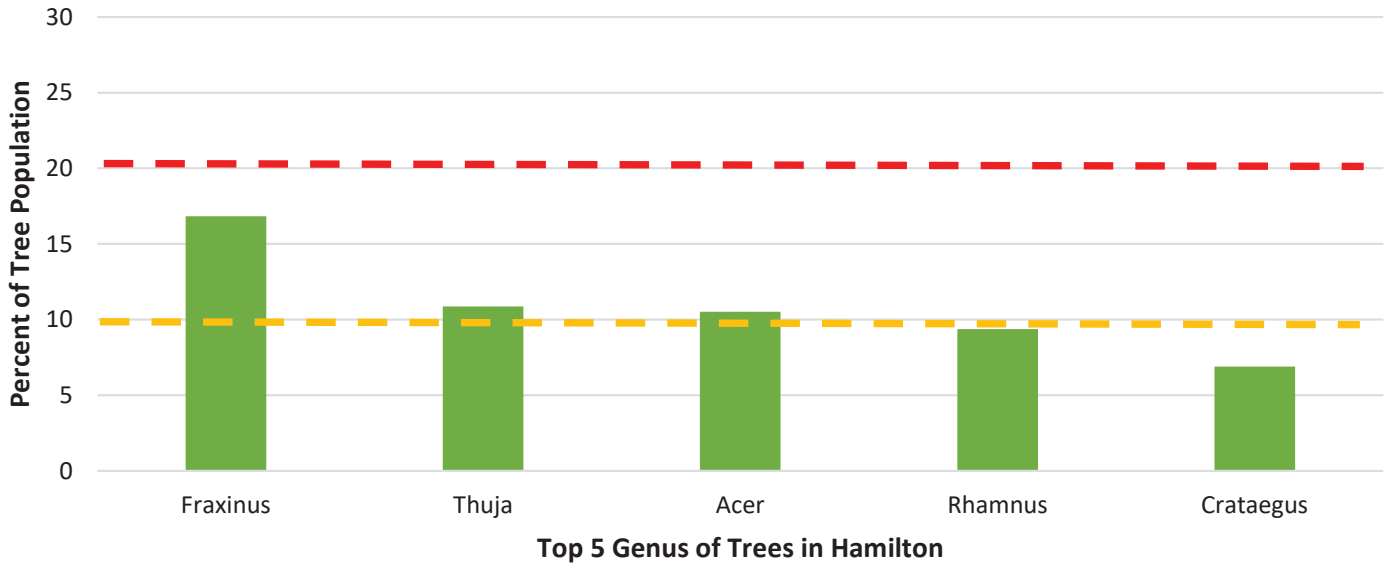


Figure 6. Top five genus of trees in Hamilton, 2018, compared to USDA's "Fair" threshold of 20% (red line) and "Good" threshold of 10% (yellow line).

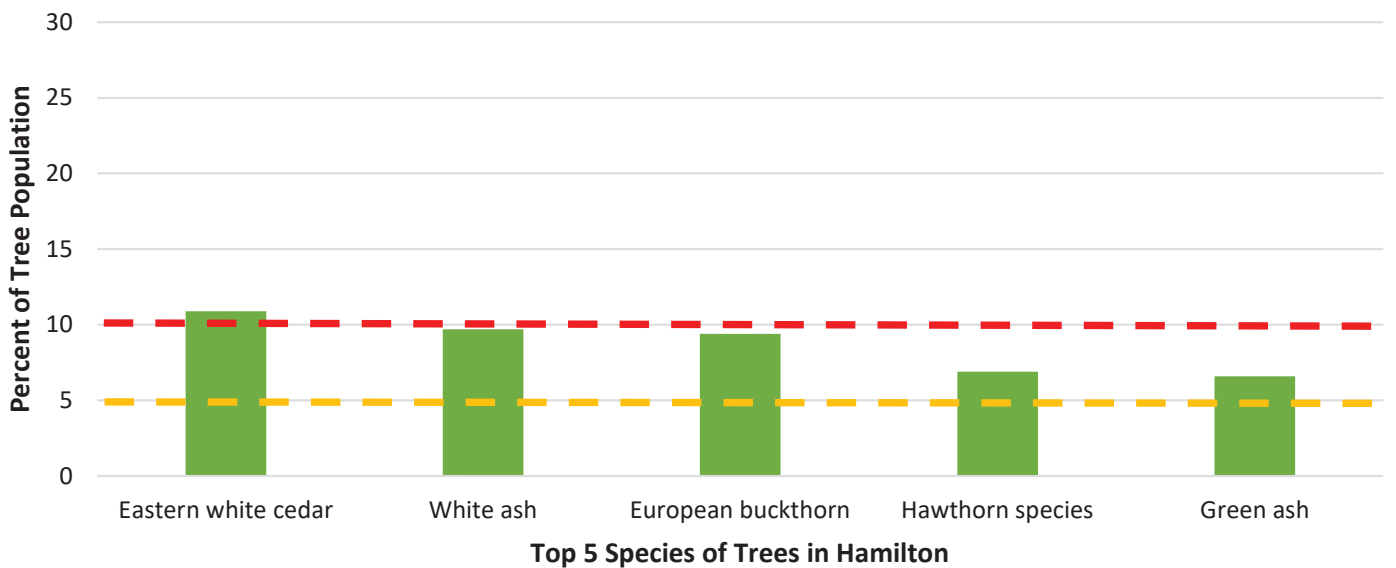


Figure 7. Top five species of trees in Hamilton, 2018, compared to USDA's "Fair" threshold of 10% (red line) and "Good" threshold of 5% (yellow line).

The 10 species with the greatest importance values are listed in Table 1. Importance values (IV) are calculated as the sum of percent population and percent leaf area. High importance values do not mean that these trees should necessarily be encouraged in the future; rather these species currently dominate the urban forest structure.

Table 1. Most important species in Hamilton, 2018.

SPECIES	COMMON NAME	PERCENT POPULATION	PERCENT LEAF AREA	IMPORTANCE VALUE
<i>Juglans nigra</i>	black walnut	5.9	19.8	25.7
<i>Fraxinus americana</i>	white ash	9.7	4.0	13.7
<i>Thuja occidentalis</i>	eastern white cedar	10.9	2.2	13.0
<i>Rhamnus cathartica</i>	European buckthorn	9.4	1.5	10.8
<i>Acer platanoides</i>	Norway maple	2.8	7.3	10.2
<i>Crataegus spp.</i>	hawthorn spp.	6.9	3.1	10.0
<i>Acer negundo</i>	Manitoba maple	3.7	4.8	8.5
<i>Fraxinus pennsylvanica</i>	green ash	6.6	0.9	7.5
<i>Robinia pseudoacacia</i>	black locust	2.7	4.6	7.4
<i>Acer saccharum</i>	sugar maple	2.8	4.3	7.2

Common ground cover classes (including cover types beneath trees and shrubs) in Hamilton include duff/mulch, buildings, unmaintained grass, bare soil, rock, water, and other impervious covers such as tar, and cement, and herbaceous covers such as grass and herbs. The most dominant ground cover types are Grass (26.2%) and Herbs (15.6%) (Figure 8).

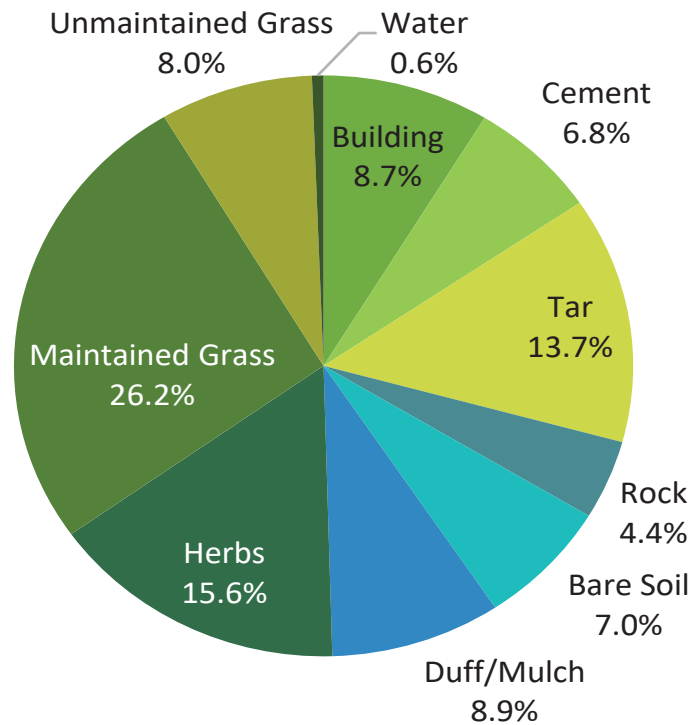


Figure 8. Percent of land by ground cover class in Hamilton, 2018.

TREE OWNERSHIP

Approximately 42% of Hamilton’s trees are located on public land, while 58% are located on private land.

TREE SIZE DISTRIBUTION

The majority of trees in Hamilton, approximately 76%, measure 15.2 cm DBH and under. Slightly more than half (51.1%) of Hamilton’s trees currently belong to the smallest diameter class (7.6 cm and under), while 5.2% of trees measure more than 38 cm DBH, and only 0.7% of trees measure more than 61 cm DBH (Figure 9).

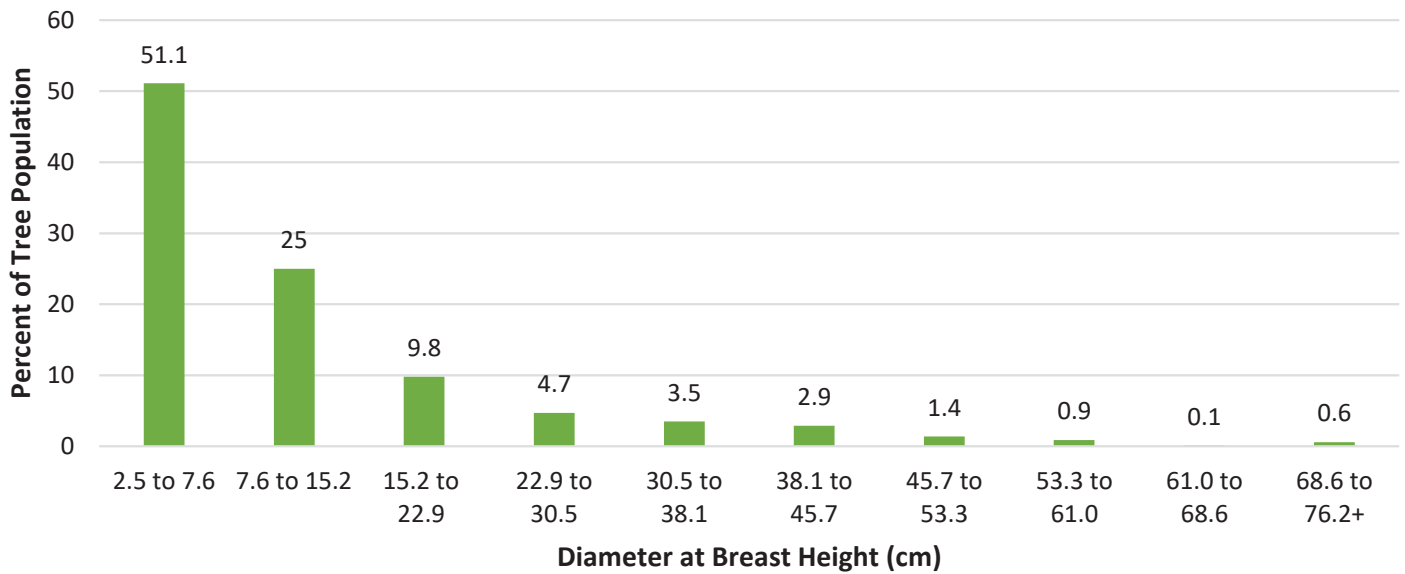


Figure 9. Distribution of Hamilton’s tree population by diameter class (cm), 2018.

Due to the natural distribution of immature trees in natural forests, land uses characterized by natural areas are expected to have a distribution of DBH classes that skews more strongly towards the smaller classes. However, the land uses with the highest proportion of trees in the smallest diameter classes (i.e. under 15.3 cm DBH) were Transportation & Utilities (84.2% of trees were under 15.3 cm DBH) and Agricultural (83.7% of trees were under 15.3 cm DBH). The Commercial & Office land use had the smallest proportion of small diameter trees, with only 64.4% of trees measuring less than 15.3 cm DBH.

The Institutional land use had the largest proportion of trees in the largest diameter classes (30.6 cm DBH and up), with 17.4%. The Commercial & Office land use had the second largest proportion of trees in the largest diameter classes, with 15.4% (Figure 10).

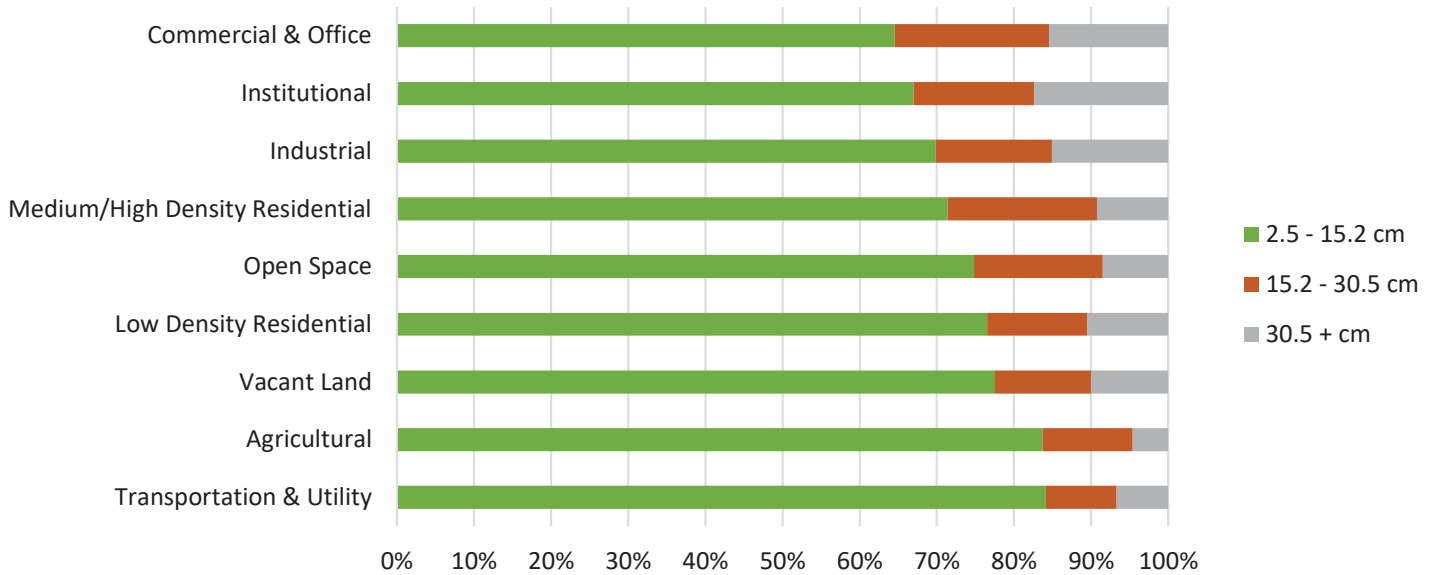


Figure 10. Tree size class distribution in Hamilton by land use, 2018.

The USDA Sustainable Urban Forest Guide outlines the ideal age distribution of trees to be: 40% juvenile (0-8 cm), 30% small (8-16 cm), 20% medium (16-24 cm), and 10% large (>24cm). Compared this “ideal” distribution, Hamilton’s juvenile trees and large-size trees are overrepresented in the population (Figure 11).

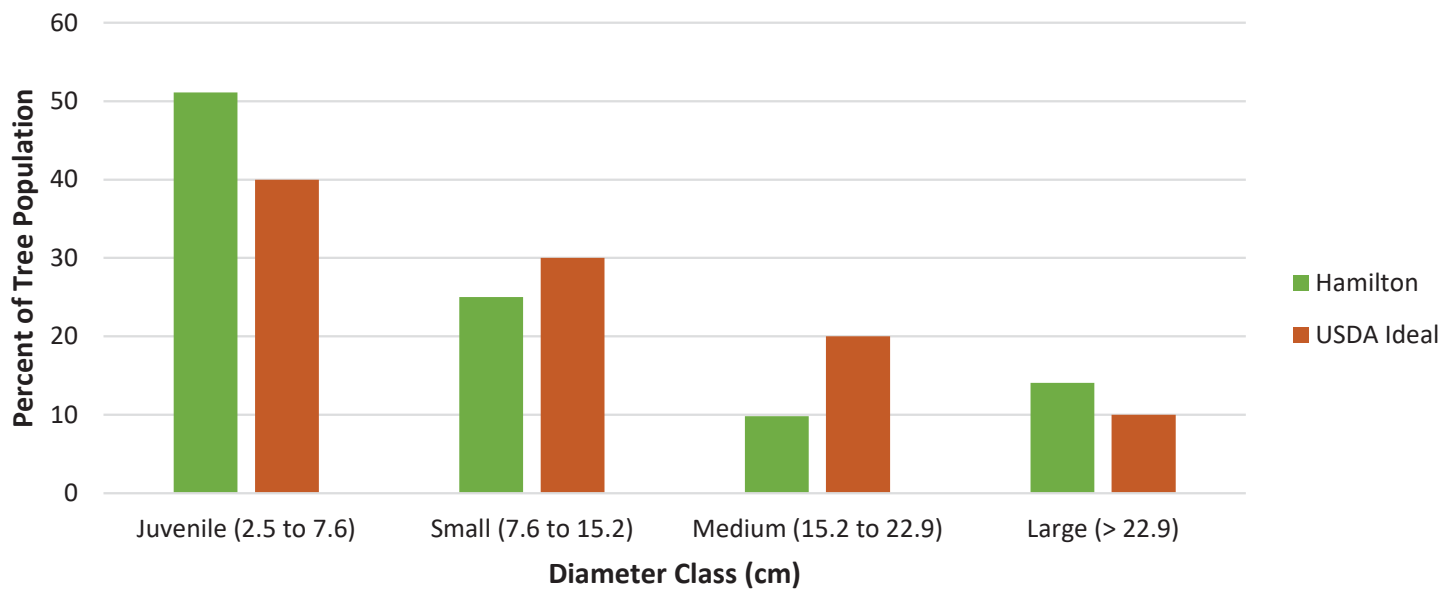


Figure 11. Tree size class distribution in Hamilton, 2018, compared to USDA ideal distribution from USDA’s “The Sustainable Urban Forest: A step-by-step approach”.

TREE CONDITION

All trees measured during the 2018 i-Tree Eco field survey were assessed for the level of dieback, expressed as a percentage of dead branches present in the live crown. In 2018, approximately 80.1% of trees were estimated to be in excellent or good condition (Figure 12).

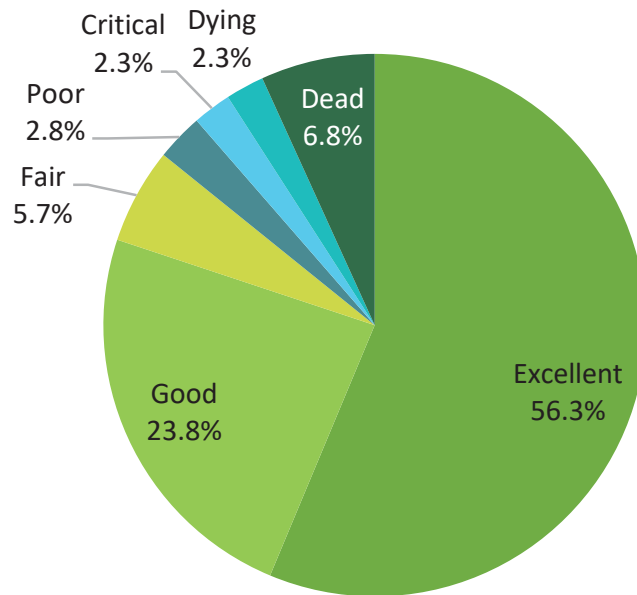


Figure 12. Distribution of Hamilton's tree population by condition rating, 2018.

The Medium/High Density Residential land use was characterized by the best tree condition ratings, with 92.4% of trees being in excellent or good condition (Figure 13). Trees in the Industrial and Low Density Residential land use categories were characterized by above average tree condition, with 89.3% and 86.6% of trees rated as being in excellent or good condition, respectively. The high proportion of trees in good condition or better in these categories is likely due to the active management and pruning of trees on residential properties in the municipal right-of-way. The Vacant Land category was characterized by the relatively worst overall tree condition, with 15.6% of trees being rated in critical condition or worse.

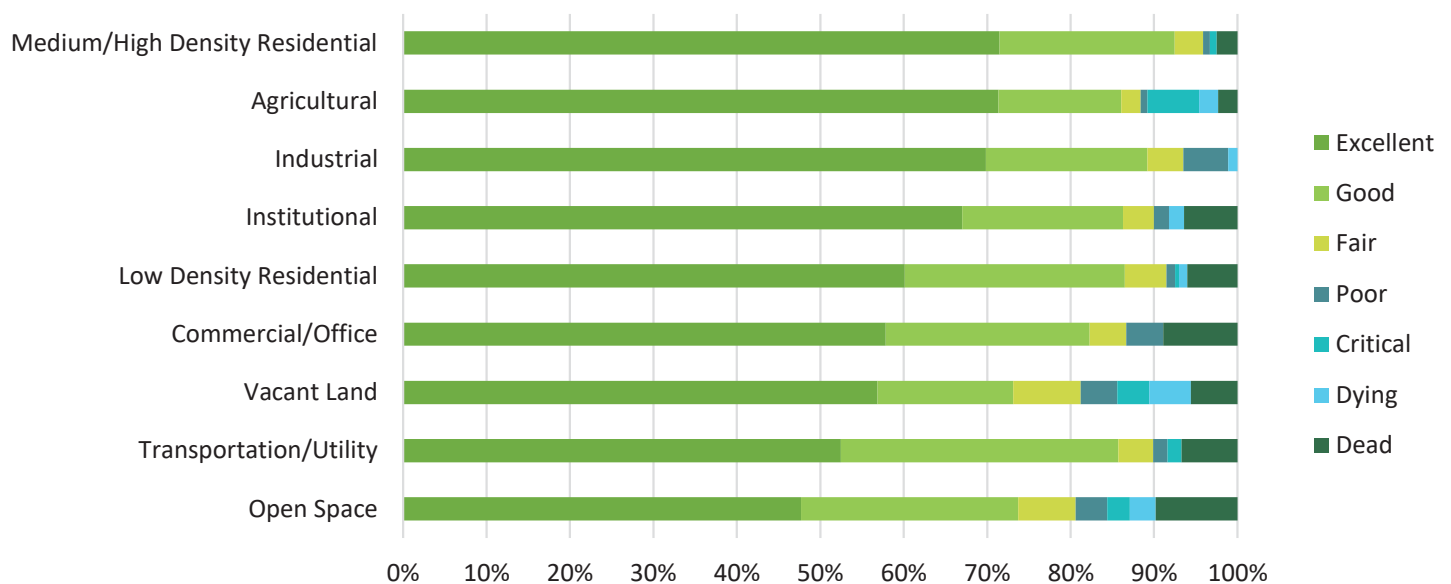


Figure 13. Condition rating of Hamilton's tree population by land use, 2018.

The i-Tree Eco software calculates average condition ratings for each tree species based on the average amount of dieback observed throughout the species' population. Average condition is expressed as a percentage, with 100% indicating excellent condition and 0% indicating completely dead trees. Of the top ten most abundant trees by population, white ash (*Fraxinus americana*) had the worst overall condition rating with an average condition rating of 56.3%; approximately 43.8% of white ash were rated in critical condition or worse. Of the top ten most abundant trees by population, eastern white cedar (*Thuja occidentalis*) and black walnut (*Juglans nigra*) had the best overall average condition ratings at 96.1% and 95.6%, respectively (Figure 14).

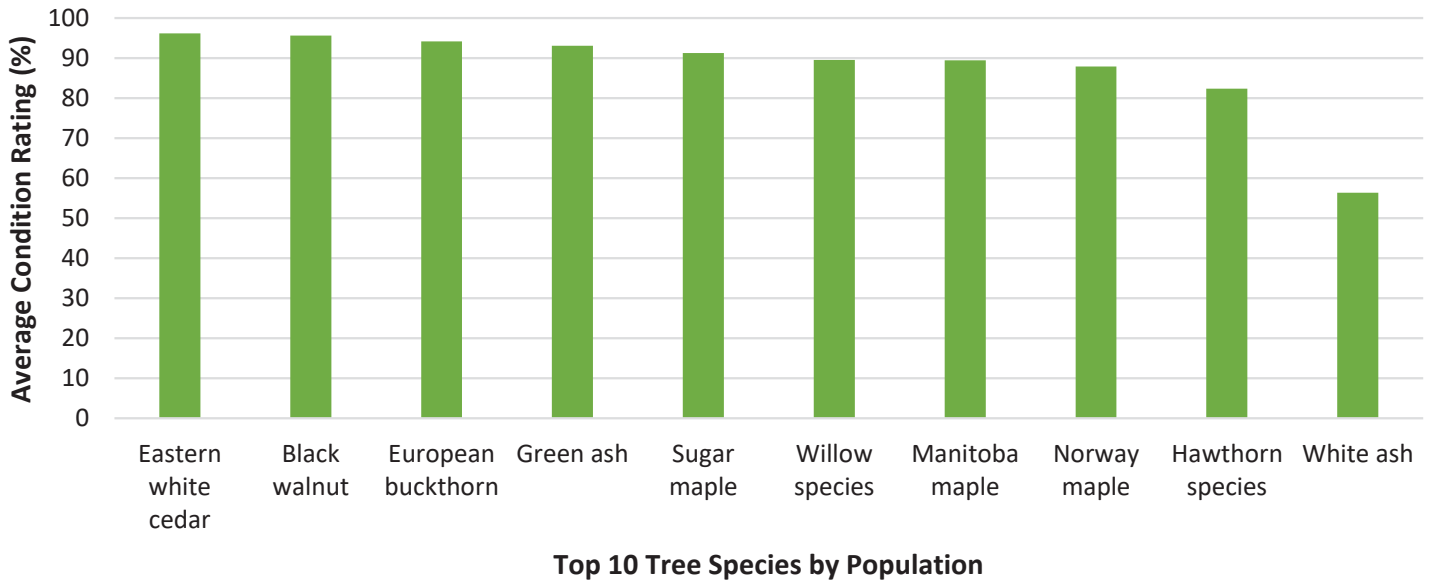


Figure 14. Average condition ratings of top 10 most abundant tree species by population, 2018.

When considering the top ten species by leaf area, silver maple (*Acer saccharinum*) and black walnut (*Juglans nigra*) were ranked highest with average condition ratings of 96% and 95.6%, respectively. White ash (*Fraxinus americana*) was again rated lowest in condition among the top ten species by leaf area (Figure 15).

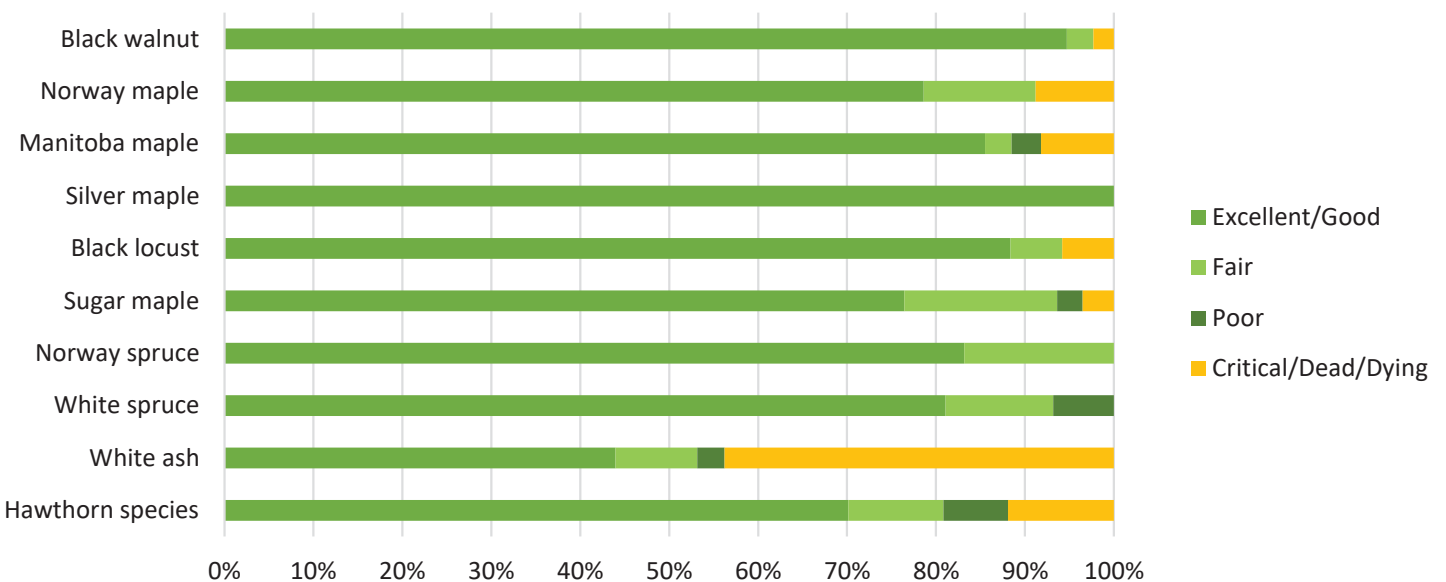


Figure 15. Condition ratings for top 10 tree species by leaf area, 2018.

PEST SUSCEPTIBILITY

As a major urban centre in southern Ontario, Hamilton is host to many native and non-native forest pests that can inflict damaging effects on the city's urban forest. Some of the most serious insect pests that threaten Hamilton's urban forest include the invasive Asian longhorned beetle (*Anoplophora glabripennis*), emerald ash borer (*Agrilus planipennis*) and European gypsy moth (*Lymantria dispar* ssp. *dispar*). Other insect species that pose a threat to Hamilton's urban forest health include fall and spring cankerworm (*Alsophila pometaria* and *Palecrista vernata*), hemlock woolly adelgid (*Adelges tsugae*), and beech bark scale (*Cryptococcus fagisuga*). Diseases of concern in Hamilton's urban forest include Dutch elm disease (*Opiostoma* spp.), beech bark disease (*Neonectria faginata* and *N. ditissima*), and oak wilt (*Bretziella fagacearum*).

ASIAN LONGHORNED BEETLE

While not present within Hamilton's city boundary, Asian longhorned beetle (ALHB) was detected along the Toronto-Vaughan border in 2003. The pest was subsequently eradicated through a quarantine program led by the Canadian Food Inspection Agency (CFIA) that resulted in the removal of approximately 13,000 host trees.⁴ A new detection in Mississauga in 2013 resulted in the implementation of another quarantine program that is currently ongoing. ALHB poses a particularly serious threat to Hamilton's urban tree canopy because it has a wide range of preferred host species, which include maples (*Acer* spp.), birch (*Betula* spp.), willow (*Salix* spp.), poplar (*Populus* spp.), horsechestnut (*Aesculus* spp.), elm (*Ulmus* spp.), and katsura (*Cercidiphyllum* spp.). A total of approximately 1.2 million trees in Hamilton are currently threatened by this pest, with an associated structural value of about \$673 million. These trees also represent approximately 32% (9,320 hectares) of the total leaf area of Hamilton's urban forest.

During the 2018 i-Tree surveys, no signs or symptoms of ALHB were detected by field crews.

GYPSY MOTH

European gypsy moth (gypsy moth) has been present on the landscape in southern Ontario for decades. The larval stage of this insect causes defoliating damage to many species of broadleaf trees, but oaks (*Quercus* spp.) are the preferred hosts of gypsy moth. Defoliation can reduce tree vigour and place stress on trees that can exacerbate other tree health issues. Multiple years of repeated severe defoliation can lead to tree mortality. Gypsy moth populations follow cyclical patterns of expansion and decline, so there are periodic threats to urban forest canopies during years when gypsy moth populations are at high levels. A variety of options are available to homeowners and municipalities to manage gypsy moth, including manual egg mass removal, tree injection of systemic insecticides, and aerial insecticide spraying. Approximately 1.1 million of Hamilton's trees are susceptible to damage by gypsy moth, with an associated compensatory value of \$376 million. These susceptible trees account for about 15% (4,260 hectares) of Hamilton's total leaf area.

During the i-Tree field surveys, evidence of gypsy moth damage was detected in all land use categories except for Transportation & Utility. Approximately 5.6% of all trees were observed to exhibit damage from gypsy moth.

EMERALD ASH BORER

Since emerald ash borer was first detected in Hamilton in 2009, there has been large-scale mortality of all species of ash (*Fraxinus* spp.), the beetle's host genus. While many trees have been saved through canopy conservation programs using systemic insecticide treatments, the vast majority of untreated trees, including those in natural areas, have succumbed to the effects of the invasive beetle. Approximately 17%

⁴ Natural Resources Canada (NRCAN). 2018. Asian longhorned beetle. <https://www.nrcan.gc.ca/forests/fire-insects-disturbances/top-insects/13369>.

(877,500 trees) of Hamilton’s trees are currently susceptible to EAB, with a compensatory value of about \$79 million. This equates to about 6% (1,664 hectares) of Hamilton’s total leaf area. It should be noted that the compensatory value is somewhat low relative to the portion of the tree population that is at risk of infestation. This is likely due to the lingering effects of ash mortality on the landscape, which has seen the decline and mortality of large, mature ash, which have relatively high compensatory value. As a result of this widespread decline, ash populations are now characterized by relatively smaller, lower value trees.

DUTCH ELM DISEASE

Dutch elm disease (DED, caused by the fungus *Ophiostoma ulmi*) has been present on the landscape in Ontario for decades and has resulted in severe declines in the native population of elms (*Ulmus* spp.). As a result, elms occupy a much less significant place in Hamilton’s urban forest than they once did. There are currently about 70,000 elm trees in Hamilton’s urban forest that are susceptible to DED. These trees have a compensatory value of about \$27.6 million and represent approximately 1.3% (418 hectares) of the tree canopy.

During the 2018 i-Tree surveys, evidence of DED was observed on 20% of all elms surveyed.

OAK WILT

Oak wilt, a devastating disease of oaks caused by the fungus *Bretziella fagacearum*, has not yet been detected in Canada. However, the disease is present in 23 states in the US, including several that border Ontario. An infestation on Belle Isle in Detroit, MI, is less than a kilometer from Windsor, ON, making an introduction of this disease into Canada a likely possibility in the near future. All oaks are susceptible to infection by oak wilt, but oaks in the red oak group, including red oak (*Quercus rubra*), pin oak (*Quercus palustris*), and black oak (*Quercus velutina*), are particularly susceptible to rapid mortality.

There are approximately 52,000 trees in Hamilton’s urban forest that are susceptible to infection by oak wilt, representing 2% (655 hectares) of the total leaf area. The compensatory value of these trees is estimated to be around \$115 million which is quite high relative to the population at risk. This is likely due to the large stature of many mature oaks in the city’s urban forest and the high value that those trees represent.

No suspected detections of oak wilt were reported during the 2018 i-Tree field surveys.

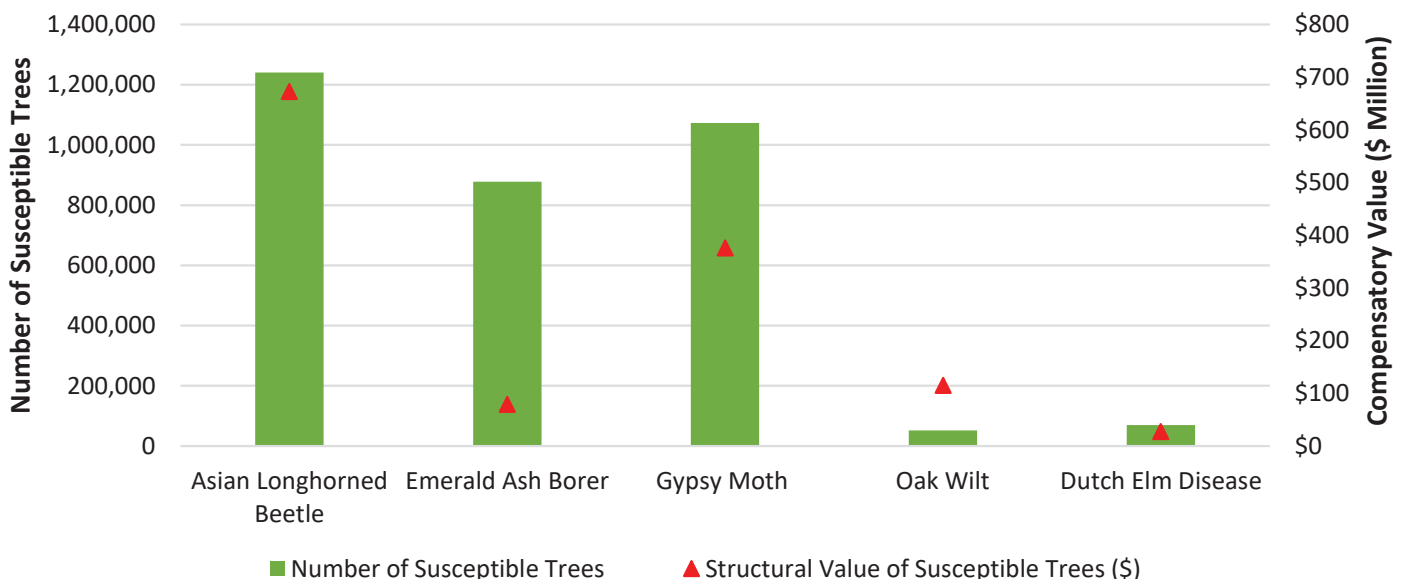


Figure 16. Susceptibility of Hamilton’s trees to major invasive pests, 2018.

Shrub Species Composition

Shrubs are an important component of Hamilton’s urban forest, and they make a valuable contribution to the total ecosystem services the urban forest provides. Overall, Hamilton’s shrubs constitute about 9,267 hectares of leaf area, which is equivalent to about 31.5% of the leaf area represented by trees. Following i-Tree Eco protocols, shrubs include all woody vegetation less than 2.5 cm DBH, including immature individuals of tree species.

Table 2. Top 10 species of shrubs by leaf area in Hamilton, 2018.

SPECIES	PERCENT OF TOTAL SHRUB LEAF AREA
Gray dogwood	17.4
Honeysuckle species	13.4
European buckthorn	7.3
Yew species	5.8
Eastern white cedar	4.5
Rose of Sharon	3.7
Rose species	3.4
Hawthorn species	2.6
White ash	2.6
Juniper species	2.4

When measured by leaf area, the most dominant shrub species in Hamilton’s urban forest is gray dogwood (*Cornus racemosa*) which comprises 17.4% of the total shrub leaf area (Table 2). This species is a popular native shrub used in landscaping and in residential gardens, and is also common in natural areas, which certainly contributes to its dominance. The second most abundant shrub is honeysuckle (*Lonicera* spp.) comprising approximately 13.4% of the total leaf area, and third is the invasive common buckthorn (*Rhamnus cathartica*), comprising 7.3%.

The dominance of the invasive European buckthorn is a concern, especially for management of natural areas because this species can inhibit regeneration of native species and affect forest succession. Indeed, common buckthorn was over-represented in the Open Space land use, comprising 12.7% of the shrub layer in this land use. The Agricultural land use category also contained a relatively significant amount of buckthorn, with about 8.1% of the shrub layer comprised of common buckthorn.

Figure 17 illustrates the proportion of invasive shrubs present in each land use. Values are expressed as the percentage of invasive leaf area out of the total shrub leaf area in each land use. Across all land uses, approximately 14.3% of the total shrub leaf area was comprised of invasive species. The list of invasive shrub species was drawn from the Canadian Botanical Conservation Network and Conservation Halton.^{5,6} The Institutional land use category contained the highest proportion of invasive shrubs, with about 31.3% of the shrub leaf area consisting of invasive species, which was primarily due to an abundance of winged euonymus (*Euonymus alata*). About 19.8% of the shrub leaf area in Open Space was comprised of invasive species. Given that this land use consists of natural areas and woodland parks, this is a concerning statistic. Twelve out of the 15 invasive shrub species identified were present in Open Space.

⁵ http://www.rbg.ca/archive/abcn/en/projects/invasives/i_list.html
⁶ <https://www.conservationhalton.ca/invasive-species-and-biodiversity>

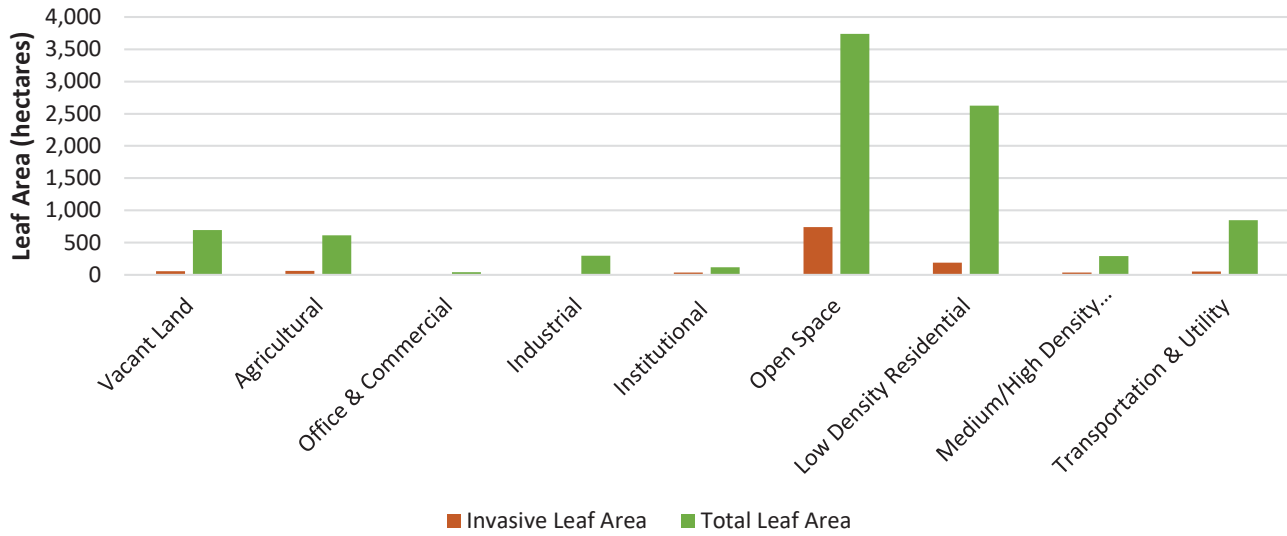


Figure 17. Leaf area of invasive shrubs by land use, compared to total leaf area in hectares, 2018.

Species Diversity

A total of 97 species were recorded during the 2018 i-Tree Eco field surveys. The Open Space land use had the highest number of species, with 46 species recorded. Low Density Residential was a close second with 45 species recorded. Open Space also had the highest amount of species per unit area, with 38.3 species per hectare. The lowest number of species was found in the Industrial land use, with only 14 species recorded (Table 3).

Table 3. Simpson Diversity Index ratings by land use, 2018.

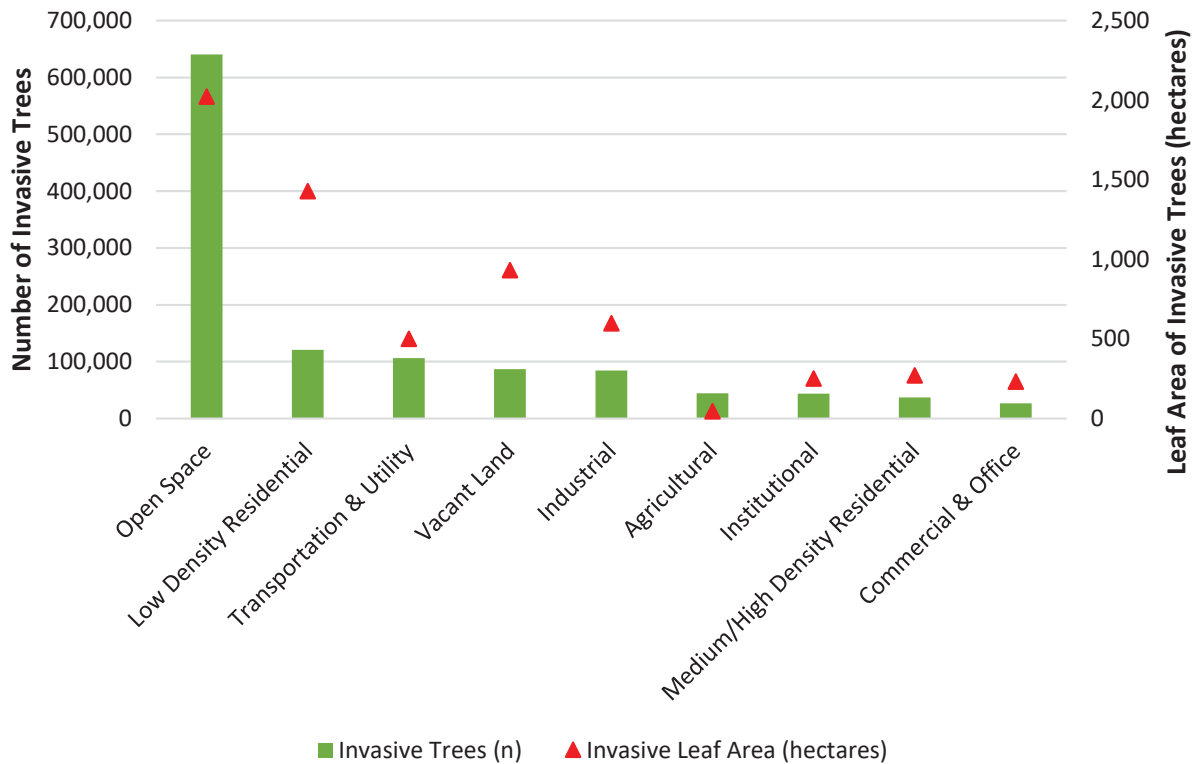
LAND USE	SIMPSON INDEX
Agricultural	4.0
Commercial & Office	11.1
Industrial	4.3
Institutional	13.2
Open Space	10.4
Low Density Residential	5.7
Medium/High Density Residential	6.7
Transportation & Utility	7.9
Vacant Land	9.2

Species Origins

Figure 18 illustrates the level of invasive species in different land uses, based on the number of trees and leaf area. Overall, about 67.3% of Hamilton’s urban forest canopy is made up of species native to southern Ontario. About 29.2% of the total leaf area in Hamilton’s urban forest is comprised of invasive species, primarily common buckthorn (*Rhamnus cathartica*), Manitoba maple (*Acer negundo*), and Norway maple (*Acer platanoides*).

The land use with the highest proportion of invasive species is Commercial & Office, with approximately 44.4% of all trees being invasive. This amounts to almost half (48.3%) of the leaf area in this land use.

Figure 18. Amount of urban forest canopy cover comprised of invasive species by land use (tree population and leaf area), 2018.



Ecosystem Services

In 2018, Hamilton’s urban forest was estimated to provide ecosystem services with an annual value of about \$8.2 million. This figure includes home energy savings, carbon sequestration, pollution removal and avoided runoff (Table 4). Because these services are typically associated with leaf area and tree health, an analysis of ecosystem services provides additional insight into the functioning of the urban forest and its state of health over time. Furthermore, large stature trees with relatively large leaf area will make disproportionately large per-tree contributions to the ecosystem services provided by the urban forest when compared to smaller stature trees.

Table 4. Annual ecosystem services performed by Hamilton’s urban forest, 2018.

BENEFIT	TOTAL UNITS	TOTAL (CAD\$)	CAD\$/TREE	CAD\$/CAPITA
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⁷ Only Invasive Levels 1 and 2, according to Conservation Halton, were included in this analysis. Invasive Level 1 refers to species that exclude all other species and dominate sites indefinitely. Invasive Level 2 refers to species that are highly invasive, dominate niches or does not spread rapidly. List available at: <https://www.conservationhalton.ca/invasive-species-and-biodiversity>.

Energy savings	282,319 MBTUs			
2,378 MWHs	3,628,019	0.70	6.98	
Gross carbon sequestration	13,412 tonnes	1,540,641	0.30	2.96
Pollution removal	256 tonnes/year	1,128,664	0.22	2.17
Avoided runoff	815,639 m ³ /year	1,896,128	0.36	3.65
Total Annual Benefits		8,193,452	1.57	15.76

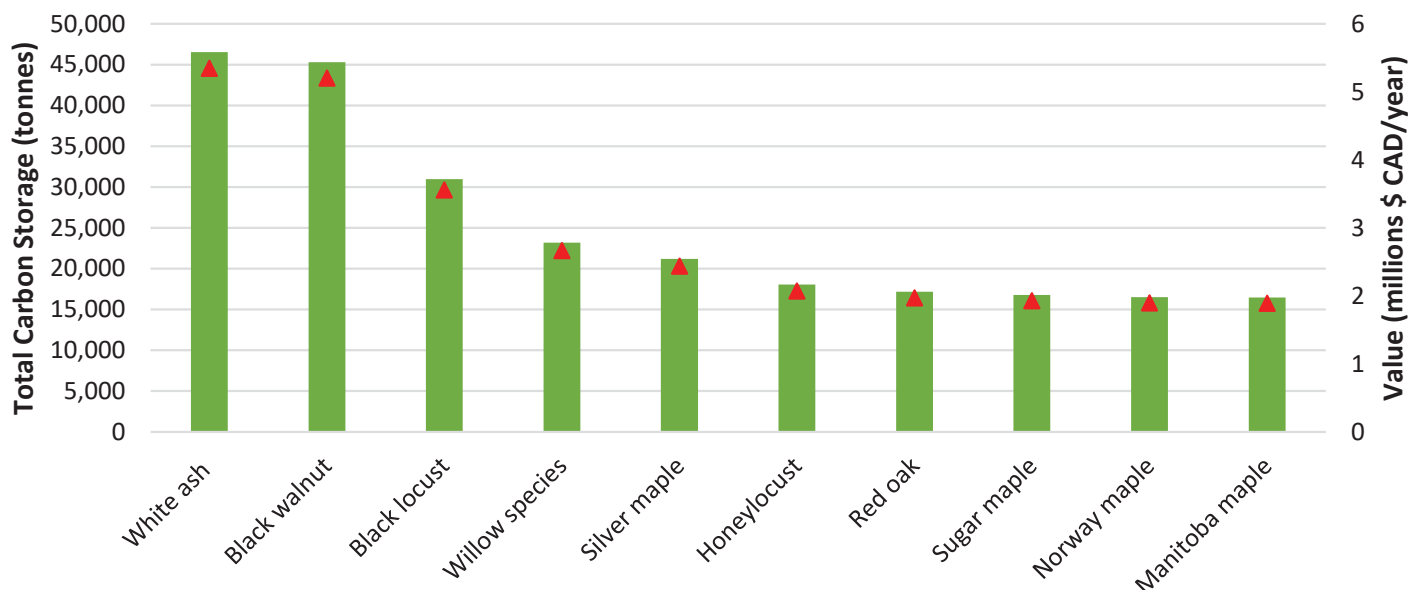
CARBON STORAGE

As trees grow, they accumulate wood in their stems and branches, which results in the long-term storage of carbon through the tree’s life. As such, tree species that attain a large stature at maturity are capable of storing more carbon per tree than tree species that attain only small or medium stature at maturity. When trees lose biomass through injury or decay, or the tree dies, the stored carbon is released into the atmosphere over time, if the tree is able to decay naturally. Reusing or recycling the wood as wood products can maintain the storage of the carbon the tree accumulated during its lifetime.

In 2018, Hamilton’s trees stored about 395,000 metric tons of carbon, which has a total value of \$45.4 million or \$7.9 million based on the social cost of carbon (\$114.87/tonne) and the market price of carbon (\$20/tonne), respectively. Of the species sampled, white ash (*Fraxinus americana*) stores the most carbon (approximately 11.8% of the total carbon stored). The amount of carbon stored by Hamilton’s trees is equivalent to 58 days of carbon emissions in Hamilton, the annual carbon emissions from 308,000 automobiles, or 126,000 single family houses (See Appendix A3 for more relative tree benefits).

Figure 19. Total carbon stored by top 10 tree species by tonnes of carbon storage, 2018.

CARBON SEQUESTRATION



During the growing season, when trees are at their most active, they sequester atmospheric carbon through the process of photosynthesis. Carbon is captured through the leaves and deposited into the

tree's leaves and wood, and in soils, where it is stored over the longer term. Carbon sequestration is measured in annual amounts, with net carbon sequestration calculated based on the gross amount of carbon sequestered and the amount of carbon loss through the decay of biomass.

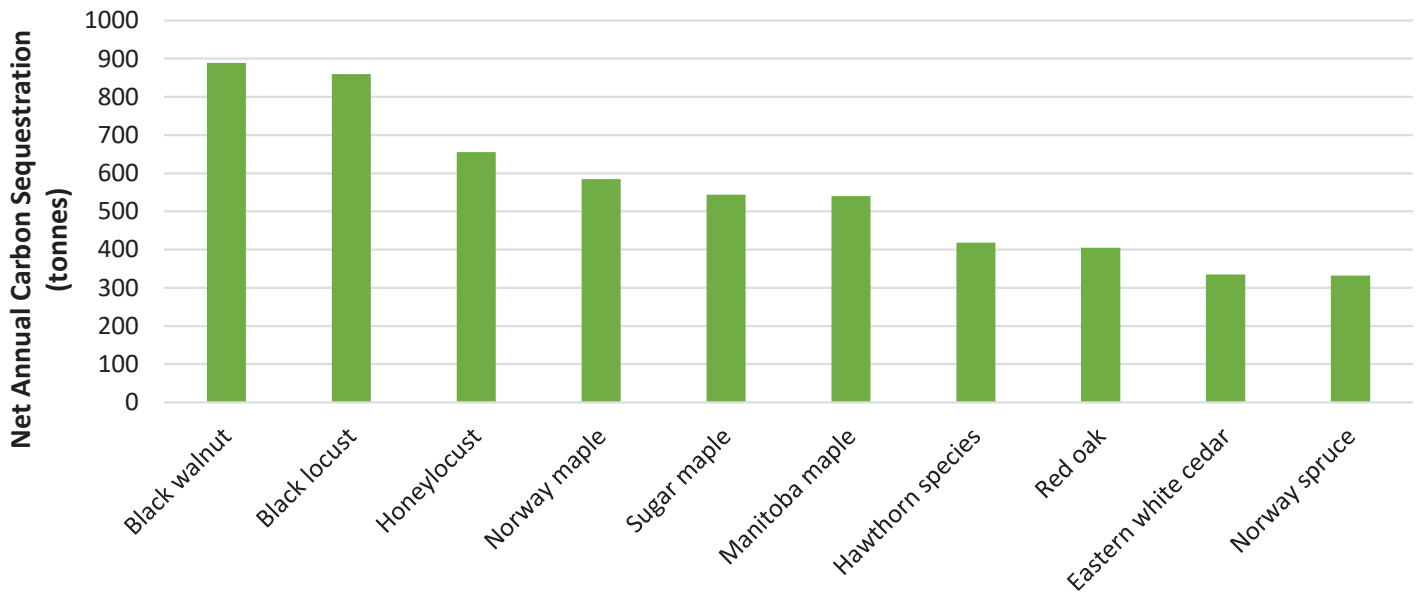
In 2018, Hamilton's trees are estimated to sequester a total of 13,412 gross tonnes of carbon annually. After accounting for loss of carbon through mortality and decay, Hamilton's trees sequester about 5,048 net tonnes of carbon annually. This is equivalent to the annual carbon emissions from 10,500 automobiles or 4,300 single-family houses.

Black walnut (*Juglans nigra*) sequesters the most net annual carbon, approximately 890 tonnes per year. This is equivalent to the absorption of about 3,262 tonnes of carbon dioxide. Black locust (*Robinia pseudoacacia*) sequesters 860 tonnes per year, the second greatest amount, which is equivalent to 3,154 tonnes of carbon dioxide emissions.

The greatest annual loss of carbon is attributed to white ash (*Fraxinus americana*), which has a net annual carbon sequestration rate of -4,550 tonnes per year. This is equivalent to the annual emission of 16,687 tonnes of carbon dioxide.

Figure 20. Net annual carbon sequestration of top 10 species by tonnes of carbon sequestered, 2018.

The trees in the Low Density Residential land use category are responsible for about 48.3% of the net annual carbon sequestration performed by Hamilton's urban forest. This is disproportionately higher



than the population of trees in that land use, which only represent about 21.2% of the city's trees.

POLLUTION REMOVAL

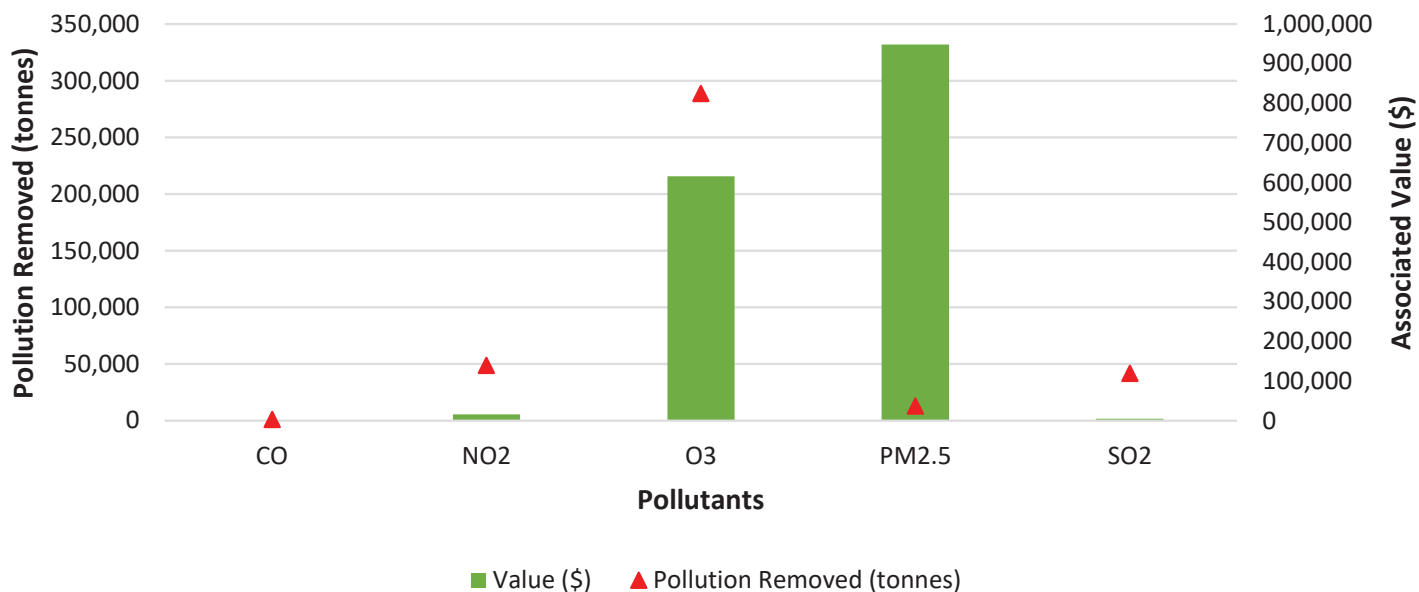
As with atmospheric carbon, trees remove pollution from the air by direct absorption through the leaf stomata as well as by capturing particulate matter on and in plant tissue. In doing so, trees can mitigate

air pollution to some extent. The removal of air pollution and particulate matter can have beneficial effects on human health, including reducing instances of respiratory conditions.⁸ Because this benefit is linked to leaf area and function and because sources of pollution may be scattered across a city, the distribution of the effect may be uneven across the landscape. Areas with less trees and trees of smaller stature may experience relatively less pollution mitigation benefits than areas with larger trees and more urban forest cover.

Pollution removal⁹ by trees and shrubs in Hamilton was estimated using field data and the most recent and complete pollution and weather data available (from 2010). Pollution removal was greatest for ozone. It is estimated that trees and shrubs remove 392.8 metric tons of air pollution (ozone [O3], carbon monoxide [CO], nitrogen dioxide [NO2], particulate matter less than 2.5 microns [PM2.5]¹⁰, and sulfur dioxide [SO2]) per year with an associated value of \$1.59 million.

Figure 21. Annual pollution removal (points) and value (bars) by urban trees in Hamilton, 2018.

In 2018, trees in Hamilton emitted an estimated 123.9 metric tons of volatile organic compounds (VOCs) (50.39 metric tons of isoprene and 73.49 metric tons of monoterpenes). Emissions vary among species



based on species characteristics (e.g. some genera such as oaks are high isoprene emitters) and amount of leaf biomass. Thirty-seven percent of the urban forest's VOC emissions were from Norway spruce (*Picea abies*) and black walnut (*Juglans nigra*). These VOCs are precursor chemicals to ozone formation.¹¹

AVOIDED RUNOFF

Surface runoff can be a cause for concern in many urban areas as it can contribute pollution to streams, wetlands, rivers, lakes, and oceans. During precipitation events, some portion of the precipitation is

⁸ Nowak, D.J., Hirabayashi, S., Bodine, A., Greenfield, E. 2014. Tree and forest effects on air quality and human health in the United States. *Environmental Pollution*. 193:119-129.

⁹ Particulate matter less than 10 microns is a significant air pollutant. Given that i-Tree Eco analyzes particulate matter less than 2.5 microns (PM2.5) which is a subset of PM10, PM10 has not been included in this analysis. PM2.5 is generally more relevant in discussions concerning air pollution effects on human health.

¹⁰ Trees remove PM2.5 when particulate matter is deposited on leaf surfaces. This deposited PM2.5 can be resuspended to the atmosphere or removed during rain events and dissolved or transferred to the soil. This combination of events can lead to positive or negative pollution removal and value depending on various atmospheric factors (see Appendix 1 for more details).

¹¹ Some economic studies have estimated VOC emission costs. These costs are not included here as there is a tendency to add positive dollar estimates of ozone removal effects with negative dollar values of VOC emission effects to determine whether tree effects are positive or negative in relation to ozone. This combining of dollar values to determine tree effects should not be done, rather estimates of VOC effects on ozone formation (e.g., via photochemical models) should be conducted and directly contrasted with ozone removal by trees (i.e., ozone effects should be directly compared, not dollar estimates). In addition, air temperature reductions by trees have been shown to significantly reduce ozone concentrations (Cardelino and Chameides 1990; Nowak et al 2000), but are not considered in this analysis. Photochemical modeling that integrates tree effects on air temperature, pollution removal, VOC emissions, and emissions from power plants can be used to determine the overall effect of trees on ozone concentrations.

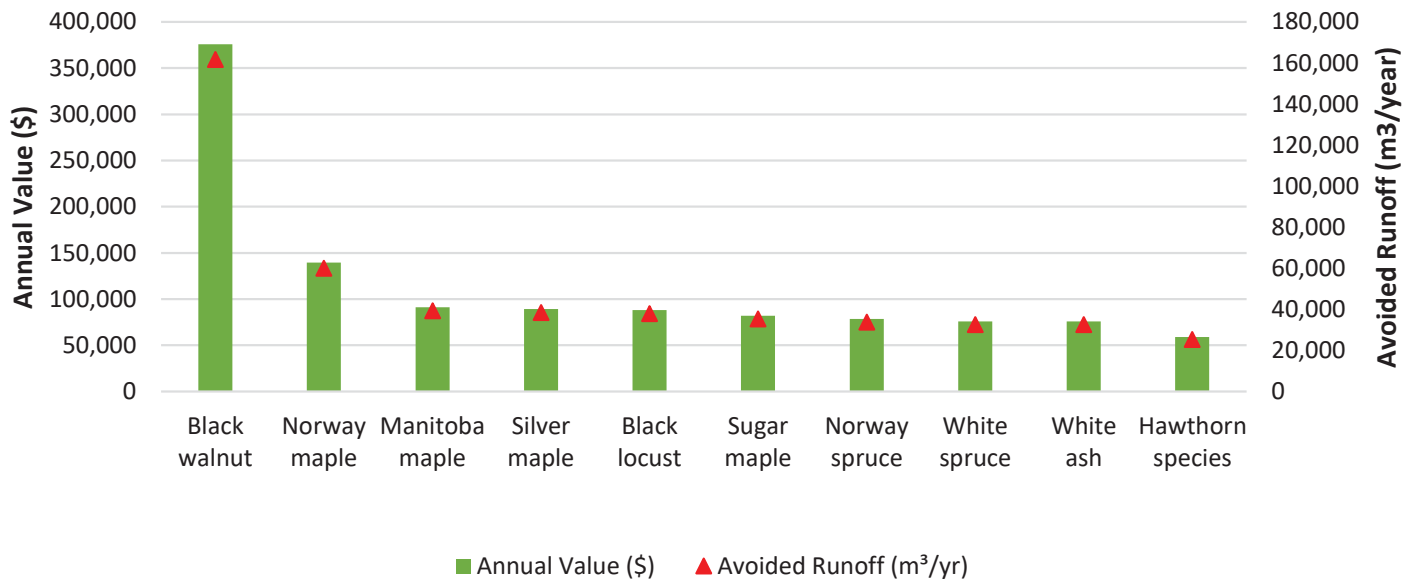
intercepted by vegetation (trees and shrubs) while the other portion reaches the ground. The portion of the precipitation that reaches the ground and does not infiltrate into the soil becomes surface runoff.¹² In urban areas, the large extent of impervious surfaces increases the amount of surface runoff.

Urban trees and shrubs, however, are beneficial in reducing surface runoff. Trees and shrubs intercept precipitation, while their root systems promote infiltration and storage in the soil. Hamilton's trees and shrubs help to reduce runoff by an estimated 815 thousand cubic metres a year with an associated value of \$1.9 million.

Figure 22. Avoided runoff (points) and value (bars) for species with greatest overall impact on runoff in Hamilton, 2018.

TREES AND BUILDING ENERGY USE

Trees affect energy consumption by shading buildings, providing evaporative cooling, and blocking winter



winds. Trees tend to reduce building energy consumption in the summer months and can either increase or decrease building energy use in the winter months, depending on the location of trees around the building. Estimates of tree effects on energy use are based on field measurements of tree distance and direction to space conditioned residential buildings.¹³

Trees in Hamilton are estimated to reduce energy-related costs from residential buildings by \$3,630,000 annually. Trees also provide an additional \$790,000 in value by reducing the amount of carbon released by fossil-fuel based power plants (a reduction of 6,880 tonnes of carbon emissions).

Table 5. Annual energy savings due to trees near residential buildings in Hamilton, 2018.

	HEATING	COOLING	TOTAL
MBTU*	282,319	N/A	282,319

¹² Hirabayashi, S. 2012. *i-Tree Eco Precipitation Interception Model Descriptions*, http://www.itreetools.org/eco/resources/iTree_Eco_Precipitation_Interception_Model_Descriptions_V1_2.pdf.

¹³ McPherson, E.G.; Simpson, J.R. 1999. *Carbon dioxide reduction through urban forestry: guidelines for professional and volunteer tree planters*. Gen. Tech. Rep. PSW-171. Albany, CA: U.S. Department of Agriculture, Forest Service, Pacific Southwest Research Station. 237 p.

MWH**	2,378	6,643	9,021
Carbon Avoided (tonnes)	6,426	451	6,877

*MBTU = one million British Thermal Unit **MWH = megawatt-hour

Table 6. Annual savings* (\$) in residential energy expenditure during heating and cooling seasons due to trees near residential buildings in Hamilton, 2018.

	HEATING	COOLING	TOTAL
MBTU	2,951,481	N/A	2,951,481
MWH	178,345	498,193	676,538
Carbon Avoided (tonnes)	738,109	51,797	789,906

*Based on the prices of \$75 per MWH and \$10.45 per MBTU (See Appendix A1 for more details on pricing)

STRUCTURAL AND FUNCTIONAL VALUES

Urban forests have a structural value based on the trees themselves (e.g. the cost of having to replace a tree with a similar tree); they also have functional values (either positive or negative) based on the functions the trees perform.

The structural value of an urban forest tends to increase with the number and size of healthy trees.¹⁴ Annual functional values also tend to increase with increased number and size of healthy trees. Through proper management, urban forest values can be increased; however, the values and benefits can also decrease as the amount of healthy tree cover declines.

Structural value in Canada is calculated using the same procedure in the United States.¹⁵ Base costs and species values are derived from the International Society of Arboriculture Ontario Chapter and applied to all Canadian provinces and territories.

Urban trees in Hamilton have the following structural values:

- Structural value: \$2.13 billion
- Carbon storage: \$45.4 million

Urban trees in Hamilton have the following annual functional values:

- Carbon sequestration: \$1.54 million
- Avoided runoff: \$1.9 million
- Pollution removal: \$1.1 million
- Energy costs and carbon emission values: \$3.6 million

¹⁴ Nowak, D.J.; Crane, D.E.; Dwyer, J.F. 2002a. Compensatory value of urban trees in the United States. *Journal of Arboriculture*. 28(4): 194 - 199.

¹⁵ *Ibid.*

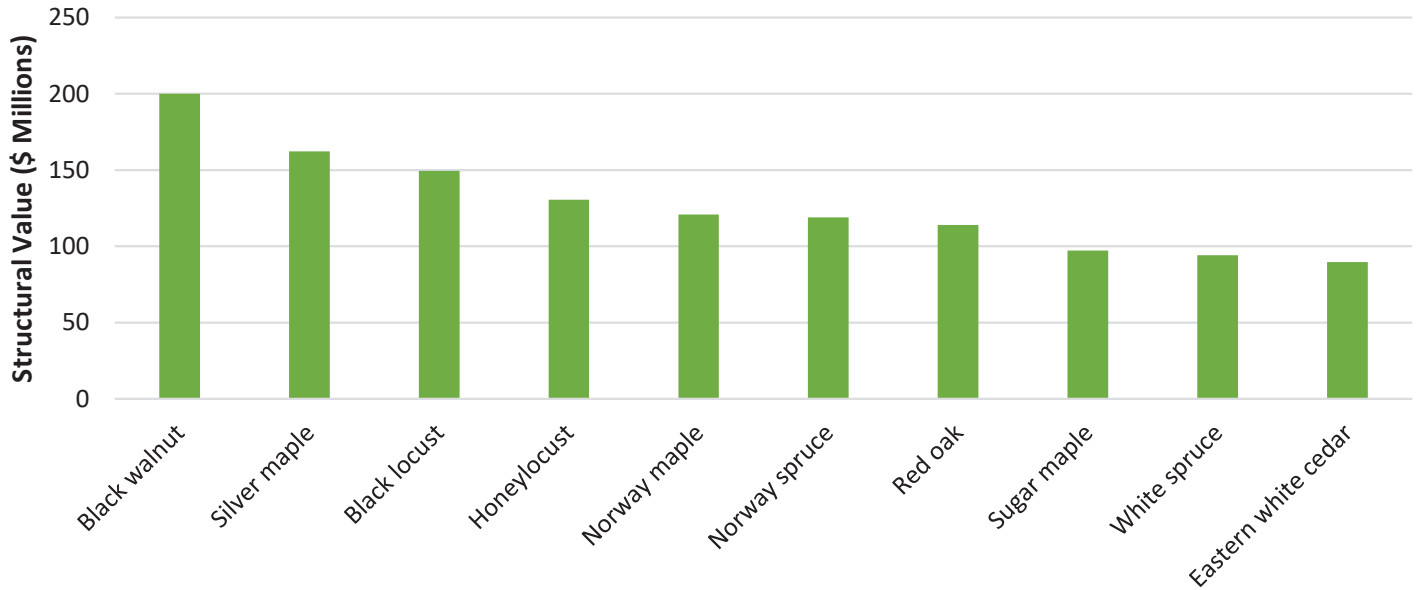


Figure 23. Tree species with the greatest structural value in Hamilton, 2018.

Appendix B1: i-Tree Eco Model and Field Measurements

i-Tree Eco is designed to use standardized field data from randomly located plots and local hourly air pollution and meteorological data to quantify urban forest structure and its numerous effects,¹⁶ including:

- Urban forest structure (e.g. species composition, tree health, leaf area, etc.)
- Amount of pollution removed hourly by the urban forest and its associated percent air quality improvement annually
- Total carbon stored and net carbon annually sequestered by the urban forest
- Effects of trees on building energy use and consequent effects on carbon dioxide emissions from power sources
- Structural value of the urban forest, as well as the value for air pollution removal and carbon storage and sequestration
- Potential impact of infestations by pests, such as Asian longhorned beetle, emerald ash borer, gypsy moth, and oak wilt

All field data was collected by BioForest between June and September 2018, during the leaf-on season in order to properly assess tree canopies. Data collected includes: land use, ground and tree cover, individual tree attributes of species, stem diameter, height, crown width, crown canopy missing and dieback, and distance and direction to residential buildings.^{17,18}

During data collection, trees are identified to the most specific taxonomic classification possible. Trees that are not classified to the species level may be classified by genus (e.g. maple). In this report, tree species or genera are collectively referred to as tree species.

¹⁶ Nowak, D.J.; Crane, D.E. 2000. *The Urban Forest Effects (UFORE) Model: quantifying urban forest structure and functions*. In: Hansen, M.; Burk, T., eds. *Integrated tools for natural resources inventories in the 21st century*. Proceedings of IUFRO conference. Gen. Tech. Rep. NC-212. St. Paul, MN: U.S. Department of Agriculture, Forest Service, North Central Research Station: 714-720.

¹⁷ Nowak, D.J.; Crane, D.E.; Stevens, J.C.; Hoehn, R.E. 2005. *The urban forest effects (UFORE) model: field data collection manual*. V1b. Newtown Square, PA: U.S. Department of Agriculture, Forest Service, Northeastern Research Station, 34p. http://www.fs.fed.us/ne/syracuse/Tools/downloads/UFORE_Manual.pdf.

¹⁸ Nowak, D.J.; Hoehn, R.E.; Crane, D.E.; Stevens, J.C.; Walton, J.T; Bond, J. 2008. *A ground-based method of assessing urban forest structure and ecosystem services*. *Arboriculture and Urban Forestry*. 34(6): 347-358.

TREE CHARACTERISTICS

Leaf area of trees was assessed using measurements of crown dimensions and percentage of crown canopy missing.

AIR POLLUTION REMOVAL

Pollution removal is calculated for ozone, sulfur dioxide, nitrogen dioxide, carbon monoxide and particulate matter less than 2.5 microns. Particulate matter less than 10 microns (PM10) is another significant air pollutant. Given that i-Tree Eco analyzes particulate matter less than 2.5 microns (PM2.5) which is a subset of PM10, PM10 has not been included in this analysis. PM2.5 is generally more relevant in discussions concerning air pollution effects on human health.

Air pollution removal estimates are derived from calculated hourly tree-canopy resistances for ozone, and sulfur and nitrogen dioxides based on a hybrid of big-leaf and multi-layer canopy deposition models.^{19,20} As the removal of carbon monoxide and particulate matter by vegetation is not directly related to transpiration, removal rates (deposition velocities) for these pollutants were based on average measure values from the literature^{21,22} that were adjusted depending on leaf phenology and leaf area. Particulate removal incorporated a 50 percent resuspension rate of particles back to the atmosphere.²³ Recent updates (2011) to air quality modeling are based on improved leaf area index simulations, weather and pollution processing and interpolation, and updated pollutant monetary values.^{24,25,26}

Trees remove PM2.5 when particulate matter is deposited on leaf surfaces.²⁷ This deposited PM2.5 can be resuspended to the atmosphere or removed during rain events and dissolved or transferred to the soil. This combination of events can lead to positive or negative pollution removal and value depending on various atmospheric factors. Generally, PM2.5 removal is positive with positive benefits. However, there are some cases when net removal is negative or resuspended particles lead to increased pollution concentrations and negative values. During some months (e.g. months with no rain), trees resuspend more particles than they remove. Resuspension can also lead to increased overall PM2.5 concentrations if the boundary layer conditions are lower during net resuspension periods than during net removal periods. Since the pollution removal value is based on the change in pollution concentration, it is possible to have situations when trees remove PM2.5 but increase concentrations and thus have negative values during periods of positive overall removal. These events are not common, but can happen.

This report used weather and pollution data from 2010, collected from the Hamilton International Airport weather station. Data quality was categorized as "Good", based on the fact that all variables (excluding precipitation) had less than 8.2% missing data. This was the most recent dataset available in i-Tree with "Good" data quality.

Default air pollution removal value is calculated based on local incidence of adverse health effects and national median externality costs.²⁸ The number of adverse health effects and associated economic value is calculated for ozone, sulfur dioxide, nitrogen dioxide, and PM2.5 using data from the U.S. Environmental Protection Agency's Environmental Benefits Mapping and Analysis Program (BenMAP).²⁹ The model uses a damage-function approach that is based on the local change in pollution concentration and population.

¹⁹ Baldocchi, D. 1988. A multi-layer model for estimating sulfur dioxide deposition to a deciduous oak forest canopy. *Atmospheric Environment*. 22: 869-884.

²⁰ Baldocchi, D.D.; Hicks, B.B.; Camara, P. 1987. A canopy stomatal resistance model for gaseous deposition to vegetated surfaces. *Atmospheric Environment*. 21: 91-101.

²¹ Bidwell, R.G.S.; Fraser, D.E. 1972. Carbon monoxide uptake and metabolism by leaves. *Canadian Journal of Botany*. 50: 1435-1439.

²² Lovett, G.M. 1994. Atmospheric deposition of nutrients and pollutants in North America: an ecological perspective. *Ecological Applications*. 4: 629-650.

²³ Zinke, P.J. 1967. Forest interception studies in the United States. In: Sopper, W.E.; Lull, H.W., eds. *Forest Hydrology*. Oxford, UK: Pergamon Press: 137-161.

²⁴ Hirabayashi, S.; Kroll, C.; Nowak, D. 2011. Component-based development and sensitivity analyses of an air pollutant dry deposition model. *Environmental Modeling and Software*. 26(6): 804-816.

²⁵ Hirabayashi, S.; Kroll, C.; Nowak, D. 2012. *i-Tree Eco Dry Deposition Model Descriptions V 1.0*

²⁶ Hirabayashi, S. 2011. Urban Forest Effects-Dry Deposition (UFORE-D) Model Enhancements, [http://www.itreetools.org/eco/resources/UFORE-D enhancements.pdf](http://www.itreetools.org/eco/resources/UFORE-D%20enhancements.pdf).

²⁷ Nowak, D.J., Hirabayashi, S., Bodine, A., Hoehn, R. 2013. Modeled PM2.5 removal by trees in ten U.S. cities and associated health effects. *Environmental Pollution*. 178: 395-402.

²⁸ In economics, an externality is the cost or benefit that affects a third party who did not choose to incur that cost or benefit.

²⁹ Nowak et al. 2014.

National median externality costs were used to calculate the value of carbon monoxide removal.³⁰ Values have been converted from U.S. currency to Canadian currency using the exchange rate of 1 USD = 1.29979 CAD.

For this analysis, pollution removal value is calculated based on the prices of \$1,486 per metric ton (carbon monoxide), \$2,135 per metric ton (ozone), \$318 per metric ton (nitrogen dioxide), \$116 per metric ton (sulfur dioxide) and \$74,226 per metric ton (PM2.5).

CARBON STORAGE AND SEQUESTRATION

Carbon storage is the amount of carbon bound up in the above-ground and below-ground parts of woody vegetation. To calculate current carbon storage, biomass for each tree was calculated using equations from the literature and measured tree data. Open-grown, maintained trees tend to have less biomass than predicted by forest-derived biomass equations.³¹ To adjust for this difference, biomass results for open-grown urban trees were multiplied by 0.8. No adjustment was made for trees found in natural stand conditions. Tree dry-weight biomass was converted to stored carbon by multiplying by 0.5.

Carbon sequestration is the removal of carbon dioxide from the air by plants. To estimate the gross amount of carbon sequestered annually, average diameter growth from the appropriate genera and diameter class and tree condition was added to the existing tree diameter (year x) to estimate tree diameter and carbon storage in year x+1.

Carbon storage and carbon sequestration values are based on estimated or customized local carbon values. For this report, estimates are based on the carbon value for the United States^{32,33} and have been converted from U.S. currency to Canadian currency using the exchange rate of 1 USD = 1.29979 CAD.

For this analysis, carbon storage and carbon sequestration values are calculated based on \$114.87 per metric ton.

OXYGEN PRODUCTION

The amount of oxygen produced is estimated from carbon sequestration based on atomic weights: net O₂ release (kg/yr) = net C sequestration (kg/yr) x 32/12. To estimate the net carbon sequestration rate, the amount of carbon sequestered as a result of tree growth is reduced by the amount lost resulting from tree mortality. Thus, net carbon sequestration and net annual oxygen production of the urban forest account for decomposition.³⁴

AVOIDED RUNOFF

Annual avoided surface runoff is calculated based on rainfall interception by vegetation, specifically the difference between annual runoff with and without vegetation. Although tree leaves, branches, and bark may intercept precipitation and thus mitigate surface runoff, only the precipitation intercepted by leaves is accounted for in this analysis.

The value of avoided runoff is based on the national average value for the U.S. and has been converted from U.S. currency to Canadian currency using the exchange rate of 1 USD = 1.29979 CAD. The U.S. value of avoided runoff is based on the U.S. Forest Service's Community Tree Guide Series.

For this analysis, avoided runoff value is calculated based on the price of \$2.32 per cubic metre.

³⁰ Murray, F.J.; Marsh L.; Bradford, P.A. 1994. *New York State Energy Plan, vol. II: issue reports*. Albany, NY: New York State Energy Office.

³¹ Nowak, D.J. 1994. *Atmospheric carbon dioxide reduction by Chicago's urban forest*. In: McPherson, E.G.; Nowak, D.J.; Rowntree, R.A., eds. *Chicago's urban forest ecosystem: results of the Chicago Urban Forest Climate Project*. Gen. Tech. Rep. NE-186. Radnor, PA: U.S. Department of Agriculture, Forest Service, Northeastern Forest Experiment Station: 83-94.

³² U.S. Environmental Protection Agency. 2015. *The social cost of carbon*. <http://www.epa.gov/climatechange/EPAactivities/economics/scc.html>.

³³ Interagency Working Group on Social Cost of Carbon, United States Government. 2015. *Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Executive Order 12866*. <http://www.whitehouse.gov/sites/default/files/omb/infoereg/scc-ts-d-final-july-2015.pdf>

³⁴ Nowak, D.J.; Hoehn, R.; Crane, D. 2007. *Oxygen production by urban trees in the United States*. *Arboriculture & Urban Forestry*. 33(3):220-226.

BUILDING ENERGY USE

The seasonal effects of trees on residential building energy use were calculated based on procedures described in the literature³⁵ using distance and direction of trees from residential structures, tree height and tree condition data.

For this analysis, energy saving value is calculated based on the prices of \$75 per MWH and \$10.45 per MBTU.

STRUCTURAL VALUES

Structural value is the value of a tree based on the physical resource itself (e.g., the cost of having to replace a tree with a similar tree). Structural values were based on valuation procedures of the Council of Tree and Landscape Appraisers, which uses tree species, diameter, condition, and location information.^{36,37}

POTENTIAL PEST IMPACTS

Potential pest impacts reflects the damage that a potential outbreak could have based on species diversity in Hamilton's 2018 tree population. The number of susceptible trees reflect only the known host species in Hamilton that could experience mortality due to the pest.

RELATIVE TREE EFFECTS

The relative value of tree benefits reported in **Appendix B2: Relative Tree Effects** is calculated to show what carbon storage and sequestration, and air pollutant removal equate to in amounts of municipal carbon emissions, passenger automobile emissions, and house emissions.

Municipal carbon emissions are based on 2010 U.S. per capita carbon emissions.³⁸ Per capita emissions were multiplied by city population to estimate total city carbon emissions.

Light duty vehicle emission rates (g/mi) for CO, NOx, VOCs, PM10, SO2, for 2010,^{39,40} PM2.5 for 2011-2015,⁴¹ and CO2 for 2011⁴² were multiplied by average miles driven per vehicle in 2011 to determine average emissions per vehicle.

Household emissions are based on average electricity kWh usage, natural gas Btu usage, fuel oil Btu usage, kerosene Btu usage, LPG Btu usage, and wood Btu usage per household in 2009.^{44,45}

- CO2, SO2, and NOx power plant emission per kWh are from Leonardo Academy.⁴⁶ CO emission per kWh assumes 1/3 of one percent of C emissions is CO based on Energy Information Administration.⁴⁷ PM10 emission per kWh from California Energy Commission.⁴⁸

³⁵ McPherson et al. 1999.

³⁶ Nowak et al. 2002a.

³⁷ Nowak, D.J.; Crane, D.E.; Stevens, J.C.; Ibarra, M. 2002b. Brooklyn's urban forest. Gen. Tech. Rep. NE-290. Newtown Square, PA: U.S. Department of Agriculture, Forest Service, Northeastern Research Station. 107 p.

³⁸ Carbon Dioxide Information Analysis Center. 2010. CO2 Emissions (metric tons per capita). Washington, DC: The World Bank.

³⁹ Bureau of Transportation Statistics. 2010. Estimated National Average Vehicle Emissions Rates per Vehicle by Vehicle Type using Gasoline and Diesel. Washington, DC: Bureau of Transportation Statistics, U.S. Department of Transportation. Table 4-43.

⁴⁰ Heirigs, P.L.; Delaney, S.S.; Dulla, R.G. 2004. Evaluation of MOBILE Models: MOBILE6.1 (PM), MOBILE6.2 (Toxics), and MOBILE6/CNG. Sacramento, CA: National Cooperative Highway Research Program, Transportation Research Board.

⁴¹ California Air Resources Board. 2013. Methods to Find the Cost-Effectiveness of Funding Air Quality Projects. Table 3 Average Auto Emission Factors. CA: California Environmental Protection Agency, Air Resources Board.

⁴² U.S. Environmental Protection Agency. 2010. Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards. Washington, DC: U.S. Environmental Protection Agency. EPA-420-R-10-012a.

⁴³ Federal Highway Administration. 2013. Highway Statistics 2011. Washington, DC: Federal Highway Administration, U.S. Department of Transportation. Table VM-1.

⁴⁴ Energy Information Administration. 2013. CE2.1 Fuel consumption totals and averages, U.S. homes. Washington, DC: Energy Information Administration, U.S. Department of Energy.

⁴⁵ Energy Information Administration. 2014. CE5.2 Household wood consumption. Washington, DC: Energy Information Administration, U.S. Department of Energy.

⁴⁶ Leonardo Academy. 2011. Leonardo Academy's Guide to Calculating Emissions Including Emission Factors and Energy Prices. Madison, WI: Leonardo Academy Inc.

⁴⁷ Energy Information Administration. 1994. Energy Use and Carbon Emissions: Non-OECD Countries. Washington, DC: Energy Information Administration, U.S. Department of Energy.

- CO₂, NO_x, SO₂, and CO emission per Btu for natural gas, propane and butane (average used to represent LPG), Fuel #4 and #6 (average used to represent fuel oil and kerosene) from Leonardo Academy.⁴⁸
- CO₂ emissions per Btu of wood from U.S Department of Energy.⁴⁹
- CO, NO_x and SO_x emission per Btu based on total emissions and wood burning (tons) from British Columbia Ministry of Water, Land and Air Protection,⁵⁰ and Georgia Forestry Commission.⁵¹

Appendix B2: Relative Tree Effects

The urban forest in Hamilton provides benefits that include carbon storage and sequestration, and air pollutant removal. To estimate the relative value of these benefits, tree benefits were compared to estimates of average municipal carbon emissions, average passenger automobile emissions, and average household emissions. See Appendix B1 for methodology.

Carbon storage is equivalent to:

- Amount of carbon emitted in Hamilton in 58 days
- Annual carbon (C) emissions from 308,000 automobiles
- Annual C emissions from 126,000 single-family houses

Carbon monoxide removal is equivalent to:

- Annual carbon monoxide emissions from 11 automobiles
- Annual carbon monoxide emissions from 29 single-family houses

Nitrogen dioxide removal is equivalent to:

- Annual nitrogen dioxide emissions from 7,680 automobiles
- Annual nitrogen dioxide emissions from 3,460 single-family houses

Sulfur dioxide removal is equivalent to:

- Annual sulfur dioxide emissions from 494,000 automobiles
- Annual sulfur dioxide emissions from 1,300 single-family houses

Annual carbon sequestration is equivalent to:

- Annual C emissions from 10,500 automobiles
- Annual C emissions from 4,300 single-family houses

Appendix B3: Comparison of Urban Forests in Canada

A common question asked is “How does this city compare to other cities?” Although comparison among cities should be made with caution as there are many attributes of a city that affect urban forest structure and functions, summary data are provided from other cities analyzed using the i-Tree Eco model.

⁴⁷ Layton, M. 2004. 2005 Electricity Environmental Performance Report: Electricity Generation and Air Emissions. CA: California Energy Commission.

⁴⁸ Leonardo Academy. 2011.

⁴⁹ Energy Information Administration. 2014.

⁵⁰ British Columbia Ministry of Water, Land, and Air Protection. 2005. Residential wood burning emissions in British Columbia. British Columbia.

⁵¹ Georgia Forestry Commission. 2009. Biomass Energy Conversion for Electricity and Pellets Worksheet. Dry Branch, GA: Georgia Forestry Commission.

CITY	% TREE COVER	NUMBER OF TREES	CARBON STORAGE (TONNES)	CARBON SEQUESTRATION (TONNES/YEAR)	POLLUTION REMOVAL (TONNES/YEAR)
Hamilton, ON (2018)	17.4 (i-Tree Eco)	5,212,000	395,092	13,412	256
	21.2 (i-Tree Canopy)				
Toronto, ON (2018)	28.4	11,500,000	1,100,000	35,170	972
London, ON (2012)	24.7	4,376,000	360,000	12,500	370
Oakville, ON (2015)	27.8	2,000,000	148,000	5,940	113

Appendix B4: Complete List of Tree Species

SPECIES	PERCENT POPULATION	PERCENT LEAF AREA	IMPORTANCE VALUE
<i>Abies</i>	0.00	0.20	0.20
<i>Acer ginnala</i>	0.00	0.00	0.00
<i>Acer negundo</i>	3.70	4.80	8.50
<i>Acer palmatum</i>	0.30	0.30	0.50
<i>Acer platanoides</i>	2.80	7.30	10.20
<i>Acer rubrum</i>	0.20	1.20	1.40
<i>Acer saccharinum</i>	0.30	4.70	5.00
<i>Acer saccharum</i>	2.80	4.30	7.20
<i>Acer x freemanii</i>	0.30	0.20	0.50
<i>Aesculus hippocastanum</i>	0.20	0.10	0.30
<i>Ailanthus altissima</i>	1.80	1.10	3.00
<i>Amelanchier</i>	0.10	0.10	0.20
<i>Amelanchier laevis</i>	0.00	0.10	0.10
<i>Betula</i>	0.20	1.50	1.70
<i>Betula alleghaniensis</i>	0.10	0.00	0.10
<i>Betula pendula</i>	0.20	0.30	0.40
<i>Carya ovata</i>	0.30	1.00	1.30
<i>Catalpa</i>	0.10	0.00	0.10
<i>Cedrus</i>	0.10	0.00	0.10
<i>Celtis</i>	0.10	0.00	0.10
<i>Cercis</i>	0.10	0.00	0.10
<i>Cercis canadensis</i>	0.30	0.40	0.70
<i>Chamaecyparis nootkatensis</i>	0.00	0.00	0.00
<i>Cornus</i>	0.10	0.00	0.10
<i>Cornus alternifolia</i>	0.10	0.00	0.10
<i>Cornus florida</i>	0.20	0.00	0.20
<i>Cornus kousa</i>	0.10	0.00	0.10
<i>Cornus racemosa</i>	0.50	0.00	0.60

SPECIES	PERCENT POPULATION	PERCENT LEAF AREA	IMPORTANCE VALUE
<i>Corylus colurna</i>	0.10	0.00	0.10
<i>Crataegus</i>	6.90	3.10	10.00
<i>Elaeagnus angustifolia</i>	0.20	1.20	1.30
<i>Frangula</i>	1.10	0.60	1.60
<i>Frangula alnus</i>	0.10	0.00	0.10
<i>Fraxinus americana</i>	9.70	4.00	13.70
<i>Fraxinus excelsior</i>	0.50	0.80	1.30
<i>Fraxinus pennsylvanica</i>	6.60	0.90	7.50
<i>Ginkgo biloba</i>	0.00	0.10	0.20
<i>Gleditsia triacanthos</i>	0.90	2.30	3.20
<i>Hibiscus syriacus</i>	0.10	0.00	0.10
<i>Juglans nigra</i>	5.90	19.80	25.70
<i>Juniperus</i>	0.40	0.10	0.50
<i>Juniperus virginiana</i>	0.10	0.10	0.20
<i>Ligustrum</i>	0.20	0.00	0.20
<i>Ligustrum vulgare</i>	0.50	0.10	0.50
<i>Liriodendron tulipifera</i>	0.10	0.30	0.40
<i>Lonicera</i>	2.00	0.20	2.20
<i>Lonicera japonica</i>	0.10	0.00	0.10
<i>Magnolia</i>	0.10	0.00	0.10
<i>Malus</i>	1.90	1.10	3.00
<i>Malus tschonoskii</i>	0.10	0.20	0.30
<i>Morus</i>	0.10	0.10	0.20
<i>Morus alba</i>	0.60	0.20	0.80
<i>Ostrya virginiana</i>	0.10	0.00	0.10
<i>Picea abies</i>	0.60	4.10	4.80
<i>Picea glauca</i>	1.60	4.00	5.60
<i>Picea pungens</i>	0.50	1.10	1.60
<i>Picea rubens</i>	0.30	0.10	0.40
<i>Pinus banksiana</i>	0.00	0.00	0.00
<i>Pinus nigra</i>	0.30	0.50	0.80
<i>Pinus resinosa</i>	0.10	0.40	0.60
<i>Pinus strobus</i>	0.20	0.30	0.50
<i>Pinus sylvestris</i>	0.30	0.60	0.90
<i>Platanus x acerifolia</i>	0.10	0.30	0.50
<i>Populus</i>	0.40	0.40	0.80
<i>Populus deltoides</i>	0.10	3.00	3.20
<i>Populus nigra 'Italica'</i>	0.40	0.50	0.90
<i>Prunus</i>	0.10	0.00	0.10
<i>Prunus avium</i>	0.20	0.20	0.40
<i>Prunus domestica</i>	0.20	0.10	0.30
<i>Prunus serotina</i>	1.90	1.50	3.40
<i>Prunus virginiana 'Shubert'</i>	0.10	0.10	0.10
<i>Prunus x orthosepala</i>	0.20	0.60	0.80

SPECIES	PERCENT POPULATION	PERCENT LEAF AREA	IMPORTANCE VALUE
<i>Pyrus</i>	0.60	0.80	1.30
<i>Pyrus calleryana</i>	0.30	0.30	0.60
<i>Quercus alba</i>	0.10	0.00	0.10
<i>Quercus bicolor</i>	0.30	0.00	0.30
<i>Quercus macrocarpa</i>	0.10	0.00	0.10
<i>Quercus robur</i>	0.00	0.00	0.00
<i>Quercus rubra</i>	0.60	2.20	2.80
<i>Rhamnus cathartica</i>	9.40	1.50	10.80
<i>Rhus</i>	2.50	0.20	2.60
<i>Rhus hirta</i>	2.60	0.30	2.90
<i>Robinia pseudoacacia</i>	2.70	4.60	7.40
<i>Rosa</i>	0.20	0.00	0.30
<i>Salix</i>	4.20	0.90	5.10
<i>Salix matsudana</i>	0.20	0.70	0.90
<i>Sorbus</i>	0.10	0.00	0.10
<i>Syringa vulgaris</i>	0.60	0.20	0.80
<i>Taxus</i>	0.60	0.20	0.80
<i>Thuja occidentalis</i>	10.90	2.20	13.00
<i>Tilia americana</i>	1.00	1.60	2.60
<i>Tilia cordata</i>	0.40	1.90	2.30
<i>Ulmus americana</i>	0.60	0.20	0.80
<i>Ulmus parvifolia</i>	0.10	0.10	0.20
<i>Ulmus pumila</i>	0.70	1.20	1.90
<i>Ulmus rubra</i>	0.10	0.00	0.10
<i>Viburnum lantana</i>	0.10	0.00	0.10

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Appendix C: i-Tree Streets Study Report

2018 i-Tree Streets Field Survey

BACKGROUND AND RATIONALE

Street trees represent an important component of a city's urban forest. Street trees enhance the aesthetics of neighbourhoods, provide valuable ecosystem services, and make up a significant portion of cities' urban forest cover. In some densely built neighbourhoods, street trees can represent most of the urban forest cover, and thus make valuable contributions to neighbourhood character and livability. Street trees also play an important role in increasing urban environmental equity in low income and underserved communities. Street trees have been linked to reduced asthma rates in young children.¹ Street trees also help to reduce runoff from asphalt during rain storms, thereby helping to reduce the burden of storm events on municipal infrastructure.²

However, their location adjacent to roadways also predisposes street trees to a variety of stress factors that trees in woodlands and yards are unlikely to face. Street trees are often subject to salt deposits during the winter that can alter soil chemistry. Street trees may be planted in confined growing spaces with inadequate soil volume and poor soil quality. When planted along heavily trafficked streets, this soil can become compacted by repeated pedestrian trampling, which contributes to anaerobic soil conditions. Street trees can also be injured by snow removal or construction equipment, vehicles, and vandals. Street trees growing in areas with abundant impervious ground cover and reflective building surfaces can suffer heat stress during the summer months. Injuries and increased stress can predispose trees to insect and disease infestation, further endangering their longevity and sacrificing the benefits that are provided by mature trees.

An analysis of the benefits provided by Hamilton's street trees complements the assessment of the City's entire urban forest by highlighting the value provided by the street tree population as a municipal resource. The value of a street tree resource is in many ways contingent on the health of the trees and the extent of leaf area they collectively represent. As the City is responsible for planting, maintaining, and removing street trees, an overview of the benefits provided by street trees can provide insights into the outcomes of the City's investments in the resource, and can help to inform management decisions.

While an analysis of the City's existing street tree inventory was originally proposed, the vintage (2006) limited the practicality of the results.³ Therefore, an alternative was proposed, which would more accurately reflect the current street tree population.

The i-Tree Streets software application provides a protocol for a statistically-relevant street tree sample inventory, so it was decided that a sample street tree inventory would be conducted in the summer of 2018 in order to obtain more up-to-date street tree data for the purposes of informing the Urban Forest Strategy.

¹ Lovasi, G.S., Quinn, J.W., Neckerman, K.M., Perzanowski, M.S., and A. Rundle. 2008. Children living in areas with more street trees have lower prevalence of asthma. *Journal of Epidemiology & Community Health* 62: 647-649.

² Armson, D., Stringer, P., and A.R. Ennos. 2013. The effect of street trees and amenity grass on urban surface water runoff in Manchester, UK. *Urban Forestry & Urban Greening* 12(3): 282-286.

³ Memo – i-Tree Streets Data Review, dated March 7, 2018.

METHODOLOGY

i-Tree Streets (an adaptation of the Street Tree Resource Analysis Tool for Urban Forest Managers [STRATUM]) is an easy to use software tool with a focus on a municipality's street trees that enables any community to inventory and assess the benefits its urban forest is providing. The analysis provides baseline data to improve street tree management by reporting on the following aspects of a street tree population: structure, function, value, and management needs.

STREET SEGMENT SELECTION

In 2018, Hamilton decided to conduct a random sample street tree inventory on 3% of their street tree segments (3% is recommended by i-Tree for communities with populations greater than 250,000). Sample selection followed simple random sampling conventions and produces about a 10% standard error for the total number of trees citywide.

The random sample was determined using ArcGIS, and only City-owned public streets within the urban boundary were eligible. A total of 408 segments were selected to be surveyed.

I-TREE STREETS FIELD METHODOLOGY

The field crew inventoried a total of 408 street segments during the 2018 field season. Field duties were carried out by BioForest staff, under contract to the City of Hamilton. There was one regular field crew member who was dedicated to this project throughout its entire duration. The inventory data was collected from June 28 to September 25, 2018. The field crew recorded data on paper data forms and subsequently entered it into a Microsoft Excel database. All trees along each selected street segment, within the municipal right-of-way, were surveyed. A total of 5,686 trees were inventoried.

The following data was collected for each tree along all selected segments, within the municipal right-of-way:

Segment Information

- Segment ID number
- Ward ID number
- Date of data collection
- Crew
- Segment notes

Tree Data

- Street name
- Street address
- GPS coordinates
- Species ID
 - i-Tree specific species codes, or one of the following:
 - AVPLS – available planting site, suitable for a small tree
 - AVPLM – available planting site, suitable for a medium tree
 - AVPLL – available planting site, suitable for a large tree
 - STUMP – stump
 - The field crew used the following City of Hamilton Site Requirements for Tree Planting and City of Hamilton Design Standards in order to determine suitability of available planting sites:

- Diameter at breast height (1.37 m) for up to six stems, if tree is multi-stemmed
- Land use type in which tree is rooted
- Planting site type in which tree is rooted (front yard, boulevard, median, tree pit, etc.)
- Tree condition

Materials

- Clipboard
- Pencils
- Paper data sheets
- 30 m measuring tape (to validate right-of-way boundaries)
- DBH tape
- GPS unit

Data Submission and Analysis

Throughout the data collection period, the field crew recorded all information on paper data forms. At the conclusion of the field data collection, the same field crew member inputted all data into a Microsoft Excel database. Once all data was entered, it was uploaded and processed using i-Tree Streets v5.1.7.

Results are presented as an extrapolation of the field data gathered from the 408 i-Tree Streets street segments selected for this study. These segments constitute a statistically representative sample of Hamilton’s urban street tree inventory. A study using a 3% random sample, in a municipality with a population greater than 250,000 people, is expected to yield a standard error of about 10%, according to the i-Tree Streets User’s Guide. The 408 segments using in Hamilton’s street tree sample inventory represent slightly more than 3% of the total municipal street segments within the urban boundary, therefore the results can be considered to fall within the bounds of acceptable standard error. As with the i-Tree Eco study, only a complete inventory would eliminate the possibility of any error, but the time requirements and financial costs made such an undertaking unfeasible for the purposes of this project.

2018 i-Tree Streets Study Results

The structural value of Hamilton’s street trees (estimated population 168,610), is approximately \$500 million. Street trees comprise an estimated 3.2% of Hamilton’s total tree population, but their structural value represents about 23.7% of the structural value of Hamilton’s trees.

Each street tree in Hamilton provides an average of \$88.50 in annual benefits, a combination of estimated economic values for carbon stored, air quality improvement, and aesthetic benefits. On average, Hamilton’s street tree population provides a value of approximately \$29.95 per resident on an annual basis.

These initial results indicate that the benefits provided by Hamilton’s street trees are outsized compared to the portion of the total tree population that they represent. This may be attributed in part to the relatively good condition and health of the street tree population, which the City is responsible for managing, as well as their relative size. The results also speak to the importance of investing in municipal green infrastructure, as the City of Hamilton’s management of its street tree resource has clearly resulted in substantial environmental benefits. The City’s role in improving neighbourhoods and delivering the benefits to the residents of Hamilton that flow from street trees is significant.

The overall stocking level of Hamilton’s streets is 82%, meaning that approximately 82% of potential street tree sites are currently planted with a tree. There are approximately 9,391 available planting sites that would support small-stature trees, 17,198 available planting sites for medium-stature trees, and

7,690 available planting sites for large stature trees. There are also 3,260 stumps currently occupying potential planting sites. All available planting sites represent opportunity to increase Hamilton’s street tree canopy on public lands.

The health of Hamilton’s street trees is relatively good (Figure 1). About 87% of all street trees were considered to be Good condition, while Dead trees comprised just less than 3% of the street tree population.

Green ash (*Fraxinus pennsylvanica*) and white ash (*Fraxinus americana*) are two species in the worst condition, with a significant percentage of their populations, 57.3% and 34% respectively, either dead or dying.

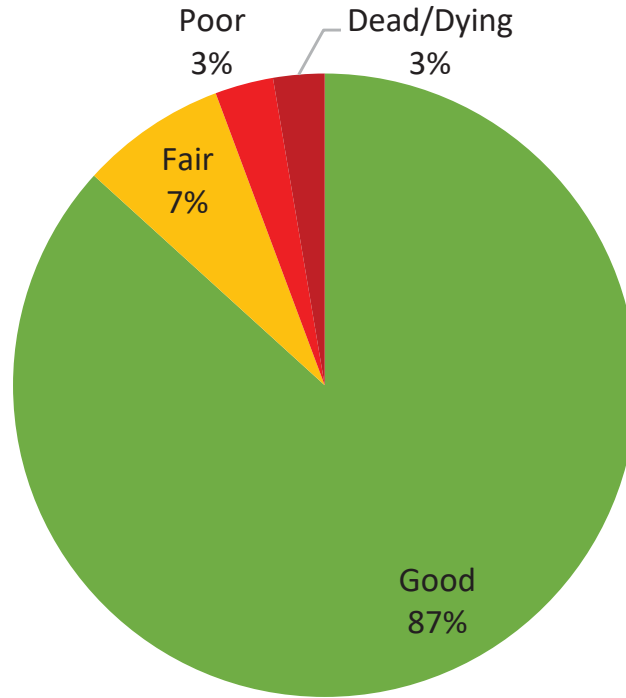


Figure 1. Average condition rating by percentage of Hamilton’s street tree population, 2018.

The majority of Hamilton’s street trees fall within the smallest diameter classes (less than 20 cm and 21 to 40 cm). The smallest class is overrepresented compared to the ideal percentage of 40%/30%/20%/10%,⁴ while the next smallest size class is slightly underrepresented.

The two largest diameter classes (41 to 60 and +61 cm) are both underrepresented, comprising only 14.1% and 7.1% of the total street tree population, respectively (Figure 2).

⁴ This ideal street tree distribution is being utilized by other Canadian municipalities, such as Toronto, Cambridge and Fredericton, and comes from Richards, N.A., 1983. Modeling survival and consequent replacement needs in a street tree population. J. Arboric. 5.11:251-255.

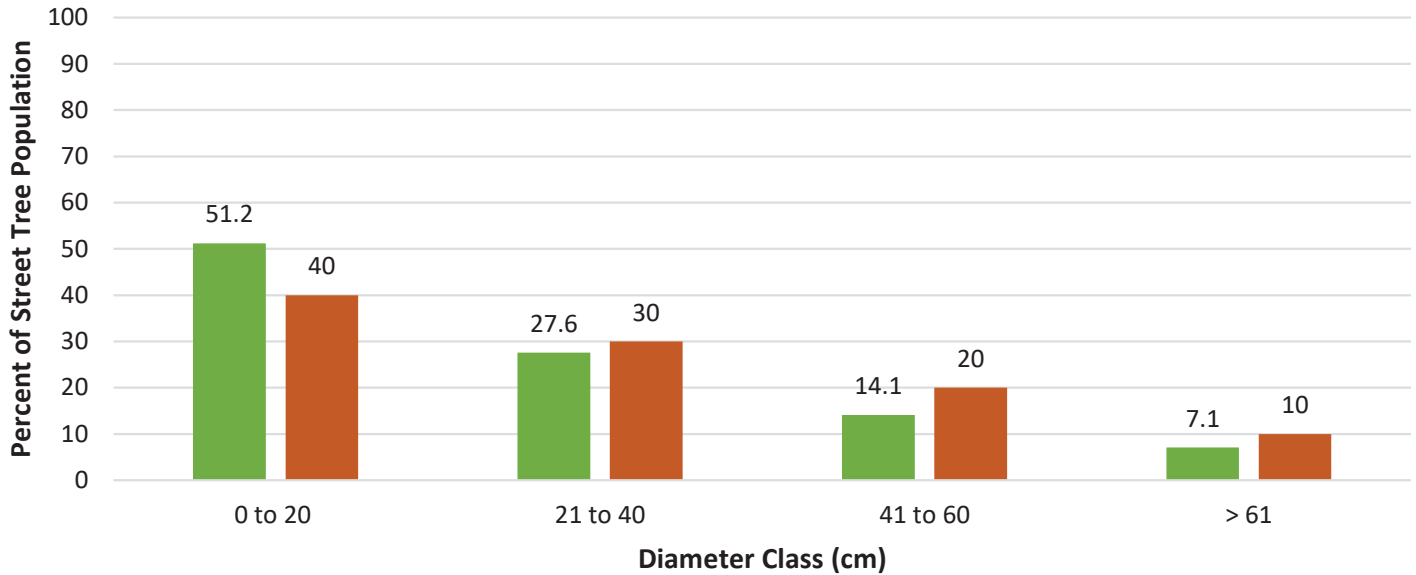


Figure 2. Distribution of Hamilton's street tree population by diameter class (cm), compared to suggested ideal distribution (from Richards 1983), 2018.

In terms of population, Norway maple (*Acer platanoides*) is the most abundant street tree, comprising 19.2% of the total street tree population. It is also the most abundant species in 12 out of 14 wards, comprising between 10.3% and 35.5%. In the two wards where it is not the most abundant species, it is the second most abundant species. Norway maple also has, by far, more leaf area than any other species of street tree, contributing 22.9% of the leaf area of all street trees (Figure 3).

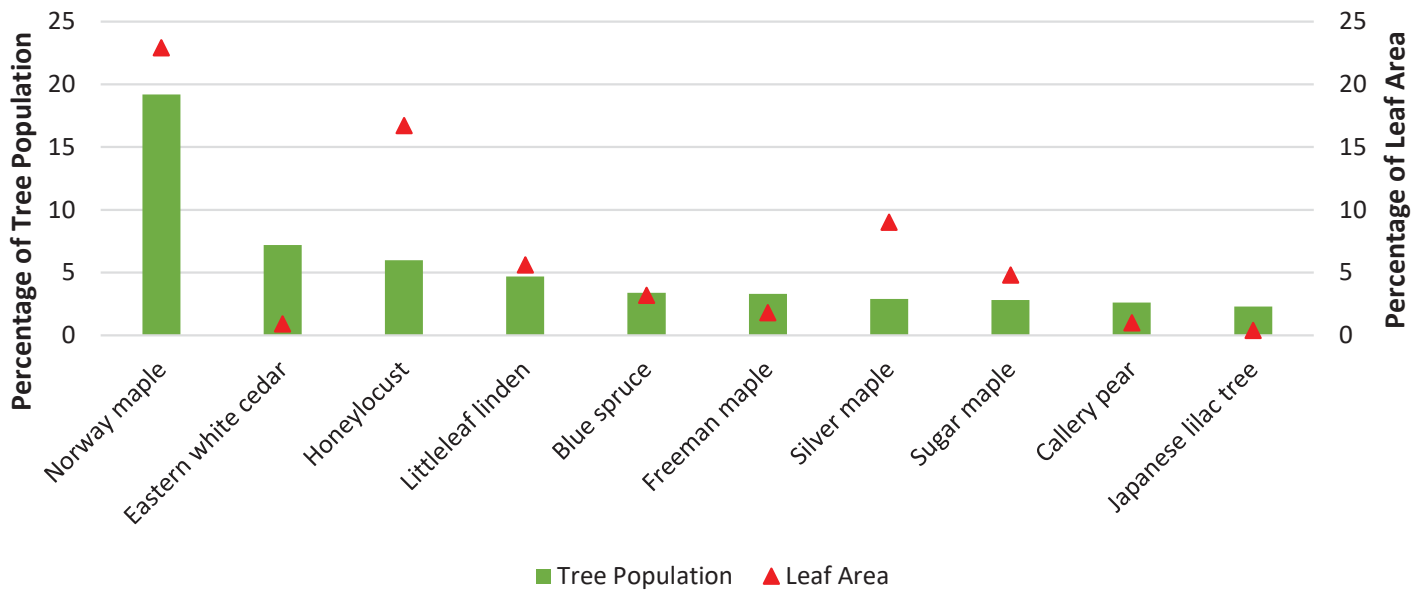


Figure 3. Top ten species of street trees by population (bars), with total leaf area (points), 2018.

Norway maple plays a significant role in delivering the benefits provided by street trees. The legacy of this invasive species with respect to ecological health in forest and ravine habitats is problematic, but its contributions to the provision of ecosystem services by the urban forest are undeniable.

However, it should also be noted that Norway maple is one of the preferred host species of Asian longhorned beetle (*Anoplophora glabripennis*), along with other species of maple, which are abundant in Hamilton's street tree population. The vulnerability of such a large contingent of the street tree population to a devastating pest is a concern for the long-term resilience of the street tree resource. Planting Norway maple along streets has fallen out of favour, due to its invasive tendencies, so there is an opportunity to gradually reduce the population of Norway maple over time. This will be a long-term outcome, as mature Norway maples gradually decline and are replaced by a more diverse set of species.

Indeed, the City of Hamilton has recently revised its street tree planting lists and significantly reduced the number of maple trees planted by the City, in order to reduce the dominance of the *Acer* genus. The effects of this decision should become evident over the next decade or so.

Eastern white cedar (*Thuja occidentalis*) is also highly abundant in Hamilton's street tree population. It is the most abundant species in one ward, and is in the top three most abundant species in six out of 14 wards ranging from 7.4% to 17.2%. Despite being an abundant street tree species, eastern white cedar is characterized by relatively low leaf area compared to its population, representing less than 1% of total leaf area. This is likely due to a combination of its small stature and narrow growing habit.

Honeylocust (*Gleditsia triacanthos*) represents 6% of the street tree population, but contributes a relatively large percentage of leaf area (16.7%). This may be due to the frequency of large, healthy honeylocust street trees. Unlike Norway maple, honeylocust does not currently have a major vulnerability to a serious pest and it is considered to be a species that thrives under urban conditions.

Freemania maple (*Acer x freemania*) is currently the sixth most populous street tree, comprising 3.3% of the total street tree population. This species is capable of maturing into a large stature tree, however its current relative contribution to overall leaf area is quite small (1.8%), suggesting that the majority of this population is currently made up primarily of immature specimens.

On the other end of the spectrum, silver maple (*Acer saccharinum*) and sugar maple (*Acer saccharum*) collectively comprise less than 6% of the total street tree population, but both species represent relatively large percentages of leaf area, 9% and 4.8%, respectively.

With the exception of eastern white cedar, callery pear (*Pyrus calleryana*), and Japanese lilac tree (*Syringa reticulata*), Hamilton's top ten street tree species are capable of growing into medium- to large-stature trees. This means that they have the potential to deliver more significant benefits, provided the conditions exist to allow them to grow to their full biological potential. As large stature trees, their per-tree leaf area would be much greater than a smaller stature tree such as Japanese lilac tree, and hence each tree would deliver proportionately more benefits.

Further investments in Hamilton's street tree resource will be needed to continue the provision of important environmental services it currently provides to residents. Investments in Hamilton's street trees have helped to improve overall tree condition and allow for the provision of benefits that are disproportionately large compared to the street tree population. In order to maintain the degree of environmental benefits currently provided by street trees, there must be a combination of regular maintenance and sufficient tree planting to sustain a healthy street tree population over the long term.

Appendix D: i-Tree Canopy Study Report

2018 i-Tree Canopy Analysis

BACKGROUND AND RATIONALE

Hamilton's last canopy cover analysis took place in 2009. Since that time, emerald ash borer (EAB) has swept through the City, a major ice storm occurred in 2013, and significant land development has taken place. In order to understand how Hamilton measures up to its current canopy cover target of 30%, and understand trends in urban forest cover over time, a more up-to-date estimate was required as part of the Urban Forest Strategy.

The scope of this project did not allow for a full-scale canopy analysis, therefore an alternative tool (i-Tree Canopy) was utilized to conduct a quick and easy point-sampling exercise.

METHODOLOGY

The i-Tree Canopy tool – developed by the United States Department of Agriculture, Forest Service – is designed to allow users to easily and accurately estimate tree cover, as well as other land cover classes (e.g. grass, buildings, roads, etc.). The tool randomly lays points across a user-defined boundary, and overlays this onto imagery from Google Earth. The user then examines each point and classifies it according to which land cover class it falls on. The proportion of sample points represented by each land cover type statistically represents the relative amount of urban forest canopy cover and other land cover types, expressed in terms of percent cover for the area sampled. Because a standard error for each cover type estimate can be calculated, the statistical significance of differences within and among land cover types over time can readily be assessed.

However, because these estimates are based on point-sampling, the precise spatial distribution of the estimated canopy cover cannot be determined.

For the City of Hamilton, the urban boundary was uploaded to i-Tree Canopy and GIS staff investigated available Google Earth imagery to find years with the most visible aerial imagery. 2006 and 2017/2018 were selected for analysis because they had relatively clear, complete, and cloud-free imagery.

1,301 points were randomly allocated across this area, which produced a maximum standard error of 1.25% for 2006 and 1.2% for 2017/2018.

The following land cover classes were used for analysis:

- Tree/Shrub
- Grass or Meadow
- Building
- Parking Lot or Sidewalk
- Roads
- Water
- Soil/Agriculture

Limitations

The accuracy of the analysis depends on the ability of the user to correctly classify each point into its correct land cover class. Thus the classes that are chosen for analysis must be able to be interpreted from an aerial image. As the number of points increase, the precision of the estimate will increase as the standard error of the estimate will decrease. Another limitation of this process is that Google Earth imagery may be difficult to interpret in all areas due to relatively poor image resolution, environmental factors, or poor image quality.

In order to mitigate these limitations, one City of Hamilton staff member performed all point classifications to reduce the amount of observer bias. Additionally, the years to be analyzed were based on availability of acceptable Google Earth imagery.

2018 i-Tree Canopy Study Results

OVERALL TREE COVER

Since 2006, overall urban forest cover has decreased slightly across Hamilton’s urban area from 22.1% in 2006 to 21.2% in 2017/2018, though this difference is not statistically significant.

Urban forest cover is one key indicator for measuring the success of Hamilton’s urban forestry program, and the maintenance of canopy cover since 2006 is likely a positive outcome. However, because change detection doesn’t consider which species are contributing to the increase, the role of invasive species in contributing to the increase in urban forest cover should be examined in future monitoring studies.

This particular change detection considered two datasets over a relatively long time span (11 years). It is therefore unclear if urban forest cover increased or decreased significantly at any time between these two time periods, which would provide greater insight into recent urban forestry trends in Hamilton.

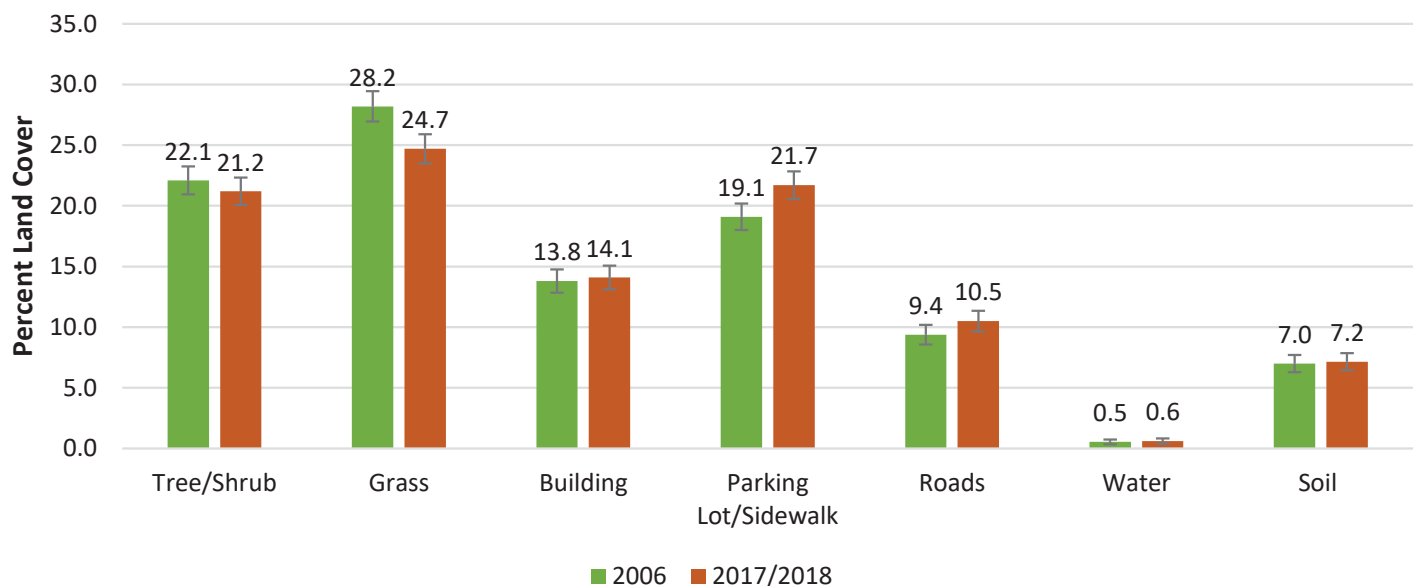


Figure 1. Change in land cover classes in Hamilton from 2006 to 2017/2018, calculated using i-Tree Canopy results.

While the Tree/Shrub cover has not significantly changed over the past 11 years, the amount of impervious surface (building, parking lot, sidewalk, and roads) appears to be increasing, while the amount of grass has decreased (statistically significant).

It is assumed that land cover does not change consistently across the City, and therefore further analyses were conducted to investigate changes in land cover over time using two different geographic units – land use and political ward boundaries.

TREE COVER BY LAND USE

One way to look at factors influencing tree cover change is to examine the change by land use. Different land use categories tend to have different levels of tree cover, based on the intensity and nature of development in those areas. For example, Low Density Residential areas tend to have lower intensity forms of development compared to Commercial or Industrial land uses. The land use categories used for this study were consistent with those identified for the i-Tree Eco study, and are as follows: Agriculture, Commercial & Office, Industrial, Institutional, Low Density Residential, Medium/High Density Residential, Open Space, Transportation & Utility, and Vacant Land.

The Open Space land use category (which includes parks, golf courses, cemeteries and woodlots) has the greatest amount of tree and shrub cover, relative to other land cover classes, with 54.5% in 2006 and 54% in 2017/2018. Industrial lands have the lowest amount of tree and shrub cover, with 3.9% in 2006 and 2.3% in 2017/2018.

The Transportation & Utility land use category experienced the greatest increase in tree and shrub cover between 2006 and 2017/2018, however, the standard error for these values exceeded 0.05. Commercial & Office experienced no change in tree and shrub cover, while all other land uses experienced varying degrees of canopy loss over the time period examined. The land use category with the greatest decrease in tree and shrub cover was Institutional, decreasing from 14.1% in 2006 to 10.9% in 2017/2018.

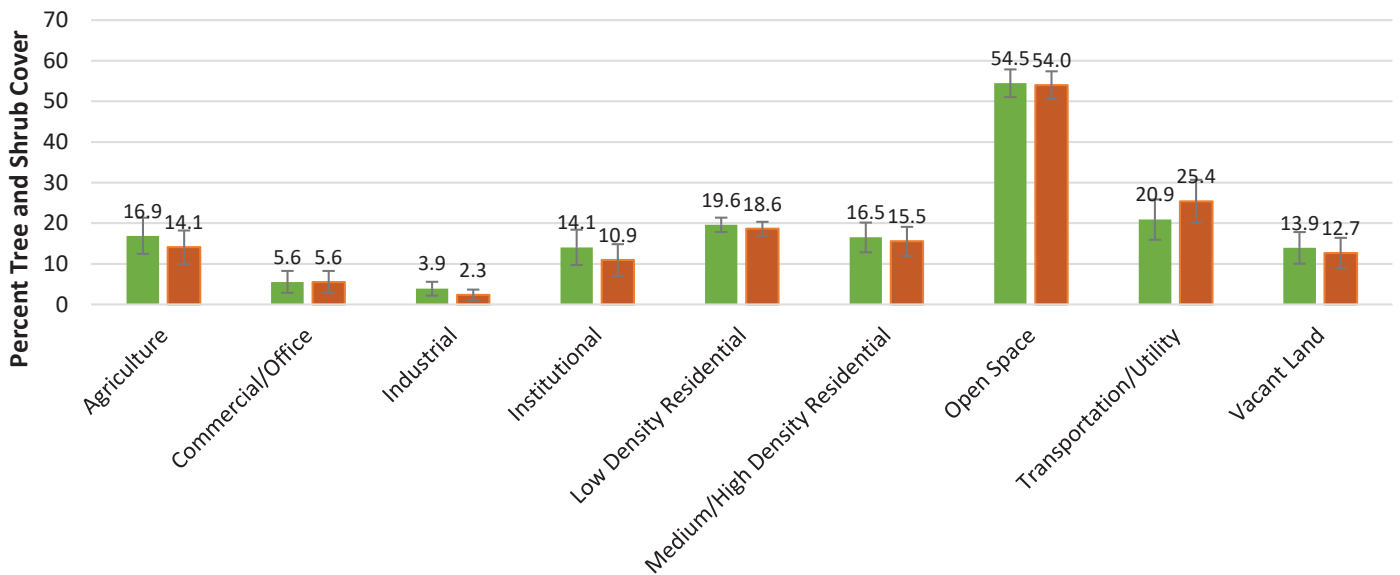


Figure 2. Tree and shrub cover change by land use in Hamilton.

TREE COVER BY WARD (2018 WARD BOUNDARIES)

Political ward boundaries can also influence the nature of tree canopy, whether by local leadership, resident initiatives or targeted municipal outreach efforts. The highest areas of canopy loss appear to be on the outskirts of Hamilton’s urban boundary, in Wards 7, 8, and 12 with Ward 7 showing the greatest amount decreasing from 18.4% in 2006 to 14.5% in 2017/2018, a negative difference of 27.3%. Ward 8 was not far behind with a 20% decrease (9.1% in 2006 to 7.6% in 2017/2018).

There are some wards that have seen gains in tree canopy, the highest one being Ward 15 with an increase of 15% between 2006 and 2017/2018. Other wards demonstrating tree canopy increase are Ward 3 (+6.7%) and Ward 14 (+7.7%).

Wards 1, 2, 5 and 13 saw no change in tree canopy between 2006 and 2017/2018.

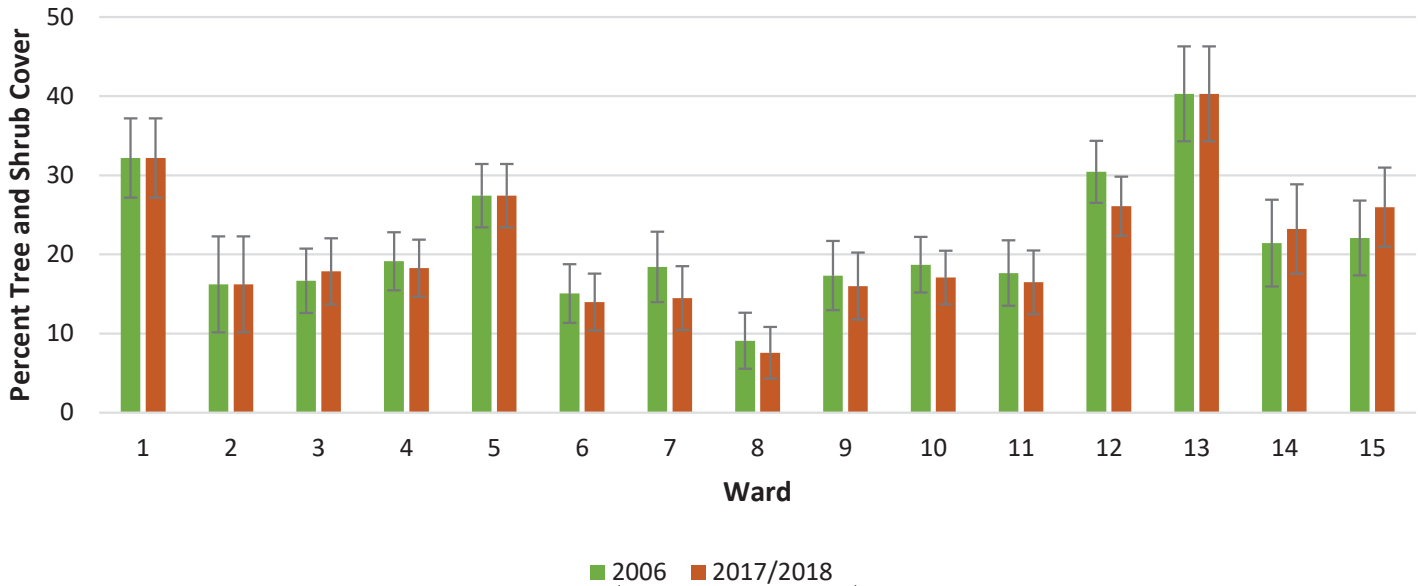


Figure 3. Tree and shrub cover change in Hamilton by ward (2018 ward boundaries).

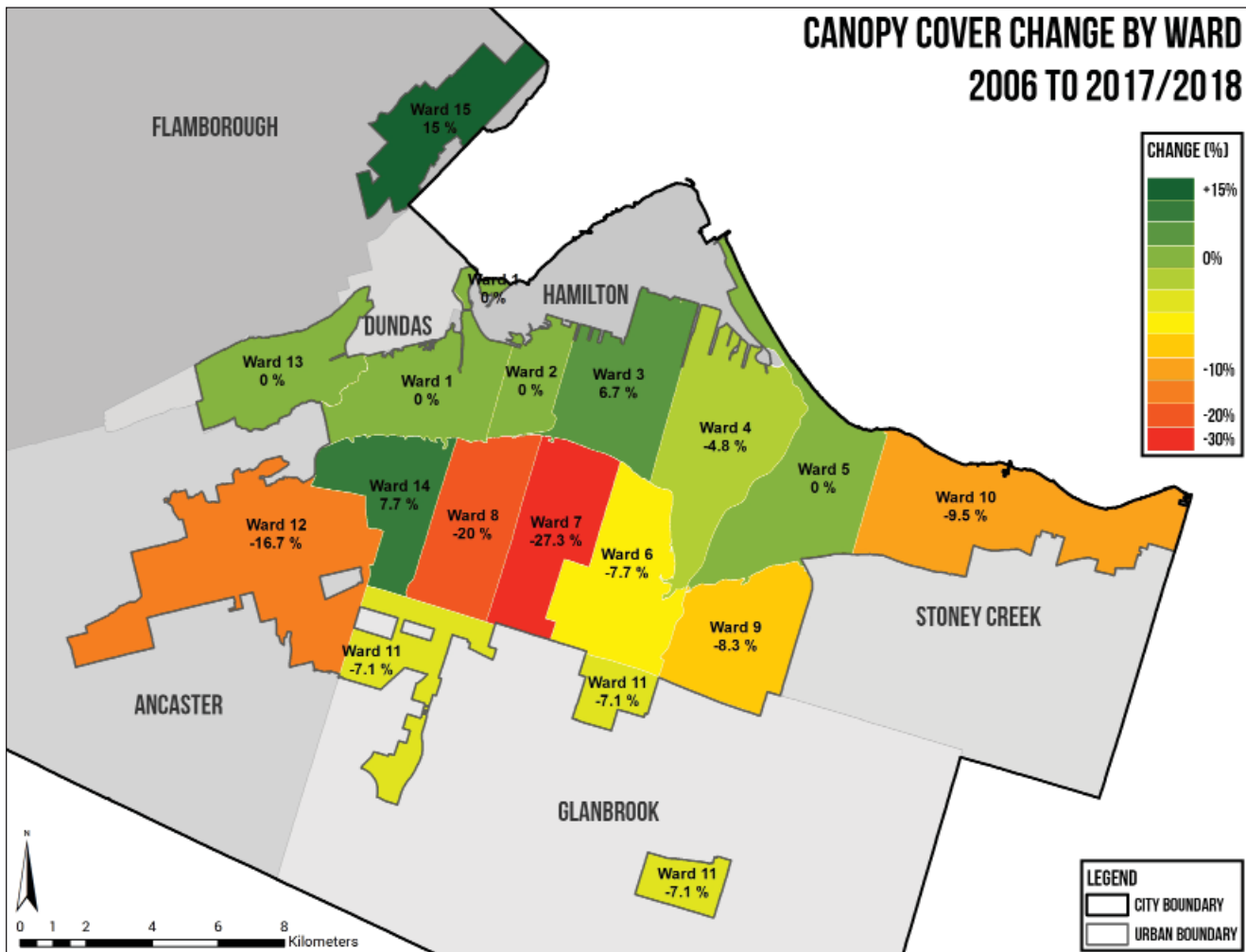


Figure 4. Percent tree cover change in Hamilton by ward (2018 ward boundaries).

CANOPY COVER ESTIMATES BY WARD

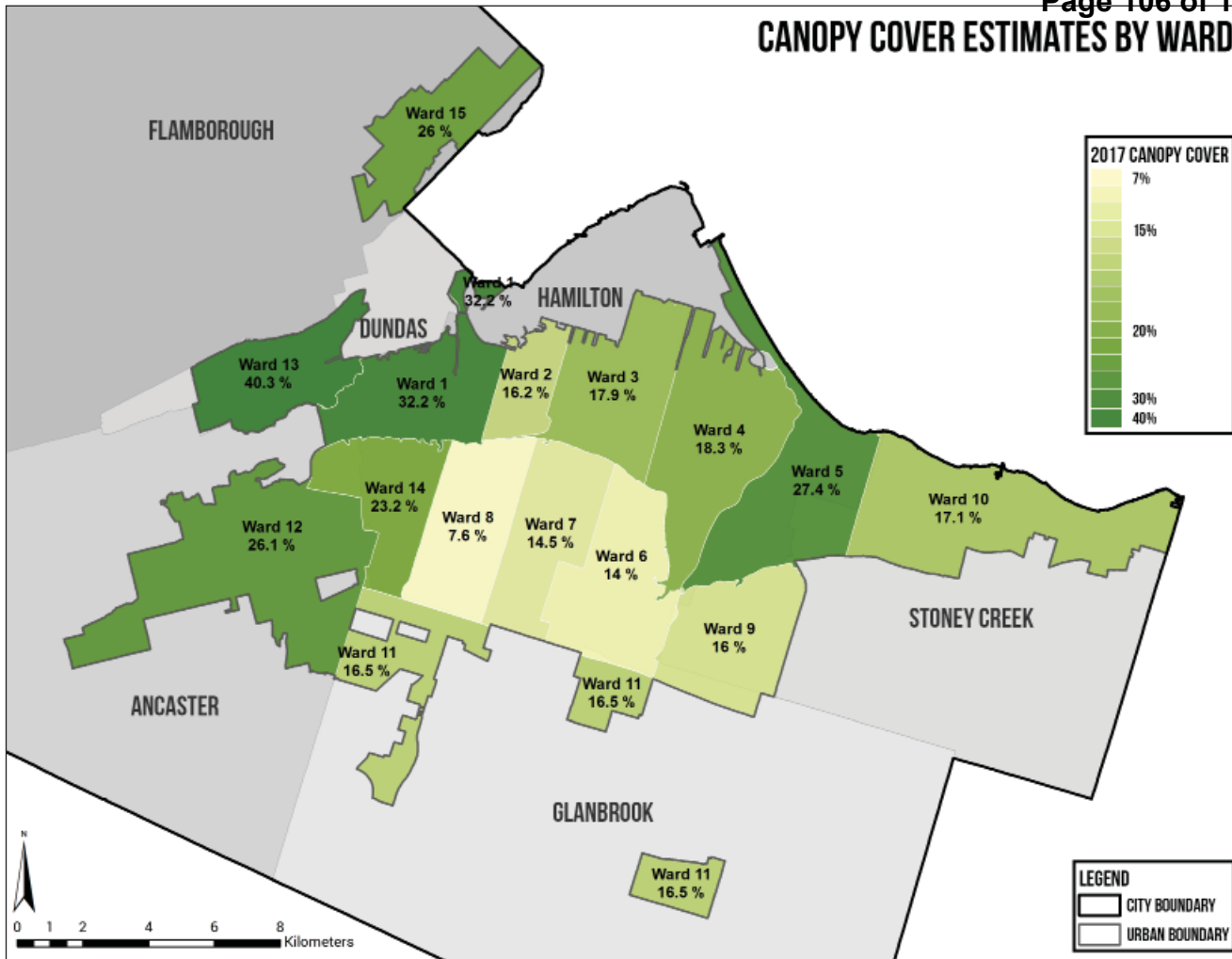


Figure 5. 2017/2018 percent tree cover estimates in Hamilton by ward (2018 ward boundaries). This map shows relative canopy cover change by Ward. More detailed estimates of canopy cover change can be made at a finer scale (e.g. neighbourhoods).

Appendix E: Comparative Review of City of Hamilton Urban Forest Program

At an early stage in the development of the UFS, the City's informal and formal urban forestry plans, policies, programming and practices were compared to the information contained within five other municipal urban forestry plans. The purpose of this comparative analysis was to assess how the City measured up relative to five other municipalities that have advanced their urban forestry plans, establish a baseline understanding of current approaches used by the City to sustain and enhance the urban forest, and identify possible future challenges and opportunities to reach the City's urban forestry goals and objectives.

The framework for this comparative analysis was adapted from the Sustainable Urban Forest: A Step-by-Step Approach document authored by Davey Institute and the United States Department of Agriculture (USDA), Forest Service. This framework uses a standardized set of 28 criteria or 'targets', and associated key objectives and performance indicators to assess the status of a municipality's urban forest and urban forestry planning approach.

Comparison municipalities were selected in consultation with the City staff based on the following parameters:

- The municipality had to have a comprehensive urban forest plan or strategy that was publicly available;
- Only Canadian municipalities were selected and preference was given to municipalities in southern Ontario;
- The municipality was of a similar size to Hamilton (to the extent possible); and,
- In one instance, a plan was recommended by City staff (i.e., New Westminster, British Columbia) for comparison due to the apparent quality of this plan's layout and content.

USDA TARGETS	KEY OBJECTIVE	LONDON	MISSISSAUGA	NEW WESTMINSTER	HALIFAX	NORTH OAKVILLE	TOTAL "YES" PER TARGET	AVERAGE PERFORMANCE LEVEL ¹	HAMILTON
Trees and Forest									
T1 Relative Tree Canopy Cover	Achieve desired degree of tree cover, based on potential or according to goals set for entire municipality and for each neighbourhood or land use	Yes - Good	Yes - Performance Level Not Reported	Yes - Moderate	Yes - Performance Level Not Reported	Yes - Performance Level Not Reported	5	Good	Yes. The Urban Hamilton Official Plan has a 30% canopy cover target. By having an established target, Hamilton is consistent with the municipalities compared in this review. Hamilton's target of 30% is higher than some municipalities (Mississauga 15 – 20%; London 25%; and New Westminster 27%) yet is lower than North Oakville (40%) and Halifax (53%). Note that Halifax targets are land-use specific (40% in parks, 80% in riparian buffers) and also have specific targets by neighbourhood. London's targets are specific across a variety of land use types, ranging from 10% for commercial lands to 55% in natural areas and open space by 2035. It should be noted that these canopy targets have not generally been explicitly included in other planning documents such as Secondary Plans and Growth Management Plans.
T2 Age Diversity (Size Class Distribution)	Provide for ideal uneven age distribution of all "intensively" (or individually) managed trees – municipally-wide as well as at neighborhood level.	Yes - Moderate	Yes - Low	Yes - Good	Yes - Performance Level Not Reported	No	4	Moderate	No. Other than an ongoing tree planting program to ensure a consistent supply of young trees, Hamilton's current policies and programs do not explicitly address or provide targets for age diversity or size class distribution. Other municipal plans except North Oakville address this target, though specific age distribution criteria are not outlined in their plans. Rather, it is simply acknowledged in the plans that age diversity of trees should be a goal in growth of their urban forests.

USDA TARGETS	KEY OBJECTIVE	LONDON	MISSISSAUGA	NEW WESTMINSTER	HALIFAX	NORTH OAKVILLE	TOTAL "YES" PER TARGET	AVERAGE PERFORMANCE LEVEL ¹	HAMILTON
T3 Species Diversity	Establish a genetically diverse tree population across municipality as well as at the neighborhood level.	Yes - Good	Yes - Low	Yes - Moderate	Yes - Performance Level Not Reported	Yes - Performance Level Not Reported	5	Moderate	Yes. Species diversity (or biodiversity) is specified in Hamilton policy documents, similar to the compared municipalities. Species diversity is specified in development-related planting through Hamilton's Street Tree Planting Policy, which states that no single species shall make up more than 20% of the total street tree population where the development includes 20 or more tree plantings, and no coniferous trees are permitted in street tree planting. Overall, there is no clear approach in Hamilton policy for species selection or achieving species diversity. Also, there is no long-term monitoring of species diversity or specific criteria targets for diversity. The plans of most municipalities compared in this review also do not provide specific criteria targets for species diversity, but instead simply acknowledge that some level of species diversity should be strived for, including generalized advocacy for native species. Mississauga has targeted that no tree species represents more than 5% of all trees city-wide or 20% for any given street.
T4 Species Suitability	Establish a tree population suited to the urban environment and adapted to the overall region.	Yes - Moderate	Yes - Low	Yes - Good	Yes - Performance Level Not Reported	No	4	Moderate	No. Hamilton's current policies do not provide targets or guidance for achieving a tree population suited to the urban environment or adapted to the region. Hamilton's Tree Protection Guidelines (October 2010) provide a list of native trees recommended for planting (Appendix 4) and non-native invasive trees not recommended for planting (Appendix 5). The other municipal plans, except North Oakville, address this target. London and Halifax plans focus generally on the principal of selecting the "right tree (species) for the right site", while New Westminster also specifies selection and planting of the largest tree species suitable to a site to also support canopy targets. Most others also consider management of invasive species as part of species suitability. For example, Mississauga has targeted a reduction to below 8% of invasive tree species in street and park trees.

USDA TARGETS	KEY OBJECTIVE	LONDON	MISSISSAUGA	NEW WESTMINSTER	HALIFAX	NORTH DAKVILLE	TOTAL "YES" PER TARGET	AVERAGE PERFORMANCE LEVEL ¹	HAMILTON
T5 Publicly Owned Trees (trees managed "intensively")	Current and detailed understanding of the condition and risk potential of all publicly owned trees that are managed intensively (or individually).	Yes - Good	Yes - Performance Level Not Reported	No	Yes - Performance Level Not Reported	Yes - Performance Level Not Reported	4	Good	No. Hamilton's current policies do not incorporate detailed information of the condition and risk potential of publicly owned trees and an up-to-date street tree inventory is not available. An inventory of public trees in parks and cemeteries is underway and will guide Forestry and Horticulture programming. Woodlots and naturalised areas have no budgets or active maintenance. Forestry goes into these areas without funding to mitigate risks. Most of the municipalities compared in this review incorporate detailed public tree inventory information in their plans as a baseline.
T6 Publicly Owned Natural Areas (trees managed "extensively")	Detailed understanding of the ecological structure and function of all publicly owned natural areas (such as woodlands, ravines, stream corridors, etc.), as well as usage patterns.	Yes - Good	Yes - Performance Level Not Reported	Yes - Optimal	Yes - Performance Level Not Reported	Yes - Performance Level Not Reported	5	Optimal	Yes. Hamilton has a current and detailed understanding of its natural areas through the NAI (2014 update). Natural area protection is identified and facilitated through various policies, such as Official Plan and Secondary Plan policies. The compared municipalities all have some form of natural area inventory and policy protection measures in place.
T7 Trees on Private Property	Understanding of extent, location, and general condition of privately-owned trees across the urban forest.	No	No	No	No	Yes - Performance Level Not Reported	1	Target is not included or performance is not reported	No. Hamilton does not have detailed inventory data on private trees other than 2018 sample-based I-Tree data. Current practice does not include collecting detailed information regarding private trees other than what is submitted through the site development process. Specifically, the Tree Protection Guidelines for Development Sites document is used by the Planning and Economic Development Department to regulate development around trees on private land. None of the municipalities compared in this review address this target in their plans, though others have established private tree by-laws.

USDA TARGETS	KEY OBJECTIVE	LONDON	MISSISSAUGA	NEW WESTMINSTER	HALIFAX	NORTH OAKVILLE	TOTAL "YES" PER TARGET	AVERAGE PERFORMANCE LEVEL ¹	HAMILTON
Community Framework									
C1 Municipal Agency Cooperation	All municipal departments and agencies cooperate to advance goals related to urban forest issues and opportunities.	Yes - Good	Yes - Good	Yes - Good	Yes - Performance Level Not Reported	Yes - Performance Level Not Reported	5	Good	No. Hamilton's current policies do not support broad formal interdepartmental and inter-agency cooperation; however, informal collaboration does occur. The City has a robust system for commenting on site plans, with about 250 plans reviewed each year. Other municipalities compared in this review identify such cooperation in their plans and three are rated as having good performance. For example, Mississauga's plan outlines a specific objective of cooperating with local CAs on riparian planting and restoration, while New Westminster identifies the use of informal teams among departments and agencies that are implementing common goals for specific projects. Halifax is currently developing policies and plans, e.g. a Stormwater Functional Management Plan, that will specify strategies for interagency collaboration toward urban forestry goals. North Oakville's strategy calls for an interdepartmental committee to promote cooperation between the Town and regulatory agencies. Hamilton works cooperatively with the four Conservation Authorities operating within the city.
C2 Utilities Cooperation	All utilities – above and below ground – employ best management practices and cooperate with municipality to advance goals and objectives related to urban forest issues and opportunities.	No	No	No	Yes - Performance Level Not Reported	No	1	Target is not included or performance is not reported	No. Hamilton's current policies and programs do not require or promote cooperation with utilities with respect to the development and implementation of urban forestry Best Management Practices such as utility line vegetation management plans or tree planting or urban forest canopy targets. This is also the case with most municipalities compared in this review. Only Halifax's plan addresses this in a passive way, acknowledging that utility cooperation should be incorporated into urban forestry plans.

USDA TARGETS	KEY OBJECTIVE	LONDON	MISSISSAUGA	NEW WESTMINSTER	HALIFAX	NORTH DAKVILLE	TOTAL "YES" PER TARGET	AVERAGE PERFORMANCE LEVEL ¹	HAMILTON
C3 Green Industry Cooperation	Green industry works together to advance municipality-wide urban forest goals and objectives and adheres to high professional standards.	Yes - Moderate	Yes - Moderate	Yes - Low	Yes - Performance Level Not Reported	Yes - Performance Level Not Reported	5	Moderate	Partial. Hamilton's current policies do not require or promote formal cooperation with green industry; however, partnerships with non-government organizations and stewardship groups on green initiatives occur (e.g. Hamilton Naturalists Club, Environment Hamilton, Air and Trees Task Force, etc.). This positions Hamilton behind all the municipalities compared in this review, which all identify this target in their plans. However, the reported performance of this target is generally low for those municipalities, and their plans provide little detail on how to implement such cooperation.
C4 Involvement of Large Private and Institutional Landholders	Large private landholders embrace and advance municipality-wide urban forest goals and objectives by implementing specific resource management plans.	Yes - Moderate	Yes - Optimal	Yes - Low	Yes - Performance Level Not Reported	Yes - Performance Level Not Reported	5	Good	No. Hamilton's current policies and programs do not require or promote involvement of large private and institutional landholders in furthering urban forest goals and objectives. Other municipalities compared in this review identify this target in their plans. The reported performance ranges from Low to Optimal (Mississauga). Mississauga identifies the responsibility of City forestry staff to conduct outreach and stewardship program activities to involve these stakeholders.

USDA TARGETS	KEY OBJECTIVE	LONDON	MISSISSAUGA	NEW WESTMINSTER	HALIFAX	NORTH DAKVILLE	TOTAL "YES" PER TARGET	AVERAGE PERFORMANCE LEVEL ¹	HAMILTON
C5 Citizen Involvement and Neighbourhood Action	At the neighbourhood level, citizens participate and groups collaborate with the municipality and/or its partnering NGOs in urban forest management activities to advance municipality-wide plans.	Yes - Good	Yes - Moderate	Yes - Moderate	Yes - Performance Level Not Reported	No	4	Good	Yes. Hamilton's urban forest program incorporates informal citizen involvement and neighbourhood action. For example, the Hamilton Trees Please program involves citizen volunteers contributing to tree inventories for online mapping and tree planting programs. Hamilton has a particularly strong and engaged NGO community that has a long history of supporting forestry both in policy discussions and in practice (through community greening grants), where these groups undertake neighbourhood tree inventories and advocacy, as well as natural heritage system management and monitoring. Four of the municipalities compared in this review incorporate this target in their plans, for which performance is generally reported as good.
C6 General Appreciation of Trees as a Community Resource	Stakeholders from all sectors and constituencies within municipality – private and public, commercial and non-profit, entrepreneurs and elected officials, community groups and individual citizens – understand, appreciate, and advocate for the role and importance of the urban forest as a resource.	Yes - Moderate	Yes - Performance Level Not Reported	Yes - Moderate	Yes - Performance Level Not Reported	No	4	Moderate	Partial. Hamilton's current policies do not explicitly provide for this target; however, Forestry and Horticulture complete outreach activities such as those funded by the Environmental Mitigation Fund and the Eco-connection Fund for street tree planting. In addition, Forestry and Horticulture has Open House events at the Operations Yard and distributes environmental awareness (e.g. EAB) and promotional material to the public. Four municipalities compared in this review include this target in their plans, though reported performance is at the moderate level. Past efforts to improve protection for trees through by-laws were unsuccessful, with specific interest groups advocating against a new private tree protection by-law for Hamilton.

USDA TARGETS	KEY OBJECTIVE	LONDON	MISSISSAUGA	NEW WESTMINSTER	HALIFAX	NORTH DAKVILLE	TOTAL "YES" PER TARGET	AVERAGE PERFORMANCE LEVEL ¹	HAMILTON
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C7 Regional Collaboration
 Cooperation and interaction on urban forest plans among neighbouring municipalities within a region, and/or with regional agencies.

Yes - Low

Yes - Optimal

No

Yes - Performance Level Not Reported

Yes - Performance Level Not Reported

4

Good

No, but it should be recognized that Hamilton is a single tier municipality, and therefore, has no upper tier to collaborate with. Hamilton's current policies do not provide for this target; however, Hamilton establishes agreements with local conservation authorities in the management of city-owned lands with natural features. Four municipalities compared in this review include this target in their plans. Performance ranges from Low (London) to Optimal (Mississauga) Mississauga identifies the responsibility of City staff (Planning and Building, and Forestry) to collaborate with upper tier (Peel Region) staff and the two local CAs to address issues and pursue larger scale natural heritage and urban forest objectives.

Resource Management Approach

USDA TARGETS	KEY OBJECTIVE	LONDON	MISSISSAUGA	NEW WESTMINSTER	HALIFAX	NORTH DAKVILLE	TOTAL "YES" PER TARGET	AVERAGE PERFORMANCE LEVEL ¹	HAMILTON
R1 Tree Inventory	Current and comprehensive inventory of tree resource to guide its management, including data such as age distribution, species mix, tree condition, and risk assessment.	Yes - Good	Yes - Good	Yes - Moderate	Yes - Performance Level Not Reported	Yes - Performance Level Not Reported	5	Good	Partial. Hamilton's urban forest program incorporated a tree inventory in the past (i.e. 2006); however, it is not comprehensive or city-wide, and is largely outdated for many areas. There is an inventory of trees in parks and cemeteries that is ongoing. Most municipalities compared in this review have completed city-wide inventories with comprehensive and detailed information, which is updated regularly. used in long-term planning and can be accessed online by the public.

USDA TARGETS	KEY OBJECTIVE	LONDON	MISSISSAUGA	NEW WESTMINSTER	HALIFAX	NORTH DAKVILLE	TOTAL "YES" PER TARGET	AVERAGE PERFORMANCE LEVEL ¹	HAMILTON
R2 Canopy Cover Assessment and Goals	Urban forest policy and practice driven by accurate, high-resolution, and recent assessments of existing and potential canopy cover, with comprehensive goals	Yes - Good	Yes - Optimal	Yes - Good	Yes - Performance Level Not Reported	Yes - Performance Level Not Reported	5	Optimal	Partial. Hamilton's urban forest program incorporates elements of this target (e.g. 30 – 35 % city-wide canopy cover target; increase canopy cover in certain underrepresented wards, etc.), which is consistent with the municipalities compared in this review. However, Hamilton's current policies do not explicitly call for comprehensive city-wide or neighbourhood-level up-to-date assessments of existing or potential canopy cover. Also, developing neighbourhood-level canopy cover goals have not been prioritized. Municipalities compared in this review report good to optimal performance.
R3 Environmental Justice and Equity	Ensure that the benefits of urban forests are made available to all, especially to those in greatest need of tree benefits.	No	No	No	Yes - Performance Level Not Reported	No	1	Target is not included or performance is not reported	No. Hamilton's current policies, plans and programs do not address this target consistent with most municipalities compared in this review. Only Halifax includes this target, through one of its operational principles, which states that all citizens deserve to enjoy the benefits of the urban forest where they live, work, learn and play, and that policies should consider neighbourhood wealth and needs in planning and allocating resources to sustain and grow the urban forest.
R4 Municipality-Wide Urban Forest Management Plan	Develop and implement a comprehensive urban forest management plan for public and private property.	Yes - Low	Yes - Low	No	Yes - Performance Level Not Reported	Yes - Performance Level Not Reported	4	Low	No. Hamilton does not have a comprehensive city-wide management plan for public and private property; however one is being developed. Amalgamation legacy issues could contribute to this challenge. Four municipalities compared in this review have a management plan, though reported success of plan implementation is generally low.

USDA TARGETS	KEY OBJECTIVE	LONDON	MISSISSAUGA	NEW WESTMINSTER	HALIFAX	NORTH DAKVILLE	TOTAL "YES" PER TARGET	AVERAGE PERFORMANCE LEVEL ¹	HAMILTON
R5 Municipality-wide Urban Forestry Funding	Develop and maintain adequate funding to implement municipality-wide urban forest management plan.	Yes - Low	No	No	Yes - Performance Level Not Reported	No	2	Low	No. Hamilton's current program does not include specific mechanisms for funding to implement a city-wide urban forest management plan. This is consistent with three of the municipalities compared in this review that do not outline funding requirements/recommendations in their plans. For those that do include funding targets, reported performance is low.
R6 Municipal Urban Forestry Program Capacity	Maintain sufficient well-trained personnel and equipment – whether in-house or through contracted or volunteer services – to implement municipality-wide urban forest management plan.	Yes - Good	No	No	Yes - Performance Level Not Reported	Yes - Performance Level Not Reported	3	Good	No. As Hamilton currently does not have a comprehensive city-wide urban forest management plan, there are no policies or mechanisms to ensure resources are devoted to it. Three municipalities compared in this review include this target in their plan, though performance reporting lacks detail.
R7 Tree Establishment Planning and Implementation	Comprehensive and effective tree planting and establishment program is driven by canopy cover goals and other considerations according to plan.	Yes - Moderate	Yes - Moderate	Yes - Moderate	Yes - Performance Level Not Reported	Yes - Performance Level Not Reported	5	Moderate	Yes. Hamilton's current policies and supporting guidance documents address/support this target on public lands, which is consistent with municipalities compared in this review. Average performance reported by other municipalities is moderate.

USDA TARGETS	KEY OBJECTIVE	LONDON	MISSISSAUGA	NEW WESTMINSTER	HALIFAX	NORTH OAKVILLE	TOTAL "YES" PER TARGET	AVERAGE PERFORMANCE LEVEL ¹	HAMILTON
R8 Growing Site Suitability	All publicly owned trees are selected for each site and planted in conditions that are modified as needed to ensure survival and maximize current and future tree benefits.	Yes - Good	Yes - Moderate	No	Yes - Performance Level Not Reported	Yes - Performance Level Not Reported	4	Good	No. Hamilton's current policies do not explicitly address this target as there is no clear tree planting strategy to outline the City's approach to direct the goals and objectives of a city-wide tree planting program on public lands. This positions Hamilton behind most municipalities compared in this review; four of which include this target in their plan and generally indicate the performance level is good.
R9 Tree Protection Policy and Enforcement	The benefits derived from trees on public and private land are ensured by the enforcement of municipality-wide policies, including tree care "best management practices."	Yes - Moderate	Yes - Good	Yes - Low	No	Yes - Performance Level Not Reported	4	Moderate	Partial. Hamilton's current policies do not fully address this target. As noted, the injury or destruction of private trees is partially regulated in Hamilton, but is dictated by a number of by-laws that were in effect before amalgamation, and protection differs across the city. The Tree Protection Guidelines for Development Sites document is used by Planning to regulate/protect development around trees on private land. It should be noted that a lack of tools for tree protection has also been identified as a challenge for the City. Most of the municipalities compared in this review have tree protection by-laws and policies that are being implemented/enforced.
R10 Maintenance of Publicly Owned, "Intensively" Managed Trees	All publicly owned, intensively (or individually) managed trees are well maintained for optimal health and condition in order to extend longevity and maximize current and future benefits.	Yes - Good	Yes - Good	Yes - Moderate	Yes - Performance Level Not Reported	Yes - Performance Level Not Reported	5	Good	No. Hamilton's current policies do not address this target. As noted, forest health care appears to be undertaken on a reactionary basis in response to events that cause tree failure (e.g., ice storm, wind storm, EAB, etc.). The municipalities compared in this review address this target through ongoing forest management plans and programs, and performance levels reported on this metric are generally good.

USDA TARGETS	KEY OBJECTIVE	LONDON	MISSISSAUGA	NEW WESTMINSTER	HALIFAX	NORTH DAKVILLE	TOTAL "YES" PER TARGET	AVERAGE PERFORMANCE LEVEL ¹	HAMILTON
R11 Management of Publicly Owned Natural Areas	The ecological integrity of all publicly owned natural areas is protected and enhanced – while accommodating public use where appropriate.	Yes - Good	Yes - Moderate	No	Yes - Performance Level Not Reported	Yes - Performance Level Not Reported	4	Good	Yes. Hamilton's current policies address this target by protecting the ecological integrity of Core Areas and Linkages in the Official Plan. In this respect, Hamilton is in line with most of the municipalities compared in this review.
R12 Tree Risk Management	Comprehensive tree risk management program fully implemented, according to ANSI A300 (Part 9) "Tree Risk Assessment" standards, and supporting industry best management practices.	Yes - Moderate	Yes - Moderate	Yes - Moderate	No	No	3	Moderate	No. Hamilton's current policies do not address this target. Four municipalities compared in this review include this target in their plans and the performance level is generally rated as moderate. For example, Mississauga and New Westminster specifically identify goals of developing and adopting a comprehensive tree risk assessment protocol for municipal trees to be implemented by staff as part of tree inventory updates.
R13 Urban Wood and Green Waste Utilization	Create a closed system diverting all urban wood and green waste through reuse and recycling.	Yes - Moderate	No	Yes - Optimal	No	No	2	Good	Partial. Hamilton's current policies do not address this target which is consistent with most municipalities compared in this review. However, the City has a municipal mulch program available to the public as a means of reusing wood waste generated through Forestry operations. Of the two compared municipalities that address this target in their plans, reported performance is Moderate (London) and Optimal (New Westminster). New Westminster's details of implementation on this target are not described, but they indicate that waste biomass and mulch is utilized by the City to meet existing demand.

USDA TARGETS	KEY OBJECTIVE	LONDON	MISSISSAUGA	NEW WESTMINSTER	HALIFAX	NORTH DAKVILLE	TOTAL "YES" PER TARGET	AVERAGE PERFORMANCE LEVEL ¹	HAMILTON
R14 Native Vegetation	Preservation and enhancement of local natural biodiversity.	Yes - Good	Yes - Good	Yes - Low	Yes - Performance Level Not Reported	Yes - Performance Level Not Reported	5	Good	Yes: Hamilton's current policies address this target consistent with most of the municipalities compared in this review. Compliance with this target is addressed through policies related to the selection of native species for planting, management of natural areas and municipal practices/guidance related to invasive species management.
Number of USDA Targets Included/Addressed:		25	22	18	24	19			7
Number of USDA Targets Not Included/Addressed:		3	6	10	4	9			21 (includes 6 targets identified as partially addressed)
Total USDA Targets with Optimal Performance		0	3	2	0	0			N/A
Total USDA Targets with Good Performance		13	5	4	0	0			N/A
Total USDA Targets with Moderate Performance		9	6	8	0	0			N/A
Total USDA Targets with Low Performance		3	4	4	0	0			N/A
Total USDA Targets with Performance Level Not Reported		0	4	0	24	19			N/A

Appendix F: Summary of Consultation Activities

Introduction

A key aspect in the development of the Urban Forest Strategy (UFS) is community engagement and outreach, to ensure that the UFS reflects the values, issues, and priorities of everyone who lives and works in Hamilton. The City of Hamilton provided several opportunities for stakeholder and public engagement in development of the Hamilton UFS. Internal and external stakeholder groups were engaged on two occasions to participate in workshops, an online survey was made available to the public, and representatives from the City UFS Working Group attended a variety of meetings to introduce, discuss, and share the UFS. Project updates and materials were made available online during the course of the project at <https://www.hamilton.ca/city-initiatives/strategies-actions/urban-forest-strategy>. This process engaged a wide range of groups and generated valuable comments that helped to prioritize the action items of the UFS report.

PHASE ONE

January to December 2018

Background Information Review

Data Collection and Analysis

PHASE THREE

Fall 2019 to Fall 2020

Draft Report Preparation

PHASE TWO

May to November 2019

Public Engagement

Activities:

May 17, 2018 – Phase 1 Internal and External Stakeholder Workshops

May 29, 2018 – Public Open House

June – September 2018 – Online Survey

April 17, 2019 – Phase 2 Internal and External Stakeholder Workshops

June 5, 19, and 24, 2019 – Public Workshops

PHASE FOUR

Fall 2020

Draft Report Review

Winter 2020-2021

Public Engagement

2021

Final Report and Council Approval

Summary of Consultation and Engagement Activities

PHASE ONE CONSULTATION

- Internal (City staff) Workshop #1 on May 17, 2018 – an internal staff working seminar
 - Attended by representatives from: Forestry and Horticulture; Community Planning; Development Planning; Public Health Services; Landscape Architecture Services; Planning and Engineering; Urban Renewal; Public Works Design; Hamilton Water; Parks and Cemeteries; Engineering Services; Risk Management
- External Stakeholders Workshop #1 on May 17, 2018 – provided context/objectives of the Hamilton Urban Forest Strategy and offered engagement activities
 - Attended by representatives from: Hamilton Conservation Authority; Conservation Halton; Hamilton Naturalist Club; Green Venture; Trees for Hamilton; Royal Botanical Gardens; Environment Hamilton; DeVos Tree Care; Keep Hamilton Clean and Green; International Village Business Improvement Area; Downtown Hamilton Business Improvement Area; Waterdown Business Improvement Area
- Public Open House on May 29, 2018 – poster boards were created to share important information with attendees, including the benefits of trees, project process information, what is an urban forest. Attendees were encouraged to share their thoughts on the urban forest and its management. Specific public engagement exercises included:
 - What do you value about Hamilton’s urban forest?
 - What is your vision for the urban forest?
 - What can we do to improve the urban forest?
- Online survey available from May 15 to September 30, 2018
- Hamilton Aboriginal Advisory Committee Meeting on June 7, 2018
- Development Industry Liaison Group (DILG) Meeting on March 29, 2018
- Development Industry Liaison Group (DILG) Meeting on June 18, 2018
- Air and Technology Forum (Environment Hamilton/Trees Please) Meeting on October 3, 2018
- Hamilton Clean and Green Committee Meeting on November 20, 2018
- Hamilton Industrial Environmental Association (HIEA) on November 21, 2018
- Forestry Staff Meeting on January 16, 2019

PHASE TWO CONSULTATION

- Planning Committee presentation to Councillors on June 4, 2019 (public meeting)
- Meetings with individual (small groups of) Councillors to discuss draft report between April and May, 2019
 - Met with Councillors M. Wilson, C. Collins, E. Pauls, L. Ferguson, A. VanderBeek, J. Partridge, N. Nann’s assistant, and J.P. Danko
- Internal (City staff) Workshop #2 on April 17, 2019 – an internal staff workshop to review the draft goals and actions
- Attended by representatives from: Forestry and Horticulture, City Planning, Public Health Services, Planning and Engineering, Public Works, Parks and Cemeteries, Engineering Services, Risk Management, and Development Planning

- External Stakeholders Workshop #2 on April 17, 2019 – review draft goals and actions
- Attended by representatives from: Hamilton Naturalists Club, Environment Hamilton, Green Venture, DeVos Tree Care, Royal Botanical Gardens, Keep Hamilton Green and Clean, International Village BIA, Downtown Hamilton BIA, Trees for Hamilton, and Hamilton Conservation Authority
- Public Workshops on June 5, 19, and 24, 2019 – received feedback on the draft vision statement, goals and actions
- External Stakeholders Meetings (agencies and NGOs) on July 4 and August 14, 2019
- DILG Committee Meeting on September 16, 2019
- Ward 13 (Dundas) Community Council meeting on September 17, 2019
- Hamilton Clean and Green Committee on October 22, 2019

PHASE FOUR CONSULTATION

The purpose of engagement was to receive comments on the draft Urban Forest Strategy. Engagement included the following:

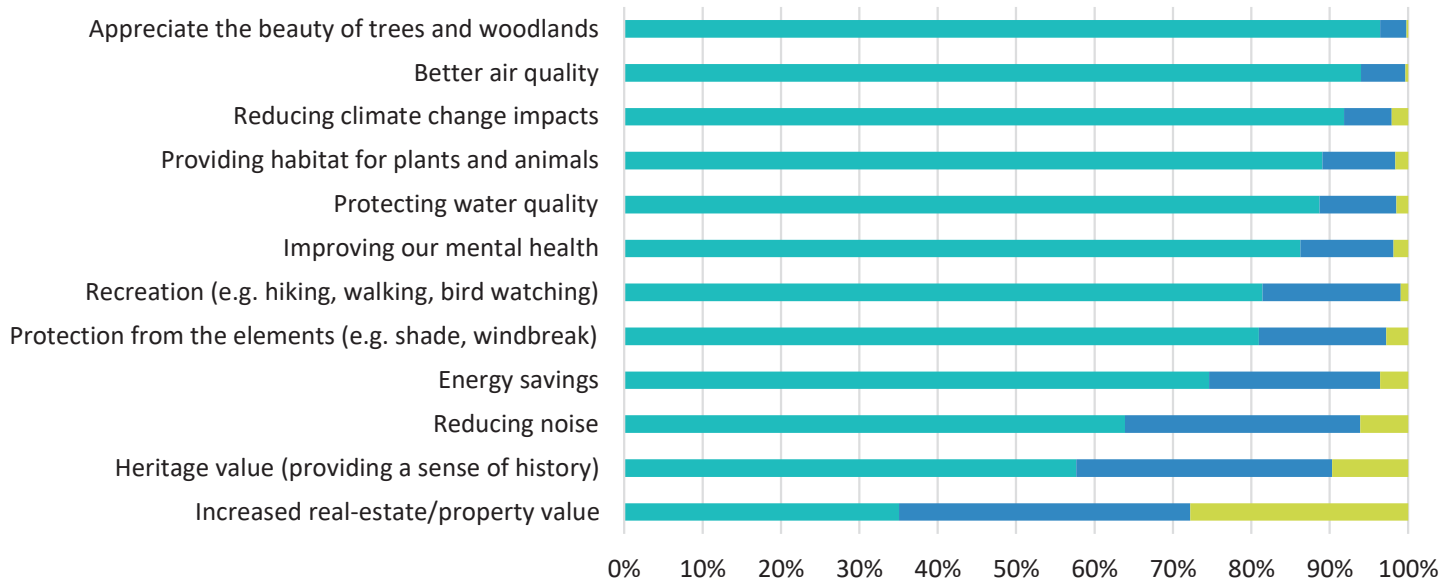
- Planning Committee presentation to Councillors on December 8, 2020 (public meeting);
- Since in-person consultation was not possible due to the COVID-19 pandemic, virtual engagement occurred through the City's web site and the Engage Hamilton platform;
- One virtual public meeting was held on February 9, 2021, with 85 attendees. A video of the staff presentation, and questions and answers were posted for those who could not attend the event; and,
- The draft reports were available on the City web site and Engage Hamilton from January 26 to February 26, 2021. A poll and survey questions were included.

Public Engagement Material and Results

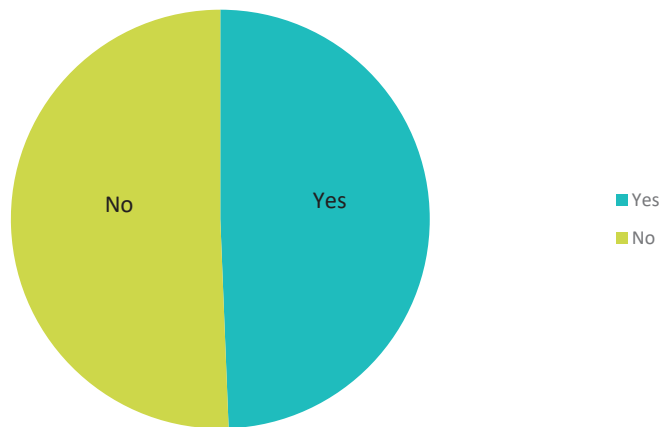
COMPILED RESULTS FROM ONLINE SURVEY IN 2018

The purpose of this survey was to understand what residents know and value about Hamilton's urban forest. The online survey received over 860 responses and identified some of the most important values of the urban forest. Below is a selection of questions and responses.

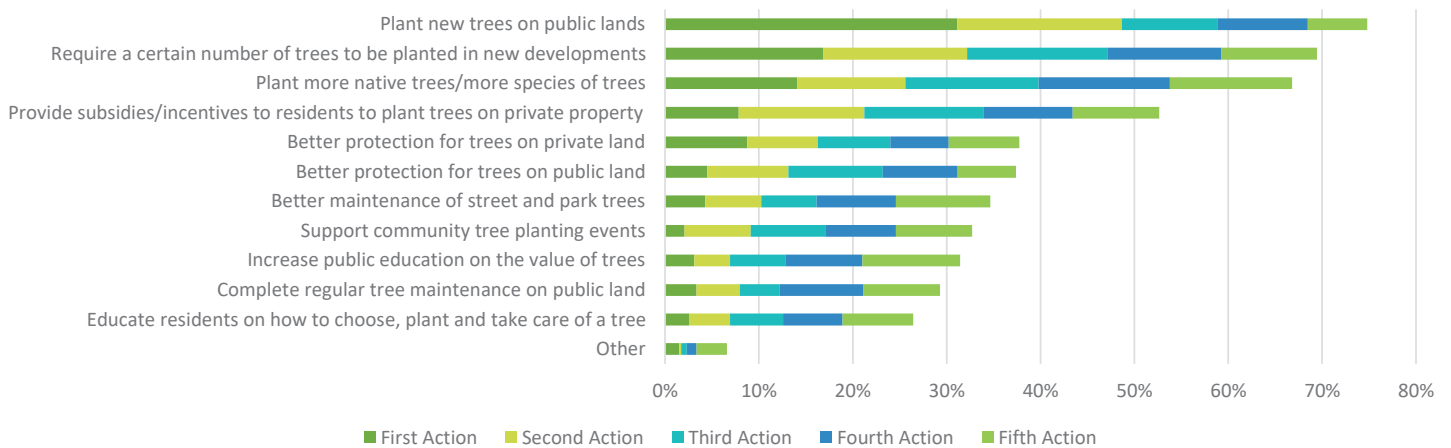
Question 1: What do you value most about trees and urban forests? Please rate the importance of each item listed below.



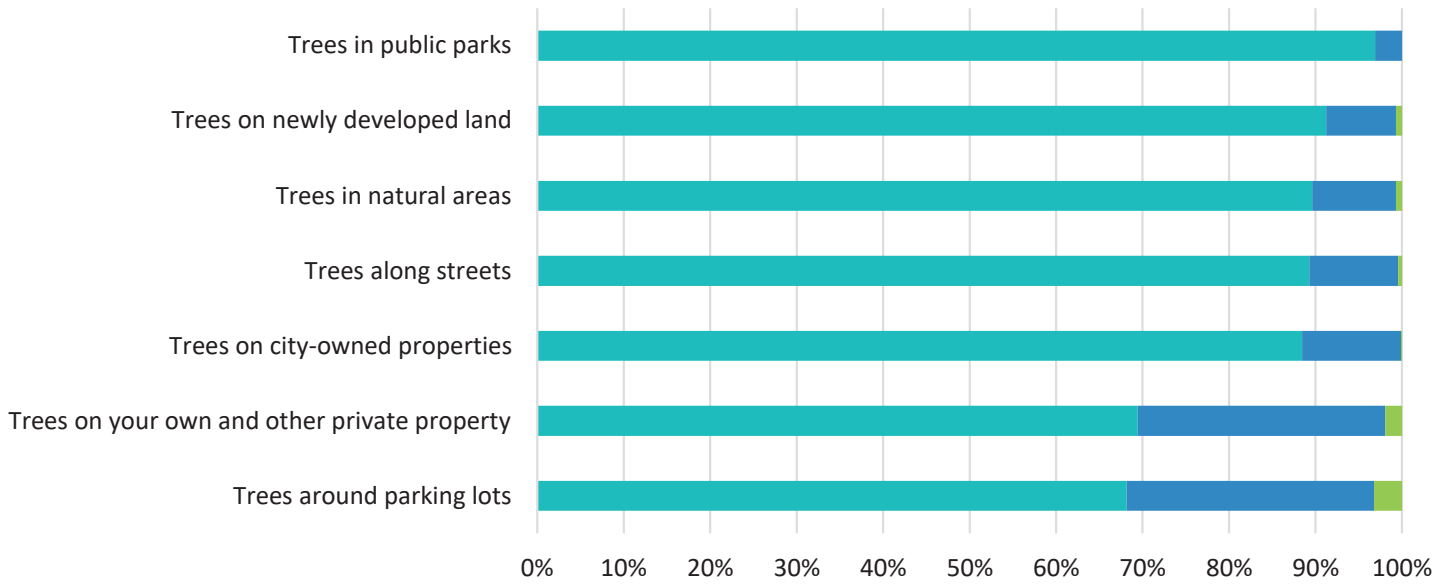
Question 2: In your opinion, does the City of Hamilton have a healthy urban forest?



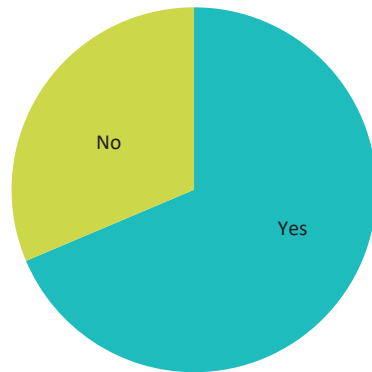
Question 3: The City wants to grow the urban forest by protecting existing trees and increasing the overall number of trees. From the list below, pick the actions that the City could take that you feel would have the greatest impact in growing the urban forest in Hamilton.



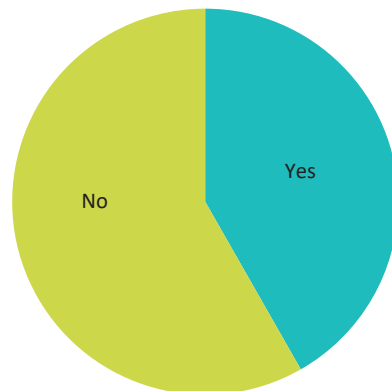
Question 5: How important is it to plant new trees and preserve and maintain existing trees in the following locations in Hamilton?



Question 6: Are you aware that the City of Hamilton has a free Street Tree Program?



Question 7: Are you aware of the community planting events that are hosted in partnership with the City of Hamilton?





2018 Public Open House Materials

City staff held a Public Information Centre on the evening of May 29, 2018 at the David Braley Centre in downtown Hamilton to introduce the Urban Forest Strategy project. Approximately 30 people attended the event. There were a number of panels which provided opportunities for resident input on values, vision, and recommended actions to improve the urban forest.

2018 Public Open House Summary

What is your vision for Hamilton's urban forest?

- Multi-layered, naturalized, native trees (5)
- Enhanced canopy in the downtown (3)
- Promote the Niagara Escarpment – it identifies Hamilton (2)
- Green neighbourhoods – lots of street and yard trees (2)
- Tree-lined streets to enhance active transportation (1)
- Right tree in right place (1)
- Pesticide free forest (1)
- Increase canopy goal to 50% (1)
- More trees at Bayfront Park (1)
- Trees of different ages (1)
- Reduce climate change impacts through tree planting (1)
- Include fruit trees in street tree program and integrate with not-for-profit food organizations (1)

What do you value about Hamilton's urban forest?

- Nature in the city (9)
- Shade and cooling (5)
- Better air quality (5)
- The escarpment and green, lush views, beauty (3)
- Calms traffic (2)
- Health benefits (2)
- Sense of place (1)

What can the City do to improve the urban forest?

- Education and awareness; promote stewardship (10)
- Develop and enforce private tree by-law (7)
- Improve methods for street tree planting (6)
 - Improve survival rates
- Site plan guidelines (5)
 - Mandate minimum tree coverage for parking lots, malls, etc.
 - Minimum soil volumes
 - New road cross sections must have full height for future tree canopy
- Urban design (4)
 - Less concrete, more trees
 - Plan space for trees
- Increase tree compensation requirements (4)
 - Every developer should be obliged to plant trees to get to the 30% target and replace trees they need to cut
 - Plant more based on the equivalent diameter at breast height (dbh) or more
 - Development of new subdivisions should include cost of CO2 reductions
 - Plant the LRT replacement trees now, not after construction.
- Strategic tree planting; prioritize tree planting (4)
- Parks management of invasive trees and naturalization (4)
- Tree management (3)
- School tree plantings (2)
- Miscellaneous
 - Subsidize backyard plantings in targeted areas (1)
 - Use inventory to inform urban forest strategy (1)
 - The urban forest strategy needs a Council champion (1)
 - Why is a strategy necessary? – just do it (1)

2019 Public Workshops Summary

Three public workshops were held on June 5 (Westmount Recreation Centre), June 19 (Huntington Park Recreation Centre), and June 24 (Bernie Morelli Recreation Centre). The purpose of the workshops was to gather input from residents on the draft Vision Statement, Goals and Actions for Hamilton's Urban Forest Strategy (UFS).

After a short staff presentation, participants were asked to break into small groups and review the goals and actions. Each group moved from table to table (World Café) until they had recorded their comments on all of the goals and actions.

The input received is shown below and the presentation from the workshops was posted online at: <https://www.hamilton.ca/sites/default/files/media/browser/2019-08-12/urban-forest-strategy-public-workshop-june19-presentation.pdf>

Draft Vision Statement: Hamilton's urban forest is resilient and sustainable. It contributes to the health and well-being of citizens and enhances the livability of the city. The City of Hamilton, and all residents value the urban forest as an essential shared asset that should be intentionally planned and maintained for all future generations.

Comments:

- Support the health and livability of our city by maintaining a healthy, vibrant urban forest
- Hamilton is a Carolinian forest City
- Hamilton's urban forest is climate change ready
- This is not really a vision statement; more like value statements
- Include green infrastructure, climate change, public health aspects
- Include something about image, character of Hamilton – "green city", "trees are enduring assets", long-lived
- Check the tense of the vision statement
- Didn't like sustainable – old buzz word – over used
- Mention the increased financial value trees provide
- Like most visions, this is too complicated. I'd like a simpler vision that we can imagine
- The urban forest is vitally linked to the health of citizens
- Equity of canopy cover – all parts of the city have 30-35% canopy cover. For the second sentence, add something like, "with equal or greater tree canopy coverage throughout"
- Needs more umphhh! Vision should be a challenge that all Hamiltonians can get behind and be proud of
- Use climate change emergency to frame and prioritize funding for trees and rewilding
- Sustainable = dead; we need "regeneration"
- Hamilton's urban forest is essential to the health and well-being of citizens and the economy
- "...shared asset that should be intentionally and communally planned"
- Language needs more urgency
- Change "should " for "must"

General Comments on the Draft Goals and Actions:

- There needs to be more ecological/Natural Heritage System (NHS) recommendations – link urban forest to NHS. Currently the actions focus is on forestry– add more about natural areas and biodiversity
- Add an action to improve interdepartmental staff coordination
- Identify long and short-term priority goals
- Criteria & Indicators are not mentioned much but they are key to tracking our progress – make sure report clearly explains this
- Reduce the number of goals – concerned that 6 goals are too many. They need to be easy to remember. I suggest the 3 P's: Plan (communicate, analyze, monitor and adapt); Plant (climate change ready); and Protect (maintain)
- Green infrastructure should be emphasized more in the strategy with a link to the climate change emergency which was recently declared in Hamilton
- Compensation requirements are not good now – need to revise/rethink this
- Damage to public trees – educate staff who care for and plant trees – training
- Is 30% canopy cover target realistic?

GOAL 1: PLAN & ACT

- Title of goal may not be appropriate
- Need to be clear and specific – goal would be to achieve canopy cover
- Suggested to call the goal, "Prepare and Attack"

Draft Actions:

1. *Obtain spatial data for the entire municipality and use to determine canopy cover and identify planting areas.*
 - Use City's GIS to document data
 - Quantify the theoretical limit of tree canopy (e.g. 40%)
 - Consider differences between neighbourhoods in terms of proportion of rental housing
 - Rated as #1 priority under this goal
 - Ensure spatial data collection is neighbourhood specific (not ward)
2. *Use canopy cover data to develop land use targets for tree cover-integrate these targets in development processes.*
 - Also consider correct soil volume for planting (not just canopy cover)
 - Introducing canopy cover where there is none
 - Priority areas –industrial core – improve canopy here
 - No timeline given to achieve the canopy cover target
 - Incorporate land use targets for tree cover into the Official Plan and secondary plans
 - Rated as #2 to #3 priority under this goal
 - Shouldn't just be about land use, but land availability (greenfield vs. infill)
 - Just trees or does it include other vegetation?
 - Base canopy coverage requirements on intended land use

- Higher requirement for tree cover for new development
 - Restore “brownfields” (contaminated areas)
3. *Forestry staff should actively participate in policy, plan and guidelines review to ensure Forestry goals are included.*
- Involvement of Forestry department in plan review, technical expertise - do they have the capacity for this new role?
 - Set up advisory committee (Hamilton Naturalists’ Club, McMaster, experts in the field)
 - Natural heritage staff should also be included
 - Use term “regularly” participate instead of “actively”
 - Increase interdepartmental communication
 - This action will require an assessment of resources available – money, people, time
 - Non-profit organizations should also participate
 - More public consultation in policy, plans, and guidelines
 - Rated #5 in priority for this goal
4. *Develop urban forestry ‘best practices’ to share with City departments whose activities affect the urban forest.*
- Carolinian forest system as best practice, support initiatives to reintroduce species (e.g. American Chestnut)
 - Co-ordinated standards across City departments – standards should align (e.g. site plan guidelines align with Forestry specifications)
 - Update guidelines regularly (some are very out of date) – link site plan guidelines to Forestry standards and as Forestry updates them, the link will automatically take clients to these, so they are always current and you don’t have to constantly update site plan guidelines
 - Rated #4 in priority for this goal.
 - Add “...share with city departments and private contractors” that the City hires
 - Review best practices every 5-10 years
 - Urban silviculture best practices
5. *Update and maintain an inventory of street trees. Include an assessment of tree condition/risk.*
- Private tree inventory (include all trees in inventory, not just street trees)
 - Review NY City street tree map, tree care activities, benchmark for other cities for similar programs
 - This overlaps with other actions – could combine
 - Inventory of natural lands is more important than backyards
 - Tying all of this data together - temperature, air quality
 - Inventory more than just street trees
 - Idea of how many trees in an area and what the species – don’t need precise data on every tree –focus on actions 1 and 2 instead

Are there any other actions you would include under the Goal, “Plan and Act”?

- Risk management hasn't been discussed (hazard prevention)
- Reduce pavement islands, replace infrastructure (hardscape) with plantings
- Landscaping incentive to replace tree canopy
- Increase width of landscape strip to allow tree/shrub planting
- More native trees in public spaces (less annuals and non-natives)
- Development needs to consider trees (need to protect trees; design and build around)
- Several actions are overlapping with other goals and actions
- Include climate change as part of goal
- Legislation that can aid in protection of greenspace
- Protection goal should be included in Plan & Act, as they are related
- Incorporate enforcement into Official Plan
- Strategy to introduce more species – assisted migration
- Incorporate policies into Zoning By-law
- Don't over-plan. Just do it. Don't need to have exact data – just trends.
- Add a goal to revise Tree Protection Guidelines (update and strengthen) and revise implementation processes (monitor to ensure Tree Protection Plans are being implemented properly).
- Create a local research industry
- Involvement of First Nations in planning
- Prioritize Forestry and Planning collaboration
- Encourage vertical green spaces in urban areas, green roofs, solar panels
- 1 to 1 compensation policy not good –have to plant what is taken away, compensate for true value of what is taken away
- Keep this work in the media; keep communication constant
- Include tree planting in the larger vision of the City
- Include ways to incentivize tree planting for developers
- Offer alternatives to planting street trees
- Other committees that report to Council on trees – share with other groups (Conservation Authorities, RBG, non-profits)
- Educating the public and elected officials – understand the importance
- Should have cost analysis of mature trees being removed
- Include healthy urban forest in strategy (proper maintenance)
- Have a plan to give out trees
- Provide tree list – size, shape, how large they grow, make it easier for people to understand
- City should offer assistance with trimming and tree care
- Revamp street tree process – too complicated now
- Climate emergency has not been mentioned; City has declared a climate emergency; we MUST take action.

GOAL 2: PROTECT

Draft Actions:

1. *Implement a private tree by-law for Hamilton's urban area that includes individual trees on private property.*

- This will be a tough political sell
- Would have to do intensive public engagement
- We have to do this, regardless of attitudes
- We need to prioritize trees
- Good idea, but there will be a lot of resistance
- Not a good idea – creates red tape for homeowners- cost for homeowners
- Needs to be education for homeowners
- Education is important
- Tax rebate/similar incentive for planting trees
- Private developers should be held to a higher standard
- What are incentives to landowners to maintain woodlots – this is better than a by-law
- Need education to change views, so people don't think of trees as impediments
- Significant fines for careless removal of large trees – removing without good cause
- Need to make sure people can use their woodlots (firewood, etc.)
- People don't want to be told what to do
- Penalty would need to be sufficiently high
- Yes, great idea – Tree Protection Plans for developers are not adequate
- By-law should not apply to non-native trees
- Implement private by-law for priority areas only, instead of the whole City of Hamilton
- Can it be enforced?
- Take down diseased trees only
- Trees crossing property lines – protect overhang
- Need some flexibility – incentive is better to protect a tree
- How effective will it be?
- How much will it cost to pass and enforce?
- Protect all woodlands City wide
- City should better protect public trees and follow their goals and policies
- Provide incentives for canopy cover and place monetary value on canopy cover – put it into people's taxes
- Higher taxes if you have less greenspace – not everyone can take care of greenspace – so don't penalize
- Prevent people from cutting before new by-law is passed – see what other municipalities have done
- Tenants should have a say on trees in their amenity areas
- Rated as priority #1 for this goal

2. *Collect data to identify the root causes of change/loss in the urban tree canopy.*

- Data is important, but action is also important.
 - Root cause is development – don't need intensive data to determine cause
 - Need good baseline data to compare
 - Use citizen science – this can provide a lot of the data
 - Look at deer populations – too many can cause damage to trees and reduce diversity
 - Use information available on regional/provincial/national scale – access these sources
 - Ask for data from private tree companies
 - Yes, this is of value
 - Need to capture aggregate level – change in specific areas
 - Canopy cover is only one measure – trees species are another measure – need to factor in quality - composition of native vs. non-native species.
 - Could do test areas for change detection
 - Awareness of insects, fungus, and plant non-uniformity
 - Survey through tax slips, log in to website for easy access
 - Use data from boulevard parking permits to monitor tree loss (trees removed for parking space)
 - Rated as #3 for this goal.
3. *Require a calculation of canopy balance (leaf area of trees removed vs. proposed planting) as part of arborist reports for development applications.*
- Juvenile trees do not compensate fully for mature trees
 - Yes, we should require this
 - Try to meet canopy goal in new developments (30-35%)
 - New developments have to do more to protect existing trees
 - Hard to calculate leaf area for new trees – will depend on the health of the tree – don't know if it will be accurate
 - Another way to measure is trunk size
 - 3D scanning technology is available
 - Reduces a 3D figure to 2D – what about height? Overlooks the growth habits of different species
 - Can create a standard tree value measurement based on various criteria
 - Goal is to increase canopy cover-more juvenile trees are needed to offset removal of single large tree
 - Yes, this is needed. Should be aiming to create equal replacement coverage – should aim for a canopy balance within a short term (3-5 years)
 - Should also be done for park areas/new parks. Tree planting should be done immediately, not after rest of development has been built.
 - Needs to be something more in place to ensure that City standards are being met – extra site checks.
 - Use software to determine canopy balance
 - Specify length of time
 - Calculate monetary value cash-in-lieu for trees

- Add “to ensure appropriate compensation” at end of action
 - Expand required canopy compensation to include nearby properties
 - Agree with this action
 - Developer should replace with larger tree stock (caliper) rather than small whips
 - Rated as #2 for this goal.
4. *Report on canopy balance as a performance indicator for Hamilton.*
- How often should we report on this – every 5 years?
 - Trees grow very slowly but destruction of tree is very fast
 - Track how many street trees are dying each year and then find out why
 - Is there healthy vertical structure? Need to look at all levels of trees from ground cover to middle.
 - Need to keep measurement parameters the same over time
 - i-Tree Eco is a good indicator – should calculate financial value as indicator
 - Suggested reporting on canopy coverage instead
 - Key Performance Indicators (KPIs) is important – need to break it down by area – not just overall.
 - Pines are important but small footprint – can skew the numbers
 - Could put this action under “monitor”
 - Define “canopy balance” so it is understandable.
 - Total canopy cover needs to be revised – include understory – consider the balance of layers in forest.
 - Rated as #4 priority for this goal.

Are there any other actions that you would add under the Goal, Protect?

- Plans must be in place to prevent developers from clear-cutting woodlots prior to applications
- Training for City staff/contractors cutting grass to prevent damage to trees (i.e. use of weed whackers), no mulch volcanos.
- Use tree guards or mulch for street trees
- Need to develop genetic protection for native tree species (genetic modification for disease resistance)
- Need to cultivate the soil under street trees to ensure their health (No - disagree) – need good quality soil.
- Designate significant trees as heritage trees under Ontario Heritage Act
- Stronger regulations for developers need to be put in place
- Tax incentives for landowners to protect heritage trees/old growth trees
- Need to preserve environment for wildlife – also consider shrubs and supporting plants.
- Actually enforce by-laws (e.g. illegal parking pads)
- Prioritize certain protection areas of the city (e.g. Stoney Creek, waterfront, escarpment lands)
- Prioritize areas with tree connectivity (e.g. near conservation areas)
- Consistent policies across all areas of the city and consistent implementation
- Explore zoning bonuses as incentive to protect trees
- Protect native species

GOAL 3: PLANT

Draft Actions:

1. *Identify the number of trees required to be planted in Hamilton over the next 20 years to meet canopy cover target and increase funding for tree planting to meet target.*
 - Separate public and private plantings and track using GIS
 - Suggest 30 years – gives more time to plan/budget
 - Develop planting cycle, showing the number of trees to be planted per year
 - Encourage naturalized plantings in public areas
 - Higher canopy cover target of 40% - look beyond canopy, gaps are good and natural part of forest
2. *Reduce the use of maple species in street tree planting.*
 - Maples will start dying, so reduce use by 2030
 - Still allow hard maples
 - Allow native maples
 - Change wording to focus on including biodiversity
 - Combine this action with #3 –they are similar
 - Rephrase this action in positive manner – increase diversity of tree species planted
3. *Review planting lists periodically to ensure species diversity.*
 - Consider planting different species based on warming climate (Carolinian trees, assisted migration)
 - Select species that best sustain wildlife, insects, and biodiversity
 - Include fruit trees
 - Plant trees with symbiotic relationships that grow and work together
 - Plant species resistant to disease
 - Native trees only?
 - Need trees that are climate change ready (Carolinian forest species)
 - Plant variety of trees to reduce/avoid conflicts with solar panels (e.g. Kentucky Coffee Tree)
 - Focus on Carolinian forest species, climate change impacts
 - Need statistics on mortality rates of trees – which ones are doing well – add these to planting lists
 - Consider the forecasted land use when selecting species to plant at a site
 - Mitigate flooding issues and soil erosion, support soil remediation
 - Use species appropriate for soil conditions and geographic location
 - Mention using climate-adapted species
 - Fruit trees
 - More native species, locally rare species where possible, as this is better for biodiversity
 - Avoid species like Gingko, which are biological deserts; no insects, no birds like them
 - Try to plant trees that will have large canopy, instead of Tree Lilacs, lollipop trees

- Collect climate change data and use to determine what tree species will grow best
4. *Use standard specifications in all City of Hamilton plantings.*
- Also include standards for after-planting care (e.g. watering)
 - Include soil health, minimum soil volumes
 - Silva cells
 - Consider complete ecosystem
 - Should focus on soil zone – different trees on the Mountain compared with downtown because soil differs (soil health)
 - Bushes as buffers to allow tree growth
 - Dig deeper holes for trees – public trees are currently planted too shallow
 - Consider wind impacts
 - Recognize the different areas of Hamilton (soils, microclimate)
 - Require minimum canopy cover in zoning
 - Co-ordinate with city engineering and landscape architects, urban designers
 - Make standards flexible/adaptable
 - Have standards for Low Impact Development
5. *Examine tree planting budgets and programs to identify how to plant more trees over the next 5 years.*
- Add tree planting budget to permit planting with community organizations
 - Suggest 10 years
 - How do we align budgets with non-profits?
 - Government to give incentives for planting on private property; many residents may not be planting because of cost
 - Allow landowners the option to plant their own public tree on public land so they don't have to wait two years for City to plant – speeds up trees planted
 - Have public and private tree pick-up days. People can submit order for trees on line and pick up to plant themselves
 - Can make use of trees growing in hedgerows, alleyways – transplant volunteer seedlings
6. *Prioritize tree planting locations, outreach and partnership efforts in different land uses.*
- Distribute tree planting across the city, instead of prioritizing industrial areas
 - Work with neighbourhood groups to identify priority areas for planting
 - Prioritize storm water management areas, areas prone to erosion
 - Remove concrete for tree planting
 - Focus on industrial areas, schools, woodlots and older subdivisions in need of renewal, parks, and arboretums
 - Partnerships are really important part of this action
 - Use Code Red to consider social equity when selecting planting locations
 - Focus on industrial areas to improve air quality
 - Consider soil drainage and quality

- Consider areas with low canopy and redeveloping areas
- Increase buffers around natural areas and plant in the buffers
- Plant in unused park spaces, naturalize, re-wilding
- City could consider silviculture on vacant lands (e.g. Scotland – Sterling, Glasgow - have examples of this)

7. *Identify available planting space for street trees. Prioritize planting on higher quality sites and in areas of low and mature canopy.*

- Prioritize planting along main streets as tourist attractions
- Urban design – planting strips
- Suggest separating the two sentences into separate actions
- Provide tree identification information to help residents select which street tree they want – showing size, leaf, growth form, and best planting conditions (soil, slope)
- Plant trees on road allowance when a house sells and doesn't have a street tree – way to get more public trees planted
- Unsure what "higher quality" means
- Identify planting space on private lands too
- Fill up parks with trees
- Planting along highways (e.g. the Linc)
- Mandate/require street tree plantings
- Establish demonstration forests, can use different themes (e.g. Carolinian trees) like the Millenium Forest in Vineland, Ontario
- Plant as soon as a tree is removed. Can even plant before trees are removed, in advance of work, as trees take time to grow

Are there any other actions that you would add under the goal, Plant?

- Higher ratio for compensation trees (for private trees, it is currently 1:1)
- Rewarding people for planting (tax rebate)
- Free tree program – make it easier to go online to order tree to plant, provide better information on trees
- Incentives for private tree plantings
- Educate on the economic value of trees and use as an incentive to plant – carbon value of trees
- Developments – need to plant larger trees, variety of sizes and calipers, don't strip topsoil
- Improve planting practices and techniques – train private contractors, use better specimens/tree stock, no volcano mulching, no shallow planting holes, no cages
- Transplanting trees to other sites instead of removal
- Plant in rain gardens
- Plant something other than trees, if there is no room (shrubs, perennials)
- Look at Carolinian forest as roadmap for species diversity
- Plant near railways
- Focus on businesses and business parks Rural area has greatest potential
- Plant to enhance wildlife corridors

- Stagger the age/size of trees when planting
- Communication between city and developer to ensure that appropriate tree cover is being planted
- Use other vegetation in areas where no room for trees
- How does this relate to brownfields? Don't just look at high quality areas
- Don't just assume we can plant to replace; use proper replacement rate
- Volunteer planters with high schools
- Industrial planting plan
- Student jobs to plant trees
- Larger planting strips on landscape plans
- Conifers as street trees
- Plant in older subdivisions
- Give regular update on number of trees planted annually
- Larger soil volumes in parking lots
- Shift funding from annual floral plantings and spend on trees
- Tree giveaways for private property – addresses equity
- Provide free private tree for landowners who lose trees in back yard to Emerald Ash Borer
- Plant for future removal of trees that you know will be removed
- More native trees
- Consider security and safety concerns with more forest/vegetation cover
- Need to adapt for future climate
- Innovative technologies for street plantings (silva cells)

GOAL 4: MAINTAIN

Draft Actions

1. *Update and actively maintain a street tree inventory*

- It is too limiting to focus on street trees; include private backyard trees
- Include age diversity in data gathered
- This also relates to Goal 5 – Communicate – online mapping tool
- Should include all trees (public and private)
- Need access to street tree inventory online
- Use database also for education and give residents the ability to report on maintenance issues, self-report private tree plantings to add to database
- Use Google drone; use local drone enthusiasts
- Use the public and neighbourhood associations to help with data collection
- Back yard tree inventory – ask people to add to the database

2. *Focus on the removal of 'poor, dead, or dying' street trees*

- Add "and replacement" to this action – make sure you are replacing the trees removed
- Prioritize health care for mature trees

- What about endangered species that use dead trees as habitat?
 - Yes, this is important
 - Consider keeping dead trees where safe (open space)
 - Succession plantings
3. *Develop an invasive species management policy for Hamilton.*
- Call it an “Invasive species plan/strategy” – use stronger language
 - Educate on invasive plants
 - Ban the sale of invasive (e.g. honeysuckle) or provide incentives to plant native species through education
 - Distinguish between non-native and invasive species
 - Combine this action with “Examine opportunities to control invasive species under property standards regulations”
 - Focus on removing invasives in ravines and replanting with natives – don’t just focus on parks
 - Be aggressive/proactive in re-introducing impacted species (e.g. Butternut, American chestnut, ash)
 - Don’t completely rule out non-native species – they have a role to play
 - Include limits on aggressive, invasive species though
4. *Work with Conservation Authorities to prioritize areas where forests will be managed to improve their health.*
- Should focus on the City, and not Conservation Authority owned lands
 - Also include other organizations (e.g. Hamilton Naturalists’ Club), farmers, RBG
 - Include Forestry staff in woodland management
 - Management of Norway Maple which is dominant in parts of Niagara Escarpment – remove selectively and replant with native species
 - Phasing plan for the removal of Norway Maple
 - Include connected woodland system – tree corridor, wildlife corridor
5. *Examine opportunities to control invasive species under property standards regulations (e.g. Yard Maintenance By-law)*
- Eliminate by-laws that attack native species (i.e. property standards)
 - Public-private partnerships between city and residents – how to control invasive plants and where to take them
 - Education of school children on impacts of invasive plants
 - Renters vs. property owners – education
 - Property stewards
6. *Develop a policy on how the City will monitor and manage forest health threats in Hamilton.*
- To do this, it must occur with a private tree by-law
 - Not just health threats, policy should be stronger to avoid clear-cutting – give value to Tree Protection Plan
 - Phasing plan to ensure canopy and diversity
 - Make policy for tree replacement/compensation

- Annual monitoring and education
- Yes, this is important
- Climate change impacts on forest threats
- Severe weather should be included
- Does Forestry keep knowledge up to date with current standards?
- Need entomology/pathology data to see which diseases are coming our way

7. *Develop service standards for hazard trees and other forestry service requests.*

- Service standards for mature and existing trees related to soil volumes
- Targeted risk assessments rather than indiscriminate maintenance
- More focus on maintenance, rather than data collection

Are there any other actions that you would add under the goal, "Maintain"?

- Citizen science – use an app for data collection
- Reduce competing processes (e.g. composting by City)
- Resident to enter data on their trees using online mapping (i.e. tree needs pruning, disease problems)
- Rely on neighbourhood groups to help maintain
- Licence arborists locally
- Provide incentives to residents to maintain trees (e.g. free leaf bags in the fall)
- Develop a citizen tool kit – how to maintain their trees
- Leaf-raking angels – similar to snow angels to help others with maintaining trees
- Avoid penalizing seniors for poorly maintained trees
- Provide information on new tree care - watering, wood chip mulch annually
- Neighbourhood ambassador for trees
- Adopt an asset management approach to urban trees
- Forestry-specific climate change strategy
- Students who cut grass for City need to be better trained
- Park stewards to protect trees in park
- Doing a good job with private lands – need to do a better job with public lands, schools, and parks
- Forestry to audit/follow up with private contractors who maintain and plant trees to ensure it is being done correctly
- Hire certified arborists to care for city trees
- Remove tree grates so they do not damage tree
- Focus on succession planting – before trees die, plant more
- Licenced arborists
- Increase biodiversity
- People should share the maintenance
- Expand understory for wild pollinators

GOAL 5: COMMUNICATE

- Suggest re-wording goal to “Community Engagement”
- Who is receiving audience for communication? City staff or public? Who is communication targeting?

Draft Actions

1. *Complete a detailed study to identify the attitudes towards trees and other opportunities and barriers to growing the urban forest.*
 - Important to know attitudes, but we probably already know this, so not a high priority action
 - Agree with this action – educating homeowners and residents, involve schools (interactive)
 - Want results instead of more study; action is necessary
 - Complete a communication plan instead
 - Do not prioritize this action – rely on existing evidence – we already know about attitudes
 - This action relates to action 2 below - combine them into one action
 - Don’t use this study as an excuse for inaction - do concurrent with other work
 - What is time frame for study?
 - Continue to communicate easy messages/attitudes (children)
 - Move forward based on existing data (literature review)
 - Engage people instead of study – need to ensure public is involved
 - Focus on values
 - Diverse attitudes haven’t been captured; think study needs to be done
2. *Use the results of the study to prepare a targeted outreach strategy.*
 - Use media to get message out on how to care for trees; message should be something people can relate to
 - Use available resources, ad space (“At Your Service”) for regular and ongoing public education
 - Highlight the very specific monetary, pollution, and temperature benefits of trees
 - In-reach strategy for city staff, Committee of Adjustment, and education of applicants
 - Delete the first action and just keep this one – create a communication plan
 - Problem solving – why are there negative attitudes?
3. *Build online mapping tools to communicate the location and condition of Hamilton’s urban forest, based on available spatial data.*
 - Engage with Mohawk College and McMaster students to help (if so, be sure to compensate students or allow to use toward their thesis)
 - Many online tools are available
 - City should be custodian of data
 - City should provide non-profits with incentives to create/contribute to data
 - Environment Hamilton/Trees Please online tool is very useful
 - Should be accessible for everyone
 - Mapping should be multi-layered – include different departments, data from multiple sources
 - Allow people to enter data on where they plant trees

- Like this action
 - Agree with this action
 - Ensure that data is separated into neighbourhoods and wards
 - Keep data up to date
 - Don't spend a lot of budget on mapping – put more effort into planting (on the ground)
 - City should maintain database, but include data from non-profits
 - Easy for everyone to view; include data on different years
 - Include what is being planned (parks, development applications)
4. *Work with local non-profits to explore applications in citizen science that will support the Urban Forest Strategy goals.*
- This is a very important part of this goal
 - Expand the existing citizen science inventories
 - Involve schools, Hamilton Naturalists' Club, Green Venture, Ancaster Horticultural Society, Environment Hamilton, McMaster, corporate sponsorship, Paul O'Hara
 - NGOs can help with citizen science and outreach
 - Ensure open communication between city and NGOs
 - Communication with non-profits
 - Continue to work with non-profits
 - Increasing grants to non-profits (efficient use of money)
 - Collaborate with neighbourhood associations and school boards

Are there any other actions that you would add under the goal, "Communicate"?

- Provide tree selection resources to the public to suit their needs – provide advice
- Put write up on available street trees on web site; include photos
- City incentives to plant/own/care for tree – make information easy to find
- Drop off street tree program flyers to houses which could accommodate a tree on the city right-of-way on their front lawn
- Citizen tree planting day
- Accountability
- Allocate budget for communication and engagement
- Educate people on how they can help with invasive species
- Partner with RBG and Hamilton Art Gallery to use pruned/removed trees to communicate benefits of trees to the broader community
- More use of social media; need to communicate through a variety of platforms
- Community volunteer works days to ensure tree planting or maintenance occurs
- Keep communication simple
- Information packages should be provided on how to implement the strategy (through planning applications, building permits)
- "Just do it" – less study and more action; plant more trees
- Green Venture – backyard tree program (city could provide funding source)

- Use climate change emergency to communicate benefits of trees to residents
- Build a culture of trees and forestry appreciation
- Tree festival (nature education like water festival)
- Video of famous Hamiltonians planting trees/caring for trees
- Connection with climate emergency needs to be made
- Make it easy to contact the City - have central phone number and online database for trees
- Recognition in neighbourhoods/wards for trees (similar to Monarch awards)
- Policy/programs to communicate with landlords – holding them accountable for canopy cover and encourage native species
- City needs public declaration to be committed to urban forest strategy (need advocates, champions to indicate we are serious)
- Neighbourhood associations and wards need to have more autonomy in planting
- Create partnerships with other agencies (e.g. Metrolinx)
- Ontario Woodlot Association does educational activities – can work with them on education
- Linking with community benefits organization
- Art installation at Supercrawl that reinforces attitudes toward trees
- Communicate through other City programs
- Provide notice in tax assessments about incentives to plant trees on property
- Offer assistance to people for cost of trees (low income)
- Communicate more online about invasive species, health of trees, service/maintenance requests
- Communicate using variety of methods (e.g. bus shelters, buses, online, popup events, flyers)
- Bring more stakeholders to the conversation (e.g. private tree companies, developers) – meet periodically to increase communication

GOAL 6: MONITOR & ADAPT

- Suggest calling this goal, “Monitor and maintain/improve”
- Spend more on planting rather than monitoring
- Call this “Monitor and Adjust”, because constantly evolving
- Suggest calling it “Monitor and Achieve”
- Too many actions under this goal – reduce – some overlap
- Actions are heavy on monitoring and not on adapting

Draft Actions

1. Monitor changes in canopy cover

- Monitor how the percentage of non-native trees are changing
- Say we will monitor changes every 5 years
- Aerial and trunk analysis
- Differentiate between each of the spaces and determine the impact of changes – natural forest compared to man-made plantings (eg. Parks, school yards, roads)

- Ranked as Priority #1 under this goal
 - Should be reviewed with every term of Council (4 years)
2. *Report to Council on the best options for a forestry data management system*
 - Communal database to keep updated information
 3. *Update the Urban Forest Strategy every 10 years or in response to significant environmental change*
 - Review more frequently – every 5 years (3)
 - Multiple strategies for private trees, street trees, public places, ravines – separate more within the UFS (make the distinction between different components of the urban forest in the strategy)
 - Like 10-year time period – appropriate for trees which are long-lived
 - Use a 40-50-year planning horizon
 - Track positive growth only
 - Link this action with action #6
 4. *Use available tools (i-Tree) to assess change in canopy cover every 2 years*
 - Report on an annual basis
 - Report every 10 years
 - Doing studies to project outwards – how many trees are required to meet canopy target?
 - The public can help to determine existing canopy (neighbourhood associations)
 5. *Monitor change using Urban Forest Strategy criteria and indicators*
 - Suggested indicators – trees planted, spending on public trees, track number of by-law complaints and violations on an ongoing basis as UFS is implemented
 - Determine which tree species can withstand different weather conditions
 6. *Using criteria and indicators, report to Council on progress toward meeting urban forest goals (every 5 years)*
 - Suggest reporting annually or every 2 years to Council (2)
 - Provide updates every 5-10 years
 - City must seriously listen to information and feedback provided
 7. *Select three corporate indicators to report on progress toward urban forest goals*
 - Don't like word "corporate" – re-word this action
 - Felt this was the same as criteria and indicators (action #6 above) – perhaps delete this action, combine with #6, or re-word so easier to understand
 - Did not understand "corporate indicators" – rephrase this action
 - Use easy graphics to see updates to performance indicators
 - Provide top 5 priority indicators and adapt to Hamilton (difficult to understand without knowing indicators)
 - Recommend using canopy cover, socio-economic distribution/equity.
 8. *Monitor street tree mortality using data management system to determine if planting program is effective.*
 - Mortality may not have anything to do with the way the tree was planted

- Monitor cause of death
- Put warranty period on tree to see if effective
- Planting under hydro wires – issue to consider
- Monitor tree “vitality”
- Include monitoring private trees as well, since 60% of trees are on private property
- Determine the impact of cages on trees

2019 Public Workshop Materials



THE CITY OF HAMILTON IS PREPARING AN URBAN FOREST STRATEGY (UFS).

Help us to create the goals, actions and vision for the Strategy. Your insight will guide the management of the city's urban forest. Your comments will be considered in the draft report which will be available for comment this September.

At tonight's public workshop you will:

- learn more about the current condition of Hamilton's urban forest.
- provide your input on the draft vision, goals and actions.

WE NEED TO HEAR FROM YOU!

- Visit the website at www.hamilton.ca/urbanforeststrategy
- Fill out a comment sheet

NEED MORE INFORMATION?

All materials will be available on the website.

Your input is valuable to us. We appreciate your contribution to maintaining and enhancing a healthy urban forest.



URBAN FOREST STRATEGY
 PLANNING & ECONOMIC DEVELOPMENT
 DEVELOPMENT PLANNING, HERITAGE AND DESIGN

If you have any questions or would like more information, **PLEASE CONTACT**
Catherine Plosz
 Natural Heritage Planner
 905-546-2424 Ext. 1231
 Catherine.Plosz@hamilton.ca





If a tree falls in the forest,
do you care?

WE THINK SO.

CURRENT CONDITION OF HAMILTON'S URBAN FOREST

HERE'S WHAT WE ARE SEEING

Based on existing and new data collected in 2018

1. BENEFITS OF THE URBAN FOREST

Random sample data was collected using iTree Eco in Hamilton's urban forest during 2018.

WHAT IS iTREE ECO?

iTree Eco is a software suite from the USDA Forest Service that stores and analyses baseline data and calculates the economic value of trees.

The value of the services that Hamilton's urban trees provide has been calculated:

- Structural value (or estimated cost to replace trees) within Hamilton's urban forest:

\$2.13 BILLION

- Pollution Removal:

393 METRIC TONS/YEAR (\$1.59 MILLION/YEAR) - calculated for ozone, sulfur dioxide, nitrogen dioxide, carbon monoxide and particulate matter less than 2.5 microns

- Stormwater Management - avoided runoff:

815 THOUSAND CUBIC METRES/YEAR (VALUE OF \$1.896 MILLION/YEAR)

- Building Energy Savings:

\$3.63 MILLION/YEAR

- Carbon Storage:

395.1 THOUSAND METRIC TONS (\$45.4 MILLION)

- Carbon Sequestration:

13.41 THOUSAND METRIC TONS (\$1.54 MILLION/YEAR)





If a tree falls in the forest,
do you care?

WE THINK SO.

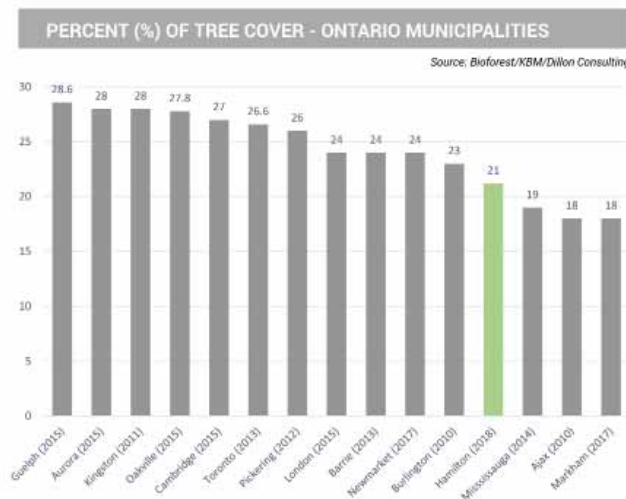
CURRENT CONDITION OF HAMILTON'S URBAN FOREST

2. CANOPY COVER

Canopy cover is the area of leaves and branches (tree crowns) measured, when viewed from above, as a proportion of total land area. It is usually shown as the percent of total ground area covered by tree crowns.

- The Urban Hamilton Official Plan sets a canopy cover target of 30% for the City's urban area. Forestry has a 35% canopy cover target.
- The current canopy cover in Hamilton is 21.2% (based on 2018 data).

Hamilton's canopy cover compared to other municipalities in Ontario is shown in this graph.



DISTRIBUTION OF CANOPY COVER ACROSS HAMILTON'S URBAN AREA



This map shows forest patches 0.5 acres or more in size in blue.

TRENDS:

- Hamilton's urban forest canopy cover is unevenly distributed across different land uses within the urban area.
- About 40% of the urban forest cover is found in City of Hamilton parks, golf courses, and the Hamilton Conservation Authority lands and the Niagara Escarpment.
- 27% of urban forest canopy cover is located within residential areas.
- A more even and continuous forest cover across the city would maximize the benefits that urban forests provide.



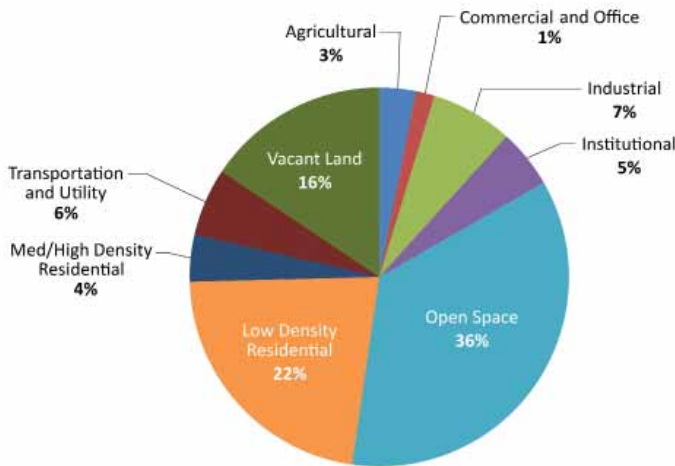
If a tree falls in the forest,
do you care?

WE THINK SO.

CURRENT CONDITION OF HAMILTON'S URBAN FOREST

2. CANOPY COVER (CONTINUED)

EXISTING PERCENTAGE OF TREE COVER BY LAND USE (2018)

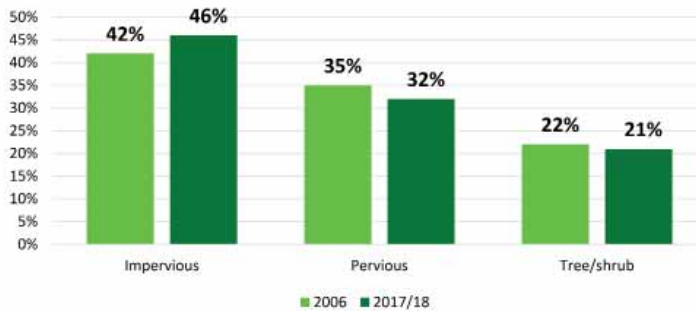


Source: iTree Eco Plots

TRENDS:

- Approximately 60% of the City's urban tree canopy is located on private land.
- Open Space and Transportation/Utility land uses provide the greatest opportunities for planting on publicly-owned land.
- This information can be used to prioritize tree planting efforts by land use.

CHANGE IN LAND COVER TYPE (2006-2017/18)



Source: iTree Eco Plots

TRENDS:

- Between 2006 and 2017-2018, there was a slight decrease in the percent canopy cover (not statistically significant).
- The percent of paved surfaces (impervious) is increasing.
- Effects on tree canopy include a loss of growing space (particularly for large shade trees), challenging site conditions, & increased heat island effect.



URBAN FOREST STRATEGY

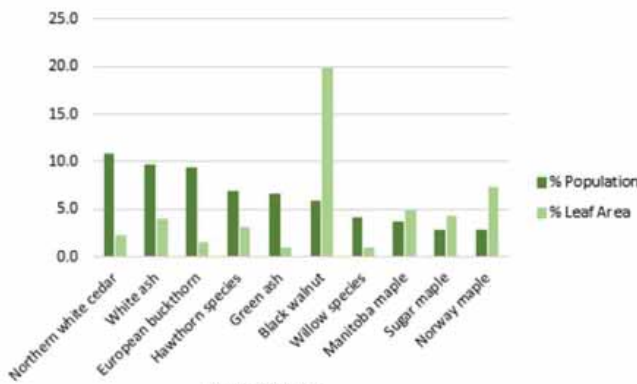
CURRENT CONDITION OF HAMILTON'S URBAN FOREST

If a tree falls in the forest,
do you care?

WE THINK SO.

3. SPECIES COMPOSITION

This graph shows the top ten tree species found in the urban area.



TRENDS:

- Native black walnut represents about 20% of total urban forest leaf area.
- Ash species still include approximately 5% of total leaf area, but are threatened by Emerald Ash Borer.
- 20-25% of the total leaf area is invasive species (Norway Maple, Manitoba Maple, European Buckthorn and Black Locust).
- Larger trees provide the greatest benefits, but tree size distribution was skewed to smaller trees.

4. PUBLIC TREES



TRENDS:

- Hamilton has about 168,000 street trees.
- Norway maple is no longer planted, but it still forms 19% of the street tree population.
- Maple species represent 28.2% of the street tree population.
- Lack of diversity in tree species makes the urban forest more susceptible to pest and disease impacts (e.g. Asian Long-horned Beetle).
- Forestry's base tree planting budget has remained steady at \$1.345 million per year for several years.

5. TREE CONDITION/MAINTENANCE



TRENDS:

- Hamilton has had a regular grid pruning program in effect for several years; has achieved a 7-year pruning cycle.
- The majority of 'dying' and 'dead' trees were natural areas, parks, cemeteries, recreational fields and golf courses.
- There is an opportunity to increase and improve the health of the tree canopy by removing and replacing dead and dying trees in these areas.



If a tree falls in the forest,
do you care?

WE THINK SO.

DRAFT VISION STATEMENT

HAVE YOUR SAY! HELP US WITH THE VISION STATEMENT FOR THIS PROJECT

Here's what the public & staff created based on input in 2018:

Hamilton's urban forest is resilient and sustainable.

It contributes to the health and well-being of citizens and enhances the livability of the city.

The City of Hamilton, and all residents, value the urban forest as an essential shared asset that should be intentionally planned and maintained for all future generations.

PLEASE PROVIDE YOUR INPUT!

Here's what to do - Using a sticky note, please provide your comments on this draft vision statement. Would you change anything? What would you add?

URBAN FOREST STRATEGY

If a tree falls in the forest, do you care?

WE THINK SO.

DRAFT GOALS

Six draft goals have been identified for the Urban Forest Strategy. Under each goal, there are a number of draft actions to achieve the goals.



1. PLAN & ACT

Hamilton has policies and guidelines that support the urban forest. One of the goals of the UFS is to develop better tools to implement these policies and guidelines as the City grows.



4. MAINTAIN

Trees are long-lived and need regular care to ensure that they grow to their full potential.



2. PROTECT

Protecting existing trees is important for maintaining and improving the City's tree canopy. The UFS will explore options for improved protection of the City's existing tree canopy, including the importance of private tree by-laws.



5. COMMUNICATE

Regular communications with the public and private sector help to improve the general appreciation for the value of urban trees. It also allows us to work together to use limited resources more efficiently.



3. PLANT

Planting programs are an important part of growing the urban forest. The UFS will focus on how to prioritize and increase tree planting to help the City meet its canopy cover targets, with considerations for climate change, urban growth, and more uniform distribution of tree cover.



6. MONITOR & ADAPT

The urban environment is constantly changing, which affects the status of the City's urban forest. Regular monitoring provides the data to guide the City's management programs.



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GOAL 1: PLAN & ACT

DRAFT ACTIONS:

- Obtain spatial data for the entire municipality and use to determine canopy cover and identify planting areas.
- Use canopy cover data to develop land use targets for tree cover - integrate these targets in development processes.
- Forestry staff should actively participate in policy, plan, and guidelines review to ensure Forestry goals are included.
- Develop urban forestry 'best practices' to share with City departments whose activities affect the urban forest.
- Update and maintain an inventory of street trees. Include an assessment of tree condition/risk.

ARE THERE ANY OTHER ACTIONS THAT YOU WOULD ADD
UNDER THE GOAL "PLAN & ACT"?



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GOAL 2: PROTECT

DRAFT ACTIONS:

- Implement a private tree by-law for Hamilton's urban area that includes individual trees on private property.
- Collect data to identify the root causes of change/loss in the urban tree canopy.
- Require a calculation of canopy balance (leaf area of trees removed vs. proposed planting) as part of arborist reports for development applications.
- Report on canopy balance as a performance indicator for Hamilton.

ARE THERE ANY OTHER ACTIONS THAT YOU WOULD ADD
UNDER THE GOAL "PROTECT"?



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GOAL 3: PLANT

DRAFT ACTIONS:

- Identify the number of trees required to be planted in Hamilton over the next 20 years to meet canopy cover target and increase funding for tree planting to meet target.
- Reduce the use of maple species in street tree planting.
- Review planting lists periodically to ensure species diversity.
- Use standard specifications in all City of Hamilton plantings.
- Examine tree planting budgets and programs to identify how to plant more trees over the next 5 years.
- Prioritize tree planting locations, outreach and partnership efforts in different land uses.
- Identify available planting space for street trees. Prioritize planting on higher quality sites and in areas of low & mature canopy.

ARE THERE ANY OTHER ACTIONS THAT YOU WOULD ADD
UNDER THE GOAL "PLANT"?



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GOAL 4: MAINTAIN

DRAFT ACTIONS:

- Update and actively maintain a street tree inventory.
- Focus on the removal of 'poor, dead or dying' street trees.
- Develop an invasive species management policy for Hamilton.
- Work with Conservation Authorities to prioritize areas where forests will be managed to improve their health.
- Examine opportunities to control invasive species under property standards regulations (e.g. Yard Maintenance By-law).
- Develop a policy on how the City will monitor & manage forest health threats in Hamilton.
- Develop service standards for hazard trees and other forestry service requests.

ARE THERE ANY OTHER ACTIONS THAT YOU WOULD ADD
UNDER THE GOAL "MAINTAIN"?



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GOAL 5: COMMUNICATE

DRAFT ACTIONS:

- Complete a detailed study to identify the attitudes towards trees, and other opportunities and barriers to growing the urban forest.
- Use the results of the study to prepare a targeted outreach strategy.
- Build online mapping tools to communicate the location and condition of Hamilton's urban forest, based on available spatial data.
- Work with local non-profits to explore applications in citizen science that will support the Urban Forest Strategy goals.

ARE THERE ANY OTHER ACTIONS THAT YOU WOULD ADD
UNDER THE GOAL "COMMUNICATE"?



If a tree falls in the forest,
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WE THINK SO.

GOAL 6: MONITOR & ADAPT

DRAFT ACTIONS:

- Monitor changes in canopy cover.
- Report to Council on the best options for a forestry data management system.
- Update the Urban Forest Strategy (every 10 years or in response to significant environmental change).
- Use available tools (iTree) to assess change in canopy cover every 2 years.
- Monitor change using Urban Forest Strategy Criteria and Indicators.
- Using Criteria and Indicators, report to Council on progress toward meeting urban forest goals (every 5 years).
- Select three corporate indicators to report on progress toward urban forest goals.
- Monitor street tree mortality using data management system to determine if planting program is effective.

ARE THERE ANY OTHER ACTIONS THAT YOU WOULD ADD
UNDER THE GOAL "MONITOR & ADAPT"?

URBAN FOREST STRATEGY

If a tree falls in the forest,
do you care?
WE THINK SO.

GOAL 6: MONITOR & ADAPT

DRAFT ACTIONS:

- More up front and ongoing checks on Tree Protection Plans – make sure implemented correctly.
- Provide opportunities for citizen monitoring/informing city about tree removal or health issues online
- Citizen stewardship program – adopt a street and monitor trees along it; Neighbourhood tree watch group
- Make all information/data available to the public – city dashboard – transparency and accountability (2)
- All departments involved in the UFS
- Each action should have timeline, so city is accountable
- Involve public in monitoring through non-profit groups (using funding from city)
- Monitor increase in native species and canopy, air quality improvements
- Monitor trees on private property to ensure increase in canopy (incentives)
- Compile existing data (development applications, by-law permits) to aid in monitoring
- Integrate and monitor best management practices
- Partner with universities

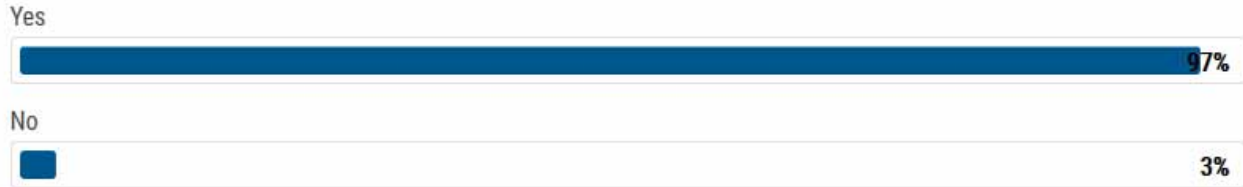
URBAN FOREST STRATEGY
PLANNING & ECONOMIC DEVELOPMENT
DEVELOPMENT PLANNING, HERITAGE AND DESIGN

Hamilton

Compiled Results from Engagement in 2021

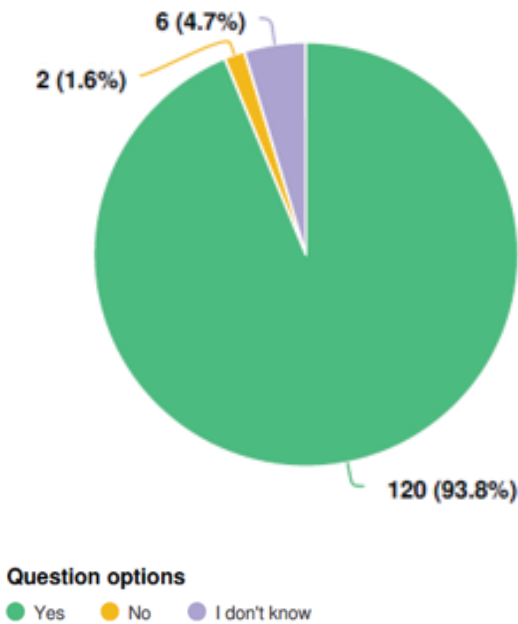
Approximately 143 people responded to a poll question related to private tree by-laws.

Do you think Hamilton should update its private tree by-laws to have consistent regulations across the urban area?

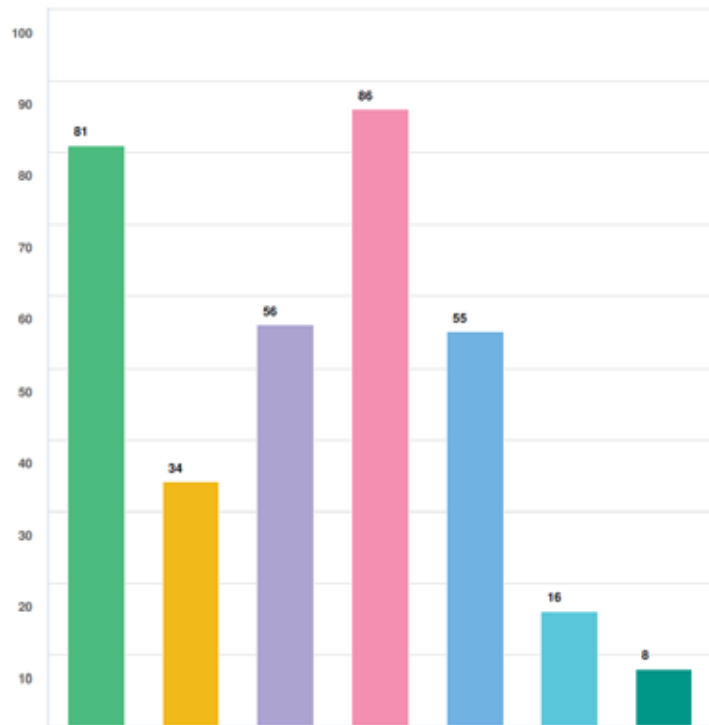


In addition to the poll, approximately 129 people participated in an on-line survey.

Question 1: Trees are an important community asset and as Hamilton grows, we want to preserve as many mature trees as possible. Mature trees provide the most benefits and have the highest value. Almost sixty percent of the urban forest is on private lands. Should trees be protected on private property?



If your answer is yes, what is the best way to protect trees on private property? Please check your top three ideas



Question options

- Comprehensive tree cutting by-law which regulates individual trees.
- Education and awareness programs, public outreach
- Design with nature incentives (recognition program) to preserve existing trees during development
- Stronger municipal policies on tree protection (e.g. Tree Protection Guidelines, site plan guidelines, zoning).
- Improved implementation of Tree Protection Plans at development sites.
- Monitor and manage for pests, diseases, and invasive plants.
- Other (please specify)

Question 3: The draft report has identified five themes (Inspire, Act, Protect, Grow, and Adapt) and 25 actions. Do you agree with the draft themes and actions? Is there anything you would change?

- Theme 1, Action 5 – these reports should be publicly available.
- There are too many themes – consolidate into protect, grow, and educate.
- Under the theme Protect, add actions relating to protection of forest biodiversity to address trampling, trail building, wildlife disruption, and invasive species. Needs more focus on forest ecosystems.
- Wording on some themes is too weak and will not get us to the goal in a timely manner.
- There is no theme that I would add or subtract. The actions however, are quite cautious and lacking in any courage. We need to take bold action to protect our urban forests, encourage private land owners to plant and maintain native trees, and to strongly punish developers who remove them in the interests of their short-term profit. I'm not seeing much in the way of bold action in this report. I'm seeing a lot of calls for more study. That time is past. It's time to act.
- I agree with the themes, but question some of the timelines under each theme - 3 to 5 years for many of the actions is too long. For example, why should we wait 3-5 years to implement a Forest Management Asset System? If it really takes this long, something needs to be done in the interim to protect newly planted trees. I wonder if a multi-department committee will be effective without someone taking the lead and who has the authority to make things happen. Communication to the public is fine, but not always effective - the lack of uptake by residents to plant street trees is an example of communications not having a big enough impact.
- Agree with the themes and actions, however additions are needed under the Theme Protect. The strategy does not contain actions pertaining to protection to forest ecosystems/biodiversity. Actions specific to forest biodiversity protection pertaining to topics of litter, trampling, trail building, wildlife disruption, and invasive species. In support of this, an inventory of all forest sites is also needed as an action. The actions currently are limited and worded to urban trees and forest ecosystem areas should be added.
- Inspire #4 - include Indigenous communities when looking for groups to partner with.
- Theme Act: item # 4 and 5 should be ranked higher (i.e. 2 and 3 as they are very important).
- Theme Protect - mature tree removal should never be an option. Mature trees should take priority in any development proposal with heavy/prohibitive fines levied for those not complying.
- Theme Grow: #1 - plant large native species trees only. Consider Miyawaki Afforestation Method.
- I agree with much of this draft report and would like to emphasize that private tree protection is really needed.
- Please consider a higher canopy target - maybe 45% which would bring us more in line with other cities that have been progressive on their urban forest goals.
- I would like to see municipal staff training for all departments that work with trees and a commitment to urban woodland stewardship across departments.
- Please focus on planting native tree species, consider female trees as well and ensure canopy coverage becomes equitable across city.
- I would like to see that the proposed timeline and metrics are attached to funding commitments by council.
- I would like to see an easier process or toolkit made for residents to request additional trees in city parks and greenspaces, as there are several non-profit organizations, community partners and funding opportunities available to bring more trees into our city.

- Regarding grassy boulevards, the city should be taking a pro-active stance on planting trees here without waiting for a request from the property owner as the right-of-way belongs to the city anyway.
- I think it would be good to add an action to get young people (in schools) educated and engaged.
- Create incentives for replanting any trees that are removed on private or public lands - or do you charge a carbon tax if a tree is removed and not replanted?
- Please plant more trees in parks. I am in Ward 2. Both Bayfront and Bayview Park could have more trees... both shade trees and understory species. The city has an excellent inventory of trees available... start planting in parks.
- I would give special treatment to the protection of mature trees, especially those that are older than an average human lifespan, i.e. maybe >80 years.
- The identified actions are a good start but the Grow and Adapt sections must have goals to increase equitable access to the benefits of Hamilton's urban forest within a framework of environmental justice. The city must recognize how lower-income, predominantly racialized neighbourhoods with less tree cover must be prioritized to ensure the cooling, noise reduction, air quality, mental well-being benefits targeted to populations that need it most. Improving the tree-canopy in heat deserts must be a priority. Increasing tree canopy around busy streets and truck routes must be a priority. Increasing tree canopy in areas with poor storm-water management (i.e. industrial area) must be a priority. These could be informed by the "climate change vulnerability assessment" and community input.
- While the map of tree cover by ward provides an idea of greenery distribution, this analysis should be performed at a neighbourhood level to understand if green-spaces and trees are experienced equitably by all within that ward or if they are concentrated in a particular location that is not accessible to all. This information could come from the forestry asset management system but it must be used to specifically address these questions and should be integrated using GIS with data on transit, busy roadways, air-quality etc. to determine priority planting areas. Furthermore, lower income and higher density neighbourhood residents have less ability to grow trees on their private property, as such planting public trees should be prioritized in these areas.
- More emphasis should be placed on the selection and preservation of native species and the provision of trees for urban wildlife, including birds.
- There appears to be a lack of coordination with the Hamilton Urban Indigenous Strategy (2019). This strategy outlines goals to involve Indigenous persons in decision-making in municipal activities and projects that affect them, acknowledges that Indigenous persons need outdoor spaces to carry out traditional ceremonies and teachings, and acknowledges that Traditional Ecological Knowledge (TEK) should be included in environmental restoration in Hamilton. None of this is mentioned in either draft of the Urban Forest Strategy. How will the Urban Forest Strategy work to further the goals identified above? There is an incredible opportunity to further reconciliation by creating an Urban Forestry Strategy that aligns with the Urban Indigenous Strategy. For example: how will the outreach and communications goals you've identified under Theme 1 include Indigenous persons (as per Action 10 within the Urban Indigenous Strategy)?
- Overall: Too much focus on planning, studying, educating, working groups, 'talk,' not enough teeth, not enough funds. Specifics: More street trees need to be implemented into new complete street designs (tree + bench combos for free public shaded spaces in summer) and along existing urban commercial routes (King, Main, Barton, James, Locke, Cannon, Ottawa, Parkdale). More emphasis needed on replacing invasive trees with native ones and selecting native varieties with the strongest air filtering capacity for the areas of the city with the worst air quality. More emphasis on native

evergreen varieties where possible for year-round benefit. More trees needed on school properties and throughout school zones, at bus stops, and incorporated into paved areas such as parking lots for cooling effect and to reduce run-off.

- The actions do not go far enough. This is a climate emergency. We must act more quickly.
- Be braver, bolder, and more ambitious than ever please. Sir David Attenborough in his speech to the UN security council said this week we have left the stable environment that gave rise to global civilization. We are in a new era for the planet on the edge of tipping points that will create a tragic destruction of the planet and civil society. We face mass ecosystem collapse and extinction and it's already occurring. Protecting our natural environments and reestablishing native habitat can only help us and our children survive. This is the factual reality. Positive action rather than more word is what now needs to happen immediately.
- Include Beresford-Kroeger's global bioplan idea as a Hamilton goal - to reverse damage done to the natural world and stabilize the climate long enough to address our destructive behaviours in earnest - by each person planting one tree a year for six years (p 159-160 in To Speak for the Trees).
- Maybe you have already done this, but a Hamilton-specific cost benefit analysis or economic analysis of the benefits of urban forest would be very helpful in garnering support of elected officials and general public. It helps to grab their attention and makes the benefits concrete.
- 3 years to get to a "draft report" is inexcusably far too long. Given all this time, the reports need to articulate a strong, confident leadership role, but are currently sadly lacking.
- This is a good start! I think the goals are too modest. In areas where the existing tree cover is over 30%, are we content to let it go down to that level? That has been the direction in my older neighbourhood with mature trees. Given that a large proportion of the urban forest is Norway Maples, Birches and other short-lived trees, we know that even with protections, city trees such as this will soon be gone. We should aim higher because we don't know what other blights will knock out tree species.
- I agree with having a dedicated person in charge of the urban forest but wonder if one staff person can really do all that is required for coordinating the different departments whose work impacts trees in some way.
- Once mature trees have reached a certain age, they should be treated individually and given lots of care, e.g. brushing moth eggs off the bark. It would be good to provide Council and the public with true estimates, in dollar form, of the value of mature trees, taking into account what it would cost to replace the services provided by a mature tree in: water management, air quality improvements, climate mitigation, wildlife habitat, psychological and medical healthcare, beautification of an environment -- as well as the importance of keeping a "forest" of trees to protect and support each other (to the extent that is possible in an urban environment). Thank you for this herculean effort. I very much hope that it will meet with a warm and enthusiastic reception!
- Was there any discussion of socio-economic areas and degree of green infrastructure (GI)? We need to make sure green spaces are equitably distributed.
- Would have been nice to see more specific examples of the importance of G.I. to social health such as studies showing green space impacting social indicators, as well as the role of forest therapy in other cultures. These difficult times certainly drive home the importance of GI and its accessibility for all citizens.

Question 4: Are there any new opportunities or threats to the urban forest that the City should consider in the Strategy?

Opportunities:

- Make sure access and equity of canopy cover is prioritized.
- As a resident with a lot of mature trees, I would love support to be able to keep them healthy.
- Large parking lots are an example of missed opportunities to add tree canopy (and shade). In Europe, parking lots have trees, but rarely here. Requiring a percentage of every parking lot to be dedicated to trees/shrubs (natives of course) would help.
- All development needs to include capacity for greenspace and forest areas. Given the mental and physical health benefits of green space, how can it be ignored in these stressful times?
- Consider establishing urban forests areas where there is a high density of indigenous trees planted in concentrated small areas. Trees mutually benefit from other tree species. This has been done successfully in Tokyo and other high-density urban centers. This would also provide a habitat for a vast number of birds, insects and small mammals. When urban dwellers can see, experience, and appreciate the beauty, they are more likely to support these projects.
- The city should provide assistance with tree planting on municipal road allowances and private property to increase the urban forest. It should not just be regulations and fees.
- Pavement to green space ratio. The city should add green curbs adjacent to wider roads.
- I do like the nature incentive idea. I worry about added costs to home owners with large trees that need to be maintained or removed and would like to see options, more of a positive incentive. I think most people want trees.
- I think education is the key. Some people will always speak to the negative factors about trees (cost to maintain, dangers when the tree comes down, disease, etc.), but we need to put the focus on the specific benefits that they provide. The percentage of temperature reduction if you live close to a tree, the improvement in air quality, the pheromones they release that make you feel better, the wind break and protection during summer and winter.
- I would like to see onboarding programs from the city to train junior arborists, and in general become more reliant on the city's own pool of arborists rather than contractors. There has been a lot of research done on the long-term cost savings of training junior employees into intermediate/senior roles, as well as in general the savings by using public resources rather than private contractors. A private contractor may appear cheaper, but when factoring in administrative/supervision costs (both in finances and in lost productivity by outsourcing), it quickly becomes clear this is not the case.
- I would like to see the Royal Botanical Gardens work with surrounding municipalities to bring back endangered trees and Carolinian species that are less common. For example, an elm tree nursery from stocks of elms that survived Dutch elm disease.
- I would like to see the plan include engaging citizens who are eager and capable of helping. As part of the Hamilton Naturalist's Club (HNC), I DO get involved, but there is likely much more that citizens could contribute (e.g. invasive plant removal) beyond what the HNC can lead.
- The City should develop its own Heritage Tree designation, with attendant protections and incentives for landowners. I would be willing to help with this and know others more qualified than I who could be approached.

- I want to make each major bus stop more pleasant, by using deciduous trees to shade riders in the summer months and evergreen wind barricades in the winter months. Planning team members should be made to use the HSR in both seasons to have an in- depth understanding of how temperature variances outdoors affect riders. After a long day of work or errands, a gorgeous tree over a bench knocks the temperature down a few degrees making the trip more pleasant for our seniors. The shelters amplify the sun's rays like a greenhouse; simply not an option for the elderly or those less fit.
- The Indigenous communities within and around Hamilton hold a wealth of botanical knowledge and environmental values that need to be included and respected in city planning.
- Financial incentives for tree planting in residential areas.
- More regulations and incentives for private landowners to plant more trees on their property would be fantastic.
- Wards 14, 8, 7, and 6 need more trees! Major roadways such as the Linc have made air pollution in those areas bad, and this is compounded by the ward's general lack of trees.
- Many youth today experience a disconnection with nature. The strategy should include ways of involving youth in positive outdoor stewardship experiences so they will be more invested in caring about these trees.

Threats:

- Urban sprawl - Urban forest planning needs to be a directive in development, not an afterthought. I am discouraged by the practice of developing farmland when the city has so much land in need of rejuvenation and development. Rebuilding existing areas with industry provides local jobs and housing accessible to those jobs. Taking greenspace to build row upon row of densely-packed town houses is not forward thinking.
- Provincial government policies - The provincial government is using Ministers zoning orders (MZOs) and removing the Conservation Authorities' abilities to protect natural areas in order to push through development and urban sprawl. The City must stand firm against these measures.
- I didn't see anything about hydro corridors and their tree cutting, bush removing strategies to reduce the risk of damage to their infrastructure.
- Where are the strategies for preventing trees from being felled by beavers on the waterfront trail?
- The building of condos, the space they take up and the shadows that they cast.
- Replacement of large city trees with small species that will never provide shade, etc.
- May have missed this, but we need a succession plan for trees in old neighborhoods where mature trees will reach the end of their lives and leave large holes in the canopy.
- The pipeline destroyed a vast swath of trees and this is at risk of happening again if more isn't done to manage this. This goes for other development as well. Development needs to consider how trees, the water table, and the wetlands are impacted. With the recent changes in the provincial government there is more need than ever for the municipalities to stay on top of issues of ecology and nature preservation.
- Infill development, lack of political champion.
- Salt concentrations from de-icing material in winter.
- Provincial government (Bill 21)
- I hate to mention beavers, but they really are devastating the urban forest which is already under stress.

- Wild animal damage - deer, beaver, etc...
- A top priority of the strategy should be to remove non-indigenous species, replacing with other beneficial species from this area.
- Driveways and infill development. In Ward 1 there are many old houses being replaced by newer, larger houses. This includes building two houses on lots where there was previously a single dwelling. From what I've observed there is a lot less room to plant trees on these sites. I think some consideration is needed to have space to plant trees on the city owned portion of these properties. Too often driveways take up virtually all of the front area of these homes. If this trend continues, we will no longer have tree lined streets in the ward.
- The huge increase in population due to condo development downtown has not included any increase in green space and tree canopy. Where will all these residents go for exercise during the lockdowns of the future? We need more green space in the core, especially in neighborhoods with the highest intensification.
- Council and City staff turnover. Establish the strategy so it crosses departments and spreads ownership so if champions at the staff or Council level move on, the entire strategy is not forgotten. Create a succession plan for those who will champion the plan both within City and within the community.
- Infill development is a particularly insidious subset of development as far as our urban forest goes, as it often occurs in areas with mature tree canopies. Of the three developments currently underway on my street, no fewer than 5 mature trees, some as tall as 50 or 60 feet, have come down in the past 18 months. Only one was a protected street tree, and that protection was ignored without consequence. Any tree protection by-law must address infill developers removing trees without replacing them, and must level harsh penalties for doing so, with strong enforcement measures, or developers will just ignore those rules.
- Monster homes. Living in Ancaster, I am very sad to see trees come down to build larger homes. Money makers tear down, build, and sell. I feel like penalties are futile.
- Unauthorized trail building in intact forest areas.
- I think the urban forest strategy needs to look more at preventing urban sprawl and investing more in neighbourhoods that already exist in Hamilton.

Appendix G: Baseline Assessment of Sustainable Urban Forest Criteria for the City of Hamilton, 2018

“The Sustainable Urban Forest Guide: A Step-by-Step Approach”

Monitoring progress is a critical part of the adaptive management feedback loop. Using a consistent monitoring framework will allow for regular and comparable assessments of progress toward urban forest targets and will allow for some comparison across municipalities.

The 2016 *“The Sustainable Urban Forest Guide: A Step-by-Step Approach”*¹ was developed by the Davey Tree Institute and the USDA Forest Service and is used by many municipalities in North America and groups sustainable urban forest management criteria into three main categories:

1. **Trees and Forest** – Criteria and targets related to the characteristics of the urban forest (e.g. canopy cover, species diversity, age).
2. **Community Framework** – Criteria that describe engagement of stakeholders at all levels and collaboration among them.
3. **Resource Management Approach** – Criteria that track plans, practices, and policies to improve and sustain the urban forest.

The following summary provides an assessment of the state of Hamilton’s urban forest against 28 indicators of sustainable urban forest management. The ratings are based in part on a review of enabling policies and legislation, data provided by the 2018 urban forest study as well as a self-assessment by the City of Hamilton Urban Forest Strategy working group on how the city is performing where no empirical data are available. This information provides a baseline for tracking progress in future evaluations.

¹ Leff, M. 2016. *The Sustainable Urban Forest: A step-by-step approach*. Davey Institute & United States Department of Agriculture, Forest Service.

Trees and Forests - Targets related to the status of the vegetation resource itself and/or knowledge of that resource.

TREES AND FOREST	KEY OBJECTIVE	LOW	FAIR	GOOD	OPTIMAL	SUPPORTING DATA/RATIONALE FOR RATING
T1 – Relative Tree Canopy Cover	Achieve desired degree of tree cover, based on potential or according to goals set for entire municipality and for each neighborhood or land use.	The existing canopy cover for entire municipality is <50% of the desired canopy.	The existing canopy is 50%-75% of desired.	The existing canopy is >75%-100% of desired.	The existing canopy is >75%-100% of desired – at individual neighborhood level as well as overall municipality.	Tree canopy is at approximately 71% of the 30% target (at 21.2%) based on a 2018 estimate.
T2 – Age Diversity (size class distribution)	Provide for ideal uneven age distribution of all “intensively” (or individually) managed trees – municipality-wide as well as at neighborhood level.	Even-age distribution, or highly skewed toward a single age class (maturity stage) across entire population.	Some uneven distribution, but most of the tree population falls into a single age class.	Total tree population across municipality approaches an ideal age distribution of 40% juvenile (0-8cm), 30% small (8-16cm), 20% medium (16-24cm), and 10% large (>24cm).	Total population approaches that ideal distribution municipality-wide as well as at the neighborhood level.	Tree canopy is not consistent with size-class distribution targets city-wide (51% juvenile [0-7.6cm], 25% small [7.7-15.2cm], 9.8% medium [15.3-22.9cm], and 14% large [≥23cm]). The proportion of juvenile and large trees approaches the ideal while the proportion of medium trees is significantly lower than ideal.
T3 – Species Diversity	Establish a genetically diverse tree population across municipality as well as at the neighborhood level.	Five or fewer species dominate the entire tree population across municipality.	No single species represents more than 10% of total tree population; no genus more than 20%; and no family more than 30%.	No single species represents more than 5% of total tree population; no genus more than 10%; and no family more than 15%.	At least as diverse as “Good” rating (5/10/15) and at least as diverse as “Fair” (10/20/30) at the neighborhood level.	No family represents more than 30% (the highest is 18.2%, Oleaceae or olive). No genus represents more than 20% (the highest is 16.8%, Fraxinus, or ash). Only one species exceeds 10% (<i>Thuja occidentalis</i> , or Eastern white cedar – often in hedge form). <i>Fraxinus americana</i> (white ash) and <i>Rhamnus cathartica</i> (buckthorn) are approaching the threshold at 9.7% and 9.4%, respectively.
T4 – Species Suitability	Establish a tree population suited to the urban environment and adapted to the overall region.	Fewer than 50% of all trees are from species considered suitable for the area.	>50%-75% of trees are from species suitable for the area.	More than 75% of trees are suitable for the area.	Virtually all trees are suitable for the area.	This analysis requires more detailed investigation and research on what are considered suitable species for the Hamilton area, based on local knowledge and expertise. The City has planting lists as well as guidelines for species selection in planting. Currently, based on the sample-based i-Tree Eco inventory, just over 20% of the city’s tree population overall is comprised of Category 1 and 2 invasive species, which are not suitable for the maintenance of native biodiversity. The increased use of non-native, non-invasive species under future climate change scenarios is something that should be examined more closely in a climate change vulnerability assessment.
T5 – Publicly Owned Trees (managed “intensively”)	Current and detailed understanding of the condition and risk potential of all publicly owned trees that are managed intensively (or individually).	Condition of urban forest is unknown.	Sample-based tree inventory indicating tree condition and risk level.	Complete tree inventory that includes detailed tree condition ratings.	Complete tree inventory that is GIS-based and includes detailed tree condition as well as risk ratings.	The City of Hamilton has completed a 3% sample-based tree inventory (i-Tree Streets) that includes basic information about tree condition but not detailed risk potential. There is a 2006 inventory of all urban street trees that is now largely out of date. Parks and Cemeteries inventory completed with 150,000 trees measured and assessed for risk.

Trees and Forests - Targets related to the status of the vegetation resource itself and/or knowledge of that resource.

TREES AND FOREST	KEY OBJECTIVE	LOW	FAIR	GOOD	OPTIMAL	SUPPORTING DATA/RATIONALE FOR RATING
T6 – Publicly Owned Natural Areas (managed “extensively”)	Detailed understanding of the ecological structure and function of all publicly owned natural areas (such as woodlands, ravines, stream corridors, etc.), as well as usage patterns.	No information about publicly owned natural areas.	Publicly owned natural areas identified in a “natural areas survey” or similar document.	Survey document also tracks level and type of public use in publicly owned natural areas.	In addition to usage patterns, ecological structure and function of all publicly owned natural areas are also assessed and documented	Natural areas inventories have been completed on public and private lands in 1991, 2001-2003, and 2011-2014. A Parks and Cemeteries inventory was completed between 2016-2019 and assessed 150,000 trees, including a risk assessment. However, the City does not have information on all city-owned natural areas nor detailed information about public use levels and pressures.
T7 – Trees on Private Property	Understanding of extent, location, and general condition of privately-owned trees across the urban forest.	No information about privately owned trees.	Aerial, point-based assessment of trees on private property, capturing overall extent and location.	Bottom-up, sample-based assessment of trees on private property, as well as basic aerial view (as described in “Fair” rating).	Bottom-up, sample-based assessment on private property, as well as detailed Urban Tree Canopy (UTC) analysis of entire urban forest, integrated into municipality-wide GIS system.	Hamilton has completed a sample-based 2018 i-Tree Eco inventory that includes trees on private property, as well as a point-based assessment of tree canopy extent for the City. To date, Hamilton has not completed a detailed UTC analysis to integrate as a data layer into the municipal GIS system.

Community Framework – The necessary engagement of stakeholders at all levels, and collaboration among them.

COMMUNITY FRAMEWORK	KEY OBJECTIVE	LOW	FAIR	GOOD	OPTIMAL	SUPPORTING DATA/ RATIONALE FOR RATING
C1 – Municipal Agency Cooperation	All municipal departments and agencies cooperate to advance goals related to urban forest issues and opportunities.	Municipal departments/agencies take actions impacting urban forest with no cross-departmental coordination or consideration of the urban forest resource.	Municipal departments/agencies recognize potential conflicts and reach out to urban forest managers on an ad hoc basis – and vice versa.	Informal teams among departments and agencies communicate regularly and collaborate on a project-specific basis.	Municipal policy implemented by formal interdepartmental or interagency working teams on all municipal projects.	Permitting systems and bylaws are in place. Forestry and Planning communicate regularly on development application comments. It is informal but is happening regularly. Forestry reviews plans for diameter removals and try to encourage retention or diameter replacements for public works and comment on all project applications. Engineering Services is aware of the process. Forestry makes efforts to be involved early with city capital projects so budgets can be allocated for tree replacement or compensation. Other than the prescribed processes there is little regular interagency or departmental collaboration (e.g., through an established interdepartmental working group).
C2 – Utilities Cooperation	All utilities – above and below ground – employ best management practices and cooperate with municipality to advance goals and objectives related to urban forest issues and opportunities.	Utilities take actions impacting urban forest with no municipal coordination or consideration of the urban forest resource.	Utilities employ best management practices; recognize potential municipal conflicts, and reach out to urban forest managers on an ad hoc basis – and vice versa.	Utilities are included in informal municipal teams that communicate regularly and collaborate on a project-specific basis.	Utilities help advance urban forestry goals and objectives by participating in formal interdepartmental/interagency working teams on all municipal projects.	Utilities reach out to Forestry, Natural Heritage Planning, and Municipal Law Enforcement staff to determine if by-laws apply, or if the municipality has any concerns with proposed tree removals in natural areas. Utilities are now routinely reaching out to CoH staff. The Growth Management Division (part of Planning) also coordinates CoH staff comments on major projects, such as new pipelines.
C3 – Green Industry Cooperation	“Green Industry” is understood to encompass all professions and businesses that routinely support or engage in tree and vegetation management activities. Among others, these can include landscapers, nurseries, garden centers, contractors, maintenance professionals, tree care companies, landscape architects, foresters, planners, even developers.	Green industry works together to advance municipality-wide urban forest goals and objectives and adheres to high professional standards.	Little or no cooperation among segments of green industry or awareness of municipality-wide urban forest goals and objectives.	Some cooperation among green industry as well as general awareness and acceptance of municipality-wide goals and objectives.	Specific collaborative arrangements across segments of green industry in support of municipality-wide goals and objectives. Shared vision and goals and extensive committed partnerships in place. Solid adherence to high professional standards.	Some segments of the green industry (e.g. landscape architects, arborists, foresters) work in Hamilton routinely and are aware of our by-law and tree management plan requirements. <i>Note: Close cooperation with the green industry presents an excellent opportunity for municipal urban forest managers to influence management of the forest resource on private property.²</i>

² Lef, M. 2016. The Sustainable Urban Forest: A step-by-step approach. Davey Institute & United States Department of Agriculture, Forest Service.

Community Framework – The necessary engagement of stakeholders at all levels, and collaboration among them.

COMMUNITY FRAMEWORK	KEY OBJECTIVE	LOW	FAIR	GOOD	OPTIMAL	SUPPORTING DATA/ RATIONALE FOR RATING
C4 – Involvement of Large Private and Industrial Landowners	Large private landholders embrace and advance municipality-wide urban forest goals and objectives by implementing specific resource management plans.	Large private landholders are generally uninformed about urban forest issues and opportunities.	Municipality conducts outreach directly to landholders with educational materials and technical assistance, providing clear goals and incentives for managing their tree resource.	Landholders develop comprehensive tree management plans (including funding strategies) that advance municipality-wide urban forest goals.	As described in "Good" rating, plus active community engagement and access to the property's forest resource.	There are limited resources put toward formal outreach or involvement to date by large, industrial private landowners. Outcomes of some pilot projects may show this as an area of opportunity for Hamilton.
C5 – Citizen Involvement and Neighborhood Action	At the neighborhood level, citizens participate and groups collaborate with the municipality and/or its partnering NGOs in urban forest management activities to advance municipality-wide plans.	Little or no citizen involvement or neighborhood action.	Some neighborhood groups engaged in advancing urban forest goals, but with little or no overall coordination with or direction by municipality or its partnering NGOs.	Many active neighborhood groups engaged across the community, with actions coordinated or led by municipality and/or its partnering NGOs.	Proactive outreach and coordination efforts by municipality and NGO partners resulting in widespread citizen involvement and collaboration among active neighborhood groups engaged in urban forest management.	Strong and knowledgeable non-profit engagement and support is a strength and area of opportunity for Hamilton. There is high demand for street tree planting by homeowners as a result of canvassing efforts by volunteers and CoH staff in areas of low tree canopy. The CoH has a "schools program", where front-line staff work with two schools each month to do education about trees and their value. Examples of community involvement include: Air and Trees Task Force group, created in partnership with Environment Hamilton, TreesPlease, Neighbourwoods data collection. COH has had a partnership with the Hamilton Naturalists' Club to inventory natural areas in Hamilton since 1991. Information is used to map natural areas and develop Official Plan policies. COH is also working with the HNC on a Pollinators corridor/Bee City and Biodiversity Strategy.

² Leff, M. 2016. *The Sustainable Urban Forest: A step-by-step approach*. Davey Institute & United States Department of Agriculture, Forest Service.

Community Framework – The necessary engagement of stakeholders at all levels, and collaboration among them.

COMMUNITY FRAMEWORK	KEY OBJECTIVE	LOW	FAIR	GOOD	OPTIMAL	SUPPORTING DATA/ RATIONALE FOR RATING
C6 – Appreciation of Trees as a Community Resource	Stakeholders from all sectors and constituencies within municipalities – private and public, commercial and non-profit, entrepreneurs and elected officials, community groups and individual citizens – understand, appreciate, and advocate for the role and importance of the urban forest as a resource.	General ambivalence or negative attitudes about trees, which are perceived as neutral at best or as the source of problems. Actions harmful to trees may be taken deliberately.	Trees generally recognized as important and beneficial.	Trees widely acknowledged as providing environmental, social, and economic services – resulting in some action or advocacy in support of the urban forest.	Urban forest recognized as vital to the community's environmental, social, and economic well-being. Widespread public and political support and advocacy for trees, resulting in strong policies and plans that advance the viability and sustainability of the entire urban forest.	The City has not been successful in past efforts to pass a more comprehensive private tree by-law in Hamilton. Opposition to the by-law was voiced by specific interest groups. However, a 2018 online survey suggests that many of Hamilton's residents do place high value on trees. Currently, there seems to be a split in attitudes about the value of trees between interest groups and the public at large.
C7 – Regional Collaboration	Cooperation and interaction on urban forest plans among neighboring municipalities within a region, and/or with regional agencies.	Municipalities have no interaction with each other or the broader region. No regional planning or coordination on urban forestry.	Some neighboring municipalities and regional agencies share similar policies and plans related to trees and urban forest.	Some urban forest planning and cooperation across municipalities and regional agencies.	Widespread regional cooperation resulting in development and implementation of regional urban forest strategy.	There is little formal or co-ordinated interagency cooperation but there may be opportunities to formalize agreements with Conservation Authorities. There are some examples: The "Cootes To Escarpment Ecopark" involves a number of public agencies that meet monthly to co-ordinate management and promote stewardship e.g., RBG, McMaster University, Region of Halton, City of Burlington, and Conservation Authorities, who all own natural areas within this park system. There was good regional municipal co-ordination on the recent gypsy moth spray - Hamilton is a member of Regional Public Works Forest Health sub committee (RPWCO).

Resource Management Approach – Plans, practices, and policies to improve and sustain the forest resource.

RESOURCE MANAGEMENT APPROACH	KEY OBJECTIVE	LOW	FAIR	GOOD	OPTIMAL	SUPPORTING DATA/ RATIONALE FOR RATING
R1 – Tree Inventory	Current and comprehensive inventory of tree resource to guide its management, including data such as age distribution, species mix, tree condition, and risk assessment.	No inventory.	Complete or sample-based inventory of publicly owned trees.	Complete inventory of publicly owned trees and sample-based privately-owned trees that is guiding management decisions.	Systematic comprehensive inventory system of entire urban forest – with information tailored to users and supported by mapping in municipality-wide GIS system.	The City does have a street tree inventory but it is dated 2006 and likely does not reflect the current state of street trees in Hamilton. There is currently no information management system in place to link management activities and work orders to updates in the inventory. A Parks and Cemeteries inventory for public trees was completed between 2016-2019. Given the effects of EAB as well as the rates of tree planting in past years, the street tree inventory should be updated to provide current and relevant data on the City's street trees.
R2 – Canopy Cover Assessment Goals	Urban forest policy and practice driven by accurate, high-resolution, and recent assessments of existing and potential canopy cover, with comprehensive goals municipally-wide and at neighborhood or smaller management level.	No assessment or goals.	Low-resolution and/or point-based sampling of canopy cover using aerial photographs or satellite imagery – and limited or no goal-setting.	Complete, detailed, and spatially explicit, high-resolution Urban Tree Canopy (UTC) assessment based on enhanced data (such as LIDAR) – accompanied by comprehensive set of goals by land use and other parameters.	As described for "Good" rating – and all utilized effectively to drive urban forest policy and practice municipally-wide and at neighborhood or smaller management level.	Hamilton has completed a sample-based inventory as well as estimate of tree cover change over time. There is city-wide goal for canopy cover identified in the Urban Hamilton Official Plan (30%) though no time frame associated with achieving that goal.
R3 – Environmental Justice and Equity	Ensure that the benefits of urban forests are made available to all, especially to those in greatest need of tree benefits.	Tree planting and outreach is not determined equitably by canopy cover or need for benefits.	Planting and outreach includes attention to low canopy neighborhoods or areas.	Planting and outreach targets neighborhoods with low canopy and a high need for tree benefits.	Equitable planting and outreach at the neighborhood level is guided by strong citizen engagement in those low-canopy/high-need areas.	There is no formalized approach but there is work being done by the Air and Tree Task Force to address distribution of tree canopy in response to need. Certain wards (2, 3 and 4) are being targeted for canvassing to promote tree planting to even out street tree canopy distribution (this decision was driven by air quality improvement objectives). 50% of street tree planting funds are dedicated to planting in these wards, and community planting events are targeted here. However, LAsTs is not currently receiving additional funding dedicated to tree planting in new parks in these wards.

Resource Management Approach – Plans, practices, and policies to improve and sustain the forest resource.

RESOURCE MANAGEMENT APPROACH	KEY OBJECTIVE	LOW	FAIR	GOOD	OPTIMAL	SUPPORTING DATA/ RATIONALE FOR RATING
R4 – Municipality-wide Urban Forest Management Plan	Develop and implement a comprehensive urban forest management plan for public and private property.	No plan.	Existing plan limited in scope and implementation.	Recent comprehensive plan developed and implemented for publicly owned forest resources, including trees managed intensively (or individually) and those managed extensively, as a population (e.g., trees in natural areas).	Strategic, multi-tiered plan with built-in adaptive management mechanisms developed and implemented for public and private forest resources.	Hamilton is developing an Urban Forest Strategy (UFS) for the urban areas of the City. The scope of the UFS includes all trees on public and private land in the Hamilton urban area. Management responsibility in the UFS is shared between City departments, other agencies and other stakeholders in Hamilton.
R5 – Municipality-wide Urban Forestry Funding	Develop and maintain adequate funding to implement municipality-wide urban forest management plan.	Little or no dedicated funding.	Funding only for emergency, reactive management.	Funding sufficient for some proactive management based on urban forest management plan.	Sustained funding from public and private sources to fully implement comprehensive urban forest management plan.	<p>The City's EAB management plan was proactive in removal and 1 for 1 replacement. Capital funding for \$1,345 annually is provided for the free street tree planting program and replacement of trees removed through maintenance activities.</p> <p>The City also provides regular funding to tree maintenance activities.</p> <p>However, as one example of areas where tree funding has decreased over time, Park construction budgets have remained the same for many years while the cost of most materials have increased, leaving less money available for tree planting. Furthermore, the City's tree canopy has not grown since 2013, and in fact may have seen a slight decline. Working toward a goal of increasing tree canopy will require revisiting current funding levels to assess how the City will increase canopy cover.</p>

Resource Management Approach – Plans, practices, and policies to improve and sustain the forest resource.

RESOURCE MANAGEMENT APPROACH	KEY OBJECTIVE	LOW	FAIR	GOOD	OPTIMAL	SUPPORTING DATA/ RATIONALE FOR RATING
R6 – Municipal Urban Forest Program Capacity	Maintain sufficient well-trained personnel and equipment – whether in-house or through contracted or volunteer services – to implement municipally-wide urban forest management plan.	Team severely limited by lack of personnel and/or access to adequate equipment. Unable to perform adequate maintenance, let alone implement new goals.	Team limited by lack of trained staff and/or access to adequate equipment.	Team able to implement many of the goals and objectives of the urban forest management plan.	Team able to implement all of the goals and objectives of the urban forest management plan.	COH has well-trained and industry-certified internal staff. Internal staff deal with a wide range of complex urban forest issues Staff have specialist equipment and training to deal with all aspects of urban forest management. There are standards in place for contractor services. The city is meeting grid rotation and tree planting targets. Response to tree health and pest/disease issues has been good as well (e.g. monitoring for gypsy moth, aerial spray and cooperation with other municipalities). Identified gaps include lack of capacity to respond effectively to extreme weather events and a lack of documented service standards. It also remains to be seen moving forward what resources are available to implement the findings of the new UFS.
R7 – Tree Establishment Planning and Implementation	Comprehensive and effective tree planting and establishment program is driven by canopy cover goals and other considerations according to plan.	Little or no tree planting; tree establishment is ad hoc.	Some tree planting and establishment occurs, but with limited overall municipally-wide planning and post-planting care.	Tree planting plan is guided by municipally-wide goals, with some post-planting establishment care.	Comprehensive tree establishment plan is guided by needs derived from canopy and other assessments, maintains species and age diversity, includes both planting and young tree care, and is sufficient to make progress toward canopy cover objectives.	The City has a street tree planting program that is over-prescribed, demonstrating high public interest in street trees. This receives annual funding and is ongoing. Other tree planting occurs as funding is made available.

Resource Management Approach – Plans, practices, and policies to improve and sustain the forest resource.

RESOURCE MANAGEMENT APPROACH	KEY OBJECTIVE	LOW	FAIR	GOOD	OPTIMAL	SUPPORTING DATA/ RATIONALE FOR RATING
R8 – Growing Site Suitability	All publicly owned trees are selected for each site and planted in conditions that are modified as needed to ensure survival and maximize current and future tree benefits.	Trees selected and planted without consideration of site conditions.	Appropriate tree species are considered in site selection.	Municipality-wide guidelines in place for the improvement of planting site conditions and selection of suitable species.	All trees planted in sites with adequate soil quality and quantity, and with sufficient growing space and overall site conditions to achieve their genetic potential and thus provide maximum ecosystem services.	COH has urban forest design guidelines which address all aspects of tree health and survivability. Forestry has been working on planting specifications for tree soil volume. The City has policies that promote the use of native species and discourage planting invasive species. Bylaw bans certain species that are considered invasive. LAS follows Forestry-approved species list and consult with Forestry Staff where required for planting plans. The city uses a wide range of native species in its planting lists. Urban Hamilton Official Plan policies C.2.11.2 and C.2.5.13 related to native plantings. Tree Protection Guidelines state native plants to be used wherever possible when compensating for trees removed for development. A list of native trees is provided. It also states that non-native and invasive plants are not to be planted adjacent to Core Areas in the Natural Heritage System.
R9 – Tree Protection Policy Development and Enforcement	The benefits derived from trees on public and private land are ensured by the enforcement of municipality-wide policies, including tree care "best management practices".	No tree protection policy.	Policies in place to protect public trees and employ industry best management practices, but inconsistently enforced.	Policies and practices in place to protect public and private trees, generally enforced.	Integrated municipality-wide policies and practices to protect public and private trees, consistently enforced and supported by significant deterrents.	<p>The City of Hamilton has protection in place for publicly owned trees, some protection for trees on private property as well as a Tree Preservation and Sustainability Policy.</p> <p>However, by-law coverage is inconsistent as its implementation. Some of the key issues noted include:</p> <ul style="list-style-type: none"> • Compensation for private tree removal takes precedence over preserving existing trees. • Replacement ratio is 1:1 and applied inconsistently, most often resulting in a net loss of tree canopy in the short term where mature trees are removed; • Inspections of tree protection on development sites are generally reactionary and may be done by staff lacking appropriate training or expertise, leading to questions of effectiveness of tree protection policies.

Resource Management Approach – Plans, practices, and policies to improve and sustain the forest resource.

RESOURCE MANAGEMENT APPROACH	KEY OBJECTIVE	LOW	FAIR	GOOD	OPTIMAL	SUPPORTING DATA/ RATIONALE FOR RATING
R10 – Maintenance of Public Managed Trees	All publicly owned, intensively (or individually) managed trees are well maintained for optimal health and condition in order to extend longevity and maximize current and future benefits.	No maintenance of publicly owned trees, or on a reactive basis only.	Publicly owned trees receive only periodic inspection and maintenance.	Publicly owned trees are inspected and proactively maintained on a cyclical basis.	All publicly owned, intensively managed trees are routinely and thoroughly maintained on ongoing basis according to comprehensive management plan.	The City of Hamilton has instituted a grid based tree trimming program for about 10 years and has achieved a 5 to 7-year pruning return cycle. This is in line with recommended industry standards.
R11 – Management of Publicly Owned Natural Areas	The ecological integrity of all publicly owned natural areas is protected and enhanced – while accommodating public use where appropriate.	No natural areas management plans or implementation in effect.	Only/reactive management efforts to facilitate public use (e.g., hazard abatement, trail maintenance).	Management plan in place for each publicly owned natural area to facilitate appropriate public use.	Management plan for each publicly owned natural area focused on sustaining and, where possible, improving overall ecological integrity (i.e., structure and function) – while facilitating appropriate public use.	Conservation Authorities and the Royal Botanical Gardens have management plans for their lands within the urban area, including hazard tree management and habitat restoration, and control of invasive plants. On City lands, Parks maintains trails through natural open spaces and has a limited budget to maintain invasive plant species (Phragmites). Parks staff manage some natural areas, such as Albion Falls, for personal safety and risk. There are some limited enhancement projects (Hoary Wtn. Mint). There has also been some historical public education on noxious weeds, limited efforts/budget/resources for invasive plants. Impacts of informal trails and trampling of understory is often observed by Parks staff.

Resource Management Approach – Plans, practices, and policies to improve and sustain the forest resource.

RESOURCE MANAGEMENT APPROACH	KEY OBJECTIVE	LOW	FAIR	GOOD	OPTIMAL	SUPPORTING DATA/ RATIONALE FOR RATING
R12 – Tree Risk Management	Comprehensive tree risk management program fully implemented, according to ANSI A300 (Part 9) "Tree Risk Assessment" standards and supporting industry best management practices.	No tree risk assessment or risk management program. Response is on a reactive basis only.	Level I (limited visual assessment) inspection and follow-up conducted periodically.	Level II (basic assessment) conducted periodically, resulting in scheduled follow-ups.	Level II (basic assessment) conducted routinely, according to defined cycle and intensive follow-up (i.e., priorities and timelines for mitigation established based on the characterization of risk).	There is little information on public tree condition (particularly street trees) although there was a 2016-2019 parks and inventory update. This included a health assessment that identified high risk trees, which were dealt with immediately. Some staff have TRAQ training, which qualifies them to undertake risk assessments. Consultants perform Level 3 assessments on trees (topography and resistograph) as needed. These trees are assessed using industry standards, given mitigation options and options are implemented. Forestry & Parks are mainly managing hazard trees on trails in natural areas. Rotational pruning program helps improve tree condition and reduce risk in City Right of Ways. Hamilton has up to 25,000 service requests a year and is doing pro-active risk assessment on ash annually to identify risk. There are fewer ash remaining so these can be inspected more frequently. The City is currently undertaking a more comprehensive assessment of risk. Also working through defining service standards – current approach is 24/7 availability and prioritize calls that way. Are looking at other industry and municipal standards in order to eventually develop more formal service standards. 48 hours is current timeline to inspect, then inspection determines next priority level.
R13 – Urban Wood and Green Waste Utilization	Create a closed system diverting all urban wood and green waste through reuse and recycling.	No utilization plan; wood and other green waste goes to landfill with little or no recycling and reuse.	While most green waste does not go to landfill, uses are limited to chips or mulch.	The majority of green waste is reused or recycled – for energy, products, and other purposes beyond chips or mulch.	Comprehensive plan and processes in place to utilize all green waste one way or another, to the fullest extent possible.	The City of Hamilton has a mulch program to address wood waste generated. Woodchips are used as mulch in parks and new street tree plantings and LAS uses City mulch for their projects wherever possible. Stump grindings are screened to utilize soil, and wood chips are used as bio filters at waste management facilities. Green waste diversion from landfill is included in contracts and tenders.

Resource Management Approach – Plans, practices, and policies to improve and sustain the forest resource.

RESOURCE MANAGEMENT APPROACH	KEY OBJECTIVE	LOW	FAIR	GOOD	OPTIMAL	SUPPORTING DATA/ RATIONALE FOR RATING
R14 – Native Vegetation	Preservation and enhancement of local natural biodiversity.	No coordinated focus on native vegetation.	Voluntary use of native species on publicly and privately-owned lands; invasive species are recognized.	Use of native species is encouraged on a project-appropriate basis in all areas; invasive species are recognized and discouraged on public and private lands.	Native species are widely used on a project-appropriate basis in all areas; invasive species are proactively managed for eradication to the full extent possible.	The City has policies that promote the use of native and discourage planting invasive species. Bylaws ban certain species that are considered invasive. LAS follows Forestry-approved species list and consult with Forestry Staff were required for planting plans. The city uses a wide range of native species in its planting lists. Urban Hamilton Official Plan policies C.2.11.2 and C.2.5.13 relate to native plantings. Tree Protection Guidelines state native plants to be used wherever possible when compensating for trees removed for development. A list of native trees is provided. It also states that non-native and invasive plants are not to be planted adjacent to Core Areas in the Natural Heritage System.

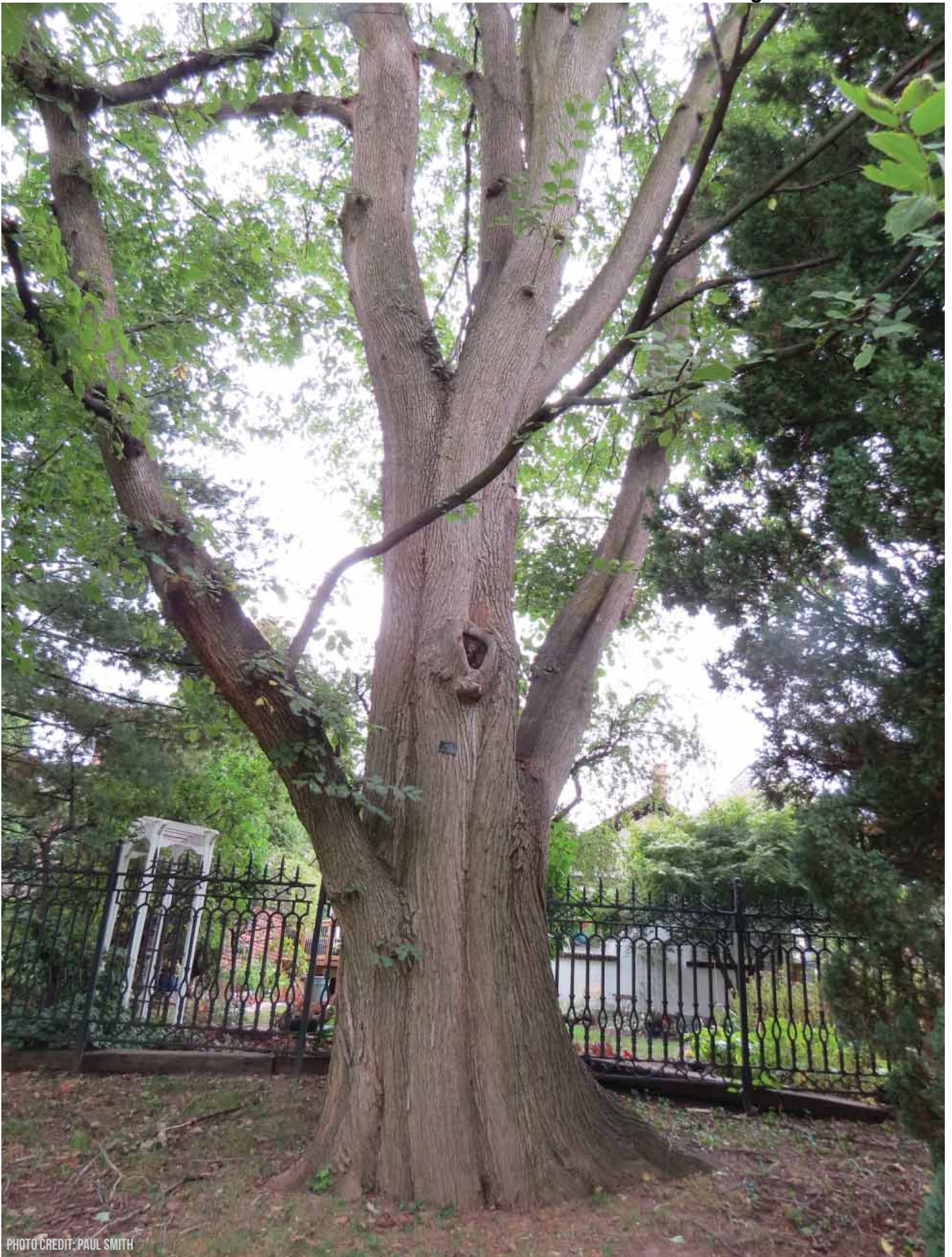


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Appendix “C” to Report PED20173(a)
Page 1 of 31

Summary of Public Comments on Draft Urban Forest Strategy Reports (January 26 to February 28, 2021)

During public consultation in January-February 2021 for the draft UFS reports, staff asked two main questions:

1. Do you agree with the themes and actions? Is anything missing from the reports?
2. Are there any new threats or opportunities that the City should consider?

Comments received are shown in the table below, with the staff response and recommended action.

For ease of reading, the comments were grouped into themes/topics.

1. Do you agree with the themes and actions? Is anything missing from the reports?			
Theme/topic	Comments	Staff Comments	Recommended Action
Support the UFS	<p>Really appreciate that the City is doing this strategy – it is really needed. Hamiltonians are passionate about trees and we look forward to continuing to work with the City and the community to improve the urban forest.</p> <p>Thank you for the opportunity to comment on the draft UFS. I'm impressed with the effort that has gone into the draft strategy and overall, it is well presented. The documentation is engaging and it's good to see the City showing a commitment to improving protection for the urban forest.</p>	Thank-you	None
Canopy cover target of 30%	<p>Target is too low - increase to 35-45% (13 comments).</p> <p>Please consider a higher canopy target - maybe 45% which would bring us more in line with other cities that have been progressive on their urban forest goals.</p> <p>Agree with canopy cover target of 30%.</p> <p>I think the ambitious goal set of 30% is admirable and hopefully will be achieved so we can increase that even more moving forward.</p>	<p>The existing canopy cover in the urban area of Hamilton is 21%. Based on the experience of other municipalities in southern Ontario, increases to canopy cover are slow and gradual. For example, Toronto has planted 1.3 million trees from 2008 to 2018 which resulted in a canopy cover increase of 1.8%.</p>	The target of 40% canopy cover by 2050 has been recommended by staff.

Appendix “C” to Report PED20173(a)
Page 2 of 31

1. Do you agree with the themes and actions? Is anything missing from the reports?			
Theme/topic	Comments	Staff Comments	Recommended Action
	Also, clearly state the timeframe for achieving the target.	<p>Mississauga has increased its canopy cover from 15% to 19% (an increase of 4%) from 2007 to 2014. City staff wanted a challenging long-term target.</p> <p>The strategy is to increase public and private tree planting. Young trees planted now will not provide much canopy at first, but as they age, they will provide exponential growth and canopy cover will show notable improvement.</p> <p>Staff agree that canopy cover estimates are more accurate at a finer geographic scale. However, at this time, staff have limited data (i.e. point counts) to determine canopy cover at finer scales. As staff get more data, Hamilton will be better able to measure and model changes to canopy cover at the neighbourhood level.</p> <p>Once Hamilton has land cover mapping, staff can set</p>	

Appendix “C” to Report PED20173(a)
Page 3 of 31

1. Do you agree with the themes and actions? Is anything missing from the reports?			
Theme/topic	Comments	Staff Comments	Recommended Action
		targets on smaller scales or based on land use.	
Canopy cover target should include equity considerations	Target should include equity considerations.	Agree.	An additional note was added related to equitable distribution of canopy cover. Equity is also included in the Vision Statement and the UFS clearly indicates that this is a priority for Hamilton.
Scale for measuring canopy cover	<p>Could we calculate canopy cover at a smaller scale – such as by neighbourhood? Could we also determine potential tree canopy coverage by neighbourhood? New York City created a report that mapped out these kinds of details.</p> <p>Concern with including large natural areas (escarpment) in canopy cover calculation. Some felt 21% misrepresented urban canopy and were concerned about how the tree canopy was calculated by ward. Some wards include the Niagara Escarpment, which is not a true representation of the actual coverage across the neighbourhoods (i.e. it over-estimates canopy cover). In order for neighbourhoods to take action to improve our tree cover, we need to know the actual tree canopy without the Escarpment being factored in. This needs to be included in the final Urban Forest Strategy.</p>	<p>Unfortunately, Hamilton does not have the detailed land cover data yet to calculate canopy cover at a finer scale, such as by neighbourhoods.</p> <p>All municipalities include natural areas in their canopy cover calculations. Canopy cover is a relative measure. If the City excluded natural areas, it would not be a comparable benchmark with other municipalities. Also, natural areas contribute to the ecosystem functions of Hamilton’s urban forest, so they should be included.</p> <p>Staff have received LiDAR data for the city which allows</p>	<p>The canopy cover map of wards was retained in the final UFS report, with a note that canopy cover will be determined at a finer scale once Hamilton has Staff are recommending that LiDAR data be purchased to more accurately measure the canopy both city wide and at a neighbourhood scale.</p>

Appendix “C” to Report PED20173(a)
Page 4 of 31

1. Do you agree with the themes and actions? Is anything missing from the reports?			
Theme/topic	Comments	Staff Comments	Recommended Action
		for a detailed canopy calculation by area. Updated canopy mapping has been included as Appendix E to this report.	
Native trees	<p>Emphasize native trees are the first choice and the City should lead the way by using only (or mostly) native species in its planting.</p> <p>Recognize climate-adapted species.</p> <p>Suggested removal of invasive trees and replacing with natives, Carolinian species, and long-lived trees.</p> <p>It seems counterintuitive to say that Hamilton has a "healthy and diverse" urban forest when two of our top three trees by number are doomed to the emerald ash borer, and the other is an invasive species. Where are the wonderful varieties of oaks and beeches, sugar and red maples, etc.? I'd like to see a plan to increase the number of native trees and especially Carolinian species.</p> <p>The draft Strategy contains little mention of planting native trees first. We know trees planted in City parks are native species, but the City needs to demonstrate leadership in planting across the City, not just in parks.</p> <p>All site plans should only be approved if native species are being planted and it should be the only option given to homeowners through the</p>	<p>Both Forestry and Parks staff note that a mixture of native and non-native tree species are required for a diverse and robust forest. Staff note that non-native species also provide ecosystem functions, especially in confined spaces and compacted soils where native species will not thrive. There are some areas where native species work well (e.g. parks). However, non-natives may be more resilient and suitable in other areas (e.g. confined road right-of-ways).</p> <p>Natural Heritage Planning staff require native species only to be planted in developments adjacent to Core Areas in the Natural Heritage System. In other areas, when reviewing Landscape Plans, staff ensure that a variety of</p>	<p>No changes were made to the UFS, but the importance of native and climate adapted species is recognized and will be addressed in future implementation actions.</p>

Appendix “C” to Report PED20173(a)
Page 5 of 31

1. Do you agree with the themes and actions? Is anything missing from the reports?			
Theme/topic	Comments	Staff Comments	Recommended Action
	Street Tree program. We have heard many stories of homeowners having to push to have a native tree planted through the Street Tree program. Homeowners need to be offered a native tree first.	<p>species are planted, with a focus on planting predominately native species.</p> <p>The UFS includes actions to address climate-adapted species (through a climate change vulnerability assessment, Protect Action 17) and an invasive species management strategy (Protect, Action 18).</p>	
Boldness of actions, urgency	<p>The actions are quite cautious and lacking in any courage; there is an urgent need to act; the wording in some themes is too weak.</p> <p>Too much focus on planning, studying, educating, working groups, 'talk,' not enough teeth, not enough funds.</p> <p>There is no theme that I would add or subtract. The actions however, are quite cautious and lacking in any courage. We need to take bold action to protect our urban forest and encourage private land owners to plant and maintain native trees, and to strongly punish developers who remove them in the interests of their short-term profit. I'm not seeing much in the way of bold action in this report, I'm seeing a lot of calls for more study. That time is past. It's time to act.</p>	<p>Staff agree that urgent action is needed. It should be noted that some actions are already in progress and have been included in the UFS for transparency and because they are part of a good urban forest management plan.</p> <p>Some actions will be low cost, easy to implement, and will result in immediate benefits (e.g. increase the tree planting budget, Grow, Action 20). Others will require some study and discussion to determine what is the best course of action for Hamilton (e.g. identify and implement options for</p>	<p>The wording of some actions was strengthened, as follows:</p> <p>Protect, Action 16 – was changed to “identify <u>and implement</u> options for increasing the preservation of healthy trees”.</p> <p>Staff is recommending a new city-wide tree protection by-law, city wide wood lot protection by-law and revised tree protection guidelines be developed.</p>

Appendix “C” to Report PED20173(a)
Page 6 of 31

1. Do you agree with the themes and actions? Is anything missing from the reports?			
Theme/topic	Comments	Staff Comments	Recommended Action
	<p>Unfortunately, the bold and strong language in the body of the report is not carried over to the actions section and this means that the urgency that is needed for these critical activities is lost when it comes to the recommendations.</p>	<p>increasing the preservation of private trees, Protect, Action 16).</p> <p>Policy and guidelines are required for staff to protect and require planting of trees. By having requirements in policy and guidelines, implementation is more effective, and there are clear standards for what is expected (transparency).</p> <p>Data collection is an important part of a strategy, to determine where to get the most value for staff's work, and to adjust staff's actions if required.</p>	
Equity	<p>The concern about equitable tree coverage is briefly mentioned in the report but it is an issue that deserves more attention in the strategy. Many of our neighbourhoods with low tree canopy also suffer from the poorest air quality and need more trees to help improve neighbourhood health.</p> <p>The city must recognize how lower-income, predominantly racialized neighbourhoods with less tree cover must be prioritized to ensure the cooling, noise reduction, air quality, and mental well-being benefits are targeted to populations that need it most.</p>	<p>Staff agree that this is a key issue for Hamilton's UFS. This was reflected in the Vision Statement, which reflects what is important to the community and City staff.</p> <p>Agree. Once the City has prepared land cover mapping, canopy cover targets can be set based on a variety of indicators, including existing low</p>	<p>Added more specific language in the report related to more equitable distribution of canopy to ensure that the benefits of the urban forest are available to all residents.</p> <p>Added a reference to even distribution of canopy cover under Act, Action 12.</p>

Appendix “C” to Report PED20173(a)
Page 7 of 31

1. Do you agree with the themes and actions? Is anything missing from the reports?			
Theme/topic	Comments	Staff Comments	Recommended Action
	<p>Additionally, while the map of tree cover by ward provides an idea of greenery distribution, this analysis should be performed at a neighbourhood level to understand if green-spaces and trees are experienced equitably by all within that ward or if they are concentrated in a particular location that is not accessible to all. Furthermore, lower income and higher density neighbourhood residents have less ability to grow trees on their private property, as such planting public trees should be prioritized in these areas.</p>	<p>canopy, pollution and noise reduction, flooding, urban heat island effect, transportation corridors, etc.</p> <p>Canopy targets can be developed on a neighbourhood level, with community input. These factors will be considered when implementing the actions, especially the canopy cover targets, climate change vulnerability assessment, and the tree planting priority analysis.</p>	<p>Added wording under Inspire, Action 1 related to ensuring the communications strategy improves collaboration and consultation with all groups, including local Indigenous people.</p>
Partnerships	<p>NGOs are a resource for the City. The UFS should acknowledge the non-government entities are already out there engaged in efforts to enhance the urban forest and willing to continue to do more.</p> <p>Include indigenous communities as partners.</p>	<p>Agree.</p>	<p>Added text under Inspire, Action 5 to say that the City should expand its existing partnership activities with NGO groups.</p> <p>Added an Action specific to Indigenous people as partners in UFS implementation (Inspire Action 4).</p>
Natural areas	<p>The strategy does not contain actions pertaining to protection to forest ecosystems/biodiversity. Actions specific to forest biodiversity protection pertaining to topics of litter, trampling, trail building, wildlife disruption, and invasive species should be included.</p>	<p>The UFS contains the following actions related to natural areas:</p> <ul style="list-style-type: none"> • Complete a climate change vulnerability 	<p>Added examples of recreation pressures (vegetation trampling, trails, litter) under Grow, Action 23.</p>

Appendix “C” to Report PED20173(a)
Page 8 of 31

1. Do you agree with the themes and actions? Is anything missing from the reports?			
Theme/topic	Comments	Staff Comments	Recommended Action
	<p>Stewardship of urban woodlands - the draft Strategy mentions the importance of these areas, yet there is no care for this municipal infrastructure and no concrete actions are identified in the short-term recommendations. It is these natural areas that provide the bulk of the ecosystem services provided by the urban forest. The work the Hamilton Naturalists' Club has done to manage invasives and plant native species at Captain Cornelius Park demonstrates that volunteers want to help. Residents want to see similar activities and opportunities in other urban woodlands. We need leadership from the City to make this happen, with conservation organizations and neighbourhood groups and volunteers helping with implementation. We have found that these relatively small actions are easy to undertake and have minimal budget implications yet bring high benefits and good opportunities to engage many community volunteers.</p>	<p>assessment (Protect, Action 17)</p> <ul style="list-style-type: none"> • Invasive species management (Protect, Action 18) • Natural regeneration and planting (Grow, Action 20) • Management of natural areas (Grow, Action 23) • Implement a forest health monitoring program, including natural areas (Adapt, Action 24). 	<p>Promotion and coordination of stewardship activities and organizing volunteers to care for the health of urban woodlands would be part of the new Forestry FTE. This has been added to Inspire, Action 2.</p>
<p>Involvement of Indigenous people, alignment with Hamilton Urban Indigenous Strategy</p>	<p>There appears to be a lack of coordination with the Hamilton Urban Indigenous Strategy (2019). This strategy outlines goals to involve Indigenous persons in decision-making in municipal activities and projects that affect them, acknowledges that Indigenous persons need outdoor spaces to carry out traditional ceremonies and teachings, and acknowledges that Traditional Ecological Knowledge (TEK) should be included in environmental restoration in Hamilton. None of this is mentioned in either draft of the Urban</p>	<p>Agree.</p>	<p>Included Urban Indigenous Strategy in the graphic of city initiatives related to the UFS.</p> <p>Added a new action (Inspire, Action 4), specifically related to cultivating partnerships with Indigenous people when implementing the UFS.</p>

Appendix “C” to Report PED20173(a)
Page 9 of 31

1. Do you agree with the themes and actions? Is anything missing from the reports?			
Theme/topic	Comments	Staff Comments	Recommended Action
	<p>Forest Strategy. How will the Urban Forest Strategy work to further the goals identified above? There is an incredible opportunity to further reconciliation by creating an Urban Forestry Strategy that aligns with the Urban Indigenous Strategy. For example: how will the outreach and communications goals you've identified under Theme 1 include Indigenous persons (as per Action 10 within the Urban Indigenous Strategy)?</p> <p>The Indigenous communities within and around Hamilton hold a wealth of botanical knowledge and environmental values that needs to be included and respected in city planning.</p> <p>Care for the environment, including land and water, are important. Respecting Indigenous ecological knowledge will benefit environmental restoration and preservation in Hamilton.</p> <p>Acknowledgement of traditional Indigenous territory in Hamilton should be practiced across the city. The city needs to demonstrate this acknowledgement beyond words.</p>		<p>Provided specific examples of possible future partnerships.</p> <p>Added section that discusses the role of Indigenous people in UFS implementation.</p> <p>Added consultation with marginalized groups, including Indigenous people, under Inspire, Action 1.</p> <p>Added Indigenous people as subjects of outreach efforts in Inspire, Action 2.</p>
Cultural value of trees	Nothing is mentioned about the cultural values of trees, or heritage trees.	Agree.	Added the cultural value of trees to the graphic – “ways trees help us” in the UFS report.
Planting non-allergenic trees.	There is no mention of planting trees on city property that are non-allergenic (do not produce pollen).	Forestry has removed heavy pollen trees from its planting list.	No change required to report.

Appendix “C” to Report PED20173(a)
Page 10 of 31

1. Do you agree with the themes and actions? Is anything missing from the reports?			
Theme/topic	Comments	Staff Comments	Recommended Action
		Pollen travels far, so it is difficult to address this issue with just City plantings. This issue will continue to be addressed through the City tree planting list, which is revised annually.	
New Forestry Staff Position (permanent FTE) Theme Inspire #2	<p>Please clarify the purpose of this position and the expertise needed.</p> <p>The report recommends creation of a permanent staff position focused primarily on communications and partnership development. In my view, the UFS will fail in its aspirations if it does not prioritize creation of a position that is responsible for directing a comprehensive urban forest management program, of which communications and outreach would be a function, but not the sole mandate.</p>	<p>Agree. The new FTE in Forestry and Horticulture Section would be a Senior Program Coordinator to implement the UFS. Qualifications would include Forestry Health and Communications and Outreach.</p> <p>Duties would include implementing the communications strategy, seeking partnerships, coordinating volunteer events, developing guidelines and policies, data management and analysis, liaising with staff from other departments, and forest health monitoring.</p>	Duties have been clarified in Inspire, Action 2.
Private tree By-law	The current action “Investigate feasibility of private tree by-law” is too vague. Unfortunately, the report sets the expectation that there will be no tangible action taken toward regulating the removal of healthy mature trees on private property in the	The UFS notes that private tree by-laws are an important tool for protecting existing tree cover and that there is some private tree	Added a sentence about the online poll in 2021 where the majority of respondents agreed that the city should have consistent tree

Appendix “C” to Report PED20173(a)
Page 11 of 31

1. Do you agree with the themes and actions? Is anything missing from the reports?			
Theme/topic	Comments	Staff Comments	Recommended Action
	<p>short term, nor in the long term - aiming only to "identify options". There is no amount of study, marketing or consensus building with the public that will make it easier to introduce regulation to protect this irreplaceable resource in a time-frame that is sensitive to the permanence of mature tree removal. It will doubtless remain a difficult and polarizing issue, so the city simply needs to take a position on the issue and act.</p> <p>We are concerned that the need to undertake Private Tree Protection is not given the importance that is needed. With almost 60% of the urban tree canopy on private lands, it is critical that private trees are protected, otherwise it is not possible to have a healthy urban forest. We know there is strong community support for the protection of all trees across Hamilton and urge the City to make this a priority action. Tree protection bylaws had been in place in Dundas and Ancaster pre-amalgamation and these could be used as a starting point for a bylaw that covers the whole city.</p> <p>I am a long-time residential home owner, 50 years in Hamilton, four different houses. My main concern with any new tree bylaw is residential back yards. I would like backyards of residential properties to be free of tree bylaws. People need full control of their back yard to garden, put a pool in, build a garage, build a shed, build a gazebo, etc. unimpeded. I understand the importance of trees in our environment. Trees have a lot of</p>	<p>protection in effect now. However, regulations are patchy and inconsistent across the City. A poll conducted in 2021 showed that a majority of residents felt there should be consistent protection for private trees across the City.</p>	<p>protection across urban area.</p> <p>Revised wording in Protect, Action 16 to say “identify <u>and implement options</u>” for increasing preservation of healthy trees.</p> <p>Staff is recommending a new city-wide tree protection by-law, city wide wood lot protection by-law and revised tree protection guidelines be developed.</p>

Appendix “C” to Report PED20173(a)
Page 12 of 31

1. Do you agree with the themes and actions? Is anything missing from the reports?			
Theme/topic	Comments	Staff Comments	Recommended Action
	<p>space to be planted without infringing on residential backyards.</p> <p>As an ISA certified arborist, I am appalled private tree protection is not in place. There is NO EXCUSE - review City of Oakville, Burlington, Toronto, etc. private tree bylaws to see how a municipality can successfully deliver both rural and urban tree protection. Act now!</p>		
Private tree protection	<p>Protecting healthy mature trees in the city is a different matter altogether. Once they are gone, they are gone. We cannot turn back the clock to regain the decades lost when an old tree is removed at the whim of a property owner - that event is catastrophic. Several of the largest mature trees have been removed from back yards in my own Ward 1 neighborhood during the time it has taken to draft this report - destroying, in just a few years, what was a beautifully maturing canopy, and all the benefits it provided. Undoubtedly this is happening across the city. Protection and preservation of healthy mature trees on private property should be a top priority for Hamilton. Unfortunately, the report sets the expectation that there will be no tangible action taken toward regulating the removal of healthy mature trees on private property in the short term, nor in the long term - aiming only to "identify options". The options have actually been identified in the report, but it shies away from recommending them in the face of controversy. This is a grave mistake.</p>	<p>A variety of actions are proposed to address preservation of existing trees. Staff agree that private tree protection is needed to achieve our vision for the urban forest. Protection will involve a variety of tools, both regulatory and incentive programs.</p>	<p>Revised wording in Protect, Action 16 to say “identify and implement options” for increasing preservation of healthy trees.</p> <p>Staff is recommending a new city-wide tree protection by-law, city wide wood lot protection by-law and revised tree protection guidelines be developed.</p>

Appendix “C” to Report PED20173(a)
Page 13 of 31

1. Do you agree with the themes and actions? Is anything missing from the reports?			
Theme/topic	Comments	Staff Comments	Recommended Action
Private tree protection - support and incentives for homeowners	<p>Think about how the City can support homeowners to address their concerns related to private tree protection because it is in the City’s interest to keep these trees on private lands. However, the landowner bears the cost and risk. Work to align City and landowner interests. Examine people’s concerns about private trees and address them using incentives.</p> <p>Support to private landowners could include advice on controlling invasive trees, providing watering bags, recognizing the real value of a mature tree, tax incentives (reduction in taxes based on tree cover on property), or financial incentives to plant or retain trees on private property.</p> <p>More regulations and incentives for private landowners to plant more trees on their property would be fantastic.</p>	<p>Private landowner incentives are an important tool to protecting existing private trees.</p> <p>A key part of the FTE in Forestry will be outreach to private landowners (tree give-aways, education and awareness/arborist advice, grants to increase planting, working with NGOs to implement a tree planting program). This will help to empower the community.</p>	Protect, Action 16 was revised to specifically outline incentive and grant programs as an implementation action.
State of the Urban Forest report	<p>Does the City want to commit to doing a State of the Urban Forest report annually?</p> <p>We support an annual State of the Urban Forest report and it should be available to the public.</p> <p>These reports should be accessible to the public and promoted through outreach activities.</p>	<p>Forestry already provide annual updates to Council on the Emerald Ash Borer program, planting, removals, and mortality. This will continue, but it applies to public trees only.</p> <p>Staff agree that the “State of the Urban Forest” reports may best be done every 3-5 years. This will allow sufficient time to detect</p>	<p>Changed Inspire, Action 5 to state the report will be done every 3-5 years. Added that the report will be available to “Council and the public”.</p>

Appendix “C” to Report PED20173(a)
Page 14 of 31

1. Do you agree with the themes and actions? Is anything missing from the reports?			
Theme/topic	Comments	Staff Comments	Recommended Action
		<p>trends and results of UFS implementation. The purpose of this report will be more extensive than the Forestry Section updates described above. It will access our progress based on the “Sustainable Urban Forest” indicators in the Technical UFS report.</p> <p>Agree that these reports would be public and posted on the Forestry and UFS web pages.</p>	
City initiatives are missing	<p>The following initiatives are missing from the graphic on page 5:</p> <ul style="list-style-type: none"> • Hamilton Community Energy and Emissions Project • Hamilton Urban Indigenous Strategy • Biodiversity Action Plan 	Agree.	<p>Added the following initiatives to the graphic in the UFS report:</p> <ul style="list-style-type: none"> • Hamilton Community Energy and Emissions Project • Hamilton Urban Indigenous Strategy • Biodiversity Action Plan
Monitoring	Add more specific timelines, targets and indicators and reporting requirements on key indicators.	Each action in the UFS Technical Report is linked to a Monitoring Indicator and a timeline.	Added text in the UFS Technical Report to better explain the “Sustainable Urban Forest – A Step by Step Approach”.
Minimum Canopy cover requirements	I am happy to see an action plan to establish minimum canopy cover targets for new development proposals. I believe the targets should be significant for dense urban areas to	Noted.	No change required to UFS Report.

Appendix “C” to Report PED20173(a)
Page 15 of 31

1. Do you agree with the themes and actions? Is anything missing from the reports?			
Theme/topic	Comments	Staff Comments	Recommended Action
	<p>improve quality of life and environmental sustainability, even if these areas are the most constrained in terms of space.</p> <p>Suggest stronger language on requirement for minimum canopy for developments. I suggest that the word "targets" on page 27 of the technical report be strengthened e.g. "minimum requirements".</p>	<p>Noted – this will be considered when the minimum canopy guidelines are prepared.</p>	
Standard tree planting specifications, best practices	Perhaps Act, Action 11 (applying standardized tree planting details and specifications in all city tree planting projects) should apply to planting on private properties as well, if they are best practices.	Agree. These standards should be considered in future guideline updates (Act, Action 13) and implemented through Landscape Plans.	No change required to UFS Report.
Timelines for actions	I agree with the themes, but question some of the timelines under each theme - 3 to 5 years for many of the actions is too long. For example, why should we wait 3-5 years to implement a Forest Management Asset System?	Staff reviewed the timelines on the actions. Some actions need to take place in sequence. For example, land cover mapping (Act, Action 9) must be completed before we can move on to a tree planting priority analysis (Grow, Action 11) or the canopy cover guidelines (Act, Action 12).	The timeline for some actions was adjusted (Inspire Action 6, Grow Action 22, Grow Action 23).
Hydro corridors	<p>I didn't see anything about hydro corridors and their tree cutting, bush removing strategies to reduce the risk of damage to their infrastructure.</p> <p>Partner with hydro to implement tree cutting and plantings that improve wildlife quality but still meet</p>	Staff met with staff from Hydro One. Hydro does not allow tree planting within corridors for safety reasons. Hydro has indicated that their staff will work with the City to inform us of	<p>No change to UFS Report.</p> <p>City staff will continue to work closely with hydro and utility companies to coordinate activities.</p>

Appendix “C” to Report PED20173(a)
Page 16 of 31

1. Do you agree with the themes and actions? Is anything missing from the reports?			
Theme/topic	Comments	Staff Comments	Recommended Action
	safety guidelines. Can the City/CA plant in hydro corridors?	maintenance activities. Hydro staff are willing to undertake projects to compensate for the impacts of the required maintenance. City staff have increased coordination of activities with Hydro. They have a 6-year cycle for clearing and have staff patrol annually to review vegetation growth.	
Private tree compensation	For those who remove private trees, having a higher tree replacement ratio would help the city of meet their designated tree canopy goals. A 3:1 replacement ratio would allow for replacements to better replicate what is being lost through the removal of mature trees.	Staff agree that the current 1:1 compensation requirement for private trees will not replace canopy cover lost to development. This will be revised as part of the Tree Protection Guidelines update (Act, Action 13).	No change to UFS Report.
Youth engagement	I think it would be good to add an action to get young people (in schools) educated and engaged.	Noted. This would be part of the Communications Strategy (Inspire action 1) and the outreach to be done by the new FTE Forestry Coordinator (Inspire, Action 2).	No change to UFS Report.
Increasing public tree planting	I would like to see an easier process or toolkit made for residents to request additional trees in city parks and greenspaces, as there are several non-profit organizations, community partners and funding opportunities available to bring more trees into our city.	Increasing public tree planting will be addressed in the implementation of the Inspire actions (communication, web site improvements, etc.).	No change to UFS Report.

Appendix “C” to Report PED20173(a)
Page 17 of 31

1. Do you agree with the themes and actions? Is anything missing from the reports?			
Theme/topic	Comments	Staff Comments	Recommended Action
	The one thing that I think is buried a bit in the document is how low tree survivorship in the city impacts our ability to achieve our canopy targets. We can plant a million trees, but if only 50% of them survive past 10 years, so much of our effort is wasted!	Forestry and Horticulture Section is currently monitoring survival of public tree plantings and this data will guide improvement of planting practices.	
Commitment to providing resources to implement	City funding to get priority actions underway, a commitment to move past the strategy to the critical implementation.	Specific timelines and reporting and general funding requirements have been provided for in each action in Appendix “D”. For now, general costs and staff resources are outlined. As each project moves forward, staff will provide a detailed budget request for funding and resources to Council.	Refer to Appendix “D”.
Natural regeneration as planting strategy	Page 32 mentioned allowing natural regeneration by reducing mowing in designated park areas. In Hamilton Conservation Authority’s experience this has not led to an increase in canopy as these areas are dominated by non-native grasses which stall natural succession to thickets or forest. Directed restoration in these areas would allow for a structured development of the ecological communities.	Noted.	Grow, Action 20 was altered to include directed planting of native trees.
Data collection for monitoring and identifying planting areas	We would like to recommend ensuring accurate tree data that differentiates the number and locations of street trees versus other kinds of tree cover – ex. Urban forest, parks, natural areas along the escarpment, Hamilton Conservation	Agreed. This work will be completed as part of the land cover mapping (Act Action 10), tree planting priority analysis (Grow Action 22),	No changes to UFS Report.

Appendix “C” to Report PED20173(a)
Page 18 of 31

1. Do you agree with the themes and actions? Is anything missing from the reports?			
Theme/topic	Comments	Staff Comments	Recommended Action
	<p>Authority, Royal Botanical Gardens, etc. to provide a baseline for tracking progress.</p> <p>Further, collecting and mapping data for sites that remain viable for street trees and locations where street trees are not viable -ex. data on locations where requests for a street tree were made but found unsuitable after inspection by Forestry staff would benefit ongoing outreach by narrowing down possible locations.</p>	<p>and Forestry asset management system (Adapt Action 25).</p>	

Appendix “C” to Report PED20173(a)
Page 19 of 31

2. New Things to Consider – threats or opportunities			
Theme/Topic	Comments	Staff Comments	Recommended Action
Provincial policy (threat)	<p>Effects of MZO's, restrictions on Conservation Authorities, and Bill 21.</p> <p>With Doug Ford's Bill 21, our Hamilton Conservation Authority will have less power to protect our forested areas. As a City, we must try to stop uncontrolled development in our natural wilderness.</p>	Noted. The City has the ability to go beyond Provincial requirements when protecting natural heritage.	No change to UFS Report.
Wildlife impacts (threat)	<p>Beavers felling trees waterfront trail; wild animal damage (deer, beaver).</p> <p>I hate to mention beavers, but they really are devastating the urban forest, which is already under stress.</p>	Noted. Control of beavers is not recommended.	No change to UFS Report.
Trails (threat)	Unauthorized trail building in forests.	<p>Agree that recreational use is placing increased pressure on natural areas, especially with the COVID-19 pandemic.</p> <p>While staff want to encourage recreational use, staff recognize that this must be balanced with natural area management (trail planning, controlling invasive species, providing safe parking and access).</p>	Added a reference to recreational impacts on natural areas in Grow, Action 23.
Permaculture (opportunity)	Nothing in the report that mentions trees as food, fruit orchards, alleyway berry bushes. Why can we not apply permaculture principles to our public landscape and create food security for both our	Forestry staff noted that there are no fruit trees on the City planting list.	Staff are recommending a review of fruit and nut trees on public property to

Appendix “C” to Report PED20173(a)
Page 20 of 31

2. New Things to Consider – threats or opportunities			
Theme/Topic	Comments	Staff Comments	Recommended Action
	wildlife and people in this time of a climate emergency?	Hamilton has a strong community garden program which may provide opportunities for fruit and nut tree food production.	explore opportunities to plant fruit and nut trees.
Lack of political champion (threat)	Establish the strategy so it crosses departments and spreads ownership so if champions at the staff or Council level move on the entire strategy is not forgotten. Create a succession plan for those who will champion the plan both within City and within the community.	<p>Noted. Staff recognize that implementation will require many hands, both within the City and the community.</p> <p>The importance of Council support is noted in Inspire, Action 6.</p> <p>While many actions will be led by Planning or Forestry, many other sections are listed as contributing partners, including Public Health, Neighbourhood Strategies, Risk Management, Public Works, Parks Operations and Maintenance, and Landscape Architectural Services.</p>	No change to UFS Report.
Succession planning (opportunity)	Need a succession plan for trees in old neighborhoods where mature trees will reach the end of their lives and leave large holes in the canopy.	Forestry staff replace trees removed, preferably in the same area. While conducting maintenance, Forestry staff actively canvas for planting in all neighbourhoods.	No change to UFS Report.

Appendix “C” to Report PED20173(a)
Page 21 of 31

2. New Things to Consider – threats or opportunities			
Theme/Topic	Comments	Staff Comments	Recommended Action
Value of trees (opportunity)	<p>Provide a cost estimate for trees removed in development applications, so Council understands what is lost if they approve the application.</p> <p>Finally, it would be good to provide Council and the public with true estimates, in dollar form, of the value of mature trees, taking into account what it would cost to replace the services provided by a mature tree for water management, air quality improvements, climate mitigation, wildlife habitat, psychological and medical healthcare, and beautification.</p>	<p>Forestry is currently requiring this for tree removals for development applications. When issuing a permit, Forestry uses a trunk formula to determine the value of a tree.</p> <p>Planning will review this as part of Tree Protection Plans for development applications as part of the update to the Tree Protection Guidelines.</p> <p>Planning staff will also be reviewing the compensation requirements for removal of private trees and reporting to Council on any proposed changes to the Tree Protection Plan process. By requiring true replacement costs for private trees, this may deter applicants from removing trees.</p>	No change to UFS Report.
Urban sprawl (threat)	<p>Invest in the care of existing trees in the urban forest by keeping compact urban boundaries (GRIDS2).</p> <p>I think the urban forest strategy needs to look more at preventing urban sprawl and investing more in neighbourhoods that already exist in Hamilton.</p>	Noted. Any new urban boundary expansion will require an assessment of natural areas and tree cover before it proceeds.	Staff is recommending a new city-wide tree protection by-law, city wide wood lot protection by-law and revised tree protection guidelines be developed.

Appendix “C” to Report PED20173(a)
Page 22 of 31

2. New Things to Consider – threats or opportunities			
Theme/Topic	Comments	Staff Comments	Recommended Action
Infill development (threat)	<p>Infill development is a particularly insidious subset of development as far as our urban forest goes, as it often occurs in areas with mature tree canopies. Of the three developments currently underway on my street, no fewer than 5 mature trees, some as tall as 50 or 60 feet have come down in the past 18 months. Only one was a protected street tree, and that protection was ignored without consequence. Any tree protection by-law must address infill developers removing trees without replacing them, and must level harsh penalties for doing so, with strong enforcement measures, or developers will just ignore those rules, the way they ignore almost every other rule without consequence.</p> <p>Living in Ancaster, I am very sad to see trees come down to build larger homes. Money makers tear down, build and sell and I feel like penalties are futile.</p>	<p>Balancing the need for infill development, a compact urban boundary, and growing our urban forest will be challenging.</p> <p>Forestry Section does not approve driveways within the canopy of a public tree.</p> <p>Addressing impacts of infill development can be done through revised Tree Protection Guidelines, improved compensation requirements (Act, Action 13), canopy cover targets for development applications (Act, Action 12), improved implementation of Tree Protection Plans (Act, Action 9), and better protection for private trees (Protect Action 16). Impacts of infill development can be tracked through Act, Action 14.</p>	Staff is recommending a new city-wide tree protection by-law, city wide wood lot protection by-law and revised tree protection guidelines be developed.
Parking lots as planting areas (Opportunity)	<p>In Europe, parking lots have trees, but rarely here. Need to examine the bylaws that are promoting parking spaces over green spaces. Requiring a percentage of every parking lot to be dedicated to trees/shrubs (natives, of course) would help.</p> <p>My particular interest is the role the large parking lots play. These lots produce a huge amount of</p>	Agree. Increased planting strips and low impact development plantings are being used more than ever. This can be addressed through revisions to the site plan guidelines (Act, Action 13) and can be built into Zoning By-laws (e.g. the City’s	No change to UFS Report.

Appendix “C” to Report PED20173(a)
Page 23 of 31

2. New Things to Consider – threats or opportunities			
Theme/Topic	Comments	Staff Comments	Recommended Action
	heat and the runoff contributes to the overflow of our combined sewer system. If we were to encourage the owners of Limeridge Mall and the Centre on Barton to install bioswales and plant trees we would get the combined effort of reducing runoff plus all the other advantages of the trees. My efforts to contact the heads of sustainability of these companies have been fruitless so far so maybe the city could consider them as part of the urban forest strategy.	Commercial and Mixed use Zoning).	
Groupings of trees (opportunity)	We could plant a high density of indigenous trees in concentrated small areas. Trees mutually benefit from other tree species. If there are in a concentrated area they grow straight and tall competing for the sunlight. This has been done successfully in Tokyo and other high density urban centres. This would also provide a habitat for a vast number of birds, insects, and small mammals.	Agree this is an interesting opportunity in areas where there is space. This opportunity could be achieved through Grow, Action 20 and also be considered in City parks, commercial, industrial and institutional areas.	No change to UFS Report.
Impacts of storms on private trees (threat)	I am concerned about climate change and redevelopment of old neighbourhoods weakening the urban forest that is already there. Fears of homeowners that strong storms expected as a result of climate change will pose a danger to them if they don't cut down the big trees around their houses.	Agree that this will be an increased threat in the future. Incentives and assistance to private landowners to maintain mature trees will be considered in Protect, Actions 16 and 17.	No change to UFS Report.
Tree Nurseries (opportunity)	I would like to see the RBG work with surrounding municipalities to bring back endangered trees and Carolinian species that are less common. For example, an elm tree nursery from stocks of elms that survived Dutch elm disease.	Noted. Partnerships will be addressed through Inspire, Actions 2, 4, and 5.	No change to UFS Report.
Heritage Trees (opportunity)	The City should develop its own Heritage Tree designation, with attendant protections and incentives for landowners. I would be willing to help	Agree. The cultural importance of trees can be addressed through Inspire, Action 2 as part	No change to UFS report.

Appendix “C” to Report PED20173(a)
Page 24 of 31

2. New Things to Consider – threats or opportunities			
Theme/Topic	Comments	Staff Comments	Recommended Action
	with this and know others more qualified than I who could be approached.	of Communications and Outreach or through protection of private trees, Protect, Action 16.	
Natural areas and fire risk (threat)	<p>I have lived next to Arrohon Natural Area in Waterdown for almost 20 years. I believe it was left natural since the neighbourhood was built in 1990-94 period.</p> <p>I believe it is ready to become a tremendous fire inferno within the next few summers that could ignite several homes in the neighbourhood. Its location is upwind from my home and many dozens of homes. I can imagine the sparks flying down wind on to our roofs and yards if an inferno ever got started at Arrohon on a windy day in the summer.</p> <p>When walking, I have observed Arrohon Natural Area grow from a lovely area that one could walk through parts of it, until its current state which is barely traversable. There are years of buildup of long dead grasses, brush, vines and the larger trees are overcrowded. It seems obvious to me that the average yearly moisture received there cannot sustain this area anymore because it's so overgrown. New trees and grasses and shrubs have difficulty getting establish because of so much deadwood. It is now a tremendous urban fire risk in my opinion.</p>	<p>Noted. This will be addressed through management of natural areas (Grow Action 23) and the climate change vulnerability assessment (Protect Action 17).</p> <p>Specific concerns about City-owned natural areas can be addressed by contacting Public Works staff (Parks Operations and Maintenance and Forestry and Horticulture).</p>	No change to UFS report.

Appendix “C” to Report PED20173(a)
Page 25 of 31

2. New Things to Consider – threats or opportunities			
Theme/Topic	Comments	Staff Comments	Recommended Action
	What can we do to restore this area, to thin out the deadwood and make room for healthier new growth and reduce the fire risk?		
Monitoring partnerships (opportunity)	Hamilton Conservation Authority has a forest monitoring program already in place and 20 of our 40 monitoring plots are within the urban boundary. It would make sense to work together to gather data needed by the City and HCA on existing plots.	Noted. Staff will actively seek partnerships with agencies, community groups, and NGOs to pool resources. This would be done through increased partnerships (Inspire Action 5).	No change to UFS Report.

Appendix “D” to Report PED20173(a)
Page 1 of 9

Urban Forest Strategy Implementation Chart

Urban Forest Strategy Recommended Action	Implementation	Lead Department(s) Responsible	Partners	Resources	Timeline
1. Develop and implement an inspiring urban forest communications strategy.	Incorporate into the City’s existing communications channels, information related to the importance and value of the urban forest	Communication	Public Works (Forestry) PED (Climate Change) Public Health	Existing	ongoing
2. Create a permanent new staff position in Public Works Department to implement UFS implementation (e.g. monitoring, outreach, partnership development, data maintenance)	Create a permanent new staff position within the Forestry Section of the Public Works Department to oversee the community-wide implementation of the UFS (e.g. monitoring, outreach, partnership development, data maintenance)	Public Works (Forestry)		New FTE (Public Works) As per recommendation of this report.	2024
3. Work directly with Hamilton’s development community to improve awareness, identify urban forest allies, and recognize best practices and innovation.	Work is underway to develop new Green Building Standards, Low Impact Design Guidelines and updated Urban Design Guidelines in addition to a proposed tree protection by-law (as per recommendation of this report)	PED (Municipal Law Enforcement (MLE), Planning, Growth Management)	Public Works (Forestry, Landscape Architectural Services (LAS)) Development Industry Liaison Group (DILG)	Existing staff Tree protect By-law resources to be identified in future report as per recommendation in this report.	2024

Appendix “D” to Report PED20173(a)
Page 2 of 9

Urban Forest Strategy Recommended Action	Implementation	Lead Department(s) Responsible	Partners	Resources	Timeline
4. Work with the Indigenous community and local First Nations to understand and respect the spiritual, emotional, mental and physical connection that Indigenous peoples have to land	Work with the Indigenous community and local First Nations to understand and respect the spiritual, emotional, mental and physical connection that Indigenous peoples have to land including exploring the potential for Indigenous led tree planting initiatives.	Healthy and Safe Communities (Indigenous Relations outreach and advisory role) Public Works (Forestry)	Public Works, (Landscape Architectural Services, LAS) PED (Climate Change, Planning)	New FTE (Public Works) As per recommendation of this report.	2024
5. Partner with organizations that support the City’s urban forestry program.	Partner with and actively explore ways to support community organizations and other stakeholders that are working to enhance Hamilton’s urban forest, including; <ul style="list-style-type: none"> a) Increasing the City’s existing annual free tree giveaway program; b) Support de-paving and urban greening initiatives utilizing an equity lens to prioritize those areas with greatest need for tree canopy; and c) Identify and implement opportunities to utilize creative planting methods such as expanding the current initiatives to install 	Public Works (Forestry)	PED (Climate Change)	New FTE (Public Works) As per recommendation of this report.	ongoing

Appendix “D” to Report PED20173(a)
Page 3 of 9

Urban Forest Strategy Recommended Action	Implementation	Lead Department(s) Responsible	Partners	Resources	Timeline
	mini forests, which plant concentrations of larger numbers of trees in compact spaces in the urban area.				
6. Carry out an annual evaluation of the effectiveness of stakeholder engagement strategies.	Evaluation of engagement completed as part of standard practice on a project by project basis and in Departmental KPIs and reports	The department or section leading the engagement	Communications	Existing	Ongoing
7. Establish an inter-departmental working group to support UFS implementation.	To be reviewed for feasibility and effectiveness by Public Works (Forestry)	Public Works (Forestry)	To be determined	New FTE (Public Works) As per recommendation of this report.	2024
8. Improve implementation of Tree Protection / Management Plans and Landscape Plans required through development application review.	Prepare updated terms of Reference for Tree Protection/Management Plans and Landscape plans that are required as part of development applications. Currently Under review for Bills 23 and 109.	PED (Planning)	Public Works (Forestry)	Existing	2023
9. Complete land cover and canopy cover mapping for the City of Hamilton urban area.	Procure laser imaging, detection, and ranging (LIDAR) or other appropriate data of the urban area in June 2025 to accurately measure the tree Canopy. Set the standards	PED (GIS)	Public Works (Forestry) Public Health	Consultant and data costs (\$100,000) as per recommendation in this report	2025

Appendix “D” to Report PED20173(a)
Page 4 of 9

Urban Forest Strategy Recommended Action	Implementation	Lead Department(s) Responsible	Partners	Resources	Timeline
	and procedures to allow for comparison data in future		Corporate Services (IT/GIS Services)	Existing staff to manage project	
10. Apply standardized tree planting details and specifications in all city tree planting projects.	Develop standardized tree planting details and specifications and share with affected city departments and divisions,	Public Works (Forestry)	PED (Growth Management, Engineering, Development PED) Public Works (Parks, LAS	Existing staff	Complete
11. Develop and apply minimum canopy cover targets to new development proposals.	See Items 8, 9 and 12				
12. Identify and complete priority amendments to improve integration of trees through applicable policies, plans, and guidelines.	Work is underway to develop new Green Building Standards, Low Impact Design Guidelines and updated Urban Design Guidelines in addition to a proposed tree protection by-law and guidelines (as per recommendation of this report)	PED	Public Works (Forestry Parks, LAS)	Existing Staff	2023-24
13. Determine the main drivers of canopy change in Hamilton.	See Item 9				
14. Present regular ‘State of the Forest’ reports to City Council and the public	Present regular ‘State of the Forest’ reports to City Council and the public that include results of forest inventories undertaken every ten years or as data becomes available as per Action 9	Public Works (Forestry, Parks, LAS)	Public Health PED (GIS)	New FTE (Public Works) As per recommendation of this report.	2025

Appendix “D” to Report PED20173(a)
Page 5 of 9

Urban Forest Strategy Recommended Action	Implementation	Lead Department(s) Responsible	Partners	Resources	Timeline
15. Review current urban forest management structures and identify resources required to achieve the City’s urban forest vision.	Part of ongoing review.	Public Works (Forestry)	Public Works (Parks, LAS)	New FTE (Public Works) As per recommendation of this report.	Ongoing
16. Identify and implement options for increasing the preservation of healthy trees in Hamilton.	Work is underway to develop new Green Building Standards, Low Impact Design Guidelines and updated Urban Design Guidelines in addition to a proposed tree protection by-law (as per recommendation of this report)	PED	Public Works (Forestry, Parks)	Existing Staff	2023-24
17. Complete a climate change vulnerability assessment for Hamilton’s natural systems, including the urban forest.	Hire a consultant to complete.	PED (Climate Change)	Public Health Public Works (Forestry, Parks and Cemeteries) PED (Planning)	Consultant cost of approximately \$100,000. To be requested in future report.	2023
18. Develop and implement an Invasive Species Management Strategy	Develop and implement an Invasive Species Management Strategy in consultation with (and potentially in partnership with) community partners already actively engaged in this work on city property.	Public Works (Forestry)	Public Works (Parks)	Consultant cost to develop Strategy (approximately \$80,000). Funds for the development of the strategy and any resources	2024

Appendix “D” to Report PED20173(a)
Page 6 of 9

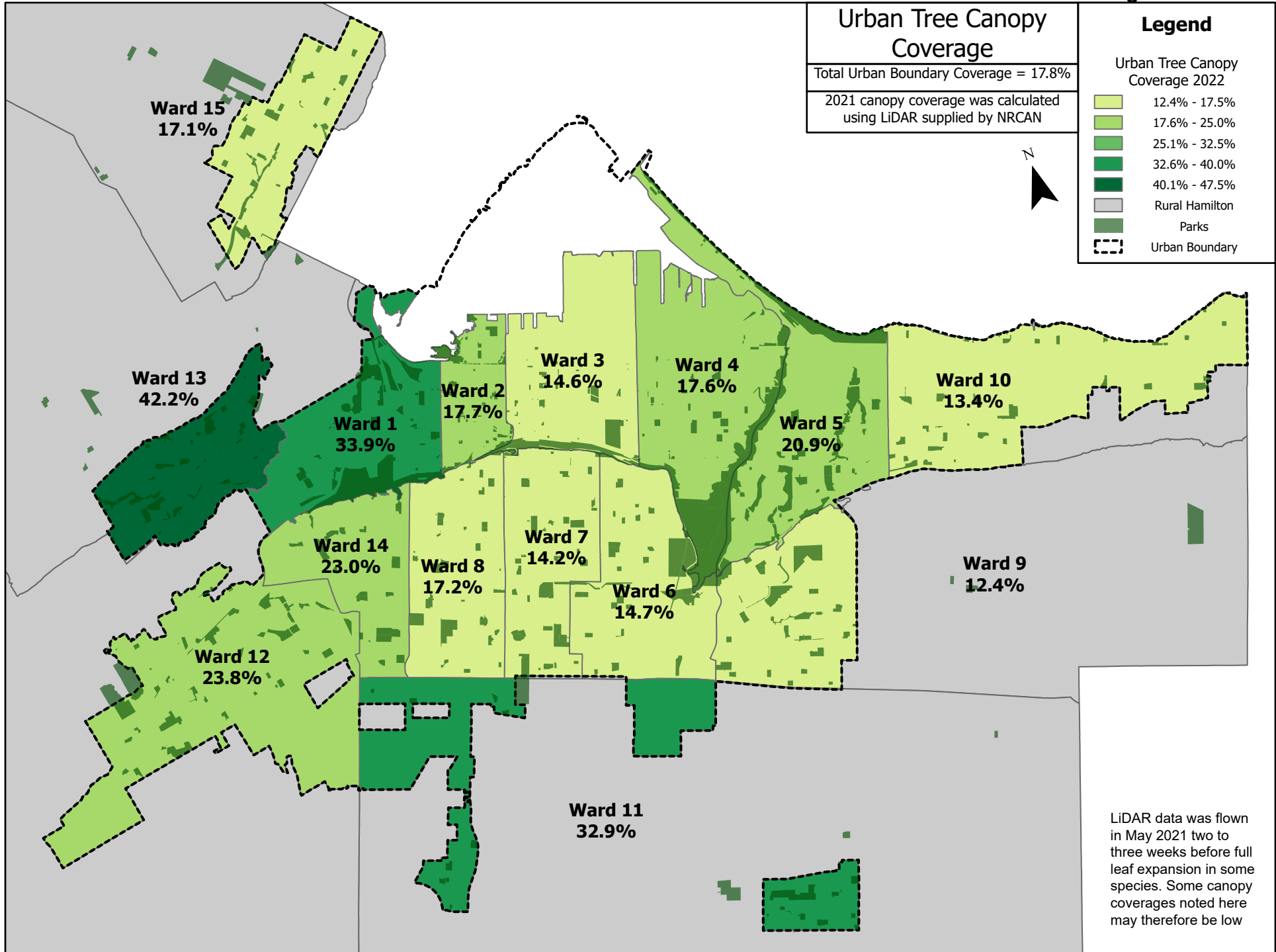
Urban Forest Strategy Recommended Action	Implementation	Lead Department(s) Responsible	Partners	Resources	Timeline
				required for implementation to be requested in future report.	
<p>19. Develop service standards and emergency response plans for:</p> <ul style="list-style-type: none"> • Hazard trees and other forestry service requests • Severe weather events. 	Development of Standard Operating Procedures and service levels.	Public Works (Forestry)	Public Works	Existing staff	2024-25
<p>20. Increase the level of tree planting and/or natural forest regeneration in the City over the next five years.</p>	Increase the level of tree planting by the City from the current rate of 10,000 to 12,000 trees per year to 20,000 trees per year, and achieve a City-wide tree planting target, including tree planting by all community partners, of 50,000 trees per year	Public Works (Forestry)	Public Works (Parks Operations and Maintenance, LAS) PED (Planning, Climate Change)	<p>New FTE (Public Works) As per recommendation of this report.</p> <p>In the future, Public Works (Forestry) may require funding for implementing an increase in tree planting if current capital budget and reserves are not adequate. If</p>	2024-50

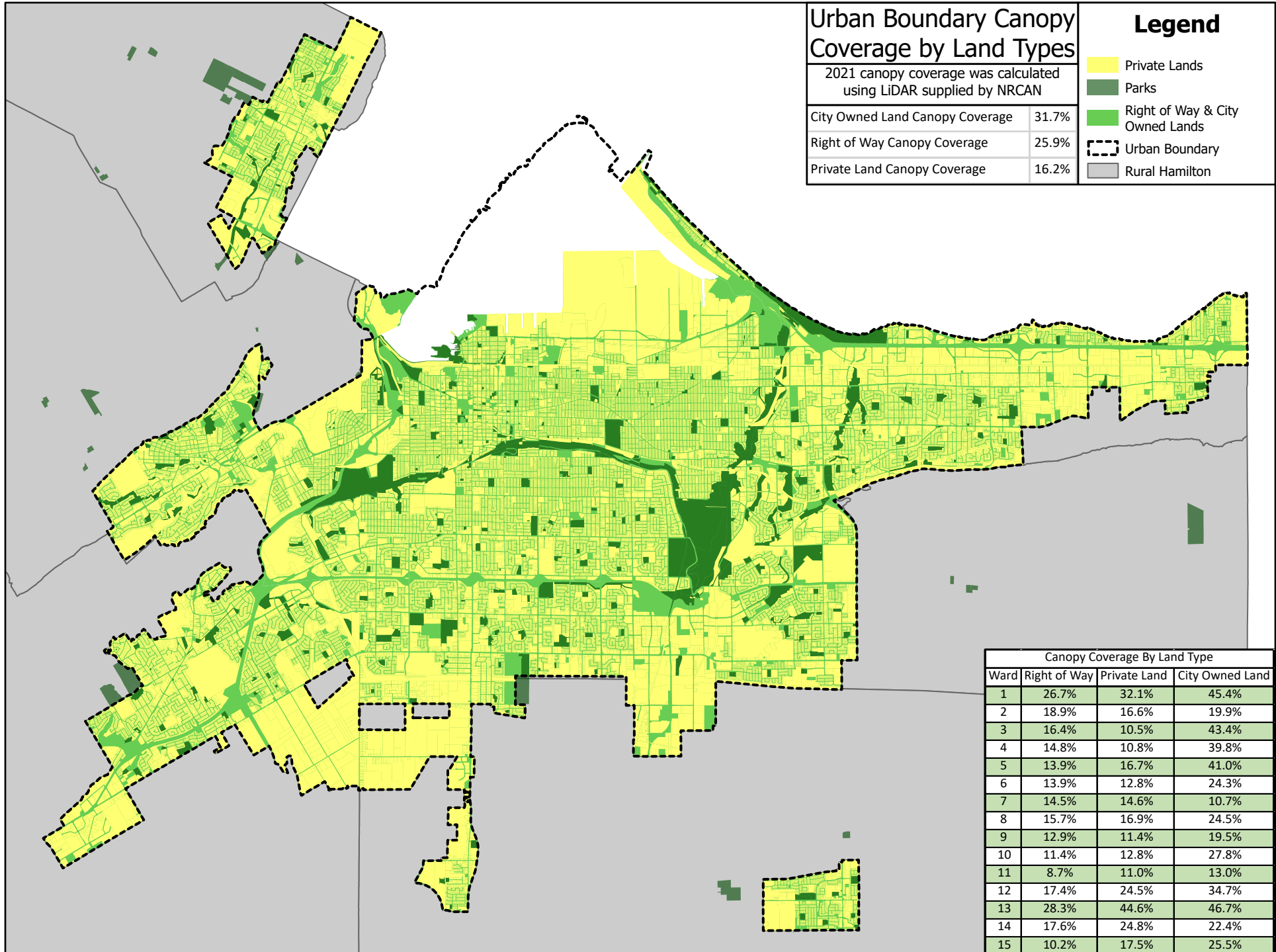
Appendix “D” to Report PED20173(a)
Page 7 of 9

Urban Forest Strategy Recommended Action	Implementation	Lead Department(s) Responsible	Partners	Resources	Timeline
				required will report back to Council	
21. Develop a best practices manual for tree protection, planting, and preservation to share with all City departments and utilities whose activities affect trees.	<p>Develop a Forestry and Horticulture Design and Preservation Manual for Assets within Public Property to ensure public trees are protected, planned and preserved. Update bi-annually or as required</p> <p>Ensure the manual is available online</p> <p>Train other City staff in how to use manual.</p>	Public Works (Forestry)	Public Works (Utility Coordination Committee, UCC) PED (Planning, Growth Management, Engineering)	Existing Staff	Complete
22. Complete a tree planting priority analysis to guide city-wide tree planting strategy.	Complete a tree planting priority analysis, based on Neighbourhood Tree Equity Scores, to prioritize tree planting in neighbourhoods with the greatest need for increased tree canopy cover	Public Works (Forestry)	Public Works (Parks Operations and Maintenance, LAS) Public Health PED (GIS, Planning)	New FTE (Public Works) As per recommendation of this report.	2024
23. Fund regular, active management of natural areas in Hamilton to support native biodiversity and forest health.	To be reviewed for feasibility, effectiveness and cost. Coordinate with Biodiversity Action Plan.	Public Works (Parks)	Public Works (Forestry, LAS) PED (Planning, Climate Change)	New FTE (Parks Operations and Maintenance)	ongoing

Appendix “D” to Report PED20173(a)
Page 8 of 9

Urban Forest Strategy Recommended Action	Implementation	Lead Department(s) Responsible	Partners	Resources	Timeline
24. Implement a forest health monitoring program in Hamilton, including natural areas.	Review expansion of existing monitoring program in partnership with other City Sections.	Public Works (Forestry)	PED Public Works (Parks Operations and Maintenance) Public Health	Existing staff	2025
25. Implement a forestry asset management system.	As part of the City’s asset management program, implement an asset management system for the City’s urban forest. Review enhancement of existing programs in Forestry (Emerald Ash Borer project and the City tree inventory).	Public Works (Forestry)		Existing staff	2025
26. Update urban forest inventories and studies every 10 years or in response to significant environmental change.	See Items 9, 14 and 15				





Urban Boundary Canopy Coverage by Land Types

2021 canopy coverage was calculated using LiDAR supplied by NRCAN

City Owned Land Canopy Coverage	31.7%
Right of Way Canopy Coverage	25.9%
Private Land Canopy Coverage	16.2%

Legend

- Private Lands
- Parks
- Right of Way & City Owned Lands
- Urban Boundary
- Rural Hamilton

Canopy Coverage By Land Type			
Ward	Right of Way	Private Land	City Owned Land
1	26.7%	32.1%	45.4%
2	18.9%	16.6%	19.9%
3	16.4%	10.5%	43.4%
4	14.8%	10.8%	39.8%
5	13.9%	16.7%	41.0%
6	13.9%	12.8%	24.3%
7	14.5%	14.6%	10.7%
8	15.7%	16.9%	24.5%
9	12.9%	11.4%	19.5%
10	11.4%	12.8%	27.8%
11	8.7%	11.0%	13.0%
12	17.4%	24.5%	34.7%
13	28.3%	44.6%	46.7%
14	17.6%	24.8%	22.4%
15	10.2%	17.5%	25.5%



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	June 13, 2023
SUBJECT/REPORT NO:	Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 382 Southcote Road, Ancaster (PED23119) (Ward 12)
WARD(S) AFFECTED:	Ward 12
PREPARED BY:	Aminu Bello (905) 546-2424 Ext. 5264
SUBMITTED BY:	Stephen Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That **Official Plan Amendment Application UHOPA-23-003 by Urban Solutions Planning and Land Development Consultants Inc. c/o Matt Johnson, on behalf of 1376412 Ontario Ltd. c/o Zeina Homes, Owner**, to add a new Site Specific Policy within the Garner Neighbourhood Secondary Plan, to permit the development of the subject lands for 3 single detached dwellings with a minimum lot frontage of 12.0 metres and a maximum overall density of 24 units per gross/net residential hectare, for lands located at 382 Southcote Road, as shown on Appendix “A” attached to Report PED23119, be **APPROVED** on the following basis:
- (i) That the draft Official Plan Amendment attached as Appendix “B” to Report PED23119, which has been prepared in a form satisfactory to the City Solicitor, be adopted by City Council;
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended);

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OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 382 Southcote Road, Ancaster (PED23119) (Ward 12) - Page 2 of 17

- (b) That **Amended Zoning By-law Amendment Application ZAR-23-003 by Urban Solutions Planning and Land Development Consultants Inc., on behalf of 1376412 Ontario Ltd. c/o Zeina Homes, Owner**, for a change in zoning from the Agricultural “A-216” Zone, Modified, to the Low Density Residential (R1, 848) Zone, Modified, to facilitate development of three single detached dwellings, for lands located at 382 Southcote Road, as shown on Appendix “A” attached to Report PED23119, be **APPROVED** on the following basis:
- (i) That the draft By-law attached as Appendix “C” to Report PED23119, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
 - (iii) That this By-law will comply with the Urban Hamilton Official Plan upon the approval of Urban Hamilton Official Plan Amendment No. XX.

EXECUTIVE SUMMARY

The subject lands municipally known as 382 Southcote Road are located on the west side of Southcote Road in the Garner neighbourhood. The Applicant has applied for Urban Hamilton Official Plan (UHOP) and Zoning By-law Amendments to facilitate development of three single detached dwellings, as shown on Appendix “E” attached to Report PED23119.

The purpose of the Official Plan Amendment is to add a new Site Specific Policy within the Garner Neighbourhood Secondary Plan to permit a minimum lot frontage of 12.0 metres and a maximum density of 24 units per gross/net residential hectare.

The purpose of the Zoning By-law Amendment is for a change in zoning from Agricultural “A-216” Zone, Modified, to the Low Density Residential (R1, 848) Zone. Modifications are required to implement the proposal.

A Consent application (File: AN/B-22:59) to create two new lots and retain a parcel for single detached dwellings was considered by the Committee of Adjustment on September 22, 2022 and approved with conditions. Condition Nos. 4 and 5 of the Consent approval, attached as Appendix “F” to Report PED23119, requires final approval of Official Plan Amendment and Zoning By-law Amendment applications, in addition to other conditions, in order to grant a final and binding Consent. Staff are

SUBJECT: Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 382 Southcote Road, Ancaster (PED23119) (Ward 12) - Page 3 of 17

recommending further amendments to Zoning By-law No. 05-200 to update terminology to support consistency of zoning interpretation for front yard parking for single detached dwellings.

The proposal has merit and can be supported for the following reasons:

- It is consistent with the Provincial Policy Statement (2020) (PPS);
- It conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- It complies with the general intent of the Urban Hamilton Official Plan and will comply with the Garner Neighbourhood Secondary Plan upon approval of the Official Plan Amendment; and,
- The proposed development is compatible with existing land uses in the immediate area and represents good planning by, among other things, increasing the supply of housing units, making efficient use of existing infrastructure within the urban boundary, and supporting public transit.

Alternatives for Consideration – See Page 16

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold at least one public meeting to consider an application for an amendment to the Official Plan and Zoning By-law.

HISTORICAL BACKGROUND

Report Fact Sheet

Application Details	
Applicant/Owner:	Urban Solutions Planning and Land Development Consultants Inc. on behalf of 1376412 Ontario Ltd. c/o Zeina Homes.
File Number:	UHOPA-23-003 and ZAR-23-003.
Type of Application:	Urban Hamilton Official Plan Amendment and Zoning By-law Amendment.

**SUBJECT: Applications for Official Plan Amendment and Zoning By-law
Amendment for Lands Located at 382 Southcote Road, Ancaster
(PED23119) (Ward 12) - Page 4 of 17**

Application Details	
Proposal:	To facilitate development of three single detached dwellings fronting onto Southcote Road.
Property Details	
Municipal Address:	382 Southcote Road, Ancaster.
Lot Area:	1,609 square metres (0.16 hectares).
Servicing:	Existing full municipal services.
Existing Use:	Single detached dwelling (to be demolished).
Documents	
Provincial Policy Statement (PPS):	The proposal is consistent with the PPS.
A Place to Grow:	The proposal conforms to the Growth Plan, as amended.
Official Plan Existing:	"Neighbourhoods" on Schedule E – Urban Structure and "Neighbourhoods" on Schedule "E-1" – Urban Land Use Designations.
Official Plan Proposed:	No amendment proposed.
Secondary Plan Existing:	"Low Density Residential 1a" in the Garner Neighbourhood Secondary Plan.
Secondary Plan Proposed:	Add a new Site Specific Policy to the Garner Neighbourhood Secondary Plan to permit a minimum lot frontage of 12 metres and a maximum density of 24 dwelling units per gross/net residential hectare.
Zoning Existing:	Agricultural "A-216" Zone, Modified
Zoning Proposed:	Low Density Residential (R1, 848) Zone recommended by staff whereas Single Residential "R4" Zone was requested by the Applicant.
Modifications Proposed:	<p>Staff recommend the following modifications:</p> <ul style="list-style-type: none"> • To reduce the minimum distance for a required parking space located in the front yard to 0 metres from a street line; • To permit a required parking space in the front yard; • Removing the permission for duplex, semi detached, and street townhouse dwellings from the Low Density Residential (R1) Zone as the uses are not permitted by the Garner Neighbourhood Secondary Plan at this point in time; and, • An accessory dwelling unit and or detached accessory dwelling unit will be permitted.

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**SUBJECT: Applications for Official Plan Amendment and Zoning By-law
Amendment for Lands Located at 382 Southcote Road, Ancaster
(PED23119) (Ward 12) - Page 5 of 17**

Processing Details	
Received:	November 9, 2022.
Deemed Complete:	December 5, 2022.
Notice of Complete Application:	Sent to 74 property owners within 120 metres of the subject property on December 14, 2022.
Public Notice Sign:	Posted December 9, 2022 and updated with public meeting date on May 17, 2023.
Notice of Public Meeting:	Sent to 74 property owners within 120 metres of the subject property on May 26, 2023.
Public Comments:	One email was received expressing concern.
Processing Time:	217 days from date of receipt of initial application. 100 days from receipt of Noise Impact Study proposal and 104 days from receipt of updated Tree Management Plan.

Existing Land Use and Zoning:

	Existing Land Use	Existing Zoning
Subject Property:	Single detached dwellings.	Agricultural "A-216" Zone, Modified
Surrounding Land Uses:		
North	Single detached dwellings.	Existing Residential "ER" Zone
East	Single detached dwellings.	Residential "R4-450" Zone, Modified
South	Single detached dwellings.	Residential "R4-514" Zone, Modified
West	Single detached dwellings.	Residential "R4-514" Zone, Modified

**SUBJECT: Applications for Official Plan Amendment and Zoning By-law
Amendment for Lands Located at 382 Southcote Road, Ancaster
(PED23119) (Ward 12) - Page 6 of 17**

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement

The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS. The following policies, amongst others, apply to the proposal.

- “1.1.3.1 *Settlement areas* shall be the focus of growth and development.
- 1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses:
 - a) Efficiently use land and resources;
 - b) Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomic expansion;
 - e) Support active transportation; and,
 - f) Are transit-supportive, where transit is planned, exists or may be development;
- 1.1.3.4. Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.”

The proposed development is located within a settlement area and represents an appropriate form of intensification, which promotes efficient use of land, existing infrastructure, and is transit supportive through its proximity to existing public transit. The proposed development introduces a compact form that is appropriately scaled for the area.

Based on the foregoing, the proposal is consistent with the PPS (2020).

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended)

The Growth Plan directs the vast majority of growth to settlement areas that have existing or planned municipal water and waste water systems that can support the achievement of complete communities. The following policies, amongst others, apply to the proposal.

**SUBJECT: Applications for Official Plan Amendment and Zoning By-law
Amendment for Lands Located at 382 Southcote Road, Ancaster
(PED23119) (Ward 12) - Page 7 of 17**

- “2.2.1.2 a) Forecasted growth to the horizon of this Plan will be allocated based on the following:
- a) The vast majority of growth will be directed to *settlement areas* that:
 - i. Have a *delineated built boundary*;
 - ii. Have existing or planned *municipal water and wastewater systems*; and,
 - iii. Can support the achievement of *complete communities*;
- 2.2.1.2 c) Within *settlement areas*, growth will be focused in:
- i. Delineated built-up areas;
 - ii. Strategic growth areas;
 - iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and,
 - iv. areas with existing or planned public service facilities;
- 2.2.1.4 Applying the policies of this Plan will support the achievement of *complete communities* that:
- c) Provide a diverse range and mix of housing options, including second units and *affordable* housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes.”

The subject lands are located within the Urban Boundary and Built-up Area in a settlement area and are fully serviced by municipal water and wastewater infrastructure. The proposal contributes toward providing a diverse range and mix of housing options and utilizes existing municipal services. The proposal represents a form of residential intensification within the built-up area, in proximity to an existing transit route along Garner Road East.

Based on the foregoing, the proposal conforms with the policies of the Growth Plan.

Urban Hamilton Official Plan

The subject property is identified as “Neighbourhoods” on Schedule E – Urban Structures and designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designation in the UHOP. The lands are also designated “Low Density Residential 1a” on Map B.2.3-1 Land Use Plan, in the Garner Neighbourhood Secondary Plan. The following policies, amongst others, apply to the proposal.

**SUBJECT: Applications for Official Plan Amendment and Zoning By-law
Amendment for Lands Located at 382 Southcote Road, Ancaster
(PED23119) (Ward 12) - Page 8 of 17**

Cultural Heritage

"B.3.4.2.1 The City of Hamilton shall, in partnership with others where appropriate:

- a) Protect and conserve the tangible *cultural heritage resources* of the City, including *archaeological resources*, *built heritage resources*, and *cultural heritage landscapes* for present and future generations."

The subject property meets four (4) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential. The proposal will not result in any significant soil disturbances; therefore, the proposal does not require an Archaeological Assessment as a condition of Consent application AN/B-22:59. An acknowledgment note was imposed on the conditionally approved Consent to advise that the Applicant may be required to conduct an archaeological assessment prior if archaeological resources are encountered on the subject property through demolition, grading and/or construction activities on the subject property.

Noise

"B.3.6.3.1 Development of noise sensitive land uses, in the vicinity of provincial highways, parkways, minor or major arterial roads, collector roads, truck routes, railway lines, railway yards, airports, or other uses considered to be noise generators shall comply with all applicable provincial and municipal guidelines and standards."

The proposal is located adjacent to Southcote Road, which is classified as a minor arterial road. A Noise Impact Study has been prepared by dBA Acoustical Consultants Inc. dated March 2023 in support of the proposal. The report concluded that no additional mitigation or building components are required for the proposed single detached dwellings, but warning clauses are required for dwellings to be designed to allow provision of central air conditioning at the occupant's discretion. It is the applicant's responsibility to advise future residents of the warning clause in lease or rental agreements and/or agreements of purchase and sale. Staff have requested a modification to the conditions of the consent approval requiring that the owner include the warning clause in lease or rental agreements and/or agreements of purchase and sale and that this will be included in the future Consent agreement to be registered on title.

**SUBJECT: Applications for Official Plan Amendment and Zoning By-law
Amendment for Lands Located at 382 Southcote Road, Ancaster
(PED23119) (Ward 12) - Page 9 of 17**

Tree Management

“C.2.11.1 The City recognizes the importance of trees and woodlands to the health and quality of life in our community. The City shall encourage sustainable forestry practices and the protection and restoration of trees and forests.”

A Tree Protection Plan (TPP) prepared by Whitehouse Urban Design Inc. dated January 16, 2023 was submitted in support of the applications. The TPP inventoried 14 private trees and three trees within the municipal right-of-way. The Applicant proposed to remove 10 private trees to facilitate development of the subject property.

A Private Tree Protection By-law (2000-118) is in place for the Town of Ancaster, which regulates the removal of individual trees that are 45 cm diameter-at-breast-height (DBH) or greater.

Staff require further revisions to the TPP to satisfy minor concerns. Staff have requested a modification to the conditionally approved Consent (File: AN/B-22:59), attached as Appendix “F” to Report PED23119, to require a Tree Protection Plan/Landscape Plan and Tree Protection Verification Letter from the Applicant.

Traffic Management

“C.4.5.12 The City shall require transportation impact studies to assess the impact of proposed developments on current travel patterns and/or future transportation requirements. These studies shall be submitted as part of applications for Official Plan amendments, subdivision approvals, major rezoning and major site plan approvals.”

The Applicant has confirmed through a qualified traffic professional that vehicle traffic anticipated to be generated from the additional two single detached dwellings is negligible and can be accommodated by the Southcote Road without any adverse impacts to the existing road network.

Garner Neighbourhood Secondary Plan

The subject property is designated “Low Density Residential 1a” on Map B.2.3-1 Land Use Plan, in the Garner Neighbourhood Secondary Plan. The following policies, amongst others, apply to the proposal.

**SUBJECT: Applications for Official Plan Amendment and Zoning By-law
Amendment for Lands Located at 382 Southcote Road, Ancaster
(PED23119) (Ward 12) - Page 10 of 17**

“Volume 2

“B.2.3.1.2 General Residential Policies

- a) Residential buildings in the Low Density Residential and Medium Density Residential designations shall have no more than three occupied storeys entirely above grade;
- b) To minimize the impact of new residential development on existing single detached residential uses to the immediate east and west of the neighbourhood, a transition in dwelling type and density shall be applied. Adjacent to those existing single detached residential areas, single detached dwellings shall be located on minimum 15 metre frontage lots and larger.

B.2.3.1.3 Low Density Residential Designations

Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the Low Density Residential designations identified on Map B.2.3-1 – Garner Neighbourhood – Land Use Plan.

- b) The Low Density Residential 1a designation:
 - i. The permitted uses shall be single detached dwellings;
 - ii. The lot frontages shall be a minimum of 15 metres; and,
 - iii. The density shall not exceed 18 dwelling units per gross/net residential hectare.”

The proposal does not comply with the minimum 15 metre lot frontage and maximum density of 18 units per gross/net residential hectare as required under policies B.2.3.1.2 b) and B.2.3.1.3 b) i) and ii) of the Garner Neighbourhood Secondary Plan. The Applicant has requested a Site Specific Policy Area within the Garner Neighbourhood Secondary Plan to establish single detached dwelling lots with a minimum frontage of 12 metres and a maximum density of 24 dwelling units per gross/net residential hectare, as described in Appendix “B” attached to Report PED23119.

It is the opinion of staff that the intent of UHOP policy B.2.3.1.2 of Volume 2 is met as the proposal maintains the predominate form of single detached dwellings in the area, and the proposed decrease in the minimum lot frontage and increase in maximum residential density is compatible with the existing single detached lots in the area. The

SUBJECT: Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 382 Southcote Road, Ancaster (PED23119) (Ward 12) - Page 11 of 17

proposal represents intensification and compact built form and is an appropriate transition dwelling type that will minimize any impact of new development on the existing single detached dwellings located immediately east of the Garner neighbourhood in accordance with B.2.3.1.2 b) of Volume 2.

Based on the foregoing, the proposed development meets the intent of the policies of the UHOP and the Garner Neighbourhood Secondary Plan subject to the Official Plan Amendment.

Town of Ancaster Zoning By-law No. 87-57

The subject property is zoned Agriculture “A-216” Zone, Modified, which permits one single detached dwelling accessory to agricultural uses. Exemption 216 prohibits piggeries, poultry operations, feed lot operations, mushroom farms, and mink farms on the subject lands.

The Agricultural “A” Zone requires a minimum lot area of 1,850 square metres and minimum lot frontage of 30 metres. Prior to the applicant submitting the Official Plan and Zoning By-law Amendment applications, staff considered a Minor Variance application (file AN/A-22:191) submitted by the applicant that requested a reduced minimum lot area of 459 square metres, a minimum lot frontage of 12 metres and to permit a 1.2 metre minimum side yard instead of the required 3.0 metres. Staff did not support the Minor Variance application AN/A-22:191 and recommended the Applicant apply for a Zoning By-law Amendment as the requested variances were not minor in nature and not viewed as an appropriate development of the Agricultural zoned lands. On September 22, 2022, the Committee of Adjustment approved Minor Variance application AN/A-22:191 to permit a minimum lot area of 445 square metres, a minimum lot frontage of 12.0 metres and a minimum side yard of 1.2 metres as modifications to Agricultural (A-216) Zone on the subject lands. On September 22, 2022, the Committee of Adjustment approved Consent application AN/B-22:59 with conditions for an Official Plan Amendment and Zoning By-law Amendment. The intent of the Agricultural (A-216) Zone is to permit agricultural uses and accessory uses that include one single detached dwelling, therefore the Applicant is required to rezone the subject lands to a modified Residential “R4” Zone in Ancaster Zoning By-law No. 87-57 to facilitate development of single detached dwellings fronting Southcote Road. The modified Agricultural (A-216) Zone approved under Minor Variance application AN/A-22:191 does not include the full range of zoning permissions under a standard residential zone.

Hamilton Zoning By-law 05-200

The Residential “R4” Zone, in the Town of Ancaster Zoning By-law No. 87-57, has been replaced with the Low Density Residential (R1) Zone, in the City of Hamilton Zoning By-

SUBJECT: Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 382 Southcote Road, Ancaster (PED23119) (Ward 12) - Page 12 of 17

law No. 05-200. Staff have amended the application to rezone the lands to the Low Density Residential (R1, 848) Zone in Zoning By-law No. 05-200. Staff are recommending the Low Density Residential (R1, 848) Zone to remove Duplex Dwellings, Semi detached Dwellings and Street Townhouse Dwellings as permitted uses as these uses are not permitted by the Garner Neighbourhood Secondary Plan. The Applicant agrees with the staff requested amendments to the application, as shown on Appendix “D” attached to Report PED23119.

Further staff-initiated zone modifications are recommended to permit tandem parking spaces on front driveways for ground-oriented dwellings. Sections 5.1 b) i) and ii) of Zoning By-law No. 05-200 require that a parking space shall be located a minimum distance of 5.8 metres from the street line and no parking shall be located in the front yard or flankage yard. Application of the above-noted zone provisions would result in undue owner hardship to accommodate on-site parking for residential dwellings with smaller lot widths. On May 10, 2023, City Council approved City Initiative CI 23-E for a housekeeping amendment to Zoning By-law No. 05-200 to resolve interpretation issues and ensure the Zoning By-laws remain up-to-date, etc. Appendix “A” to Report PED23074 recommends, among other things, that subsections 5.1 b) i) and 5.1 b) ii) are deleted in their entirety. As an interim solution, staff have recommended an exemption to Sections 5.1 b) i) and ii) of Zoning By-law No. 05-200 in order to advance a recommendation for Zoning By-law Amendment application ZAR-23-003 at this point in time. To date, City Initiative CI 23-E for housekeeping amendments to Zoning By-law No. 05-200 is not final and binding.

RELEVANT CONSULTATION

Departments and Agencies		
<ul style="list-style-type: none"> • Alectra Utilities; • Canada Post; and, • Hamilton Conservation Authority. 		No Comment.
Department	Comment	Staff Response
Strategic Planning Section, Public Works Department.	Southcote Road is currently under reconstruction along the frontage of the subject lands including watermain replacement, sewer replacement, and road widening. Construction works are expected to continue through the end of August 2024.	These requirements have been addressed through Condition Nos. 8, 12 and 15 of Consent application AN/B-22:59 as shown on Appendix “F” attached to Report PED23119.

**SUBJECT: Applications for Official Plan Amendment and Zoning By-law
Amendment for Lands Located at 382 Southcote Road, Ancaster
(PED23119) (Ward 12) - Page 13 of 17**

Department	Comment	Staff Response
Strategic Planning Section, Public Works Department (Continued).	The Owner / Applicant shall incorporate the new Southcote Road right-of-way into the site design.	
Development Engineering Approvals Section, Planning and Economic Development Department.	The proposed development is negligible to the municipal servicing capacity.	Detailed grading, storm water management and servicing plans will be reviewed and approved as part of the Consent Agreement under the conditionally approved Consent AN/B-22:59.
Legislative Approvals/Staging of Development Section, Planning and Economic Development, Department.	Addresses for this proposal will be finalized following clearance of all conditions of Consent Application, AN/B-22:59 and the Final Certificate.	Noted.
Forestry and Horticulture Section, Public Works Department.	Municipal tree assets or trees will be acquired through potential road right-of-way widening on the subject plans.	A Tree Management Plan has been addressed under Condition No. 6 of Consent application AN/B-22:59 as shown in Appendix "F" attached to Report PED23119.
Transportation Planning Section, Planning and Economic Development, Department.	<p>The proposal is anticipated to generate minimal vehicle traffic and is unlikely to have a perceptible negative impact on the area road network.</p> <p>A ±3.05 metre road right-of-way dedication is required along the subject property to achieve an ultimate 31.9 metre road width for Southcote Road.</p> <p>Staff recommends a paved / traversable turnaround area on the front driveway of each new lot to facilitate ingress / egress of vehicles in a forward direction.</p>	<p>Staff are satisfied the existing road network can accommodate the proposal.</p> <p>This requirement has been addressed through Condition No. 15 of Consent application AN/B-22:59 as shown on Appendix "F" attached to Report PED23119.</p> <p>Noted.</p>

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 382 Southcote Road, Ancaster (PED23119) (Ward 12) - Page 14 of 17

Department	Comment	Staff Response
Recycling and Waste Disposal, Operations Division, Public Works Department.	The proposed development is eligible for municipal waste collection subject to meeting the City's requirements for serviceability.	Noted.
Enbridge Gas Inc.	The existing gas service will need to be abandoned prior to demolition of the existing single detached dwelling. An active gas main service is available fronting the proposed lots.	Noted.
Public Consultation		
Issue	Comment	Staff Response
Tree Protection.	A suitable Tree Protection Plan needs to be included in the application to protect Norway spruce trees along the northerly limits of the subject property.	<p>The Applicant has submitted a Tree Protection Plan in support of the Zoning By-law Amendment application which indicates 1:1 compensation for replacement of existing trees proposed for removal to facilitate the proposed development.</p> <p>The conditionally approved Consent application AN/B-22:59 will be amended to add conditions for a Tree Protection Plan/Landscape Plan.</p>

PUBLIC CONSULTATION

In accordance with the provisions of the *Planning Act* and the Council approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation was sent to 74 property owners within 120 m of the subject property on December 14, 2022. A Public Notice sign was posted on the property on December 9, 2022 and updated on May 26, 2023. Finally, the Notice of the Public Meeting was given on May 26, 2023. The Applicant provided a Public Consultation Strategy as part of their application which identified no additional neighbourhood engagement beyond the minimum requirements of the *Planning Act*.

**SUBJECT: Applications for Official Plan Amendment and Zoning By-law
Amendment for Lands Located at 382 Southcote Road, Ancaster
(PED23119) (Ward 12) - Page 15 of 17**

To date, one email has been submitted expressing concern with the proposed development (attached as Appendix “G” to Report PED23119 and summarized in the table above).

Public Consultation Strategy

The Applicant submitted a Public Engagement Strategy in support of these applications. A neighbourhood meeting was not held as the proposal is considered a minor application and implements the decision of the Committee of Adjustment.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:
 - (i) It is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended;
 - (ii) It complies with the policies of the Urban Hamilton Official Plan, and complies with the general intent of the Garner Neighbourhood Secondary Plan upon approval of the Official Plan Amendment; and,
 - (iii) The proposed development is compatible with existing land uses in the immediate area and represents good planning by, among other things, increasing the supply of housing units, making efficient use of land, existing infrastructure, and supporting public transit.

2. Official Plan Amendment

The proposed Official Plan Amendment seeks to establish a Site Specific Policy Area to permit a minimum 12 metre lot frontage and maximum density of 24 units per gross/net residential hectare. In the opinion of staff, the Site Specific Policy constitutes a scale of development that is compatible with the existing neighbourhood. The subject properties can accommodate an increase in residential density at a scale that is compatible with the area and within the existing municipal servicing capacity.

Therefore, staff support the proposed Official Plan Amendment.

SUBJECT: Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 382 Southcote Road, Ancaster (PED23119) (Ward 12) - Page 16 of 17

3. Zoning By-law Amendment

The proposed Zoning By-law Amendment is for a change in zoning from the Agriculture “A-216” Zone, Modified, to the Low Density Residential (R1, 848) Zone.

Staff are recommending that the subject lands be removed from the Town of Ancaster Zoning By-law No. 87-57 and rezoned to Low Density Residential (R1, 848) Zone, in the City of Hamilton Zoning By-law No. 05-200, to facilitate the proposal. Single detached dwellings are permitted within the “Neighbourhoods” designation of the UHOP and within the “Low Density Residential 1a” designation of the Garner Neighbourhood Secondary Plan. Duplex Dwellings, Semi detached Dwellings and Street Townhouse Dwellings are not permitted within the “Low Density Residential 1a” designation of the Garner Neighbourhood Secondary Plan, as such, staff propose a modification to the Low Density Residential (R1) Zone to remove these uses. Further staff-initiated modifications are proposed to address to the location of tandem parking spaces on front driveways for ground-oriented dwellings.

Staff are in support of the change in zoning as the proposal complies with the Urban Hamilton Official Plan policies and the general intent of the Garner Neighbourhood Secondary Plan.

ALTERNATIVES FOR CONSIDERATION

Should the applications be denied, the subject property can be used in accordance with the Agriculture “A-216” Zone, Modified, which permits a single detached dwelling and agricultural uses.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Applications for Official Plan Amendment and Zoning By-law
Amendment for Lands Located at 382 Southcote Road, Ancaster
(PED23119) (Ward 12) - Page 17 of 17**

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED23119 – Location Map

Appendix "B" to Report PED23119 – Draft Official Plan Amendment

Appendix "C" to Report PED23119 – Draft Zoning By-law Amendment

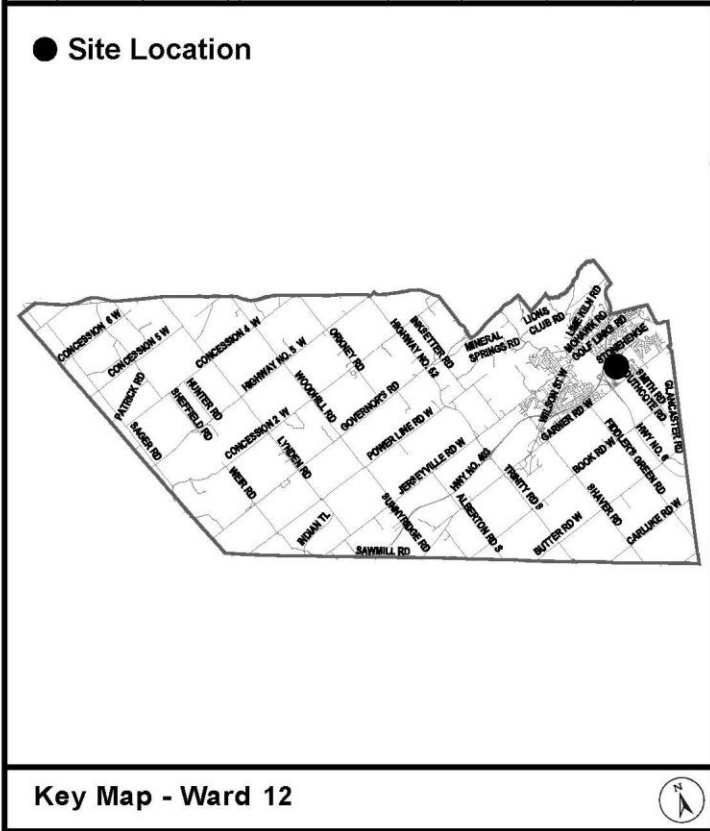
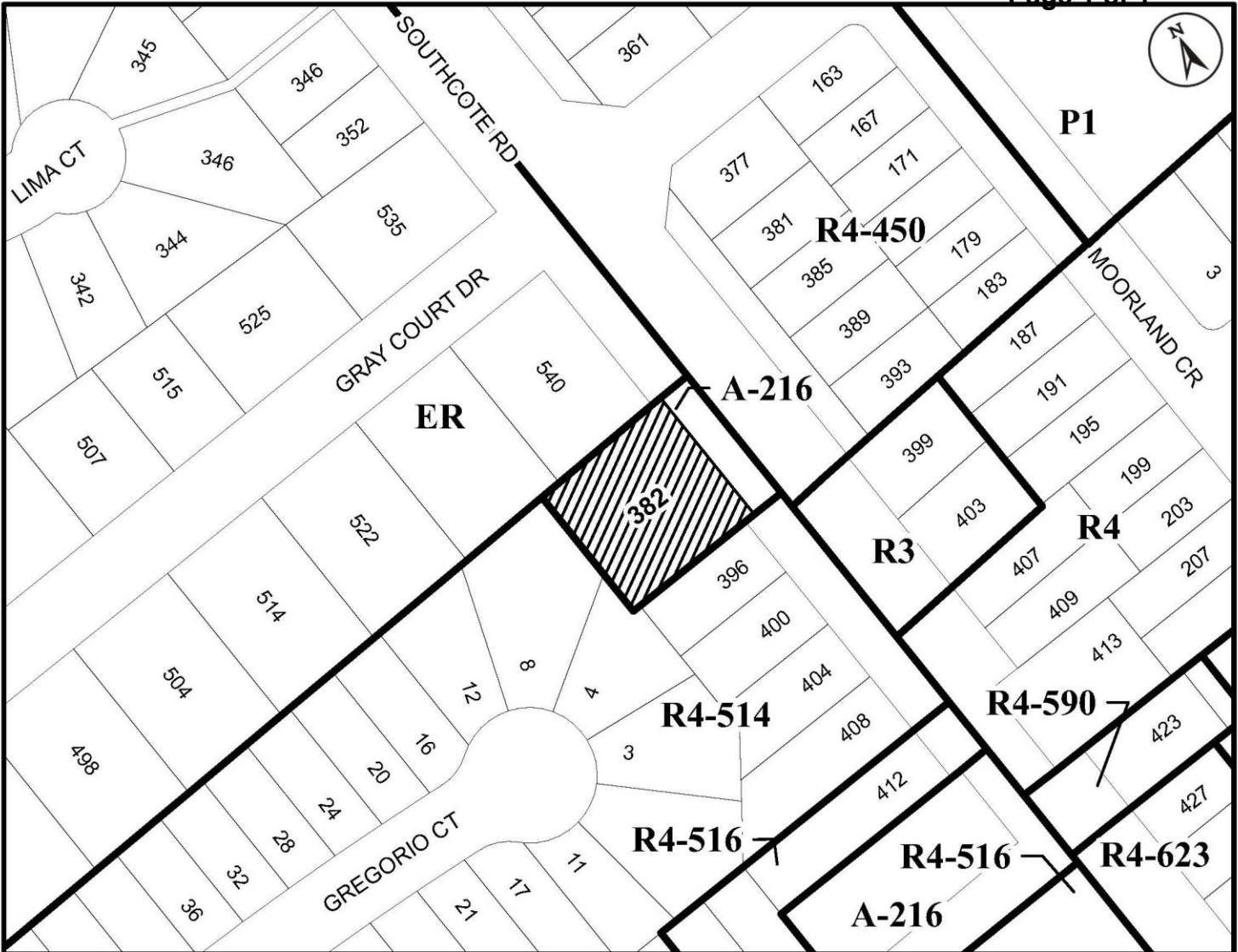
Appendix "D" to Report PED23119 – Zoning Modification Chart

Appendix "E" to Report PED23119 – Concept Plan


Appendix "F" to Report PED23119 – Consent Approval Conditions AN/B-22:59

Appendix "G" to Report PED23119 – Public Submissions

AB:sd



Location Map



 Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: ZAR-23-003 & UHOPA-23-003	Date: May 4, 2023
Appendix "A"	Scale: N.T.S.
Planner/Technician: AB/VS	

Subject Property

382 Southcote Road

 Lands to be added to Zoning By-law No. 05-200 as Low Density Residential (R1, 848) Zone

Schedule "1"

**DRAFT Urban Hamilton Official Plan
Amendment No. X**

The following text, together with Appendix "A", Volume 2: Map B.2.3-1 – Garner Neighbourhood Secondary Plan – Land Use Plan attached hereto, constitutes Official Plan Amendment No. "X" to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to establish a Site Specific Policy Area within the Garner Neighbourhood Secondary Plan to permit a minimum 12 metre lot frontage and maximum density of 24 units per gross/net residential hectare within the "Low Density Residential 1a" designation.

2.0 Location:

The lands affected by this Amendment are known municipally as 382 Southcote Road, in the former Town of Ancaster.

3.0 Basis:

The basis for permitting this Amendment is:

- The proposed development implements the Residential Intensification policies of the Urban Hamilton Official Plan;
- The proposed development represents a compatible built form that integrates with the surrounding area in terms of use, scale and character; and,
- The proposed Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

4.0 Actual Changes:

4.1 Volume 2 – Secondary Plans

Text

4.1.1 Chapter B.2.0 – Ancaster Secondary Plans – Section B.2.3 – Garner Neighbourhood Secondary Plan

- a. That Volume 2: Chapter B.2.0 – Hamilton Secondary Plans, Section B.2.3 – Garner Neighbourhood Secondary Plan be amended by adding a new Site Specific Policy Area, as follows:

"Site Specific Policy – Area X

B.2.3.6.X For the lands located at 382 Southcote Road, designated Low Density Residential 1a and identified as Site Specific Policy -Area "X" on Map B.2.3-1 – Garner Neighbourhood Secondary Plan – Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy B.2.3.1.2 b) and Policy B.2.3.1.3 b) ii) of Volume 2, single detached dwellings shall be located on lots with a minimum frontage of 12 metres; and,
- b) Notwithstanding Policy B.2.3.1.3 b) iii) of Volume 2, the density shall not exceed 24 dwelling units per gross/net residential hectare."

Maps

4.1.2 Map

- a. That Volume 2: Map B.2.3-1 – Garner Neighbourhood Secondary Plan – Land Use Plan be amended by identifying the subject lands as Site Specific Policy – Area "X", as shown on Appendix "A", attached to this Amendment.

5.0 Implementation:

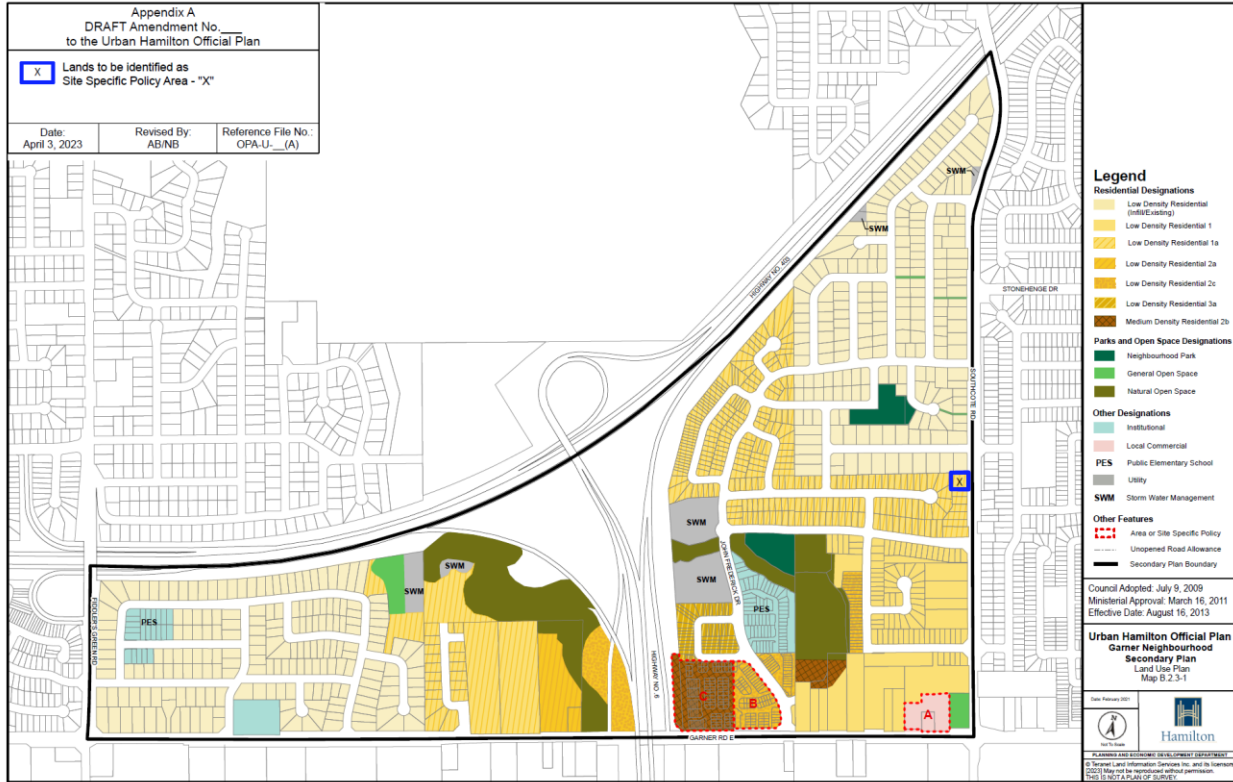
An implementing Zoning By-Law Amendment and Consent will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule "1" to By-law No. _____ passed on the ____th day of ____, 2023.

**The
City of Hamilton**

A. Horwath
MAYOR

A. Holland
CITY CLERK



**Appendix “C” to Report PED23119
Page 1 of 3**

Authority: Item,
Report (PED23111)
CM:
Ward: 12

Bill No.

**CITY OF HAMILTON
BY-LAW NO.**

**To amend Zoning By-law No. 05-200 with respect to lands located at 382
Southcote Road, Ancaster**

WHEREAS Council approved Item ___ of Report _____ of the Planning Committee, at its meeting held on June 13th, 2023;

AND WHEREAS this By-law conforms with the Urban Hamilton Official Plan upon adoption of Urban Hamilton Official Plan Amendment No. XXX;

NOW THEREFORE Council amends Zoning By-law No. 05-200 as follows:

1. That Map No. 1336 of Schedule “A” – Zoning Maps is amended by adding the Low Density Residential (R1, 848) Zone to the lands attached as Schedule “A” to this By-law.
2. That Schedule “C” - Special Exceptions is amended by adding the following new Special Exception:
 - “848. Within the lands zoned Low Density Residential (R1) Zone, identified on Map 1336 of Schedule “A” – Zoning Maps and described as 382 Southcote Road, the following special provisions shall apply:
 - a) Notwithstanding Subsection 5.1 b) i) and 5.1 b) ii), Single Detached Dwellings shall be exempt from the applicable parking location requirements.
 - b) Notwithstanding Subsection 15.1.1, the following uses shall be prohibited:

Duplex Dwelling
Semi-Detached Dwelling
Street Townhouse Dwelling”
3. 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*.

Appendix "C" to Report PED23119

**To amend Zoning By-law No. 05-200 with respect to lands located
at 382 Southcote Road, Ancaster**

4. 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 provisions of the Low Density Residential (R1) Zone, subject to the special requirements referred to in Section No. 2 of this By-law.

PASSED this _____, 2023

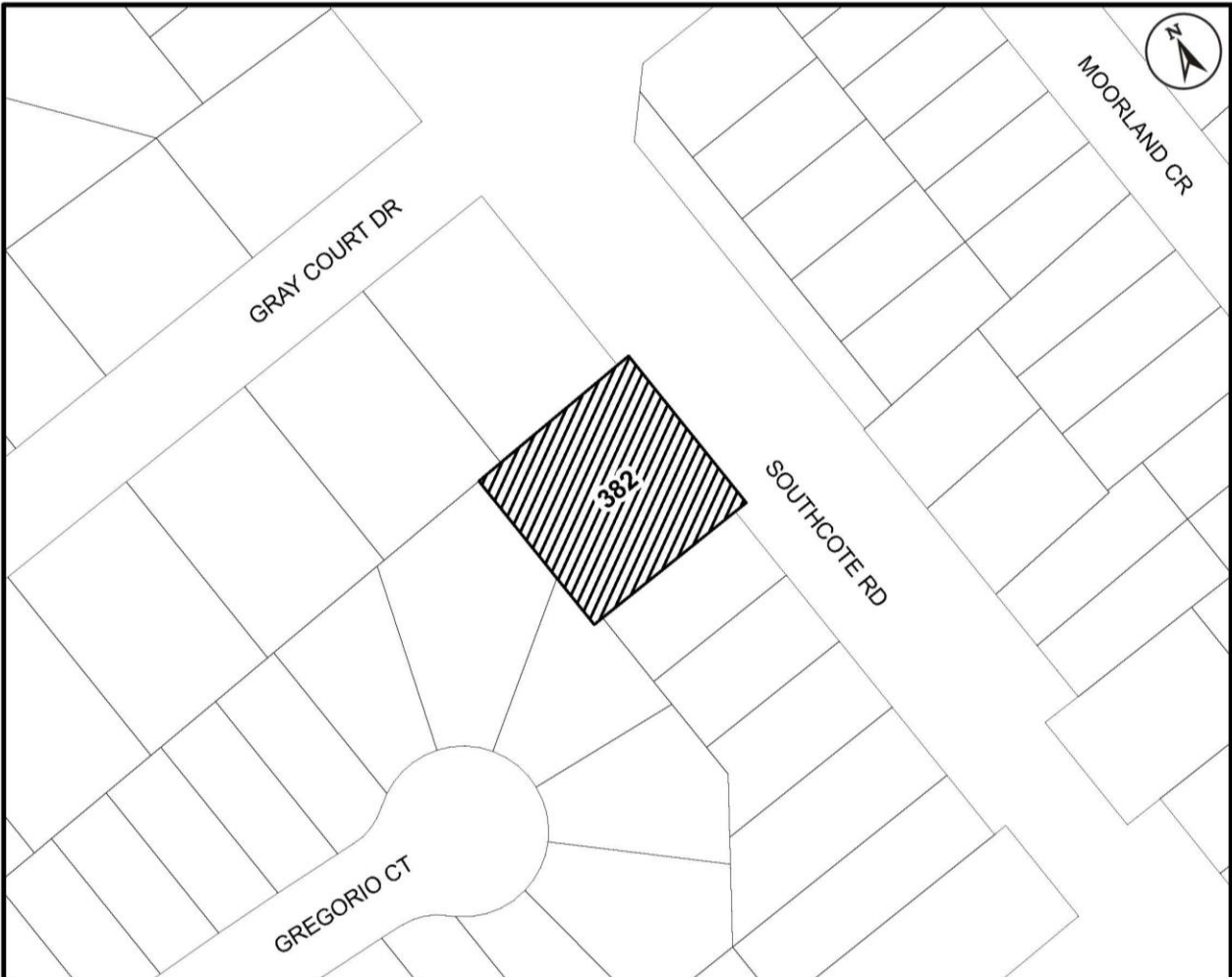
A. Horwath
Mayor

A. Holland
City Clerk

ZAR-23-003
UHOPA-23-003

Appendix "C" to Report PED23119
Page 3 of 3

To amend Zoning By-law No. 05-200 with respect to lands located
 at 382 Southcote Road, Ancaster



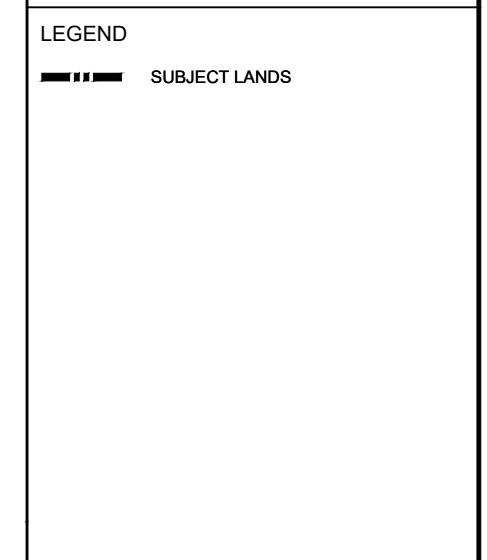
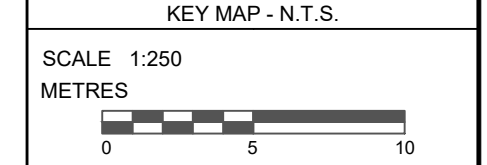
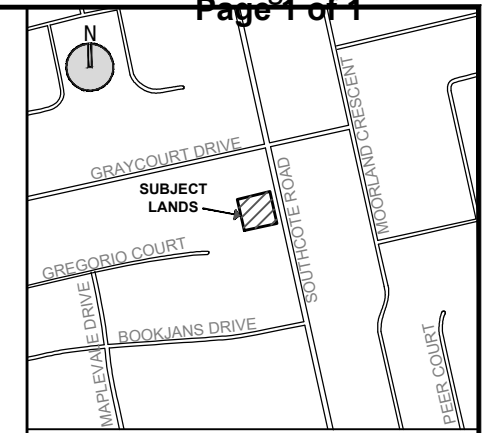
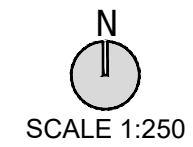
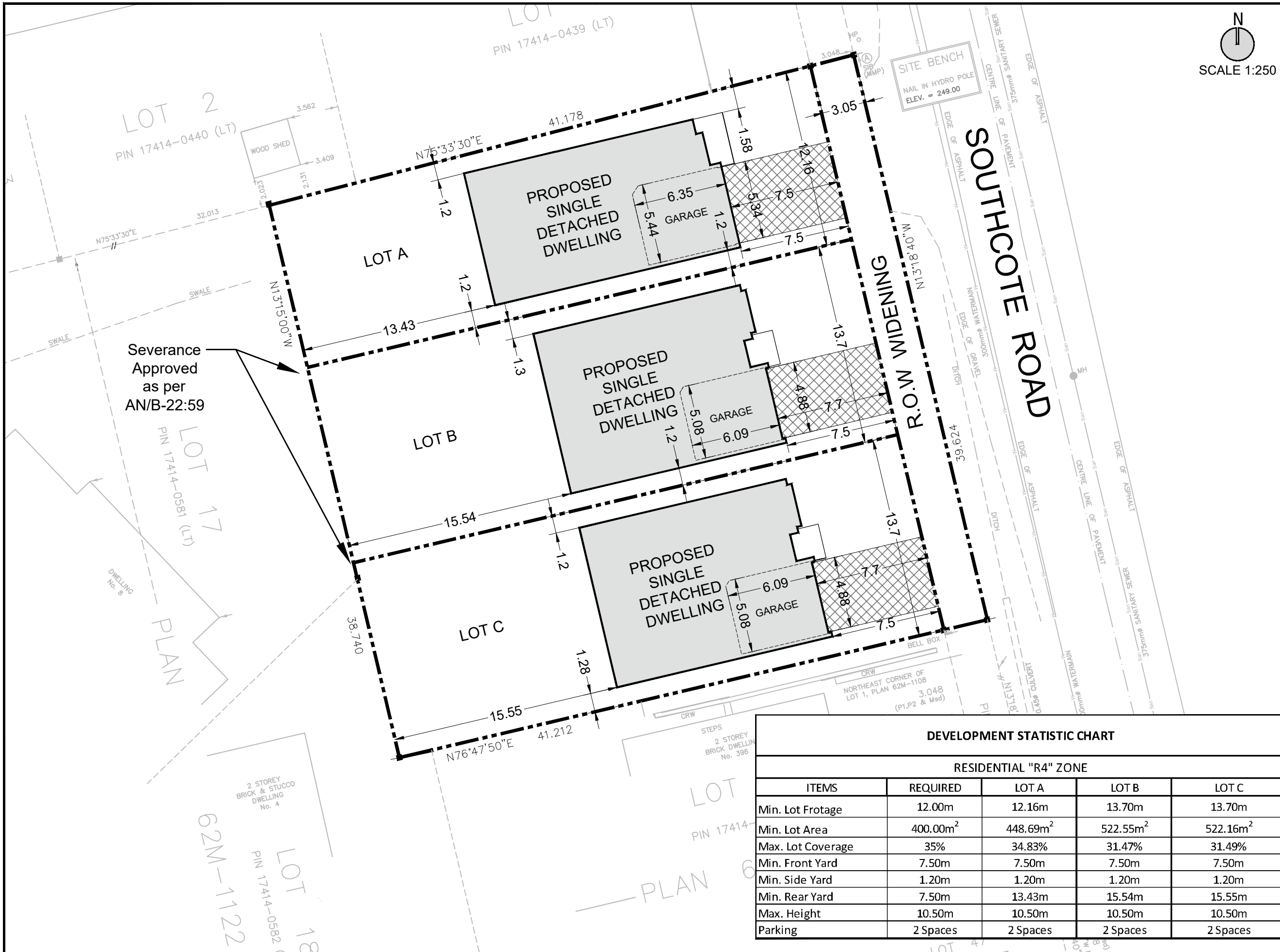
This is Schedule "A" to By-law No. 23- Passed the day of, 2023	----- Mayor ----- Clerk
---	--------------------------------------

<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map forming Part of By-law No. 23-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 87-57</p>	<p>Subject Property 382 Southcote Road</p> <p> Lands to be added to Zoning By-law No. 05-200 as Low Density Residential (R1, 848) Zone</p>
--	---

Scale: N.T.S	File Name/Number: ZAR-23-003 & UHOPA-23-003	<p style="margin: 0;">Hamilton</p>
Date: May 4, 2023	Planner/Technician: AB/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Appendix “D” to Report PED23119
Page 1 of 1

ZONING BY-LAW AMENDMENT MODIFICATION CHART (Zoning By-law 05-200)			
Provision	Required	Staff Requested Amendment	Analysis
5.1 b) i) Parking Location	Minimum distance of 5.8 metres from the streetline for single detached, semi-detached and duplex dwellings;	Exempt parking location requirements for single detached dwellings.	<p>Application of these zoning provisions would result in undue hardship to the Owner to accommodate on-site parking for residential dwellings with smaller lot width. The requirement for parking to be located a minimum 5.8 metres from the streetline and no front yard parking limits opportunities for tandem parking on a driveway adjacent to an interior garage within a single detached dwelling. In comparison, the counterpart zone in the Ancaster Zoning By-law No. 87-57 does not impose any parking location restrictions in the front yard.</p> <p>These staff requested amendments are interim solutions to address zoning interpretation issues and the impracticality of the current zone provisions related to front yard parking for low density residential housing forms. On May 10, 2023, City Council approved City Initiative CI 23-E for a housekeeping amendment to Zoning By-law No. 05-200. Appendix “A” to Report PED23074 recommends, among other things, that subsections 5.1 b) i) and 5.1 b) ii) are deleted in their entirety. To date, City Initiative CI 23-E is not final and finding.</p>
5.1 b) ii) Parking Location	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.		
15.1.1 Permitted Uses	Community Garden Day Nursery Duplex Dwelling Lodging House Residential Care Facility Retirement Home Semi-Detached Dwelling Single Detached Dwelling Street Townhouse Dwelling Urban Farm	Duplex Dwelling, Semi-Detached Dwelling and Street Townhouse Dwelling shall be prohibited.	The “Low Density Residential 1a” designation in the Garner Neighbourhood Secondary Plan shall only permit single detached dwellings. This zone modification is required to bring the Low Density Residential (R1, 848) Zone in alignment with the UHOP policy B.2.3.1.3 b) i) of Volume 2.



NOT FOR CONSTRUCTION
 ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
 ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DESIGN BY: J. STANLEY CHECKED BY: M. JOHNSTON
 DRAWN BY: J. STANLEY DATE: NOVEMBER 7, 2022

URBAN SOLUTIONS
 PLANNING & LAND DEVELOPMENT
 3 STUDEBAKER PLACE, UNIT 1
 HAMILTON, ON L8L 0C8
 905-546-1087 - urbansolutions.info

PROJECT:
 1376412 ONTARIO LIMITED C/O
 ZEINA HOMES
 382 SOUTHCOTE ROAD
 CITY OF HAMILTON

TITLE:
CONCEPT PLAN

U/S FILE NUMBER: 445-22 SHEET NUMBER: 1

DEVELOPMENT STATISTIC CHART				
RESIDENTIAL "R4" ZONE				
ITEMS	REQUIRED	LOT A	LOT B	LOT C
Min. Lot Frotage	12.00m	12.16m	13.70m	13.70m
Min. Lot Area	400.00m ²	448.69m ²	522.55m ²	522.16m ²
Max. Lot Coverage	35%	34.83%	31.47%	31.49%
Min. Front Yard	7.50m	7.50m	7.50m	7.50m
Min. Side Yard	1.20m	1.20m	1.20m	1.20m
Min. Rear Yard	7.50m	13.43m	15.54m	15.55m
Max. Height	10.50m	10.50m	10.50m	10.50m
Parking	2 Spaces	2 Spaces	2 Spaces	2 Spaces

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca



Hamilton

NOTICE OF DECISION
Consent/Land Severance

APPLICATION NO.:	AN/B-22:59	SUBJECT PROPERTY:	382 SOUTHCOTE ROAD, ANCASTER
-------------------------	-------------------	--------------------------	---------------------------------

APPLICANTS: 1376412 ONTARIO LTD. - ZENIA HOMES
 URBANSOLUTIONS - MATT JOHNSTON

PURPOSE & EFFECT: To permit the conveyance of a parcel of land and to retain two (2) parcels of land for residential purposes.

	Frontage	Depth	Area
SEVERED LANDS:	13.7 m [±]	38.13 m [±]	522.55 m ² ±
RETAINED LANDS:	12.16 m [±]	38.13 m [±]	448.66 m ² ±
RETAINED LANDS:	13.7 m [±]	38.16 m [±]	521.74 m ² ±

Associated Planning Act File(s): This file is heard in conjunction with Application Number: AN/A-22:191.

THE DECISION OF THE COMMITTEE IS:

That the said application, as set out above, Approved with Conditions, for the following reasons:

1. The proposal does not conflict with the intent of the Urban/Rural Hamilton Official Plan.
2. The proposal does not contravene Zoning By-law requirements.
3. The Committee considers the proposal to be in keeping with development in the area.
4. The Committee is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the lands.
5. The submissions made regarding this matter affected the decision by supporting the granting of the application.

Having regard to the matters under subsection 51(24) of the Planning Act, R.S.O. 1990, c.P. 13, the said application shall be subject to the following condition(s):

1. The owner shall submit a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar. The reference plan must be submitted

AN/B-22:59

- in pdf and also submitted in CAD format, drawn at true scale and location and tied to the City corporate coordinate system. (Committee of Adjustment Section)
2. The owner shall pay any outstanding realty taxes and/or all other charges owing to the City Treasurer. (Committee of Adjustment Section)
 3. The owner submits to the Committee of Adjustment office an administration fee, payable to the City of Hamilton, to cover the costs of setting up a new tax account for each newly created lot. (Committee of Adjustment Section)
 4. That the applicant obtains approval of an Urban Hamilton Official Plan Amendment application to the satisfaction of the Manager of Development Planning.
 5. That the applicant obtains approval of a Zoning By-law Amendment application to the satisfaction of the Manager of Development Planning.
 6. A Permit to injure or remove municipal trees is a requirement of this application. Therefore, a Tree Management Plan must be submitted to the Forestry and Horticulture Section c/o the Urban Forestry Health Technician, to address potential conflicts with publicly owned trees.
 7. That the Owner enter into with the City of Hamilton and register on title of the lands, a Consent Agreement, having an administrative fee of \$4,500.00 (2022 fee) to address issues including but not limited to: lot grading and drainage to a suitable outlet on the conveyed and retained parcels (detailed grading plan required), erosion and sediment control measures (to be included on the grading plan); cash payment requirements for items such as street trees (City policy requires one (1) street tree/lot, stormwater management infrastructure and securities for items that may include: lot grading (\$10,000.00 grading security), water and sewer service inspections, driveway approaches, relocation of any existing infrastructure (such as hydrants) and any damage during construction (unknown costs at this time) all to the satisfaction of the Manager of the Engineering Approvals Section. Cash payments mentioned above are subject to change.
 8. That the Owner provide a cash payment to the City representing the cost recoveries associated with the municipal sanitary sewer on Southcote Road that was completed as part of the 'Meadowlands of Ancaster – Phase 5 subdivision. The cost shall be determined based on the frontage of the subject lands and the cost of construction of these works updated by the Canadata Construction Cost Index, as applicable, at the time of final application approval, all to the satisfaction of the City's Manager of Development Approvals.
 9. That, the Owner submits a cash payment to the City for the future urbanization of South Service Road based on the "New Roads Servicing Rates" and the frontage of the severed portion of the lands to the satisfaction of the Manager of the Engineering Approvals Section.
 10. The owner shall receive final approval of any necessary variances from the requirements of the Zoning By-law as determined necessary by the Planning and Economic Development Department (Planning Division – Zoning Examination Section).
 11. The owner shall demolish all or an appropriate portion of any buildings straddling the proposed property line, to the satisfaction of the Planning and Economic Development Department

AN/B-22:59

(Planning Division – Zoning Examination Section). May be subject to a demolition permit issued in the normal manner.

12. If a Condition for a road widening and/or daylight triangle dedication is required, the owner/applicant shall submit survey evidence that the lands to be severed and the lands to be retained, including the lot width, lot area, the location of any existing structure(s), parking and landscaping, conform to the requirements of the Zoning By-Law or alternatively apply for and receive final approval of any variances from the requirements of the Zoning By-Law as determined necessary by the Planning and Economic Development Department (Planning Division – Zoning Examination Section).
13. The owner shall apply for and receive any required building permits in the normal manner to the satisfaction of the Planning and Economic Development Department (Planning Division – Zoning Examination Section).
14. That the owner submit Municipal Act charges for 382 Southcote Road under Bylaw 11-051. The total payable is \$13,192.40, to the satisfaction of Corporate Services.
15. To the satisfaction and approval of the Manager, Transportation Planning:
 - a. The existing right-of-way at the subject property is approximately 29 metres. Approximately 3 (+/-) metres are to be dedicated to the right-of-way on Southcote Road, as per the Council Approved Urban Official Plan: Schedule C-2 - Future Right-of-Way Dedications. Southcote Road is to be 32.004 metres from Golf Links Road to Garner Road East.
 - b. A survey conducted by an Ontario Land Surveyor and at the Applicant's expense will determine the ultimate dimensions for the right-of-way widening. The Applicant's surveyor is to contact Geomatics and Corridor Management to confirm the required right-of-way dedications.

Acknowledgement Note: The subject property has been determined to be an area of archaeological potential. It is reasonable to expect that archaeological resources may be encountered during any demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances. If archaeological resources are encountered, the proponent may be required to conduct an archaeological assessment prior to further impact in order to address these concerns and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. Mitigation, by an Ontario-licensed archaeologist, may include the monitoring of any mechanical excavation arising from this project. If archaeological resources are identified on-site, further Stage 3 Site-specific Assessment and Stage 4 Mitigation of Development Impacts may be required as determined by the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI). All archaeological reports shall be submitted to the City of Hamilton for approval concurrent with their submission to the MHSTCI.

Should deeply buried archaeological materials be found on the property during any of the above development activities the MHSTCI should be notified immediately (416-212- 8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MHSTCI and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499)."

AN/B-22:59

Note: Based on this application being approved and all conditions being met, the owner / applicant should be made aware that the lands to be retained (Lot A – 448.88 m²±) will remain as 382 Southcote Road (Ancaster) and the lands to be conveyed (Lot B – 522.55 m²±) will be assigned the address of 386 Southcote Road (Ancaster) and the lands to be retained (Lot C – 521.74 m²±) will be assigned the address of 390 Southcote Road (Ancaster).

That the Owner agrees to physically affix the municipal numbers or full addresses to either the buildings or on signs in accordance with the City's Sign By-law, in a manner that is clearly visible from the road.

DATED AT HAMILTON, September 22, 2022.

<hr/>	
M. Dudzic (Acting Chairman)	B. Charters
<hr/>	
N. Mleczko	M. Smith

The date of the giving of this Notice of Decision is **September 29, 2022**. Above noted conditions **MUST** be fulfilled within **TWO (2) YEARS** of the date of this Notice of Decision (September 29, 2024) or the application shall be deemed to be REFUSED (Planning Act, 53(41)).

NOTES:

1. THE LAST DATE ON WHICH AN APPEAL TO THE ONTARIO LAND TRIBUNAL (OLT) MAY BE FILED IS **October 19, 2022**
2. **This decision is not final and binding unless otherwise noted.**



Hamilton

APPEAL INFORMATION – CONSENTS/SEVERANCES

THE LAST DATE OF APPEAL IS:

October 19, 2022

THIS DECISION IS NOT FINAL AND BINDING AND MUST NOT BE ACTED UPON UNTIL THE PERIOD OF APPEAL HAS EXPIRED

THE DECISION DOES NOT RELEASE ANY PERSONS FROM THE NECESSITY OF OBSERVING THE REQUIREMENTS OF BUILDING REGULATIONS, THE LICENSE BY-LAW, OR ANY OTHER BY-LAW OF THE CITY OF HAMILTON.

Appeal

53(19) Any person or public body may, not later than 20 days after the giving of notice under subsection (17) is completed, appeal the decision or any condition imposed by the council or the Minister or appeal both the decision and any condition to the Tribunal by filing with the clerk of the municipality or the Minister a notice of appeal setting out the reasons for the appeal, accompanied by the fee charged by the Tribunal. 1994, c. 23, s. 32; 1996, c. 4, s. 29 (6); 2017, c. 23, Sched. 5, ss. 80, 81; 2021, c. 4, Sched. 6, s. 80 (1).

No appeal

53(21) If no appeal is filed under subsection (19) or (27), subject to subsection (23), the decision of the council or the Minister, as the case may be, to give or refuse to give a provisional consent is final. Planning Act, R.S.O. 1990

Where delegation

53(44) If a land division committee or a committee of adjustment has had delegated to it the authority for the giving of consents, any reference in this section to the clerk of the municipality shall be deemed to be a reference to the secretary-treasurer of the land division committee or committee of adjustment. Planning Act, R.S.O. 1990.

APPEALS MAY BE FILED:

1. BY MAIL/COURIER ONLY

- 1.1 Appeal package delivered to City Hall and addressed to the Secretary-Treasurer of the Committee of Adjustment, Hamilton City Hall, 5th Floor, 71 Main Street West, Hamilton, ON, L8P 4Y5.
- MUST BE RECEIVED BY THE END OF BUSINESS ON THE LAST DAY OF APPEAL AS NOTED ABOVE
- 1.2 Do not address appeals to any other departments or locations. Appeals received by the office of the Committee of Adjustment after the last date of appeal as a result of second-hand mailing will be time barred and of no effect.

- 1.3 Appeal package must include all of the following:
 - Notice of appeal, setting out the objection to the decision and the reasons in support of the objection;
 - Ontario Land Tribunal (OLT) appeal form, this can be found by contacting Committee of Adjustment staff at cofa@hamilton.ca or at the OLT website <https://olt.gov.on.ca/tribunals/lpat/forms/appellant-applicant-forms/>;
 - Filing fee, the fee is currently \$400 (subject to change) and must be paid by certified cheque or money order, in Canadian funds, payable to the Minister of Finance;
 - All other information as required by the Appeal Form.

2. BY EMAIL AND MAIL/COURIER
 - 2.1 Electronic appeal package must be delivered by email to cofa@hamilton.ca.
 - MUST BE RECEIVED BY THE END OF BUSINESS ON THE LAST DAY OF APPEAL AS NOTED ABOVE
 - 2.2 Physical appeal package must be delivered by mail to City Hall and addressed to the Secretary-Treasurer of the Committee of Adjustment, Hamilton City Hall, 5th Floor, 71 Main Street West, Hamilton, ON, L8P 4Y5.
 - 2.3 Electronic appeal package must contain:
 - a copy of the notice of appeal;
 - a copy of the OLT appeal form;
 - a copy of the certified cheque or money order.
 - 2.4 Physical appeal package must contain all information as noted in Section 1.3

Questions or Information:
Contact Committee of Adjustment Staff (cofa@hamilton.ca)

From: [REDACTED]
To: [Bello, Aminu](#)
Cc: [Cassar, Craig](#); [Vrooman, Tim](#)
Subject: ZAR-23-003, UHOPA-23-003 /382 Southcote
Date: Wednesday, January 18, 2023 2:11:10 PM

Hi Aminu,

A suitable tree protection plan needs to be included in the application to protect the large Norway spruces bordering the northern edge of the property .

The city has a poor track record of maintaining and protecting the large urban forest that once covered the area during the development of the Southcote Woodlands and adjacent properties..

(Please remove my personal information)

[REDACTED]



WELCOME TO THE CITY OF HAMILTON

PLANNING COMMITTEE

June 13, 2023

PED23119 – (ZAR-23-003 & UHOPA-23-003)

Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 382 Southcote Road, Ancaster.

Presented by: Aminu Bello



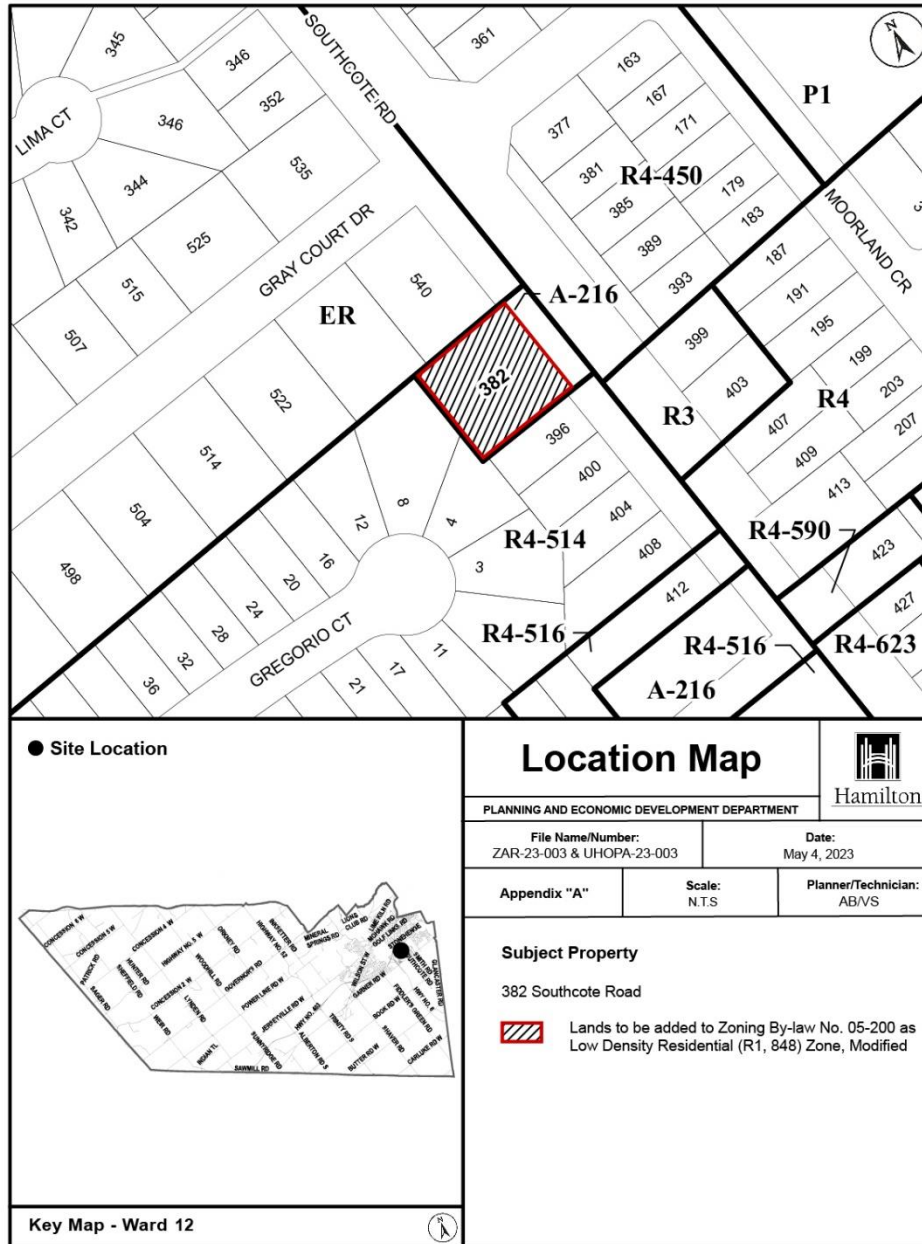
Hamilton Airphoto (2021)

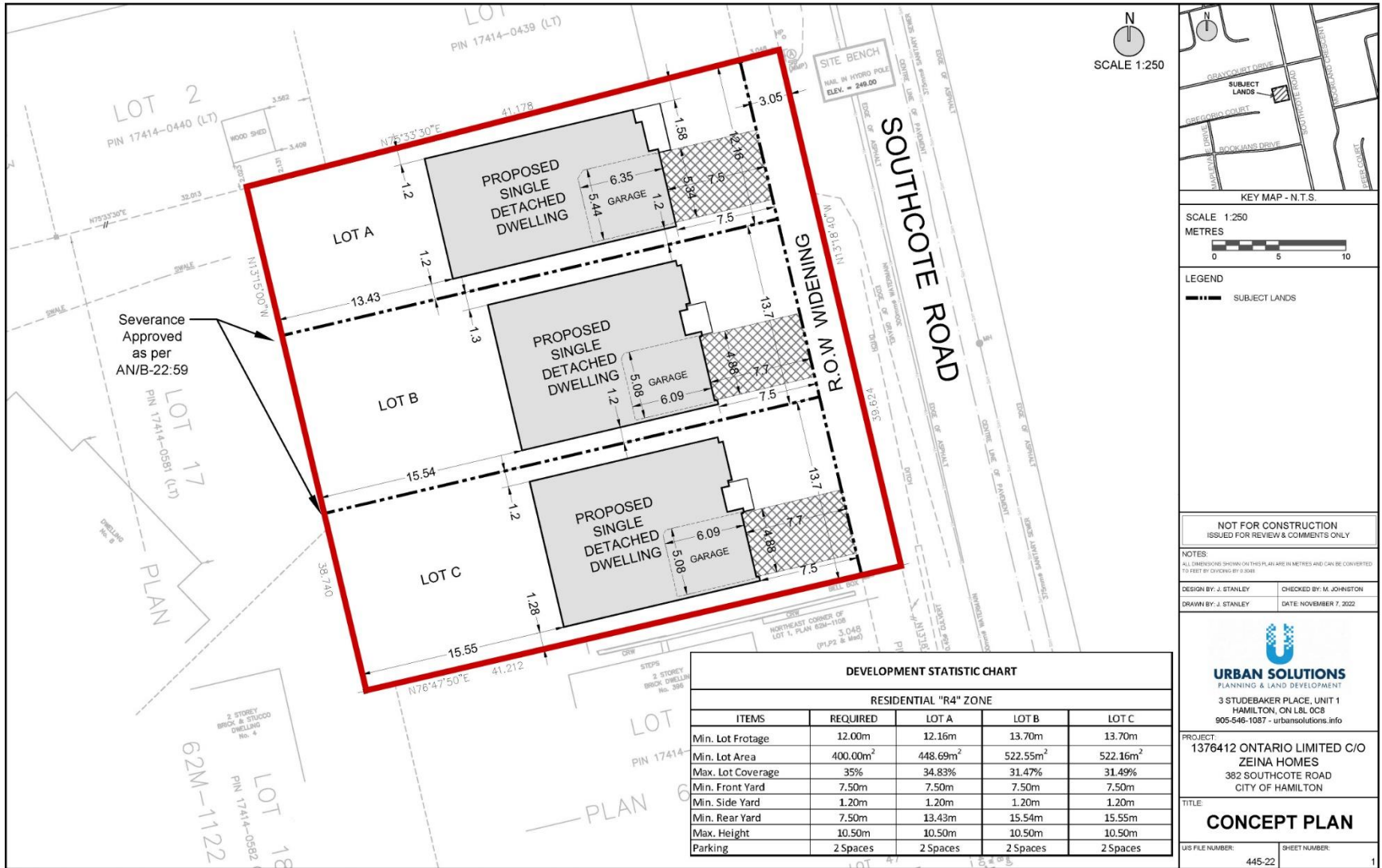
SUBJECT PROPERTY



382 Southcote Road, Ancaster







KEY MAP - N.T.S.

SCALE 1:250
 METRES

LEGEND
 ■■■ SUBJECT LANDS

NOT FOR CONSTRUCTION
 ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
 ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DESIGN BY: J. STANLEY CHECKED BY: M. JOHNSTON
 DRAWN BY: J. STANLEY DATE: NOVEMBER 7, 2022

URBAN SOLUTIONS
 PLANNING & LAND DEVELOPMENT
 3 STUDEBAKER PLACE, UNIT 1
 HAMILTON, ON L8L 0C8
 905-546-1087 - urbansolutions.info

PROJECT:
 1376412 ONTARIO LIMITED C/O
 ZEINA HOMES
 382 SOUTHCOTE ROAD
 CITY OF HAMILTON

TITLE:
CONCEPT PLAN

US FILE NUMBER: 445-22 SHEET NUMBER: 1

C:\Users\James.Stanley\Urban_Solutions\Active Projects - Documents\445-22 - 382 Southcote Road, Ancaster\0 - Drawings\1 - Urbansolutions\Concept\445-22-Concept\382Southcote-2022-09-26.dwg



Subject Property – 382 Southcote Road



View looking north from Southcote Road



View looking southeast from Southcote Road



View looking southwest from Southcote Road



Adjacent properties west of the Subject Property viewed from Gregorio Court



THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE

From: Paul Graham

Sent: June 11, 2023 8:10 PM

To: clerk@hamilton.ca; Cassar, Craig <Craig.Cassar@hamilton.ca>; Ward 12 Office <ward12@hamilton.ca>

Subject: Submission Planning Committee - 382 Southcote Road, Ancaster -File No. UHOPA-23-003

Please remove my identifying information from this submission.

Regards,
Paul Graham

My comments re: 382 Southcote Road, Ancaster -File No. UHOPA-23-003

While the development of this derelict property is long overdue. I have several major concerns with the proposed application.

Tree Protection Plan:

The plan is it remove 8 large Norway Spruce on the north edge of the property
This would appear to be the trend to slowly remove the urban forest and with every new proposal on the Southcote road corridor that most, if not all trees are remove from proposed developments and if they are replaced they are replaced with saplings.

- proposed redevelopment 509 Southcote Road - all 70 trees on the site will be removed
- proposed redevelopment 559 Garner Road East - all 40 trees on the site will be removed

Parking/Egress onto Southcote Road:

This proposal does not provide the means to safely enter Southcote and offers minimal parking. With the urbanization of Southcote now more than ever this standard needs to be maintained.

In order to reduce the number of entry points and provide safe egress onto Southcote road, the concept of a private drive was developed for the 11 homes that were being constructed 20 years ago on the east side of Southcote (396 – 408 Southcote).

*In 2011 the 18 homes also built on the east side of Southcote (431- 497Southcote) were built using the following by-law that would provide a hammerhead on each lot to provide a safe means to enter the road instead of backing onto Southcote.
(see below for reference)*

COMMITTEE DATE: April 5, 2011

Applications for Approval of a Draft Plan of Subdivision, and Amendments to the Ancaster Official Plan and Zoning By-law No. 87-57 and No. 05-200, for Lands Located at 431- 497 Southcote Road (Ancaster) (PED11005(a)) (Ward 12)

As shown in Appendix "A", the applicant has provided a detailed lot plan for those lots proposed to front onto Southcote Road. The plan illustrates the location and dimension of the dwelling unit, the associated double garage, and the driveway which has incorporated the required hammerhead turnaround.

The plan, as proposed, details the ability of the applicant to provide a double garage and sufficient driveway to accommodate an additional two spaces in front of the garage without interfering with the functional operation of the hammerhead turnaround. In order to implement the form of development shown on the plot plan, the proposed site-specific Zoning By-law provisions (see Appendix "E") for the subject lands require further modification to:

- Increase the setback from the front lot line to the garage from 7.5m to 9.0m (see Section 2.(d) of Appendix "E");*
- Require that a minimum of four (4) on-site parking spaces be provided, two of which may be in a tandem parking arrangement (see Section 2.(g) of Appendix "E");*
- Require that an on-site vehicular manoeuvring area be provided (i.e. the hammerhead turnaround) (see Section 2.(m) of Appendix "E"); and,*
- That a minimum 1.5m landscaped area be provided between the manoeuvring area and the front lot line (see Section 2.(n) of Appendix "E").*

Planning staff is satisfied that the plot plan, which has been provided for information purposes only, successfully illustrates the ability of the proposed 15 metre wide lot to accommodate all the necessary zoning provisions, including the parking requirements, in addition to the required hammerhead turnaround. As part of the detailed engineering submissions required prior to registration of the proposed plan of subdivision, the applicant will be required to identify on the grading and servicing plans the location of driveways (including the hammerhead turnaround) for further review and approval by City staff (see Special Condition "17" on Page 43 of Appendix "F").



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
 Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	June 13, 2023
SUBJECT/REPORT NO:	Application for Zoning By-law Amendment for Lands Located at 140 Wilson Street West, Ancaster (PED23122) (Ward 12)
WARD(S) AFFECTED:	Ward 12
PREPARED BY:	E. Tim Vrooman (905) 546-2424 Ext. 5277
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That **Zoning By-law Amendment Application ZAC-20-024, by A.J. Clarke and Associates (c/o Stephen Fraser, Agent), on behalf of 1376412 Ontario Inc. (c/o Ali Alaichi, Owner)**, for a change in zoning from the Existing Residential “ER” Zone to the Holding Residential Multiple “H-RM6-714” Zone, Modified, under Zoning By-law No. 87-57 (Ancaster), in order to permit a three storey multiple dwelling containing nine dwelling units with 14 surface parking spaces, for lands located at 140 Wilson Street West, as shown on Appendix “A” attached to Report PED23122, be **APPROVED** on the following basis:

- (a) That the draft By-law attached as Appendix “B” to Report PED23122, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject property by introducing the Holding ‘H’ to the proposed Residential Multiple “RM6-714” Zone, Modified, as shown on Schedule ‘A’ to Appendix “B” attached to Report PED23122:

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140 Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 2 of 20

The Holding Residential Multiple “H-RM6-714” Zone, Modified, applicable to the lands located at 140 Wilson Street West be removed conditional upon the following:

- (i) That the applicant complete an Archaeological Assessment to the satisfaction of the Ministry of Citizenship and Multiculturalism and the Director of Planning and Chief Planner;
 - (ii) That the Owner prepare and receive approval of a Landscape Plan, including providing for 1 for 1 compensation for 22 privately owned trees (10 cm diameter at breast height (DBH) or greater) that are removed from private property through replanting trees on site and/or payment of cash-in-lieu, to the satisfaction of the Director of Planning and Chief Planner;
 - (iii) That the Owner shall investigate the noise levels and determine and implement the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of Environment, Conservation and Parks (MECP) recommended sound level limits. An acoustical report prepared by a qualified Professional Engineer containing the recommended noise control measures shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the owner and shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner;
- (c) That the proposed amendment is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and complies with the Urban Hamilton Official Plan and Ancaster Wilson Street Secondary Plan.

EXECUTIVE SUMMARY

The applicant has applied for a Zoning By-law Amendment to permit a three storey multiple dwelling containing nine dwelling units with a net residential density of 66 units per hectare with 14 surface parking spaces. The Zoning By-law Amendment proposes to rezone the subject lands from the Existing Residential “ER” Zone to the Holding Residential Multiple “H-RM6-714” Zone, Modified. Site specific modifications to the Residential Multiple “RM6” Zone are proposed to accommodate the proposed development. Further, a Holding Provision is being added to ensure that an archaeological assessment is completed for the site and to ensure a landscape plan and detailed noise study are prepared and approved for the proposed development.

The proposal has merit and can be supported as it is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater

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SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140 Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 3 of 20

Golden Horseshoe (2019, as amended), and complies with the Urban Hamilton Official Plan (UHOP) and implements the Ancaster Wilson Street Secondary Plan.

The proposal represents good planning by, among other considerations, providing a compatible residential development that contributes to a complete community in keeping with existing and planned development in the surrounding area.

The proposed development provides a transition from the commercial uses in Uptown Core of Ancaster to the low density residential uses further to the west and to the interior of a largely residential neighbourhood to the south, fronts along a major arterial road and has access to existing transit.

The proposal ensures land, municipal services, and transportation systems are used efficiently and contributes to a full range of residential dwelling types.

Alternatives for Consideration – See Page 19

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold at least one Public Meeting to consider an application for a Zoning By-law Amendment. *Bill 23* amended the *Planning Act* to exempt residential developments containing not more than 10 units from Site Plan Control.

HISTORICAL BACKGROUND

Report Fact Sheet

Application Details	
Owner/Applicant:	1376412 Ontario Inc. (c/o Ali Alaichi)
Agent:	A.J. Clarke and Associates (c/o Stephen Fraser)
File Number:	ZAC-20-024
Type of Application:	Zoning By-law Amendment
Proposal:	Three storey multiple dwelling containing nine dwelling units with 14 surface parking spaces and a single access to Wilson Street West.

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140
Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 4 of 20**

Property Details	
Municipal Address:	140 Wilson Street West
Lot Area:	±1,363.39 m ² (rectangular)
Servicing:	Full municipal services.
Existing Use:	Single detached dwelling and accessory structures (to be demolished).
Documents	
Provincial Policy Statement (PPS):	The proposal is consistent with the PPS (2020).
A Place to Grow:	The proposal conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).
Official Plan:	“Community Node” on Schedule E – Urban Structure and “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations.
Secondary Plan:	Ancaster Wilson Street Secondary Plan – “Medium Density Residential 2”.
Secondary Plan Proposed:	No amendment proposed.
Zoning Existing:	Existing Residential “ER” Zone.
Zoning Proposed:	Holding Residential Multiple “H-RM6-714” Zone, Modified.
Modifications Proposed:	<ul style="list-style-type: none"> • Minimum Lot Area from 0.4 ha to 1,330 m² (0.133 ha) and shall not include the area for future road right of way dedications; • Maximum Density from 60 to 70 units per ha; • Minimum Lot Frontage from 30 metres to 24 metres; • Maximum Lot Coverage from 25% to 41%; • Minimum Front Yard from 7.5 metres to 11.6 metres from the ultimate road right-of way; • Minimum Side Yard from 9 metres to 1.5 metres; • Minimum Rear Yard from 9 metres to 17.8 metres; • Parking from 2.0 parking spaces plus 0.33 visitor parking spaces per dwelling unit to 1.55 plus 0.22 spaces per dwelling unit; • Exempt Children’s Play Area requirement; • Maximum Height from 10.5 metres to 11.25 metres; • Minimum Landscaping from 40% to 29% of lot area; and, • Maximum Parking Coverage from 35% to 45% of lot area and to permit permeable pavers in the parking area. <p>(See Appendix “C” attached to Report PED23122.)</p> <p>In addition, staff have included a modification requiring a minimum of 13 trees be planted in the Minimum Landscaping area.</p>

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140
Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 5 of 20**

Processing Details	
Received:	June 15, 2020.
Deemed Complete:	July 2, 2020.
Notice of Complete Application:	Sent to 198 property owners within 120 m of the subject lands on July 17, 2020.
Public Notice Sign:	Posted July 16, 2020 and updated with Public Meeting date May 17, 2023.
Notice of Public Meeting:	Sent to 197 property owners within 120 m of the subject lands on May 26, 2023.
Public Comments:	Three letters / emails providing comments, concerns, and support for the proposed development (see Appendix “E” attached to Report PED23122).
Revised Submissions Received:	<ul style="list-style-type: none"> • March 10, 2021; • July 16, 2021; • November 8, 2021; and, • April 28, 2022.
Processing Time:	1093 days, 411 days from receipt of final submission.

Existing Land Use and Zoning

	Existing Land Use	Existing Zoning
Subject Lands:	Single Detached Dwelling	Existing Residential “ER” Zone.
Surrounding Land Uses:		
North	Multiple Dwellings	Residential Multiple “RM6-530” Zone, Modified; and, Residential Multiple “RM6-665” Zone, Modified.
South	Multiple Dwelling and Single Detached Dwellings	Residential Multiple “RM6-278” Zone, Modified; and, Existing Residential “ER” Zone.
East	Single Detached Dwellings	Mixed Use Medium Density (C5, 565) Zone; and, Existing Residential “ER” Zone.
West	Multiple Dwellings	Residential Multiple “RM6-278” Zone, Modified; and, Residential Multiple “RM6-665” Zone, Modified.

**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140
Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 6 of 20**

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Planning Policy Framework

The Provincial Planning Policy Framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (PPS 2020). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS 2020.

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent Ontario Land Tribunal (OLT) approval of the City of Hamilton Official Plan, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of Provincial interest (i.e. efficiency of land use) are discussed in the Official Plan analysis that follows.

As the application for a change in zoning complies with the Official Plan and the relevant policies in the PPS (2020), it is staff's opinion that the application is:

- Consistent with Section 3 of the *Planning Act*,
- Consistent with the Provincial Policy Statement (2020); and,
- Conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).

Urban Hamilton Official Plan (UHOP)

The subject lands are designated "Community Node" on Schedule E – Urban Structure and designated "Neighbourhoods" on Schedule E-1 – Urban Land Use Designations. The lands are further designated "Medium Density Residential 2" on Map B.2.8-1, Ancaster Wilson Street Secondary Plan – Land Use Plan. The following policies, amongst others, apply to the proposal.

Cultural Heritage

"B.3.4.2.1 The City of Hamilton shall, in partnership with others where appropriate:

- a) Protect and conserve the tangible *cultural heritage resources* of the City, including *archaeological resources*, *built heritage resources*, and *cultural heritage landscapes* for present and future generations."

The subject property meets three of the ten criteria used by the City of Hamilton and the Ministry of Citizenship and Multiculturalism for determining archaeological potential:

SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140 Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 7 of 20

- 1) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody;
- 2) In an area of sandy soil in areas of clay or stone; and,
- 3) Along historic transportation routes.

These criteria define the property as having archaeological potential. Stage 1 and 2 and Stage 3 archaeological reports (P231-0067-2019 and P321-0104-2020 respectively) have been submitted to the City of Hamilton and the Ministry of Citizenship and Multiculturalism. The Province signed off on the Stage 1 and 2 report (P231-0067-2019) for compliance with licensing requirements in a letter dated January 22, 2020. The Provincial interest has yet to be signed off by the Ministry for the subsequent Stage 3 report (P321-0104-2020), advising that a subsequent Stage 4 report is required. A Holding Provision has been added to require the completion of the Archaeological Assessment to the satisfaction of the Ministry.

Noise

- “B.3.6.3.1 Development of noise sensitive land uses, in the vicinity of provincial highways, parkways, minor or major arterial roads, collector roads, truck routes, railway lines, railway yards, airports, or other uses considered to be noise generators shall comply with all applicable provincial and municipal guidelines and standards.”

The lands front Wilson Street West, which is identified as a major arterial road on Schedule C – Functional Road Classification in the UHOP. Staff have reviewed the noise impact study titled “140 Wilson Street West Residential Development”, prepared by dBa Acoustical Consulting Inc. and dated January 2020, which concluded that ventilation requirements and noise warning clauses are required for the proposed development. Staff are generally satisfied with the findings of the study, subject to the submission of a detailed noise study to ensure that the study’s recommendations continue to be appropriate, including further evaluation of any required HVAC equipment. As the proposed development is no longer subject to Site Plan Control, a Holding Provision has been added to require the completion of a detailed noise study. Further, at the future Draft Plan of Condominium application stage the necessary noise warning clauses will be included through acknowledgments and undertakings in all offers of purchase and sale or lease agreements to be implemented within the registerable portion of the Condominium Agreement.

Neighbourhoods Designation

- “E.3.2.1 Areas designated Neighbourhoods shall function as *complete communities*, including the full range of residential dwelling types and densities as well as supporting uses intended to serve the local residents.

SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140 Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 8 of 20

- E.3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations:
- a) Residential dwellings, including second dwelling units and *housing with supports*.”

The subject proposal is a permitted use in the “Neighbourhoods” designation. The policies of the “Neighbourhoods” designation seek to establish complete communities with a full range of residential types and densities and the proposed development implements this policy direction.

Tree Protection

- “C.2.11.1 The City recognizes the importance of trees and woodlands to the health and quality of life in our community. The City shall encourage sustainable forestry practices and the protection and restoration of trees and forests.”

Trees have been identified in and around the subject property. Staff have reviewed the submitted Tree Protection Plan and Landscape Plan, prepared by Adesso Design Inc. (Mario Patitucci, OALA) and dated October 26, 2021. A total of 31 trees (two municipal and 29 private) have been inventoried. Of these trees, 24 have been identified for removal (22 private of which 16 have been previously removed, and two municipal trees). Two of the private trees proposed for removal (#8 and #9, Norway Spruce) are located on the neighbouring property located at 150 Wilson Street West. Written permission has been obtained from the owner of the neighbouring property to remove these trees and replant with four Norway Spruce. As the remaining trees proposed to be removed are not in good health, there are limited opportunities for retention of these trees and staff are satisfied with the submitted Tree Protection Plan.

To ensure existing tree cover is maintained, the City requires one for one compensation for the 22 trees (10 cm diameter at breast height (DBH) or greater) that have been or are proposed to be removed from private property, with said compensation to be identified on the Landscape Plan. Compensation is required for 22 trees and based on the Landscape Plan submitted 13 trees are proposed to be planted on site. While the Landscape Plan proposes planting four trees on the adjacent property, the City’s Tree Protection Guidelines require compensation trees to be planted on site or cash-in-lieu be provided to the City to plant trees elsewhere. Staff have included in the proposed Zoning By-law Amendment (attached as Appendix “B” to Report PED23122) a modification requiring a minimum of 13 trees be planted in the Minimum Landscaping area on site. Further, a Holding Provision has been added to require the completion of a revised Landscape Plan to provide for adequate compensation for the 22 trees, through replanting the minimum of 13 trees on site, and payment of cash-in-lieu for the balance of nine trees. A Landscape Plan may also be required as a condition of approval of a future Draft Plan of Condominium application.

SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140 Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 9 of 20

The two municipal trees conflict with the proposed driveway required to access the proposed development and are proposed to be replaced with two new municipal street trees. Forestry and Horticulture staff have reviewed the Tree Protection Plan and Landscape Plan and despite not supporting removal of the two large municipal tree assets they have approved the plans subject to receipt of applicable fees.

Road Widening

“C.4.5.2 The road network shall be planned and implemented according to the following functional classifications and right-of-way-widths:

- c) Major arterial roads, subject to the following policies:
 - iii) The basic maximum right-of-way widths for major arterial roads shall be 45.720 metres unless otherwise specifically described in Schedule C-2 – Future Right-of-Way Dedications.”

Wilson Street West is classified as a Minor Arterial with a future right-of-way width of 30.480 m from Halson Street to Highway 403 specified in Schedule C-2 – Future Right-of-Way Dedications of the UHOP. Accordingly, ± 2.0 metres is required to be dedicated to the right-of-way (ROW) along the frontage of the subject lands. The proposed development is no longer subject to Site Plan Control. As noted in Report PED23045, due to the *Planning Act* changes in Bill 23, the City can require that ROW dedications be dedicated to the municipality as a condition of site plan, consent, or subdivision / condominium. The City has no means to acquire ROW dedications through the Zoning By-law Amendment application, however the lands to be dedicated have been identified as “Block 1” in Special Figure 3 added to the proposed Zoning By-law Amendment (attached as Appendix “B” to Report PED23122) to not be included in the measurements of setbacks or contain the minimum landscaped area or planting strips. ROW dedication requirements can be addressed through the future Draft Plan of Condominium application.

Based on the foregoing, the proposal complies with the applicable policies of the UHOP.

Ancaster Wilson Street Secondary Plan

The subject lands are designated “Medium Density Residential 2” on Map B.2.8-1, Ancaster Wilson Street Secondary Plan – Land Use Plan and are identified within the Gateway Residential area and Community Node area on Appendix A, Ancaster Wilson Street Secondary Plan – Character Areas and Heritage Features. The following policies, amongst others, apply to the application.

SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140 Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 10 of 20

Medium Density Residential 2 Designation

“B.2.8.7.2 In addition to Sections B.3.2 - Housing Policies, C.3.2 - Urban Area General Provisions, and E.3.0 - Neighbourhood Designations of Volume 1, the following policies apply to all residential land use designations identified on Map B.2.8-1 - Ancaster Wilson Street Secondary Plan: Land Use Plan:

- a) Residential *development or redevelopment* and *infill development* shall maintain and enhance the character of the residential areas through architectural style that is sympathetic and complementary with the existing *adjacent* residential areas, heritage buildings, and uses. Further direction regarding design shall be provided in the Urban Design policies, detailed in Policy 2.8.12 of this Plan.

B.2.8.7.4 In addition to Section E.3.5 – Medium Density Residential of Volume 1, for lands designated Medium Density Residential 2 on Map B.2.8-1 - Ancaster Wilson Street Secondary Plan: Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy E.3.5.2 and E.3.5.4 of Volume 1, the permitted uses shall be limited to single detached dwellings, semi-detached dwellings, all form of townhouse dwellings, low-rise multiple dwellings, and live-work units.
- b) Notwithstanding Policy E.3.5.7 of Volume 1, the net residential density range shall be 60 - 75 units per hectare.
- c) Notwithstanding Policy E.3.5.8 of Volume 1, the maximum building height shall be three storeys.”

The design and placement of the proposed multiple dwelling is sympathetic and complementary with the existing character of the area by maintaining consistent setbacks while being designed to address the street and there is no anticipated shadowing or overlook issues onto adjacent residential areas. The proposed low-rise, three storey multiple dwelling with a net residential density of 66 units per hectare complies with the policies of the “Medium Density Residential 2” designation in the Ancaster Wilson Street Secondary Plan.

Urban Design

“B.2.8.12.1 In addition to Section B.3.3 - Urban Design Policies of Volume 1, the following policies shall apply to lands within the Ancaster Wilson Street Secondary Plan and Community Node areas, as identified on Map B.2.8-1

SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140 Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 11 of 20

Ancaster Wilson Street Secondary Plan: Land Use and Appendix A - Character Areas and Heritage Features:

- a) *Development and redevelopment* shall be consistent with the Ancaster Wilson Street Secondary Plan Urban Design Guidelines, and shall be sympathetic to adjacent building styles, features, and materials when *adjacent* to a designated or listed heritage building.
- e) *New development or redevelopment* shall complement the distinct character, design, style, building materials, and characteristics, which define each Character Area.
- f) Design requirements shall only apply to commercial and mixed use areas, institutional, and multi-residential developments. The Guidelines shall not apply to single detached and semi-detached dwellings.
- g) *Development or redevelopment* shall not negatively affect *active transportation* within the Ancaster Wilson Street Secondary Plan.
- h) *Development and redevelopment* shall foster streets as interactive outdoor spaces for pedestrians.”

The design and placement of the proposed multiple dwelling is consistent with the Ancaster Wilson Street Secondary Plan Urban Design Guidelines. The proposed development is complementary and compatible with the existing character of the Gateway Residential area by maintaining consistent setbacks and massing that respect the existing street proportions and lot patterns while being designed to address the street, and includes high-quality materials, main entrance doors directly accessible from the sidewalk, upper storey balconies, and ample glazing (see the Concept Plans attached to Appendix “D” to Report PED23122). Parking is located in the rear yard, at grade beneath the second storey of the multiple dwelling, and within the front yard screened behind a one metre high decorative wall and planting strip. Direct pedestrian connections are provided between the municipal sidewalk and the front entrances.

The single access to the property is designed to minimize conflicts between traffic and pedestrians, and the streetscape will be enhanced with the one metre high decorative wall and planting strip to screen and minimize the street presence of parking areas while complementing the built form of the proposed development. Streetscaping considerations, including but not limited to plantings and street trees, will also be fundamental to ensuring that pedestrian comfort and scale is achieved. The proposed development is no longer subject to Site Plan Control. Accordingly, a Holding Provision has been added to require the completion of a Landscape Plan.

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SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140 Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 12 of 20

Ancaster Zoning Bylaw No. 87-57

The subject property is currently zoned Existing Residential “ER” Zone in Ancaster Zoning By-law No. 87-57, as shown on Appendix “A” attached to Report PED23122, which permits single detached dwellings and uses, buildings and structures accessory thereto. The proposed Zoning By-law Amendment is to rezone the property to the Holding Residential Multiple “H-RM6-714” Zone, Modified, under Ancaster Zoning By-law No. 87-57, in order to permit a three storey multiple dwelling containing nine dwelling units with 14 surface parking spaces. Site specific modifications to the “RM6” Zone have been requested to implement the subject proposal and are discussed in greater detail in Appendix “C” attached to Report PED23122. A Holding Provision has been added to address outstanding archaeological, landscaping, and noise study requirements.

RELEVANT CONSULTATION

Departments and Agencies		
	<ul style="list-style-type: none"> • Corporate Services Department, Financial Planning and Policy Division, Budgets and Fiscal Policy Section; • Public Works Department, Strategic Planning Division, Asset Management; • Public Works Department, Strategic Planning Division, Construction; • Public Works Department, Transit Operations Division Transit Planning and Infrastructure; • Canada Post Corporation; and, • Conseil Scolaire Viamonde. 	No Comment
	Comment	Staff Response
Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department	<ul style="list-style-type: none"> • Right-of-way dedication of ±2.0 m is required along the frontage of Wilson Street West; • The Applicant is to demonstrate how the proposed driveway access will interact with the municipal sidewalk; and, • No major concerns with the preliminary site grading and water, sanitary, and storm servicing plans. Detailed review will be provided at the Building Permit application stage. 	<ul style="list-style-type: none"> • As discussed above, the City has no means to compel and protect right-of-way dedications through the Zoning By-law Amendment application for a 9 unit multiple dwelling due to the <i>Planning Act</i> changes in Bill 23.

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SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140 Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 13 of 20

	Comment	Staff Response
Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department Continued		<ul style="list-style-type: none"> • However, the lands to be dedicated have been identified as “Block 1” in Special Figure 3 added to the proposed Zoning By-law Amendment (attached as Appendix “B” to Report PED23122) to not be included in the measurements of setbacks or contain the minimum landscaped area or planting strips. ROW dedication requirements can be addressed through the future Draft Plan of Condominium application; • As noted in Report PED23045, the City will review and update processes for driveway access reviews and permits for developments of three to ten units to ensure access management principles are achieved; and, • Grading and servicing will be addressed at the Building Permit application stage.
Forestry and Horticulture Section, Environmental Services Division, Public Works Department	<ul style="list-style-type: none"> • Reviewed and approved the Tree Management Plan and Landscape Plan, subject to receipt of applicable fees, despite not supporting removal of two large municipal tree assets. 	<ul style="list-style-type: none"> • Noted.
Growth Planning Section, Growth Management Division, Planning and Economic Development Department	<ul style="list-style-type: none"> • Confirmed that the municipal address of 140 Wilson Street West will be retained; and, • Inquired if the subject development will be condominium tenure. 	<ul style="list-style-type: none"> • The proponent advised that the development is intended to be condominium tenure.

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140
Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 14 of 20**

	Comment	Staff Response
Landscape Architectural Services, Strategic Planning Division, Public Works Department	<ul style="list-style-type: none"> • Ensure all surface drainage is contained / captured within the site; and, • Does not request cash-in-lieu of parkland dedication at this point in the planning process. 	<ul style="list-style-type: none"> • Preliminary grading and drainage plans have been reviewed by the Development Engineering Approvals Section and there are no concerns; and, • Cash-in-lieu of parkland will be required to be paid prior to the issuance of any building permits.
Recycling and Waste Disposal Section, Environmental Services Division, Public Works Department	<ul style="list-style-type: none"> • This development is eligible for municipal waste collection subject to meeting the City's requirements. The property owner must contact the City to request waste collection service to complete a site visit to determine if the property complies with the City's waste collection requirements. 	<ul style="list-style-type: none"> • The applicant has proposed an internal garbage room and curbside municipal collection service, which is considered acceptable to the Recycling and Waste Disposal Section.
Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department	<ul style="list-style-type: none"> • Traffic generated by the proposed development will not generate a substantial number of trips and no measurable effect to the surrounding road network is foreseen, and accordingly a Transportation Impact Study was not required. • Right-of-way dedication of ± 2.0 m is required along the frontage of Wilson Street West; • 3.0 metres x 3.0 metres visibility triangles have been demonstrated at the driveway access; and, • Confirm the method of garbage and recycling pickup as this will determine what type of vehicles will be internal to the site. Under no circumstance will reversing of vehicles onto the right-of-way be permitted. Vehicles must be able to enter the site in a forward manner, turn around on private property, and exit the site in a forward manner. 	<ul style="list-style-type: none"> • As discussed above, the City has no means to compel and protect right-of-way dedications through the Zoning By-law Amendment application for a 9 unit multiple dwelling due to the <i>Planning Act</i> changes in Bill 23, however the lands to be dedicated have been identified as "Block 1" in Special Figure 3 added to the proposed Zoning By-law Amendment (attached as Appendix "B" to Report PED23122) to not be included in the measurements of setbacks or contain the minimum landscaped area or planting strips. ROW dedication requirements can be addressed through the future Draft Plan of Condominium application.

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140
Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 15 of 20**

	Comment	Staff Response
Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department Continued		<ul style="list-style-type: none"> The applicant has proposed curbside municipal collection service, and no large vehicles will need to enter the site.

Public Consultation		
	Comment	Staff Response
Tree Removal	<ul style="list-style-type: none"> Residents are concerned about the lack of regard for the neighbourhood and the environment as a result of the previous removal of larger trees; Residents would like as many of the remaining trees retained as possible as they help define character of the area; and, It is suggested that the driveway be moved to retain the two street trees, and that new trees be planted in the front and rear yards. 	<ul style="list-style-type: none"> The Tree Protection Plan (TPP) submitted with the application, prepared by Adesso Design Inc. and dated October 26, 2021, inventoried 29 private trees. Of these, 22 have been identified for removal (of which 16 have been previously removed). As the remaining trees proposed to be removed are not in good health, there are limited opportunities to retain these trees and staff are satisfied with the TPP; The City requires 1 for 1 compensation for any tree (10 cm DBH or greater) that is proposed to be removed from private property (22 trees), which is being addressed through the proposed zoning modifications and a Holding Provision being applied to the subject lands; and, Two municipal trees conflict with the proposed driveway required to access the proposed development and are proposed to be replaced with two new municipal street trees. It is not feasible to reconfigure the driveway to retain these trees due to the required geometry of the driveway access. Forestry and Horticulture staff have reviewed the Tree Protection Plan and Landscape Plan and approved the plans.

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140
Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 16 of 20**

	Comment	Staff Response
Existing Neighbourhood Character	<ul style="list-style-type: none"> • One resident expressed concern that the character of the neighbourhood is deteriorating as a result of new development; • One resident appreciates the scale and architectural design of the proposed development; and, • One resident has expressed full support for the redevelopment of the subject lands. 	<ul style="list-style-type: none"> • The area contains a variety of low density single detached and multiple dwellings. The proposed development would not be out of character with the existing context and implements the “Medium Density Residential 2” designation of the Ancaster Wilson Street Secondary Plan; and, • The subject property is appropriate for residential intensification as it is situated within a Community Node and fronts along a major arterial road.
Traffic and Parking	<ul style="list-style-type: none"> • The proposed development will further increase traffic along Wilson Street West and will decrease pedestrian safety crossing the street; • The width of the proposed driveway and parking area will decrease walkability along the frontage of the property; and, • The parking area is too close to the rear lot line at 3 metres. 	<ul style="list-style-type: none"> • Transportation Planning staff advised that traffic generated by the proposed development will not generate a substantial number of trips and no measurable effect to the surrounding road network is foreseen; • The proposed driveway width is 7.5 metres which conforms to the minimum access width required at the property line in accordance with City transportation standards. The parking area in the front yard will be screened by a one metre high decorative wall and planting strip to minimize its street presence; and, • The setback to the parking area has been increased to 3.86 metres and will be screened by a planting strip along the rear property line.
Noise and Pollution	<ul style="list-style-type: none"> • There is concern regarding noise and pollution generated from traffic along Wilson Street West, the rear parking area, and general property maintenance being a nuisance on adjacent properties. 	<ul style="list-style-type: none"> • The noise impact study submitted with the application, prepared by dBA Acoustical Consulting Inc. and dated January 2020, determined that the noise impact from Wilson Street West vehicular traffic is the only source of noise impacting the development and concluded that ventilation requirements and noise warning clauses are required for the proposed development.

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140
Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 17 of 20**

	Comment	Staff Response
Noise and Pollution Continued		<ul style="list-style-type: none"> • A detailed noise study is being required through a Holding Provision being applied to the subject lands and these matters will also be addressed at the future Draft Plan of Condominium application stage. The proposed development will help mitigate road traffic noise towards the neighbourhood to the south; • As noted above, the increase in traffic as a result of the proposed development is negligible and the rear parking area has been further setback and screened from adjacent residences; and, • The Noise Control By-law No. 11-285 regulates source noises which are or could become a public nuisance.

Public Consultation

In accordance with the provisions of the *Planning Act* and the Council Approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation was sent to 198 property owners July 17, 2020.

A Public Notice Sign was posted on the property on July 16, 2020, and updated on May 17, 2023, with the Public Meeting date. Notice of the Public Meeting was given in accordance with the requirements of the *Planning Act* on May 26, 2023.

Public Consultation Strategy

Pursuant to the City's Public Consultation Strategy Guidelines, the applicant prepared a Public Consultation Strategy which included a public information letter dated March 29, 2021 which was mailed out to residents within 120 m of the subject lands. The letter provided context for the submitted applications and described the proposed development, and invited residents to submit comments to the applicant. The public information letter and comment response memo are included in Appendix "F" attached to Report PED23122.

SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140 Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 18 of 20

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:
 - i) It is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
 - ii) It complies with the UHOP and complements the Ancaster Wilson Street Secondary Plan, in particular the function, scale and design of the Medium Density Residential policies as they relate to residential intensification and complete communities in the Neighbourhoods designation; and,
 - iii) The proposal represents good planning by, among other considerations, providing a compatible residential development that contributes to a complete community through the establishment of a range of housing forms, types and densities in the area that are in keeping with existing and planned development in the surrounding area. The proposed development provides a transition from the commercial uses in Uptown Core of Ancaster to the low density residential uses further to the west and to the interior of a largely residential neighbourhood to the south, fronts along a major arterial road and has access to existing transit. The proposal ensures land, municipal services, and transportation systems are used efficiently and contributes to a full range of residential dwelling types.

2. Zoning By-law Amendment

The proposed Zoning By-law Amendment is to rezone the subject lands from the Existing Residential “ER” Zone to the Holding Residential Multiple “H-RM6-714” Zone, Modified, under Zoning By-law No. 87-57 (Ancaster), in order to permit a three storey multiple dwelling containing nine dwelling units with 14 surface parking spaces.

Given that the proposed development complies with the UHOP and the Ancaster Wilson Street Secondary Plan, will accommodate residential uses to support and enhance the character of the neighbourhood through intensification, has a built form that is compatible with existing development in the area, and has adequate servicing and transportation available with sufficient capacity ensuring efficient use of land and infrastructure, staff are supportive of the proposed Zoning By-law Amendment attached as Appendix “B” to Report PED23122.

3. A Holding ‘H’ Provision is required to ensure that an archaeological assessment is completed for the site and to ensure a landscape plan and detailed noise study are prepared and approved for the proposed development.

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140
Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 19 of 20**

4. While the proposed development is no longer subject to Site Plan Control, should an application for a Draft Plan of Condominium be submitted, the following items, amongst others, can be addressed through the Draft Plan of Condominium process:

- Compensation tree plantings;
- Noise impacts; and,
- Right-of-way dedications.

Should the proposed development not proceed with a Draft Plan of Condominium application, thereby operating as a rental tenure multiple dwelling, municipal interest in the above matters have been protected through the modifications and Holding Provisions being applied to the proposed Zoning By-law Amendment attached as Appendix “B” to Report PED23122. Municipal interest in other matters, such as zoning compliance, grading, servicing, and site access, will be addressed through the building permit review process.

ALTERNATIVES FOR CONSIDERATION

Should the application be denied, the lands could be developed in accordance with the Existing Residential “ER” Zone, which permits uses including, but not limited to, a single detached dwelling.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Healthy and Safe Communities

Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED23122 - Location Map

Appendix “B” to Report PED23122 - Draft Zoning By-law Amendment

**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 140
Wilson Street West, Ancaster (PED23122) (Ward 12) – Page 20 of 20**

Appendix “C” to Report PED23122 - Zoning Modification Chart

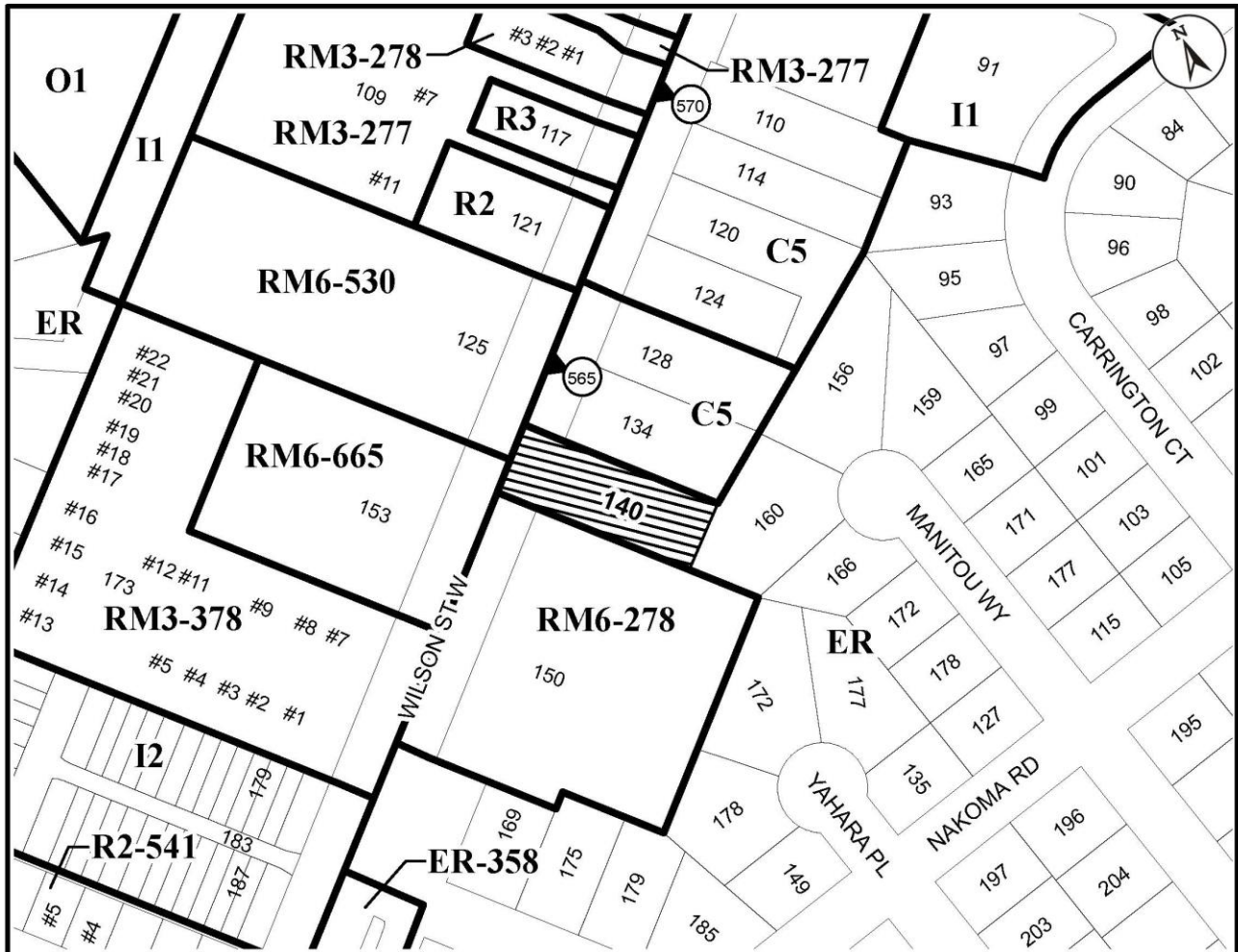
Appendix “D” to Report PED23122 - Concept Plans

Appendix “E” to Report PED23122 - Public Submissions

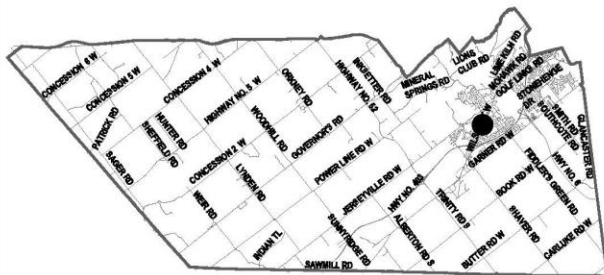
Appendix “F” to Report PED23122 - Public Information Letter and Comment Response

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Appendix "A" to Report PED23122
Page 1 of 1



● Site Location



Key Map - Ward 12

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
ZAC-20-024

Date:
April 14, 2023

Appendix "A"

Scale:
N.T.S

Planner/Technician:
TV/AL

Subject Property

140 Wilson Street West



Change in Zoning from the Existing Residential "ER" Zone to the Holding Residential Multiple "H-RM6-714" Zone, Modified

**Appendix “B” to Report PED23122
Page 1 of 6**

Authority: Item _____, Planning Committee
Report PED23122
CM:
Ward: 12

Bill No.

CITY OF HAMILTON

BY-LAW NO. 23-_____

To Amend Zoning By-law No. 87-57, Respecting Lands Located at 140 Wilson Street West, Ancaster

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”;

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”;

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;

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;

WHEREAS the Council of the City of Hamilton, in adopting Item X of Report 23-XXX of the Planning Committee at its meeting held on the ___ day of _____, 2023, which recommended that Zoning By-law No. 87-57, be amended as hereinafter provided;

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 No. 1280 of Schedule “A”, appended to and forming part of By-law No. 87-57, as amended, is further amended by changing the zoning from the Existing Residential “ER” Zone to the Holding Residential Multiple “H-RM6-714” Zone, Modified, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. That Section 34: Exceptions of Zoning By-law No. 87-57, as amended, is hereby further amended by adding the following subsection:

Appendix “B” to Report PED23122**Page 2 of 6****H-RM6-714**

That notwithstanding the provisions of paragraph (a) of Subsection 7.11 “Maximum Building Height”, paragraph (a) (x) and (b) of Subsection 7.14 “Parking and Loading”, and paragraphs (a), (c), (d), (f), (g), (h), (i), (j), (k), and (l) of subsection section 19.2 “Regulations” of Zoning By-law No. 87-57, the following special provisions shall apply to the lands zoned “H-RM6-714”:

Regulations

(a) Minimum Lot Area	1,330 square metres. Notwithstanding the definition of “Lot Area” in Section 3.76, Lot Area shall not include the area within Block 1 – Future Right of Way Dedication on Figure 3: 140 Wilson Street West, Ancaster of Section 39: Special Figures.
(b) Maximum Density	70 dwelling units per hectare.
(c) Minimum Lot Frontage	24 metres.
(d) Maximum Lot Coverage	41 percent. Notwithstanding the definition of “Lot Coverage” in Section 3.78, the area of the lot shall not include the area within Block 1 – Future Right of Way Dedication on Figure 3: 140 Wilson Street West, Ancaster of Section 39: Special Figures.
(e) Minimum Front, Side, and Rear Yard	In accordance with Block 2 – Extent of Building Envelope on Figure 3: 140 Wilson Street West, Ancaster of Section 39: Special Figures.
(f) Parking	1.55 plus 0.22 visitor parking spaces per dwelling unit.
(g) Children’s Play Area	Children’s play area provision shall not apply.
(h) Maximum Height	11.25 metres.
(i) Minimum Landscaping	29 percent of the lot area per Subsection (a) hereof. In addition to the definition of “Landscaping” in Section 3.73, landscaping shall include a minimum of 13 trees with a minimum 50 mm caliper planted on site.

Appendix “B” to Report PED23122
Page 3 of 6

The minimum landscaping requirement shall not be provided within Block 1 – Future Right of Way Dedication on Figure 3: 140 Wilson Street West, Ancaster of Section 39: Special Figures.

- (j) Maximum Parking Coverage The at-grade parking area shall not occupy more than 45 percent of the total lot area. In addition to the requirements of Section 7.14 (a) (xiii), the surface of a parking area may include permeable pavers.
- (k) Future Right-of-Way Dedication No development, other than access and landscaping but not including a required planting strip, shall occur on Block 1 – Future Right-of-Way Dedication on Figure 3: 140 Wilson Street West, Ancaster of Section 39: Special Figures.

That the amending By-law apply the Holding Provision of section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed zoning.

The Holding Residential Multiple “H-RM6-714” Zone, Modified, shall be removed conditional upon:

- a) That the applicant complete an Archaeological Assessment to the satisfaction of the Ministry of Citizenship and Multiculturalism and the Director of Planning and Chief Planner.
- b) That the Owner prepare and receive approval of a Landscape Plan, including providing for 1 for 1 compensation for 22 privately owned trees (10 cm diameter at breast height (DBH) or greater) that are removed from private property through replanting trees on site and/or payment of cash-in-lieu, to the satisfaction of the Director of Planning and Chief Planner.
- c) That the Owner shall investigate the noise levels and determine and implement the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of Environment, Conservation and Parks (MECP) recommended sound level limits. An acoustical report prepared by a qualified Professional Engineer containing the recommended noise control measures shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the owner and shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner.

Appendix “B” to Report PED23122

Page 4 of 6

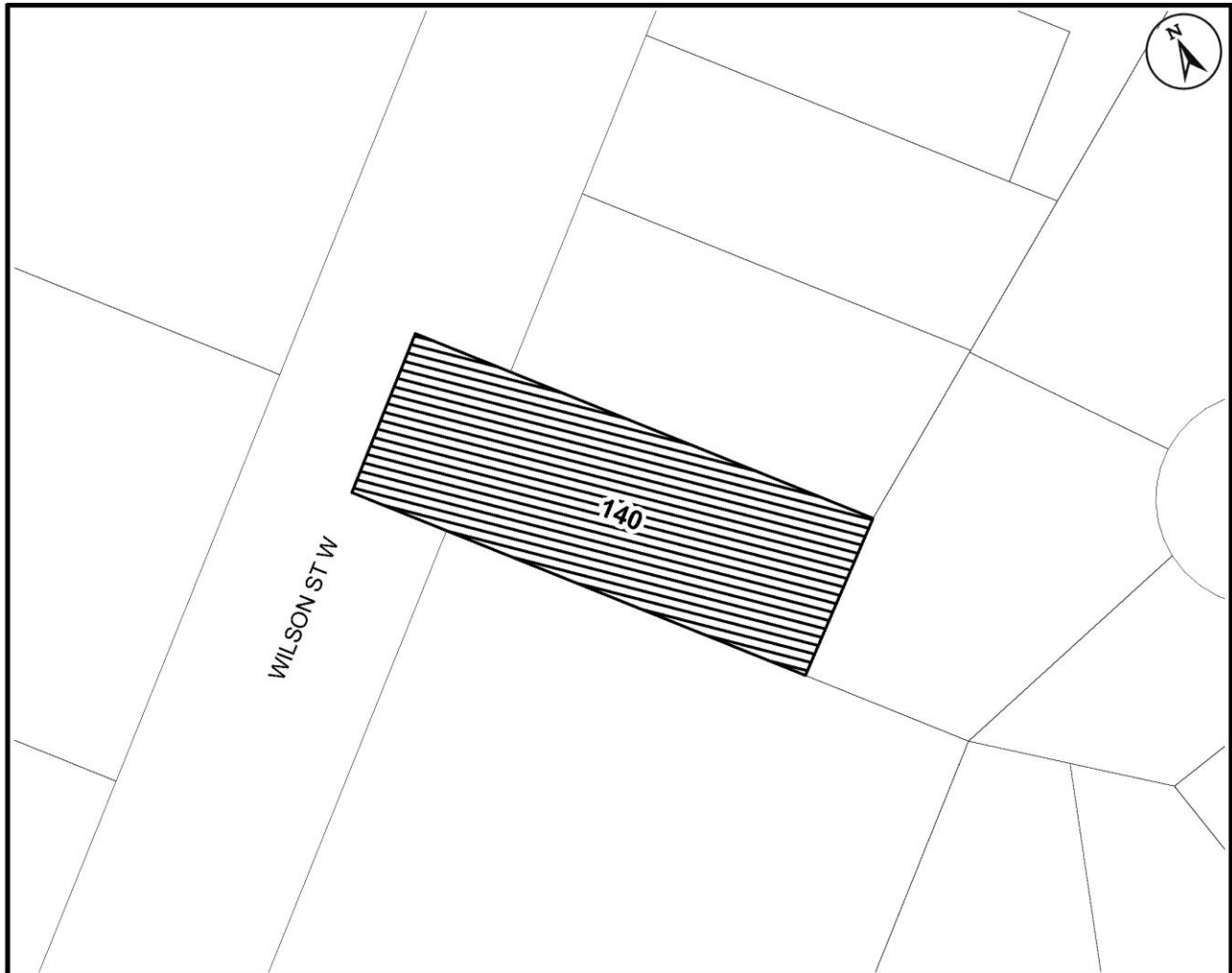
3. That SECTION 39: SPECIAL FIGURES, be amended by adding Figure 3: 140 Wilson Street West, Ancaster, appended to this By-law as Schedule “B”.
4. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential Multiple “RM6” Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.
5. 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 and ENACTED this ___ day of ___, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

ZAC-20-024




This is Schedule "A" to By-law No. 23-
Passed the day of, 2023

Mayor

Clerk

Schedule "A"
Map forming Part of
By-law No. 23-_____
to Amend By-law No. 87-57

Subject Property
140 Wilson Street West

 Change in Zoning from the Existing Residential "ER" Zone to the Holding Residential Multiple "H-RM6-714" Zone, Modified

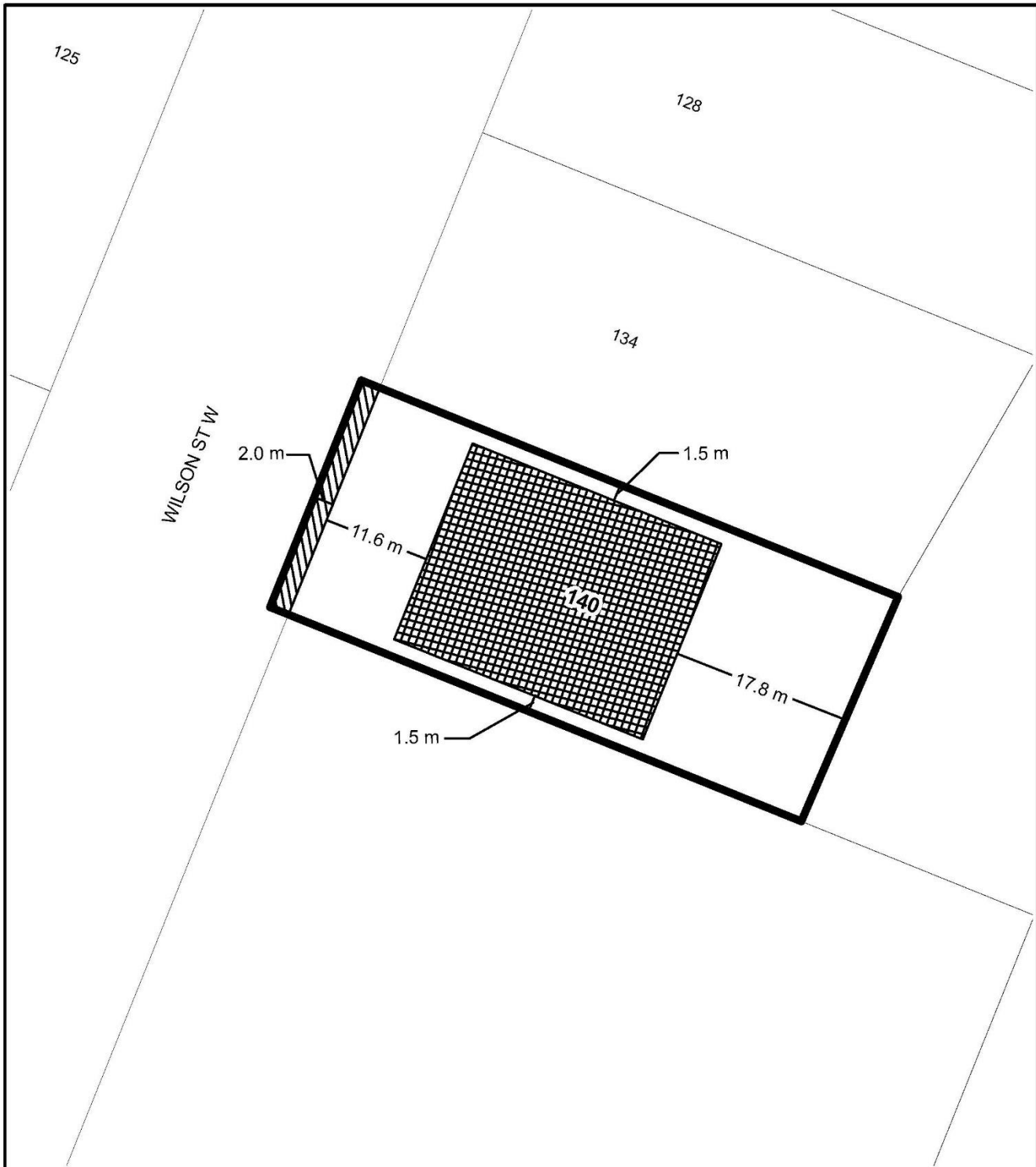
Scale:
N.T.S

Date:
April 14, 2023

File Name/Number:
ZAC-20-024

Planner/Technician:
TV/AL





Special Figure 3: 140 Wilson Street West, Ancaster

Date:
April 28, 2023

Legend

-  Subject Area - Special Exception 714
-  Block 1 - Future Right-of-Way Dedication
-  Block 2 - Extent of Building Envelope



Site Specific Modifications to the Residential Multiple “RM6” Zone

Regulation	Required	Modification	Analysis
Minimum Lot Area	0.4 hectare.	1,330 square metres. Notwithstanding the definition of “Lot Area” in Section 3.76, Lot Area shall not include the area within Block 1 – Future Right of Way Dedication of Special Figure 3.	<p>The proposed minimum lot area reflects the size of the existing lot, and other regulations to ensure development of the lot is compatible is addressed throughout these site specific modifications.</p> <p>The definition of Lot Area is being modified to reflect the net lot area after the Future Right of Way Dedication is provided, as discussed below, for the purposes of calculating maximum lot coverage and minimum landscaping areas within this site specific zone.</p> <p>Therefore, staff supports this modification.</p>
Maximum Density	60 dwelling units per hectare plus an additional 10 dwelling units per hectare where all required parking spaces (excluding required visitor parking) are provided under landscaped grounds or inside the building, to a maximum density of 70 dwelling units per hectare.	70 dwelling units per hectare.	<p>Density shall not exceed 75 units per hectare in the Medium Density Residential 2 designation of the Ancaster Wilson Street Secondary Plan. At 70 units per hectare, the density complies with the Urban Hamilton Official Plan and Ancaster Wilson Street Secondary Plan.</p> <p>Therefore, staff supports this modification.</p>
Minimum Lot Frontage	30 metres.	24 metres.	<p>The proposed minimum lot frontage reflects the size of the existing lot, and other regulations to ensure development of the lot is compatible is addressed throughout these site specific modifications.</p> <p>Therefore, staff supports this modification.</p>

Regulation	Required	Modification	Analysis
Maximum Lot Coverage	25 percent.	41 percent. Notwithstanding the definition of “Lot Coverage” in Section 3.78, the area of the lot shall not include the area within Block 1 – Future Right of Way Dedication of Special Figure 3.	The proposed increase in lot coverage promotes compact development and allows for an efficient use of the land allowing for a higher density development which supports the efficient use of existing municipal servicing infrastructure while remaining compatible with the surrounding context. Therefore, staff supports this modification.
Minimum Front, Side, and Rear Yard	Front Yard: 7.5 metres plus Schedule “C”: 15.0 m from centre line of street. Side and Rear Yard: 9 metres, except no closer than 18.0 m to a dwelling on an adjacent lot.	In accordance with Block 2 – Extent of Building Envelope on Special Figure 3: <ul style="list-style-type: none"> • Minimum Front Yard: 11.6 m (measured from limits of Block 1 – Future Right-of-Way Dedication); • Minimum Side Yard: 1.5 metres; and, • Minimum Rear Yard: 17.8 metres. 	The proposed minimum yards reflect the proposed building envelope and accommodate future ROW dedications, as shown on the Concept Plan attached as Appendix “D” to Report PED23122. The proposed minimum front yard provides for a more consistent streetscape along Wilson Street West, while the proposed minimum side yards allow for an efficient lot configuration which is consistent with typical urban developments, while maintaining sufficient separation distance from adjacent dwellings so that shadowing, privacy, and overlook are not an issue. The minimum rear yard maintains the area proposed for parking and landscaping. Therefore, staff supports this modification.
Parking	2 <u>plus</u> 0.33 visitor parking spaces Two parking spaces per dwelling unit shall be provided either under landscaped grounds or in a communal surface parking area.	1.55 plus 0.22 visitor parking spaces per dwelling unit.	The Parking Study, prepared by Paradigm Transportation Solutions Limited and dated December 2020, found that a total parking demand of eight to 12 spaces would be sufficient for the proposed development. The proposed parking supply of 16 spaces is higher than the estimated demand and is sufficient to meet the needs of future residents and visitors. Therefore, staff supports this modification.

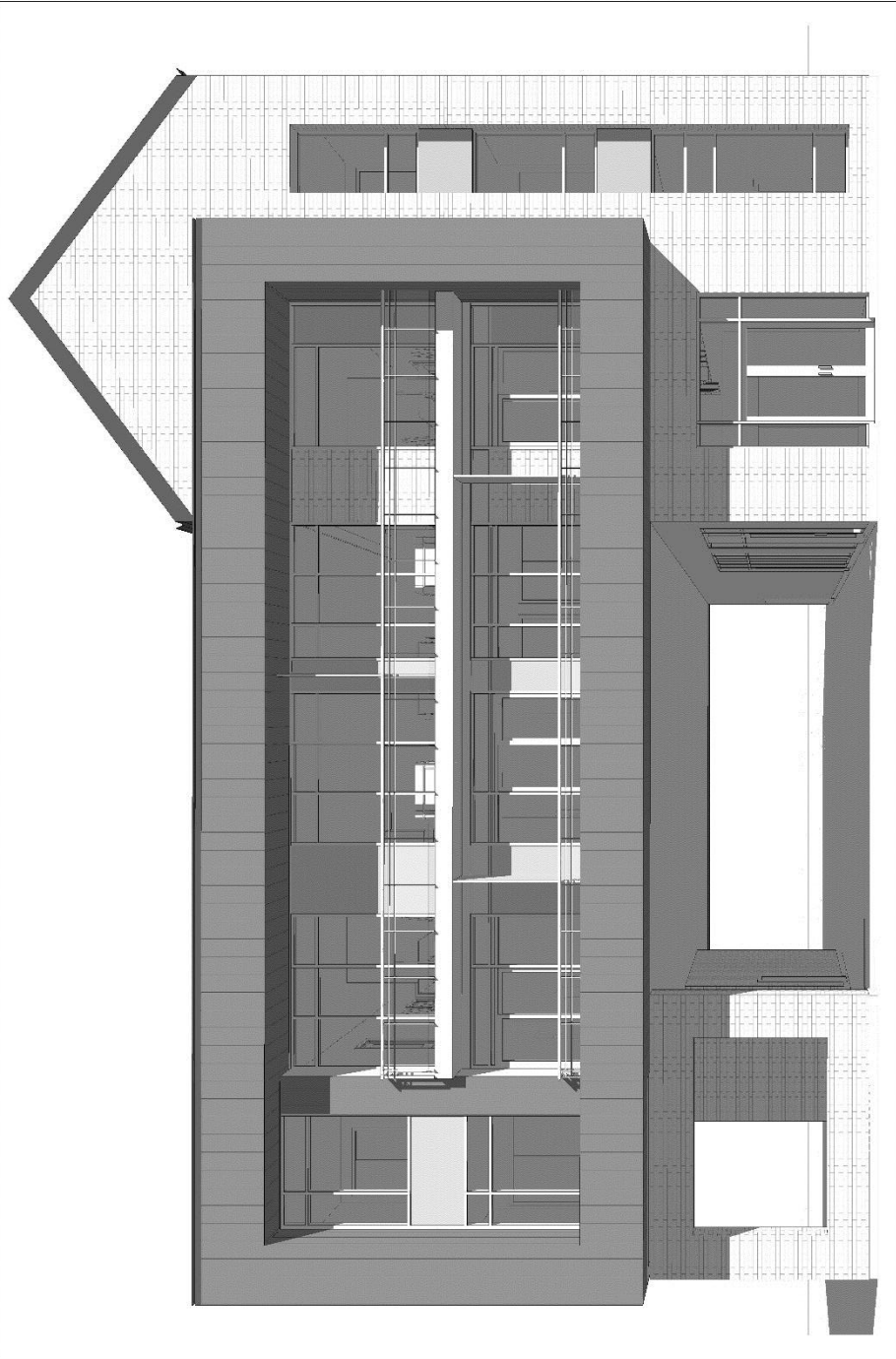
Regulation	Required	Modification	Analysis
Children's Play Area	A curbed or fenced children's outside play area that has a minimum area of 2.5 square metres per bedroom excluding master bedrooms, shall be provided and maintained.	Children's play area provision shall not apply.	<p>The proposed development is for nine multiple dwelling units. As per the City of Hamilton Site Plan Guidelines, outside play areas for children should be provided for developments containing 20 units or more. Further, the subject lands have nearby public open spaces, parks, and recreational areas, including Amberly Park and Optimist Park with adequate pedestrian connections less than 800 m away in proximity to the neighbourhood schools, which contains sports fields, playgrounds, and other public amenities.</p> <p>Therefore, staff supports this modification.</p>
Maximum Height	10.5 metres.	11.25 metres.	<p>The proposed development is for a three storey multiple dwelling, which complies with the Urban Hamilton Official Plan and Ancaster Wilson Street Secondary Plan. The proposed increase of 0.75 metres is required to ensure sufficient clearance from the ground floor ceiling for larger vehicles to access the rear of the site. This increase will not result in any perceptible changes to the overall appearance of the building or the overall character of the neighbourhood, and will not result in any potential shadowing or overlook issues on adjacent properties.</p> <p>Therefore, staff supports this modification.</p>

Regulation	Required	Modification	Analysis
Minimum Landscaping	40 percent of the lot area (excluding children's outside play areas.)	29 percent of the lot area per [minimum lot area] hereof. In addition to the definition of "Landscaping" in Section 3.73, landscaping shall include a minimum of 13 trees with a minimum 50 mm caliper planted on site. The minimum landscaping requirement shall not be provided within Block 1 – Future Right of Way Dedication of Special Figure 3.	<p>The intent of this provision is to ensure that there is an adequate balance between built form, hard surface and open space areas on a property. The proposed reduction to the minimum landscape area is appropriate to support efficient use of the land. Compact development is desirable in this location to promote the efficient use of nearby commercial amenities and public transit infrastructure.</p> <p>A Holding Provision has been added requiring the completion of a landscape plan for the proposed development, including 1:1 compensation for 22 privately owned trees being removed from the site through replanting trees on site and/or payment of cash-in-lieu, to be reviewed by staff to ensure high quality landscape is provided. The applicant will be encouraged to incorporate Low Impact Development (LID) measures within the hardscaped areas to further improve permeability on the site.</p> <p>The limitation on the Future Right of Way Dedication block is discussed below.</p> <p>Therefore, staff supports this modification.</p>

Regulation	Required	Modification	Analysis
Maximum Parking Coverage	In any Residential Zone, at-grade parking areas shall occupy not more than 35 percent of the total lot area.	The at-grade parking area shall not occupy more than 45 percent of the total lot area. In addition to the requirements of Section 7.14 (a) (xiii), the surface of a parking area may include permeable pavers.	<p>In order to provide the proposed parking supply, a site specific modification for maximum parking coverage is required. Approximately half of the at-grade parking area will be located beneath the proposed multiple dwelling, which provides a compact development; however, it skews the calculation of parking coverage. With a building coverage of $\pm 41\%$ and landscaping coverage of $\pm 29\%$, only $\pm 30\%$ of the lot will be dedicated to hard surfacing, including parking areas. Further, a modification has been included to allow for permeable pavers to meet the intent of this regulation.</p> <p>Therefore, staff supports this modification.</p>
Future Right-of-Way Dedication	n/a	No development, other than access and landscaping but not including a required planting strip, shall occur on Block 1 – Future Right-of-Way Dedication of Special Figure 3.	<p>As discussed in Report PED23122, a ± 2.0 metre ROW dedication is required along Wilson Street West, which can be dedicated as a condition of Draft Plan of Condominium. Should the proposed development not proceed with a Draft Plan of Condominium application, this modification will protect this area for future ROW dedication by not including it in setback measurements or permitting it to contain minimum required landscaping area or required planting strips.</p> <p>Therefore, staff supports this modification.</p>

Appendix "D" to Report PED23122
Page 1 of 6

<p>ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH THE LATEST ONTARIO BUILDING CODE</p> <p>USE ONLY LATEST REVISED DRAWINGS MARKED AS ISSUED FOR CONSTRUCTION</p> <p>CONTRACTOR IS TO CHECK AND VERIFY ALL CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.</p> <p>THIS CONTRACT DOCUMENTS ARE THE PROPERTY OF LIMA ARCHITECTS INC. AND SHALL NOT BE USED OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF LIMA ARCHITECTS INC. ANY COPIES MUST BE RETURNED UPON COMPLETION OF THE PROJECT.</p>	
<p>ARCHITECT</p> <p>LIMA</p> <p>ARCHITECTS INC.</p> <p>#9 5100 South Service Rd. Burlington www.limaarchitects.com 1-281-337-8887</p>	
<p>SEALS</p> <p>PRELIMINARY</p>	
PROJECT TITLE	140 WILSON ST. ANCASTER
DRAWING TITLE	140 WILSON STREET WEST ANCASTER, ONTARIO COVERSHEET
DRAWN BY	RM/RJA
SCALE	
DATE	21 APRIL 2022
CHECKED BY	FL
PROJECT NUMBER	19-339
DRAWING NUMBER	
<p>A-0.1</p>	



140 WILSON ST. ANCASTER

140 WILSON STREET WEST ANCASTER, ONTARIO
PROJECT NO. 19-339

Appendix "D" to Report PED23122
Page 5 of 6

ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH THE LATEST ONTARIO BUILDING CODE USE ONLY LATEST REVISED DRAWINGS MARKED AS "ISSUED FOR CONSTRUCTION". CONTRACTOR IS TO CHECK AND VERIFY ALL CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING. THE ARCHITECT'S RESPONSIBILITY WITH THE WORK DRAWINGS ARE NOT TO BE SOLELY. THE CONTRACT DOCUMENTS ARE THE COPYRIGHT OF LIMA ARCHITECTS INC. AND SHALL NOT BE USED OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF LIMA ARCHITECTS INC. AFTER THE COMPLETION OF THE PROJECT.

REVISIONS	#	DATE	REMARKS

ARCHITECT **LIMA ARCHITECTS INC.**
#19 5100 South Service Rd. Burlington
www.limainc.com
1-201-437-8887

SEALS

PRELIMINARY

PROJECT TITLE
140 WILSON ST. ANCASTER

DRAWING TITLE
SIDE ELEVATION

DRAWN BY
RM/RJA

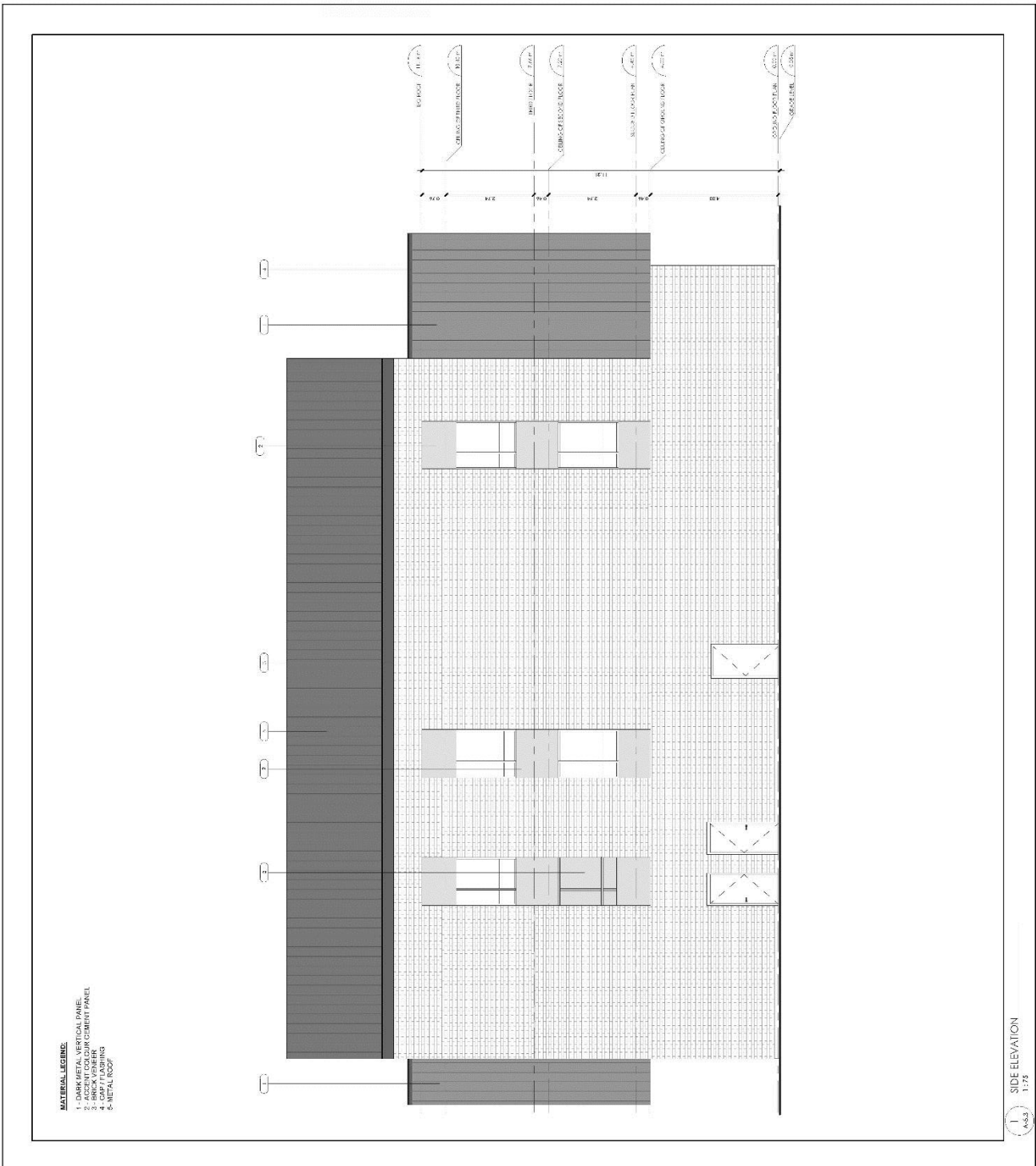
SCALE
As indicated

DATE
21 APRIL 2022

CHECKED BY
FL

PROJECT NUMBER
19-339

DRAWING NUMBER
A-5.3



Appendix "D" to Report PED23122
Page 6 of 6

ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH THE LATEST ONTARIO BUILDING CODE
USE ONLY LATEST REVISED DRAWINGS MARKED AS "ISSUED FOR CONSTRUCTION"
CONTRACTOR IS TO CHECK AND VERIFY ALL CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING. DRAWINGS ARE NOT TO BE REPRODUCED OR COPIED WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.
THIS CONTRACT DOCUMENT IS THE COPYRIGHT OF LIMA ARCHITECTS INC. AND SHALL NOT BE USED OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.
REVISED UPON COMPLETION OF THE PROJECT.

REVISIONS	#	DATE	REMARKS

ARCHITECT
LIMA
ARCHITECTS INC.
#39 5100 South Service Rd. Burlington
www.limainc.com
1-204-337-8887

SEALS
PRELIMINARY

PROJECT TITLE
140 WILSON ST. ANCASTER

140 WILSON STREET WEST
ANCASTER, ONTARIO

DRAWING TITLE
OVERHANG SIDE ELEVATION

DRAWN BY
RA

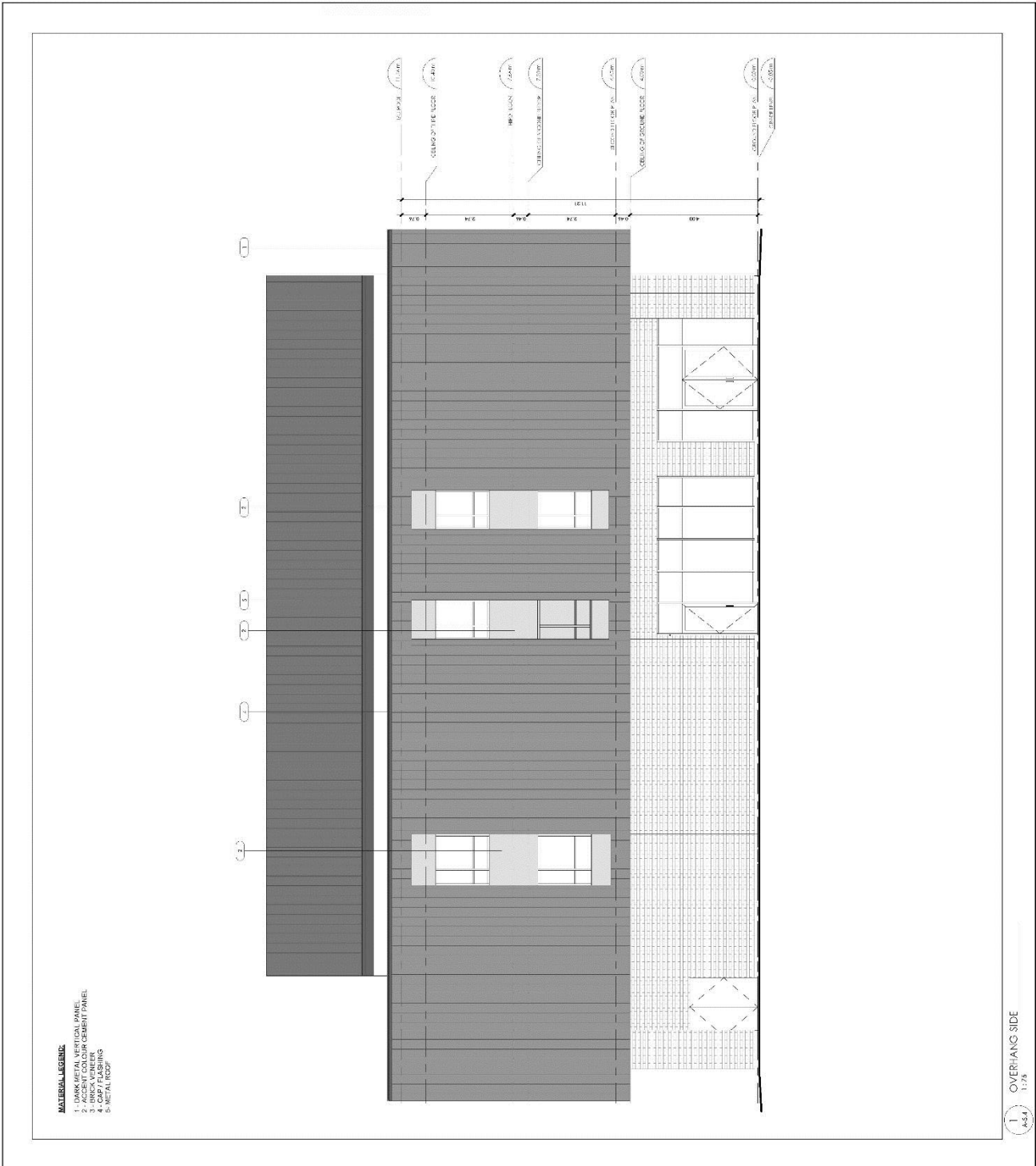
SCALE
As indicated

DATE
21 APRIL 2022

CHECKED BY
FL

PROJECT NUMBER
19-339

DRAWING NUMBER
A-5.4



Tim.Vrooman@hamilton.ca

Re: Zoning By-Law Amendment (File No. ZAC-20-024)

Requested Change from ER Zone to RM6 Zone for 140 Wilson Street West. Ancaster, Ontario.

The many properties backing unto the ones facing Wilson Street, form a residential neighbourhood which over the years has struggled to ensure we remain a neighbourhood, given all the construction on Wilson Street. And we have many concerns over this proposed building.

The number of new or to be built condominiums on Wilson Street has caused an extreme increase of traffic over the years. When crossing Wilson Street you 'are taking your life in your hands'. This is a real problem given the number of elderly people in Ancaster and on Wilson Street.

The traffic coming from Meadowbrook area, Shaver Street developments and many more all come along Wilson Street and we do not see any remedial efforts to address this concern.

In addition we have a tremendous problem of noise from Wilson Street: vehicles speeding with noisy mufflers and blaring radios, disturbing the whole neighbourhood.

And the pollution caused by the increased traffic has a health effect that we will not be able to quantify until people are sick. We all have to do our part in ensuring that climate change is slowed down and not add to it by cars emitting Carbon Dioxide.

The owner of this property (140 Wilson Street W) has shown no regard to our neighbourhood by firstly clear cutting all the magnificent Walnut trees that were on the periphery of the property. There was no consideration of how that changes the environment and creates pollution. We complained, and it took the City a week to investigate and by then all trees were cut down. I guess there will be a promise to replant half a dozen saplings). **We are still waiting for the plantings of 128 Wilson Street to absorb the noise and pollution from Wilson Street and the parking behind the building.**

The proposed parking spots are too close to the property line (3m) and will certainly disturb us with residents coming and going at all times. The City has allowed this type of behind the building parking that has been very disturbing to our neighbourhood, with noise from the cars bouncing off the hard walls into our bedrooms..

Appendix "E" to Report PED23122
Page 2 of 4

In addition there is noise and pollution from the cars and very early mornings sleep disturbing snow removal and noisy grass cutting.

These are some of the issues that our neighbourhood faces as the changes around us over the years appears not to take into account our concerns. This proposed building will only add to the noise, pollution and environmental degradation of our neighbourhood and Ancaster.

[REDACTED]

[REDACTED]

[REDACTED]

Ancaster, On

Appendix "E" to Report PED23122
Page 3 of 4

From: [REDACTED]
Sent: April 15, 2021 2:35 PM
To: Vrooman, Tim <Tim.Vrooman@hamilton.ca>; Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>
Subject: Re: 140 Wilson St West

Hey Tim,
Thx for the package for 140 Wilson West....I'd love to share a few thoughts:

1 - I would like to see as many mature trees retained as possible. It's becoming a recurring theme around here sadly. One of the things that makes old Ancaster so desirable is the huge trees. Especially the evergreen varieties. As is the case with all the current condo projects up and down Wilson, the large trees out front are slated to be removed here.

This is incompatible with the Wilson St Secondary Plan. In fact, in the city's summary letter it states that 'trees and the green corridor of Wilson will dictate the terms of development'. Yet, in every case I see the opposite. The trees all get torn down.

This property already lost a few of it's historic beautiful trees along the sidewalk a few years ago. I can't support the removal of the remaining 2. I'd suggest the driveway be nudged to the east, even if it means a slight bend the driveway as it approaches the building.

2 - I worry about the decreased walkability along here. Wilson is heavily used by seniors, families, kids etc.... Instead of a single family driveway, the sidewalk will be cut by the massive laneway and the street presence of the building will be essentially a parking garage. Surely, a narrower driveway can be proposed, and perhaps a retail unit on the ground floor instead of parking?? What a huge downgrade along the streetscape here. More land is being used for parking than for green space on the site too I noticed.

3 - design. I love the pitched roof, and the materials. No stucco, thank God. haha. I enjoy the modern design elements being added into a historic streetscape (however, parking garage and lack of trees really harms the design)

4 - I would suggest new tree plantings of large growth conifers and deciduous trees along the front and back property lines.

Beyond that, I don't have any other complaints or feedback. The scale seems nice. It's a not a huge building. I just worry about the walkability, loss of tree canopy and a historic main street having a parking garage as a street-front use (this isn't allowed in downtown Hamilton. I'd suggest it not be allowed in any of our downtowns)

Cheers!

[REDACTED]

Appendix "E" to Report PED23122
Page 4 of 4

From: [REDACTED]
Sent: April 16, 2021 1:47 PM
To: Vrooman, Tim <Tim.Vrooman@hamilton.ca>
Subject: 140 Wilson St West

Hi Tim,
I live at [REDACTED] 140 Wilson Street West, and face the existing property.

I am in full support of the land redevelopment as the subject property is an eyesore and poses a safety risk with holes in the rear yard.

If you could send more information on the project such as digital copies of the latest submission package to the extent that it is publicly available. The site plan on the letter circulated by A J Clarke and Associates is small and I can't seem to read it to see the setbacks and other detailed information. Any other information and pictures would be helpful.

Thanks and good luck with the process.

[REDACTED]

[REDACTED]

Appendix “F” to Report PED23122
Page 1 of 8



A. J. Clarke and Associates Ltd.
 SURVEYORS • PLANNERS • ENGINEERS

Sent Via Mail

March 29, 2021

140 Wilson Street West, Ancaster
Public Information Letter
 (ZAC-20-024)

INTRODUCTION

The owner of the subject lands, Zeina Homes, has made an application for Zoning By-law Amendment to facilitate the development of a three-storey apartment dwelling, containing nine (9) dwelling units, on the subject lands. The site is municipally known as 140 Wilson Street West, Ancaster (Hamilton), Ontario. The subject lands are located on the east side of Wilson Street West, between Todd Street and Seminole Road. The site has an approximate area of $\pm 1,363$ square metres and ± 24 metres of frontage along Wilson Street West. The lands currently contain an existing single-detached dwelling.

The subject lands are designated “Medium Density Residential 2” and are further identified as forming part of the “Community Node Area” in the Ancaster Wilson Street Secondary Plan. The property is zoned Existing Residential (ER) Zone in the former Town of Ancaster Zoning By-law 87-57.

The ER Zone permits one (1) single detached dwelling and structures accessory thereto. The proposed Zoning By-law Amendment application will facilitate a low-rise apartment dwelling on the subject lands, consistent with the vision for the site established in the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan.



Figure 1: Subject lands located at 140 Wilson Street (VuMap).

Appendix "F" to Report PED23122
Page 2 of 8



Public Information Letter
 Re: 140 Wilson Street (ZAC-20-024)

March 29, 2021
 Page 2 of 2

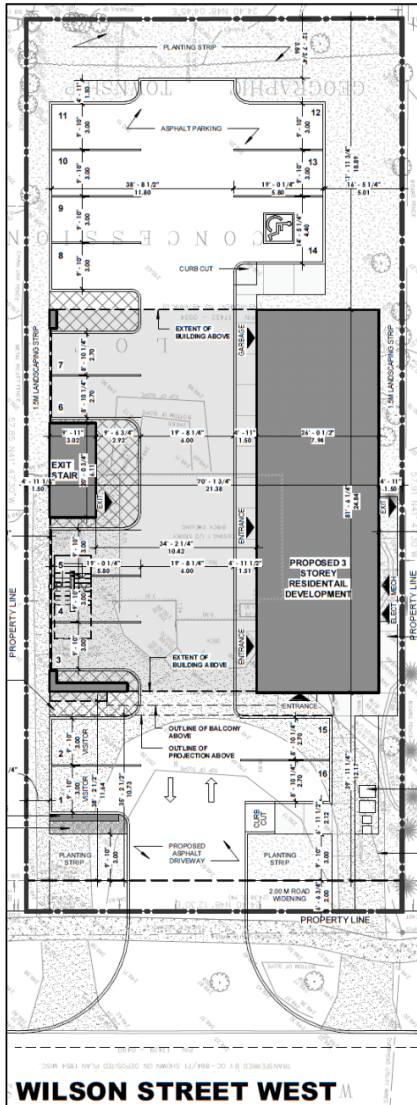


Figure 2: Site Plan

APPLICATIONS & DESCRIPTION

The proposed residential development will consist of one (1) three-story apartment dwelling, containing a total of nine (9) dwelling units and a density of approximately ±66 units per net hectare.

A total of 16 parking spaces are proposed, including one (1) barrier-free space and two (2) visitor parking spaces. A Zoning By-law Amendment is necessary in order to permit the proposed apartment dwelling and to establish appropriate site-specific provisions across the subject lands. Please refer to Figure 2 for further details on the proposed development concept.

CONCLUSION

If you would like to provide comment or obtain more information regarding the above development proposal please do not hesitate to contact **Stephen Fraser** or **Miles Weekes** at the office of A.J. Clarke and Associates Ltd. We look forward to receiving any possible enquiries, comments or feedback you may have on the proposed development.

Sincerely,

Miles Weekes, MCIP, RPP
 Planner
A. J. Clarke and Associates Ltd.
miles.weekes@ajclarke.com
 (905) 528 8761 x 286



Appendix “F” to Report PED23122
Page 3 of 8



A. J. Clarke and Associates Ltd.
 SURVEYORS • PLANNERS • ENGINEERS

City of Hamilton Planning and Development
 City Hall 5th Floor
 71 Main St W, Hamilton, ON L8P 4Y5

April 28, 2022

Attn: Mr. Tim Vrooman, MCIP, RPP
 Senior Planner – Planning and Economic Development

Re: **140 Wilson Street West (ZAC-20-024)**
Public Input Summary

Dear Sir,

Please find below a summary of the public input received by the applicant to-date.

Comment Category	Specific Comment	Comment Response
Building Placement	<p align="center">Windows</p> <p>There are three floors of windows on the west side of the building facing the neighbouring building. Would it be possible to flip the building along the east-west axis such that only the 2nd and 3rd floors would have windows facing the neighbouring building?</p>	<p>As per the Architectural Set, dated April 21, 2022, the proposed building is sited on the southwest side of the property adjacent to the existing 3 storey building to provide a compatible land use interface. The location of the proposed building is over 10m+/- from that existing 3 storey building, +/-18.9m from the rear lot line and +/-14.8m from the northeast side lot line creating ample separation distance to neighbouring properties and buildings. Other items addressed through the approval process thus far have determined that the building is located on the appropriate side of the property.</p>
	<p>Resident is concerned over placement of windows and balconies on upper two stories in comparison to neighbouring buildings.</p>	<p>The proposed building is sited on the southwest side of the property adjacent to the existing 3 storey building to provide a compatible land use interface. The location of the</p>

Appendix “F” to Report PED23122
Page 4 of 8



City of Hamilton Attn: Tim Vrooman
 Re: 140 Wilson Street West (ZAC-20-024)
 Public Input Summary

April 28, 2022

Page 2 of 6

		<p>proposed building is over 10m+/- from that existing 3 storey building, +/-18.9m from the rear lot line and +/-14.8m from the northeast side lot line creating ample separation distance to neighbouring properties and buildings.</p>
	<p>Placement Resident requested more information regarding placement of proposed development on-site.</p>	<p>The proposed building is sited on the southwest side of the property adjacent to the existing 3 storey building to provide a compatible land use interface. The location of the proposed building is over 10m+/- from that existing 3 storey building, +/-18.9m from the rear lot line and +/-14.8m from the northeast side lot line creating ample separation distance to neighbouring properties and buildings.</p>
<p>Tree Preservation</p>	<p>Tree Preservation It seems that a large number of trees have recently been lost within the Wilson Street area.</p>	<p>As required through the Formal Consultation process FC Document (FC-19-100), a Tree Preservation Plan and Landscape Plan have been prepared by a Landscape Architect. Tree removal is required to implement the development, but a substantial amount of plantings are proposed for the site. Additionally, all required yards include a minimum of 1.5 metres for a landscaping buffer.</p>
<p>Development</p>	<p>Information Is it possible to receive more information regarding the proposed development?</p>	<p>All submission materials are publicly available via the City of Hamilton Development Applications Online Mapping system and/or directly through the City.</p>
	<p>Is it possible to receive a progress update regarding</p>	<p>All submission materials are publicly available via the City of</p>

Appendix “F” to Report PED23122
Page 5 of 8



City of Hamilton Attn: Tim Vrooman
 Re: 140 Wilson Street West (ZAC-20-024)
 Public Input Summary

April 28, 2022

Page 3 of 6

	development?	Hamilton Development Applications Online Mapping system and/or directly through the City.
	Has a Zoning By-law Amendment been previously submitted?	A Zoning By-law Amendment Application was submitted and deemed complete on July 2 nd , 2020.
	Resident requested more information regarding proposed development unit sizes and pictures of proposed units.	All submission materials are publicly available via the City of Hamilton Development Applications Online Mapping system and/or directly through the City.
	Public Comments What do we do with the public comments?	Public Comments are kept on record. The Public Comments received and utilized when finalizing the proposed development, and are included within Consultant/City reports.
	Is there a timeline or cut-off date for receiving public comments?	Comments can be provided up to and during the statutory public meeting (Planning Committee) and providing the person made an oral or written submission to Council, up to the date of the appeal period expiration.
	Resident stated that they are concerned over how resident/neighbourhood issues are not being addressed.	Public Comments are kept on record. The Public Comments received and utilized when finalizing the proposed development, and are included within Consultant/City reports.
	Municipal Planning Consultation Is the development part of a municipal planning consultation or is it just internal via AJC?	The submission for the proposed development was made in conjunction with the City of Hamilton and deemed complete under the <i>Planning Act</i> . Any rezoning application is a public process requiring proper notice under the <i>Planning Act</i> . The proposed

Appendix “F” to Report PED23122
Page 6 of 8



City of Hamilton Attn: Tim Vrooman
 Re: 140 Wilson Street West (ZAC-20-024)
 Public Input Summary

April 28, 2022

Page 4 of 6

		development has considered three (3) total rounds of internal comments with the City, additional to the one (1) round of public comments received to-date.
Walkability	<p align="center">Walkability</p> <p>There is concern regarding the placement of the development given that the majority of residents in the Wilson Street area are seniors, families, and kids.</p>	<p>The subject site is approximately ±34.98 metres from the nearest financial establishment, as well as various other commercial establishments. The proposed development has pedestrian connections within the site to the municipal sidewalk along Wilson Street West.</p> <p>Additionally, the proposed development is approximately ±139.57 metres from the nearest bus stop. It should also be noted that the proposed development provides ample on-site parking to be utilized by residents and visitors.</p>
	<p align="center">Street Presence</p> <p>Is it possible to discuss potential options for reducing the cut of the access points into the street presence?</p>	<p>As per the Architectural Set, dated April 21, 2022, the proposed driveway access is 7.5 metres in width at the entrance. As per the Zoning By-law, the requirement for a two-way condominium road shall be 6 metres, which is provided.</p>
Landscaping	<p align="center">Plantings</p> <p>Would it be possible to include new street plantings, etc. to combat tree losses?</p>	<p>As required through the Formal Consultation process FC Document (FC-19-100), a Tree Preservation Plan and Landscape Plan have been prepared by a Landscape Architect. Tree removal is required to implement the development, but a substantial amount of plantings are proposed for the site. Additionally, all required yards</p>

Appendix “F” to Report PED23122
Page 7 of 8



City of Hamilton Attn: Tim Vrooman
 Re: 140 Wilson Street West (ZAC-20-024)
 Public Input Summary

April 28, 2022

Page 5 of 6

		include a minimum of 1.5 metres for a landscaping buffer.
	Resident stated that they are still waiting to receive planting information for 128 Wilson Street.	All submission materials are publicly available via the City of Hamilton Development Applications Online Mapping system and/or directly through the City.
Traffic Congestion	Traffic Increased development along Wilson Street has caused increased traffic levels in the neighbourhood.	As per the FC Document (FC-19-100) dated September 25 th , 2019, no Transportation Studies were deemed to be required for the proposed development.
Noise/Pollution Levels	Noise/Pollution from Traffic The increased traffic levels in the neighbourhood/Wilson Street area are resulting in higher noise levels and increase pollution.	A Noise Impact Study was prepared by dBA Acoustical Consultants Inc., dated January 2020, which recommended that noise control measures be implemented which meet the MOE Publication NPC-300 entitled “Stationary & Transportation Sources- Approval & Planning Guidelines”, in order to satisfy the requirements of the City of Hamilton.
Parking	Location It was mentioned that the location of the parking on-site is too close to the property lines (3m).	As per the Architectural Set, dated April 21, 2022, the parking spaces are separated and protected from the public road by a dense planting strip and 1-metre-high decorative wall. The balance of the site contains landscaping in between the abutting property lines and the parking areas to provide adequate screening.
	Visitor/Barrier Free Parking Resident stated that there is not enough visitor parking or barrier-free parking provided to accommodate the needs of	As per the FC Document (FC-19-100) dated September 25 th , 2019, no Transportation Studies were deemed to be required for the proposed

Appendix "F" to Report PED23122
Page 8 of 8



City of Hamilton Attn: Tim Vrooman
Re: 140 Wilson Street West (ZAC-20-024)
Public Input Summary

April 28, 2022

Page 6 of 6

	residents in the area.	development. As per the Architectural Set, dated April 21, 2022, there are nine (9) total residential units within the proposed development, with 14 resident parking spaces provided. Additionally, the development includes 2 visitor parking spaces, and 1 barrier-free parking space, for a total number of 16 provided spaces.
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Please feel free to suggest additional comments or feedback you may have noted that are not captured above.

Please do not hesitate to contact me if you have any questions or require clarification regarding the above.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Stephen Fraser'.

Stephen Fraser, MCIP, RPP
A. J. Clarke and Associates Ltd.



WELCOME TO THE CITY OF HAMILTON

PLANNING COMMITTEE

June 13, 2023

PED23122– (ZAC-20-024)

Application for Zoning By-law Amendment for Lands Located at
140 Wilson Street West, Ancaster.

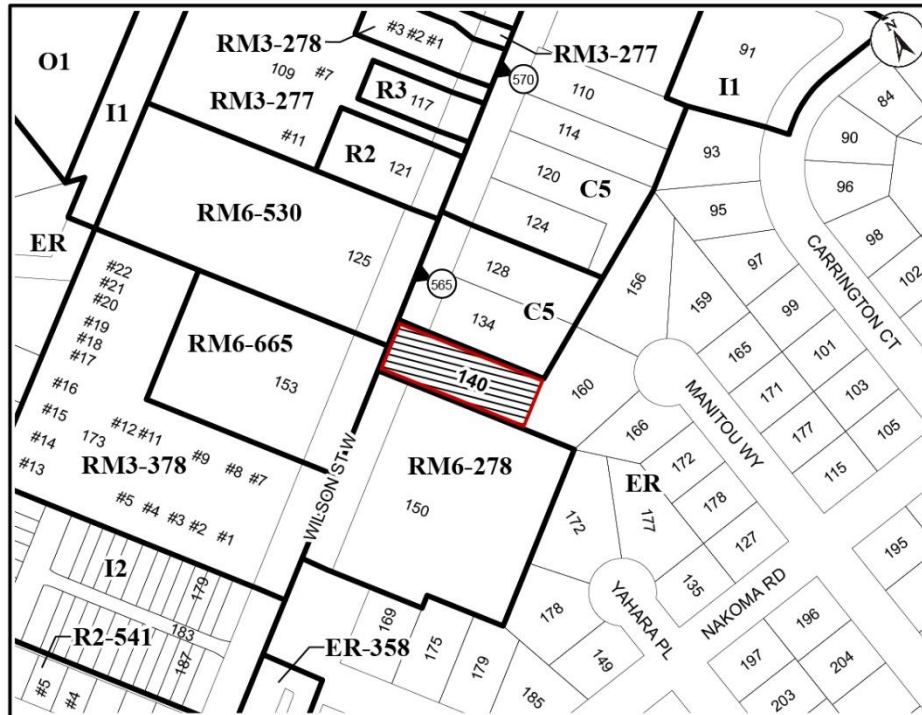
Presented by: Tim Vrooman



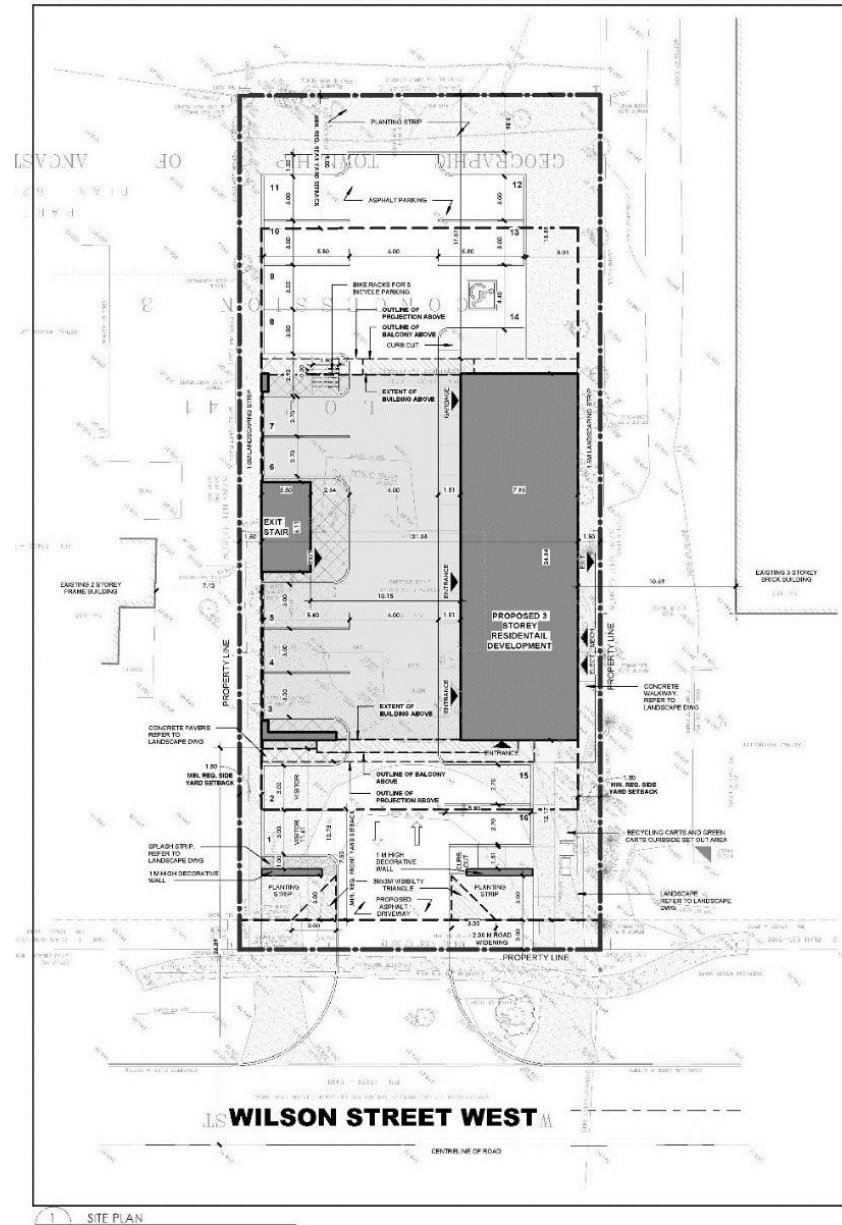
Hamilton Airphoto (2021)

SUBJECT PROPERTY  140 Wilson Street West, Ancaster

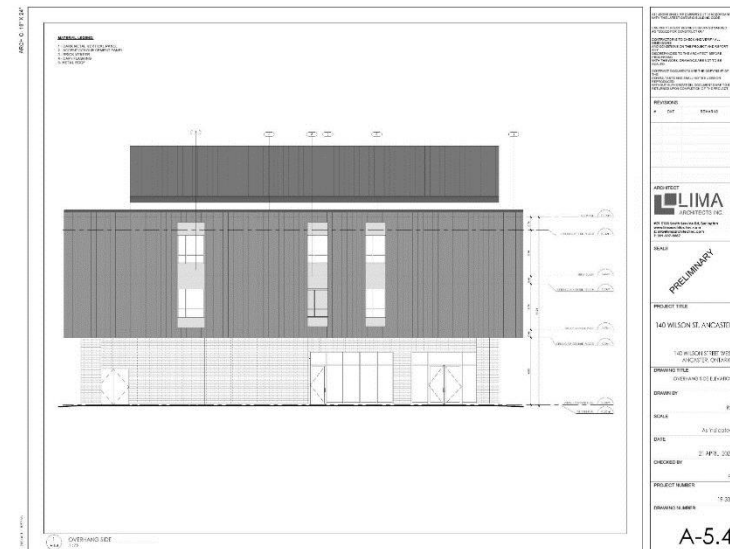
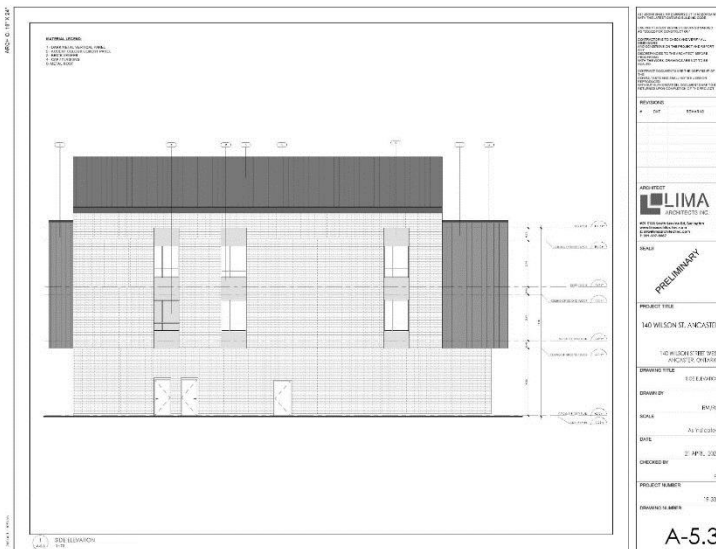
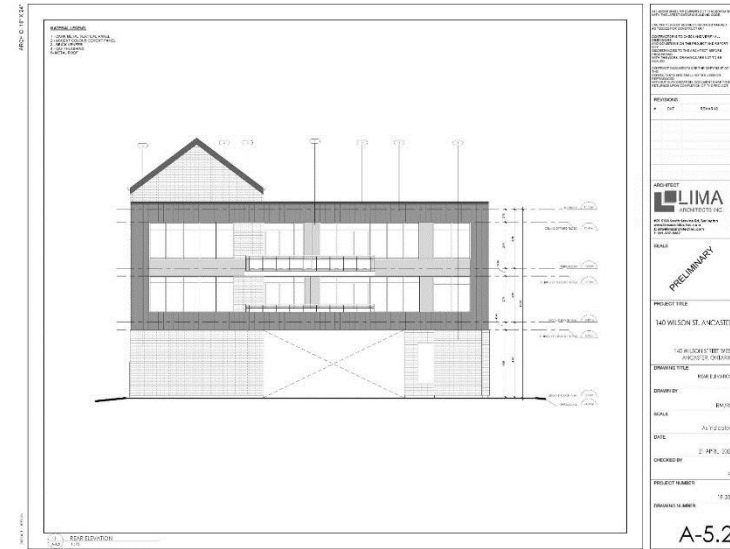
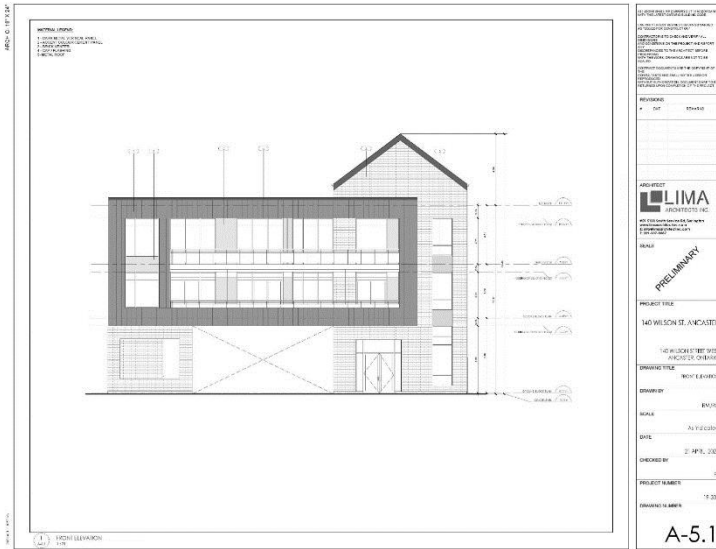




<p>● Site Location</p> <p>Key Map - Ward 12</p>	<p>Location Map</p> <p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		
	<p>File Name/Number: ZAC-20-024</p>	<p>Date: April 14, 2023</p>	
	<p>Appendix "A"</p>	<p>Scale: N.T.S.</p>	<p>Planner/Technician: TV/AL</p>
	<p>Subject Property</p> <p>140 Wilson Street West</p> <p> Change in Zoning from the Existing Residential "ER" Zone to the Holding Residential Multiple "H-RM6-714" Zone, Modified</p>		



1 SITE PLAN





View of Subject Lands



Adjacent multiple dwelling to west



View to west along Wilson Street West



Multiple dwelling (under construction) across Wilson Street West



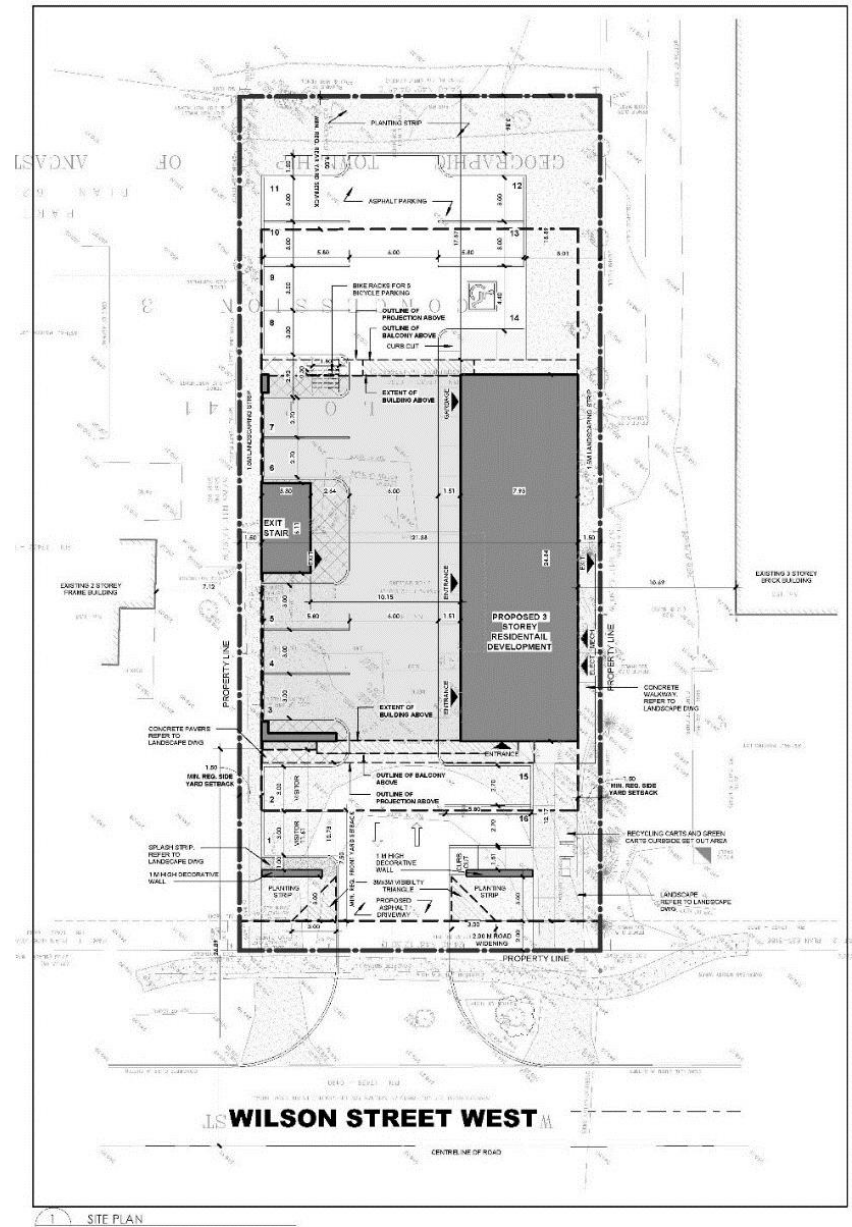
Multiple dwelling across Wilson Street West



View to east along Wilson Street West



Adjacent single detached dwelling to east



1 SITE PLAN



THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE

From: Larry McClung

Sent: May 30, 2023 2:57 PM

To: clerk@hamilton.ca

Subject: 140 Wilson Street West - Comment on zoning application by 1376412 Ontario Inc.

Legislative Coordinator, Planning Committee,

My wife and I are owners of a unit at ## Wilson Street West. After reviewing the notice of a request to change the zoning to allow for a multiple unit residential building, we would like to inform you that we support the proposed zoning change.

I do have a couple of minor comments on the planned development, which are not directly related to the zoning request.

1. Based on the preliminary site plan drawing prepared by Lima Architects Inc., it appears that a very high percentage of the site's surface area will be converted to an impervious asphalt covering. This is not ideal for storm water management, and I would hope that the City might instruct the developer to consider using some of the modern pervious materials for the parking lot surface (or possibly a hybrid approach, where the laneways are asphalt, but the actual parking spots are pervious).
2. With the ongoing and expected rapid increase in use of electric vehicles of all types, I would hope that the initial construction would include at least the rough-in for EV chargers to all resident parking spaces, and that suitable electric service would be provided to the bicycle parking area, so that electric bikes can be charged.

Thank you for considering my thoughts.

Larry McClung, P.Eng.

From: Ilija Pavlic
Sent: June 1, 2023 7:17 PM
To: clerk@hamilton.ca
Subject: ZAC-20-024 Comments

I'm writing to offer comments for the June 13 meeting of the planning committee re 140 Wilson Street West.

I support the densification and creation of new homes. At the same time, I believe the densification should be done with appropriate planning of public utilities, like roads.

The proposed change on 140 Wilson Street West is the third in row in the same microlocation. Across the road, there is a large building construction in progress, and a dense block of new townhomes is also being built on the same side.

Wilson Street West is becoming more and more congested. It's getting increasingly hard and unsafe to exit from existing buildings onto the road, and that is even before maybe a 100 new vehicles from the complexes being built are even on the roads.

The drivers are also not respecting the pedestrian crossover on Wilson and Todd/Dunham, making the crossing less safe for children going to school

The new proposal adds a further 14 parking spots which means even more vehicles, more congestion and less safety.

Both the 140 Wilson Street West and the construction across the street project closer to the road than any other building from the Fire Station all the way to Fortions. The reduced sight lines again mean more safety, and it prevents future road and/or pedestrian space expansion.

If you approve more homes and more cars, then also build better and safer roads, cyclist and pedestrian paths.

Kind regards,
Ilija Pavlic.

From: Ilija Pavlic
Sent: June 1, 2023 7:19 PM
To: clerk@hamilton.ca
Subject: Re: ZAC-20-024 Comments

Both the 140 Wilson Street West and the construction across the street project closer to the road than any other building from the Fire Station all the way to Fortions. The reduced sight lines again mean more safety, and it prevents future road and/or pedestrian space expansion.

Correction, **less** safety.

From: Judy Tottman

Sent: June 11, 2023 4:07 PM

To: clerk@hamilton.ca

Subject: Input for Meeting June 13 re: Application for Zoning By-law Amendment for Lands Located at 140 Wilson Street West, Ancaster (PED23122) (Ward 12)

Please find attached a document summarizing concerns and questions from the residents of 150 Wilson Street West, Ancaster regarding the proposed development at 140 Wilson Street West for the meeting June 13th 2023.

Best regards,

Judy Tottman

President, Board of Directors for Ancaster Mews (Wentworth Condominium Corporation 111)

To: City of Hamilton Planning and Economic Development Department, Planning Division

From: Board of Directors, WCC 111, Ancaster Mews, 150 Wilson Street West, Ancaster

REGARDING: Application for Zoning By-law Amendment for Lands Located at 140 Wilson Street West, Ancaster (PED23122) (Ward 12)

The Board of Directors for Ancaster Mews, Wentworth Condominium Corporation (WCC) 111 provides the following concerns and questions on behalf of the owners of Ancaster Mews.

As the owners of the property immediately to the west of the proposed development of 140 Wilson Street West, we have several concerns about the impact of this structure on our property and enjoyment of our homes.

Traffic

Wilson Street west is already a difficult thoroughfare to maneuver given the construction vehicles, the addition of over 100 new units on the north side of the street, and the routing of traffic from the eastbound 403 whenever there is traffic delay or shutdown on the highway. The addition of further residential units and related vehicles presents a tipping point in congestion.

Does the developer have the option to introduce commercial development in this complex or is this site approved solely for residential use? If the developer has the option to introduce commercial development as well as residential dwellings, the ability of our owners to enter and exit our property will be further deteriorated from the already problematic access to and from our complex to Wilson Street West.

Parking

The site plan for this development indicates only two visitor parking spaces. The residents of Ancaster Mews are concerned that overflow visitor demand at 140 Wilson Street West will end up in our visitor parking necessitating us to take action to have such vehicles removed.

Site Maintenance

The owner of 140 Wilson West has not maintained the property. It has been in a derelict state for several years and continues to worsen. Landscaping has not been maintained. There are raccoons living in the house and possibly other wildlife. There are skunks and foxes on the property which is a concern to neighbouring residential properties impacting the aesthetic enjoyment of our property. The structure is deteriorating badly, including the shed.

We are concerned about the immediate affect of this on our property and question how the site will be maintained during any construction.

Impact of the Proposed Development on existing Landscaping of 150 Wilson Street West

On September 20, 2021, an Arborist representing the owner of the property at 140 Wilson Street West asked to meet with the property manager for 150 Wilson Street West; Board members also attended the meeting.

The Arborist explained that future construction at 140 Wilson Street West would require removal of trees including large Norway Spruce trees and deciduous trees at 150 Wilson West. The Arborist stated that the cost of tree removal, grinding of stumps and supply and planting of appropriate sized replacement trees and subsequent repeated deep root watering would all be borne by the owner of the 140 Wilson Street West property.

The Board of Directors on behalf of the owners at 150 Wilson West raise this issue to ensure that this commitment to restore the affected landscaping at 150 Wilson West will be honoured by the owner of 140 Wilson West. As well, we request another meeting with the Arborist to get an update on the extent of tree removal with the current construction plan.

Further, our recently erected fence between the two properties was designed and built to accommodate mature trees on both sides of the fence. The removal of any of these trees will necessitate replacement of portions of the fence if not complete rebuilding of the eastern wing of the fence. We are seeking confirmation that any fence replacement costs resulting from construction at 140 Wilson West will be completely the financial responsibility of the owner of 140 Wilson West to repair or replace the fence to the original state and material of the fence prior to construction.

Privacy Infringement

The most significant concern of residents of 150 Wilson Street West is the loss of privacy for those whose units are located on the east wing of our building.

It is difficult to view the details included in the site plan because of the scale, but it appears that the building orientation is positioned with residential units facing directly onto/into bedrooms and living rooms at 150 Wilson Street West. We strongly object to the proposed reduction in the side yard from 9 metres to 1.5 metres as this negligible distance from the property line is intrusive to Ancaster Mews.

The orientation of the proposed structure coupled with tree loss as well as how close the building will be to the property line will create significant loss of privacy to the owners of 150 Wilson Street West.

As the properties located to the east of the proposed development are all commercial entities and as such operate only during business hours, the owners of 150 Wilson West ask that the orientation of the proposed development be reversed so that the windows of the new development would face the commercial properties rather than the existing, long standing residential property on the west side of the proposed development.

While the owners of 150 Wilson Street West recognize the importance of being good neighbours through cooperation with the owner of 140 Wilson Street West, it is our responsibility to protect the interests and security of our building and existing landscaping. We look forward to assurances from the City of Hamilton and the owner of 140 Wilson Street West that our concerns will be addressed and resolved in the best interest of our owners.

Yours truly,

The Board of Directors for Wentworth Condominium Association 111, Ancaster Mews.

From: Ken Singh
Sent: June 12, 2023 10:33 AM
To: clerk@hamilton.ca
Subject: Re: Tim Vrooman email.

Comments on the rezoning proposal of 140 Wilson Street, Ancaster:

Ken Singh

Re: 140 Wilson Street West

June 11, 2023

Rezoning application

Comments;

The application would seem to meet the requirements of the Provincial Policy Statement (2020).

The issue would be going from a single family residence to a multiplex unit (9) creates a lot of problems for the surrounding neighbourhood. These are:

- Increased noise at all times of the night and day
- Increased traffic on Wilson street
- Increased pollution
- Parking spaces now closer to residences around

With the environmental issues of today that will only get worse, I would hope that the City will in future take into account the effect these units will have on neighbourhoods.

I would also hope the City will ensure that the buffer protection for neighbours (trees) are planted and there is follow-up on these issues.

Most people are starting to feel very disillusioned with the process and have given up and that will ensure developers control everything. And what do the developer give back to the community after making a profit and moving on?

Ken and Nicola Singh
Ancaster



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
 Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	June 13, 2023
SUBJECT/REPORT NO:	Application for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12)
WARD(S) AFFECTED:	Ward 12
PREPARED BY:	Mark Michniak (905) 546-2424 Ext. 1224
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That **Official Plan Amendment Application UHOPA-22-002, by GSP Group Inc. (c/o Brenda Khes) on behalf of Shaver Road M.D. Holdings Inc., Owner**, to amend the Shaver Neighbourhood Secondary Plan to redesignate the subject lands from “Medium Density Residential 2a” to “Medium Density Residential 2b” and to establish a Site Specific Policy to permit a 36 unit stacked townhouse development with a maximum density of 80 units per hectare and a maximum height of four storeys, for lands located at 487 Shaver Road, as shown on Appendix “A” attached to Report PED23089, be **APPROVED**, on the following basis:
- (i) That the draft Official Plan Amendment attached as Appendix “B” to Report PED23089, which has been prepared in a form satisfactory to the City Solicitor, be adopted by City Council;
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow (2019, as amended);

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 2 of 21

- (b) That **Zoning By-law Amendment Application ZAC-22-005, by GSP Group Inc. (c/o Brenda Khes) on behalf of Shaver Road M.D. Holdings Inc., Owner**, for a change in zoning from the Rural Commercial “C5-243” Zone, Modified to the Residential Multiple “RM5” Zone, Modified, to permit a 36 unit stacked townhouse development with 45 surface parking spaces, for lands located at 487 Shaver Road, as shown on Appendix “A” attached to Report PED23089, as submitted and proposed by the applicant be **DENIED**, on the following basis:
- (i) That the change in zoning does not meet the general intent of the Urban Hamilton Official Plan and the Shaver Neighbourhood Secondary Plan with respect to land use compatibility and building placement;
 - (ii) That the proposal does not meet the general intent of the Zoning By-law with regards to allowable setbacks, minimum side yard, minimum rear yard, and planting strip;
 - (iii) That the proposal is not considered to be good planning and is considered an overdevelopment of the site;
- (c) That the staff **Amended Zoning By-law Amendment Application ZAC-22-005, by GSP Group Inc. (c/o Brenda Khes) on behalf of Shaver Road M.D. Holdings Inc., Owner**, for a change in zoning from the Rural Commercial “C5-243” Zone, Modified to the Residential Multiple “RM5-716” Zone, Modified, to permit up to 36 stacked townhouse units and 45 surface parking spaces, for lands located at 487 Shaver Road, as shown on Appendix “A” attached to Report PED23089, be **APPROVED**, on the following basis:
- (i) That the draft By-law attached as Appendix “C” to Report PED23089, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020) and conform to A Place to Grow (2019, as amended);
 - (iii) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX.

EXECUTIVE SUMMARY

The subject lands are municipally known as 487 Shaver Road, Ancaster and are located on the east side of Shaver Road between Garner Road West and Wilson Street

SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 3 of 21

West. Applications have been submitted to amend both the Urban Hamilton Official Plan (UHOP) and the Town of Ancaster Zoning By-law No. 87-57 to permit a stacked townhouse development composed of 36 dwelling units with 45 surface parking spaces, shown on Appendix “E” attached to Report PED23089. The stacked townhouse dwellings as proposed by the applicant are oriented along the southern property line, immediately adjacent to a City of Hamilton Public Works yard, with a minimum 1.8 metre side and rear yard setbacks.

Staff do not support the applicant’s concept as it is not compatible with the surrounding area. Staff have prepared an amended Zoning By-law Amendment, shown in Appendix “C” attached to Report PED23089. The amended Zoning By-law Amendment proposes a minimum 6.0 side yard to the south, a minimum 5.5 metre side yard to the north and a minimum 5.5 metre rear yard to the east. In addition, the amended Zoning By-law Amendment provides a 3.0 metre landscape strip to the north and rear and a 1.5 metre planting strip to the south.

The purpose of the Official Plan Amendment application is to redesignate the subject lands from “Medium Density Residential 2a” to “Medium Density Residential 2b” and to establish a Site Specific Policy to permit four storey stacked townhouses with a maximum density of 80 units per hectare in the Shaver Neighbourhood Secondary Plan.

The purpose of the amended Zoning By-law Amendment application is for a change in zoning from the Rural Commercial “C5-243” Zone, Modified, to the Residential Multiple “RM5-716” Zone, Modified within the Town of Ancaster Zoning By-law No. 87-57. Site-specific modifications to the “RM5” Zone are proposed to accommodate the proposed development, which are discussed in detail in Appendix “D” attached to Report PED23089. **Where staff’s recommended zoning modification differs from the applicant’s proposed zoning, the applicant’s proposed regulation is noted in the table.**

The Official Plan Amendment (OPA) and staff proposed Zoning By-law Amendment have merit and can be supported for the following reasons:

- They are consistent with the Provincial Policy Statement (2020) (PPS);
- They conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- They comply with the UHOP and the Shaver Neighbourhood Secondary Plan, subject to the recommended OPA; and,
- The staff amended development is compatible with the existing land uses in the immediate area, represents good planning by, among other things, providing a compact and efficient urban form, and supports developing a complete community.

SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 4 of 21

Alternatives for Consideration – See Page 20

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold at least one Public Meeting to consider an application for an OPA and a Zoning By-law Amendment.

HISTORICAL BACKGROUND

Report Fact Sheet

Application Details	
Owner:	Shaver Road M.D. Holdings Inc.
Applicant/Agent:	GSP Group Inc. (c/o Brenda Khes)
File Number:	UHOPA-22-002 and ZAC-22-005.
Type of Application:	Urban Hamilton Official Plan Amendment and Zoning By-law Amendment.
Proposal:	To facilitate development of a stacked townhouse development, with up to 36 units and 45 surface parking spaces.
Property Details	
Municipal Address:	487 Shaver Road.
Lot Area:	0.44 ha (irregular).
Servicing:	Existing full municipal services.
Existing Use:	Single detached dwelling, commercial garage facility, telecommunications tower, and accessory building.
Documents	
Provincial Policy Statement (PPS):	The proposal is consistent with the PPS (2020).
A Place to Grow:	The proposal conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).

SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 5 of 21

Documents	
Official Plan Existing:	“Neighbourhoods” on Schedule E – Urban Structure and “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations.
Official Plan Proposed:	No amendment proposed.
Secondary Plan Existing:	“Medium Density Residential 2a” in the Shaver Neighbourhood Secondary Plan.
Secondary Plan Proposed:	“Medium Density Residential 2b” in the Shaver Neighbourhood Secondary Plan.
Zoning Existing:	Rural Commercial “C5-243” Zone, Modified.
Zoning Proposed:	Residential Multiple “RM5-716” Zone, Modified.
Modifications Proposed:	<p>Staff propose the following modifications to the Residential Multiple “RM5” Zone:</p> <ul style="list-style-type: none"> • To modify the definition of multi-plex dwelling to allow for stacked townhouses; • To reduce the minimum lot area from 0.5 hectares to 0.44 hectares; • To increase the maximum density from 50 units per hectare to 80 units per hectare; • To reduce the minimum lot frontage from 45 metres to 30.0 metres; • To reduce the minimum front yard from 10.5 metres to 3.0 metres; • To reduce the minimum side yard from 9 metres to 5.5 metres and 6.0 metres; • To reduce the minimum rear yard from 9 metres to 5.5 metres; • To reduce the minimum planting strip from 3.0 metres to 1.5 metres on the southerly lot line; • To increase the maximum height from 10.5 metres to 14.5 metres; • To reduce the minimum landscaping from 50 percent to 41 percent including children’s play area; • To remove the requirement for enclosed or underground parking; • To reduce the minimum parking from 2 parking spaces per unit and 0.66 visitor parking spaces per unit to 1 parking space per unit and 0.25 visitor parking spaces per unit; and, • To reduce the accessory building setback from 1.5 metres to 1.0 metres on the southerly lot line.

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SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 6 of 21

Processing Details	
Received:	October 27, 2021.
Deemed Complete:	November 17, 2021.
Notice of Complete Application:	Sent to 254 property owners within 120 m of the subject property on December 3, 2021.
Public Notice Sign:	Posted December 7, 2021 and updated with Public Meeting date May 17, 2023.
Notice of Public Meeting:	Sent to 254 property owners within 120 m of the subject property on May 26, 2023.
Public Comments:	One public comment was received. Public comments are summarized in the public consultation section of this report and are provided in Appendix "F" attached to Report PED23089.
Processing Time:	594 days.

EXISTING LAND USE AND ZONING

	Existing Land Use	Existing Zoning
Subject Lands:	Single detached dwelling and accessory building for the repair of service station equipment.	Rural Commercial "C5-243" Zone.
Surrounding Lands:		
North	Block townhouses.	Residential Multiple "RM4-473" Zone, Modified.
South	City of Hamilton Operations Centre	Public "P" Zone.
East	City of Hamilton Operations Centre	Public "P-326" Zone.
West	Retail centre	District Commercial (C6, 320) Zone.

SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 7 of 21

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2020)

The following policies, amongst others, apply to the proposed development.

- “1.1.1 Healthy, liveable and safe communities are sustained by:
- b) Accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
 - c) Avoiding development and land use patterns which may cause environmental or public health and safety concerns;
 - e) Promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification* and *infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- 1.1.3.1 *Settlement areas* shall be the focus of growth and development.
- 1.1.3.2 Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which:
- a) Efficiently use land and resources;
 - b) Are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
 - e) Support *active transportation*;
 - f) Are *transit-supportive*, where transit is planned, exists or may be developed;

SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 8 of 21

- 1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.”

The application has been reviewed with respect to the Provincial Policy Statement (PPS) policies that contribute to the development of healthy, liveable, and safe communities as identified in Policy 1.1.1 and 1.1.3.4. In particular, the application is consistent with Policy 1.1.1 b), by accommodating a broader range and mix of residential types to meeting long-term needs. The applicant’s Zoning By-law Amendment does not avoid risks to public health and safety as outlined in 1.1.3.4. Based on the proximity of the residential units, as proposed by the applicant, to the Public Works Yard the amended Zoning By-law Amendment ensures that the concerns outlined in 1.1.1 c) and 1.1.3.4 are addressed. The application is also consistent with Policies 1.1.3.1 and 1.1.3.2 of the PPS, which focus on growth and development within settlement areas. The proposed development is located within a settlement area with appropriate infrastructure and public service facilities and can support active transportation and transit.

Noise

- “1.2.6.1 *Major facilities and sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.”

The subject property fronts Shaver Road, which is identified as a minor arterial road on Schedule C – Functional Road Classification in the UHOP and is in proximity to commercial uses to the west and a City of Hamilton Public Works yard to the south.

An Environmental Noise Impact Study prepared by dBA Acoustical Consultants Inc. dated September 2021 and revised May 2022, submitted in support of the development, identified the acoustic mitigation requirements for the development with respect to road noise from Shaver Road and stationary noise sources from the City of Hamilton Public Works yard to the south. The applicant’s proposal locates the residential units in close proximity to the Public Works Yard and locates the outdoor amenity area in between the residential building and to the Public Works yard. Routine and normal activities in the yard will generate vehicular and associated noise. To avoid possible complaints and land use conflicts, staff are proposing that a revised Noise Impact Study based on the staff amended application will be required with the Site Plan Control application to determine appropriate control measures.

SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 9 of 21

Therefore, the applications, as amended, are consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended)

The proposal conforms to the Guiding Principles, Section 1.2.1, as it supports the achievement of complete communities, prioritizes residential intensification to make efficient use of land and infrastructure and support transit, and supports a range and mix of housing options. The following policies, amongst others, apply to the proposed development.

- “2.2.1.2 Forecasted growth to the horizon of this Plan will be allocated based on the following:
- a) The vast majority of growth will be directed to *settlement areas* that:
 - i. Have a *delineated built* boundary;
 - ii. Have existing or planned *municipal water and wastewater systems*; and,
 - iii. Can support the achievement of complete communities;
 - c) Within settlement areas, growth will be focused in:
 - i. Delineated built-up areas;
 - ii. Strategic growth areas;
 - iii. Locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and
 - iv. Areas with existing or planned public service facilities;
- 2.2.1.4 Applying the policies of this Plan will support the achievement of complete communities that:
- a) Feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
 - c) Provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes.”

SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 10 of 21

The proposed development is located within a delineated built boundary and has access to existing municipal services. The proposed development supports achievement of complete communities by providing residential dwellings with convenient access to local stores, services, and public service facilities and in a building form that expands the range and mix of housing options.

Based on the foregoing, the amended applications conform with the applicable policies of A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).

Urban Hamilton Official Plan (UHOP)

The subject lands are identified as “Neighbourhoods” on Schedule E – Urban Structure and designated as “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations in the UHOP. The subject lands are designated as “Medium Density Residential 2a” on Land Use Plan Map B.2.2-1 of the Shaver Neighbourhood Secondary Plan. The following policies, amongst others, apply.

Compatibility

“Compatibility/compatible: means land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area. Compatibility or compatible should not be narrowly interpreted to mean “the same as” or even as “being similar to”.

B.2.4.1.4 Residential intensification developments within the built-up area shall be evaluated based on the following criteria:

- d) The compatible integration of the proposed development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design techniques;

B.3.3.1.5 Ensure that new development is compatible with and enhances the character of the existing environment and locale.”

The UHOP contains policies that requires compatible integration between new development and the surrounding area. The City of Hamilton operates a Public Works yard at 501 Shaver Road. The works yard is directly adjacent to the south and east property lines of the subject lands. The works yard is used for outdoor storage and maintenance of municipal vehicles and materials for snow clearance. The works yard is composed of two sections, the front section is rectangular and adjacent to Shaver Road

SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 11 of 21

and the rear section is irregularly shaped and located away from Shaver Road. The rear section is where outdoor material storage occurs. These two sections are connected by a narrow gap approximately 12 metres wide. The northern extent of this gap is the southeast corner of the subject property. As this gap creates a bottleneck through which all vehicles must travel in order to load or unload materials in the storage area in the rear section it is anticipated to be heavily trafficked.

Land use compatibility is further informed by UHOP policies for residential intensification and urban design. Policy B.2.4.1.4 d) specifies that land uses shall be compatibility integrated. Policy B.3.3.1.5 specifies that new development be compatible with the existing environment and locale. The Zoning By-law Amendment proposed by the applicant, in staff's opinion, is not compatible integration with the adjacent land uses. Specifically, the proposed minimum side yard, minimum rear yard, and planting strip will not establish sufficient building setbacks and will result in an overdevelopment of the site. The amended Zoning By-law Amendment proposed by staff increases these requirements and limits the location of building envelopes and location of amenity area to ensure compatibility with adjacent land uses.

Urban Design

"B.3.3.2.3 Urban design should foster a sense of community pride and identity by:

- a) Respecting existing character, development patterns, built form, and landscape;
- b) Promoting quality design consistent with the locale and surrounding environment;
- f) Demonstrating sensitivity toward community identity through an understanding of the character of a place, context and setting in both the public and private realm; and,
- g) Contributing to the character and ambiance of the community through appropriate design of streetscapes and amenity areas;

B.3.3.2.6 Where it has been determined through the policies of this Plan that compatibility with the surrounding areas is desirable, new development and redevelopment should enhance the character of the existing environment by:

SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 12 of 21

- a) Complementing and animating existing surroundings through building design and placement as well as through placement of pedestrian amenities;
- d) Complementing the existing massing patterns, rhythm, character, colour, and surrounding context; and,
- e) Encouraging a harmonious and compatible approach to infilling by minimizing the impacts of shadowing and maximizing light to adjacent properties and the public realm.”

The applicant’s proposed development, shown on Appendix “E” attached to Report PED23089 and reflected in the applicant’s proposed Zoning By-law Amendment, does not comply with the Urban Design policies set out in the UHOP. The design does not foster a sense of community as it is not compatible with surrounding areas. The applicant’s proposal does not promote quality design consistent with the surrounding environment. The placement of buildings does not complement existing surroundings as it does not provide sufficient setbacks to surrounding land uses and does not demonstrate an understanding of the surrounding context. The reduction in setbacks has the added impact of restricting the amount of area available for planting strips to provide screening. The building facades facing both east and south are blank walls without any windows. This prevents overlook on the space and could result in neglected space between the buildings and the property line.

The amended Zoning By-law Amendment prepared by staff, shown on Appendix “C” attached to Report PED23089, ensures compatibility with surrounding uses. The amended Zoning By-law Amendment will complement the streetscape by reducing the front yard requirement. The side and rear yard requirements adjacent to the Public Works yard have been increased from the applicant’s proposal. This will ensure compatibility with surrounding uses by ensuring that building placement does not cause overlook or privacy impacts and will include a planting strip for screening and buffering. Staff are recommending an amended Zoning By-law Amendment which includes these design standards as regulations. The Zoning By-law Amendment includes a special figure which establishes the extent of the building envelope.

The applicant’s proposal does not comply with the UHOP urban design principals whereas the amended Zoning By-law Amendment meets the general urban design principles in the UHOP.

SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 13 of 21

Tree Management

“C.2.11.1 The City recognizes the importance of trees and woodlands to the health and quality of life in our community. The City shall encourage sustainable forestry practices and the protection and restoration of trees and forests.”

A Tree Inventory and Preservation Plan has been prepared by Kuntz Forestry Consulting Inc. dated April 9, 2021, and last revised February 6, 2023. A total of 79 trees have been inventoried (including 46 individual trees and two tree polygons which contains 31 trees). Approximately 20 trees are located within the City’s Public Works yard and there are none in the public right of way. Of the 79 trees, 46 individual trees and a portion of the two tree polygons (approximately 23 trees) are proposed to be removed. Staff have concerns with the removal of trees within the Public Works yard and request that additional trees be retained. When proposing to remove trees from neighbouring properties, consent from the land owner is required. The report notes that seven Maple trees located within the Public Works yard along the eastern property line are to be removed due to proximity to grading as a result of the applicant’s proposed development. Urban Forestry does not agree with the removal of these trees. The amended Zoning By-law proposed by staff may allow some of these trees to be protected due to the reconfiguration of building locations and greater building setback requirements.

To ensure existing tree cover is maintained, the City requires one for one compensation for any tree (10 cm diameter at breast height (DBH) or greater) that is proposed to be removed from private property, with said compensation to be identified on the Landscape Plan. The Tree Management Plan and Landscape Plan will be further reviewed at the Site Plan Control application stage.

Shaver Neighbourhood Secondary Plan

The subject property is designated “Medium Density Residential 2a” on Map B.2.2-1 – Shaver Neighbourhood Secondary Plan. The proposed amendment is to re-designate the subject lands to “Medium Density Residential 2b”. The following policies, amongst others, apply to the proposal.

“B.2.2.1.2 General Residential Policies

- a) Residential buildings shall have no more than three occupied storeys entirely above grade.
- b) Notwithstanding Section E.3.4 – Low Density Residential of Volume 1, a long term care facility shall be permitted in Low Density

SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 14 of 21

Residential 2c, 3a and 3f designated areas on sites that are adjacent to boundary roads for the Shaver Neighbourhood Secondary Plan area.

B.2.2.1.4 Medium Density Residential Designations

Notwithstanding Policies E.3.5.2 and E.3.5.7 of Volume 1, the following policies shall apply to the Medium Density Residential designations identified on Map B.2.2-1 – Shaver Neighbourhood – Land Use Plan:

- a) In the Medium Density Residential 2a designation:
 - i) The permitted use shall be low rise apartment buildings; and,
 - ii) The density shall not exceed 62 dwelling units per gross/net residential hectare.

- b) In the Medium Density Residential 2b designation:
 - i) The permitted uses shall be low rise apartment buildings and stacked townhouses; and,
 - ii) The density shall have a minimum density of 40 units and a maximum density of 62 dwelling units per gross/net residential hectare.”

The Secondary Plan amendment would permit the built form of stacked townhouses, which are not a permitted building type in the current designation. The building form is permitted elsewhere within the Shaver Neighbourhood Secondary Plan area and it is a form of housing that is similar to and compatible with adjacent developments. Staff support, in principle, the proposed Secondary Plan amendment subject to the proposed Zoning By-law Amendment as recommended by staff as medium density residential uses are currently permitted and the proposed built form is compatible with the surrounding area. However, staff do not support the Zoning By-law Amendment as proposed by the applicant due to concerns with the site layout, as discussed above. Further design details will be determined through a future Site Plan Control application.

A site specific policy is required to permit a maximum density of 80 units per hectare and a maximum building height of four storeys, which will permit up to a maximum of 36 units to be developed on the subject property.

As the staff amended concept meets the intent of the policies of Volume 1 of the UHOP regarding residential intensification and built form, the proposed re-designation can be

SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 15 of 21

supported. The UHOPA is discussed in greater detail in the Analysis and Rationale for Recommendation section of this Report.

Town of Ancaster Zoning By-law No. 87-57

The subject lands are zoned Rural Commercial “C5-243” Zone, Modified, in the Town of Ancaster Zoning By-law No. 87-57, as shown on Appendix “A” attached to Report PED23089. The applicant has proposed a change in zoning to a modified Residential Multiple “RM5” Zone to facilitate the development of a stacked townhouse development with 36 units (as shown on Appendix “E” attached to Report PED23089).

Staff are not in support of the proposal submitted by the applicant as the proposed side yard, rear yard, and planting strip regulations do not ensure compatible integration with the surrounding developments, amongst other site layout and design concerns identified above. Accordingly, staff are recommending an amended modified Residential Multiple “RM5” Zone, as shown on Appendix “C” attached to Report PED23089. The rationale for the Zoning By-law Amendment is discussed in the Analysis and Rationale for Recommendation section and the required modifications are discussed in greater detail in Appendix “D” attached to Report PED23089. **Where staff’s recommended zoning modification differs from the applicant’s proposed zoning, the applicant’s proposed regulation is noted in the table.**

RELEVANT CONSULTATION

Department and Agencies	Response
<ul style="list-style-type: none"> • Recreation Division, Healthy & Safe Communities Department; • Commercial Districts and Small Business Section, Economic Development Division, Planning and Economic Development Department; • Grand River Conservation Authority; • Alectra Utilities; and, • Canada Post. 	No Comment

SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 16 of 21

Department	Comment	Staff Response
Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department	The Development Engineering Section is able to support the rezoning application. The proponent has submitted a sanitary capacity analysis which meets City standards and adequately demonstrates available capacity in the municipal system to service the proposed development. Further calculations based on the detailed design of the proposal will be required at the Site Plan Control stage.	Detailed servicing, grading, and stormwater management will be addressed at the Site Plan Control stage.
Growth Planning Section, Growth Management Division, Planning and Economic Development Department	Confirmed that the municipal address of 487 Shaver Road will be retained.	Individual unit addresses for the proposed development will be addressed at the Site Plan Control stage.
Forestry and Horticulture Section, Environmental Services Division, Public Works Department	Does not approve the Tree Management Plan and Landscape Plan.	The Landscape Plan and Tree Management Plan will be addressed at the Site Plan Control stage.
Waste Management Division, Public Works Department	This development is a multi-residential property with stacked townhouses which will require front-end garbage bin service and cart collection for recycling and organic material. An Agreement for On-Site Collection of Municipal Solid Waste must be executed and submitted to the City prior to the start of waste collection service for the units fronting the private roadway.	Waste collection requirements will be addressed at the Site Plan Control stage.
Transportation Planning, Planning and Economic Development Department	Supports the proposed development as it can be accommodated by the surrounding transportation network without significant concerns.	Off site upgrades to public transit infrastructure will be addressed at the Site Plan Control stage.

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SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 17 of 21

Department	Comment	Staff Response
Transportation Planning, Planning and Economic Development Department Continued	Supports a reduction in on-site parking requirements subject to provision of \$20,000 for the purposes of upgrading existing transit infrastructure in the surrounding area of the subject lands in order to promote sustainable modes of transportation.	
Landscape Architectural Services, Public Works Department	Requests cash in lieu of parkland dedication if applicable. Enclosed play area and landscape strip shall not count toward parkland dedication.	Cash in lieu of parkland dedication, if applicable, will be addressed at the building permit stage.
Corporate Real Estate Section, Planning and Economic Development Department	Reduced setback does not have a material impact on the current use of the Public Works yard, however, the reduced setback could have impact on the value of the City's lands.	Protection of individual land values is not a matter used in the evaluation of a development proposal.
Enbridge Gas	There is an active gas main fronting this property, as well as an active service to the existing home. This service would need to be abandoned prior to redevelopment.	To be addressed during the Building Permit process.
Public Consultation		
Topic	Comment	Staff Response
Compatibility with surrounding land uses.	Building D is located near to the existing development to the north.	The staff proposed 6.0 metre minimum side yard is expected to provide sufficient separation from existing dwellings to the north to avoid negative impacts to privacy and overlook. In addition, a 3.0 metre planting strip will provide additional screening to mitigate potential impacts.

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SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 18 of 21

Topic	Comment	Staff Response
Compatibility with the Zoning By-law.	The proposal does not meet a number of zoning regulations.	The proposed modifications to the zoning by-law proposed by staff comply with the general intent of the Urban Hamilton Official Plan and can be supported. For detailed discussion on the proposed zoning modifications see Appendix "D" attached to Report PED23089.

PUBLIC CONSULTATION

In accordance with the provisions of the *Planning Act* and Council's Public Participation Policy, Notice of Complete Application and Preliminary Circulation was sent to property owners within 120 m of the subject property on December 3, 2021. A Public Notice Sign was posted on the property on December 7, 2021, and updated on May 17, 2023, with the Public Meeting date. Finally, Notice of the Public Meeting was given on May 12, 2023, in accordance with the requirements of the *Planning Act*.

The applicants submitted a Public Consultation Strategy with the supporting materials. A micro-site for the project was created to provide project information and collect feedback. The applicant did not receive any feedback as a result of their consultation.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposal, as amended by staff, has merit and can be supported for the following reasons:
 - (i) It is consistent with the Provincial Policy Statement (2020) (PPS);
 - (ii) It conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
 - (iii) It complies with the Urban Hamilton Official Plan and will comply with the Shaver Neighbourhood Secondary Plan upon approval of the proposed Official Plan Amendment;
 - (iv) It is considered to be compatible with the existing development in the immediate area; and,

SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 19 of 21

- (v) It represents good planning by, among other things, making efficient use of land, developing a complete community, and providing a variety of housing types.

2. Compatibility

The Zoning By-law Amendment proposed by the applicant will not result in a development that ensures compatible integration with the adjacent land uses. As discussed in the section above, the side yard, rear yard, and planting strip as proposed by the applicant are insufficient to provide adequate setbacks and would result in overdevelopment of the site. Staff have proposed an amended Zoning By-law Amendment with increased side yard, rear yard, and planting strip requirements and limits the location of building envelopes to ensure compatibility with adjacent land uses.

3. Shaver Neighbourhood Secondary Plan Amendment

The purpose of the proposed Official Plan Amendment is to redesignate the subject lands from “Medium Density Residential 2a” to “Medium Density Residential 2b” and create a Site Specific Policy within the Shaver Neighbourhood Secondary Plan to permit a stacked townhouse development with a maximum density of 80 units per hectare and a maximum height of four storeys.

As per the UHOP policies identified above, the proposed re-designation can be supported since the proposed development is similar to other townhouse developments in the surrounding area in character and function. The proposed development will provide individual entrances to each unit and parking at ground level. The proposed increase in density is acceptable as the shape of the site along with zoning regulations proposed by staff regarding minimum yards, planting strips, parking space requirement, and building separation distance, landscape area, and children’s play area will result in a number of dwellings comparable to surrounding developments. Based on the foregoing, staff supports the requested amendment.

4. Zoning By-law Amendment

The subject lands are currently zoned Rural Commercial “C5-243” Zone, Modified, in the Town of Ancaster Zoning By-law No. 87-57. Staff has requested that the subject lands be rezoned to the Residential Multiple “RM5-716” Zone, Modified, to permit a stacked townhouse development with up to 36 units and 45

SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 20 of 21

surface parking spaces. The proposed zone contains modifications to facilitate the proposal.

The applicant requested a minimum side yard of 3.0 metres to the northern lot line, a minimum side yard of 1.8 metres to the southern lot line, a minimum rear yard of 1.8 metres, and to eliminate the planting strip requirement for the easterly lot line. It is the opinion of staff that a greater side yard, rear yard, and planting strip requirement should be provided in order to ensure compatibility with adjacent land uses. Therefore, staff do not support the applicant's proposed Zoning By-law Amendment.

Staff recommend a minimum side yard of 5.5 metres to the northern lot line, a minimum side yard of 6.0 metres to the southern lot line, a minimum rear yard of 5.5 metres, and to maintain the minimum 3.0 metre planting strip requirement for the east lot line, as shown in Appendix "C" attached to Report PED23089.

The modifications to the Multiple Residential "RM5" Zone, as recommended for approval are identified on page 5 of Report PED23089 and discussed in detail in Appendix "D" attached to Report PED23089. Where staff's recommended zoning modification differs from the applicant's proposed zoning, the applicant's proposed regulation is noted in the table.

Given that the proposed development:

- Complies with the general intent of the UHOP and will comply with the Shaver Neighbourhood Secondary Plan upon approval of the proposed UHOPA;
- Will provide a built form that is compatible with existing development in the area and respects and enhances the character of the neighbourhood; and,
- Has adequate transportation systems available and existing servicing with capacity sufficient for the proposed development, ensuring efficient use of land and infrastructure.

Staff are in support of this change of zoning as recommended by staff.

ALTERNATIVES FOR CONSIDERATION

Should the proposed Official Plan Amendment application not be approved, the lands will remain designated as "Medium Density Residential 2a", which only permits low rise

SUBJECT: Application for an Official Plan Amendment and a Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster (PED23089) (Ward 12) - Page 21 of 21

apartment buildings, a maximum density of 62 dwelling units per net residential hectare, and a maximum height of three storeys.

Should the proposed Zoning By-law Amendment as proposed by staff not be approved, Council could direct staff to implement the development concept proposed by the applicant through the preparation of revised Official Plan Amendment and Zoning By-law Amendment. Should neither of the proposed Zoning By-law Amendments be approved, the lands will remain Rural Commercial “C5-243” Zone, Modified, which only permits the repair and open storage of service station equipment.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED23089 – Location Map

Appendix “B” to Report PED23089 – Draft Official Plan Amendment

Appendix “C” to Report PED23089 – Draft Zoning By-law Amendment

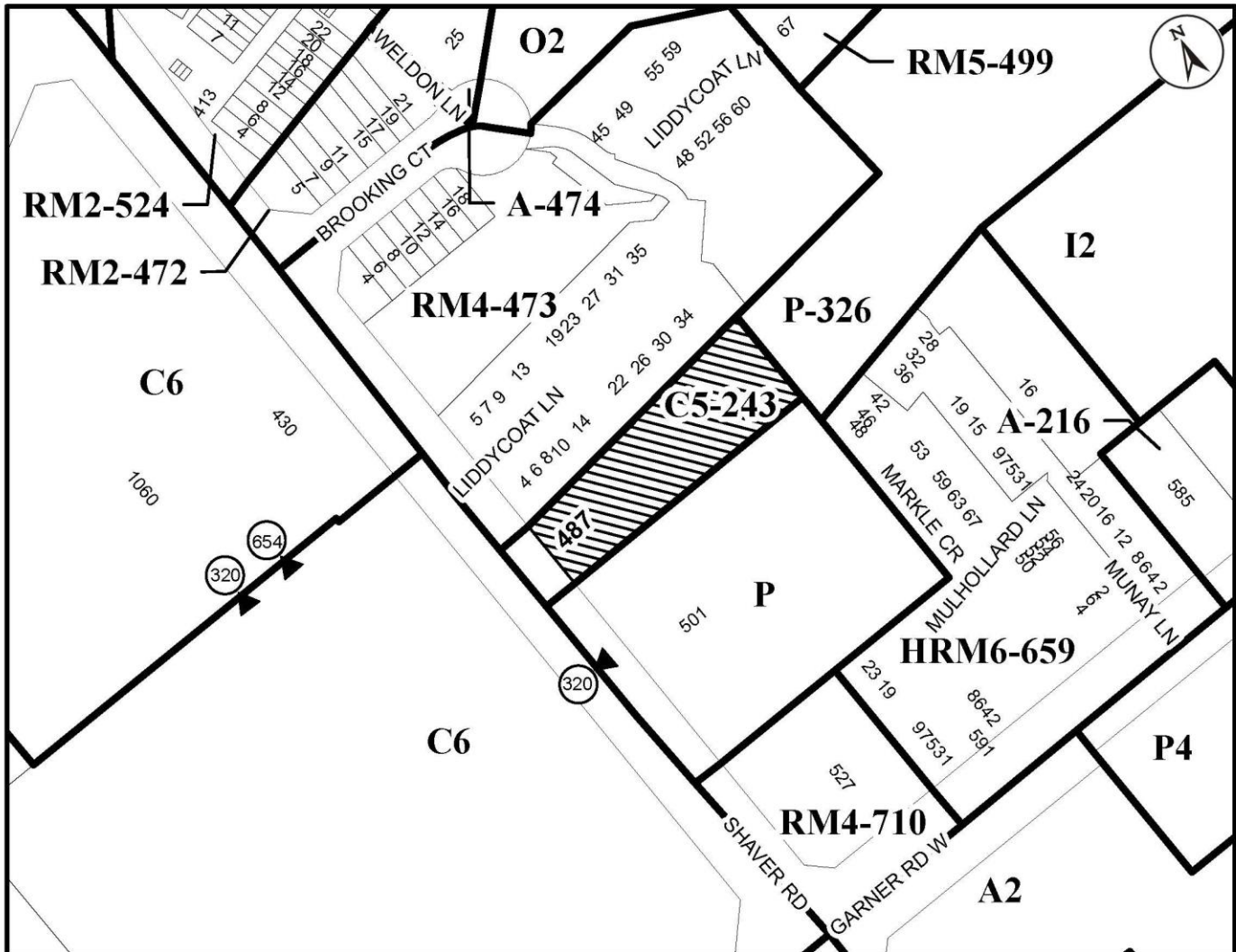
Appendix “D” to Report PED23089 – Zoning Modification Chart

Appendix “E” to Report PED23089 – Concept Plan

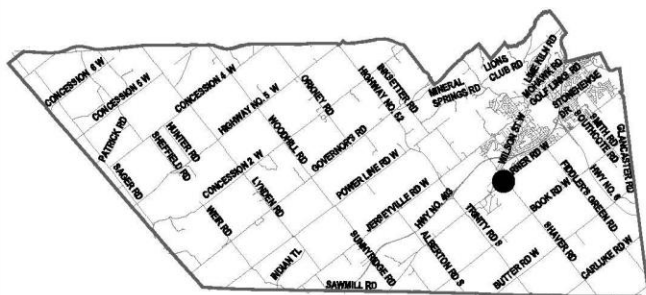
Appendix “F” to Report PED23089 – Public Comments

MM:sd

Appendix "A" to Report PED23089
Page 1 of 1



● Site Location



Key Map - Ward 12

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
ZAC-22-005/UHOPA-22-002

Date:
March 8, 2023

Appendix "A"

Scale:
N.T.S

Planner/Technician:
MM/NB

Subject Property

487 Shaver Road, Ancaster (Ward 12)



Change in zoning from the Rural Commercial "C5-243" Zone, Modified to the Holding Residential Multiple "RM5-716" Zone, Modified

Schedule "1"

**DRAFT Urban Hamilton Official Plan
Amendment No. X**

The following text, together with Appendix "A" attached hereto, constitutes Official Plan Amendment No. "X" to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to redesignate the subject lands from "Medium Density Residential 2a" to "Medium Density Residential 2b" and to establish a new Site Specific Policy within the Shaver Neighbourhood Secondary Plan to facilitate the development of a stacked townhouse development with a maximum density of 100 units per hectare.

2.0 Location:

The lands affected by this Amendment are known municipally as 487 Shaver Road, in the former City of Ancaster.

3.0 Basis:

The basis for permitting this Amendment is:

- The proposed development supports the policies of the Urban Hamilton Official Plan and the Shaver Neighbourhood Secondary Plan, as it contributes to the range of housing forms and the efficient use of land;
- The proposed development supports Residential Intensification policies of the Urban Hamilton Official Plan by providing residential units adjacent to existing commercial uses and in proximity to existing transit; and,
- The Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

4.0 Actual Changes:

4.1 Volume 2 – Secondary Plans

Text

4.1.1 Chapter B.2.0 - Ancaster Secondary Plans – Section B.2.2 – Shaver Neighbourhood Secondary Plan

- a. That Volume 2: Chapter B.2.0 – Ancaster Secondary Plans, Section B.2.2 – Shaver Neighbourhood Secondary Plan be amended by adding a new Site Specific Policy, as follows:

“Site Specific Policy – Area X

B.2.2.5.X Notwithstanding Policy B.2.2.1.2 a) and B.2.2.1.4 b) ii) of Volume 2, for the lands located at 487 Shaver Road, designated Medium Density Residential 2b and identified as Site Specific Policy – Area X on Map B.2.2-1 – Shaver Neighbourhood Secondary Plan – Land Use Plan, the following policies shall apply:

- a) The height of a residential building shall have no more than 4 storeys entirely above grade;
- b) The residential density shall not exceed 80 dwelling units per gross/net residential hectare; and,
- c) The location of buildings and outdoor amenity area shall be located adjacent to the northerly lot line to minimize risk to public health and safety.”

Maps

4.1.2 Map

- a. That Volume 2: Map 2.2-1 – Shaver Neighbourhood Secondary Plan – Land Use Plan, be amended by:
- i) redesignating the subject lands from “Medium Density Residential 2a” to “Medium Density Residential 2b”; and,
- ii) identifying the subject lands as Site Specific Policy – Area X,
- as shown on Appendix “A”, attached to this Amendment.

5.0 Implementation:

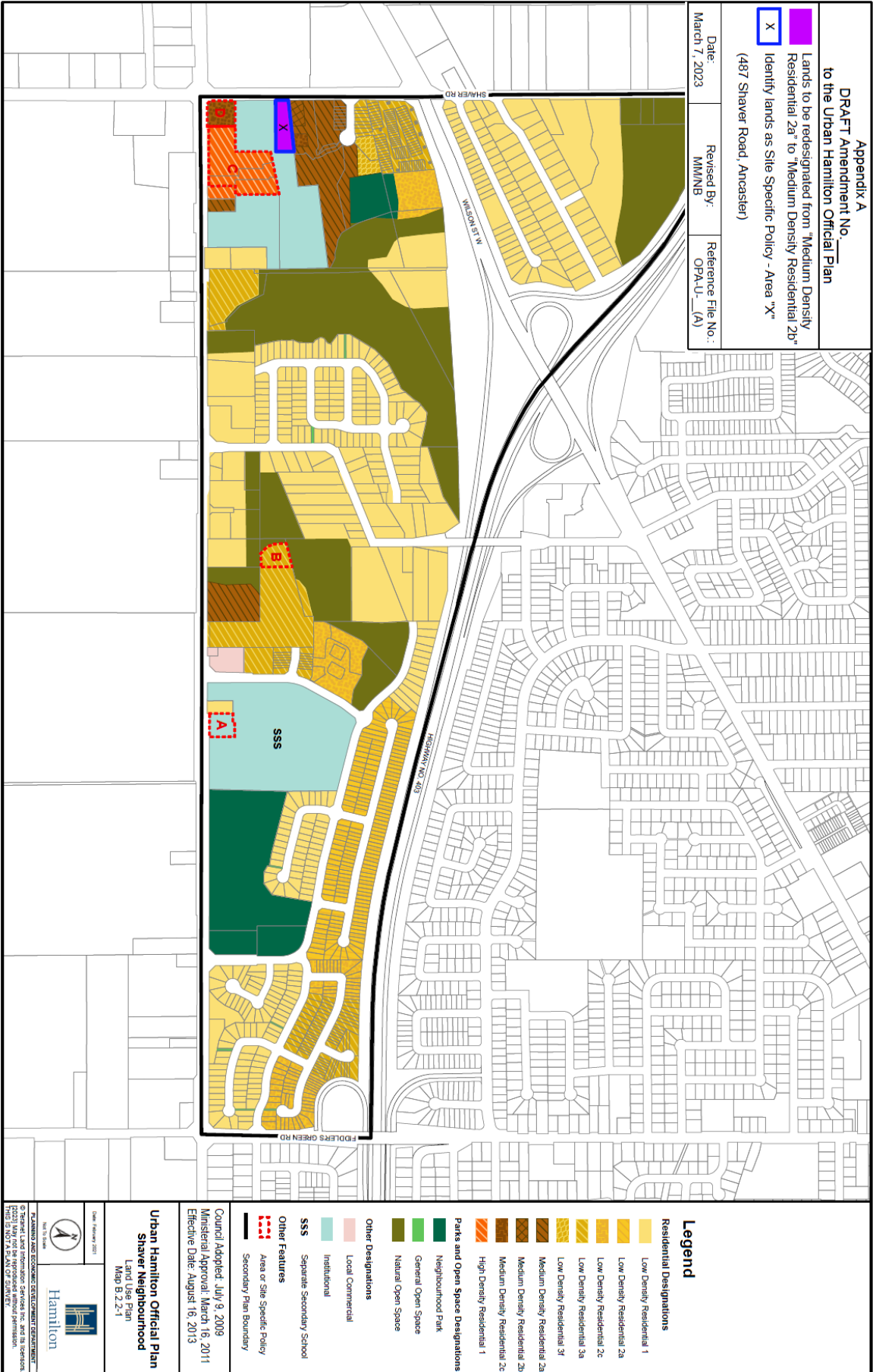
An implementing Zoning By-Law Amendment and Site Plan application will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule "1" to By-law No. _____ passed on the ____th day of ____, 2023.

**The
City of Hamilton**

A. Horwath
MAYOR

A. Holland
CITY CLERK



Appendix A
 DRAFT Amendment No. _____
 to the Urban Hamilton Official Plan
 Lands to be redesignated from "Medium Density Residential 2a" to "Medium Density Residential 2b"
 Identify lands as Site Specific Policy - Area "X"
 (487 Shaver Road, Ancaster)

Date: March 7, 2023
 Revised By: MM/MNB
 Reference File No.: OPA-U-_(A)

Legend

- Residential Designations**
- Low Density Residential 1
 - Low Density Residential 2a
 - Low Density Residential 2b
 - Low Density Residential 2c
 - Low Density Residential 3a
 - Low Density Residential 3f
 - Medium Density Residential 2a
 - Medium Density Residential 2b
 - Medium Density Residential 2c
 - High Density Residential 1
- Parks and Open Space Designations**
- Neighbourhood Park
 - General Open Space
 - Natural Open Space
- Other Designations**
- Local Commercial
 - Institutional
- Other Features**
- Separate Secondary School
 - 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
 Shaver Neighbourhood
 Land Use Plan
 Map B.2.2-1

DATE: February 2021

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
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**Appendix “C” to Report PED23089
Page 1 of 5**

Authority: Item XX, Planning Committee
Report (PED23089)
CM:
Ward: 12

Bill No.

CITY OF HAMILTON

BY-LAW NO. 23-

**To amend Zoning By-law No. 87-57
Respecting lands located at 487 Shaver Road (Ancaster)**

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 ____ of Report _____ of the Planning Committee at its meeting held on the 13th day of June 2023, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided; and,

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan upon adoption of UHOPA No. _____;

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

1. That Map No. 1-B to Schedule “B”, appended to and forming part of By-law No. 87-57 (Ancaster) is amended by changing the zoning from the Rural Commercial “C5-243” Zone, Modified to the Holding Residential Multiple “RM5-716” Zone, Modified on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. That Section 34: Exceptions, to the Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following Sub-section:

“RM5-716

That notwithstanding the provisions of Sections 3.46, 7.11 (a), 7.14 (b)(i)(B), 7.18 (a)(ii), 18.2 (a), (b), (c), (f), (g), (h), (i), (j), (k), (l), and (n) the following special provisions shall apply to the lands zoned “RM5-716”:

- (a) The following definition shall apply to lands zoned “RM5-716”:

“Dwelling, Multi-Plex”

means a building divided vertically into a minimum of two (2) and a maximum of six (6) side-by-side units, which may also be divided horizontally to a maximum of two (2) units in height, for a maximum total of twelve (12) units, with each unit being separated by two (2) or more common walls and each having private entrances to the outside.

DEVELOPMENT REGULATIONS

The following regulations shall apply to Multi-Plex Dwellings:

- | | | |
|-----|----------------------|--|
| (a) | Minimum Lot Area | 0.44 hectares |
| (b) | Maximum Density | 80 units per hectare |
| (c) | Minimum Lot Frontage | 30.0 metres |
| (d) | Minimum Front Yard | 3.0 metres |
| (e) | Minimum Side Yards | 6.0 metres – Southernly
5.5 metres – Northernly |
| (f) | Minimum Rear Yards | 5.5 metres |
| (g) | Maximum Height | 14.5 metres |
| (h) | Minimum Landscaping | 41 percent of the lot area, which includes a Children’s Play Area. |
| (i) | Planting Strip | Minimum 3.0 metre wide, provided along each lot line, except along the southernly lot line where a minimum 1.5 metre wide planting strip will be required. |
| (j) | Parking | 1 per dwelling unit, plus 0.25 visitor per dwelling unit. |

Appendix “C” to Report PED23089

Page 3 of 5

(k) Accessory Buildings

The provisions of Subsection 7.18 (a) shall apply, except that an above-grade communal parking structure or building shall be deemed a principal building and accessory buildings shall not be located less than 1.0 metres from the southerly lot line.”

(l)

In addition to the RM5-716 Zone Provisions, no building or structure shall be erected, altered, nor extended, except on the area identified as Block 1 – Extent of building envelope on Figure 2 of Section 39: Special Figures.

3. That SECTION 39: SPECIAL FIGURES, be amended by adding Figure 2: 487 Shaver Road, Ancaster, appended to this By-law.
4. 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 Multiple “RM5” Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.
5. 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*.

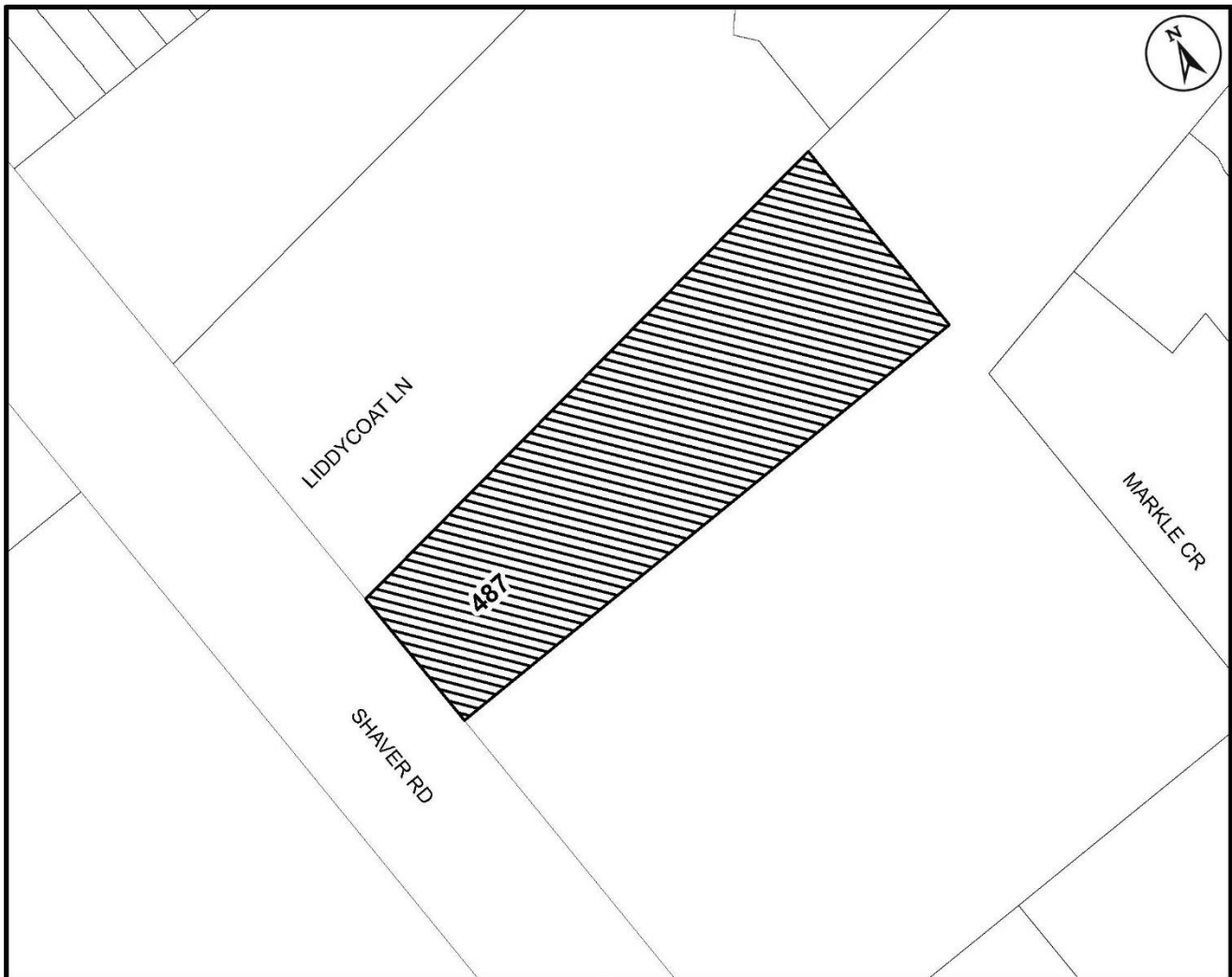
PASSED this _____ day of _____, 2023

A. Horwath
Mayor

A. Holland
City Clerk

ZAC-22-005

Appendix "C" to Report PED23089
Page 4 of 5



This is Schedule "A" to By-law No. 23-

Passed the day of, 2023

 Mayor

 Clerk

Schedule "A"

**Map forming Part of
 By-law No. 23-_____**

to Amend By-law No. 87-57

Subject Property

487 Shaver Road, Ancaster (Ward 12)



Change in zoning from the Rural Commercial
 "C5-243" Zone, Modified to the Holding Residential
 Multiple "RM5-716" Zone, Modified

Scale:
 N.T.S

File Name/Number:
 ZAC-22-005/UHOPA-22-002

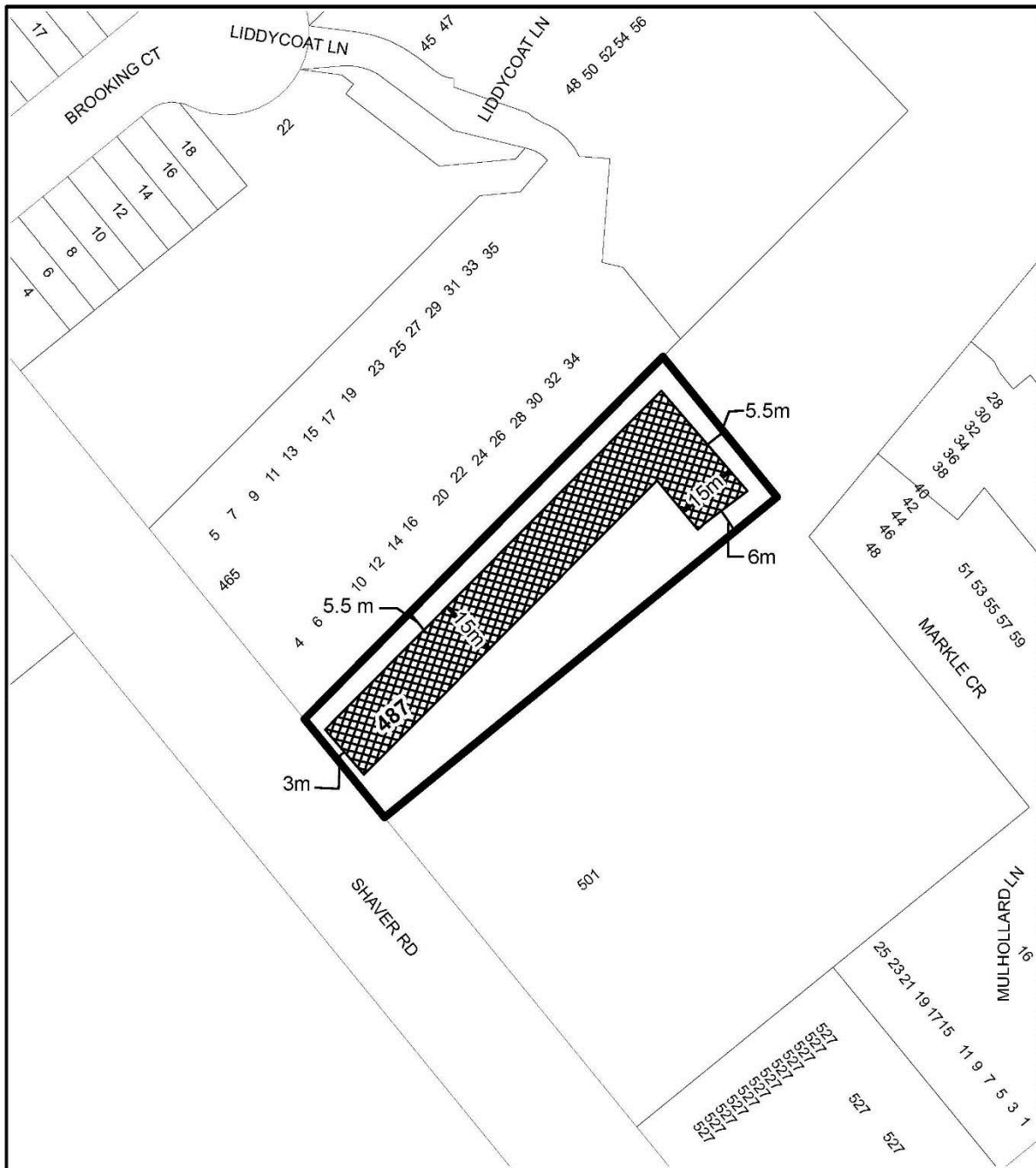
Date:
 November 17, 2021

Planner/Technician:
 MM/NB



Hamilton



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



Special Figure 2: 487 Shaver Road, Ancaster

Date:
April 27, 2023

Legend

-  Subject Area - Special Exception 716
-  Block 1 - Extent of building envelope



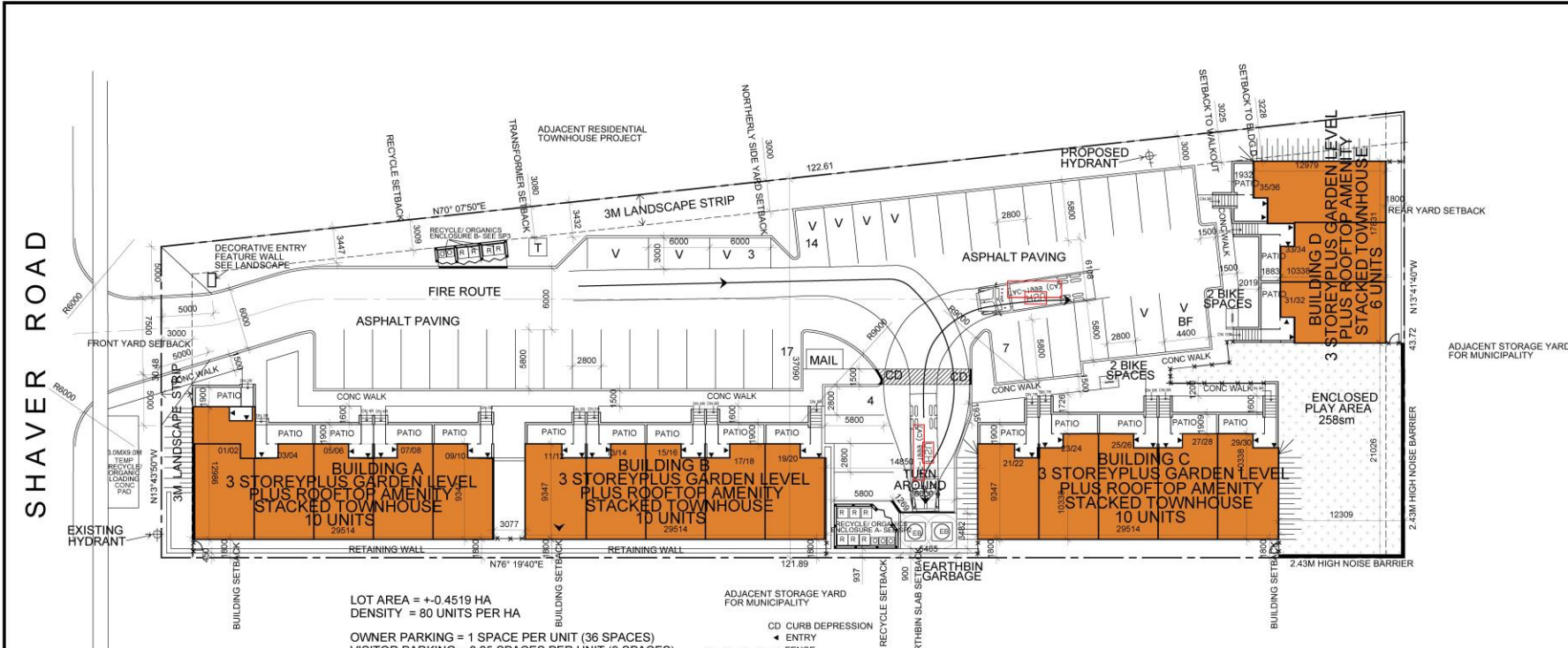
Staff Recommended Site Specific Modifications to the Multiple Residential “RM5” Zone

Regulation	Required	Modification	Analysis
Multi-plex Dwelling Definition (Section 3.46)		Multi-plex Dwelling - Means a building divided vertically into a minimum of two (2) and a maximum of six (6) side-by-side units, which may also be divided horizontally to a maximum of two (2) units in height, for a maximum total of twelve (12) units, with each unit being separated by two (2) or more common walls and each having private entrances to the outside.	This amendment meets the intent of the Shaver Neighbourhood Secondary Plan which allows stacked townhouses. Therefore, staff supports this modification.
Minimum Lot Area (Section 18.2 (a))	0.5 hectares	0.44 hectares	The proposed minimum lot area reflects the existing lot area, therefore a site specific modification is required to accommodate the proposed development. Therefore, staff supports this modification.
Maximum Density (Section 18.2 (b))	50 units per hectare	80 units per hectare Applicant Proposed Modification: 81 units per hectare	Density shall not exceed 80 units per hectare in the Medium Density Residential 2b designation of the Shaver Neighbourhood Secondary Plan. The density will comply with the Urban Hamilton Official Plan upon approval of the Secondary Plan Amendment, as discussed in Report PED23089. Therefore, staff supports this modification.
Minimum Lot Frontage (Section 18.2 (c))	45 metres	30.0 metres	The proposed minimum lot frontage reflects the existing lot frontage, therefore a site specific modification is required to accommodate the proposed development. Therefore, staff supports this modification.

Regulation	Required	Modification	Analysis
Minimum Front Yard (Section 18.2 (f))	10.5 metres	3.0 metres	The reduced minimum front yard provides for a more vibrant and active pedestrian-oriented streetscape. The end unit facing Shaver Road will be designed to face the street, including a principal entrance, high-quality materials, and ample glazing. Reducing the setback permits units to face onto the street while providing sufficient area for landscaping. Therefore, staff supports this modification.
Minimum Side Yards (Section 18.2 (g))	9 metres	5.5 metres – Northernly Applicant Proposed Modification: 3.0 metres	Yards provide amenity area and separation from adjacent uses. The proposed side and rear yard widths provide separation from the public works yard located to the south and east which reduces impacts from noise. On the north, the yard ensure privacy for the existing dwellings on the adjacent property. Therefore, staff supports this modification.
		6.0 metres – Southernly Applicant Proposed Modification: 1.8 metres	
Minimum Rear Yards (Section 18.2 (h))	9 metres	5.5 metres Applicant Proposed Modification: 1.8 metres	
Maximum Height (Sections 7.11 (a) and 18.2 (i))	10.5 metres	14.5 metres	This amendment meets the intent of the proposed Shaver Neighbourhood Secondary Plan designation which permits four storey residential buildings. Therefore, staff supports this modification.

Regulation	Required	Modification	Analysis
Minimum Landscaping (Section 18.2 (j))	50 percent	41 percent including the Children's Play Area	<p>The intent of this provision is to ensure that there is an adequate balance between built form, hard surface and open space for planting and amenity space. The minimum planting strip and Children's Play Area space is being retained. It is anticipated that this area will provide sufficient landscape area for future residents. Compact development is desirable to promote the efficient use of land and public transit infrastructure.</p> <p>A landscape plan will be required at the Site Plan Control stage and reviewed by staff to ensure high quality landscape is provided. At this stage, the applicant will be encouraged to incorporate Low Impact Development (LID) measures within the hardscaped areas to further improve permeability on the site.</p> <p>Therefore, staff supports this modification.</p>
Planting Strip (Section 18.2 (k))	3.0 metres width	<p>1.5 metres on the southernly lot line.</p> <p>Applicant Proposed Modification: East Lot Line: 0.0 metres South Lot Line: 0.0 metres</p>	<p>The southernly lot line is shared with the City's Public Works yard and noise mitigation features will be required along this property line. Reduced planting strip requirement provides more flexibility to accommodate the noise mitigation while maintaining screening.</p> <p>Therefore, staff supports this modification.</p>
Parking (Section 18.2 (l))	25 percent of required parking spaces for multi-plex dwellings (excluding required visitor parking) shall be within an enclosed building or underground.	Removed	<p>This regulation is intended to reduce the visual impact of surface parking. This visual impact will be reduced by the reduction of the parking requirement and the provision of a 3.0 metre planting strip along each property line. In addition, the use to the south and east is not considered sensitive so significant impacts are not anticipated.</p> <p>Therefore, staff supports this modification.</p>

Regulation	Required	Modification	Analysis
Parking Rate (Section 7.14 (b)(i)(B))	2 parking space per dwelling unit plus 0.66 visitor parking spaces per dwelling unit.	1 parking space per dwelling unit plus 0.25 visitor parking spaces per dwelling unit.	<p>This site is located within close proximity to numerous shopping opportunities on the west side of Shaver Road. In addition, access to HSR bus routes is available along Shaver Road and Garner Road. This allows for future residents to use alternative forms of transportation for their needs.</p> <p>Therefore, staff supports this modification.</p>
Accessory Building Setback (Sections 7.18 (a)(ii), and 18.2 (n))	1.5 metres	<p>1.0 metres on the southernly lot line.</p> <p>Applicant Proposed Modification: 0.9 metres</p>	<p>The southernly lot line is shared with the City's Public Works yard. Encroachment of accessory buildings into this space is not anticipated to result in any compatibility issues.</p> <p>Therefore, staff supports this modification.</p>



LOT AREA = +-0.4519 HA
DENSITY = 80 UNITS PER HA

OWNER PARKING = 1 SPACE PER UNIT (36 SPACES)
VISITOR PARKING = 0.25 SPACES PER UNIT (9 SPACES)

TOTAL FLOOR AREA INCLUDING BASEMENT AND ROOFTOP = 4,333 SM (97 SM ADDED TO 01/02 AND 116M PER 1M ADDITIONS TO 23/24, 25/26, 31/32, 22/34, AND 35/36.)
EARTHBIN TRUCK ROUTE REQUIRED BY TRAFFIC CONSULTANT
EARTHBIN SIZES AND QUANTITY TO BE DETERMINED

LOT AREA = 4519 sm
PARKING/ EARTHBIN PAD = 1633 sm (36.2%)
HARD AND SOFT LANDSCAPING = 1832.4 sm (40.5%) (includes play area)
BUILDING/ ACCESSORY BUILDING = 1053.6sm(23.3%)
LOT COVERAGE (23.3%)

TOWNHOUSE BUILDINGS
22.5% OF LOT AREA

BLDG A = 282.8 sm
BLDG B = 260.5 sm
BLDG C = 284.1 sm
BLDG D = 191.3 sm
TOTAL = 1018.7 sm

ACCESSORY BUILDINGS
0.8% OF LOT AREA

RECYCLE ENCLOSURE A = 24.0 sm
RECYCLE ENCLOSURE B = 10.9 sm
TOTAL = 34.9 sm

NOTE: MAX OVERHANGS OF CORNICES, GUTTERS, AND
OVERHANGS IS 550MM

NOTE: LOT WIDTH = 37.900M

36 UNIT RESIDENTIAL PROJECT

1 SITE PLAN CONCEPT
SP1

SCALE: 1:200

487 Shaver Road - Zoning Site Statistics (Ancaster Zoning By-law No. 87-57)				
	Required Residential Multiple "RM5" Regulations	Proposed	Comply	
18.1	Permitted uses	Triplex dwellings, multi-plex dwellings and uses, buildings and structures accessory thereto	Multi-plex Dwellings (Stacked Townhouse)	✓
18.2 (a)	Min. Lot Area	0.5 ha for a multi-plex dwelling containing 7 or more units	±0.44 ha	x
(b)	Max. Density	50 units/ha	36 units / ±0.45 ha = 80 units/ha	x
(c)	Min. Lot Frontage	45 metres for a multi-plex dwelling containing 7 or more units	30m min.	x
(d)	Min. Lot Depth	35m	120m min.	✓
(e)	Max. Lot Coverage	35%	22.5% (1,018.7m²) 23.3% including accessory bldg.	✓
(f)	Min. Front Yard	7.5m where facade has primary entrance facing street or 10.5m + distance specified in Schedule C	3m min.	x
(g)	Min. Side Yard	9 metres for multi-plex dwellings that are two units in height, plus any distance as specified in Schedule "C"	Northern Side Yard: 3.0m min. Southern Side Yard: 1.8m min	x
(h)	Min. Rear Yard	9.0m	Rear Yard: 1.8m min. ±14.5m max.	x
(i)	Max. Height	10.5m	±14.5m max.	x
(j)	Min. Landscaping	50% of the lot area for multi-plex dwellings	41% (1,867m²) min. (includes Children's Play Area)	x
(k)	Planting Strip	3m along all lot lines	North: 3.0m West: 3.0m East: 0m South: 0m	x
(l)	Parking	25% of required parking for multi-plex dwellings (excluding required visitor parking) shall be within an enclosed building or underground 2 per unit plus 0.66 per unit visitor parking spaces Parking Stall size: 2.8 x 5.8m ("City's new regulation)	No enclosed or underground parking 1 per unit plus 0.25 per unit visitor parking Parking Stall Size: 2.8m x 5.8m	x
(m)	Children's Play Area	Curved or fenced children's outside play area a min. of 7m² per dwelling unit (7m x 36 units = 252m²)	258m²	✓
(n)	Building Separation	A multi-plex building shall be not closer to another multi-plex building on the same lot in accordance with the following: Facade Rear Wall End Wall Facade 18.0m 19.5m 15.0m Rear Wall 19.5m 15.0m 10.5m End Wall 15.0m 10.5m 3.0m	End Wall to End Wall: 3.0m	✓
7.18(ii)	Accessory Buildings	Accessory buildings (including recycling/ organics enclosure and earth bins) shall not be located in any minimum side yard	North side yard: 3m min. South side yard: 0.9m min.	x
(iv)	Max. ground floor area	Max./ ground floor area for any accessory building shall be 40m² and the max. height shall be 4.5m	Recycle/Organics/earth bins: Max. GFA Max. Height Area A 24m² 2.7m. Area B 11m² 2.7m. TOTAL 35m² N/A	✓
(v)	Max Lot coverage for accessory buildings	90m² provided the coverage of all buildings on the lot does not exceed the maximum lot coverage permitted in the relevant zone (i.e., 30%)	GFA - TH Buildings 1019m² 22.5% GFA of accessory bldgs. 35m² 1% Total GFA 1054m² 23.5%	✓
9.4 (a)	Min. Lot Reqts	Average lot width shall be not less than the relevant minimum lot frontage	Ave. lot width = 37.1m Frontage = 30.48m	✓

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND ALL CONDITIONS BEFORE PROCEEDING WITH WORK

ALL DRAWINGS MAY BE SUBJECT TO CHANGE DUE TO COMMENTS FROM MUNICIPAL DEPARTMENTS AND OTHER AGENCIES WITH AUTHORITY

ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE PROFESSIONAL ENGINEER AND MUST BE RETURNED AT THE COMPLETION OF THE WORK.

THE CONTRACTOR AGREEING FROM DRAWINGS NOT SPECIFICALLY VARRIED FOR CONSTRUCTION MUST ASSUME FULL RESPONSIBILITY AND BEAR COSTS FOR ANY CORRECTIVE OR CHANGE RELATED PROCEDURES ON-SITE WORK.

KEY TO DETAIL LOCATION

No. DETAIL NUMBER
No. DRAWING SHEET NUMBER

DRAWING SETS ISSUED	No.	DATE	BY
FOR APPL.	1	2020.11.28	SMH
PER SURVEY/LANDSLAP	2	2021.01.16	SMH
EARTH BIN/SEWER/STREET	3	2021.02.23	SMH
ADJACENT TRANSFORMER PER LANDSCAP	4	2021.04.12	SMH
SETBACK TO WALK CURB	5	2021.05.27	SMH
SHARED DRIVE/DRIVE	6	2021.05.27	SMH
STATE OF ALL SCHEDULE	7	2022.02.24	SMH
ALL EARTHBIN WITH ZONING CHART	8	2022.02.24	SMH
PROPERTY COMMENTS	9	2022.11.17	SMH
PROPERTY COMMENTS	10	2023.03.28	SMH
PROPERTY COMMENTS	11	2023.03.28	SMH
LANDSCAPE COMMENTS	12	2023.03.28	SMH
SUBMISSION	13	2023.03.28	SMH

ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED

REVISIONS TO DRAWING	No.	DATE	BY

BUILDING PERMIT NUMBER:
NOT FOR CONSTRUCTION WITHOUT PERMIT

KNYMH
ARCHITECTURE • SOLUTIONS

KNYMH INC
1006 SKYVIEW DRIVE • SUITE 101
BURLINGTON, ONTARIO • L7P 0N7
T 905-639-8986
F 905-639-0294
www.knymh.com info@knymh.com

M.D. DEVELOPMENTS
487 SHAVER ROAD
ANCASTER, ONTARIO

DRAWING SHEET TITLE
SITE PLAN CONCEPT

DRAWING SCALE: PROJECT NUMBER:
20055

DRAWN BY: CHECKED BY: DRAWING SHEET NUMBER:
SP1

DRAWING VERSION: RLOT DATE:
February 29, 2023

Appendix "F" to Report PED23089
Page 1 of 1

From: Buy [REDACTED]
Sent: Thursday, December 23, 2021 11:45 PM
To: Schneider, Melanie
Subject: File No. UHOPA-22-002 and ZAC-22-005 - 487 Shaver Road, Ancaster

Hello,

I am writing with regard to the complete application by GSP for lands located at 487 Shaver Road that will produce 4 crowded buildings of stacked townhouses (File No. UHOPA-22-002 and ZAC-22-005).

As an Ancaster resident, I am disappointed to see such an application with significant concerns such as Building D, which hugs the existing fence line, blatantly disregarding the pre-existing neighbours below and the overall development within the area.

So many examples of non-compliance appear to be documented in the city's barely legible zoning compliance chart, which has vastly more x's than checkmarks by an apparent score of 15 x's - 6 checkmarks:

- Minimum lot area
- Max density
- Min lot frontage
- Min front yard
- Min side yard
- Min rear yard
- Max height
- Min landscaping
- Planting strip
- Parking
- Children's play area
- Building separation

Please reconsider approving this project as it currently stands due to the clear non-compliance listed above, in conjunction with increased traffic issues on an already busy road. The overbuilding in Ancaster is abysmal.

Thank you.



WELCOME TO THE CITY OF HAMILTON

PLANNING COMMITTEE

June 13, 2023

PED23089 – (ZAC-22-005 & UHOPA-22-002)

Application for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 487 Shaver Road, Ancaster.

Presented by: Mark Michniak



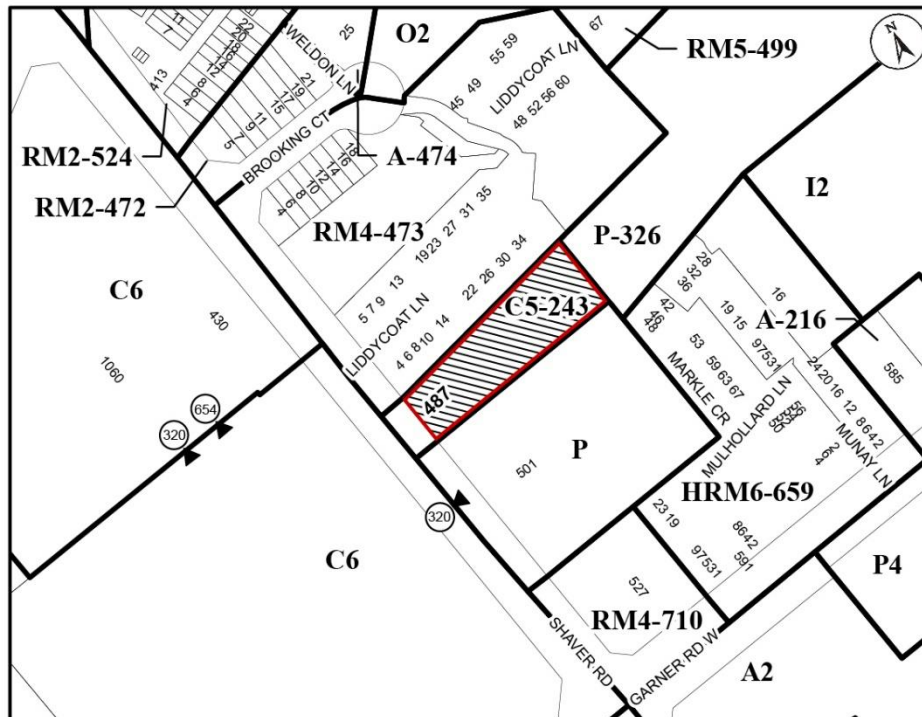
Hamilton Airphoto (2021)

SUBJECT PROPERTY

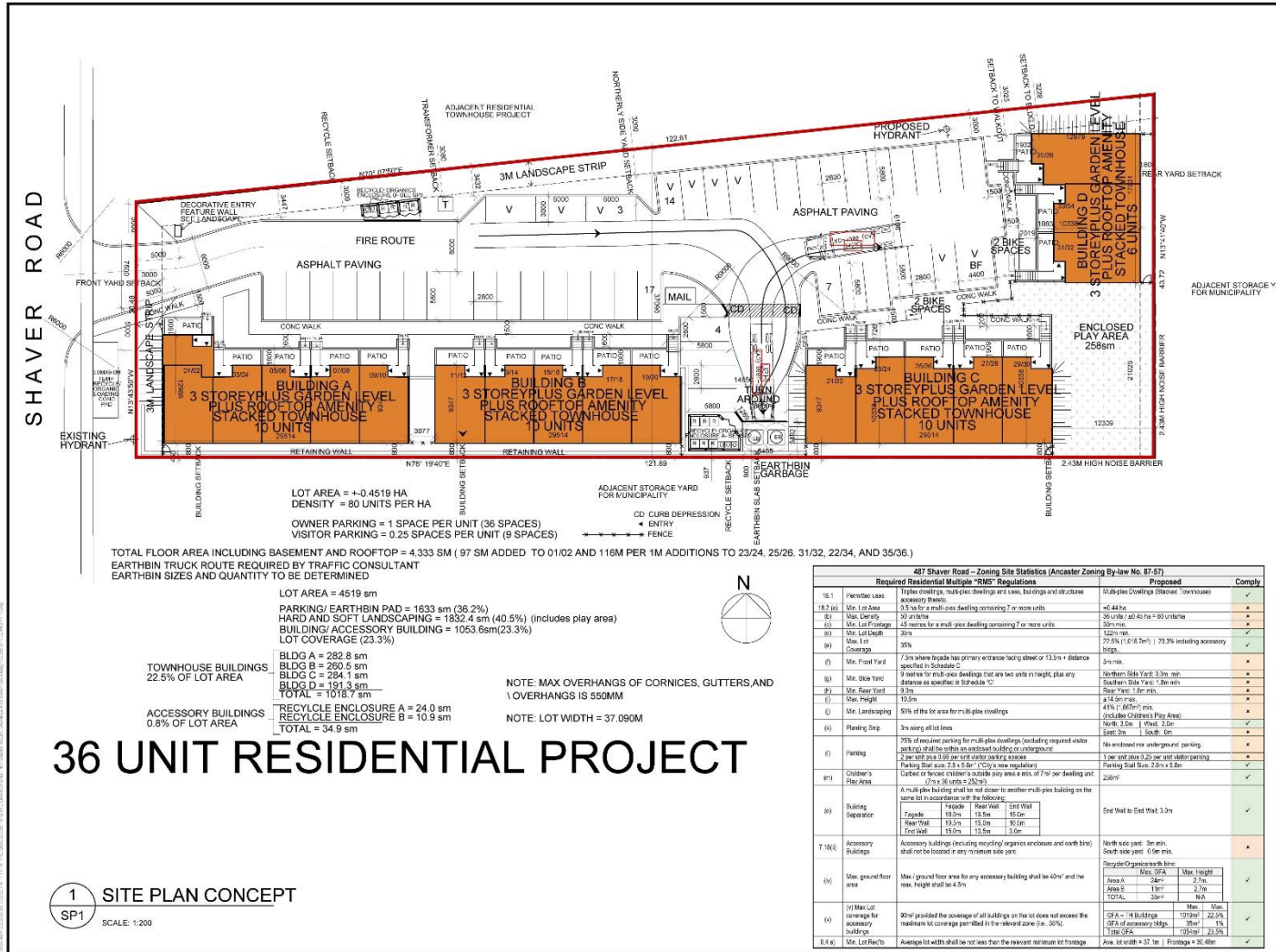


487 Shaver Road, Ancaster





<p>● Site Location</p> <p>Key Map - Ward 12</p>	<h3>Location Map</h3> <p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>	
	<p>File Name/Number: ZAC-22-005/UHOPA-22-002</p>	<p>Date: March 8, 2023</p>
<p>Appendix "A"</p>	<p>Scale: N.T.S.</p>	<p>Planner/Technician: MM/NB</p>
<p>Subject Property 487 Shaver Road, Ancaster (Ward 12)</p> <p> Change in zoning from the Rural Commercial "C5-243" Zone, Modified to the Holding Residential Multiple "RM5-716" Zone, Modified</p>		



487 Shaver Road - Zoning Site Statistics (Ancestor Zoning By-law No. 87-57)

Required Residential Multiple "RMS" Regulations	Proposed	Comply																	
18.1 Permitted Use	Multiple dwellings, multiple dwellings and uses, buildings and structures accessory thereto	Multiple Dwellings (Stacked Townhouses)	✓																
18.2 (a) Min. Lot Area	0.5 hectares for a multi-unit dwelling containing 7 or more units	<= 44 ha	✓																
(b) Max. Density	30 units/ha	36 units/40.46 ha = 89 units/ha	✗																
(c) Min. Lot Frontage	45 meters for a multi-unit dwelling containing 7 or more units	30 meters	✗																
(d) Min. Lot Depth	30m	122m	✓																
(e) Min. Lot Coverage	30%	22.5% (0.67 ha) 23.3% including accessory bldgs.	✓																
(f) Min. Front Yard	7.5m where facade has primary entrance facing street or 13.3m + distance specified in Schedule C	3m min.	✗																
(g) Min. Side Yard	9 metres for multi-unit dwellings; not less than two units in height plus any distance as specified in Schedule C	Backyard Side Yard: 3.0m min. Front Yard: 1.5m min.	✗																
(h) Min. Rear Yard	9.3m	Back Yard: 1.8m min.	✗																
(i) Min. Height	15.2m	4.5m max.	✗																
(j) Min. Landscaping	50% of the lot area for multiple dwellings	41% (1867m ²) min. (includes Children's Play Area)	✓																
(k) Parking Req.	3m along all lot lines	North side yard: 3.0m East, West: 1.50m	✓																
(l) Parking	25% of enclosed parking for multiple dwellings (including required outdoor parking) shall be within an enclosed lot or underground	No enclosed or underground parking	✗																
(m) Children's Play Area	1 per site and 1 per 1000 sqm of parking spaces Parking shall have 2.3 x 2.9m (City's new regulation) Surface or border surface's outside play area area of 7m x 6m per unit and 7m x 5.6m (252m ²)	1 per site and 0.25 per unit (with) parking Parking Dist. Max: 2.3m x 2.9m	✓																
(n) Building Separation	A multiple building shall be well set from another multi-plan building on the same lot in accordance with the following: <table border="1"> <tr> <th></th> <th>Front</th> <th>Rear</th> <th>Side</th> </tr> <tr> <td>End Wall</td> <td>15.0m</td> <td>15.0m</td> <td>15.0m</td> </tr> <tr> <td>End Wall</td> <td>10.0m</td> <td>10.0m</td> <td>10.0m</td> </tr> <tr> <td>End Wall</td> <td>15.0m</td> <td>15.0m</td> <td>15.0m</td> </tr> </table>		Front	Rear	Side	End Wall	15.0m	15.0m	15.0m	End Wall	10.0m	10.0m	10.0m	End Wall	15.0m	15.0m	15.0m	End Wall to End Wall: 3.0m	✓
	Front	Rear	Side																
End Wall	15.0m	15.0m	15.0m																
End Wall	10.0m	10.0m	10.0m																
End Wall	15.0m	15.0m	15.0m																
7.100 Accessory Buildings	Accessory buildings (including recycling/organics enclosures and earth bins) shall not be located in any minimum side yard	North side yard: 3m min. South side yard: 0.6m min.	✗																
(o) Max. ground floor area	Max. ground floor area for any accessory building shall be 40m ² and no max. height shall be 4.5m	Recycling/organics enclosure Max. GFA: 24m ² Max. height: 2.7m Max. GFA: 11m ² Max. height: 2.7m TOTAL: 35m ² N/A	✓																
(p) Max. lot coverage for accessory buildings	90% provided the coverage of all buildings on the lot does not exceed the maximum lot coverage permitted in the relevant zone (i.e. 30%) Average lot width shall be no less than the relevant minimum lot frontage	GFA = 18 Buildings: 1919m ² 22.2% GFA of accessory bldgs: 35m ² 1% TOTAL GFA: 1954m ² 43.3%	✓																



Subject Property – 487 Shaver Road



Shaver Road looking north



Shaver Road looking south



Subject Property looking south



Public Works building located directly south of the Subject Property



Public Works parking lot adjacent to the south property line



Public Works yard adjacent to the south property line



Public Works yard adjacent to the south property line



Subject Property looking north



Residential property located directly north of the Subject Property



View of commercial uses on the opposite site of Shaver Road



View of commercial uses on the opposite site of Shaver Road



THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE

From: Caitlin Kelterborn
Sent: June 11, 2023 1:33 PM
To: clerk@hamilton.ca
Subject: Urban Hamilton Official Plan Amendment -Subject Property: 487 Shaver Rd

Please share the following letter of Public Input and Concern, as well as the Google Drive Video/Audio Recordings at the Public Meeting June 12th at 9:30 AM.

RE: Urban Hamilton Official Plan Amendment

Subject Property: 487 Shaver Rd

It is my understanding that noise surveys have been completed for this site and noise levels have been deemed “satisfactory”, however someone who does not live in close proximity to the City Yard Works site on Shaver Rd, cannot accurately assess the thunderous levels of noise produced at night, and cannot speak on behalf of the local residents who can’t sleep as a result. In the winter snow from “VIA areas in Ancaster” is dumped at this site at all hours and well into the morning since snow plowing is deemed an essential service. The banging, which we have recordings, sounds like shotguns going off, at times for hours during the night. Please listen and play at the meeting to the audio recording linked here, to understand how loud the noise is for the local community. As you will see from the time stamps, these sounds were recorded between the hours of 2am and 5am.

[Video/Audio Recording Of City Yard Works Noise](#)


Building higher stacked townhomes won’t mask the noise, building barrier walls won’t mask the sound. The city should not be approving building more homes in an area where they have Essential City Services, that are exempt from noise by-laws and are allowed to create that level of noise at all hours. The hard-working, tax-paying residents of this community deserve reasonable levels of quiet to sleep as much as anyone else.

If the city checks their records, they will discover the many call and email complaints involving the noise.

Please confirm receipt.
Thank you,
Caitlin



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
General Manager's Office

TO:	Mayor and Members Planning Committee
COMMITTEE DATE:	June 13, 2023
SUBJECT/REPORT NO:	Provincial Amendments to the Greenbelt Plan (Greenbelt Plan Amendment No. 3) (PED23046(a)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Steve Robichaud (905) 546-2424 Ext. 4281
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That Planning and Economic Development Department staff, in conjunction with Legal Services staff, be directed to provide input to the Provincial Land and Development Facilitator with respect to any private development proposals and associated community benefits within the lands removed by the Province from the Greenbelt Plan Area;
- (b) That the Ten Directions to Guide Development attached as Appendix "D" to Report PED23046(a), which were previously approved by Council as part of the City's Municipal Comprehensive Review process, be utilized as the framework for the City's input to the Provincial Land and Development Facilitator with respect to any private development proposals within the lands removed by the Province from the Greenbelt Plan Areas;
- (c) That Planning and Economic Development Department staff be directed to schedule a public meeting of the Planning Committee for the purpose of obtaining public input as to the City's priorities and expectations with respect to any private development proposals within the lands removed by the Province from the Greenbelt Plan Area.

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OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Provincial Amendments to the Greenbelt Plan (Greenbelt Plan Amendment No. 3) (PED23046(a)) (City Wide) - Page 2 of 11

EXECUTIVE SUMMARY

On December 16, 2022, the Province removed approximately 795 ha of land in the City of Hamilton from the Greenbelt Plan.

Through Report PED23046, as well as through the following Council motion approved by Council on February 8, 2023, the City of Hamilton opposed the removal of these lands from the Greenbelt Plan Area (the full text of the motion is attached as Appendix “E” to Report PED23046(a)):

- “(a) That the Minister’s decision to expand Hamilton’s urban boundary to include 2,200 hectares of agricultural, rural and natural heritage lands for residential development is unnecessary and is not supported by the City of Hamilton; and,
- (b) That the Minister’s decision to remove 795 hectares of land from the Greenbelt Plan is unnecessary and is not supported by the City of Hamilton.”

Notwithstanding the City’s opposition, the effect of the Province’s decision is that the lands are no longer within the Greenbelt Plan Area. Furthermore, the Province has indicated that these lands are to be developed for residential uses to support the Province’s goal of facilitating the construction of 1.5 million homes over the next 10 years across Ontario.

Based on the initial Environmental Registry of Ontario (ERO) posting, it is staff’s understanding that it is the intent of the Province that significant progress on approvals and implementation is to be achieved by the end of 2023, and that development must be substantially underway by no later than 2025. It is staff’s expectation that the Province will use its powers to enact Minister’s Zoning Orders (MZO) as the means by which development rights on the former Greenbelt lands will be established.

The Province is also proposing amendments to the *Planning Act* through Bill 97 that will, amongst other changes, further facilitate the development of the Greenbelt Removal Lands. Bill 97 proposes amendments to the *Planning Act* to give the Minister of Municipal Affairs and Housing additional authorities to exempt certain subsequent approvals required to establish uses permitted by Minister’s Zoning Orders (MZO) from having to align with provincial plans or local Official Plan policies. These changes would allow the Minister to approve new urban developments through an MZO within rural areas including Greenbelt areas.

SUBJECT: Provincial Amendments to the Greenbelt Plan (Greenbelt Plan Amendment No. 3) (PED23046(a)) (City Wide) - Page 3 of 11

A new section is proposed to be added to the *Planning Act* (proposed Section 49.2) that would provide the Minister of Municipal Affairs and Housing with the authority to make an order to require landowners to enter into development agreements with the Minister or municipality in matters where the Provincial Land and Development Facilitator or the Deputy Facilitator has been directed by the Minister to advise, make recommendations or perform any other functions with respect to the land.

Prior to the Minister making an MZO and/or an order establishing a development agreement for the former Greenbelt lands, the Province has indicated that municipalities will have the opportunity to provide input with respect to how the lands are developed, and also to negotiate and request certain “community benefits,” above and beyond standard *Planning Act* requirements (e.g. parkland dedication). It is the Province’s expectation that landowners work directly with municipalities and reach an agreement in advance of any MZO being issued by the Province; however, it is important to note that there is nothing in regulation or statute that would require the municipality’s agreement or approval, and it is staff’s understanding that the City would not be a signatory to the future development agreement.

Staff are therefore seeking authority from Council to provide input to the Provincial Land and Development Facilitator with respect to any private development proposals within the lands removed from the Greenbelt Plan Area. Staff are proposing that any input be based on the principles and priorities developed through the GRIDS2/MCR processes that resulted in the Council adoption of the Ten Directions to Guide Development, attached as Appendix “D” to Report PED23046(a). Lastly, as it is staff’s understanding that the Province does not intend to undertake or require any public consultation prior to issuing an MZO or development agreement for the former Greenbelt lands, staff are recommending that a public meeting of the Planning Committee be held for the purpose of obtaining public input as to the City’s priorities and expectations with respect to any private development proposals within the former Greenbelt lands.

Alternatives for Consideration – See Page 10

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: There are no financial implications associated with this report’s recommendations. However, as part of the proposed discussions with the Provincial Land and Development Facilitator and the landowners, staff will be seeking to ensure that any funding gaps relating to infrastructure will be offset through additional developer financial contributions. Staff intend to ask that landowners be requested to submit a Financial Impact Statement as part of their proposed development.

SUBJECT: Provincial Amendments to the Greenbelt Plan (Greenbelt Plan Amendment No. 3) (PED23046(a)) (City Wide) - Page 4 of 11

Based on the proposed Provincial timeframes, external consulting resources may be required to undertake peer reviews of any technical studies submitted by the landowners in support of their development concept. In accordance with the City's Tariff of Fees By-law for development approvals, the landowners will be responsible for 100% of the cost to administer the peer review and for the external consulting costs associated with the peer review.

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND

On November 4, 2022, the Province requested comments on proposed changes to the Greenbelt Plan through the Environmental Registry of Ontario (ERO) (ERO Postings 019-6216 and 019-6217). The proposals included the removal of 7,400 acres (2,995 ha) of land from the Greenbelt Plan Area in Ontario to be used to build housing in the near term.

Within the City of Hamilton, approximately 795 hectares of lands were identified in the November 2022 ERO posting for potential removal at the following locations:

- Lands located south of Garner Road West, west of Fiddlers Green Road, east of Shaver Road in the vicinity of Book Road ('Book Road Lands') (727 ha in size);
- Lands located south of White Church Road East, west of Miles Road, north of Chippewa Road East, east of Upper James Street ("Whitechurch Lands") (64 ha in size); and,
- Lands located at 331 and 339 Fifty road, at the north-west corner of Barton Street and Fifty Road ("Fifty Road Lands") (4 ha in size).

There are approximately 141 properties, the majority of which are either farms or properties less than 1.0 ha in size as outline in Table 1 below:

Table 1

Greenbelt Removal Lands					
Sub Area	Gross Area (Ha)	Total Properties	Ag/Farm Properties	<1 ha	Ag Props Area (Ha)
Book Road	727	113	34	67	572

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SUBJECT: Provincial Amendments to the Greenbelt Plan (Greenbelt Plan Amendment No. 3) (PED23046(a)) (City Wide) - Page 5 of 11

Sub Area	Gross Area (Ha)	Total Properties	Ag/Farm Properties	<1 ha	Ag Props Area (Ha)
Whitechurch	64	26	8	13	47
Fifty Road	4	2	1	1	3.5
Total	795	141	43	81	622.5

Through updates to ERO Postings 019-6216 and 019-6217 and confirmed through the December 16, 2022 letter from the Minister of Municipal Affairs and Housing, the Province issued its decision to remove these lands from the Greenbelt Plan.

The lands removed from the Greenbelt Plan are shown on Appendix “A” to Report PED23046(a).

Based on information contained in the November 4, 2022 ERO postings, rationale for the removal of these lands was that the removals support the Province’s goal of facilitating the construction of 1.5 million homes over the next 10 years under the More Homes Built Faster Plan through the construction of housing in the very short term.

In addition, the Province has indicated that significant progress on approvals and implementation of residential development of the Greenbelt removal lands is to be achieved by the end of 2023, and that development must be substantially underway by no later than the end of 2025. Furthermore, based on the ERO posting, it is staff’s understanding that the Province also expects that proponents would upfront the funding of any necessary infrastructure to service the subject lands, in accordance with local cost sharing policies. If progress on developing these lands is not proceeding by 2025, the ERO posting noted that the government may begin the process to put one or more of these lands back into the Greenbelt Plan.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Lands removed from the Greenbelt Plan Area remain in the rural area of Hamilton and therefore are subject to the policies of the Rural Hamilton Official Plan (RHOP). The lands are zoned with the applicable rural zoning to implement the RHOP land use designations.

The current RHOP policy framework does not permit urban type development of the subject lands. The RHOP designations applicable to these lands are outlined in Table 2 below:

SUBJECT: Provincial Amendments to the Greenbelt Plan (Greenbelt Plan Amendment No. 3) (PED23046(a)) (City Wide) - Page 6 of 11

Table 2

Area Removed from Greenbelt Plan	RHOP Designations
Book Road Lands	Agriculture Rural Open Space Mineral Aggregate Resource Extraction Area
Whitechurch Lands	Agriculture
Fifty Road Lands	Specialty Crop

Agriculture, Rural and Specialty Crop designations permit agricultural uses and agricultural-related uses and on-farm secondary uses. In addition, lands designated Rural permit resource-based rural uses and institutional uses serving the rural community. To develop these lands for residential uses would normally require amendments to the official plan and zoning by-laws.

The GBR lands are also subject to Natural Heritage, Servicing and Airport related policies in the RHOP. A summary of staff's policy analysis that was undertaken at the time that the Province was proposing the Greenbelt land removals is presented below and a more detailed analysis is contained in Appendix "C" to Report PED23046(a).

Natural Heritage: Natural Heritage features are identified in the RHOP on the Book Road and Whitechurch GBR lands as per Table 3 below:

Table 3

Area Removed from Greenbelt Plan	RHOP Natural Heritage System
Book Road Lands	Core Areas and Linkages Features include: - Unevaluated wetlands; - Watercourses; - Significant Woodlands; and, - Duff's Corners South Woodlot; - Environmentally Significant Area (ESA); - Potential Species at Risk (SAR) Habitat; - Potential Significant Wildlife Habitat (SWH); and, - Linkage (hydro corridor).

SUBJECT: Provincial Amendments to the Greenbelt Plan (Greenbelt Plan Amendment No. 3) (PED23046(a)) (City Wide) - Page 7 of 11

Area Removed from Greenbelt Plan	RHOP Natural Heritage System
Whitechurch Lands	Core Areas Features: Key Hydrologic Features - Streams
Fifty Road Lands	No natural heritage features indicated by RHOP mapping

Servicing: The servicing policies of both the RHOP and the UHOP work together to direct the provision of services within the rural area. First, the objective of the RHOP with respect to servicing is that all rural development is to occur on sustainable private services. Both the UHOP and RHOP prohibit the extension of lake-based municipal water and wastewater systems outside the urban area boundary except in response to public health emergencies.

As part of the City's response to the initial ERO posting, high level water, wastewater, and stormwater servicing comments were provided to assess the potential for servicing of the lands through the extension of municipal services in order to meet the development timeframes indicated by the province, i.e. construction to begin by 2025. The comments indicate that the Book Road and Whitechurch lands are unlikely to be serviced in time to permit housing construction by 2025.

Airport: Policies in the RHOP support the continued development of the John C. Munro International Airport as a major economic node and transportation facility. The City maintains Noise Exposure Forecasts (NEF) which are shown on RHOP Appendix D – Noise Exposure Forecast Contours and Primary Zoning Regulation Area and restricts development that is noise- or land use-sensitive to airport operations. Development of new residential and sensitive uses in areas that exceed the 28 NEF are prohibited. For development proposals for residential or sensitive uses within a 25 and 28 NEF, noise studies are required, and noise mitigation measures are to be implemented. Appendix "B" to Report PED23046(a) shows that a large portion of the Book Road Lands are encumbered by the NEF contours with the 25, 28, 30 and 35 NEF contours traversing the lands.

Bill 97 Proposed Amendments to the *Planning Act*

The Province is proposing amendments to the *Planning Act* through Bill 97 that will, amongst other changes, further facilitate the development of the Greenbelt Removal Lands.

SUBJECT: Provincial Amendments to the Greenbelt Plan (Greenbelt Plan Amendment No. 3) (PED23046(a)) (City Wide) - Page 8 of 11

Bill 97 proposes amendments to the *Planning Act* to give the Minister of Municipal Affairs and Housing authority to exempt certain subsequent approvals required to establish uses permitted by Minister's Zoning Orders (MZO) from having to align with provincial plans or local Official Plan policies. These changes would allow the Minister to approve new urban developments through an MZO within rural areas including Greenbelt areas.

A new section is also proposed to be added to the *Planning Act* (proposed Section 49.2) that would provide the Minister of Municipal Affairs and Housing with the authority to make an order to require landowners to enter into development agreements with the Minister or municipality in matters where the Provincial Land and Development Facilitator or the Deputy Facilitator has been directed by the Minister to advise, make recommendations or perform any other functions with respect to the land.

RELEVANT CONSULTATION

Planning and Economic Development staff (Growth Management, Transportation Planning) and Legal Services were consulted in the preparation of this report.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. Based on information provided through the ERO posting on the Greenbelt Removal Lands (GBR), the proposed legislative changes to the Planning Act as part of Bill 97, and a preliminary meeting with the Provincial Land and Development Facilitator, it is staff's understanding that the Province has advised the GBR landowners that it is their responsibility, with the assistance of the Provincial Land and Development Facilitator, to prepare a development concept, cost-sharing agreement and community benefits for their proposed developments, in consultation with the applicable municipality.

In addition, it is staff's understanding that the development of the GBR lands is to be substantially underway by the end of 2025, and that "substantially underway" refers to a continuum which is still to be determined, but that may mean engineering approvals, commencement of servicing (which may include extension of municipal sewers), site preparation (e.g. pre-grading) and/or actual construction of dwelling units.

Municipalities and landowners may also negotiate enhanced public benefits that go beyond the standard Development Charge payment, Community Benefit Charge payment and parkland dedication payment.

SUBJECT: Provincial Amendments to the Greenbelt Plan (Greenbelt Plan Amendment No. 3) (PED23046(a)) (City Wide) - Page 9 of 11

Notwithstanding the above, there are no regulatory or statutory requirements for landowners or the Province to obtain the municipality's approval, consent or input prior to proceeding with an MZO and a development agreement.

2. As part of the GRIDS2/MCR process, the City of Hamilton adopted the Ten Directions to Guide Development attached as Appendix "D" to Report PED23046(a). These directions are the foundational elements of the City's growth management strategy which includes the Official Plans, the infrastructure master plans as well as other strategies including but not limited to the City's Climate Change strategy and planning for the full continuum of community needs including housing and economic development opportunities.

Typically, upon receipt of a development application, staff review the application based on Official Plan and Secondary Plan policies and designations, infrastructure master plans, Council adopted reports and/or guidelines (e.g. Development Engineering Guidelines, Urban Design Guidelines, sub-watershed studies), in addition to community feedback and comments from technical agencies. However, given that the Greenbelt Removal Lands are outside of the urban area and that a formal development application may not be required to permit the land use (at this point in time), it is proposed that that the Ten Directions to Guide Development be utilized as a framework for the City's input to the Provincial Land and Development Facilitator with respect to any private development proposals, including potential community benefits (which would be above and beyond the City's base development standards).

Areas for consideration with respect to community benefits would include:

- provision of affordable housing;
- "re-wilding" and enhancements to the Natural Heritage System above and beyond the City's natural heritage standards;
- protection of heritage resources;
- implementation of green development standards;
- payment of full Development Charges and Parkland Dedication, above and beyond the post-Bill 23 requirements; and,
- requirement for the establishment of Landowner Groups to address matters relating to compensation amongst property owners for perceived lost development opportunities on lands designated for parks, storm water management facilities, institutional, etc.

The above potential areas for consideration would be in addition to good planning principles of sustainable, inclusive complete communities that are transit supportive and that represent areas that provide residents opportunities to live, work and play within their community.

SUBJECT: Provincial Amendments to the Greenbelt Plan (Greenbelt Plan Amendment No. 3) (PED23046(a)) (City Wide) - Page 10 of 11

3. It is staff's understanding that the Province does not intend to undertake or require any public consultation prior to issuing an MZO or development agreement for the Greenbelt removal lands. Therefore, staff are recommending that the City host a public meeting of the Planning Committee for the purpose of obtaining public input as to the City's priorities and expectations with respect to any private development proposals within the Greenbelt removal lands.

As part of the City's public consultation and engagement on GRIDS2/MCR, extensive community engagement was undertaken, including a household survey. A total of 213,606 surveys were distributed to households across the City by neighbourhood walk mail. In addition, 2,216 surveys were delivered via addressed (enveloped) mail to certain rural addresses on or near the municipal border which would otherwise not have been included in the neighbourhood walk mail distribution. Altogether, 215,822 surveys were delivered to households across the City. In total, the City received 18,387 survey responses back through both mail and email.

The GRIDS2/MCR process did not contemplate any urban type development occurring on lands within the Greenbelt Plan area. As the proposed development of former Greenbelt Plan Area lands now represents a fundamental shift in how and where the City of Hamilton grows to 2051, staff are recommending that the City obtain public input on what the City's priorities should be for how these lands develop. Specifically, staff are proposing to schedule a public meeting of the Planning Committee with the intent to hear from the public on this matter.

It is important to note, however, that the decision on how these lands develop rests with the Minister, and it is expected to be made through a Minister's Zoning Order and a development agreement. There is no requirement or assurance that the City's input, or that of the public, will have a bearing on the Province's decision.

ALTERNATIVES FOR CONSIDERATION

Council could direct staff not to meet with the Provincial Land and Development Facilitator, or with the landowners within the Greenbelt Removal Lands, and not to provide any input with respect to any proposed developments or any proposed community benefits. Staff do not recommend this approach as it is likely that the Province would still proceed with the issuance of a Minister's Zoning Order, and the signing of a development agreement, to allow for the development to proceed, without having received any input from the municipality.

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SUBJECT: Provincial Amendments to the Greenbelt Plan (Greenbelt Plan Amendment No. 3) (PED23046(a)) (City Wide) - Page 11 of 11

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure

Hamilton is supported by state-of-the-art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

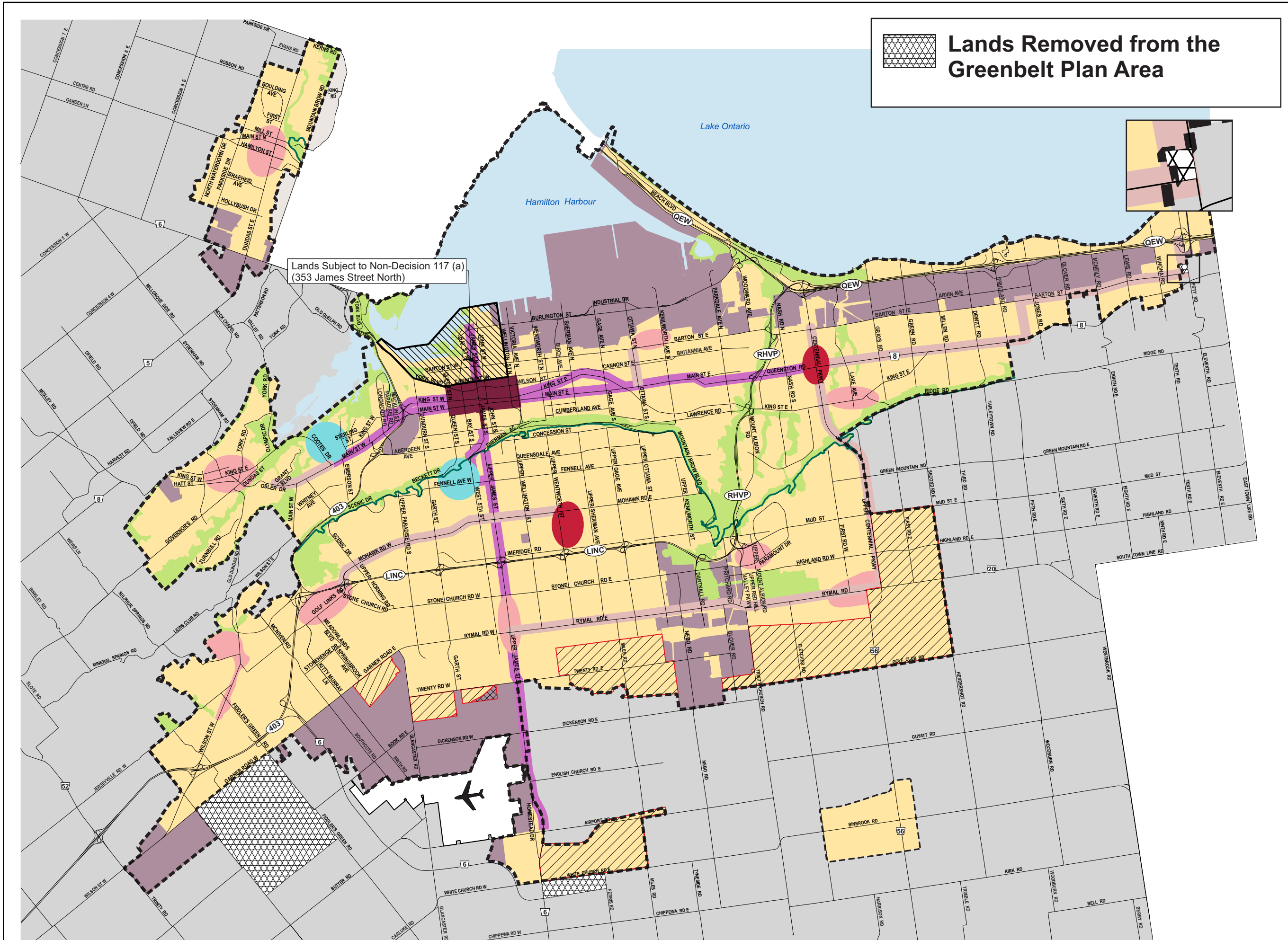
Appendix “A” to Report PED23046(a) - Location Map – Lands Removed from the Greenbelt and Urban Boundary Expansion Areas

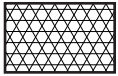
Appendix “B” to Report PED23046(a) - Lands Removed from the Greenbelt – Rural Hamilton Official Plan Schedule Illustrations



















Appendix “C” to Report PED23046(a) - Policy Analysis of Greenbelt Removed Lands

Appendix “D” to Report PED23046(a) - Ten Directions to Guide Development

Appendix “E” to Report PED23046(a) - Council Adopted Motion regarding Urban Boundary Expansion and Greenbelt Plan





 **Lands Removed from the Greenbelt Plan Area**

- Legend**
- Urban Structure Elements**
-  Neighbourhoods
 -  Employment Areas
 -  Major Activity Centres
 -  Major Open Space
 -  Urban Expansion Area - Neighbourhoods
 -  Urban Expansion Area - Employment
- Nodes**
-  Downtown Urban Growth Centre
 -  Sub Regional Service
 -  Community
- Corridors**
-  Primary
 -  Secondary
 -  Priority Transit Corridor
- 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
 Urban Structure**

 Not To Scale

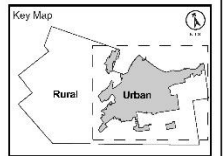
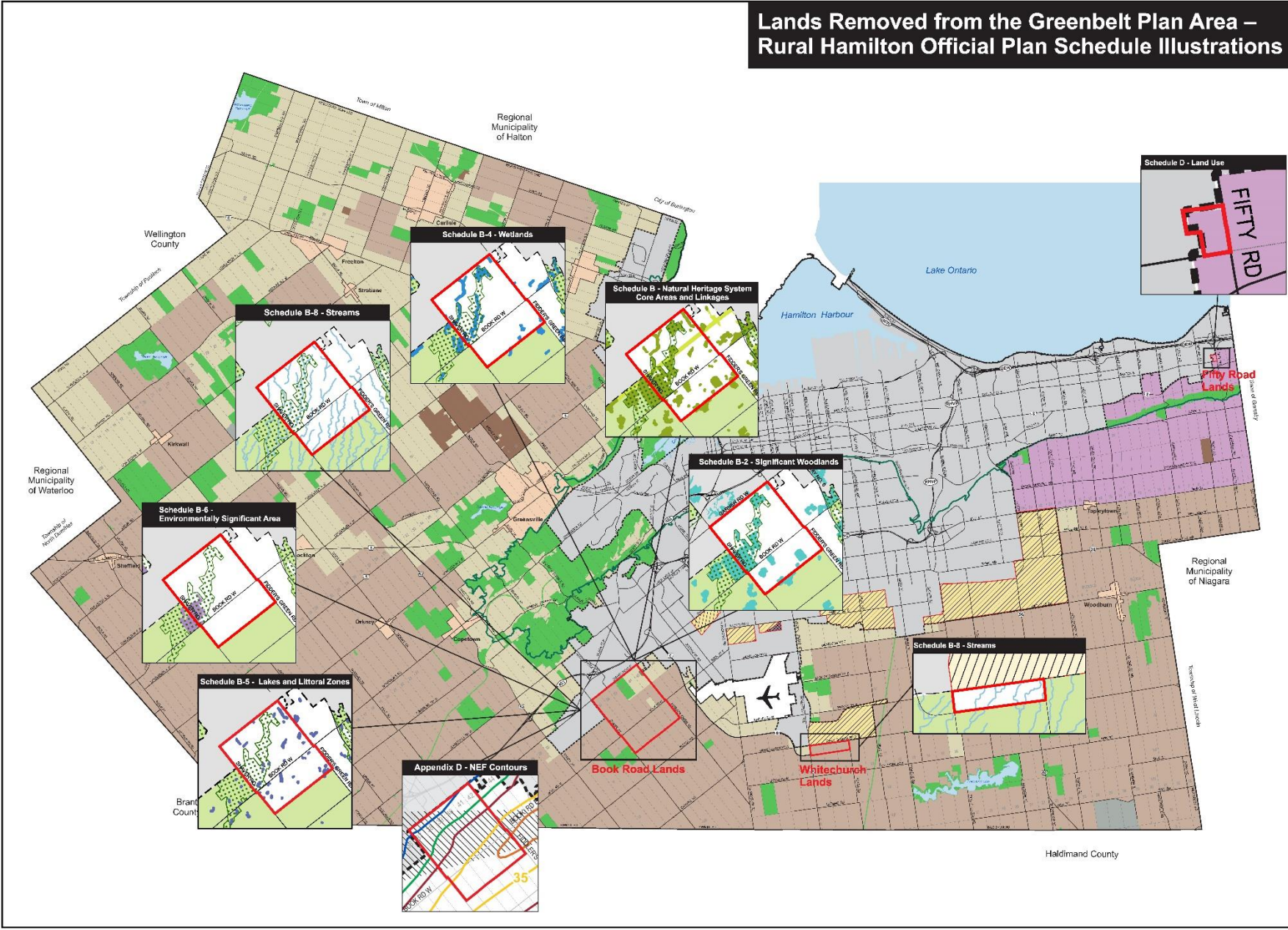
 Hamilton

Date: Nov. 2022

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

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Lands Removed from the Greenbelt Plan Area – Rural Hamilton Official Plan Schedule Illustrations



Note: For Urban Land Use Designations, refer to Schedule E-1 of the Urban Hamilton Official Plan.

- Legend**
- Rural Settlement Areas
 - Urban Expansion Area - Neighbourhoods
 - Urban Expansion Area - Employment
- 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**

Not to Scale

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
 Date: Nov. 2022

Appendix “C” to Report PED23046(a)
Page 1 of 4

Criteria	Fifty Road	Whitechurch Road	Book Road
Servicing – Water / wastewater / stormwater	<ul style="list-style-type: none"> • Lands are adjacent to existing infrastructure that has been sized to accommodate. • Water servicing needs to be reviewed with neighbouring municipality (Grimsby). 	<ul style="list-style-type: none"> • Area will be assessed with respect to water servicing and wastewater capacity through ongoing W/WW/SWM Master Plan. • Lands should be reviewed in conjunction with Whitechurch Urban expansion lands (white belt lands). • Would have to presume sufficient capacity in the Dickenson trunk main to accommodate sanitary servicing. Additional servicing requirements not significant, although routing options need to be analyzed in conjunction with white belt lands. Option could possibly include an outlet to Twenty Road SPS. 	<ul style="list-style-type: none"> • Input regarding water servicing and wastewater capacity needs to be determined through ongoing W/WW/SWM Master Plan. • Concerns about development in this area proceeding prior to the completion of the Dickenson trunk sewer due to potential for overflow. Sanitary outlet would need to be determined.
Transportation	<ul style="list-style-type: none"> • Lands are contiguous to existing transportation system • Development of lands will exacerbate transportation challenges on Fifty Road furthering the need for requiring upgrades including additional lanes and active transportation facilities, as planned through the Barton and Fifty Environmental Assessment. • QEW/Fifty Road is experiencing operational 	<ul style="list-style-type: none"> • Lands are not well connected to existing transportation systems for transit and active transportation; lands are outside of transit service area • Development in close proximity to provincial highway system • Development in close proximity to Airport Employment Growth District • Need to ensure lands for future Highway 6-RHVP connector are maintained. Alignment has not been determined. 	<ul style="list-style-type: none"> • Development of lands will require urbanization and expansion of Garner Road West (EA initiated January 2022, programmed in capital budget) • Development of lands will require urbanization and upgrading of Fiddler’s Green (EA not initiated, capital improvements not programmed) • Development supports S-Line Transit Priority Corridor • Development in close proximity to provincial highway system

Appendix “C” to Report PED23046(a)
Page 2 of 4

Criteria	Fifty Road	Whitechurch Road	Book Road
	<p>issues; MTO has identified this as challenge for nearby developments</p> <ul style="list-style-type: none"> • Area is not currently served by fixed route transit services • Significant upgrades to active transportation facilities are needed in vicinity of lands to be implemented as part of Barton and Fifty upgrades 	<ul style="list-style-type: none"> • Would align with future Red Hill ring road 	<ul style="list-style-type: none"> • Development in close proximity to Ancaster Employment Lands and Airport Employment Growth District • Will create pressures on rural roads including Shaver Road and Book Road • Development in northern portion of subject lands adjacent to Garner Road may be developable in the near term from a transportation perspective. Garner Road EA will be completed and Garner Road supports transit.
Natural Heritage	<ul style="list-style-type: none"> • These properties do not support features or functions associated with the City’s Natural Heritage System (including the Greenbelt Natural Heritage System) • These properties are located close to areas that have been developed/proposed to be developed which would minimize further negative impacts on other areas within the City that support the Natural Heritage System. 	<ul style="list-style-type: none"> • This area supports Core Areas (Key Hydrologic Features-Streams). • The removal of this area from the Greenbelt Plan is not supported from a Natural Heritage perspective • A comprehensive Secondary Plan or Servicing Strategy has not been completed for this area. It is unclear how this area will be developed in an efficient manner. • There is currently limited natural heritage information for this area. To determine how the Natural Heritage System can be integrated within the proposed development and to ensure that any developments or site alteration within or adjacent to 	<ul style="list-style-type: none"> • Site contains a Natural Heritage System that includes the Greenbelt Natural Heritage System, Core Areas and Linkages. The features/functions of the Natural Heritage System include Unevaluated wetlands, Watercourses, Significant Woodlands, Duff’s Corners South Woodlot Environmentally Significant Area (ESA), Potential Species at Risk (SAR) Habitat, Potential Significant Wildlife Habitat (SWH), Linkage (hydro corridor) • The removal of this area from the Greenbelt Plan is not supported from a Natural Heritage perspective • A comprehensive Secondary Plan or Servicing Strategy has not been completed for this area. It is

Appendix "C" to Report PED23046(a)

Page 3 of 4

Criteria	Fifty Road	Whitechurch Road	Book Road
		<p>Core Areas shall not negatively impact their environmental features or ecological functions (RHOP policy C.2.3.3), detailed plans/inventories would be required to be undertaken. The evaluation of natural features and their functions need to occur during appropriate timing windows (i.e., birds are evaluated in the spring when they are breeding; multi-season vegetation surveys).</p> <ul style="list-style-type: none"> • This area is located within the Niagara River Area of Concern watershed (designated in 1987 by the International Joint Commission). The AOC was identified due to water quality issues. Most restoration efforts have been focused on Niagara River, however, projects such as re-establishing riparian habitat have been undertaken within the AOC watershed. It is unclear how specific initiatives such as this have been taken into consideration. 	<p>unclear how this area will be developed in an efficient manner.</p> <ul style="list-style-type: none"> • There is currently limited natural heritage information within this area. To determine how the Natural Heritage System can be integrated within the proposed development and to ensure that any developments or site alteration within or adjacent to Core Areas shall not negatively impact their environmental features or ecological functions (RHOP policy C.2.3.3), detailed plans/inventories would be required to be undertaken. The evaluation of natural features and their functions need to occur during appropriate timing windows (i.e., birds are evaluated in the spring when they are breeding; multi-season vegetation surveys). • To implement the RHOP, the City of Hamilton has applied specific Conservation/Hazard Land zoning to many of the features within the Natural Heritage System within this area. These zones have been applied to protect the Natural Heritage System from the impacts of development. Fragmentation of the Natural Heritage System may occur.

Appendix “C” to Report PED23046(a)
Page 4 of 4

Criteria	Fifty Road	Whitechurch Road	Book Road
			<ul style="list-style-type: none"> • There are several headwater tributaries located within this area. Within the Provincial Policy Statement and the Greenbelt Plan, it is recognized that natural heritage features and functions do not respect administrative boundaries. It is unclear if this cross-jurisdictional relationship has been considered.
Planning	<ul style="list-style-type: none"> • Lands are surrounded to the north and west by existing development (Foothills of Winona) subdivision. 	<ul style="list-style-type: none"> • Lands are located adjacent to the Urban Expansion Area to the north which was added to the urban area through OPA 167. If lands are removed from the Greenbelt Plan, planning of this area should occur comprehensively. The lands to the north require a Secondary Plan to be completed prior to development occurring. • Lands are connected to the Mount Hope settlement area but disconnected from the remainder of the urban area, and separated by rural lands which will not develop for any urban uses in the near term due to restrictions on residential development by the airport noise contours. 	<ul style="list-style-type: none"> • Lands are bisected by the airport Noise Exposure Forecast contour 28. The Rural and Urban Hamilton Official Plans do not permit residential development above the 28 NEF contour. The Provincial ERO posting notes that the lands are being removed from the Greenbelt to allow for housing to be developed. It is not clear why these lands are being proposed for removal given the restriction on residential development in the area resulting from the noise contour.

Ten Directions to Guide Development:**Direction #1**

Plan for climate change mitigation and adaptation and reduce greenhouse gas emissions.

Direction #2

Encourage a compatible mix of uses in neighbourhoods, including a range of housing types and affordability, that provide opportunities to live, work, learn, shop and play, promoting a healthy, safe and complete community.

Direction #3

Concentrate new development and infrastructure within existing built-up areas and within the urban boundary through intensification and adaptive re-use.

Direction #4

Protect rural areas for a viable rural economy, agricultural resources, environmentally sensitive recreation and the enjoyment of the rural landscape.

Direction #5

Design neighbourhoods to improve access to community life for all, regardless of age, ethnicity, race, gender, ability, income and spirituality.

Direction #6

Retain and intensify existing employment land, attract jobs in Hamilton’s strength areas and targeted new sectors, and support access to education and training for all residents.

Direction #7

Expand transportation options through the development of complete streets that encourage travel by foot, bike and transit, and enhance efficient inter-regional transportation connections.

Direction #8

Maximize the use of existing buildings, infrastructure, and vacant or abandoned land.

Direction #9

Protect ecological systems and the natural environment, reduce waste, improve air, land and water quality, and encourage the use of green infrastructure.

Direction #10

Maintain and create attractive public and private spaces and respect the unique character of existing buildings, neighbourhoods and communities, protect cultural heritage resources, and support arts and culture as an important part of community identity.

Appendix “E” to Report PED23046(a)
Page 1 of 2

General Issues Committee February 1, 2023 Report 23-006 (Council - February 8, 2023)

Urban Boundary Expansion and Greenbelt Plan (Item 11.2)

WHEREAS, on June 8, 2022, City Council adopted Urban Official Plan Amendment 167 and Rural Official Plan Amendment 34 to implement Council's preferred growth scenario of “no urban boundary expansion” as Hamilton’s strategy to accommodate future growth to 2051;

WHEREAS, Hamilton City Council’s decision on the preferred growth scenario was made in December 2021 after an extensive process of analysis and community consultation through the GRIDS2/Municipal Comprehensive Review project;

WHEREAS, on November 4, 2022 the City of Hamilton received a decision from the Minister of Municipal Affairs and Housing on Official Plan Amendment (OPA) 167 to the Urban Hamilton Official Plan and OPA 34 to the Rural Hamilton Official Plan (GRIDS 2 / MCR); **WHEREAS**, the Minister’s decision unilaterally expanded the City’s urban boundary by 2,200 hectares including all future developable land in the City of Hamilton (Twenty Road West, Twenty Road East, Elfrida and White Church lands);

WHEREAS, on December 16, 2022 the City of Hamilton received a decision from the Minister of Municipal Affairs and Housing on proposed changes to the Greenbelt Plan and to the Greenbelt Area Boundary Regulation;

WHEREAS, the Minister’s decision unilaterally removed 795 hectares of land from Greenbelt Plan in Hamilton for the purpose of residential development;

WHEREAS, the City of Hamilton is committed to reducing the cost of housing, and building more homes that are attainable for our growing population;

WHEREAS, the City of Hamilton understands that prime agricultural areas are finite and non-renewable and form the foundation of local food production, agrifood exports and make a significant contribution to Hamilton’s jobs and economic prosperity;

WHEREAS, the City of Hamilton has declared a Climate Emergency and adopted a Climate Change Action Strategy, and unchecked urban sprawl will exacerbate the climate crisis;

WHEREAS, the City of Hamilton is moving forward with several initiatives to preserve agricultural land and support higher rates of infill and intensification including permitting secondary dwelling units city-wide, permitting the conversion of existing low density residential properties City wide into higher density forms of housing, updating the City’s zoning by-laws to permit additional density within the existing urban area, a review of parking standards, and new planning policies to support higher density development at Major Transit Station Areas;

Appendix “E” to Report PED23046(a)**Page 2 of 2**

WHEREAS, Hamilton already has lands designated and in many cases approved to accommodate approximately 37,000 units of new development, , which is approximately 10.5 years of housing supply, not including abundant opportunities for infill and intensification; and,

WHEREAS, on October 14th, 2022 the City of Hamilton released an updated analysis of Hamilton’s 2006 Growth Plan Land Needs Assessment (LNA) for growth to 2031 using actual 2021 Census information showing that actual development densities have been higher than were projected in 2006, resulting in a surplus of 329 hectares of land to 2031.

THEREFORE, BE IT RESOLVED:

(a) That the Minister’s decision to expand Hamilton’s urban boundary to include 2,200 hectares of agricultural, rural and natural heritage lands for residential development is unnecessary and is not supported by the City of Hamilton; and,

(b) That the Minister’s decision to remove 795 hectares of land from the Greenbelt Plan is unnecessary and is not supported by the City of Hamilton.

CITY OF HAMILTON NOTICE OF MOTION

Planning Committee Date: June 13, 2023

MOVED BY COUNCILLOR M. TADESON

Demolition Permit for 3260 Homestead Drive

WHEREAS, the owner of the above-mentioned property would like to demolish the building prior to obtaining a Building Permit for a replacement building

WHEREAS, the owner has plans to rebuild and is currently in the planning process, has received development approval and is working through site plan approval to redevelop the above property and the neighbouring property at 3250 Homestead Drive into a 40-unit condominium building.

WHEREAS, the previous owner did receive a demolition permit for the rear portion of the house and was in the process of demolishing parts of the interior and exterior when the property was purchased in the summer of 2021.

WHEREAS, The remaining house is beyond repair and dangerous for people to enter, yet people continue to break in.

WHEREAS, neighbouring residents have encouraged the property owner to apply for a demolition permit as soon as possible to relieve the challenges and risks of vandalism and mischief at the property.

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demotion permit for 3260 Homestead Drive, Glanbrook, pursuant to Section 33 of the Planning Act as amended, without having to comply with the conditions in Sub-Section 6.(a) of Demolition Control Area By-law 22-101.

CITY OF HAMILTON NOTICE OF MOTION

Planning Committee Date: June 13, 2023

MOVED BY COUNCILLOR M. TADESON

Demolition Permit for 2600 Regional Road 56, Binbrook

WHEREAS, the owner of the above-mentioned property would like to demolish an existing building on the property without having to replace it with a new dwelling.

WHEREAS, the building is part of the Binbrook Agricultural Society's Fairground property and has not been used as a residential home, but as a storage facility and a gatehouse during fair time, since it was purchased by the Agricultural Society over a decade ago.

WHEREAS, the building is in disrepair and poses significant safety concerns.

WHEREAS, there have been ongoing issues with the building being repeatedly trespassed and vandalized, creating ongoing security concerns for the surrounding neighbours and owner.

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for 2600 Regional Road 56, Glanbrook pursuant to Section 33 of the Planning Act as amended, without having to comply with the conditions in Sub-Section 6.(a) of Demolition Control Area By-law 22-101.