



# City of Hamilton

## PLANNING COMMITTEE REVISED AGENDA

**Meeting #:** 25-005  
**Date:** April 8, 2025  
**Time:** 9:30 a.m.  
**Location:** Council Chambers  
Hamilton City Hall  
71 Main Street West

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

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	<b>Pages</b>
<b>1. CALL TO ORDER</b>	
<b>2. CEREMONIAL ACTIVITIES</b>	
<b>3. APPROVAL OF AGENDA</b> (Added Items, if applicable, will be noted with *)	
<b>4. DECLARATIONS OF INTEREST</b>	
<b>5. APPROVAL OF MINUTES OF PREVIOUS MEETING</b>	
5.1 March 18, 2025	5
<b>6. DELEGATIONS</b>	
<b>7. ITEMS FOR INFORMATION</b>	
7.1 PED23069(a) Residential Zones Project: New Mid Rise Residential Zones in Zoning By-law No. 05-200 - Consultation Update (CI 25-C) (City-Wide)	21
7.2 HMHC 25-003 Hamilton Municipal Heritage Committee Minutes - March 28, 2025	108
<b>8. PUBLIC HEARINGS</b>	

8.1	PED25054 Applications for a Zoning By-law Amendment Application and Draft Plan of Subdivision for Lands Located at 204, 212, 220, and 226 Rymal Road West Part of Lot 17, Concession 8 and Part of Road Allowance Between Lots 16 and 17, Geographic Township of Barton, in the Former City of Hamilton (Ward 8)	109
8.2	PED25036 Applications for Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 387, 397, 405 and 409 Hamilton Drive, Ancaster (Ward 12)	157
	*a. Written Submissions: (i) Imtiaz Kiani	215
8.3	PED24109(b) Official Plan Amendment and Final Framework for Processing and Evaluating Urban Boundary Expansion Applications (City Wide)	216
	*a. Written Submissions: (i) Lois Corey (ii) Ian Hanecak	604
8.4	PED25106 Application for a Zoning By-law Amendment for Lands Located at 120 Wentworth Street North, Hamilton (Ward 3)	607
	a. Written Submissions: (i) Brenda Duke (ii) Sandy Ezepue, Hamilton Urban Core Community Health Centre (iii) Anna Buhrmann and Abigail Morton	709
	*a. Added Written Submissions: (iv) Alice Plug-Buist, Helping Hands Street Mission (v) Justin Eisinga, 541 Eatery & Exchange (vi) Seán McGuire, Wentworth Baptist Church	713
	*b. Delegations: (i) Seán McGuire, Wentworth Baptist Church	

8.5	PED25038 Strategic and Technical Amendments to the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200 to Implement the Residential Zones, and Strategic Amendments to Former City of Hamilton Zoning By-law No. 6593 (CI 25-A) (City Wide)	718
8.6	PED25097 Application for a Draft Plan of Subdivision for Lands Located at 238, 240 and 242 Highland Road West, Stoney Creek (Ward 9)	872
8.7	PED25081 Application for a Zoning By-law Amendment for Lands Located at 87 to 109 Ashley Street, Hamilton (Ward 3)	900
8.8	PED25063 Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1278 Old Highway 8, Flamborough (Ward 12)	950

**9. ITEMS FOR CONSIDERATION**

9.1	PED24175(a) Implementation of Changes to Section 41 of the <i>Planning Act</i> – Site Plan Approval, in Response to Provincial Bill 185 (City Wide)	992
	*a. Written Submissions: (i) Andrew Hannaford, MHBC Planning	1002
9.2	PED25078 Accessible Parking Updates to Municipal By-laws (City Wide)	1004
*9.3	HMHC 25-004 Hamilton Municipal Heritage Committee Minutes dated April 4, 2025	1019
*9.4	PED25091 Application for Ministry of the Environment, Conservation and Parks Environmental Compliance Approval for a Waste Processing Facility for Lands Located at 1133 Industrial Drive (Ward 3)	1028

*This item was previously listed on the agenda as Item 8.7.*

**10. MOTIONS**

10.1	Feasibility of Permitting Chickens and Roosters within the Settlement Residential (S1) Zone	1052
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Members of the public can contact the Clerk's Office to acquire the documents considered at this meeting, in an alternate format.

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|------|--|------|
| 10.2 | Hamilton Heritage Property Grant Program Application Criteria<br>Exception for the Property Municipally Addressed as 2295 Troy Road,<br>Flamborough (Former Troy School) | 1053 |
| 10.3 | Enhanced Parking Enforcement Services  | 1055 |

**11. NOTICES OF MOTION**

**12. PRIVATE AND CONFIDENTIAL**

12.1 Closed Session Minutes - March 18, 2025  
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), Subsections (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.

\*12.2 LS25008  
Update on Various Appeals for Non-Decision to the Ontario Land Tribunal within the Airport Employment Growth District (Wards 11 and 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), Subsections (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.

**13. ADJOURNMENT**



## **PLANNING COMMITTEE MINUTES PLC 25-004**

9:30 a.m.

March 18, 2025

Council Chambers (Hybrid), City Hall, 2<sup>nd</sup> Floor  
71 Main Street West, Hamilton, Ontario

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**Present:** Councillors T. Hwang (Chair), M. Tadeson (Vice-Chair) (virtual), J.P. Danko (2<sup>nd</sup> Vice Chair) (virtual), J. Beattie, C. Cassar, M. Francis (virtual), C. Kroetsch, E. Pauls, T. McMeekin, A. Wilson (virtual), M. Wilson

**Absent  
with Regrets:** Councillor N. Nann – City Business

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### **1. CALL TO ORDER**

Committee Chair T. Hwang called the meeting to order at 9:30 a.m.

### **2. CEREMONIAL ACTIVITIES**

There were no ceremonial activities.

### **3. APPROVAL OF AGENDA**

**(Beattie/Kroetsch)**

That the agenda for the March 18, 2025 Planning Committee meeting, be approved, as presented.

**CARRIED**

### **4. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **5. APPROVAL OF MINUTES OF PREVIOUS MEETING**

#### **5.1 February 25, 2025**

**(Cassar/Beattie)**

That the minutes of the February 25, 2025 Planning Committee, be adopted, as presented.

**CARRIED**

**6. DELEGATIONS****6.1 Phil Pothen, Environmental Defence, respecting Permit Reform Process (Item 10.1)**

Phil Pothen, Environmental Defence, addressed the Committee respecting Permit Reform Process (Item 10.1).

**(M. Wilson/Kroetsch)**

That the Delegation from Phil Pothen, Environmental Defence, respecting Permit Reform Process (Item 10.1), be received.

**CARRIED****7. ITEMS FOR INFORMATION****7.1 PED25065  
Appeal of Draft Plan of Subdivision Application 25T-202102 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 370, 378, 412, and 436 Garner Road East, Ancaster (Ward 12)****(Cassar/Beattie)**

That Report PED25065, dated March 18, 2025, respecting Appeal of Draft Plan of Subdivision Application 25T-202102 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 370, 378, 412, and 436 Garner Road East, Ancaster (Ward 12), be received.

**CARRIED****8. PUBLIC HEARINGS**

In accordance with the *Planning Act*, Chair T. Hwang 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.

If a person or public body would otherwise have an ability to appeal the decision of Council, City of Hamilton to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Hamilton before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Hamilton before the by-law is passed, 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.

**8.1 PED25073**

**Application for a Zoning By-law Amendment for Lands Located at 420 Crerar Drive, Hamilton (Ward 7)**

**(a) (Kroetsch/A. Wilson)**

That the presentation from Spencer Skidmore, Area Planning Manager, respecting Application for a Zoning By-law Amendment for Lands Located at 420 Crerar Drive, Hamilton (Ward 7), be waived.

**CARRIED**

Edward John with Landwise, addressed the Committee and indicated support for the staff report.

**(b) (Beattie/Cassar)**

That the presentation from Edward John with Landwise, be received.

**CARRIED**

Chair Hwang called three times for public delegations and no one came forward.

**(c) (McMeekin/Pauls)**

(a) That the public submissions (in the staff report) 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  
 YES – Ward 2 Councillor C. Kroetsch  
 NOT PRESENT – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 NOT PRESENT – 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) (Pauls/Beattie)**

That Report PED25073, dated March 18, 2025, respecting Application for a Zoning By-law Amendment for Lands Located at 420 Crerar Drive, Hamilton (Ward 7), be received, and the following recommendations be approved:

- (a) That Zoning By-law Amendment application ZAC-25-005, by Landwise (c/o Edward John), on behalf of Sons and Daughters of Italy Crerar Corporation, Owner, for a change in zoning from the Community Institutional (I2) Zone to the Community Institutional (I2, 925) Zone, to permit the use of a Private Club or Lodge on lands located at 420 Crerar Drive, Hamilton, as shown on Appendix A attached to Report PED25073, be approved on the following basis:
- (i) That the draft Amended By-law, attached as Appendix B to Report PED25073, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
- (ii) That the proposed change in zoning is consistent with the Provincial Planning Statement (2024) and complies with the Urban Hamilton Official Plan.

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

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

**8.2 PED25067  
 Application for an Official Plan Amendment for Lands Located at 804 to 816 King Street West, Hamilton (Ward 1)**

Yomna Serag Eldin, Senior Planner, addressed the Committee respecting Application for an Official Plan Amendment for Lands Located at 804 to 816 King Street West, Hamilton (Ward 1), with the aid of a PowerPoint presentation.

- (a) **(M. Wilson/Kroetsch)**  
 That the staff presentation from Yomna Serag Eldin, Senior Planner, respecting Application for an Official Plan Amendment for Lands

Located at 804 to 816 King Street West, Hamilton (Ward 1), be received.

**CARRIED**

James Webb with WEBB Planning Consultants, addressed the Committee and indicated support for the staff report.

**(b) (Cassar/M. Wilson)**

That the presentation from James Webb with WEBB Planning Consultants, be received.

**CARRIED**

Chair Hwang called three times for public delegations and the following member of the public came forward:

(i) Mark Kamath

**(c) (Cassar/McMeekin)**

(a) That the following public submissions were received and considered by the Committee; and,

(1) Written Submissions:

- (i) Rolf Nanninga and Yuru Irene – Concerns with proposal
- (ii) Robert Sturge – Concerns with proposal
- (iii) Marleen Van den Broek – Concerns with proposal
- (iv) Blake Thompson – Concerns with proposal
- (v) Michelle Kriedemann – Concerns with proposal

(2) Delegation:

- (i) Mark Kamath – Concerns with proposal

(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  
 YES – Ward 2 Councillor C. Kroetsch  
 NOT PRESENT – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 NOT PRESENT – 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) (M. Wilson/A. Wilson)**

That Report PED25067, dated March 18, 2025, respecting Application for an Official Plan Amendment for Lands Located at 804 to 816 King Street West, Hamilton (Ward 1), be received, and the following recommendations be approved:

- (a) That Official Plan Amendment Application UHOPA-24-012, by WEBB Planning Consultants (c/o James Webb) on behalf of Gateway Development Group Inc. (c/o Anthony Quattrociocchi), Owner, to modify “Site Specific Policy – Area J” within the Ainslie Wood Westdale Secondary Plan to increase the permitted maximum density from 176 residential dwelling units per gross hectare to 380 residential dwelling units per gross hectare, for lands located at 804 to 816 King Street West, as shown on Appendix A attached to Report PED25067, be approved on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix B to Report PED25067, be adopted by City Council; and,
- (ii) That the proposed Official Plan Amendment is consistent with the Provincial Planning Statement (2024).

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

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

**9. ITEMS FOR CONSIDERATION**

**9.1 PED25110**

**Notice of Owner's Request to Repeal Designation By-law No. 95-67 for 2295 Troy Road, Flamborough (Former Troy School) under Section 32 of the *Ontario Heritage Act* (Ward 12)**

**(Cassar/McMeekin)**

That Report PED25110, dated March 18, 2025, respecting Notice of Owner's Request to Repeal Designation By-law No. 95-67 for 2295 Troy Road, Flamborough (Former Troy School) under Section 32 of the *Ontario Heritage Act* (Ward 12), and the following recommendations be approved:

- (a) That the owner's request to repeal former Town of Flamborough By-law No. 95-67, being a by-law to designate 2295 Troy Road, Flamborough (Former Troy School), under Part IV of the *Ontario Heritage Act*, attached as Appendix A to Report PED25110, be received.
- (b) That the City Clerk be directed to give notice of any owner's request to repeal a designating by-law under Part IV of the *Ontario Heritage Act*, in accordance with the requirements of Section 32 of the *Ontario Heritage Act*.
- (c) That staff be directed to process any owner-initiated application to repeal a designating by-law, in accordance with Section 32 of the *Ontario Heritage Act*, including considering any objections to the notice of application to repeal, consulting with the Hamilton Municipal Heritage Committee and reporting back to Council with a recommendation for addressing the request for repeal.

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

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

**9.2 HMHC 25-002**

## Hamilton Municipal Heritage Committee Minutes - February 28, 2025

### (Cassar/Hwang)

That the Hamilton Municipal Heritage Sub-Committee Minutes 25-002, dated February 28, 2025, be received, and the recommendations contained therein be approved.

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

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

## 10. MOTIONS

### 10.1 Permit Reform Process

#### (a) (M. Wilson/Hwang)

That the following public submission be received:

- (i) Anthony Salemi, West End Home Builders' Association

**CARRIED**

#### (b) (M. Wilson/Hwang)

WHEREAS, the Government of Ontario has set a goal of building at least 1.5 million homes by 2031 and has assigned the province's 50 largest municipalities, including the City of Hamilton, with housing targets to help meet this goal;

WHEREAS, the City of Hamilton has a 47,000 new homes target;

WHEREAS, the Government of Ontario's Housing Affordability Task Force found that Ontario parents and grandparents are worried that their children will not be able to afford a home when they start working or decide to start a family and that too many Ontarians are unable to

live in their preferred city or town because they cannot afford to buy or rent;

WHEREAS, the Government of Ontario's Housing Affordability Task Force found that more density is needed across the province, that cities and towns need to end exclusionary rules that block or delay new housing and municipal councils need to work to prevent abuse of the housing appeals process;

WHEREAS, the Smart Prosperity Institute's report "Who Will Swing the Hammer" (May 2023) reported that Hamilton is struggling to attract young workers and retain young families and will have increased difficulty competing with cities like Ottawa and Calgary for talent due to a lack of attainable housing;

WHEREAS, the Smart Prosperity Institute's report stated that without significant reforms, the problem of a lack of attainable housing for families in Hamilton is likely to get worse;

WHEREAS, a municipality's development approvals process and building permit process impact the ease and cost of building housing;

WHEREAS, a 2024 municipal benchmarking study of land-use planning policy-related factors prepared for the Canadian Homebuilders' Association by the Altus Group ranked the City of Hamilton last out of 23 municipalities in estimated land use approval times;

WHEREAS, annual reporting on housing activity would uphold City Council's commitment to communicate in an accessible and transparent manner;

WHEREAS, a review of the City of Hamilton's land-use planning approval system is part of Council's commitment to continuous improvement and an effort to get housing built.

THEREFORE, BE IT RESOLVED:

- (a) That Planning and Economic Development and Public Works staff be requested to develop an action plan to improve the timeliness, efficiency, customer service and accessible navigation of the development approvals and building permit processes to facilitate the construction of new housing supply;
- (b) That this action plan be informed by stakeholder participation from the development industry and other community

stakeholders tasked with an assessment of lessons learned from the All4One Bloomberg pilot and other municipal best practices with terms of reference determined by the Mayor and City Manager;

- (c) That the Mayor of Hamilton and City Manager be requested to report back to members of Planning Committee with information on these said terms of reference and stakeholder membership by Q2, 2025
- (d) That the scope of this review and action plan include but not be limited to:
  - (i) The formal consultation process and the completed application requirements
  - (ii) The site plan control process
  - (iii) The subdivision process
  - (iv) Engineering reviews, and
  - (v) Conditional building permits
  - (vi) A review of the number and type of submission requirements including consultant reports, plans and studies that are required by the City through the planning approval process and the material impact on project outcomes;
  - (vii) An assessment of Hamilton's current official plan and zoning frameworks in terms of Council's commitment to continuous improvement and an effort to get housing built.
- (e) That Planning and Economic Development staff be requested to compile and report on housing activity as part of the Planning Division's annual Market and Land Supply Monitoring report including but not limited to:
  - (i) The number of planning approvals issued for new low-density, mid-rise and high-density units and their locations in Hamilton;
  - (ii) The number of building permits issued for new low-density; mid-rise and high-density units and their locations in Hamilton;
  - (iii) The average size of units;
  - (iv) The achieved timelines for housing application and permit approvals and how these timelines compare with neighbouring GTHA, Brantford, Niagara, Kitchener, Waterloo and Guelph municipalities.

- (f) That future annual reports on housing activity include any additional KPIs identified by the forthcoming work of the Mayor's task force on the development approvals and building permit processes.

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

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

## **11. NOTICE OF MOTIONS**

Councillor Cassar introduced the following Notice of Motion:

### **11.1 Feasibility of Permitting Chickens and Roosters within the Settlement Residential (S1) Zone**

WHEREAS many farm animals, including chickens and roosters are already permitted in Hamilton's rural residential areas;

WHEREAS Zoning in Rural Settlement Areas (S1 Zone) prohibits the keeping of farm animals, including chickens and roosters;

WHEREAS in recent years, the cost of food has increased significantly making household budgeting difficult for many residents;

WHEREAS hens are relatively inexpensive and one hen can produce approximately 260-360 eggs per year depending on the breed;

WHEREAS free range eggs sold by local grocery stores are considerably more expensive at over \$8 per dozen;

WHEREAS hens are extremely efficient at breaking down household scraps and turning that into fertilizer and enriching the soil;

WHEREAS ticks and associated illnesses are a growing health concern that can be mitigated by hen keeping;

WHEREAS backyard hens help to reduce negative impacts on the climate by eliminating the need for eggs to be transported to market;

WHEREAS allowing chickens and roosters in Rural Settlement Areas (S1 Zone) would improve access to affordable and nutritious food close to home;

THEREFORE BE IT RESOLVED:

That Animal Services, Municipal Law Enforcement, and Planning staff be directed to explore the feasibility of permitting chickens and roosters as permitted Agricultural uses within the Settlement Residential (S1) Zone and report back to Planning Committee in Q4, 2025.

Councillor Cassar introduced the following Notice of Motion:

**11.2 Hamilton Heritage Property Grant Program Application Criteria  
Exception for the Property Municipally Addressed as 2295 Troy Road,  
Flamborough (Former Troy School)**

WHEREAS, the Hamilton Heritage Property Grant Program (the Program) is intended to provide financial assistance to commercial, institutional, industrial or multi-residential properties that are designated under the *Ontario Heritage Act*, in the form of a grant for the conservation and restoration of heritage features, including the structural and stability work, up to a maximum of \$150,000, and for an additional \$20,000 for any studies, reports or assessments related to said work;

WHEREAS, applicants must meet the Council approved Program eligibility and grant criteria, including being located within defined geographic areas across the city, including Community Improvement Project Areas, the Mount Hope/Airport Gateway or the lower city between Highway 403 and the Red Hill Valley Parkway;

WHEREAS, program applications are subject to a comprehensive review by the City of Hamilton's Economic Development Division and approval of all Program applications are at the absolute discretion of the General Manager, Planning and Economic Development, and subject to the availability of funds;

WHEREAS, the property located at 2295 Troy Road, Flamborough, known as the former Troy School, (the Property) is designated under Part IV of the *Ontario Heritage Act* by Former Town of Flamborough By-law No. 95-67;

WHEREAS, the Property's existing historic wood siding is in a state of disrepair, and the estimated cost to restore and/or replace the wood siding with appropriate wood or wood-composite materials is approximately \$80,000 to \$120,000, and the Property owner has requested that the designation by-law be repealed because they do not have the funds required to appropriately conserve and repair the siding;

WHEREAS, the Property is not located within the geographic eligibility area of the existing Hamilton Heritage Property Grant Program, and would currently only be eligible for a maximum matching grant of \$5,000 per year under the Hamilton Heritage Conservation Grant Program; and,

WHEREAS, the Property is one of several designated heritage properties that are not currently eligible for the Hamilton Heritage Property Grant Program due to their geographic location, but its owners wish to undertake conservation and restoration work that warrants substantially more funding than is currently available under the Hamilton Heritage Conservation Grant Program;

THEREFORE, BE IT RESOLVED:

- (a) That, on a one-time basis, staff be directed to accept a Hamilton Heritage Property Grant Program application for 2295 Troy Road, Flamborough (Former Troy School) (the Property), for Program eligible heritage conservation and restoration work;
- (b) That staff be directed to review, process and approve any such application, provided the application, applicant and Property meet all other applicable Council-approved Program terms; and
- (c) That staff be directed to investigate opportunities to improve the Hamilton Heritage Property Grant Program and Hamilton Heritage Conservation Grant Program, including the potential to expand the geographic eligibility and funding amounts of the programs and any related impacts on funding, staffing and resources, and bring forward a report to the Planning Committee with recommendations, including any potential 2026 budget requests which may be required to support any recommended changes, by the end of Q3 2025.

## 12. PRIVATE & CONFIDENTIAL

Committee determined that discussion of Item 12.1 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

## **12.1 Closed Session Minutes – February 25, 2025**

### **(Kroetsch/Cassar)**

That the Closed Session minutes of the February 25, 2025 Planning Committee meeting, be approved and remain confidential.

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

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

### **(M. Wilson/Cassar)**

That Committee move into Closed Session for Items 12.2 and 12.3 pursuant 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), Subsections (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.

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

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 NOT PRESENT – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – 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 Committee reconvened in Open Session at 12:14 p.m.

**12.2 LS25007**

**Report on the Feasibility of the Adoption and Enforcement of a By-law to Prohibit Protests at Places of Worship and Their Facilities (City Wide)**

**(a) (M. Wilson/Beattie)**

That Report LS25007, dated March 18, 2025, respecting Report on the Feasibility of the Adoption and Enforcement of a By-law to Prohibit Protests at Places of Worship and Their Facilities (City Wide), be received, and remain confidential.

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

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

**(b) (M. Wilson/Beattie)**

That staff be directed to report back with a draft by-law, with internal consultation with Hamilton Police Service and Municipal Law Enforcement, and public consultation on the draft by-law facilitated through online comment.

**Result: Motion CARRIED by a vote of 7 to 2, as follows:**

YES – Ward 1 Councillor M. Wilson  
 NO – Ward 2 Councillor C. Kroetsch  
 NOT PRESENT – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 NOT PRESENT – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar

NO – Ward 13 Councillor A. Wilson  
YES – Ward 15 Councillor T. McMeekin

**12.3 LS25010**

**Update on Planning Appeals in Mediation and Settlement Discussions  
before the Ontario Land Tribunal (City Wide)**

**(Kroetsch/Cassar)**

That Report LS25010, dated March 18, 2025, respecting Update on Planning Appeals in Mediation and Settlement Discussions before the Ontario Land Tribunal (City Wide) be received, and remain confidential.

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

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

**13. ADJOURNMENT**

There being no further business, the Planning Committee adjourned at 12:25 p.m.

Respectfully submitted,

Lisa Kelsey  
Legislative Coordinator  
Office of the City Clerk

Councillor T. Hwang,  
Chair, Planning Committee



## City of Hamilton Report for Information

**To:** Chair and Members  
Planning Committee

**Date:** April 8, 2025

**Report No:** PED23069(a)

**Subject/Title:** Residential Zones Project: New Mid Rise Residential Zones in Zoning By-law No. 05-200 - Consultation Update (CI 25-C)

**Ward(s) Affected:** City Wide

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### Recommendations

- 1) That Report PED23069(a) Residential Zones Project: New: Mid Rise Residential Zones - Consultation Update **BE RECEIVED**.

### Key Facts

- The purpose of this report is to inform Council of further engagement that has occurred for the draft Mid Rise Residential Zones, and to update Council on the progress of refining the draft Mid Rise Residential Zones through the engagement process.
- As authorized by Council in June 2023, through the Residential Zones Project, staff have implemented a robust consultation plan to inform the development of new Mid Rise Residential Zones in Zoning By-law No. 05-200.
- Since the kick off of the most recent round of engagement in November 2023, Planning staff have facilitated a range of engagement activities under the project banner of "Reimagining Neighbourhoods".
- Staff will continue to engage with the public and interested parties as the draft Mid Rise Residential Zones are finalized for Council's consideration later in 2025.

### Financial Considerations

N/A

**Residential Zones Project: New Mid Rise Residential Zones in Zoning By-law No.  
05-200 - Consultation Update (CI 25-C) (City Wide)  
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## **Background**

On June 13, 2023, Planning Committee was introduced to two new draft Mid Rise Residential Zones that implemented the Medium Density Residential Designation policies of the Urban Hamilton Official Plan (Report PED23069). Council subsequently authorized staff to begin public engagement on the draft Mid Rise Residential Zones.

Staff retained WSP Canada Inc. to create and execute a comprehensive consultation plan for the Reimagining Neighbourhoods Residential Zones Project. The introduction of Residential Zones in Hamilton Zoning By-law No. 05-200 has an impact on a wide audience across the City and requires an innovative approach to community outreach and engagement activities.

Consultation events for the Residential Zones Project date back to 2018 when City staff engaged with the public about future growth and neighbourhood planning. The most recent round of engagement was launched in November 2023 under the banner of “Reimagining Neighbourhoods”. This first phase of the latest consultation on the Residential Zones Project consisted of a robust period of consultation on changes to housing options in neighbourhoods through new Low Density Residential Zones, and changes to built form along the periphery of neighbourhoods through new Mid Rise Residential Zones. The Consultation Summary Report, attached as Appendix A to Report PED23069(a), was prepared by WSP Canada Inc. and summarizes Phase 1 of the Reimagining Neighbourhoods consultation which took place between November 2023 and February 2024. Engagement events included virtual public information meetings, community pop-up events, a workshop with the development industry and other interested parties, presentations to two Advisory Committees and the Development Industry Liaison Group, and a public survey hosted on the Engage Hamilton – Reimagining Neighbourhoods webpage.

Since completion of the first phase of consultation summarized in Appendix A to this Report, staff have continued engagement to inform the completion of Mid Rise Residential Zones. Phase 1 of the overall Mid Rise Residential Zones project intends to introduce the Mid Rise Residential Zones to Zoning By-law No. 05-200 as well as bring in a number of properties to the Mid Rise Zones. Subsequent phases of the project will address properties within Secondary Plans and with special exceptions on existing zoning.

Phase 2 of the engagement has focused on proposed changes to the periphery of neighbourhoods through the Mid Rise Residential Zones and is summarized in an addendum to the Consultation Summary Report (attached as Appendix B to Report PED23069(a)). The purpose of Phase 2 of consultation has been to report back to the public and interested parties on changes that resulted from “What We Heard” in Phase 1 of the consultation and renew public interest and knowledge on the Residential Zones Project.

**Residential Zones Project: New Mid Rise Residential Zones in Zoning By-law No.  
05-200 - Consultation Update (CI 25-C) (City Wide)  
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## **Analysis**

### Engagement

Throughout the Residential Zones Project, staff have incorporated multiple engagement strategies with the objective of transparency, creating an open dialogue, and collaborating with community partners, interested parties and members of the public.

Phase 1 of the engagement program took place from November 2023 to January 2024 and included a comprehensive plan that engaged the public using methods including two public information sessions, eight community pop-up events, one podcast interview, three advisory committee meetings, and a social media campaign. A fulsome summary of Phase 1 of the engagement program is attached to Report PED23069(a) as Appendix A.

During Phase 2 of the engagement program, the following consultation events have taken place:

- Facilitation of twelve in-person community pop-up events (Summer of 2024); and,
- Presentation to the Development Industry Liaison Group (February 2025).

Additionally, the Residential Zones Project Webpage on the City's Website, and the Engage Hamilton Reimagining Neighbourhoods webpage has continued to promote the project and has been updated regularly with new project information to engage with and keep residents informed.

In February of 2025, an update was posted on the Engage Hamilton Reimagining Neighbourhoods webpage to provide the public with updates to the draft Mid Rise Residential Zones resulting from feedback collected through the engagement process since the zones were first introduced in 2023. Also in February 2025, staff met with the Development Industry Liaison Group to present the updates to the Zones. The feedback collected through the latest engagement will inform refinement of the draft zones in preparation for the eventual public meeting of Planning Committee to present the Mid Rise Residential Zones. Prior to the future public meeting, the draft zones and draft mapping will be posted on the Engage Hamilton webpage for public viewing.

The Consultation Summary Report attached as Appendix A and addendum attached as Appendix B to Report PED23069(a) describe all communications and engagement activities undertaken and reports back on "what we heard" over the course of the engagement period from November 2023 – February 2025. It is anticipated that the consultation program will continue to reach residents to educate and engage on the City's continued progress in implementing updated Residential Zones.

### Updates to the Mid Rise Residential Zones

Through the Phase 1 and Phase 2 engagement activities, staff have received feedback that has informed the advancement of the Mid Rise Residential Zones. The feedback has informed the following changes:

**Residential Zones Project: New Mid Rise Residential Zones in Zoning By-law No.  
05-200 - Consultation Update (CI 25-C) (City Wide)  
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- The introduction of a third Mid Rise Residential Zone to address small scale built forms e.g. townhouses, internal to neighbourhoods and in areas with transitions in built form;
- Expanding commercial permissions to both of the existing draft zones originally introduced in June 2023;
- Revising step-back regulations;
- Additional landscaped area and amenity area requirements to address comments received pertaining to family friendly development, loss of greenspace, privacy, and concern for maintaining tree canopy; and,
- Revised setback regulations to address transition to adjacent uses.

Moving forward through the Reimagining Neighbourhoods consultation program, further engagement is planned before a final recommendation is brought to Planning Committee in 2025.

Phase 1 of the Mid Rise Residential Zones project will introduce the three Mid Rise Residential Zones to Zoning By-law No. 05-200 and capture lands outside of secondary plans that are not subject to a special exception or holding, or subject to an active development application or Ontario Land Tribunal appeal. Due to the increased level of evaluation that is needed for these sites, that work will be brought forward in Phase 2 of the project. However, Phase 1 of the project will include evaluation of vacant sites subject to Mid Rise Residential zoning, including those with an existing special exception and/or holding. The purpose of this exception is due to the scoped number of properties this scenario applies to and the higher potential of development.

#### Future Zone Evaluations

As the Mid Rise Residential Zones are implemented and the Transit Oriented Corridor Zones expansion project as described in Reports PED23069 and PED24173 continues, a future work program will revisit the Commercial Mixed Use Zones to ensure alignment with the latest policy direction in the Urban Hamilton Official Plan and consistency across zones. Staff are taking a holistic approach to reviewing arterial roads across the City.

### **Alternatives**

Not Applicable.

### **Relationship to Council Strategic Priorities**

3. Responsiveness & Transparency
  - 3.1. Prioritize customer service and proactive communication
  - 3.2. Get more people involved in decision making and problem solving

**Residential Zones Project: New Mid Rise Residential Zones in Zoning By-law No.  
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## **Previous Reports Submitted**

- Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation ([PED23069](#)) (Agenda Item 9.1).
- Updates and Amendments to the Low Density Residential (R1) and Low Density Residential (R1a) Zones, and Creation of a New Low Density Residential – Large Lot (R2) Zone, Creation of a New Section 5: Parking, and Technical Amendments to Zoning By-law No. 05-200 as Phase 2 of the Residential Zones Project ([PED22154\(a\)](#)) (Agenda Item 10.4).
- Consultation Summary Report (Appendix “F” to Report [PED22154\(a\)](#)).

## **Consultation**

In addition to the robust engagement program discussed above, staff have also engaged with multiple internal departments throughout the creation of the draft Mid Rise Residential Zones, including Infrastructure Planning, Urban Design, Municipal Land Development, Sustainable Communities, Development Planning, and Zoning Review.

## **Appendices and Schedules Attached**

- Appendix A: Consultation Summary Report (Phase 1)
- Appendix B: Addendum to Consultation Summary Report (Phase 2)

**Prepared by:** Mallory Smith, Planner I  
Planning and Economic Development, Zoning By-law Reform

**Submitted and recommended by:** Anita Fabac, Acting Director, Planning and Chief Planner  
Planning, Planning and Economic Development

# Consultation Summary Report

## Reimagining Neighbourhoods – Residential Zones Project

February 9<sup>th</sup>, 2024



## Executive Summary

This Consultation Summary Report (the “Report”) summarizes the communication and engagement efforts undertaken by the City between November 2023 and end of January 2024 as part of the Reimagining Neighbourhoods – Residential Zones Project (the “Project”). Through the Project residential zones are changing across the City of Hamilton (the “City”) to provide greater housing options for the residents of Hamilton.

As part of the Project, the City prepared and carried out communication and engagement activities with a consultant team led by WSP Canada Inc. The purpose of community outreach and engagement was to inform and educate homeowners, renters, developers, and members of the public about how proposed changes to the City’s residential zones will provide the opportunity for more housing choice and more affordable housing options across the City’s neighbourhoods. To achieve this, communication and engagement activities focused on providing interested parties with access to information about the proposed changes to the City’s residential zones and information on how to get involved.

This Report provides a comprehensive summary of who the City communicated and engaged with, the different approaches used to engage a wide audience and interested parties, feedback and input received virtually and in-person at various events, and information on how to get involved. As part of the Project, the City consulted with members of the public across different neighbourhoods, the development community, Advisory Committees, City staff, and City Council. Approaches and techniques ranged from virtual Public Information Meetings to in-person community pop-ups, online educational videos, surveys, social media, and workshops.

The structure and organization of this Report is listed and described below:

- **Foundations of this Report:** Describes the purpose and objective of the Reimagining Neighbourhoods – Residential Zones Project.
- **Consultation Activities:** Provides an overview of the communications and engagement activities undertaken and led by the City between November 2023 and January 2024.
- **What We Heard:** This section summarizes important feedback received from the wide range of interested parties engaged throughout the process. This section is structured based on key themes.
- **Next Steps:** The Report concludes with a summary of next steps in the Reimagining Neighbourhoods – Residential Zones Project. It also includes a summary as to how interested parties can stay engaged and up to date on the Reimagining Neighbourhoods – Residential Zones Project moving forward.

The communication and engagement activities described in this Report were completed based on communications and engagement objectives established by the Project Team. A description of these objectives and how they were achieved throughout the Project are also identified and described in the Report.

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Appendix A – Council Communication Updates #1 and #2

Appendix B – What We’ve Heard – Survey Infographic

Appendix C – What We’ve Heard – Survey Summary

Appendix D – Residential Zones Project – Comment Summary

# 1 Foundations of this Report

This Consultation Summary Report summarizes communications and engagement undertaken by the City of Hamilton (the “City”) and the consultant team at WSP Canada Inc. (referred to collectively as the “Project Team”) between November 2023 and end of January 2024. Communications and engagement were undertaken as part of the Reimagining Neighbourhoods – Residential Zones Project (the “Project”). Importantly, this Report summarizes the feedback received through communication and engagement activities up until and including January 26<sup>th</sup>, 2024, which was the deadline for comments following the two Public Information Meetings.

## 1.1 Reimagining Neighbourhoods – Residential Zones Project

This section explains the Project, including its purpose, objectives, and the process undertaken by the City to consult with members of the public and other interested parties.

### 1.1.1 Purpose of Reimagining Neighbourhoods

Reimagining Neighbourhoods is an initiative led by the City to inform and educate members of the public and other interested parties about changes to the City’s residential zones as a result of the Project. The communication and engagement activities described in this Report were completed based on the communications and engagement objectives established by the Project team. These objectives and the relevant outcomes are identified below:

- **To prepare and distribute user-friendly, high-quality communication materials and engage interested parties through an engaging communications campaign:** The Project Team prepared and distributed social media posts, email notifications, post cards and informative materials at community pop-ups. The City also led in the development of informative, animated videos about the Project. These materials were prepared using project-specific branding, user-friendly language, and graphics to support a broader understanding amongst interested parties about the Project, including ways to stay informed and involved.
- **To demonstrate and identify ways the Project helps to create a better place for residents and visitors to live, work, and play in Hamilton by offering more housing choices:** The Zoning By-law is an important tool to implement the Urban Hamilton Official Plan. The Project focused on communication and engagement activities that included clear, informative language to help interested parties understand the objectives of the Residential Zones Project.
- **To provide all interested parties accurate, reliable and up to date information about the Project in a timely manner:** The City launched communication and engagement efforts in November 2023 with the launch of Reimagining Neighbourhoods microsite, hosted on Engage Hamilton. Since then, the Project Team updated the Engage Hamilton microsite, continuously posting to social media, distributed email notifications, presented to Advisory Committees, reported

back to City Council, hosted community pop-ups at different locations across the City, and held two Public Information Meetings. These efforts demonstrate the City's commitment to providing interested parties with up-to-date information about the Project in an accessible and transparent manner.

- **To provide informed feedback to the City to consider for the Low Density Residential Zones, Neighbourhood Infill Design Guidelines, Mid Rise Residential Zones, Transit Oriented Corridors Expansion, and Parking Standards Review:** The Zoning By-law is an important tool that provides the rules on how buildings can be built. Every building in the City is regulated by the Zoning By-law, and it is important that the Zoning By-law is reflective of Hamilton's evolving communities. Feedback and input from interested parties, including the development community, members of the public, and community organizations is important to help inform the Zoning By-law. Parking requirements form an integral part of the Zoning By-law, and City staff have provided information about proposed changes to residential parking requirements as part of this Project.

This Report further demonstrates how the objectives and outcomes were achieved through the Project.

### 1.1.2 Project Objectives

Reimagining Neighbourhoods is about providing housing choice and more affordable housing options for the residents of Hamilton. Communication and engagement activities undertaken as part of Reimagining Neighbourhoods supports the City's objective to provide homeowners, renters, developers, and members of the public with information as to how zoning changes will provide the opportunity for housing choices and sustainable and equitable growth across the City.

### 1.1.3 Process

Today, the City is moving forward with changes to residential zones to expand housing options within and along the periphery of the City's neighbourhoods. To do this, the Project Team prepared a thoughtful and tailored approach to communication and engagement with Hamilton's community. This approach was informed by interviews and a workshop with City staff in July and August 2023 to better understand challenges and opportunities the City has experienced with communication and engagement activities in the past.

Based on what was heard during these interviews and workshop, various approaches and tactics were identified to engage with interested parties. An important focus was placed on engaging with the general public and meeting individuals in their neighbourhoods and identifying an approach that would enable City staff to engage one-on-one with residents that are typically not available or able to attend public meetings. This Report highlights the initiatives that align with this important objective, notably the community pop-ups and Public Information Meetings identified in Section 2.2 of this Report.

## 2 Consultation Activities

Communications and engagement activities planned and facilitated as part of the Reimagining Neighbourhoods project spanned across a broad spectrum of tools. This section identifies and summarizes communications and engagement activities led by the City from November 2023 to January 2024. **Figure 1** provides a snapshot of the communications and engagement activities, including the reach of initiatives led by the City.



Figure 1: Engagement by the numbers for the Reimagining Neighbourhoods Project.

## 2.1 Communications

This section provides an overview of communication materials and methods of outreach conducted as part of the Project.

### 2.1.1 Engage Hamilton & Project Notification

The Reimagining Neighbourhoods microsite (“Engage Hamilton”), hosted on the Engage Hamilton platform, was launched by the City on November 17<sup>th</sup>, 2023, to share information about, and gather feedback on the Project. Engage Hamilton included information about the Project timeline and engagement activities, Public Information Meeting presentations and recordings as well as results from the online survey. It also included important Frequently Asked Questions (FAQs) about the Project. The Residential Zones Project page provided an overview of relevant information of the Project.

Notice to advise the public of the Project's Engagement Launch was published in the Hamilton Spectator on November 18, 2023 (see **Figure 2**). The notice encouraged members of the public to visit Engage Hamilton and community pop up events. Publication of the notice coincided with the launch of Engage Hamilton.

Since Engage Hamilton was updated, over 1,900 users visited the site, with over 8,000 interactions. This includes page views, scrolls, and clicks of different components. Engage Hamilton and the Residential Zones Project page will remain active and will continue to be used by the City as a tool to inform the public about the Project and engagement opportunities.

### 2.1.2 Reimagining Neighbourhoods Project Videos

Two informational, animated videos were developed to educate and inform members of the public about the Project. These videos are posted to the City's YouTube channel and Engage Hamilton.



**Figure 2: The Project's Engagement Launch was published in the Hamilton Spectator in November 2023.**

Video 1 is titled, **Reimagining Neighbourhoods Overview - Reimagining Neighbourhoods through the Residential Zones Project**. It described the objectives of the Project and illustrated what changes to residential zones could look like in Hamilton's neighbourhoods. A snapshot of this video, illustrating the different animated housing options, is shown in **Figure 3**. Video 2 is titled, **Reimagining neighbourhoods and creating more housing choice within our neighbourhoods**. This video demonstrates what changes within neighbourhoods could look like and how the Neighbourhood Infill Design Guidelines help define how new development fits into existing neighbourhoods.



**Figure 3: A snapshot from the first Reimagining Neighbourhoods video.**

### 2.1.3 Social Media

In November 2023, the City published its first Reimagining Neighbourhoods posts on social media platforms. A total of six social media posts were published between November 17<sup>th</sup>, 2023 and January 26<sup>th</sup>, 2024.

Social Media platforms were used to advertise engagement events and build general awareness about the Reimagining Neighbourhoods Project across the City. The posts focused on informing the public about the project, directing people to information on Engage Hamilton, encouraging the public to sign-up for updates via the project email, and promoting opportunities for online and in-person engagement such as a survey and Public Information Meetings.

### 2.1.4 Podcast

The City’s Director of Planning and Chief Planner, Steve Robichaud, and the Manager of Zoning and Committee of Adjustment, Shannon McKie participated in a podcast interview on Building Hamilton with Ken Bekendam. The podcast is hosted on the Global News platform.

The purpose of the podcast was to discuss the City’s approach to additional dwelling units as well as other housing options to increase density throughout Hamilton’s neighbourhoods. The episode was titled, **“What is Hamilton Doing to Create More Additional Dwelling Units?”**, and was published on Global News’ website on January 6<sup>th</sup>, 2024.

## 2.2 Engagement

This section provides a summary of the Reimagining Neighbourhoods engagement activities that were carried out to inform, educate and create opportunities for feedback on the Project from interested parties.

## 2.2.1 Council

Members of Council received two Communication Updates describing the Project objectives and early outcomes of communication and engagement activities. Councillors were engaged by City staff who shared the opportunities for their constituents to become involved in the Project such as the community pop-ups and Public Information Meetings. These Communication Updates are included as attachments to this Report in **Appendix A**.

## 2.2.2 Community Pop-Ups

The Project Team identified community pop-up events as an important approach to engagement for the Project. Traditional engagement methods, such as public open houses, are often scheduled at inconvenient locations and times. Pop-ups help to reduce this barrier and allow people to engage in quick, accessible, and fun opportunities to share their experience, provide comments, and ask questions.

The City attended Hamilton Day on November 4<sup>th</sup>, 2023 to advertise the pop-ups (via postcards) and inform residents and business owners of the project and how to get involved (via information on the postcard). City staff hosted eight pop-up events throughout Hamilton between November 22<sup>nd</sup>, 2023, and November 29<sup>th</sup>, 2023. Pop-up locations, dates and times are provided below in **Table 1**.

Community pop-ups were leveraged by City staff as the first engagement activity post engagement launch to inform members of the Hamilton community who have historically been excluded from City-led engagement events, including seniors, youth, and young families. Through the community pop-ups, the City informed residents about the Project and provided participants with information about future opportunities to stay involved and provide feedback.

**Table 1: Community pop-up locations, dates, and times**

Location	Date	Time
<b>Stoney Creek Recreation Centre</b>	Wednesday, November 22 <sup>nd</sup> , 2023	6:00pm to 8:00pm
<b>Valley Park Recreation Centre</b>	Wednesday, November 22 <sup>nd</sup> , 2023	6:00pm to 8:00pm
<b>Morgan Firestone Arena</b>	Friday, November 24 <sup>th</sup> , 2023	6:00pm to 8:00pm
<b>Lime Ridge Mall</b>	Friday, November 24 <sup>th</sup> , 2023 Saturday, November 25 <sup>th</sup> , 2023	6:00pm to 8:00pm 2:00pm to 4:00pm
<b>J.L. Grightmire Arena</b>	Monday, November 27 <sup>th</sup> , 2023	6:00pm to 8:00pm
<b>Sackville Hill Seniors Recreation Centre</b>	Monday, November 27 <sup>th</sup> , 2023	10:30am to 1:30pm
<b>Bernie Morelli Recreation Centre</b>	Wednesday, November 29 <sup>th</sup> , 2023	6:00pm to 8:00pm

Two City staff members attended each community pop-up. At each community pop-up, City staff:

- Set up a table with a banner, giveaways, and information about the Project in highly visible areas at each location (see an example of this in **Figure 4**);
- Engaged visitors in discussion about the Project;
- Invited visitors to sign-up to the Project email;
- Distributed postcards with information about the Project;
- Directed visitors to Engage Hamilton using the QR Code on the postcards;
- Encouraged visitors to visit and engage with the Story Map Survey on Engage Hamilton to provide their feedback on the Project.

Impressions from the community pop-ups are summarized in **Table 2** below.

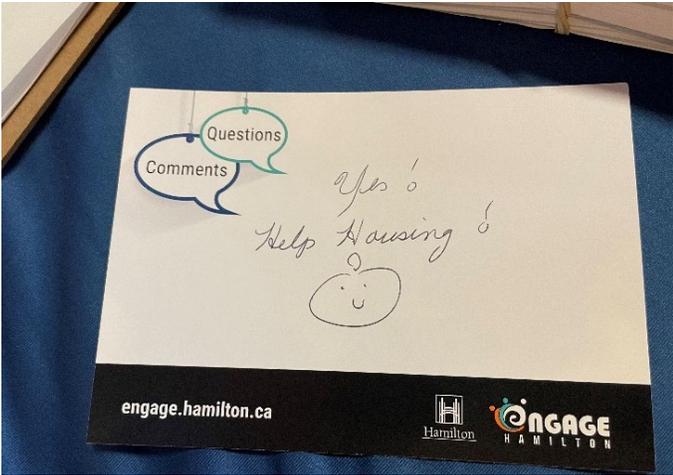
**Table 2: Community pop-up impressions**

Community Pop-up Impressions	
<b>Postcards Distributed</b>	650
<b>Email Registrations</b>	36

## Community Pop-up Impressions

<b>Survey Completions*</b>	5
<b>One-on-One Conversations</b>	110

\* Survey completions indicates the number of surveys that were completed at the community pop-ups using a tablet provided by the City.



**Figure 4: Images taken by City staff from community pop-ups at Lime Ridge Mall (top left), Morgan Firestone Arena (top right), and Sackville Hill Seniors Recreation Centre (bottom).**

### 2.2.3 Advisory Committees & Development Industry Liaison Group

As part of the City's initiative to launch Reimagining Neighbourhoods, City staff met with and delivered a presentation to the following groups:

- The Development Industry Liaison Group on November 20<sup>th</sup>, 2023;
- The Seniors Advisory Committee on December 1<sup>st</sup>, 2023; and
- The Advisory Committee for Persons with Disabilities on December 12<sup>th</sup>, 2023.

Currently, only the Seniors Advisory Committee and the Advisory Committee for Persons with Disabilities are active. The purpose of presenting to and engaging with the Advisory Committees and the DILG was to build awareness about the Residential Zones Project. The presentation provided information about the Residential Zones Project and a summary of ongoing initiatives led by the City to provide housing choice in Hamilton's neighbourhoods. Following the presentation, the Advisory Committee and DILG members were able to ask questions and provide comments to City staff.

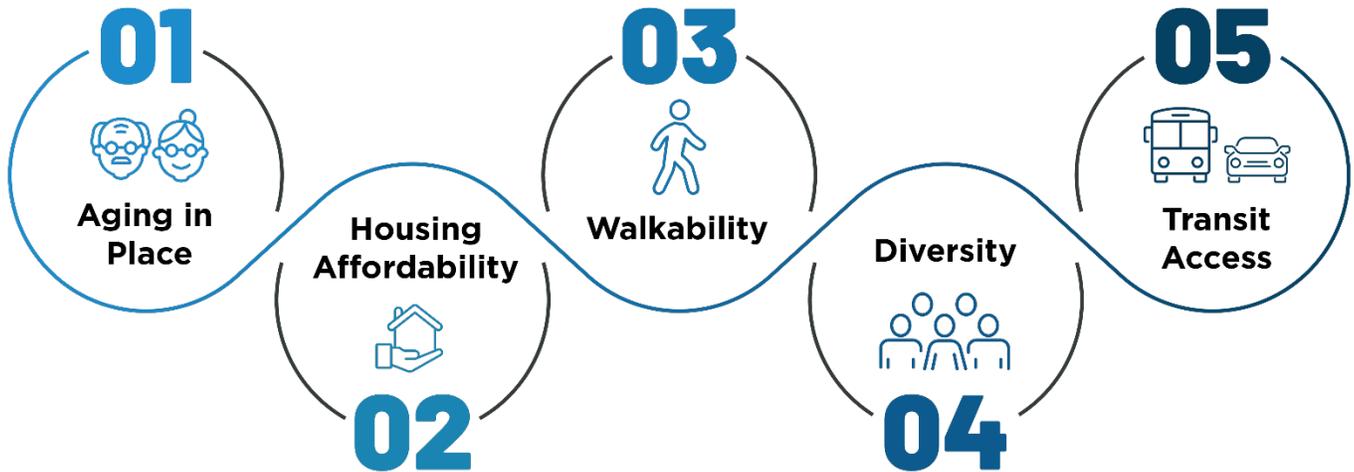
A total of 65 Advisory Committee and DILG members were engaged as part of these presentations. Through these presentations, City staff also shared communication and engagement opportunities and encouraged Advisory Committee and DILG members to support outreach with local communities and networks.

### 2.2.4 Survey

The Story Map and Survey were launched on Engage Hamilton on November 17<sup>th</sup>, 2023. The purpose of the Story Map was to inform members of the public about the Project. The Story Map was leveraged as a tool to educate members of the public about changes to residential zones within and along the periphery of neighbourhoods. The Story Map described and provided visuals of the potential changes that could occur within and along the edges of neighbourhoods as a result of changes to residential zones proposed by the City.

A Survey was made available as part of the Story Map. Visitors to the Story Map could click a link to take a Survey from the Story Map or Engage Hamilton. The Survey was open from November 17<sup>th</sup>, 2023 to December 8<sup>th</sup>, 2023. The Survey included a total of five multiple choice and open-ended questions about new housing options in Hamilton. For example, one question asked participants what benefits new housing options could bring to Hamilton's neighbourhoods. The benefits illustrated in **Figure 5** were offered as an example. Through separate questions, potential concerns were listed for participants to consider, including the design and height of buildings, increased traffic, access to green space, the way in which buildings fit within neighbourhoods, and maintaining mature trees. For both types of questions, participants were given an opportunity to identify other potential concerns and benefits that were not included in the list of options. Where these were provided, they have been consolidated and analyzed in Section 3 of this Report.

A total of **221 survey responses** were received from members of the public who shared their priorities and feedback on the benefits of and concerns related to new housing options within and along the edges of Hamilton’s neighbourhoods. A summary of feedback received through the Survey is included as **Appendix B** and **Appendix C** to this Report and posted to Engage Hamilton and can be viewed by visiting the [Reimagining Neighbourhoods Engage Survey Results](#).



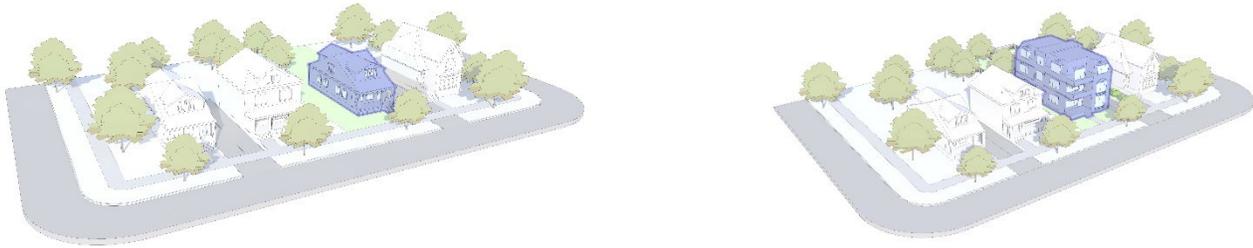
**Figure 5: Benefits of new housing options in Hamilton, as presented in the Survey.**

## 2.2.5 Development Industry Workshop

The City invited members of Hamilton’s development industry to participate in a virtual workshop on January 9<sup>th</sup>, 2024, which focused on opportunities and challenges related to multiplex (e.g. fourplex) development in neighbourhoods, applying the draft Neighbourhood Infill Design Guidelines, and MRR Zone regulations. Participants included home builders, professional planners, architects, and realtors. Ten people attended the workshop.

The workshop provided an opportunity for participants with subject matter expertise to evaluate and provide feedback on draft zoning regulations and the Infill Design Guidelines. The workshop included a brief presentation of the Low Density Residential, Mid Rise Residential Zones, and Transit Oriented Development Zones, and Infill Design Guidelines. The presentation included a discussion session using the interactive platform Mural. An example of the graphics used during the discussion are illustrated in **Figure 6**.

Participants were asked to review hypothetical renderings of a fourplex development within a neighbourhood and townhouse and mid-rise developments along the edge of a neighbourhood. Participants were engaged in a Strength, Weaknesses, Opportunities and Threats (SWOT) exercise evaluated zoning regulations and the Neighbourhood Infill Design Guidelines. Participants were also asked to rank elements of site design using an online poll.



**Figure 6: An example of graphics used to illustrate possible built form typologies for the Low Density Residential Zones during the Development Industry Workshop.**

During the discussion session, questions about built form (i.e. height, setback, massing and façade treatment) and about the elements of site design (e.g., landscaping, visual barriers and amenities) were discussed as part of the evaluation of a fourplex development. For the Mid Rise Residential Zones, participants reviewed a development scenario to assess the impacts of the minimum separation distance between buildings on one lot and the maximum building height and angular plane regulation. Insights shared by participants were based on responses to the following questions:

1. What strengths can you identify with the proposed zoning regulations?
2. What would you change about the proposed zoning regulations?
3. What opportunities and potential are created by this built form?
4. What are threats or barriers might there be to achieving this built form?

Responses to these questions and general feedback received during the Development Industry Workshop is summarized in Section 3 of this Report.

## 2.2.6 Public Information Meetings

Two virtual Public Information Meetings were held on January 18<sup>th</sup>, 2024 and January 23<sup>rd</sup>, 2024 from 6:00pm to 8:00pm. The second Public Information Meeting on January 23<sup>rd</sup>, 2024 was added to provide interested parties with additional opportunities to participate in multiple consultation events hosted by the City. A total of 151 participants joined the Public Information Meetings collectively.

The purpose of the Public Information Meetings were to:

- Inform and educate members of the public about the city-wide residential zones in Zoning By-law No. 05-200;
- Inform and educate members of the public about the City's efforts to expand the types of housing permitted in residential zones to provide greater housing options within and along the periphery of neighbourhoods; and

- Inform the public about the Parking Standards Review Project and changes proposed to residential parking standards.

City staff provided a project overview and the Project Team provided a summary of engagement efforts to date.

City staff gave a presentation on the Low Density Residential Zones, Neighbourhood Infill Design Guidelines, Mid Rise Residential Zones, and Transit Orientated Corridor Zone expansion. After each section of the presentation, the Project Team published an interactive poll, which asked participant to rank or prioritize elements of the zones or guidelines. City staff also presented on the City Wide Parking Standards Review, which has informed proposed updates to residential parking standards. Participants were directed to a separate survey regarding the approach to parking requirements in Hamilton. Results of this survey are not summarized in this report but are being reported on separately.

Presentations were followed by a question-and-answer period (the “Q & A”). The Q & A was moderated by the Project Team and questions were responded to by City staff. During the Public Information Meetings, not all questions were answered due to time constraints and/or questions being out of scope for the Project. Participants were invited to provide their questions and comments to City staff through the Project email following the meeting. Questions and comments received to the Project email during the comment period following the Public Information Meetings, along with staff’s responses, are summarized in **Appendix D**. The Public Information Meetings were also recorded and posted to the Engage Hamilton. These recordings can be reviewed by visiting <https://engage.hamilton.ca/reimagining-neighbourhoods>.



## 3 What We Heard

Reporting back to interested parties is an important component of any communication and engagement program. This section provides a summary of what was heard during communication and engagement activities between November 2023 and January 2024.

### 3.1 Key Themes

Input received across all communication and engagement activities have been brought together, analyzed, and reviewed to identify key themes. This section summarizes what was heard and provides an overview of key themes. Feedback received has informed the expanded permissions proposed for Low Density Residential Zones, the new Neighbourhood Infill Design Guidelines, and will inform the next phase of work on the proposed Mid Rise Residential Zones, Transit Oriented Corridor Zones expansion review, and future High Rise Residential Zones.

#### 3.1.1 What We Heard

The following list provides a summary of the top key messages raised most frequently by participants:

- Ensure greenspaces, including parks, open spaces, tree canopy, and the Niagara Escarpment are protected and enhanced, while accommodating additional density in Hamilton's neighbourhoods.
- Accommodate and ensure new buildings in Hamilton's neighbourhoods are seamlessly integrated into the existing built environment.
- Plan for appropriate municipal servicing and infrastructure, including community services and schools, to accommodate and support increased density in Hamilton's neighbourhoods.
- Support for reduced parking requirements where new development is located in close proximity to transit.
- Expand permissions of commercial uses within Mid Rise Residential Zones to allow for greater opportunities for Hamilton's small businesses, and access to services for residents in Hamilton's neighbourhoods.
- Monitor implementation of the Zoning By-law to ensure the new requirements and provisions are being enforced, and to update the Zoning By-law, as needed, to reflect Hamilton's changing environment.
- Clearer communications and messaging from the City is requested to help interested parties, specifically the general public, better understand the process for using and applying the Zoning By-law.

##### 3.1.1.1 General Comments

This section summarizes general comments and feedback received that broadly applies to all considerations included as part of this Project.

## **Affordability**

Some interested parties expressed a desire to see affordable housing in Hamilton's neighbourhoods. There was an identified need to better understand how the City will continue to support the achievement of additional housing opportunities in the City's neighbourhoods. Participants of the Survey and Public Information Meetings shared concerns that new housing may not meet affordability thresholds for individuals and families in need. Concerns about regulatory tools to control rent were cited as a key barrier to achieving affordability in Hamilton's neighbourhoods.

Interested parties wanted to understand the additional measures that would be taken by the City to support the implementation of affordable housing units. Participants suggested that measures such as rent control, vacant homes tax, and a more streamlined site plan approval and permitting processes can help to support the delivery of affordable units in Hamilton.

## **Parking**

At the Public Information Meetings, where the Parking Standards Review was discussed, several comments were received about parking and the City's ongoing Parking Standards Review. Comments related to parking minimums and/or maximums, parking demands, alignment with best practices in other municipalities, and visitor parking were received. Many interested parties noted that on street parking is in high demand in Hamilton, and there is a desire for the City to examine and determine where new residents in Hamilton's neighbourhoods will park their cars. There was also interest in how the City plans to balance parking requirements with other transportation options such as public transit or bicycle parking. Please visit the City's [Parking Standards Review webpage](#) for more information.

## **Infrastructure & Community Services**

Interested parties identified the important relationship between sustainable growth, infrastructure, and density. They shared that new infill development will keep growth within Hamilton's urban areas and will protect wetlands, farms and other natural resources from being developed. However, some participants expressed concerns about the City's ability to provide efficient infrastructure and services to accommodate anticipated growth in Hamilton's neighbourhoods. They wanted to better understand the City's plan to provide services such as waste management, sewage and stormwater management and transportation infrastructure for a growing population. Interested parties also described schools, libraries and recreation centres as important community facilities that need to be planned for as new housing options are introduced.

## **Greenspace**

It was documented through feedback received that City parkland, the urban tree canopy, and the Niagara Escarpment are important features that contribute to the City's character and environmental health. Interested parties identified the need to protect these features and the desire to retain greenspaces as the City continues to grow. For example, when asked about the priorities for developing housing within Hamilton's neighbourhoods, many participated identified tree preservation as a top priority .

Similarly, the opportunity to accommodate community gardens in neighbourhoods as well as the potential to use landscaping requirements in the Zoning By-law to protect greenspace was raised by members of the public. Interested parties recommended that the City use stronger language within policy documents to further enforce the protection of greenspaces.

### **Implementation**

Several comments received related to the implementation of the new Residential Zones. This includes the desire for ongoing review and updates to the Zoning By-law, and potential incentives available to encourage or promote infill development in Hamilton's neighbourhoods.

There were suggestions for improvements to online tools to accommodate and allow for easier access to and involvement in development application processes, and continued review, monitoring, and updates to the Zoning By-law to ensure the City continues to plan for and accommodate growth in a responsible manner.

### **Communication & Engagement**

Constructive feedback about how the city communicates about updates regarding planning matters and the Zoning By-law was provided. Interested parties expressed a desire for improved communication with the City regarding development applications proposed within existing neighbourhoods. General questions about how to find accurate and up-to-date zoning information about individual properties were also submitted during the Public Information Meeting Q & A and through email to the City up to the commenting deadline on January 26<sup>th</sup>, 2024.

## **3.1.1.2 Low Density Residential Zones**

### **Built Form & Compatibility**

Some feedback received is in support of increased density, while others would like the City to carefully consider the height, massing, and location of new development in Hamilton's neighbourhoods. For example, there are general concerns about how density may impact existing neighbourhoods, with specific feedback on how height and larger buildings will fit into existing low density neighbourhoods. There is a desire for new buildings to be seamlessly integrated into existing neighbourhoods. There is also a desire for potential impacts from wind or shadowing to be addressed and considered.

In some cases, comments suggested that the proposed new Low Density Residential Zones do not go far enough to accommodate and permit new housing options in Hamilton's neighbourhoods, particularly in the middle of a housing crisis. Some interested parties highlighted examples of successful variations in housing types in Hamilton's older neighbourhoods.

### **Traffic**

Interested parties provided insight on the existing issues related to parking and traffic safety in residential neighbourhoods. They shared concerns about the impact of increased density on parking availability and increased traffic were raised as concerns as part of the Survey and through emails received following the Public Information Meetings. Safety is an important requirement and the impact additional traffic may have

in higher density neighbourhoods requires careful consideration. For example, the ability for emergency vehicles to navigate through and access neighbourhoods were raised as a concern when addressing the issue of increased traffic.

### 3.1.1.3 Mid Rise Residential Zones

#### **Built Form and Building Design**

Flexibility is required between City and development community to allow for different site plan elements and different setbacks to be used when planning for new or retrofitted housing types. For example, interested parties suggested that more units of housing could be developed and more living space could be achieved if the requirements were relaxed or limited. Comments received suggested that requirements for amenity areas, waste storage, and open areas should be revisited to promote innovation in the Zoning By-law. For example, amenity areas can include balconies, waste storage can be accommodated off-site, depending on the building footprint, and green roofs can be an alternative to landscaped open space requirements.

#### **Commercial Spaces**

There is an interest in increasing at-grade commercial uses in urban areas and finding new ways of including commercial uses in future developments on the second story of buildings. This was an idea presented to the City in order to account for changes in living and work from home environments. Commercial spaces at grade have to accommodate requirements for accessibility and storage which leaves less space for functional uses. Suggestions to allow commercial uses on the second floors of mixed-use were provided to encourage greater affordability for Hamilton's small businesses, address demand for commercial spaces as density increases, and allow for more creative types of businesses such as co-working spaces, libraries, cafes to flourish. It was suggested that all residential zones accommodate a mix of appropriate uses to promote the vibrancy of Hamilton's communities.

## 4 Next Steps

This section summarizes next steps in the Project.

### 4.1 How Feedback will be Used

Through the communication and engagement activities described in this Report, the City listened to and learned from interested parties in Hamilton. The City asked for feedback on the Low Density Residential Zones and Neighbourhood Infill Design Guidelines, and the Mid Rise Residential Zones. Feedback gathered through communication and engagement activities is being used to further refine the Residential Zones 200 in preparation for the City Council public meeting in February 2024.

### 4.2 How to Stay Engaged

Interested parties are invited to stay engaged in the Project to continue to learn about how housing options can be introduced and accommodated in Hamilton's neighbourhoods. The Mid Rise Residential Zones, expansion of the Transit Oriented Corridor Zones, and new High Density Residential Zones will form the next stages of the Residential Zones Project. Future engagement efforts will be implemented prior to City staff bringing forward recommendations.

Interested parties are encouraged to continue to follow Engage Hamilton, the Residential Zones Project webpage, and sign up to the Project mailing list to receive further updates and/or publications related to the Project. During active engagement, Engage Hamilton will be the source for future communication and engagement activities for the Project.

For more information, visit:

Engage Hamilton at <https://engage.hamilton.ca/reimagining-neighbourhoods>

# Appendix A

## Council Communication Updates #1 and #2



# COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	November 8, 2023
<b>SUBJECT:</b>	Residential Zones Project – Public Engagement (Wards 1 to 12)
<b>WARD(S) AFFECTED:</b>	Wards 1 to 12
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

The purpose of this Communication Update is to advise Council that Planning staff will be beginning Community Outreach and Engagement on the Residential Zones Project starting in the month of November. Through Reimagining Neighbourhoods, the City’s residential zones are changing to support residents’ need for more housing options.

The Residential Zones Project will implement Council’s direction to provide more housing options to residents across the City. The City of Hamilton aims to provide homeowners, renters, developers, and the general public access to information and planning tools to learn how zoning changes will provide the opportunity for more housing choice and more affordable housing options and more sustainable and equitable growth across the City.

The Residential Zones Project has been presented to Council as part of Reports PED22154 and PED23069. As a note, a future phase of the Residential Zones Project will also encompass new High Density Residential Zones. The City is now in the process of informing and educating the general public about changes to the Low Density Residential Zones and Transit Oriented Corridor Zones and new Mid Rise Residential Zones as a result of the Residential Zones Project, including:

- New permissions for purpose built multiplex development (up to four or six units on a lot) in low density residential areas;

- Adding permissions for additional residential uses (single, semi, duplex, and street townhouse dwellings, multiplex) to Low Density Residential designations in Secondary Plan areas;
- Adding intensification opportunities of up to 12 storeys along arterial roads;
- Creating City Wide Green Building Standards; and,
- Updating parking regulations and design standards to implement the City Wide Parking Study.

The Community Outreach and Engagement will utilize a variety of tactics to reach stakeholders, Indigenous communities and residents across the City, using accessible language, graphics, and media to help communicate what a Reimagined Neighbourhood might look like, including:

- Updated project webpage on the City’s website available at [www.hamilton.ca/residentialzoning](http://www.hamilton.ca/residentialzoning);
- Engage Hamilton page launching on November 17, 2023 available at: [www.engage.hamilton.ca](http://www.engage.hamilton.ca);
- Educational Zoning Videos;
- In person engagement at pop-up booths in November 2023 where residents can engage with members of the Project Team to learn more about Reimagining Neighbourhoods (see schedule below);
- Meetings with Advisory Committees and stakeholder groups;
- Public Information Meetings in January 2024; and,
- Regular email blasts, social media posts, and notice in the Hamilton Spectator.

### Pop-Up Booth Events

Staff will be holding pop-up booths in and around the City’s neighbourhoods to get in touch with residents where they are. These events are meant to bring attention to the project, engage residents in how the Residential Zones project might impact them and how best they can participate. These events will help build a fulsome project mailing list, identify early issues and answer important questions.

Date	Location	Time
Wednesday, November 22	Stoney Creek Recreation Centre	6:00 to 8:00 p.m.
Wednesday, November 22	Valley Park Recreation Centre	6:00 to 8:00 p.m.
Friday, November 24	Morgan Firestone Arena	6:00 to 8:00 p.m.
Friday, November 24	Limeridge Mall	6:00 to 8:00 p.m.
Saturday, November 25	Limeridge Mall	2:00 to 4:00 p.m.

Date	Location	Time
Monday, November 27	J.L. Grightmire Arena	6:00 to 8:00 p.m.
Monday, November 27	Sackville Senior's Centre	10:30 a.m. to 1:30 p.m.
Wednesday, November 29	Bernie Morelli Recreation Centre	6:00 to 8:00 p.m.

A Post Card will be distributed in your communities to promote the events listed above and direct residents to the Residential Zones Project website. Please contact staff if you would like copies for your office.

**What is to come:**

Staff will be available to meet one-on-one with Councillors to review details of proposed changes within each Ward as requested. A brief summary of the Residential Zones Project is attached to include in Ward communications if desired.

The consultation events will evolve into more formal open houses in the new year. A fulsome Consultation Report will be provided to document the outcomes of all of the Reimagining Neighbourhoods consultation events in support of staff’s recommendation report which will be presented to Planning Committee.

Please contact Shannon McKie, Manager, Zoning and Committee of Adjustment with any questions or comments or to set up a meeting to discuss the Residential Zones Project at [Shannon.Mckie@hamilton.ca](mailto:Shannon.Mckie@hamilton.ca) or by phone at 905-546-2424 Ext. 1288.

**SCHEDULES AND APPENDICES ATTACHED**

Appendix “A” - Reimagining Neighbourhoods Ward Communication

# WE ARE REIMAGINING NEIGHBOURHOODS



Through the Residential Zones Project, we're reimagining neighbourhoods across the city. The City's Residential Zones project is built on the knowledge that residents need more housing options. Reimagining neighbourhoods means providing the opportunity for people at all stage of life to have choice when it comes to their housing. The City's residential zones will support that, responsibly.

Hamilton's neighbourhoods are where residents call home. While no two neighbourhoods are alike, many share a common trait – they're mainly made up of single-family homes. The City's neighbourhoods are being looked at to reimagine how neighbourhoods can grow to respond to the diverse needs of residents.

## What might a reimagined neighbourhood look like:

- A small home built in a backyard
- A larger home converted into more units
- Townhouses
- New triplexes or fourplexes
- Along the edges of the neighbourhood on transit routes, denser housing like townhouses and mid rise buildings

These changes won't happen all at once but through reimagining neighbourhoods, the City's residential zones are changing to provide a greater mix of housing options for residents at various stages of their lives.

### LET'S REIMAGINE NEIGHBOURHOODS TOGETHER!

We want to understand your values and the opportunities that expanding housing options across Hamilton can bring to our neighbourhoods. Stay engaged and contribute to the conversation!

#### STAY UP TO DATE



Check out the Website  
or scan the QR Code  
for more details!  
[www.hamilton.ca/  
residentialzoning](http://www.hamilton.ca/residentialzoning)

Email us your questions  
and comments!  
Register for project  
updates here:  
[reszoning@hamilton.ca](mailto:reszoning@hamilton.ca)

### Visit the Project Team at Rec Centres and Lime Ridge Mall across the City this Fall.

Check out the project website to find out what  
time we will be at the following locations:

- Stoney Creek Recreation Centre – November 22
- Valley Park Recreation Centre – November 22
- Morgan Firestone Arena – November 24
- Lime Ridge Mall – November 24, 25
- J.L. Grightmire Arena – November 27
- Sackville Senior's Centre – November 27
- Bernie Morelli Recreation Centre – November 29



# COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	January 8, 2024
<b>SUBJECT:</b>	Residential Zones Project (Reimagining Neighbourhoods) Public Engagement (Wards 1 to 12)
<b>WARD(S) AFFECTED:</b>	Wards 1 to 12
<b>SUBMITTED BY:</b>	Shannon McKie Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

The purpose of this Communication Update is to provide Council with an update to the Community Outreach and Engagement activities that Planning staff initiated in November 2023 for the Residential Zones Project. An engagement plan was developed by City staff in consultation with other teams, including the Community Engagement Team. The Community Outreach and Engagement activities were introduced to Council in a previous Communication Update on November 8, 2023.

Through Reimagining Neighbourhoods, the City’s residential zones are changing to enhance housing options in predominately low-rise residential neighbourhoods. The objective of the Community Outreach and Engagement activities is to provide homeowners, renters, developers, and the general public with access to information to understand how zoning changes will provide the opportunity for more housing choice and more affordable housing options and growth that is more sustainable and equitable across the City.

Community Outreach and Engagement activities undertaken by the City over the course of November and December 2023 included:

- Updated Residential Zones Project website, available at [www.hamilton.ca/residentialzoning](http://www.hamilton.ca/residentialzoning);
- Engage Hamilton launch on November 17, 2023 available at [www.engage.hamilton.ca/reimagining-neighbourhoods](http://www.engage.hamilton.ca/reimagining-neighbourhoods);

- Publication of an interactive Story Map, available at <https://storymaps.arcgis.com/stories/9f202598778c436f906f9154d9fbbf9d>, and Survey on November 17, 2023;
- Regular email updates and social media posts;
- Participation in a podcast interview with Global News and Building Hamilton in December 2023, to be released on January 6, 2024;
- Presentations to three Advisory Committees and the Development Industry Liaison Group (DILG); and,
- Facilitation of eight in-person community pop-up events.

The activities identified above are summarized at a high-level in this Communication Update, with the exception of the podcast interview to be published in January 2024. A summary graphic has been attached to this Communication Update to capture the work completed to date. Additional outreach and engagement are continuing in January 2024. A full summary of all engagement carried out for the Reimagining Neighbourhoods project will be incorporated into and appended to the Recommendation Report to Council presenting the proposed residential zone changes for Council's consideration.

## **Summary of Community Outreach and Engagement**

### **Project and Engage Hamilton Webpage**

The City of Hamilton updated the Residential Zones Project (Reimagining Neighbourhoods) webpage and launched the Engage Hamilton Reimagining Neighbourhoods microsite on November 17, 2023. The Residential Zones Project webpage contains important project related information, including the project phases, timing, important contact information to ask questions and submit comments, and a sign-up link for the project notification list. Visitors to the Residential Zones Project webpage are also enabled to click on a link to visit the Engage Hamilton Reimagining Neighbourhoods microsite.

The Reimagining Neighbourhoods microsite, hosted on the Engage Hamilton platform, was launched by the City to collect feedback from the public related to the Residential Zones Project. The microsite includes a project timeline and information about past and upcoming consultation and engagement events. It also includes Frequently Asked Questions (FAQs) about the project, as well as a direct link to the project Survey, described further in this Communication Update.

Since the Residential Zones Project webpage was updated, the webpage has been visited by over 1,200 users, with over 8,000 interactions with the webpage<sup>1</sup>. This

<sup>1</sup> Data collected between November 17 and December 8, 2023

includes page views, scrolls, and clicks of different components on the webpage. The Residential Zones Project webpage remains active and will continue to be used by the City as a tool to inform the public about the Residential Zones Project.

### **Story Map and Survey**

The Reimaging Neighbourhoods Story Map and Survey were launched on the Engage Hamilton webpage on November 17th, 2023. The purpose of the Story Map was to inform members of the public about the Reimagining Neighbourhoods project. The Story Map was leveraged as a tool to educate members of the public about the expanded residential permissions in neighbourhoods, and the types of built form that could occur along the edges of neighbourhoods through the proposed Mid Rise Residential Zones. The Story Map described and provided visuals of the potential changes that could occur within and along the edges of neighbourhoods as a result of changes to residential zones proposed through the Residential Zones Project.

The Survey was open from November 17, 2023 to December 8, 2023. The Survey included a total of five multiple choice and open-ended questions. A total of 221 responses were received from members of the public who shared their priorities and feedback on the benefits of and concerns related to new housing options in Hamilton's neighbourhoods. A fulsome summary of the results and analysis will be provided in the Consultation summary report as noted above.

### **Video**

To further the public's understanding of the Reimaging Neighbourhoods project and to reach a wider audience through additional engagement tools, a series of videos are being produced to highlight aspects of the project. The first video provides an overview of the project by presenting what a reimaged neighbourhood may look like. This video was launched on the Engage Hamilton webpage on December 14, 2023 and subsequently promoted via the City's social media posts.

### **Social Media**

The City launched the Reimaging Neighbourhoods project to the City's various social media platforms. The purpose of these social media posts was to promote and inform the general public about the Reimagining Neighbourhoods project and communication and engagement activities. These posts provided a link to the Reimagining Neighbourhoods webpage and invited the public to view the Story Map and complete the Survey. Social media posts to the City's X (Twitter) and Facebook pages were published on November 17, 2023 and to LinkedIn on December 4, 2023. A subsequent social media post to the City's X and Facebook pages was published on December 21, 2023 to promote the Reimagining Neighbourhoods video and upcoming public

information meeting scheduled for January 18, 2024. Together, these posts have been reshared more than 15 times.

### **Advisory Committees and Other Committees**

City staff met with and provided a presentation to the following advisory and other committees:

- Development Industry Liaison Group (DILG) on November 20, 2023;
- Seniors Advisory Committee on December 1, 2023; and,
- Advisory Committee for Persons with Disabilities on December 12, 2023.

The purpose of the presentations was to inform members about the ongoing Reimagining Neighbourhoods project. City staff prepared a comprehensive presentation that provided background on the project and a summary of ongoing initiatives led by the City to provide housing choice in Hamilton's neighbourhoods.

Following the presentation, the Advisory Committee and DILG members were invited to ask questions and provide comments. City staff received minor questions and comments from participants, which were addressed and responded to by City staff.

### **Pop-Ups**

City staff hosted eight pop-up events throughout Hamilton between November 22, 2023, and November 29, 2023. The City also attended Hamilton Day on November 4, 2023 to advertise the pop-ups and invite residents and business owners attending Hamilton Day to participate in the upcoming pop-ups. During Hamilton Day, City staff visited the Locke Street Business Improvement Area, the International Village Business Improvement Area, and the Hamilton Farmer's Market.

Pop-up events were identified by City staff and the consultant team at WSP as an important approach to engagement for the Reimagining Neighbourhoods Residential Zones Project. Traditional engagement methods, such as public open houses, are often scheduled at inconvenient locations and times. Pop-ups reduce this barrier and allow people to engage in quick, accessible, and fun opportunities to share their experience, provide comments, and ask questions. They are an important tool to inform and educate broad audiences and can increase project visibility directly in the community. Importantly, pop-ups were leveraged by City staff as an intentional approach to engage seniors, youth, and families in a civic process and to expose them to a city-building initiative. The pop-ups were hosted in high-traffic areas such as community recreation centres and a shopping centre and were strategically located across the City.

Details of the pop-ups, including date, time, and location, are identified below:

<b>Date</b>	<b>Location</b>	<b>Time</b>
Wednesday, November 22, 2023	Stoney Creek Recreation Centre	6:00pm to 8:00pm
Wednesday, November 22, 2023	Valley Park Recreation Centre	6:00pm to 8:00pm
Friday, November 24, 2023	Morgan Firestone Arena	6:00pm to 8:00pm
Friday, November 24, 2023	Lime Ridge Mall	6:00pm to 8:00pm
Saturday, November 25, 2023	Lime Ridge Mall	2:00pm to 4:00pm
Monday, November 27, 2023	J.L. Grightmire Arena	6:00pm to 8:00pm
Monday, November 27, 2023	Sackville Senior's Centre	10:30am to 1:30pm
Wednesday, November 29, 2023	Bernie Morelli Recreation Centre	6:00pm to 8:00 pm

The objective of the pop-up events was to:

- Drive traffic to the Reimagining Neighbourhoods webpage on Engage Hamilton, and promote the webpage as a destination for all things related to Reimagining Neighbourhoods;
- Provide a method for the public to easily access the Story Map and Survey using a QR Code, to gather feedback from the public; and,
- Engage with individuals who may not typically participate in open houses and/or other forms of traditional engagement approaches to receive their feedback and inform them about the Reimagining Neighbourhoods project and provide an opportunity for the public to sign up to the project notification list.

Two City staff members attended each pop-up event. City staff distributed informational postcards about the Project, engaged residents in discussion about the project and directed residents to the Residential Zones Project and Engage Hamilton microsite using the QR Code, specifically the Ideas Tool on Engage Hamilton to collect feedback. City staff recorded the following impressions from the pop-ups:

<b>Approximate Number of Attendees*</b>	402
<b>Postcards Distributed</b>	650
<b>Email Registrations</b>	36
<b>Survey Completions**</b>	5
<b>One-on-One Conversations</b>	110

\* Approximate number of attendees generally refers to the number of individuals who were present at the location during the time of the pop-up.

\*\* Survey completions indicates the number of surveys that were completed at the pop-up by using a tablet provided by the City.

### Next Steps

City staff continue to be available to meet one-on-one with Councillors to review details of proposed zoning changes within each Ward as requested. Outreach and engagement with the community will continue into the new year, including a public information meeting scheduled for January 18, 2024. A fulsome Consultation Report will be provided to document the outcomes of all Reimagining Neighbourhoods consultation events.

Please contact Shannon McKie, Acting Director, Planning and Chief Planner with any questions or comments or to set up a meeting to discuss the Residential Zones Project by email at [Shannon.McKie@hamilton.ca](mailto:Shannon.McKie@hamilton.ca) or by phone at (905) 546-2424 Ext. 1288.

### APPENDICES AND SCHEDULES ATTACHED

Appendix "A" – Engagement by the Numbers



# Reimagining Hamilton Engagement by the Numbers

Engagement Period: November 4 to December 12



## Project Webpage

**1,200** Visitors

**8,000** Interactions  
(Webpage views, scrolls, and clicks)

## Podcast Interview

 **1** Podcast interview

## Story Map and Survey

 **221** Survey Responses

## Advisory Committee Meetings

 **3** Meetings  
**65** Participants

## Community Pop-ups



**8** Pop-ups **402** Approximate Number of Attendees

**5** Survey Completions **36** Email Registrations

**650** Postcards Distributed **110** One-on-One Conversations



# Appendix B

## What We've Heard – Survey Infographic

# REIMAGINING NEIGHBOURHOODS



## What We've Heard: Survey Results

**221**  
 Survey Respondents

**Survey Period:**  
 November 17, 2023 -  
 December 8, 2023

Through Reimagining Neighbourhoods, residential zones are changing throughout Hamilton to support the creation of new housing options in the City.

To understand residents' priorities as residential zones change, an online survey was conducted on Engage Hamilton. The survey results will inform the changes proposed to residential zones as neighbourhoods are reimagined to provide more housing choice for residents.

For a fulsome report on all engagement activities and a summary of what we learned, look out for the **Reimagining Neighbourhoods Engagement Summary Report** late this Winter on the Engage Hamilton [project webpage](#).

### Summary of Survey Results

#### What you like about Hamilton's Neighbourhoods

When asked what you like about your neighbourhood, respondents of the survey mentioned the following: walkability, green space (trees, parks, and places to play), access to services and amenities (shopping), as well as rental housing and a mix of land uses.



#### Vision for Hamilton in 15 years

When asked to consider their reimagined neighbourhood in 15 years, the words captured in the word cloud below were used most frequently by respondents and will be further explored and unpacked in the **Reimagining Neighbourhoods Engagement Summary Report**:

services condo options Space  
 cars Density Community Children  
 Housing safety Traffic Parking Homes  
 People Transit Place Affordability  
 Neighbourhood Buildings

# Reimagining Neighbourhoods

## What We've Heard: Survey Results

Respondents were asked to identify potential benefits and potential concerns related to introducing new housing options within and surrounding neighbourhoods. **Maintaining Mature Trees** within neighbourhoods and **Building Height** on the edges of neighbourhoods were top priorities for respondents. **Aging in Place** was seen as a top benefit of introducing new housing options in Hamilton.

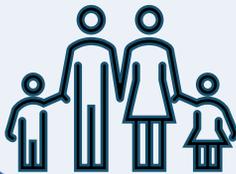
### Priority concerns for building within neighbourhoods



### Priority concerns for building on the edges of neighbourhoods



### Benefits of New Housing Options in Hamilton



# Appendix C

## What We've Heard – Survey Summary

**City of Hamilton Reimagining Neighbourhoods - Residential Zones Project**

Story Map Survey - Comment Response Matrix

Theme / Comment Summary	City Response
<i>This column summarizes comments received through the Story Map Survey.</i>	<i>This column is provided for the City's response to the theme / comment summary is applicable.</i>
Parkland, the urban tree canopy, and the Niagara Escarpment are important features that contribute to the City's character and environmental health. These features need to be protected and should not be compromised as a result of density.	Staff acknowledge this comment.
There will be a potential increase in traffic and crime as a result of greater density in the City's neighbourhoods.	Staff acknowledge this comment.
New buildings should be subject to certain environmentally-friendly design criteria. For example, bird-friendly design, green building standards, or protection for existing trees.	New applications will be subject to a set of Green Building Standards that the City is currently developing. Environmentally-friendly design, landscaping standards, and bird friendly design will all be addressed through the Green Building Standards.
There is a need for more affordable housing in Hamilton's neighbourhoods.	Staff acknowledge this comment.
There is a need for new buildings to be seamlessly integrated into existing neighbourhoods, and to address potential impacts from wind or shadowing.	Staff acknowledge this comment and note the City is working towards Community Infill Guidelines to accompany the Low Rise Residential Zones.
There is a desire for new development to be connected to transit and other active transportation networks.	Intensification is being focused on Arterial roads that are connected to existing transit routes and services.
On street parking is in demand and participants would like the City to examine and determine where new residents in Hamilton's neighbourhoods will park their cars.	Staff acknowledge this comment and note the City's Transportation Planning and Parking Division are currently completing a parking standards study.
With higher density, there are concerns over traffic congestion on local streets.	Staff acknowledge this comment.
Some participants support new development and increased density in neighbourhoods.	Staff acknowledge this comment.
It is important to build new housing where there is existing servicing infrastructure to reduce the impact of urban sprawl.	Intensification is being focused within the City's current built up area. Access to services and infrastructure is being considered. 80% of the City's population growth is being planned to be accommodated within the Urban Boundary, supporting Council's decision for no urban boundary expansion.
Participants are concerned over the impact of larger housing types on the built form of communities with lower densities.	Staff acknowledge this comment.
Existing community amenities and facilities, such as schools, libraries and parks, may not keep pace with the growing population. The City may need to provide greater amenities and services to accommodate urban intensification and growth.	Staff acknowledge this comment.
There is a desire for more variety in the types of mixed use buildings within neighbourhoods, such as libraries, grocery stores, and other businesses and institutions that serve residents' everyday needs.	Staff acknowledge this comment and note that the Mid Rise Residential Zones are proposed to contain permission for local commercial uses.

# Appendix D

## Residential Zones Project – Comment Summary

**Residential Zones Project - Comment Summary**

Comment Source	Comment	Response
Resident	<ol style="list-style-type: none"> <li>1. Hamilton has a long history of producing very different health outcomes for poorer neighborhoods and areas of the city exposed to more noise and pollution. As we move to open up space for apartments primarily along busy arterial roads, how will we ensure those who cannot afford to live in low-density-residential zones are not disproportionately exposed?</li> <li>2. What is the purpose of the large-lot zoning bylaw? Does it make sense in a city where we have small lots that seem to work really well? Does it prevent subdividing lots to increase density?</li> <li>3. How are we enforcing the build form rules? E.G. setbacks, roofline articulation?</li> <li>4. Roofline articulation is counter to energy efficiency goals and limits feasibility of rooftop solar PV. Why are we trading these away for better looks? I would love to see a policy that was focussed on having roofs that are ready for renewable energy, rather than on looking deceptively small.</li> <li>5. With the focus on already-selected transit arterials (i.e. BLAST), how will we develop other corridors into transit-oriented, dense places?</li> <li>6. How far away from a transit corridor does arterial upzoning apply? Is it just abutting lots, or can there be apartments tucked behind those lots?</li> <li>7. We have some existing medium / high-density residential zones (Durand, for example). How would this bylaw allow currently low-density zones to develop into places where mid-rise buildings are allowed? (it seems like existing single-family-home neighborhoods can't ever become places for mid-rise, even if they have extremely high land values).</li> </ol>	<ol style="list-style-type: none"> <li>1. New developments will be subject to a set of Green Building Standards that the City is currently finalizing and planning on bringing forward with the new Mid Rise Residential Zoning. Spreading MRR Zoning across the City, but on streets that are planned to handle the increase in traffic takes an equality approach in spreading different unit types across the City, not just in less affluent areas. Further, expanding the types of units internal to neighbourhoods allowing up to 4 units also increases unit choices within neighbourhoods and provides a wide variety units types across the entire City.</li> <li>2. The large lot zone is only being applied to areas of the City where the existing lot fabric consists of the largest of lots in the City. The additional residential uses now permitted in low density zones will also apply to the R2 Zone. Despite the R2 zone, the vast majority of the low density residential properties across the City will be zoned the standard lot R1 zone, or the small lot R2 zone.</li> <li>3. Setbacks and height are enforced through the Zoning By-law which is applicable law.</li> <li>4. Thank you for that feedback, we will consider that in the development of the Green Building Standards.</li> <li>5. All arterials are being considered for Mid Rise Residential Zoning which will increase density along all arterials, the TOC along BLAST focuses more on commercial with residential uses, whereas R3/R3A focuses on residential with commercial. The use focuses are different for the two, however, both are moving towards denser more well connected corridors.</li> <li>6. At this time, we are reviewing mainly lots fronting onto arterials with a developable lot depth, as well as lots currently with Mid Rise Residential Zoning. There may be opportunities to bring more lots in through consolidation, however, at this point the focus is lots along arterials.</li> </ol>

Comment Source	Comment	Response
		<p>7. If a low density zoned property fits the location and lot criteria we are up-zoning to a MRR zone. However, if a lot is currently zoned and used as low density residential and does not meet the location requirements it is not being considered for the R3/R3A Zones. It may however be zoned R1/R1A/R2 which would allow up to 4 units.</p>
<p>Resident</p>	<p>Comments:</p> <p>Firstly, I wanted to say that the City representatives at the meeting handled themselves very professionally and I was also very thankful that they set up the second meeting, which meant that I was able to attend.</p> <p>I felt that the format used for the meeting was a little disappointing. I could not see anyone else's questions, nor could they see mine. I asked 3 questions but none were addressed which made me feel like I had no voice. I'm hoping you can reply to the questions in this e-mail so that I can have some clarification.</p> <p>There are over 700,000 people in the City of Hamilton but only 221 took the survey. I was not one of them as I was not aware of it. Just wondering if perhaps this is important enough that people should be notified by mail.</p> <p>Questions:</p> <ol style="list-style-type: none"> <li>1. I live near the corner of Upper Wellington and Stone Church and there is a proposed development being built on the corner that goes against everything that was presented at the meeting, and everything presented in the video on Reimagining Neighbourhoods that is available on your website.</li> </ol>	<p>Thank you for your comments. Q&amp;A sessions during virtual public meetings are moderated in consideration of possible questions that do not meet the expectations of a civil dialogue.</p> <p>As mentioned at the Public Information Meeting, the staff present were not able to speak about specific development applications directly. However, staff are able to assist in directing these questions to the Development Planner who is assigned to the application. We did discuss the process required under the Planning Act for the submission, review, decision and appeal rights when it comes to Zoning By-law Amendments. These are established by the Province and we are required to abide by these rules.</p> <p>The Re-Imagining Neighbourhoods consultation addresses that there are different forms of housing that are needed to meet the growing needs of the residents of the City of Hamilton. The project contemplates a variety of housing forms to make sure there are opportunities for a mixture of housing throughout the City – that can</p>

Comment Source	Comment	Response
	<p>(By the way, at the time of writing, the video shown at the meeting, although similar, was not the same as the one on your website.)</p> <p>The video on the website states:</p> <ul style="list-style-type: none"> <li>- These rezoning changes will happen over time, not all at once.</li> <li>- There are rules in place to manage impacts on privacy for neighbouring homes.</li> <li>- There are guidelines in place regarding how a new building type fits into an existing neighbourhood: visually the new building type should fit in with what is already there.</li> </ul> <p>However, the above guidelines seem to be meaningless to the developer because all of those rules have been ignored. This new development is proposed to be massive 20-story rental buildings (two of them) with various levels surrounding them. This will back on to an R1 established neighbourhood of single family homes, and be across from a low-rise retirement complex &amp; some townhouse units. This land was originally zoned as Agricultural AA and was originally slated for a church when I moved in over 20 years ago. But instead there could potentially be over a hundred balconies looking directly down into our backyards. I would like some help understanding how this meets with any of the guidelines on your site or with those presented at the meeting.</p> <p>2. I'm also very concerned because it has come to my attention that developers are now by-passing City guidelines and resident's concerns, and going directly to the Ontario Land Tribunal for approval – and the Tribunal has given that approval (West 5th &amp; Stone Church). Can you shed some light on this</p>	<p>be single detached dwellings as well as multi-unit buildings. The intent is that by allowing some more flexibility, neighbourhoods will grow in different ways, ways that work for a mixture of residents (students, families, seniors and multigenerational). The changes that are proposed take away some of the barriers that have historically existed to achieve this.</p> <p>The Reimagining Neighbourhoods consultation has occurred over many months and has happened in different ways. The Virtual Public Meeting was one way to reach out to residents in addition to community pop-up events, surveys, website updates, social media blasts, newsletters and email updates. We understand that it is hard to get to every resident and we have tried to create as many opportunities as we can to engage on the project. The survey was posted on the City's social media channels, staff were also out in the community and hosted a series of pop-ups events at community centres, recreation centres, and Lime Ridge Mall to try to enhance the reach of the Reimagining Neighbourhoods engagement. Unfortunately, it is difficult to reach everyone, however, we are glad the public meeting notification reached you and you had an opportunity to participate.</p> <p>The Neighbourhood Infill Design Guidelines are specifically for multiplex development e.g. fourplexes, sixplexes within neighbourhoods. Larger scale development is subject to the Site Plan Application process which involves a comprehensive review of site and building design before approval.</p> <p>Certain types of Planning Act applications can be appealed to the Ontario Land Tribunal (formerly the Ontario Municipal Board). For further information on their mandate and accountability documents, please visit <a href="https://olt.gov.on.ca">https://olt.gov.on.ca</a>.</p>

Comment Source	Comment	Response
	<p>and hopefully help put my mind at ease that this will not happen over and over again?</p> <p>3. There are 4 mid-rise and high-rise developments already approved and/or proposed within 2 blocks on Stone Church between West 5<sup>th</sup> and Upper Wellington, with a total of 1600 vehicle parking spaces. It doesn't take a traffic study to recognize that the intersection at Upper James and Stone Church already gets extremely congested – and this is before even one of the other developments has been completed. To add another 1600 vehicles to the current mix would be absolutely disastrous. I also see this as being a safety issue as emergency vehicles will be unable to move freely. How will the city deal with this massive increase in traffic?</p> <p>I'm all for building multiplexes and affordable housing in a responsible manner. But when 'the solution' ends up being the problem, then we must stop and rethink the strategy. Because once these changes are made, they are permanent.</p>	<p>The Transportation Master Plan has contemplated the intensification that is set to occur across the City, and establishes the transportation plan for this intensification which will be directed to the City's major and minor arterial roads. The Urban Hamilton Official Plan directs intensification to these corridors.</p>
Resident	<p>1. The zoning provisions ultimately decided upon by the City of Hamilton need to be clearly written and understandable by those people who will be subject to them.</p> <p>2. There needs to be enforcement of whatever zoning provisions are decided upon by the City of Hamilton. Without enforcement, the zoning provisions will be of no effect.</p> <p>3. Removal of minimums is not ideal as in doing so, the City would be assuming that people will do the right things if standards are eliminated or are discretionary. We saw how that has worked with the average person and covid mandates. We strongly suspect that removal of minimums would be even more</p>	<p>We have noted your comments for consideration. Thank you.</p>

Comment Source	Comment	Response
	<p>problematic, particularly when it comes to private sector developers whose ultimate goal is profit. As an example, we have previous personal experience with a development in Hamilton where because the City has no visitor parking requirements, the developer took the position that they were not obligated to provide any visitor parking despite the impact that parking from that development would have on neighbouring streets.</p> <p>4. Lastly, while we fully support efforts to deal with climate change and reduce our community's dependence on cars, to eliminate parking opportunities altogether in some building due to transit options being in place does ignore the circumstances of some people where they work out of town and are not able to use public transit to get to their places of employment in a timely manner. This is something we have experienced in the past and continue to experience in our own personal circumstances (i.e. a need to have two vehicles).</p>	
Resident	<p>First I want to thank staff and WSP for engaging with residents and presenting the plans so far to the public. I have a few comments on the plans thus far with some thoughts on improving them for a more equitable policy that would improve housing supply outcomes. If the plans are implemented as currently designed, Hamilton's zoning and parking requirements will move from something that is severely restricting housing supply, to something that is more acceptable. Hamilton should aim to be a leader and not simply follow in the footsteps of nearby cities. Other Canadian and American cities have proposed far more ambitious zoning reforms. This has implications on housing supply, staff time, taxpayer funded review of developments, and infill tax revenue.</p>	

Comment Source	Comment	Response
	<p><b>Zoning:</b>  <b>Built-Form:</b> During the presentation there were slides related to the “compatibility” of new multi-plex residential. While this comes from a place of respect, I have to argue against this. I think the low-density residential zoning does not go far enough in allowing housing supply during a housing crisis.</p> <p><b>Unit count:</b>                      Other cities around North America are looking to allow up to 6 units or more in existing residential areas. Hamilton could lead the pack and allow up to 6 units as-of-right, instead of the current 4 proposed, or allow up to 4 floors regardless of unit count. This would provide housing providers with more options to provide housing in our existing neighbourhoods so that residents have options when choosing neighbourhoods and can more easily allow residents to age in place. An example of infill given in the presentation actually showed a 6 unit building that would still not be allowable under the proposed guidelines. Proof that these guidelines do not go far enough to provide housing supply options.</p> <p><b>Set-backs and design:</b>                      The current infill guidelines seem to be overly strict with regard to building design. It is fine if the infill doesn't put on a façade of a house, apartments look different, and restricting design means awkward interior layouts and odd looking buildings. The set-backs might be slightly different too, coming somewhat closer to the street than existing homes. There are great examples of this in long-standing neighbourhoods in Hamilton such as Durand, Beasley, St. Clair, and more which have caused no adverse issues. Residents actually often seek out these neighbourhoods because of the variation in housing types. Older neighbourhoods have these already, and many are illegal to build today without special permissions that are costly and waste</p>	<p>Regarding Zoning matters, the Residential Zones Project Team provides the following response:</p> <p>Compatibility is a well debated term that brings with it certain connotations. The Neighbourhood Infill Design Guidelines make clear that compatibility, as defined in the Urban Hamilton Official Plan, is not narrowly intended to mean “the same as” or “being similar to”. In terms of permitting six units as-of-right, the Urban Hamilton Official Plan has established the permission for up to six units in Low Density Residential areas. So, while the Low Density Residential Zones are proposed to permit up to fourplexes, the Neighbourhood Infill Design Guidelines were also written to be applied to the evaluation of Zoning By-law Amendment applications for sixplex developments. Staff will be actively monitoring the implementation of the new Low Density Residential Zone permissions as is always the case when new regulations are introduced. The Zoning By-law is a living document and is intended for evaluation and review. This is of particular importance given the current housing crisis and other factors affecting access to housing in the City.</p> <p>Your comments on the guidelines related to design, setbacks and height are noted. The guidelines are intended to guide important elements of built form and site design. While these elements are prioritized, guideline documents are intended to have flexibility which is reflected in the language used. The guidelines are not intended to promote one type of built form or design which is reflected in the varied sample images used throughout the guideline document. While zoning by-law regulations establish black and white rules, design guidelines are guides, not a strict set of rules. In terms of height, the maximum height proposed for fourplex development maintains the existing height permission in place for all low density residential uses. A maximum height of 10.5 metres allows for up to a</p>

Comment Source	Comment	Response
	<p>taxpayer dollars and staff time. Plenty of buildings that are single detached buildings do not conform to the existing neighbourhood, and so this is an undue restriction on multi-unit buildings that is unequitable and continues the exclusionary nature of zoning. Toronto just went through a review where items like Floor Space Indexes and height and how they affected the reality of building the technical allowance. They relaxed both the FSI and height restrictions after that review. In addition to this the step back requirements in most cases are not needed. In the majority of cases infill will be 1 or 2 storeys taller than surrounding buildings. The current zoning by-law does not restrict single detached homes adjacent to 1 storey bungalows in a similar way. A 2 or 2.5 storey building on a lot next to a 1 storey building is considered acceptable. There is no reason a 3 storey building of similar increased height should not be allowed beside an existing 2 or 2.5 storey home. Height restrictions should be relaxed to allow 12m or 16m in low density residential zones with reduced or no floor setback requirements using angular planes.</p> <p><b>Commercial in Residential:</b>  <b>Mixed use:</b>                      Older neighbourhoods in Toronto and Hamilton among other nearby cities have commercial mixed into residential neighbourhoods like Durand, Beasley, Crown Point, Inch Park and East Mount. These are often small units with dentists, doctors, cafes, variety stores, and bakeries. They often fit less than 15 – 20 people in them, and do not generate significant traffic or parking issues as most users live locally and can walk or cycle to them. These commercial units in established neighbourhoods would allow more residents to avoid driving as they could live within walking distance of a small shop, and it would allow small business owners to flourish as they could operate a small shop from their home or on a side street where the commercial unit is less likely to be owned by a large</p>	<p>three storey building, depending on roof design. As mentioned previously, the zoning regulations will be monitored once implemented. Staff will then have the benefit of the regulations being applied to new developments and can evaluate whether any regulations should be further evaluated.</p> <p>Thank you for your comments about small-scale commercial located within neighbourhoods and its contribution to walkability within a neighbourhood. When the City's Commercial and Mixed Use Zones were introduced in 2017, one of the zones established was the Residential Character Commercial (C1) Zone which is intended to be applied to the interior of neighbourhoods to small-scale buildings with small-scale commercial uses to meet the need of surrounding residents. As you note, there are many examples of this neighbourhood commercial in many of the older neighbourhoods in Hamilton which is supported through the C1 Zone.</p>

Comment Source	Comment	Response
	<p>corporation. The fact that commercial in residential neighbourhoods are car trip generators is based on flawed models that expect every person to access commercial in the same way no matter the distance.</p> <p><b>Mid-rise mixed use:</b>                      Simply put, the zoning should allow for commercial on the second floor of buildings in addition to the first. There is just no reason to restrict this use. If there is demand, allow it. As areas become more dense, commercial supply decreases increasing lease costs making it more difficult for small businesses to start leading to more large franchises and less unique vibrant local shops.</p> <p><b>TOC Zoning:</b>                      TOC zoning should incorporate a distance around the corridor, not just properties immediately adjacent. This allows for greater flexibility regarding land acquisition for better housing forms. If not following in the footsteps of regions elsewhere in Canada, expanding TOC zoning to 50-150 metres surrounding the corridor would greatly improve their efficacy.</p> <p><b>- Zoning Simplification:</b>                      While the simplification of the zoning by-law cannot have its benefits overstated, it could likely be further simplified. The city could likely reduce the low density zoning and mid-rise zoning into one zone each rather than three and two respectively. It is just likely unnecessary to have different rules for the size of the lot. The specific outlines in each could likely cover most contexts.</p> <p><b>Parking:</b>                      - Staff perfectly described that the removal of parking minimums does not mean there will be no parking offered. Some areas require more parking than others, and developments will take that</p>	<p>With respect to Commercial in Residential – Mid-rise mixed use, The Urban Hamilton Official Plan restricts local commercial uses to the ground floor of buildings containing multiple dwellings in Medium Density Residential areas. The Mid Rise Residential Zones project is implementing the policies of the UHOP, however, that feedback is noted.</p> <p>With respect to TOC Zoning, staff will consider this feedback when evaluating the BLAST corridors. Some lots may be included in the TOC Zoning that are not directly fronting onto the corridor, similarly to how the TOC Zoning is applied on the LRT corridor. Corridors will be evaluated on a site by site basis, and additional lots may be included where the lot fabric and local context deems appropriate.</p> <p>With respect to Zoning Simplification, the suggestion is noted.</p> <p>Regarding Parking matters, the Parking Standards Review Project Team provides the following response:</p>

Comment Source	Comment	Response
	<p>into account when planning to sell or rent units to residents. Despite this, the city is planning to impose parking minimums on much of the city where parking is likely to be provided already. This is simply not needed, and the occasional case where no parking is desired, the proposed development will have to go through a costly variance process and the city might have to defend its position at the LPAT wasting taxpayer dollars, staff time, and delaying much needed housing,</p> <p>I propose the following improvements from most desirable to least desirable:</p> <ol style="list-style-type: none"> <li>1) Remove the parking minimum city-wide. The city is going through the process of merging the zoning by-laws to remove complexity and to have the entire city feel like one rather than a shadow of the former municipalities. The same should be done with parking requirements. Hamilton already sees developments with above required parking provided, setting a minimum is already unnecessary and complicated the zoning code. This has been done in many cities in Canada already in High River, Alberta, Edmonton Alberta, Lunenburg, Nova Scotia and Toronto, Ontario not to mention countless American mid-sized cities like Cambridge Massachusetts and Portland Oregon.</li> <li>2) If the above is not feasible then at the least I would recommend the merging of Zone A and Zone B with the requirements of Zone A. This would reduce the number of zones in the urban area from two to one. This would be a compromise that would meet the objectives of my first point while remaining sensitive to the worries of residents in Zone C.</li> </ol> <p>- Something not mentioned in the parking discussion was following in the footsteps of other municipalities in restriction of new curb cuts. Especially in urban areas, curb cuts to add additional parking can severely reduce the safety and mobility of people walking on sidewalks.</p>	<p>Staff agree there is a strong rationale for removing parking minimums and this is where the future is headed. The option of eliminating minimums throughout the City was given strong consideration. Some of the considerations that went into the recommendation for a geographical based approach included an analysis of existing auto ownership and commuting trends (Some of this analysis is included in the August 15<sup>th</sup> Parking Standards Review Report, Appendix B, which can be found here). <a href="https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=375669">https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=375669</a></p> <p>It is also noted that while some municipalities such as Edmonton and Toronto have eliminated parking minimums, others such as Guelph have rejected such proposals recently.</p> <p>We will consider your suggestion of merging Zone A and B, or potentially expanding Zone A. However, it is noted that currently zone B is where we receive a very large amount of complaints about the lack of parking from residents.                      Note: the terminology of the “zones” has been updated to Parking Rate Area 1, 2 and 3.</p> <p>In the August 15<sup>th</sup> report to Planning Committee, there was a recommendation that staff be directed to prepare an implementation plan and any required policy or by-law changes to eliminate or modify the residential Boulevard Parking Program. This would eliminate some new curb cuts. Another way to reduce the angled portion of sidewalks is to build wider sidewalks (i.e. 1.8 m vs. 1.5 m) which allows for a more gradual slope while providing a wider level platform. This is part of the City’s Complete Streets Guidelines.</p> <p>The recommendation to further restrict the location of parking within a building and at surface level are noted and will be considered as part of future work.</p>

Comment Source	Comment	Response
	<p>According to <a href="https://himpro.calslip-and-fall-settlements-in-ontario/">https://himpro.calslip-and-fall-settlements-in-ontario/</a> says "In Ontario the average settlement \$10,000 to \$418,000." Reducing angled sidewalks would reduce the overburdened legal and engineering staff at the city.</p> <p>- Another item that should be mentioned in the parking by-laws should be restricting parking levels in structured parking to underground to provide additional space for residential and commercial uses. Surface parking should also be heavily discouraged on mid-rise construction, as it often creates a large impermeable surface which the city is also working to reduce through storm water fees. It also takes a large portion of the property where amenity space and more residential and commercial space could occupy.</p>	
Resident	<p>It is very clear that Hamilton needs more varieties of housing, at various price points, and that speed and efficiency are certainly considerations when creating new zoning regulations and building standards. The Team did an excellent job of describing the City's needs and how this ONE Zone fits all bylaw may be the formulaic answer to solve the City's housing crisis. However, it appeared as if the Team were more concerned with just meeting the new requirements, rather than determining if these requirements would meet the needs of residents.</p> <p>I have a few questions, please.</p> <ol style="list-style-type: none"> <li>1. When adding new townhouses, multi-plexes, multi-story dwellings, etc. on the periphery of residential areas, is it also the intent to improve/re-build the infrastructure such that water mains, sewer drains, roads and intersections can handle the increased flow of not only water but also traffic, especially heavy busses. We all know from very recent events that the water mains throughout the lower</li> </ol>	<p>The Urban Hamilton Official Plan establishes where future population growth is going to be prioritized across the City. With support of a no urban boundary expansion growth option, much of the City's future growth is to occur within the existing built-up area. The GRIDS2 process was established to undertake the comprehensive planning for this growth. The Growth Related Integrated Development Strategy is an integrated planning process to plan for the allocation of</p>

Comment Source	Comment	Response
	<p>City are old and are constantly breaking, causing flooding and damage to homes and roadways. The cost of ensuring adequate infrastructure for all the new dwelling units and residents must be a major consideration, although I do not think it was mentioned in the presentation. Perhaps it is just a known requirement and everyone simply accepts that this will be done.</p> <p>2. Parking is a major concern, especially in apartment buildings or multi-story condo buildings. A series of formulae seemed to determine how much parking would be allowed, both a minimum and maximum, but none of the formulae included a parking space <b>for each unit</b> and some were totally <b>without visitor parking</b>. Is this really a viable alternative? Mr. Hollingsworth alluded to the fact that he would let the market determine the parking requirements. What does that mean? Does it mean that if there is not enough parking, people can decide not to purchase that living space? I would really appreciate clarity on this theory, please. To build housing where no one wants to live because of inadequate parking seems to defeat the purpose. Also, if there is no visitor parking, people will find side streets and other areas to park, thereby cluttering up the whole neighborhood. While I know that decreasing the number of vehicles is the way we need to go, we are not there yet. Lastly, there was mention of underground parking and the fact that it will not be utilized because of the GHG's of combustion engines. It seems that electric vehicles would suit perfectly in underground parking. In this way, you could offer adequate parking while simultaneously contributing fewer GHGs.</p>	<p>future growth and the associated infrastructure planning, including water / wastewater and transportation planning.</p> <p>Updates to the allocation of future growth through Official Plan policies and implementing zoning do inform servicing and transportation master planning processes.</p> <p>The Parking Standards Review project team advises that the recommended parking requirements for multiple dwellings, which includes apartments and condo buildings, include a visitor parking requirement which is proportionate to the total number of dwelling units in the building. The visitor parking requirement will apply to multiple dwellings throughout the City, at a rate which is affected by proximity to other modes of transportation.</p> <p>With respect to resident parking spaces, in all areas except the Lower City, there is a recommended requirement for resident parking spaces within multiple dwellings which is proportionate to the total number of dwelling units. The recommendation is that required residential parking follow a geography-based approach, which requires less parking based upon proximity to modes of transportation other than the car. The City of Hamilton is expected to experience growth within a variety of contexts: some of which will be located within a more compact urban environment with greater access to multi-modal transportation, and others will occur in more suburban contexts where greater reliance on a car is anticipated. These distinctions are reflected in the geography based approach.</p> <p>A market-based approach to parking provision recognizes that developers typically consider the current or future demand for parking spaces and construct dwelling units which will cater to prospective purchasers. The comment with respect to electric vehicle parking is noted. The recommendations include regulations intended to require</p>

Comment Source	Comment	Response
	<p>3. I have a number of concerns about the direction the City is taking, particularly as it concerns grocery stores and easy access to nutritious and healthy food for families and for seniors. While I realize that the City cannot mandate grocery stores in certain locations, the lack thereof immediately negates the idea of a walkable community. At some point, families will need a car to bring home big packages of diapers, heavy bags of milk and potatoes and 35 kg bags of dog food. We can't really expect families to lug this stuff home on the bus or bikes. If there is no parking where they reside, they are left to order on-line. This brings us to warehouses, which are eating up space on our green fields – a disastrous waste of natural heritage features. Areas of Hamilton are already considered 'food deserts' and intensification will only increase the problem unless there is a very proactive movement or incentive to entice grocery store chains, vegetable markets, butchers, bakers, etc. into these newly built-up areas. Convenience stores simply do not provide the kinds of healthy meals which Hamiltonians deserve.</p> <p>4. How are you designing new housing with Seniors in mind? It was mentioned that the current design does not include demographics so there is no knowledge of existing retirement homes, enclaves of older homes where people have lived for 50 years, or apartments where they can currently manage the rent. Since Seniors are the biggest burgeoning demographic in Canada, they certainly deserve special consideration. <a href="https://www.cihi.ca/en/infographic-canadas-seniors-">https://www.cihi.ca/en/infographic-canadas-seniors-</a></p>	<p>new developments to include design aspects which support electric vehicles.</p> <p>The importance of accessibility to essential commercial uses like grocery stores is noted. As work continues on the Mid Rise Residential Zones, staff will be evaluating the permissions for commercial uses in these zones, and the future location of these zones at the scale of communities and neighbourhoods.</p> <p>Your comments are noted. While zoning does not zone for people, the need for senior supportive housing is of key importance. The City, through it's Senior Advisory Committee and Age-Friendly Plan has identified a series of actions and goals around housing, transportation, community services and other key objectives to support the advancement of the needs of seniors in the community.</p>

Comment Source	Comment	Response
	<p><a href="#">population-outlook-uncharted-territory</a>. They will have special needs for transportation, access to clinics, public services, <b>parks</b>, and grocery stores. Please consider this huge population group in your designs.</p> <p>5. Employment is always a factor in attracting residents to an area. Are there plans to attract high-paying employers, high tech jobs, professionals, to the newly intensified areas? To afford some of the more expensive units, families will need good paying jobs. In the presentation, there was constant mention of small retail outlets on the ground floor of apartment buildings, such as coffee shops. While these are great to have, they are not the high-paying jobs that will attract professionals. Without good jobs, people will still commute to other cities for employment. What does the City plan to do about employment incentives? Again, there is no possibility of a walkable community without sustainable employment.</p>	<p>Your comments are noted. The City's Economic Development team works to advance investment in Hamilton and support a diverse and strong economy as Hamilton grows in the future.</p>
Resident	<p><b>1. Wall-to-Wall Development</b></p> <p>Firstly, in regard to R1a zones, being that these are narrow properties in central locations, would the city consider allowing wall-to-wall development? That is, that any new structures are allowed to be built up to the property lines on the sides of the lot.</p> <p>I worry that holding these narrow lots to the same standards as wider lots will have a dramatic impact on the amount of units that can be built within height restrictions, and given that R1a zones are most often in highly central locations, I would argue we need to ensure there are few limiting factors impacting the total number of units.</p>	<p>While the R1a Zone reflects smaller lot fabric, there are minimum requirements for side yard setbacks that need to be maintained for access and maintenance purposes, and adequate drainage between properties. These requirements are in place for detached structures on separate lots. Attached structures like street townhouse or row houses, by the nature of the built form, do not have side yard requirements and can be more easily accommodated on narrow lots.</p> <p>The increased permissions in Low Density Residential Zones provides a greater opportunity to introduce housing that can be well integrated into existing streetscapes.</p>

Comment Source	Comment	Response
	<p>I would also argue that allowing wall-to-wall development can have a very positive impact on streetscapes, and is more in-line with traditional development patterns. Though I also understand that wall-to-wall homes would need to be designed with improved fire safety measures (such as proper material use, and the use of parapets).</p> <p><b>2. Height Restrictions &amp; Setbacks</b></p> <p>Next, I wanted to have more clarification about setbacks and existing height restrictions. As I currently understand, R1 zones have a height restriction of 10.5 meters. I'm wondering if that is still the case, and if so, will new builds need to include a setback to reach that height?</p> <p>Or, on the flip side, will new developments be allowed to exceed current height restrictions so long as they have a setback? And furthermore, in that scenario what would the new restrictions be in terms of setback depth and total building height?</p> <p><b>3. Structural Relocation for Garden Suites</b></p> <p>Finally—though more of a proposal—would the city consider creating clear guidelines for people to structurally relocate existing smaller homes (e.g. Urban Cottages, Victory Homes, Kit Homes, Craftsman Bungalows) to the back of the property to serve as a garden suite while opening up new land for a stacked townhome on the home's former location?</p>	<p>The Low Density Residential Zones have a maximum height permission of 10.5 metres. Triplexes and fourplexes will also have a maximum height permission of 10.5 metres.</p> <p>If an applicant proposes a height greater than 10.5 metres, they can apply for a Minor Variance through the Committee of Adjustment. Their application for increased height will be evaluated, with the Neighbourhood Infill Design Guidelines informing that evaluation. If an applicant proposed to reduce the minimum setback from the rear lot line of 7.5 metres, the overall height of the building within that reduced setback area should be stepped down in height. Please refer to the Neighbourhood Infill Design Guidelines for more information.</p> <p>Your comments are noted and have been documented by the project team for future consideration.</p>

Comment Source	Comment	Response
	<p>While not every home would qualify, our city has a large supply of smaller homes on deep lots that—structurally-speaking—would qualify for our existing definitions of laneways or garden suites if only in a different location on the property. This is particularly true for Wards 3 and 4—both of which struggle to meet density targets as per the MTSA report.</p> <p>Moreover, these qualifying homes are often around 100 years old, and therefore would benefit from a new foundation/utility connections. Plus, this will prevent perfectly livable homes that are too small to be split into multiple units from demolition, thereby being more environmentally friendly in reducing waste, but also wonderful for heritage preservation.</p> <p>But best of all, structural relocation of a building in a straight line to a location on the existing property is incredibly cost-effective—potentially costing as little as \$25k or even less. That means if paired with a program to sever parcels and then sell those vacated severed parcels, our city could have an entirely cost-neutral program given the high sale price of vacant land.</p> <p>Alternatively, a program could be set up to offer an interest-free loan for this endeavour similar to the existing program that assists in splitting up homes into multiple units.</p> <p>In the end, I believe our city is particularly well-suited to have a program such as this, and I implore city staff to consider it.</p> <p>That's all! Once again, thank you and your team for your continued hard work, and thank you for taking the time to read this email. Please feel free to reach out if you have any questions, comments, or feedback.</p>	

Comment Source	Comment	Response
<p>Planning Consultant</p>	<p>First, I want to thank staff and WSP for engaging with residents and presenting the plans so far to the public. I have a few comments on the plans thus far with some thoughts on improving them for a more equitable policy that would improve housing supply outcomes. If the plans are implemented as currently designed, Hamilton’s zoning and parking requirements will move from something that is severely restricting housing supply, to something that is more acceptable. Hamilton should aim to be a leader and not simply follow in the footsteps of nearby cities. Other Canadian and American cities have proposed far more ambitious zoning reforms. This has implications on housing supply, staff time, taxpayer funded review of developments, and infill tax revenue.</p> <p>Zoning:</p> <p><b>Built Form:</b> During the presentation there were slides related to the “compatibility” of new multi-plex residential. While this comes from a place of respect, I have to argue against this. I think the low-density residential zoning does not go far enough in allowing housing supply during a housing crisis.</p> <p><b>Unit count:</b> Other cities around North America are looking to allow up to 6 units or more in existing residential areas. Hamilton could lead the pack and allow up to 6 units as-of-right, instead of the current 4 proposed, or allow up to 4 floors regardless of unit count. This would provide housing providers with more options to provide housing in our existing neighbourhoods so that residents have options when choosing neighbourhoods and can more easily allow residents to age in place. An example of infill given in the presentation actually showed a 6 unit building that would still not be allowable under the proposed guidelines. Proof that these guidelines do not go far enough to provide housing supply options.</p>	<p>Regarding Zoning matters, the Residential Zones Project Team provides the following response:</p> <p>Thank you for your comments on infill development in neighbourhoods. Compatibility is a well debated term that brings with it certain connotations. The Neighbourhood Infill Design Guidelines make clear that compatibility, as defined in the Urban Hamilton Official Plan, is not narrowly intended to mean “the same as” or “being similar to”. In terms of permitting six units as-of-right, the Urban Hamilton Official Plan has established the permission for up to six units in Low Density Residential areas. So, while the Low Density Residential Zones are proposed to permit up to fourplexes, the Neighbourhood Infill Design Guidelines were also written to be applied to the evaluation of Zoning By-law Amendment applications for sixplex developments. Staff will be actively monitoring the implementation of the new Low Density Residential Zone permissions as is always the case when new regulations are introduced. The Zoning By-law is a living document and is intended for evaluation and review. This is of particular importance given the current housing crisis and other factors affecting access to housing in the City.</p>

Comment Source	Comment	Response
	<p><b>Set-backs and design:</b> The current infill guidelines seem to be overly strict with regard to building design. It is fine if the infill doesn't put on a façade of a house, apartments look different, and restricting design means awkward interior layouts and odd looking buildings. The set-backs might be slightly different too, coming somewhat closer to the street than existing homes. There are great examples of this in long-standing neighbourhoods in Hamilton such as Durand, Beasley, St. Clair, and more which have caused no adverse issues. Residents actually often seek out these neighbourhoods because of the variation in housing types. Older neighbourhoods have these already, and many are illegal to build today without special permissions that are costly and waste taxpayer dollars and staff time. Plenty of buildings that are single detached buildings do not conform to the existing neighbourhood, and so this is an undue restriction on multi-unit buildings that is inequitable and continues the exclusionary nature of zoning.</p> <p>Toronto just went through a review where items like Floor Space Indexes and height and how they affected the reality of building the technical allowance. They relaxed both the FSI and height restrictions after that review. In addition to this the step back requirements in most cases are not needed. In the majority of cases infill will be 1 or 2 storeys taller than surrounding buildings. The current zoning by-law does not restrict single detached homes adjacent to 1 storey bungalows in a similar way. A 2 or 2.5 storey building on a lot next to a 1 storey building is considered acceptable. There is no reason a 3 storey building of similar increased height should not be allowed beside an existing 2 or 2.5 storey home. Height restrictions should be relaxed to allow 12m or 16m in low density residential zones with reduced or no floor setback requirements using angular planes.</p>	<p>Your comments on the guidelines related to design, setbacks and height are noted. The guidelines are intended to guide important elements of built form and site design. While these elements are prioritized, guideline documents are intended to have flexibility which is reflected in the language used. The guidelines are not intended to promote one type of built form or design which is reflected in the varied sample images used throughout the guideline document. While zoning by-law regulations establish black and white rules, design guidelines are guides, not a strict set of rules. In terms of height, the maximum height proposed for fourplex development maintains the existing height permission in place for all low density residential uses. A maximum height of 10.5 metres allows for up to a three storey building, depending on roof design. As mentioned previously, the zoning regulations will be monitored once implemented. Staff will then have the benefit of the regulations being applied to new developments and can evaluate whether any regulations should be further evaluated.</p>

Comment Source	Comment	Response
	<p><b>Commercial in Residential:</b></p> <p><b>Mixed use:</b> Older neighbourhoods in Toronto and Hamilton among other nearby cities have commercial mixed into residential neighbourhoods like Durand, Beasley, Crown Point, Inch Park and East Mount. These are often small units with dentists, doctors, cafes, variety stores, and bakeries. They often fit less than 15 – 20 people in them, and do not generate significant traffic or parking issues as most users live locally and can walk or cycle to them. These commercial units in established neighbourhoods would allow more residents to avoid driving as they could live within walking distance of a small shop, and it would allow small business owners to flourish as they could operate a small shop from their home or on a side street where the commercial unit is less likely to be owned by a large corporation. The fact that commercial in residential neighbourhoods are car trip generators is based on flawed models that expect every person to access commercial in the same way no matter the distance.</p> <p><b>Mid-rise mixed use:</b> Simply put, the zoning should allow for commercial on the second floor of buildings in addition to the first. There is just no reason to restrict this use. If there is demand, allow it. As areas become more dense, commercial supply decreases increasing lease costs making it more difficult for small businesses to start leading to more large franchises and less unique vibrant local shops.</p> <p><b>TOC Zoning:</b></p> <p>TOC zoning should incorporate a distance around the corridor, not just properties immediately adjacent. This allows for greater flexibility regarding land acquisition for better housing forms. If not following in the footsteps of regions elsewhere in Canada, expanding TOC zoning to 50-150 metres surrounding the corridor would greatly improve their efficacy.</p>	<p>Thank you for your comments about small-scale commercial located within neighbourhoods and its contribution to walkability within a neighbourhood. When the City's Commercial and Mixed Use Zones were introduced in 2017, one of the zones established was the Residential Character Commercial (C1) Zone which is intended to be applied to the interior of neighbourhoods to small-scale buildings with small-scale commercial uses to meet the need of surrounding residents. As you note, there are many examples of this neighbourhood commercial in many of the older neighbourhoods in Hamilton which is supported through the C1 Zone.</p> <p>With respect to Commercial in Residential – Mid-rise mixed use, The Urban Hamilton Official Plan restricts local commercial uses to the ground floor of buildings containing multiple dwellings in Medium Density Residential areas. The Mid Rise Residential Zones project is implementing the policies of the UHOP, however, that feedback is noted.</p> <p>With respect to TOC Zoning, staff will consider this feedback when evaluating the BLAST corridors. Some lots may be included in the TOC Zoning that are not directly fronting onto the corridor, similarly to how the TOC Zoning is applied on the LRT corridor. Corridors will be evaluated on a site by site basis, and additional lots may be included where the lot fabric and local context deems appropriate.</p>

Comment Source	Comment	Response
	<p><b>Zoning Simplification:</b>                      While the simplification of the zoning by-law cannot have its benefits overstated, it could likely be further simplified. The city could likely reduce the low density zoning and mid-rise zoning into one zone each rather than three and two respectively. It is just likely unnecessary to have different rules for the size of the lot. The specific outlines in each could likely cover most contexts.</p> <p><b>Parking:</b>                      Staff perfectly described that the removal of parking minimums does not mean there will be no parking offered. Some areas require more parking than others, and developments will take that into account when planning to sell or rent units to residents. Despite this, the city is planning to impose parking minimums on much of the city where parking is likely to be provided already. This is simply not needed, and the occasional case where no parking is desired, the proposed development will have to go through a costly variance process and the city might have to defend its position at the LPAT wasting taxpayer dollars, staff time, and delaying much needed housing.</p> <p>I propose the following improvements from most desirable to least desirable:</p> <ol style="list-style-type: none"> <li>1. Remove the parking minimum city-wide. The city is going through the process of merging the zoning by-laws to remove complexity and to have the entire city feel like one rather than a shadow of the former municipalities. The same should be done with parking requirements. Hamilton already sees developments with above required parking provided, setting a minimum is already unnecessary and complicated the zoning code. This has been done in many cities in Canada already in High River, Alberta, Edmonton Alberta, Lunenburg, Nova Scotia and Toronto,</li> </ol>	<p>With respect to Zoning Simplification, the suggestion is noted.</p> <p>Regarding Parking matters, the Parking Standards Review Project Team provides the following:</p> <p>Thank you for your comments on Parking. Staff agree there is a strong rationale for removing parking minimums and this is where the future is headed. The option of eliminating minimums throughout the City was given strong consideration. Some of the considerations that went into the recommendation for a geographical based approach included an analysis of existing auto ownership and commuting trends (Some of this analysis is included in the August 15<sup>th</sup> Parking Standards Review Report, Appendix B, which can be found here).  <a href="https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=375669">https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=375669</a></p> <p>It is also noted that while some municipalities such as Edmonton and Toronto have eliminated parking minimums, others such as Guelph have rejected such proposals recently.</p> <p>We will consider your suggestion of merging Zone A and B, or potentially expanding Zone A. However, it is noted that currently zone B is where we receive a very large amount of complaints about the lack of parking from residents.</p>

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	<p>Ontario not to mention countless American mid-sized cities like Cambridge Massachusetts and Portland Oregon.</p> <p>If the above is not feasible then at the least I would recommend the merging of Zone A and Zone B with the requirements of Zone A. This would reduce the number of zones in the urban area from two to one. This would be a compromise that would meet the objectives of my first point while remaining sensitive to the worries of residents in Zone C.</p> <p>Something not mentioned in the parking discussion was following in the footsteps of other municipalities in restriction of new curb cuts. Especially in urban areas, curb cuts to add additional parking can severely reduce the safety and mobility of people walking on sidewalks. According to <a href="https://himpro.calslip-and-fall-settlements-in-ontario/">https://himpro.calslip-and-fall-settlements-in-ontario/</a> says "In Ontario the average settlement \$10,000 to \$418,000." Reducing angled sidewalks would reduce the overburdened legal and engineering staff at the city.</p>	<p>Note: the terminology has been updated to Parking Rate Area 1, 2, and 3.</p> <p>In the August 15<sup>th</sup> report to Planning Committee, there was a recommendation that be directed to prepare an implementation plan and any required policy or by-law changes to eliminate or modify the residential Boulevard Parking Program. This would eliminate some new curb cuts. Another way to reduce the angled portion of sidewalks is to build wider sidewalks (i.e. 1.8 m vs. 1.5 m) which allows for a more gradual slope while providing a wider level platform. This is part of the City's Complete Streets Guidelines.</p>
Resident	<p>I lived in Toronto for 25 years and found I didn't need a car at all as it is dense, it has amenities nearby, public transportation is great. I would say the majority who live in downtown Toronto don't have a car. Many buildings were being built without parking at all. In other words, if you make it possible, people will opt out of the expense of car ownership and if they need one they will rent one.</p> <p>Comment to the idea that more density creates more crime: I lived in very dense Toronto and very spaced out and not dense Edmonton. Edmonton's crime is way higher than Toronto. I feel way more nervous here in Hamilton in Ward 4 than I ever did in Toronto.</p>	<p>Thank you for your participation in the Public Information Meeting and for providing these comments, which have been documented.</p>

Comment Source	Comment	Response
Resident	<p>It was a great public update today. I am very excited to be part of the solution and repurpose my home to a 4plex and provide greater housing options in the area.</p> <p>Can you tell me what [deleted address] west 5th is being zoned as for parking purposes? This is a prime area in desperate need of higher density and updated , modern housing.</p> <p>Can you clarify what the parking requirement will be if I demolish my current single family home and build a purpose built 4plex in the r1 zone as being proposed to in q1?</p> <p>Also, can you clarify the proposed setbacks? I am concerned the new side setbacks are going to make it even harder for me to build on this lot. Any insight would be greatly appreciated.</p>	<p>Draft zoning maps were made available on Engage Hamilton – Reimagining Neighbourhoods on February 2, 2024.</p> <p>Questions noted and responded to separately.</p>
Resident	<p>I attended the Reimagining Neighbourhoods virtual meeting last night and found it very informative. Splitting the residential zonings based on the size of the lot makes a lot of sense. However, there was no information given about what was used for the classification.</p> <p>What is the lot area of a small lot vs. a regular sized lot vs. a large lot? There are lots in the City which are 60 and 70 feet wide and deeper than 100 feet. Are they considered large lots?</p>	<p>The assignment of zones is carried out based on a number of factors which includes existing lot fabric and existing zone standards.</p> <p>For most uses in the R1 Zone, the zone standards are a minimum 12 metre frontage and a minimum lot area of 360 sq. m. In the R1a, this is reduced to a minimum 9 metre frontage and minimum 270 sq. m. lot area.</p> <p>The R2 Zone is the large lot zone and typically applies to properties with a lot frontage of at least 20 metres. The zone standards for most uses in the R2 Zone is a minimum frontage of 18 metres and minimum lot area of 630 sq. m.</p>
Resident	<p>The Q&amp;A function did not work during the meeting. My question is one, is any discussion being given to the proliferation of Airbnb. I know of a few apartments in Dundas that have recently been changed from rentals to Airbnb losing a fairly affordable accommodation. and 2, has any consideration been given to 45% of the population of Dundas being over the age of 50. 15% is over</p>	<p>With respect to Airbnb's, last year, the City introduced a Short-term rental licensing program as a pilot program intended to protect the long-term rental housing market by prohibiting short-term rentals that would be considered as a commercial investment property. For more information about this pilot program and contact information, please visit the following webpage:</p>

Comment Source	Comment	Response
	<p>80. All this infilling of Dundas could be over kill for the next 20 years, ruining Dundas in the process with all the new high rises on the table right now</p>	<p><a href="https://www.hamilton.ca/build-invest-grow/starting-small-business/business-licences/short-term-rentals">https://www.hamilton.ca/build-invest-grow/starting-small-business/business-licences/short-term-rentals</a></p> <p>The intent of changes through Reimagining Neighbourhoods is to increase housing options both within neighbourhoods and along the exterior of neighbourhoods. The increased housing options range from triplexes and fourplexes in neighbourhoods, to townhouses and mid-rise buildings along the periphery. It is intended that greater housing options will provide greater choice to all residents, including older residents that may want to stay in their neighbourhood but are challenged due to a lack of housing options when they are looking to downsize or find housing that does not require the maintenance and related upkeep of a single family home. The needs of an aging population are an important driver of this project.</p>
Resident	<p>We attended this evenings “Reimagination” meeting and were very disappointed that many of the questions and comments we posted were not openly discussed. There is a tremendous amount of frustration when proposals for large, multi-level complexes are being put forward and City Councillors and planning committees such as yours do not answer questions. We are not the only neighbourhood in Hamilton being faced with a proposal for a large, multi-level complex in our backyards. The frustration that we read time and again is that the City can plan, have policies, and create zones but developers can circumvent these rules by going to the Ontario Land Tribunal and have their projects pushed through regardless of the wishes of the residences.</p> <p>The only support given to everyday Ontarians to navigate and fight against these large development projects was through the LPASC (Local Planning Appeal Support Centre) but this service was shut down by Doug Ford. Who is supposed to support the concerns of the residences? We were hoping to find some</p>	<p>Thank you for your comments. As mentioned at the Public Information Meeting, the staff present were not able to speak about specific development applications directly. However, staff are able to assist in directing these questions to the Development Planner who is assigned to the application. Staff did discuss the process required under the Planning Act for the submission, review, decision and appeal rights when it comes to Zoning By-law Amendments. These are established by the Province and we are required to abide by these rules.</p>

Comment Source	Comment	Response
	<p>answers at this meeting tonight but you chose not to address our comments.</p> <p>You are planning for the future of Hamilton, but is high density, multi-unit and multi-storey complexes wanted by those looking for housing? What happened to affordable single family homes and town homes. Who are the people that need housing? Where are the stats to support this need? Can our essential services such as health care (access to family doctors, urgent care, emergency services, medical procedures etc.), education, policing, fire etc.... deal with these intensification plans? Again, these were some of the questions we were hoping to have answered tonight but were ignored.</p> <p>In this day of technology and communication, surely there must be a better way to get information across to Hamilton residents about what is happening and being planned for in the city. Dispersing this information at community events and engaging in conversation with just over 100 residents in a city of over 500 000 people to help with planning is not enough. It is not acceptable that in many instances the first time we learn about a high rise building project is when the cranes move in. The fact that developers only need to inform people of their proposals within a 350 m radius around the project and that city councillors and city planners are not actively informing the population as a whole is unacceptable.</p> <p>The majority of the residents of the City of Hamilton DO NOT know about the future plans for the city. Working in a large hospital in the City, none of my coworkers were aware of these plans at all and we would guess that the majority of Hamiltonians do not either. We have to question....Whose vision is this? Creating these high density areas without thought and reason puts a strain on the current infrastructures and negatively impacts</p>	<p>Your comments are noted. The Residential Zones Project is creating housing opportunity through zoning changes. The housing crisis is a complex matter and will require a multi-faceted response from all levels of government. Creating and maintain affordable housing is a key priority identified in the City's Housing Sustainability and Investment Roadmap which was endorsed by Council in 2023. There are important challenges related to the provision of services in an area with a growing population. Your comments are noted as the City plans for this growth.</p> <p>The Reimagining Neighbourhoods Residential Zones Project engagement has occurred over many months and has happened in different ways. The Virtual Public Meeting was one way to reach out to residents in addition to community pop-up events, surveys, website updates, social media blasts, newsletters and email updates. We understand that it is hard to get to every resident and we have tried to create as many opportunities as we can to engage on the project. The survey was posted on the City's social media channels, staff were also out in the community and hosted a series of pop-ups events at community centres, recreation centres, and Lime Ridge Mall to try to enhance the reach of the Reimagining Neighbourhoods engagement.</p> <p>The City continues to explore ways to improve engagement. This term of Council has identified Responsiveness and Transparency as a key Council priority, which includes getting more people involved in decision making and problem solving. The City will be reviewing and updating its Public Engagement Policy to respond to this priority.</p>

Comment Source	Comment	Response
	<p>the quality of life of residents. Where is the need to maintain the character and beauty within our neighbourhoods? This is what distinguishes Hamilton from our neighbouring community of Toronto. It is why many of us have worked here, raised families and were planning on retiring and living out our life here. These proposed changes have us seriously reconsidering living here.</p>	
Resident	<p>Who approved to change our neighbourhoods without our involvement ?</p>	<p>The Reimagining Neighbourhoods Residential Zones Project engagement has occurred over many months and has happened in different ways. The Virtual Public Meeting was one way to reach out to residents in addition to community pop-up events, surveys, website updates, social media blasts, newsletters and email updates. Staff understand that it is hard to get to every resident and we have tried to create a variety of ways to engage on the project. The survey was posted on the City's social media channels, staff were also out in the community and hosted a series of pop-ups events at community centres, recreation centres, and Lime Ridge Mall to try to enhance the reach of the Reimagining Neighbourhoods engagement.</p> <p>The City continues to explore ways to improve engagement. This term of Council has identified Responsiveness and Transparency as a key Council priority, which includes getting more people involved in decision making and problem solving. The City will be reviewing and updating its Public Engagement Policy to respond to this priority.</p>
Resident	<p>Thank you for last night's presentation on the residential zoning changes that are coming. I joined a bit late and neither the Q&amp;A or Chat functions worked for me. So I have a few questions that I wasn't able to ask last night. Asking them in an email is likely easier anyway.</p> <p>I am aware of many of the benefits of allowing up to four units on a property, in terms of choice, use of infrastructure, avoiding</p>	

Comment Source	Comment	Response
	<p>sprawl, etc. However, there are a few questions I want to raise regarding how it will work in practice and whether the changes will help make homes more affordable.</p> <p>1. Infrastructure. Greater density is assumed to make good use of existing infrastructure. But in many of the older parts of Hamilton, that infrastructure--especially sewer and water--is old. In some places, we still have old combined sewer-and-storm-sewer pipes. Does Hamilton actually have the infrastructure in place to handle greater density? Or perhaps that old infrastructure needs replacing anyway, and then the greater density will make better use of it?</p> <p>2. Tenure and operation of four-unit buildings. When a four unit building replaces a single-family building, how will the four-unit building be managed? Four units is likely too small to operate as a condominium, so I don't see how the four units will each be owned by their occupants. All four could be rented, or one lived in and the other three rented. But that likely means someone has to be a landlord with only a few tenants. The same is true with accessory dwellings. And small landlords are the most vulnerable. When one of three or four tenants doesn't pay rent or creates problems, that's a big hit to a landlord's income compared to the same situation with larger landlords. But small landlords are also often unaware of their legal responsibilities, which can have a negative impact on the tenants of those units. What is the city plan for helping to make these four-unit properties actually function well and to support the landlords--and the tenants--if and when things go wrong?</p> <p>3 Affordability. Obviously having four units on a property provides more housing than one unit. But if 10 single family homes in a</p>	<p>Hamilton's Growth Related Integrated Development Strategy (GRIDS2) involves the comprehensive planning for future growth. The GRIDS2 process is an integrated planning process to plan for the allocation of future growth and the associated infrastructure planning, including water / wastewater and transportation planning. Updates to the allocation of future growth through Official Plan policies and implementing zoning do inform servicing and transportation master planning processes which need to plan for servicing future intensification.</p> <p>The Residential Tenancy Act establishes a comprehensive framework for the regulation of residential rents. The City offers a series of resources for tenants, with information and resources on a range of topics including rent, renovations, eviction, leases, and repairs and safety. Further, contact information is provided for tenants, including how to access the City's Tenant Helpline which offers free information and assistance about the rights and responsibilities of tenants, and Hamilton Community Legal Clinic, which provides free legal services and assistance for landlord and tenant matters.</p> <p>The zoning changes provide the opportunity for greater housing options across the neighbourhood of Hamilton, instead of acting as a</p>

Comment Source	Comment	Response
	<p>neighbourhood become 40 units, the neighbourhood will have lost 10 single-family units. If demand remains high for single-family homes, that loss of supply will result in higher prices for single-family homes, right? So while the scenario I described will create more options for housing, it is also reducing an option and further pushing up the price of that option.</p> <p>4 Affordability. Any new rental units created by allowing up to four units on what used to be single-family-zoned land will not be rent controlled, since the province has exempted those created after November 15, 2018. Is the city simply counting on increased supply to moderate prices/rents or are other measures being proposed to ensure that we get more affordable units as a result of these zoning changes?</p> <p>Thank you for considering these questions. They have long puzzled me as I keep reading about opening up single-family lands for greater density. I emphasize that I am not opposed, just not certain how, or if, it will work as expected.</p>	<p>barrier by restricting the types of housing permitted to what has often been just single family homes. The zoning changes provide opportunity, not requirements for what must be built. The cost of housing challenges are complex and require a multi-faceted response.</p> <p>The City has formed the Housing Secretariat Division to identify and facilitate housing solutions that result in safe, affordable, rental and ownership housing for lower-income residents. Creating and maintain affordable housing is a key priority identified in the Housing Sustainability and Investment Roadmap which was endorsed by Council in 2023. More information is available by visiting the Housing Secretariat webpage at <a href="https://hamilton.ca">https://hamilton.ca</a></p>
Resident	<p>First I want to thank staff and WSP for engaging with residents and presenting the plans so far to the public. I have a few comments on the plans thus far with some thoughts on improving them for a more equitable policy that would improve housing supply outcomes. If the plans are implemented as currently designed, Hamilton's zoning and parking requirements will move from something that is severely restricting housing supply, to something that is more acceptable. Hamilton should aim to be a leader and not simply follow in the footsteps of nearby cities. Other Canadian and American cities have proposed far more ambitious zoning reforms. This has implications on housing</p>	<p>Regarding Zoning matters, the Residential Zones Project Team provides the following response:</p> <p>Thank you for your comments on infill development in neighbourhoods. Compatibility is a well debated term that brings with it certain connotations. The Neighbourhood Infill Design Guidelines make clear that compatibility, as defined in the Urban Hamilton</p>

Comment Source	Comment	Response
	<p>supply, staff time, taxpayer funded review of developments, and infill tax revenue.                      Zoning:</p> <p><b>Built-Form:</b> During the presentation there were slides related to the “compatibility” of new multi-plex residential. While this comes from a place of respect, I have to argue against this. I think the low-density residential zoning does not go far enough in allowing housing supply during a housing crisis.</p> <p><b>Unit count:</b> Other cities around North America are looking to allow up to 6 units or more in existing residential areas. Hamilton could lead the pack and allow up to 6 units as-of-right, instead of the current 4 proposed, or allow up to 4 floors regardless of unit count. This would provide housing providers with more options to provide housing in our existing neighbourhoods so that residents have options when choosing neighbourhoods and can more easily allow residents to age in place. An example of infill given in the presentation actually showed a 6 unit building that would still not be allowable under the proposed guidelines. Proof that these guidelines do not go far enough to provide housing supply options.</p> <p><b>Set-backs and design:</b> The current infill guidelines seem to be overly strict with regard to building design. It is fine if the infill doesn't put on a façade of a house, apartments look different, and restricting design means awkward interior layouts and odd looking buildings. The set-backs might be slightly different too, coming somewhat closer to the street than existing homes. There are great examples of this in long-standing neighbourhoods in Hamilton such as Durand, Beasley, St. Clair, and more which have caused no adverse issues. Residents actually often seek out these neighbourhoods because of the variation in housing types. Older neighbourhoods have these already, and many are illegal to</p>	<p>Official Plan, is not narrowly intended to mean “the same as” or “being similar to”. In terms of permitting six units as-of-right, the Urban Hamilton Official Plan has established the permission for up to six units in Low Density Residential areas. So, while the Low Density Residential Zones are proposed to permit up to fourplexes, the Neighbourhood Infill Design Guidelines were also written to be applied to the evaluation of Zoning By-law Amendment applications for sixplex developments. Staff will be actively monitoring the implementation of the new Low Density Residential Zone permissions as is always the case when new regulations are introduced. The Zoning By-law is a living document and is intended for evaluation and review. This is of particular importance given the current housing crisis and other factors affecting access to housing in the City.</p> <p>Your comments on the guidelines related to design, setbacks and height are noted. The guidelines are intended to guide important elements of built form and site design. While these elements are prioritized, guideline documents are intended to have flexibility which is reflected in the language used. The guidelines are not intended to promote one type of built form or design which is reflected in the varied sample images used throughout the guideline document. While zoning by-law regulations establish black and white rules, design guidelines are guides, not a strict set of rules. In terms of height, the maximum height proposed for fourplex development maintains the existing height permission in place for all low density</p>

Comment Source	Comment	Response
	<p>build today without special permissions that are costly and waste taxpayer dollars and staff time. Plenty of buildings that are single detached buildings do not conform to the existing neighbourhood, and so this is an undue restriction on multi-unit buildings that is unequitable and continues the exclusionary nature of zoning. Toronto just went through a review where items like Floor Space Indexes and height and how they affected the reality of building the technical allowance. They relaxed both the FSI and height restrictions after that review. In addition to this the step back requirements in most cases are not needed. In the majority of cases infill will be 1 or 2 storeys taller than surrounding buildings. The current zoning by-law does not restrict single detached homes adjacent to 1 storey bungalows in a similar way. A 2 or 2.5 storey building on a lot next to a 1 storey building is considered acceptable. There is no reason a 3 storey building of similar increased height should not be allowed beside an existing 2 or 2.5 storey home. Height restrictions should be relaxed to allow 12m or 16m in low density residential zones with reduced or no floor setback requirements using angular planes.</p> <p><b>Commercial in Residential:</b>  <b>Mixed use:</b> Older neighbourhoods in Toronto and Hamilton among other nearby cities have commercial mixed into residential neighbourhoods like Durand, Beasley, Crown Point, Inch Park and East Mount. These are often small units with dentists, doctors, cafes, variety stores, and bakeries. They often fit less than 15 – 20 people in them, and do not generate significant traffic or parking issues as most users live locally and can walk or cycle to them. These commercial units in established neighbourhoods would allow more residents to avoid driving as they could live within walking distance of a small shop, and it would allow small business owners to flourish as they could operate a small shop from their home or on a side street where the commercial unit is less likely to be owned by a large</p>	<p>residential uses. A maximum height of 10.5 metres allows for up to a three storey building, depending on roof design. As mentioned previously, the zoning regulations will be monitored once implemented. Staff will then have the benefit of the regulations being applied to new developments and can evaluate whether any regulations should be further evaluated.</p> <p>Thank you for your comments about small-scale commercial located within neighbourhoods and its contribution to walkability within a neighbourhood. When the City's Commercial and Mixed Use Zones were introduced in 2017, one of the zones established was the Residential Character Commercial (C1) Zone which is intended to be applied to the interior of neighbourhoods to small-scale buildings with small-scale commercial uses to meet the need of surrounding residents. As you note, there are many examples of this neighbourhood commercial in many of the older neighbourhoods in Hamilton which is supported through the C1 Zone.</p>

Comment Source	Comment	Response
	<p>corporation. The fact that commercial in residential neighbourhoods are car trip generators is based on flawed models that expect every person to access commercial in the same way no matter the distance.</p> <p><b>Mid-rise mixed use:</b> Simply put, the zoning should allow for commercial on the second floor of buildings in addition to the first. There is just no reason to restrict this use. If there is demand, allow it. As areas become more dense, commercial supply decreases increasing lease costs making it more difficult for small businesses to start leading to more large franchises and less unique vibrant local shops.</p> <p><b>TOC Zoning:</b>                      TOC zoning should incorporate a distance around the corridor, not just properties immediately adjacent. This allows for greater flexibility regarding land acquisition for better housing forms. If not following in the footsteps of regions elsewhere in Canada, expanding TOC zoning to 50-150 metres surrounding the corridor would greatly improve their efficacy.</p> <p><b>Zoning Simplification:</b>                      While the simplification of the zoning by-law cannot have its benefits overstated, it could likely be further simplified. The city could likely reduce the low density zoning and mid-rise zoning into one zone each rather than three and two respectively. It is just likely unnecessary to have different rules for the size of the lot. The specific outlines in each could likely cover most contexts.</p> <p><b>Parking:</b>                      Staff perfectly described that the removal of parking minimums does not mean there will be no parking offered. Some areas require more parking than others, and developments will take that into account when planning to sell or rent units to residents.</p>	<p>With respect to Commercial in Residential – Mid-rise mixed use, The Urban Hamilton Official Plan restricts local commercial uses to the ground floor of buildings containing multiple dwellings in Medium Density Residential areas. The Mid Rise Residential Zones project is implementing the policies of the UHOP, however, that feedback is noted.</p> <p>With respect to TOC Zoning, staff will consider this feedback when evaluating the BLAST corridors. Some lots may be included in the TOC Zoning that are not directly fronting onto the corridor, similarly to how the TOC Zoning is applied on the LRT corridor. Corridors will be evaluated on a site by site basis, and additional lots may be included where the lot fabric and local context deems appropriate.</p> <p>With respect to Zoning Simplification, the suggestion is noted.</p> <p>Regarding Parking matters, the Parking Standards Review Project Team provides the following response:</p>

Comment Source	Comment	Response
	<p>Despite this, the city is planning to impose parking minimums on much of the city where parking is likely to be provided already. This is simply not needed, and the occasional case where no parking is desired, the proposed development will have to go through a costly variance process and the city might have to defend its position at the LPAT wasting taxpayer dollars, staff time, and delaying much needed housing.</p> <p>I propose the following improvements from most desirable to least desirable:</p> <ol style="list-style-type: none"> <li>1. Remove the parking minimum city-wide. The city is going through the process of merging the zoning by-laws to remove complexity and to have the entire city feel like one rather than a shadow of the former municipalities. The same should be done with parking requirements. Hamilton already sees developments with above required parking provided, setting a minimum is already unnecessary and complicated the zoning code. This has been done in many cities in Canada already in High River, Alberta, Edmonton Alberta, Lunenburg, Nova Scotia and Toronto, Ontario not to mention countless American mid-sized cities like Cambridge Massachusetts and Portland Oregon.</li> <li>2. If the above is not feasible then at the least I would recommend the merging of Zone A and Zone B with the requirements of Zone A. This would reduce the number of zones in the urban area from two to one. This would be a compromise that would meet the objectives of my first point while remaining sensitive to the worries of residents in Zone C.</li> </ol> <p>Something not mentioned in the parking discussion was following in the footsteps of other municipalities in restriction of new curb cuts. Especially in urban areas, curb cuts to add additional parking can severely reduce the safety and mobility of people</p>	<p>Thank you for your comments on Parking. We agree that there is a strong rationale for removing parking minimums and this is where the future is headed. The option of eliminating minimums throughout the City was given strong consideration. Some of the considerations that went into the recommendation for a geographical based approach included an analysis of existing auto ownership and commuting trends (Some of this analysis is included in the August 15<sup>th</sup> Parking Standards Review Report, Appendix B, which can be found here). <a href="https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=375669">https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=375669</a></p> <p>It is also noted that while some municipalities such as Edmonton and Toronto have eliminated parking minimums, others such as Guelph have rejected such proposals recently.</p> <p>We will consider your suggestion of merging Zone A and B, or potentially expanding Zone A. However, it is noted that currently zone B is where we receive a very large amount of complaints about the lack of parking from residents.                      Note: the terminology has been updated to Parking Rate Area 1, 2, and 3.</p> <p>In the August 15<sup>th</sup> report to Planning Committee, there was a recommendation that be directed to prepare an implementation plan and any required policy or by-law changes to eliminate or modify the residential Boulevard Parking Program. This would eliminate some</p>

Comment Source	Comment	Response
	<p>walking on sidewalks. According to <a href="https://himpro.calslip-and-fall-settlements-in-ontario/">https://himpro.calslip-and-fall-settlements-in-ontario/</a> says "In Ontario the average settlement \$10,000 to \$418,000." Reducing angled sidewalks would reduce the overburdened legal and engineering staff at the city.</p> <p>Another item that should be mentioned in the parking by-laws should be restricting parking levels in structured parking to underground to provide additional space for residential and commercial uses. Surface parking should also be heavily discouraged on mid-rise construction, as it often creates a large impermeable surface which the city is also working to reduce through storm water fees. It also takes a large portion of the property where amenity space and more residential and commercial space could occupy</p>	<p>new curb cuts. Another way to reduce the angled portion of sidewalks is to build wider sidewalks (i.e. 1.8 m vs. 1.5 m) which allows for a more gradual slope while providing a wider level platform. This is part of the City's Complete Streets Guidelines.</p> <p>The recommendation to further restrict the location of parking within a building and at surface level are noted and will be considered as part of future work.</p>
Resident	<p>First I want to thank staff and WSP for engaging with residents and presenting the plans so far to the public. I have a few comments on the plans thus far with some thoughts on improving them for a more equitable policy that would improve housing supply outcomes. If the plans are implemented as currently designed, Hamilton's zoning and parking requirements will move from something that is severely restricting housing supply, to something that is more acceptable. Hamilton should aim to be a leader and not simply follow in the footsteps of nearby cities. Other Canadian and American cities have proposed far more ambitious zoning reforms. This has implications on housing supply, staff time, taxpayer funded review of developments, and infill tax revenue.</p> <p><b>Zoning:</b>  <b>Built-Form:</b> During the presentation there were slides related to the "compatibility" of new multi-plex residential. While this comes from a place of respect, I have to argue against this. I think the</p>	<p>Regarding Zoning matters, the Residential Zones Project Team provides the following response:</p> <p>Thank you for your comments on infill development in neighbourhoods. Compatibility is a well debated term that brings with it certain connotations. The Neighbourhood Infill Design Guidelines make clear that compatibility, as defined in the Urban Hamilton Official Plan, is not narrowly intended to mean "the same as" or "being similar to". In terms of permitting six units as-of-right, the</p>

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	<p>low-density residential zoning does not go far enough in allowing housing supply during a housing crisis.</p> <p><b>Unit count:</b> Other cities around North America are looking to allow up to 6 units or more in existing residential areas. Hamilton could lead the pack and allow up to 6 units as-of-right, instead of the current 4 proposed, or allow up to 4 floors regardless of unit count. This would provide housing providers with more options to provide housing in our existing neighbourhoods so that residents have options when choosing neighbourhoods and can more easily allow residents to age in place. An example of infill given in the presentation actually showed a 6 unit building that would still not be allowable under the proposed guidelines. Proof that these guidelines do not go far enough to provide housing supply options.</p> <p><b>Setbacks and design:</b> The current infill guidelines seem to be overly strict with regard to building design. It is fine if the infill doesn't put on a façade of a house, apartments look different, and restricting design means awkward interior layouts and odd looking buildings. The set-backs might be slightly different too, coming somewhat closer to the street than existing homes. There are great examples of this in long-standing neighbourhoods in Hamilton such as Durand, Beasley, St. Clair, and more which have caused no adverse issues. Residents actually often seek out these neighbourhoods because of the variation in housing types. Older neighbourhoods have these already, and many are illegal to build today without special permissions that are costly and waste taxpayer dollars and staff time. Plenty of buildings that are single detached buildings do not conform to the existing neighbourhood, and so this is an undue restriction on multi-unit buildings that is unequitable and continues the exclusionary nature of zoning. Toronto just went through a review where items like Floor Space Indexes and height and how they affected the reality of building</p>	<p>Urban Hamilton Official Plan has established the permission for up to six units in Low Density Residential areas. So, while the Low Density Residential Zones are proposed to permit up to fourplexes, the Neighbourhood Infill Design Guidelines were also written to be applied to the evaluation of Zoning By-law Amendment applications for sixplex developments. Staff will be actively monitoring the implementation of the new Low Density Residential Zone permissions as is always the case when new regulations are introduced. The Zoning By-law is a living document and is intended for evaluation and review. This is of particular importance given the current housing crisis and other factors affecting access to housing in the City.</p> <p>Your comments on the guidelines related to design, setbacks and height are noted. The guidelines are intended to guide important elements of built form and site design. While these elements are prioritized, guideline documents are intended to have flexibility which is reflected in the language used. The guidelines are not intended to promote one type of built form or design which is reflected in the varied sample images used throughout the guideline document. While zoning by-law regulations establish black and white rules, design guidelines are guides, not a strict set of rules. In terms of height, the maximum height proposed for fourplex development maintains the existing height permission in place for all low density residential uses. A maximum height of 10.5 metres allows for up to a three storey building, depending on roof design. As mentioned previously, the zoning regulations will be monitored once implemented. Staff will then have the benefit of the regulations being applied to new developments and can evaluate whether any regulations should be further evaluated.</p>

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Comment Source	Comment	Response
	<p>Despite this, the city is planning to impose parking minimums on much of the city where parking is likely to be provided already. This is simply not needed, and the occasional case where no parking is desired, the proposed development will have to go through a costly variance process and the city might have to defend its position at the LPAT wasting taxpayer dollars, staff time, and delaying much needed housing.</p> <p>I propose the following improvements from most desirable to least desirable:</p> <ol style="list-style-type: none"> <li>1.Remove the parking minimum city-wide. The city is going through the process of merging the zoning by-laws to remove complexity and to have the entire city feel like one rather than a shadow of the former municipalities. The same should be done with parking requirements. Hamilton already sees developments with above required parking provided, setting a minimum is already unnecessary and complicated the zoning code. This has been done in many cities in Canada already in High River, Alberta, Edmonton Alberta, Lunenburg, Nova Scotia and Toronto, Ontario not to mention countless American mid-sized cities like Cambridge Massachusetts and Portland Oregon.</li> <li>2.If the above is not feasible then at the least I would recommend the merging of Zone A and Zone B with the requirements of Zone A. This would reduce the number of zones in the urban area from two to one. This would be a compromise that would meet the objectives of my first point while remaining sensitive to the worries of residents in Zone C.</li> </ol>	<p>Thank you for your comments on Parking. We agree that there is a strong rationale for removing parking minimums and this is where the future is headed. The option of eliminating minimums throughout the City was given strong consideration. Some of the considerations that went into the recommendation for a geographical based approach included an analysis of existing auto ownership and commuting trends (Some of this analysis is included in the August 15<sup>th</sup> Parking Standards Review Report, Appendix B, which can be found here). <a href="https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=375669">https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=375669</a></p> <p>It is also noted that while some municipalities such as Edmonton and Toronto have eliminated parking minimums, others such as Guelph have rejected such proposals recently.</p> <p>We will consider your suggestion of merging Zone A and B, or potentially expanding Zone A. However, it is noted that currently zone B is where we receive a very large amount of complaints about the lack of parking from residents.                      Note: the terminology has been updated to Parking Rate Area 1, 2, and 3.</p>
Resident	<p>Why aren't you supplying shopping malls and Costco full time while stores are open parking enforcement officers. No idea why anyone wants a grandmother injured running out of a burning building because cars are illegally parked.</p>	<p>Thank you for providing your comments, which have been noted and forwarded to the appropriate staff.</p>

Comment Source	Comment	Response
	<p>Your department would make the City of Hamilton profitable for the first time ever.</p> <p>And parking enforcement requires no specific equity. I wouldn't be surprised if you couldn't supply 2 full time officers per location with the amount of potential tickets given.</p> <p>I worked security years ago, we have thank God been lucky. So why not a profitable preventative measure in protecting all the constituents in and from outside the community. I know the businesses would thank you. Their families shop at their stores too.</p> <p>Concerned citizen about illegal parking in Fire Lanes</p>	<p>Please note that residents may contact Hamilton Municipal Parking at 905-546-6000 or parking@hamilton.ca to request enforcement or report parking violations.</p>
<p>Planning Consultant</p>	<p>Just has a quick question on your project – will this phase place the old ER and D zones of the former Ancaster ZBL with a new 05-200 Residential Zone?</p> <p>Also, if all goes well, do you know what month or quarter you're targeting to bring these forward?</p>	<p>Staff are currently targeting the current quarter, Q1 2024, for bringing this phase forward.</p> <p>Properties currently zoned D or ER under the former Ancaster Zoning By-law are to be included in this phase and zoned one of the Low Density Residential Zones in Zoning By-law 05-200.</p>
<p>Real Estate Professional</p>	<p>Thank you for the outstanding session today.....and for the outstanding work that must have gone to getting to this point. Here are my questions:</p> <p>For Alana:</p> <ol style="list-style-type: none"> <li>1. What will the revised zone be for Upper James street (close to Inverness Avenue, Claremont Access). R3A zone for smaller lots of ~56' frontage?</li> <li>2. When can we expect this new zone to be enacted?</li> </ol> <p>For Brian</p> <ol style="list-style-type: none"> <li>1. In addition to reducing minimum parking to 0 in Zone A, was reducing dimensions for parking spots reconsidered. This has</li> </ol>	<p>Separate response provided.</p> <p>As part of the Parking Standards Review, staff are reviewing parking space dimensions. We do not expect major changes as the City's parking space dimensions are in line with practices in other</p>

Comment Source	Comment	Response
	<p>been extremely effective in deterring the use/purchase of gas guzzlers</p> <p>2. Could congestion charges for driving into certain zones be something that can be considered for Downtown zones...similar to the system in London UK.</p> <p>3. Can you confirm when in Q1 we expect the new parking bylaw to be enacted?</p> <p>General</p> <p>1. Affordability cannot be decoupled from the issue of site plan approval/permitting processes and timelines. Can you share how that will evolve to better support the achievement of our goals as a City and ensure the changes proposed actually have the intended positive impacts.</p> <p>Thank you again for the great work!!! These are the first steps in ensuring that Hamilton becomes the city of choice to live, work and age in place.</p>	<p>jurisdictions. We are, however, reviewing the allowances for small car parking spaces, which helps reduce parking area needed</p> <p>Congestion charges are not being considered at this time. In some respects, for a city the size of Hamilton, paid parking can act similar to a congestion charge.</p> <p>Regarding general affordability, zoning is only one of many tools the City may use to address housing and affordability. While there is hope that increasing zoning permissions for greater density and increased variety of housing options will improve affordability, there is no guarantee of this.</p>
<p>MHBC on behalf of TransCanada Pipelines Ltd. (TCPL):</p>	<p>Request to amend the text of Section 4.23 of Zoning By-law no. 05-200 for conformity with TCPL's standards and regulations.</p> <p>Minimum setback of 7.0 m required for buildings or structures from the edge of the TransCanada pipeline right-of-way.</p> <p>Minimum setback of 3.0 m required for accessory structures from the edge of the right-of-way.</p> <p>Minimum setback of 7.0 m required for parking/loading areas from the nearest portion of the right-of-way.</p> <p>Request for inclusion of TCPL's pipelines and facilities in Zoning By-law schedules with offer to provide GIS shapefiles to the municipality, subject to a confidentiality agreement.</p>	<p>Comments noted for evaluation.</p> <p>Section 4.23 – Special Setbacks, of Zoning By-law No. 05-200 establishes a minimum 10.0 metre setback from the pipeline right-of-way for all buildings or structures.</p>

Comment Source	Comment	Response
	Incorporating TCPL's setback requirements in the Zoning By-law aims to improve awareness and avoid conflicting developments.	

# Addendum to Consultation Summary Report

Reimagining Neighbourhoods – Residential Zones Project

**REIMAGINING  
NEIGHBOURHOODS**



# Addendum to Consultation Summary Report Reimagining Neighbourhoods – Residential Zones Project

## 1 Phased Consultation

This consultation summary is prepared as an addendum to Consultation Summary Report: Reimagining Neighbourhoods – Residential Zones Project (hereafter called “Consultation Summary Report”), dated February 9, 2024 which summarized the communications and engagement efforts of the City between November 2023 and January 2024 in support of the Residential Zones Project (hereafter called “the Project”).

Phase 2 of the communications and engagement efforts of the City in support of the Residential Zones Project occurred from July 2024 to February 2025 which allowed the Project Team to reflect on the feedback provided in the first phase of consultation and return to the public and interested parties with an update. This addendum to the Consultation Summary Report summarizes the Phase 2 engagement.

Phase 1 of the consultation program raised public awareness of both the Low Density Residential Zones and Mid Rise Residential Zones under the umbrella of the Reimagining Neighbourhoods Project. Phase 1 of engagement was the intensive engagement period where staff provided residents with information on the project, collected feedback, and answered questions on the Project through multiple methods of engagement. Phase 2 which occurred between July 2024 and February 2025 was a “Report Back” to the public and interested parties on the updates to the project as a result of Phase 1 of engagement, intended to renew public awareness, further engage with the public through additional engagement events, and provide additional opportunities for public feedback.

## 2 Consultation Activities

This section provides an overview of the materials and methods of outreach conducted as part of Phase 2 of the Project.

### 2.1 Community Pop-ups

In Phase 1 of the consultation program, the Project Team identified community pop-up events as an important approach to engagement for the Project. In Phase 1 of the Consultation Plan City staff hosted eight (8) pop-up events throughout Hamilton between November 22<sup>nd</sup>, 2023, and November 29<sup>th</sup>, 2023.

In Phase 2 of the consultation program, City staff hosted an additional twelve (12) pop-up events throughout Hamilton from July to September 2024. Pop-up locations, dates, and times are provided below in **Table 1**. Pop-ups were also attended by staff from the Sustainable Communities section within the Planning Division, which is undertaking related projects, and as such, provided attendees with a ‘big picture’ review and information on planning projects ongoing in the City related to growth and intensification.

**Table 1: Community pop-up locations, dates, and times**

Location	Date	Time
Art Crawl*	July 12, 2024	4:30 pm to 7:00 pm
Ottawa Street Farmers Market	July 13, 2024	8:00 am to 2:00 pm
Hamilton Farmers Market	July 20, 2024	8:00 am to 1:00 pm
Ancaster Farmers Market	August 7, 2024	3:00 pm to 7:00 pm
Hamilton Farmers Market	August 10, 2024	8:00 am to 5:00 pm
Stoney Creek Farmers Market	August 14, 2024	4:00 pm to 7:00 pm
Hamilton Farmers Market	August 17, 2024	8:00 am to 5:00 pm
Stoney Creek Farmers Market	August 21, 2024	4:00 pm to 7:00 pm
Ottawa Street Farmers Market	August 24, 2024	8:00 am to 2:00 pm
Waterdown Farmers Market	August 24, 2024	8:00 am to 1:00 pm
Barton Village Farmers Market	August 25, 2024	9:00 am to 1:00 pm
Barton Village Farmers Market	September 22, 2024	9:00 am to 1:00 pm

\*A booth was not set up at Art Crawl; staff were mobile, engaging with residents and handing out informational postcards.

Two (2) City staff members attended each community pop-up. At each community pop-up, City staff:

- Set up a table with a banner, giveaways, and information about the Project in highly visible areas at each location (**Figure 1**);
- Engaged visitors in discussion about the Project;
- Invited visitors to sign-up to the Project email;
- Distributed postcards with information about the Project (**Figure 2**); and,
- Directed visitors to the Project webpage using the QR Code on the postcards.

**Table 2: Community pop-up impressions**

Community Pop-up Impressions	
Postcards Distributed	750*
One-on-One Conversations	160*

\*Approximate numbers based on staff observations and reflections.

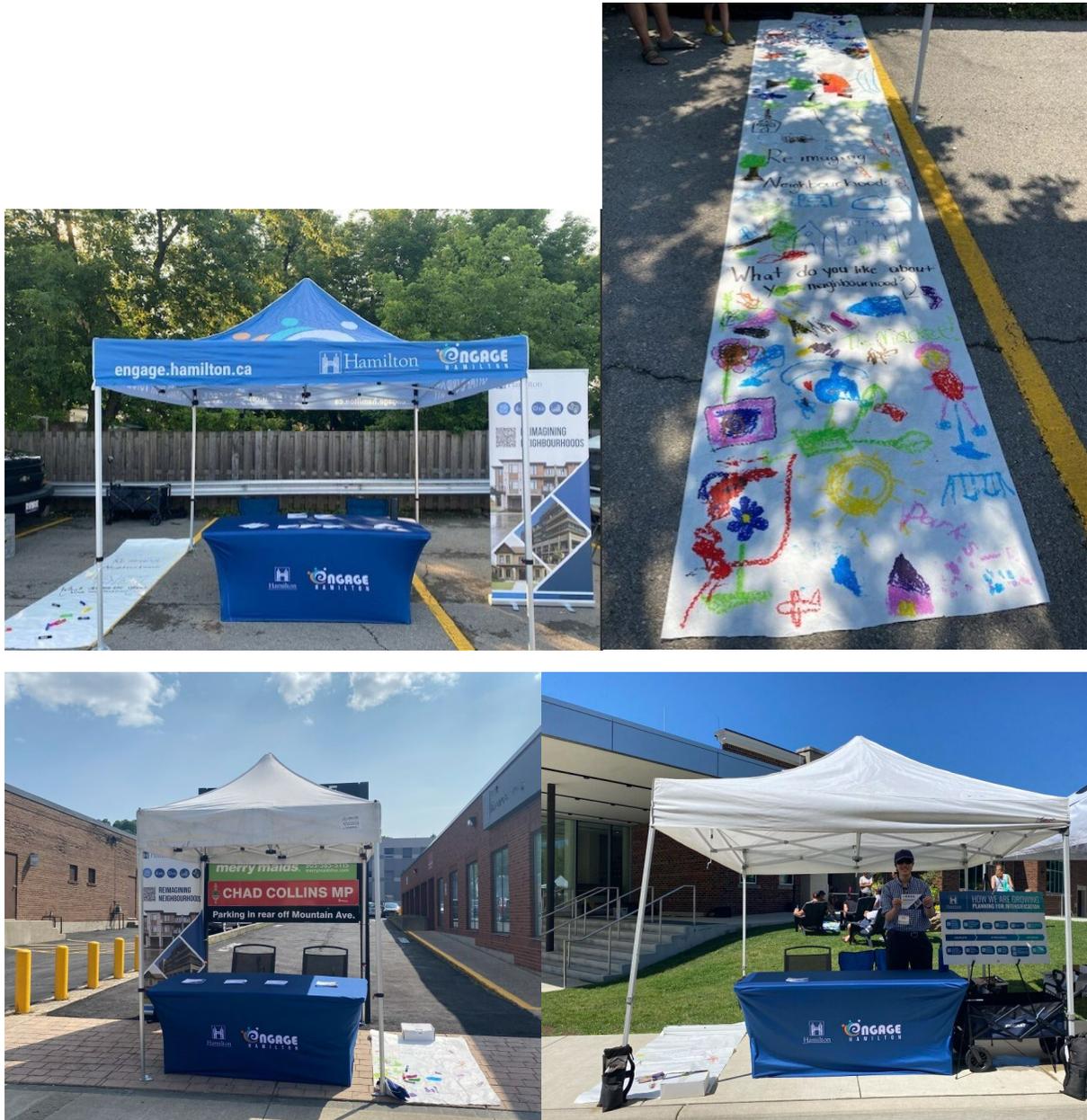


Figure 1: Images taken by City staff from community pop-ups.



# We are Reimagining Neighbourhoods

Zoning is a planning tool that the City of Hamilton can use to provide a greater range of housing options in neighbourhoods. The Residential Zone's Project aims to make Hamilton's communities sustainable, age-friendly, and accessible.



This phase of the Residential Zone's Project is addressing barriers to housing choice on the periphery of Hamilton's neighbourhoods by:



**Allowing more townhomes and multiplexes, as well as mixed use mid-rise buildings, to create more housing options near transit and services in the community.**

These proposed new housing options can respond to the diverse needs of Hamilton residents, including seniors, families, and young people.



## Stay Up to Date



Email us your questions and comments!  
Register for project updates here:  
[reszoning@hamilton.ca](mailto:reszoning@hamilton.ca)

## Learn More about the Project



Learn more about the changes proposed to residential zones across the City through the Reimagining Neighbourhoods project.

Check out the Project Website or scan the QR Code for more details! [www.hamilton.ca/residentialzoning](http://www.hamilton.ca/residentialzoning)

Figure 2: The postcard distributed at community pop-ups.

## 2.2 Engage Hamilton Webpage

On February 19, 2025 the Engage Hamilton webpage for the project was updated with timelines, key dates, and information on the draft Mid Rise Residential Zones. An email address was provided for residents to provide any feedback, comments, or questions to the project team. The project webpage has been periodically updated throughout the entirety of the project with updates on next steps, draft materials, and engagement opportunities.

## 2.3 Development Industry Liaison Group

On February 13, 2025 City staff hosted a special meeting of the Development Industry Liaison Group. Staff gave a presentation to the group to update them on the changes made to the Mid Rise Residential Zones since the last Development Industry Workshop, which occurred on January 9<sup>th</sup>, 2024. An opportunity for feedback was provided to allow members to review and comment on the draft Mid Rise Residential Zones. The same materials provided to the Development Industry Liaison Group was also provided on the Engage Hamilton webpage.

## 3 What We Heard

Reporting back to interested parties is an important component of any communication and engagement program. This section provides a summary of what was heard during communication and engagement activities between July 2024 and February 2025.

Input received across all communication and engagement activities have been brought together, analyzed, and reviewed to identify key themes. This section summarizes what was heard and provides an overview of key themes based on the relevant zones presented by the City. Feedback received will help the City inform the final recommendations for the Mid Rise Residential Zones.

### 3.1.1 What We Heard

The following list provides a summary of the messages raised most frequently by participants:

- Ensure greenspaces, including parks, open spaces, tree canopy, and the Niagara Escarpment are protected and enhanced, while accommodating additional density in Hamilton's neighbourhoods.
- Plan for appropriate municipal servicing and infrastructure, including community services and schools, to accommodate and support increased density in Hamilton's neighbourhoods.
- Support for reduced parking requirements where new development is located in close proximity to transit.
- Concerns for privacy overlook with increased height permissions.
- Need for a diversity of unit types at affordable prices.

- Expand permissions of commercial uses within Mid Rise Residential Zones to allow for greater opportunities for Hamilton's small businesses, and access to services for residents in Hamilton's neighbourhoods.
- Monitor implementation of the Zoning By-law to ensure the new requirements and provisions are working, and to update the Zoning By-law, as needed, to reflect Hamilton's changing environment.
- Clearer communications and messaging from the City is requested to help interested parties, specifically the general public, better understand the process for using and applying the Zoning By-law.

## 4 Next Steps - How Feedback will be Used

Through the communication and engagement activities described in this addendum report, City staff continue to engage with and hear from interested parties in Hamilton. In Phase 1, the feedback gathered through communication and engagement activities was used to further refine the new Low Density and proposed Mid Rise Residential Zones. In Phase 2, Feedback received on the draft MRR Zones informed the creation of a new third Mid Rise Zone which facilitates a form of development that will act as transition zone between Low Density Residential and Mid Rise Residential uses and be applied within neighbourhoods. Feedback also resulted in a change to the permitted uses within the zones to permit local commercial uses. Zone regulations such as setbacks, step-backs, and amenity area requirements are also being reviewed based on feedback received. The feedback received through the entirety of the Consultation program will inform the final recommendations when the draft Mid Rise Residential Zones are presented for Council's consideration later in 2025. Further consultation is anticipated before a final recommendation is made.



## HAMILTON MUNICIPAL HERITAGE COMMITTEE MINUTES HMHC 25-003

12:00 p.m.

March 28, 2025

Room 264, 2<sup>nd</sup> Floor (Hybrid)

Hamilton City Hall

71 Main Street West

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**Present:** A. Denham-Robinson (Chair), G. Carroll (Vice-Chair), L. Lunsted and A. MacLaren

**Absent with  
Regrets:** Councillor C. Kroetsch  
K. Burke, A. Douglas and S. Spolnik

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Pursuant to Section 5.4(6) of the City of Hamilton's Procedural By-law 21- 021, as amended, at 12:15 p.m. the Legislative Coordinator to the Committee advised those in attendance that quorum had not been achieved within 15 minutes after the time set for the Hamilton Municipal Heritage Committee, therefore, the Legislative Coordinator to the Committee noted the names of those in attendance.

Pursuant to Sections 5.4(8) and (9) of the City of Hamilton's Procedural By-law 21-021, as amended, the Chair decided to proceed informally to hear the scheduled presentations and allowed those in attendance to discuss items of interest.

The meeting stood adjourned at 12:15 p.m.

Respectfully submitted,

Matt Gauthier  
Legislative Coordinator  
Office of the City Clerk



## City of Hamilton Report for Consideration

**To:** Chair and Members  
Planning Committee

**Date:** April 8, 2025

**Report No:** PED25054

**Subject/Title:** Applications for a Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 204, 212, 220 and 226 Rymal Road West, Hamilton

**Ward(s) Affected:** Ward 8

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### Recommendations

- 1) That **Amended Zoning By-law Amendment Application ZAC-21-029, by Landwise (c/o Edward John), on behalf of Atlas Homes Corporation, Dussin Holdings Inc., Vincent James Lepore (ASO), and Maria and Tonino Di Franco, Owners**, for a change in zoning from the “R-2-H/S-1822” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District, Modified, Holding, “AA” (Agricultural) District, and “C/S-1822” (Urban Protected Residential, etc.) District, Modified, to the Low Density Residential – Small Lot (R1a, 911) Zone and Low Density Residential (R1) Zone to permit a residential subdivision with 42 single detached dwellings, for lands located at 204, 212, 220, and 226 Rymal Road West, Hamilton, Part of Lot 17, Concession 8 and Part of Road Allowance Between Lots 16 and 17, Geographic Township of Barton, in the City of Hamilton, as shown in Appendix A attached to Report PED25054, **BE APPROVED** on the following basis:
  - (i) That the draft By-law, attached as Appendix B to Report PED25054, 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 Planning Statement (2024); and,

**Applications for a Zoning By-law Amendment and Draft Plan of Subdivision for  
Lands Located at 204, 212, 220 and 226 Rymal Road West, Hamilton (Ward 8)**

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- (iii) That the proposed changes in zoning comply with the Urban Hamilton Official Plan.
- 2) That **Amended Draft Plan of Subdivision Application 25T-202108, by Landwise (c/o Edward John), on behalf of Atlas Homes Corporation, Dussin Holdings Inc., Vincent James Lepore (ASO), and Maria and Tonino Di Franco, Owners**, on lands located at 204, 212, 220, and 226 Rymal Road West, Hamilton, Part of Lot 17, Concession 8 and Part of Road Allowance Between Lots 16 and 17, Geographic Township of Barton, in the City of Hamilton, as shown in Appendix A attached to Report PED25054, **BE APPROVED**, in accordance with By-law No. 07-323 being the delegation of the City of Hamilton's Assigned Authority Under the *Planning Act* for the Approval of Subdivisions and Condominium, on the following basis:
- (i) That this approval apply to the Draft Plan of Subdivision "Forest Breeze Estates" certified by S. D. McLaren O.L.S, dated February 23, 2024, consisting of 42 lots for single detached dwellings (Lots 1 to 42), two 0.3 metre reserve blocks (Blocks 43 and 44), four right-of-way widening blocks (Blocks 45 to 48), and extensions of two public rights-of-way, as shown in Appendix C attached to Report PED24054;
- (ii) That the Owner enter into a standard form Subdivision Agreement as approved by City Council and that the Special Conditions of Draft Plan of Subdivision Approval 25T-202108, as show in Appendix D attached to Report PED25054, be received and endorsed by City Council;
- (iii) In accordance with the City's Comprehensive Development Guidelines and Financial Policies Manual, there will be no City of Hamilton cost sharing for this subdivision; and
- (iv) 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.

## **Key Facts**

- The application is for a proposed Zoning By-law Amendment to change the zoning from the "R-2-H/S-1822" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District, Modified, Holding, "AA" (Agricultural) District, and "C/S-1822" (Urban Protected Residential, etc.) District, Modified, to the Low Density Residential – Small Lot (R1a, 911) Zone and Low Density Residential (R1) Zone.
- The proposed Draft Plan of Subdivision will facilitate the development of a residential subdivision consisting of 42 lots for single detached dwellings, creation of two new

## Applications for a Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 204, 212, 220 and 226 Rymal Road West, Hamilton (Ward 8)

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municipal roads and maintaining the existing single detached dwellings along Rymal Road West thereby completing the planned local use and road pattern in the Sheldon Neighbourhood Plan.

- The proposal was circulated to 83 property owners within 120 metres of the subject lands as per the requirements of the *Planning Act* and no comments were received.
- Staff recommends that the proposed Zoning By-law Amendment and Draft Plan of Subdivision with conditions be approved as shown in Appendix B, C and D attached to Report PED25054.

### Financial Considerations

Not applicable.

### Analysis

The subject lands are municipally known as 204, 212, 220, and 226 Rymal Road West, Hamilton and described as Part of Lot 17, Concession 8 and Part of Road Allowance Between Lots 16 and 17, Geographic Township of Barton, in the City of Hamilton. The lands are located on the north side of Rymal Road West between West 5<sup>th</sup> Street and Hazelton Avenue. The site is surrounded by low density residential uses, vacant lands, and stormwater management facilities which has been identified in Appendix A1 attached to Report PED25054.

The applicant has applied for an amendment to Zoning By-law No. 05-200 and a Draft Plan of Subdivision to permit 42 lots for single detached dwellings, the creation of two new municipal roads, and to maintain the existing single detached dwellings along Rymal Road West, as shown in Appendix C attached to Report PED25054.

A full review of the applicable Provincial Planning Statement (2024) and Urban Hamilton Official Plan policies is provided in Appendix F attached to Report PED25054.

### Provincial Planning Statement (2024)

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the Provincial Planning Statement (2024). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Planning Statement (2024).

The proposal supports the development of healthy, liveable, and complete communities by permitting residential uses within the urban area on vacant lands. The subject lands are proposed to create a subdivision with 42 single detached dwellings and two municipal roads within the interior of a low density residential area. The proposal is compatible with the surrounding area since it is characterized by low density residential uses and continues to build out and make efficient use of existing municipal infrastructure including the road network, water, and wastewater infrastructure. As well, William Connell Park is located within 400 metres of the proposed residential uses.

**Applications for a Zoning By-law Amendment and Draft Plan of Subdivision for  
Lands Located at 204, 212, 220 and 226 Rymal Road West, Hamilton (Ward 8)**

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Based on the foregoing, the proposal is consistent with the Provincial Planning Statement (2024).

### **Urban Hamilton Official Plan**

The subject lands are designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations. Lands designated “Neighbourhoods” are characterized as complete communities that include a range of residential dwelling types, densities and supporting uses to serve local residents. The proposed development would facilitate the development of 42 single detached dwellings and the creation of two new public roads.

The lands fall into the Low Density Residential category of the “Neighbourhoods” designation, which permits single detached dwellings. As the proposal is considered greenfield development, the Residential Greenfield Design policies of Section E.3.7 apply, and the proposal complies by allowing more compact lots through smaller lot widths while being compatible with the surrounding area, continuing an approved street network in the surrounding area, and continues to make efficient use of existing water, wastewater, and stormwater management infrastructure as shown in Appendix C to Report PED25054.

The proposal has also been evaluated against Policy F.1.14.1.2 and it complies with the criteria for Draft Plans of Subdivision since the proposal complies with the policies and land use designations, can be serviced with adequate services and community facilities, does not adversely impact upon the transportation system and natural environment, is integrated with adjacent lands and roadways, and meets all the requirements of the *Planning Act*.

The proposal contributes to the achievement of creating complete communities by providing family friendly homes on underutilized land, extends the existing right-of-way to further improve the connectivity of the area, and completes the existing road network.

Based on the foregoing, the proposal complies with the applicable policies of the Urban Hamilton Official Plan.

### **Sheldon Neighbourhood Plan**

The subject lands are located in the Sheldon Neighbourhood Plan and are identified as “Single and Double”. The Neighbourhood Plan permits single detached dwellings in the interior of the neighbourhood. As part of the Sheldon Neighbourhood Plan, proposed road networks were identified. The subject lands are located in the interior of the neighbourhood and implements the proposed network as identified by the Sheldon Neighbourhood Plan. Staff note that the Zoning By-law Amendment includes four residential properties fronting onto Rymal Road West. The single detached dwellings along Rymal Road West are an existing use and there are no proposed changes to the properties as part of the current application. Therefore, the proposal conforms to the Sheldon Neighbourhood Plan.

**Applications for a Zoning By-law Amendment and Draft Plan of Subdivision for  
Lands Located at 204, 212, 220 and 226 Rymal Road West, Hamilton (Ward 8)**

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**City of Hamilton Zoning By-law No. 05-200**

The purpose of the Zoning By-law Amendment application is to add the subject lands to Zoning By-law No. 05-200 as Low Density Residential – Small Lot (R1a, 911) Zone and Low Density Residential (R1) Zone to permit the development of 42 single detached dwellings fronting onto a municipal road and retain the existing single detached dwellings along Rymal Road West. Site specific modifications to the Low Density Residential – Small Lot (R1a, 911) Zone, are proposed to accommodate the proposed development, which are discussed in Appendix G attached to Report PED25054.

**Rationale For Recommendation**

1. The proposal has merit and can be supported for the following reasons:
  - (i) It is consistent with the Provincial Planning Statement (2024);
  - (ii) It complies with the general intent and purpose of the Urban Hamilton Official Plan; and,
  - (iii) It is compatible with existing land uses in the immediate area and represents good planning by, among other things, increasing the supply of housing units contributing to a complete community through the establishment of housing forms that are in keeping with existing and planned development in the surrounding area, continuation of the previously approved road network as part of Eden Park Phase 2 approval, and Sheldons Gate Ontario Land Tribunal approval, and making efficient use of existing infrastructure within the urban boundary.
  
2. Zoning By-law Amendment

The proposed Zoning By-law Amendment is to add the lands to Zoning By-law No. 05-200 as Low Density Residential – Small Lot (R1a, 911) Zone and Low Density Residential (R1) Zone to permit the development of 42 single detached dwellings fronting on a municipal road and retain the existing single detached dwelling along Rymal Road West.

The proposed modifications requested to the zoning are discussed in Appendix G attached to Report PED25054. The proposed modifications for reduced side yard setbacks, flankage yard setbacks and front yard landscaping requirements are needed to allow for flexibility in the size of the detached dwelling unit on individual lots while still being compatible with the surrounding neighbourhood. Staff are satisfied that the proposed Zoning By-law Amendment, as amended, complies with the policies of the Urban Hamilton Official Plan, in particular with respect to the policies related to the “Neighbourhoods” designation and infrastructure policies in the Urban Hamilton Official Plan.

**Applications for a Zoning By-law Amendment and Draft Plan of Subdivision for  
Lands Located at 204, 212, 220 and 226 Rymal Road West, Hamilton (Ward 8)**  
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Therefore, staff support the proposed Zoning By-law Amendment.

3. Draft Plan of Subdivision

Staff have reviewed the application against criteria set out in the *Planning Act* subsection 51(24) to assess the appropriateness of the proposed subdivision, and advise that:

- (i) It is consistent with the Provincial Planning Statement (2024);
- (ii) The proposal represents a logical and timely extension of existing development and services and is in the public interest;
- (iii) It complies with the applicable policies of the Urban Hamilton Official Plan;
- (iv) The land is suitable for the purposes for which it is to be subdivided;
- (v) The proposal completes the street network envisioned by the Sheldon Neighbourhood Plan upon the approval of the applicable conditions of the draft plan;
- (vi) The dimensions and shape of the lots and blocks are appropriate;
- (vii) Restrictions and regulations for the development of the subdivision are included in the implementing Zoning By-law Amendment (see Appendix B attached to Report PED25054), conditions of draft plan approval (see Appendix D attached to Report PED25054) and in the Subdivision Agreement;
- (viii) The subject lands can be appropriately used for the purposes for which it is to be subdivided and will not negatively impact natural heritage features, and flood control will be addressed through stormwater management plans that will be required as conditions of draft plan approval;
- (ix) Adequate municipal services will be available, the particulars of which will be determined as part of the conditions of draft plan approval and the Subdivision Agreement;
- (x) Public land will be conveyed to create road rights-of-way, the particulars of which will be determined as part of the conditions of draft plan approval, and final registration of the Plan of Subdivision including any required subdivision agreements; and,

**Applications for a Zoning By-law Amendment and Draft Plan of Subdivision for  
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- (xi) The proposed development optimizes the available supply, means of supplying, efficient use, and conservation of energy.

Therefore, staff are supportive of the proposed Draft Plan of Subdivision and recommend its approval.

## **Alternatives**

Should the applications be denied, the subject property can be used in accordance with the “C/S-1822” (Urban Protected Residential, Etc.) District, Modified, “R-2-H/S-1822” (Urban Protected Residential One and Two Family Dwellings, Etc.) District, Modified, Holding, and “AA” (Agricultural District) District in Zoning By-law No. 6593.

## **Relationship to Council Strategic Priorities**

Priority 1: Sustainable Economic & Ecological Development

- 1.2: Facilitate the growth of key sectors.

Priority 2: Safe & Thriving Neighbourhoods

- Increase the supply of affordable and supportive housing and reduce chronic homelessness.

## **Consultation**

The applications were circulated to internal departments and external agencies. Refer to the comments provided in Appendix H attached to Report PED25054.

In addition to the requirements of the *Planning Act*, the applicants submitted a Public Consultation Strategy with the supporting materials which stated that a Neighbourhood Meeting would occur if required. To date, no Neighbourhood Meeting was hosted for the proposed development and no public comments were received.

## **Appendices and Schedules Attached**

- Appendix A: Location Map
- Appendix A1: Existing and Surrounding Land Uses and Zoning Chart
- Appendix B: Amendment to Zoning By-law No. 05-200
- Appendix C: Proposed Draft Plan of Subdivision
- Appendix D: Draft Plan of Subdivision Special Conditions
- Appendix E: Historical Background Report Fact Sheet
- Appendix F: Policy Review
- Appendix G: Zoning Modification Table
- Appendix H: Staff and Agency Comments

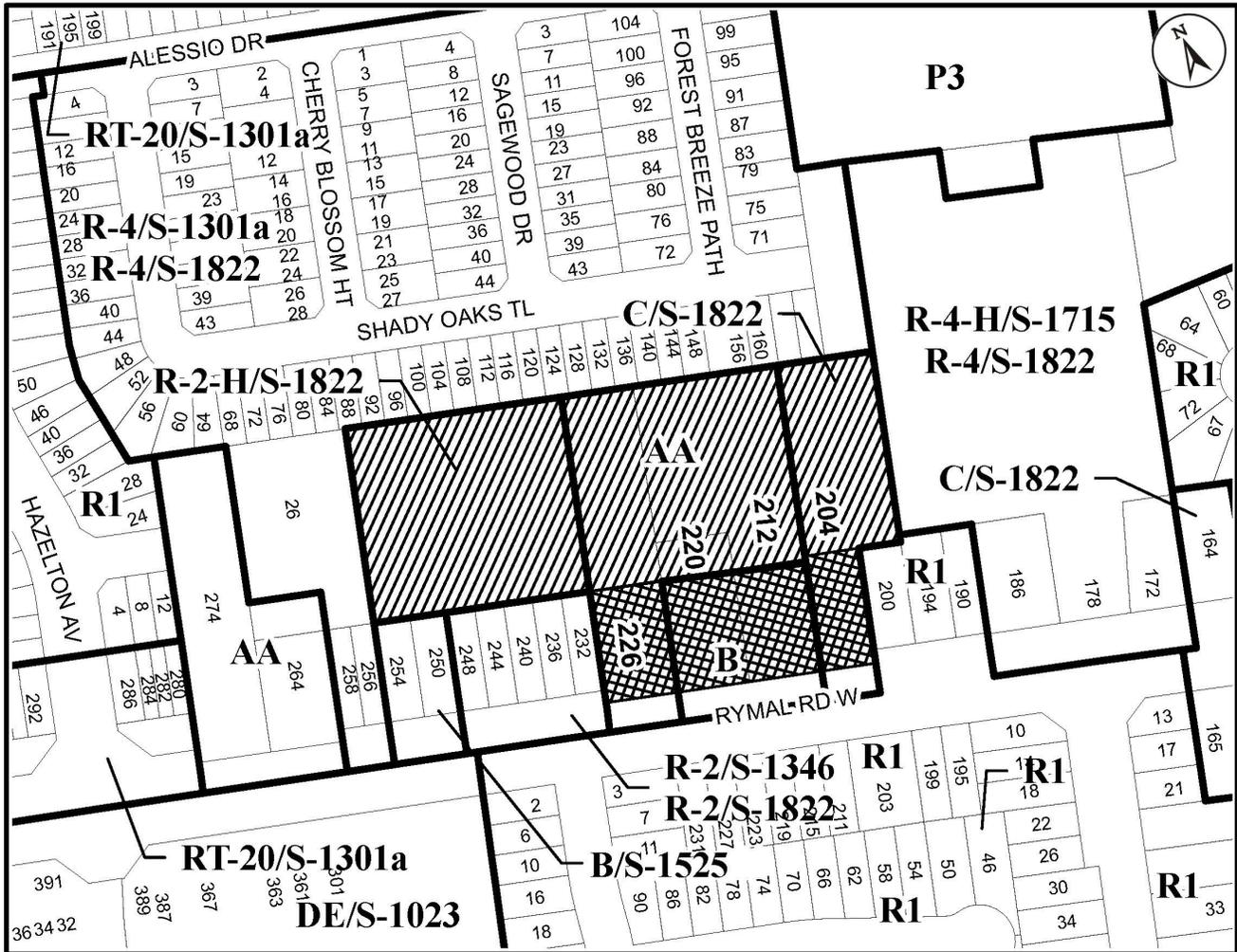
**Applications for a Zoning By-law Amendment and Draft Plan of Subdivision for  
Lands Located at 204, 212, 220 and 226 Rymal Road West, Hamilton (Ward 8)**

**Page 8 of 8**

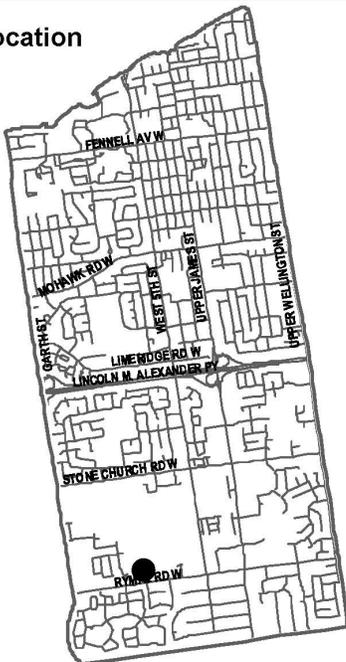
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**Prepared by:** Alaina Baldassarra, Planner I  
Development Planning, Planning and Economic  
Development Department

**Submitted and  
recommended by:** Anita Fabac, Acting Director of Planning and Chief Planner  
Planning and Economic Development Department



● Site Location



Key Map - Ward 8

## Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
ZAC-21-029 & 25T-202108

Date:  
February 28, 2025

Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
MM/AL

### Subject Property

204, 212, 220, and 226 Rymal Road West, Part of Lot 17, Concession 8 and Part of Road Allowance Between Lots 16 and 17, Geographic Township of Barton, in the City of Hamilton



Lands to be added to Zoning By-law No. 05-200 as Low Density Residential – Small Lot (R1a, 911) Zone



Lands to be added to Zoning By-law No. 05-200 as Low Density Residential (R1) Zone

## Existing and Surrounding Land Uses and Zoning Chart

	Existing Land Use	Existing Zoning
<b>Subject Lands:</b>	<ol style="list-style-type: none"> <li>1) 204 Rymal Road West – single detached dwelling.</li> <li>2) 212 Rymal Road West – single detached dwelling.</li> <li>3) 220 Rymal Road West – single detached dwelling.</li> <li>4) 226 Rymal Road West – single detached dwelling.</li> <li>5) Part of Lot 17, Concession 8 and Part of Road Allowance Between Lots 16 and 17, Geographic Township of Barton, in the City of Hamilton – vacant.</li> </ol>	<ol style="list-style-type: none"> <li>1) “C/S-1822” (Urban Protected Residential, Etc.) District, Modified.</li> <li>2) “AA” (Agricultural District) District.</li> <li>3) “AA” (Agricultural District) District.</li> <li>4) “AA” (Agricultural District) District.</li> <li>5) “R-2-H/S-1822” (Urban Protected Residential One and Two Family Dwellings, Etc.) District, Modified, Holding.</li> </ol>
<b>North:</b>	Single detached and semi-detached dwellings, Phase 2 of the Eden Park Subdivision currently under construction.	“R-4/S-1301a” (Small Lot Single Family Detached) District, Modified, and “R-4/S-1822” (Small Lot Single Family Detached) District, Modified.
<b>South:</b>	Single detached dwellings.	“B/S-1525” (Suburban Agriculture And Residential, Etc.) District, Modified, “R-2/S-1346” (Urban Protected Residential One and Two Family Dwellings, Etc.) District, Modified, “R-2/S-1822” (Urban Protected Residential One and Two Family Dwellings, Etc.) District, Modified, and Low Density Residential (R1) Zone.
<b>East:</b>	Vacant.	“R-4-H/S-1715” (Small Lot Single Family Detached) District, Modified, Holding, Low Density Residential (R1) Zone, and “R-4/S-1822” (Small Lot Single Family Detached) District, Modified.
<b>West:</b>	Vacant.	“R-4/S-1301a” (Small Lot Single Family Detached) District, Modified, “R-2/S-1346” (Urban Protected Residential One and Two Family Dwellings, Etc.) District and “R-4/S-1822” (Small Lot Single Family Detached) District, Modified.

**Authority:** Item,  
Report (PED25XXX)  
CM:  
Ward: 8

**Bill No.**

## CITY OF HAMILTON

### BY-LAW NO.

**To Amend Zoning By-law No. 05-200 with respect to lands located at 204, 212, 220, and 226 Rymal Road West and Part of Lot 17, Concession 8 and Part of Road Allowance Between Lots 16 and 17, Hamilton**

**WHEREAS** Council approved Item \_\_\_ of Report PED25054 of the Planning Committee, at its meeting held on March 18, 2025;

**AND WHEREAS** this By-law complies with the Urban Hamilton Official Plan;

**NOW THEREFORE** Council amends Zoning By-law No. 05-200 as follows:

1. That Schedule "A" – Zoning Maps, Map No. 1393 and 1341 is amended by adding the Low Density Residential (R1) Zone and Low Density Residential – Small Lot (R1a, 911) Zone, to the lands known as 204, 212, 220, and 226 Rymal Road West, and Part of Lot 17, Concession 8 and Part of Road Allowance Between Lots 16 and 17, Hamilton, the extent and boundaries of which are shown on Schedule "A" to this By-law.
2. That Schedule "C": Special Exceptions is amended by adding the following new Special Exception:
  - "911. Within the lands zoned Low Density Residential – Small Lot (R1a, 911) Zone, identified on Map No. 1393 and 1341 of Schedule "A" – Zoning Maps and described as 204, 212, 220, and 226 Rymal Road West, and Part of Lot 17, Concession 8 and Part of Road Allowance Between Lots 16 and 17, Hamilton, the following special provisions shall apply:
    - a) Notwithstanding Section 4.35 a), the following regulation shall apply:
      - i) Minimum Landscaped Area in the Front Yard 40%, except 32% for a corner lot.

b) Notwithstanding Section 15.2.2.1 d) and e), the following regulations shall apply:

- i) Minimum Setback from a Side Lot Line
  - a) 1.2 metres on one side and 0.8 metres on the other side, provided that a maintenance easement is entered into between the owners of the abutting lands and properly registered on title of each of the abutting lots otherwise a minimum 1.2 metre setback is required; and,
  - b) 0.8 metres from the hypotenuse of a daylight triangle.
- ii) Minimum Setback from a Flankage Lot Line 1.2 metres.”

3. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the provisions of the Low Density Residential (R1) Zone and Low Density Residential – Small Lot (R1a, 911, H181) Zone, subject to the special requirements referred to in Section Nos. 2 and 3 of this By-law.
4. 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 \_\_\_\_\_, 2025

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A. Horwath  
Mayor

---

M. Trennum  
City Clerk

ZAC-21-029



This is Schedule "A" to By-law No. 25-  
 Passed the ..... day of ....., 2025

-----  
 Mayor  
 -----  
 Clerk

**Schedule "A"**  
 Map forming Part of  
 By-law No. 25-\_\_\_\_\_  
 to Amend By-law No. 05-200  
 Maps 1341 & 1393

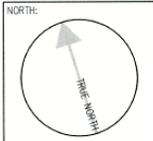
**Subject Property**  
 204, 212, 220, and 226 Rymal Road West Hamilton, and Part of Lot 17, Concession 8 and Part of Road Allowance Between Lots 16 and 17, Geographic Township of Barton, in the City of Hamilton

 Lands to be added to Zoning By-law No. 05-200 as Low Density Residential – Small Lot (R1a, 911) Zone

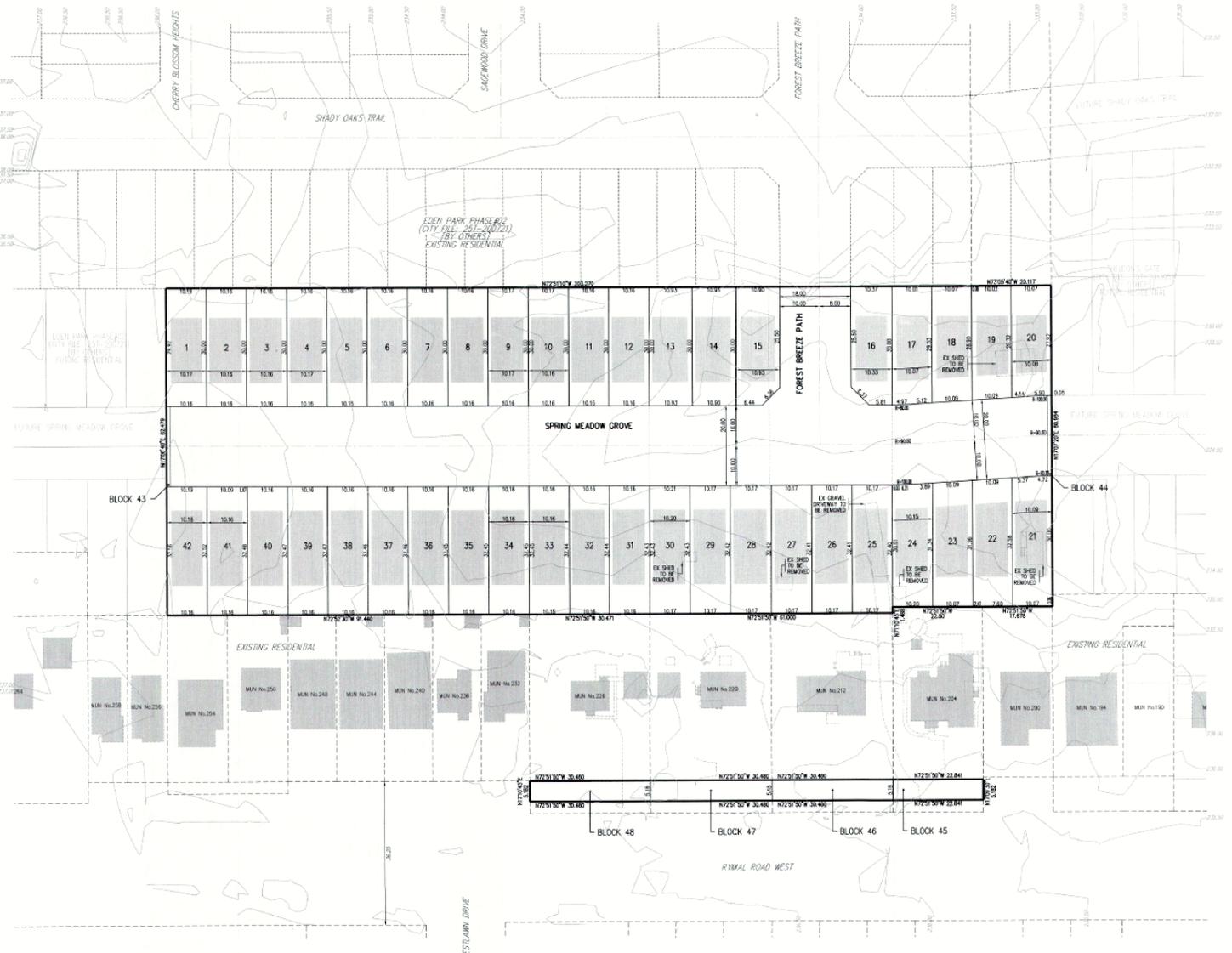
 Lands to be added to Zoning By-law No. 05-200 as Low Density Residential (R1) Zone

Scale: N.T.S	File Name/Number: ZAC-21-029 & 25T-202108
Date: February 28, 2025	Planner/Technician: MM/AL





LOT No.	FRONTAGE (meters)	AREA (square metres)
1	10.17	304.73
2	10.16	304.72
3	10.16	304.91
4	10.17	304.91
5	10.16	304.91
6	10.16	304.91
7	10.16	304.91
8	10.16	304.91
9	10.17	305.01
10	10.16	304.90
11	10.16	304.81
12	10.16	304.81
13	10.93	327.86
14	10.93	327.86
15	10.93	317.53
16	10.33	300.09
17	10.07	299.49
18	10.09	294.32
19	10.09	288.24
20	10.08	282.76
21	10.09	331.16
22	10.09	325.12
23	10.09	318.86
24	10.15	315.65
25	10.17	329.69
26	10.17	329.74
27	10.17	329.79
28	10.17	329.84
29	10.17	329.89
30	10.21	330.51
31	10.16	329.49
32	10.16	329.54
33	10.16	329.49
34	10.16	329.70
35	10.16	329.63
36	10.16	329.68
37	10.16	329.73
38	10.16	329.78
39	10.16	329.83
40	10.16	329.88
41	10.16	330.11
42	10.18	331.01



DRAFT PLAN OF SUBDIVISION  
**FOREST BREEZE ESTATES**  
 HAMILTON, ONTARIO

PART OF LOT 17, CONCESSION 8  
 AND PART OF  
 ROAD ALLOWANCE BETWEEN LOTS 16 AND 17  
 CLOSED BY BY-LAW 10010 REG'D AS INST. HL229285  
 GEOGRAPHIC TOWNSHIP OF BARTON  
 IN THE CITY OF HAMILTON

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 (17)  
 OF THE PLANNING ACT, R.S.O. 1990, c. P.13

(A) SHOWN ON PLAN	(H) MUNICIPAL WATER
(B) SHOWN ON PLAN	(I) AVAILABLE
(C) SHOWN ON BORDER	(J) SILT / CLAY
(D) SHOWN ON BORDER	(K) SHOWN ON PLAN
(E) SHOWN ON PLAN	(L) FULL MUNICIPAL SERVICES
(F) SHOWN ON PLAN	INSTALLED BY DEVELOPER
(G) SHOWN ON PLAN	(L) SHOWN ON PLAN



SCALE: 1:10000

DESCRIPTION	LOT/BLOCK	AREA	PERCENT
SINGLE FAMILY RESIDENTIAL	1 TO 42	1.333ha	70.3%
ROAD WIDENING	43 TO 48	0.060ha	3.2%
ROADS		0.502ha	26.5%
<b>TOTALS</b>		<b>1.895ha</b>	<b>100.00%</b>

No.	DATE	BY	REVISION
3	2025-02-04	HK	2nd SUBMISSION
2	OCT 18, 2023	CC	REVISION TO BOUNDARY
1	MAY 25, 2021	EW	1st SUBMISSION

NOTE: THIS IS A DRAFT PLAN ONLY AND IS SUBJECT TO REVISION AND AMENDMENT.

METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

OWNER'S CERTIFICATE:  
 I HEREBY AUTHORIZE URBEX ENGINEERING LTD. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION FOR APPROVAL.

ATLAS HOMES CORPORATION DATE FEB 10, 2025  
 VINCENI HOMES (L) ASSOCIATED INC. DATE FEB 10 2025  
 MARIA AND TONINIA DI FRANCO DATE FEB 10 2025

SURVEYOR'S CERTIFICATE:  
 I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY SHOWN.

R.A. McLAREN, O.L.S. DATE FEB 8 2025  
 A.T. McLAREN LIMITED

CONSULTANT:  
**URBEX ENGINEERING LIMITED**  
 161 REBECCA STREET  
 HAMILTON ON L8R 1B9  
 TEL: 905-522-1328  
 FAX: 905-522-0452  
 EMAIL: info@urbex.ca

FILE NAME: 00-BREEZE-DRAFT-2025-02-04-CAO.dwg CITY FILES: 251-202108  
 SCALE: 1 : 500  
 LAST SAVED BY: AIMWL SHEET No.:

### **Special Conditions for Draft Plan of Subdivision Approval for 25T- 202108**

That this approval apply to the Draft Plan of Subdivision “Forest Breeze Estates” certified by S.D. McLaren, O.L.S., last revised on February 4, 2025, and signed by the surveyor on February 7, 2025, consisting of 42 lots for single detached dwellings (Lots 1 to 42), two road reserve blocks (Blocks 43 and 44), four right-of-way widening blocks (Blocks 45 to 48), and two extensions of public rights-of-way (“Spring Meadow Grove” and “Forest Breeze Path”), be received and endorsed by City Council with the following special conditions:

#### **Development Engineering:**

1. That, **the owner shall agree in the Subdivision Agreement**, to include in all the agreements of purchase and sale and/or lease of residential units to the satisfaction of the Director of Growth Management and Chief Development Engineer, the following warning clauses:
  - a) “On-street, public parking in the surrounding neighbourhood will be limited and cannot be guaranteed in perpetuity. Garage space for each single detached dwelling is provided and intended for the purposes of parking one vehicle. The size of the driveway is further restricted to a maximum width of 3.0 metres and curb cuts for double-car garages will not be granted by the City of Hamilton for lots 21 to 42 to facilitate the minimum 40% parking requirements as per City Standards. It is the homeowner’s responsibility to ensure that their parking needs can be accommodated.”; and,
  - b) “All purchasers are advised that the temporary turning circles located at the easterly terminus of Spring Meadow Grove will be removed, and the roads will be extended with the development of the adjacent lands to the east.”
2. That, **prior to registration of the final plan of subdivision**, the owner agrees to transfer to the City and designate as public highway, temporary turning circles at the easterly and westerly terminus of Spring Meadow Grove, to be illustrated as separate blocks on the final plan of subdivision on lots 17 to 20, and 39 to 42, respectively. The separate blocks shall be returned to the owner upon the extension of the road on the adjacent lands, all costs associated with the transfer will be at the owner’s expense, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
3. That, **prior to registration of the final plan of subdivision**, the owner agrees that Blocks 45, 46, 47 and 48 which includes the road widening block for the municipal address 204 Rymal Road West be dedicated to the City of Hamilton as public highway, by the Owner’s Certificate on the final plan of the subdivision for road widening on Rymal Road West, to establish 18.29 meters (60 feet) from

the center line of the original road allowance, to the satisfaction of the Director, Growth Management and Chief Development Engineer.

4. That, **prior to registration of the final plan of subdivision**, the owner shall submit the necessary transfer deeds to the City's Legal Services to convey a 0.3 metre wide reserve at the following locations:
  - a) East limit of Spring Meadow Grove (Block 44); and,
  - b) West limit of Spring Meadow Grove (Block 43).

to the satisfaction of the Director of Growth Management and Chief Development Engineer.

5. That, **prior to registration of the final plan of subdivision**, the owner shall agree that the subject development cannot proceed until a second public road access is provided to service the subject draft plan lands, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
6. That, **prior to registration of the final plan of subdivision**, the owner pay the proportionate fair share cash payment of \$50,000 to the City of Hamilton for the following:
  - a) The ongoing operation and maintenance of the existing Stormwater Management Pond on William Connell Park during and after construction; and,
  - b) Carry out a monitoring program and evaluate the performance of both stormwater management facilities (William Connell Park Pond and Mewburn Pond) for a minimum of five (5) years,

to the satisfaction of the Director of Growth Management and Chief Development Engineer.

7. That, **prior to registration of the final plan of subdivision**, the owner agrees to perform all required Winter Maintenance activities on all Public Highways as per Ontario Regulation 239/02 - Minimum Maintenance Standards for Municipal Highways - made under the *Municipal Act, 2001* (MMS) until the criteria for municipal Winter Maintenance activities are met. Additionally, the owner commits to submitting an application to the City for assuming Winter Maintenance responsibilities before September 15<sup>th</sup> of each year, provided the following criteria are satisfied:
  - a) Sites are easily accessible;

- b) Roads are free of all construction debris and have at least the base course asphalt completed;
- c) Trucks shall be able to enter and exit without backing up; and,
- d) Utility chambers are ramped at a minimum 2 metres from each chamber or set to grade,

to the satisfaction of the Manager of Roadway Maintenance.

8. That, **prior to registration of the final plan of subdivision**, the owner agrees that until an application for Waste Collection Services has been submitted and approved as per the City of Hamilton Waste Requirements for the Design of New Developments and Collection, the Owner shall make the appropriate arrangements for the collection and disposal of household waste, entirely at the owner's expense, to the satisfaction of the Manager of Waste Collection.
9. That, **prior to registration of the final plan of subdivision**, the owner agrees that prior to the installation of the permanent Street Name Signs by the City, the owner shall install temporary street name signs, consisting of a painted and legible sign on wooden backing, fastened securely to a post 2.6 metres above ground level (to bottom of sign) shall be erected at all street intersections within the subdivision immediately following base course asphalt placement. The signs shall be visible from both directions (i.e., double sided). The street name signs shall be maintained until such time as all boulevard grading has been completed, all to the satisfaction of the Director of Growth Management and Chief Development Engineer.
10. That, **prior to registration of the final plan of subdivision**, the owner shall design, install, and energize the street lighting system, entirely at the owner's expense, all to the satisfaction of the Director of Growth Management and Chief Development Engineer.
11. That, **prior to registration of the final plan of subdivision**, the owner shall pay the appropriate fees for the installation of street signage, in accordance with the City's standards and the City's current user fees schedule, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
12. That, **prior to preliminary grading**, the owner shall agree that the subject development cannot proceed until such time that secondary access roads and the construction of adequate downstream services including, sanitary and storm sewers outlet, watermains, and overland flow route are available to service the subject draft plan lands, to the satisfaction of the Director of Growth Management and Chief Development Engineer.

13. That, **prior to preliminary grading**, the owner agrees to include in the design and cost estimates schedule provisions for the installation and removal of the temporary turning circles at the easterly and westerly terminus of Spring Meadow Grove on lots 17 to 20, and 39 to 42, respectively, at the Owner's expense, to the satisfaction of the Director of Growth Management and Chief Development Engineer and Manager of Transportation Planning.
14. That, **prior to preliminary grading**, the owner agrees to provide an adequate drainage outlet for the overland flow from the adjacent lands to the lands fronting Rymal Road West, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
15. That, **prior to preliminary grading**, the owner agrees to provide a plan or procedure for dealing with issues concerning dust control and street cleaning (external roads included) throughout construction within the subdivision, including homes. This document will also include first point of contact, a schedule for regular cleaning of streets that is specific to the methods to be used, the source of water, and the contractor or agent to be used to undertake the works as well as the contractor/agent contact information so that the City can direct works be completed as necessary, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
16. That, **prior to preliminary grading**, the owner agrees to submit a Stormwater Management Report, prepared by a qualified professional engineer, to confirm how stormwater management (stormwater quantity and quality) will be handled at the subject site by demonstrating a suitable major system (emergency overland flow route) and minor system outlet from the subject site through the future Eden Park Phase 2 (approved draft plan No.: 25T-200721) development to the existing William Connell Park stormwater management pond. In addition, the owner agrees that the subject site shall remain undevelopable until minor system and major system outlet/emergency overland flow route (to the north towards William Connell Park stormwater management pond) through Forest Breeze Path has been constructed under Eden Park Phase 2 development and available at the limit of the subject site, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
17. That, **prior to preliminary grading**, the owner shall obtain the necessary permission/consent from the adjacent landowners of the surrounding lands, in order to accommodate any grading encroachment on their properties required for the construction of the subject draft plan lands, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
18. That, **prior to preliminary grading**, the owner agrees that the combined side yard setback shall be a minimum of 2.0 metres between foundation walls where back-to-front drainage is proposed, or an emergency overland flow route is

identified on the approved grading, to the satisfaction of the Director of Growth Management and Chief Development Engineer.

19. That, **prior to preliminary grading**, the owner agrees to implement the recommendations of the final approved geotechnical engineering report, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
20. That, **prior to preliminary grading**, the Owner shall submit a Hydrogeological Report to the City, prepared by a qualified professional and in accordance with City guidelines, to assess impacts, identify any significant recharge and discharge zone, and provide recommendations to mitigate the groundwater impacts during any construction within the subdivision, including but not limited to house construction, and to undertake the works as recommended including monitoring. The report shall also provide a groundwater contingency plan to ensure that an appropriate mitigation strategy is available to be implemented in the case whereof:
  - a) An aquifer is breached during excavation;
  - b) Groundwater is encountered during any construction within the subdivision, including but not limited to house construction;
  - c) Sump pumps are found to be continuously running; and,
  - d) Water supply and sewage disposal systems and any surface and groundwater related infrastructure are negatively impacted;

to the satisfaction of the Director of Growth Management and Chief Development Engineer.

21. That, **prior to servicing**, the owner agrees to submit and obtain approval for the watermain hydraulic analysis in accordance with City standards to the satisfaction of the City's Director of Water and Wastewater Planning and Capital, and the Director of Growth Management and Chief Development Engineer.
22. That, **prior to servicing**, the owner agrees to provide an updated Functional Servicing Report including the revised site plan and the detailed engineering design, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
23. That, **prior to servicing**, the owner shall include in the engineering design and cost estimate schedule provisions for the installation of the watermain, storm and sanitary sewer laterals for future Lots 17 to 20, and Lots 39 to 42, to the

satisfaction of the Director of Growth Management and Chief Development Engineer.

24. That, **prior to servicing**, the owner shall include in the engineering design and cost estimate schedule provisions for the installation of 1.5 metre wide concrete sidewalks along both sides of Spring Meadow Grove and the west side of Forest Breeze Path, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
25. That, **prior to servicing**, the owner shall include in the engineering design and cost estimate schedule provisions for the installation of 1.5 metre wide temporary asphalt sidewalks along the temporary turning circles at the east limit of Spring Meadow Grove, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
26. That, **prior to servicing**, the owner shall include in the engineering design and cost estimate schedule provisions for the construction of Spring Meadow Grove (20.0 metre right-of-way) from the east limit to the West limit of the draft plan lands, and Forest Breeze Path (18.0 metre right-of-way) from Spring Meadow Grove to the north limit of draft plan lands, including the municipal services (sanitary, storm sewer and watermain), to the satisfaction of the Director of Growth Management and Chief Development Engineer.
27. That, **prior to servicing**, the owner agrees to include in the engineering design and cost estimate schedules permanent pavement marking and signage plans for all internal streets of the subdivision including, stop signs, stop bars, pedestrian crossings, etc. upon placement of surface course asphalt, entirely at the Owner's costs, all to the satisfaction of the Director of Growth Management and Chief Development Engineer.
28. That, **prior to servicing**, the owner agrees to include in the engineering design and cost estimate schedules temporary pavement marking and signage plans for all internal streets of the subdivision including, stop signs, stop bars, pedestrian crossings, etc. upon placement of base course asphalt, entirely at the Owner's costs, all to the satisfaction of the Director of Growth Management and Chief Development Engineer.
29. That, **prior to registration of the final plan of subdivision**, the owner dedicate 18 metre wide Right-of-Way from the existing Forest Breeze Path and 20 metre wide Right-of-Way for Spring Meadow Grove to the City as Public Highway under the Owner's Certificate on the final Plan of Subdivision, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
30. That, **prior to registration of the final plan of subdivision**, the owner dedicate two 4.57 metre by 4.57 metre daylight triangles at the intersection of the Forest Breeze Path and Spring Meadow Grove to the City as Public Highway under the

Owner's Certificate on the final Plan of Subdivision, to the satisfaction of the Director of Growth Management and Chief Development Engineer.

### **Growth Planning**

31. That, **prior to registration of the final draft plan of subdivision**, the owner and agent work with Legislative Approvals / Staging of Development staff to finalize municipal addressing for the proposed Lots, to the satisfaction of the Director of Growth Management and Chief Development Engineer.

### **Transportation Planning**

32. That, **prior to servicing**, the Owner shall agree that the subject development cannot proceed until a second public road access is provided to service both the subject draft plan lands and Eden Park Subdivision Phase 2 (approved draft plan no: 25T-200721) to the north. A second public road access is required, prior to development, beyond one hundred residential units to the satisfaction of the Manager of Transportation Planning.
33. That, **prior to registration of the final plan of subdivision**, the Owner acknowledges that the plan cannot be registered until such time as the 0.3 metre reserves located at the western end of Spring Meadow Grove (Block 43) and eastern end of Spring Meadow Grove (Block 44), until such time as the supporting road network has been constructed, opened as a public highway, to the satisfaction of the Manager of Transportation Planning.
34. That, **prior to registration of the final plan of subdivision**, the owner shall dedicate a right-of-way dedication of approximately 5.0 metres along Rymal Road West identified as blocks 45, 46, 47 and 48 on Draft Plan of Subdivision "Forest Breeze Estates" certified by S.D. McLaren, O.L.S., dated February 23, 2024, to the satisfaction of the Manager of Transportation Planning.

### **Development Planning**

35. That, **prior to preliminary grading or servicing**, the owner shall submit a revised Tree Protection Plan prepared by a tree management professional (i.e. certified arborist, registered professional forester or landscape architect) showing the location of drip lines, edges of existing plantings, the location of all existing trees and the methods to be employed in retaining trees to be protected, to the satisfaction of the Director of Development Planning.
36. That, **prior to registration of the final plan of subdivision**, the owner shall prepare a Landscape Plan by a certified Landscape Architect showing the placement of compensation trees for any tree removals and provide financial compensation for any trees that cannot be replaced on site, to the satisfaction of the Director of Development Planning.

37. That, **prior to issuance of a Building Permit**, the owner shall register the appropriate easements for access and maintenance along the interior side yard of lots proposed to contain side yards with a minimum of 0.8 metres, to ensure each future lot has a minimum 1.2 metre free and clear access along the side of the dwelling unit, to the satisfaction of the Director of Development Planning.
38. That, **prior to registration of the final plan of subdivision**, the owner shall submit and receive approval of a detailed Noise Study Addendum to the Environmental Noise Impact Assessment, completed by DBA Acoustical Consultants Inc. dated February 2021. The Addendum must be prepared by a qualified Professional Engineer, and in accordance with the City's guidelines for noise studies, to investigate the noise levels on the site, determine and implement any noise control measures including any noise fencing or berms that are satisfactory to the City of Hamilton in meeting the Ministry of Environment, Conservation and Parks (MECP) recommended sound level limits and confirm Sound Transmission Class (STC) requirements based on floor plans and exterior wall design, to the satisfaction of the Director of Development Planning. Any Noise Mitigation measures will need to be registered on title and included on any grading plans and applicable engineering drawings as part of final approved Draft Plan of Subdivision.

Should a peer review of the Noise Study be warranted, all associated costs shall be borne by the Owner and shall be submitted in addition to any required securities relating to any required noise barrier fencing or berms, to the satisfaction of the Director of Development Planning. If no noise barrier is required, then a revised noise study will need to confirm that the site can meet the recommended sound level limits from the Ministry of Environment, Conservation and Parks.

39. That, **prior to registration of the final plan of subdivision**, the owner agrees to include the following warning clauses for Lots 1 to 42 in all purchase and sale and / or lease agreements, and registered on title, to the satisfaction of the Director of Development Planning:

a) Warning Clause "A":

"Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the Municipality's and the Ministry of the Environment's noise criteria."

b) Warning Clause "C":

"This dwelling unit had been fitted with a forced air heating system and the ducting, etc. was sized to accommodate central air conditioning."

Installation of central air conditioning by the occupant will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of the Environment' noise criteria. (Note: The location and installation of the outdoor air conditioning device should be done to comply with noise criteria of MOE Publication NPC-216, Residential Air Conditioning Devices and thus minimize the noise impacts both on and in the immediate vicinity of the subject property.)”

### Urban Forestry

40. That, **prior to preliminary grading**, the owner shall submit a revised Tree Management Plan which addresses potential conflicts with City owned tree, to the satisfaction of the Director of Environmental Services.
41. That, **prior to preliminary grading**, the owner shall submit any applicable fees for any municipal trees related to the subdivision, to the satisfaction of the Director of Environmental Services.
42. That, **prior to preliminary grading**, the owner shall submit a revised Landscape Plan illustrating the street tree planting scheme, to the satisfaction of the Director of Environmental Services.

### Hamilton Conservation Authority

43. That, **prior to preliminary grading**, the owner shall submit a revised Stormwater Management Report demonstrating that post-development drainage is maintained to the open watercourse located downstream of the site within William Connell Park, to the satisfaction of the Hamilton Conservation Authority.
44. That, **prior to preliminary grading**, the owner shall submit a detailed Erosion and Sediment Control Plan, to the satisfaction of the Hamilton Conservation Authority.
45. That, **prior to preliminary grading**, the owner shall submit a detailed Lot Grading, Servicing and Storm Drainage Plan, to the satisfaction of the Hamilton Conservation Authority.
46. That, **prior to preliminary grading**, the owner shall submit and obtain approval of a Hamilton Conservation Authority permit pursuant to the *Conservation Authorities Act* and *Ontario Regulation 41/24 (Prohibited Activities, Exemptions, and Permits)* for the alteration or enclosure of the headwater tributary, to the satisfaction of the Hamilton Conservation Authority.

**Bell Canada**

47. That, **prior to registration of the final plan of subdivision**, the owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost, to the satisfaction of Bell Canada.

**Canada Post**

48. That, **prior to registration of the final plan of subdivision**, the owner shall include in all offers of purchase and sale and lease or rental agreements to the satisfaction of the Director of Growth Management and Chief Development Engineer and Canada Post, a statement that advises the prospective purchaser:
- a) That the home/ business mail delivery will be from a designated Centralized Mail Box; and,
  - b) That the owner be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
49. That, **prior to registration of the final plan of subdivision**, to the satisfaction of the Director of Growth Management and Chief Development Engineer and Canada Post, the owner agrees to:
- a) Work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision;
  - b) Install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes;
  - c) Identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision;
  - d) Determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans; and,
  - e) Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.

50. That, **prior to registration of the final plan of subdivision**, Canada Post's multi-unit policy, which requires that the owner provide the centralized mail facility ( Lock Box Assembly ) at their own expense ( less than 100 units will require a front loading Lock Box Assembly and more than 100 units will require a rear loading Lock Box Assembly which will require a mail room) will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space, to the satisfaction of the Director of Growth Management and Chief Development Engineer and Canada Post.

### **Enbridge Gas Inc.**

51. That, **prior to registration of the final plan of subdivision**, the owner agrees to provide Enbridge Gas Inc. with necessary easements and/or agreements required for the provision of gas services, to the satisfaction of Enbridge Gas Inc.

### **NOTES TO DRAFT PLAN APPROVAL**

1. Pursuant to Section 51 (32) of the *Planning Act*, draft approval shall lapse if the plan is not given final approval within three years. However, extensions will be considered if a written request is received two months before the draft approval lapses.

### **Recycling and Waste Disposal**

2. This property is eligible for municipal waste collection service subject to meeting the City's requirements indicated by the Public Works Department and subject to compliance with the City's Solid Waste Management By-law No. 09-067, as amended.

The property Owner must contact the City by email [wastemanagement@hamilton.ca](mailto:wastemanagement@hamilton.ca) or by telephone 905-546-CITY (2489) to request waste collection service. Waste Management staff will complete a site visit to determine if the property complies with the City's waste collection requirements.

**HISTORICAL BACKGROUND****Report Fact Sheet**

<b>Application Details</b>	
Owner:	Atlas Homes Corporation, Dussin Holdings Inc., Vincent James Lepore (ASO), and Maria and Tonino Di Franco.
Applicant:	Landwise c/o Edward John.
File Number:	ZAC-21-029 and 25T-202108.
Type of Applications:	Zoning By-law Amendment and Draft Plan of Subdivision.
Proposal:	<p>The purpose of the Zoning By-law Amendment application is for a change in zoning from the “R-2-H/S-1822” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District, Modified Holding, “AA” (Agricultural) District, “C/S-1822” (Urban Protected Residential, etc.) District, Modified “AA” (Agricultural) District, “C/S-1822” (Urban Protected Residential, etc.) District and “B” (Suburban Agriculture And Residential, Etc.) District to the Low Density Residential – Small Lot (R1a, 911, H181) Zone and Low Density Residential (R1) Zone for the lands known as 204, 212, 220 and 226 Rymal Road West, Hamilton, Part of Lot 17, Concession 8 and Part of Road Allowance Between Lots 16 and 17, Geographic Township of Barton.</p> <p>The purpose of the Draft Plan of Subdivision is to establish 42 lots for single detached dwellings (Lots 1 to 42), two 0.3 metre reserve blocks (Blocks 43 and 44) for the purpose of controlling access until specific conditions are met, four right-of-way widening blocks (Blocks 45 to 48), and two public rights-of-way, as shown in Appendix C attached to Report PED25054.</p> <p>The effect of these applications is to facilitate the development of 42 single detached dwellings.</p>
<b>Property Details</b>	
Municipal Address:	204, 212, 220, and 226 Rymal Road West, Hamilton and described as Part of Lot 17, Concession 8 and Part of Road Allowance Between Lots 16 and 17, Geographic Township of Barton, in the City of Hamilton.
Lot Area:	1.88 ha.
Servicing:	Existing full municipal services.

Existing Use:	204 Rymal Road West – single detached dwelling. 212 Rymal Road West – single detached dwelling. 220 Rymal Road West – single detached dwelling. 226 Rymal Road West – single detached dwelling. Part of Lot 17, Concession 8 and Part of Road Allowance Between Lots 16 and 17, Geographic Township of Barton, in the City of Hamilton – vacant.
<b>Documents</b>	
Provincial Planning Statement:	The proposal is consistent with the Provincial Planning Statement (2024).
Official Plan Existing:	“Neighbourhoods” on Schedule E-1 – Urban Land Use Designations.
Official Plan Proposed:	No amendment proposed.
Zoning Existing:	204 Rymal Road West – “C/S-1822” (Urban Protected Residential, Etc.) District, Modified. 212 Rymal Road West – “AA” (Agricultural District) District. 220 Rymal Road West – “AA” (Agricultural District) District. 226 Rymal Road West – “AA” (Agricultural District) District. Part of Lot 17, Concession 8 and Part of Road Allowance Between Lots 16 and 17, Geographic Township of Barton, in the City of Hamilton – “R-2-H/S-1822” (Urban Protected Residential One and Two Family Dwellings, Etc.) District, Modified, Holding.
Zoning Proposed:	Low Density Residential – Small Lot (R1a, 911, H181) Zone and Low Density Residential (R1) Zone.
Modifications Proposed:	The following modifications have been requested by the applicant: <ul style="list-style-type: none"> <li>• To reduce the minimum setback for a side lot line from 1.2 metres to 0.8 metres on one side where an access easement is registered on the adjacent lot;</li> <li>• To reduce the minimum setback from a flankage lot line from 3.0 metres to 1.2 metres; and,</li> <li>• To reduce the minimum front yard landscape requirement from 50% to 40% and 32% where a daylight triangle is required.</li> </ul> <p>A complete analysis of the proposed modifications is in Appendix H attached to Report PED25054.</p>

<b>Processing Details</b>	
Received:	June 25, 2021.
Deemed Complete:	August 9, 2021.
Notice of Complete Application:	Sent to 83 property owners within 120 metres of the subject property on August 16, 2021.
Public Notice Sign:	Posted August 16, 2021, and updated with the Public Meeting date on March 20, 2025.
Notice of Public Meeting:	Sent to 160 property owners within 120 metres of the subject property on March 28, 2025.
Staff and Agency Comments:	Staff and agency comments have been summarized in Appendix G attached to Report PED25054.
Public Consultation:	In addition to the requirements of the <i>Planning Act</i> , the applicants submitted a Public Consultation Strategy as part of a complete application submission. A Neighbourhood Information Meeting was included as a possible public participation tool and was not required.
Public Comments:	No comments were received.
Processing Time:	1,362 days, 673 days after the last resubmission.

## SUMMARY OF POLICY REVIEW

The following policies, amongst others, apply to the proposal.

<b>Provincial Planning Statement (2024)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Housing</b>  Policies: 2.2, 2.3.1.1, 2.3.1.2 and 2.3.1.3	Healthy, liveable, and safe communities are, in part, an appropriate range and mix of housing options and densities to meet the projected needs of future and current residents by permitting and facilitating all housing options in order to meet the social, health, economic and well-being requirements. This also includes permitting and facilitating all types of residential intensification including the development and redevelopment of underutilized commercial and institutional sites. When promoting densities for new housing it should efficiently use land, resources, infrastructure, public service facilities and support the use of transit and active transportation.	<p>The proposal is to construct 42 new single detached dwellings on a municipal road within an existing residential area in the urban boundary. In addition to the proposed Draft Plan of Subdivision, the application proposes to change the zoning for four single detached dwellings fronting onto Rymal Road, but existing uses on the property will be maintained. Staff are of the opinion that the proposed residential units are compatible with the surrounding area in terms of use, scale and built form. In addition, the proposal promotes efficient use of existing water, wastewater and stormwater infrastructure in the surrounding area and continues the approved road network by connecting to previous Draft Plan of Subdivision approvals.</p> <p>Therefore, the proposal is consistent with these policies.</p>

<b>Urban Hamilton Official Plan</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Archaeology</b>  Policy: B.3.4.4.3:	In areas of archaeological potential identified on Appendix F-4 – Archaeological Potential, an archaeological assessment shall be required and submitted prior to or at the time of application submission for an Official Plan Amendment or Zoning By-law Amendment unless the development proposed does not involve any site alteration or soil disturbance and plans of subdivision under the <i>Planning Act, R.S.O., 1990 c. P.13</i> .	A Stage 1 and 2 Archeological Assessment was completed by AMICK Consultants Ltd. A letter dated September 12, 2019, stated that the report was entered into the Ontario public register of archeological reports. Staff reviewed the submission and noted that the title of the Archeological Assessment is mislabeled since it did not include all addresses subject to this application, but the content of the study does assess all the lands. Staff concur with the recommendations in the report and advise that the archeological requirement has been cleared for all subject lands.  Therefore, the proposal complies with this policy.
<b>Noise</b>  Policies: B.3.6.3.1, B.3.6.3.2 and B.3.6.3.7	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. If it is determined that a noise study is required, a Noise and / or Vibration study shall be prepared by a qualified professional in accordance with recognized noise and vibration measurement and prediction techniques, to the satisfaction of the City and in accordance with all other applicable guidelines.	An Environmental Noise Impact Assessment prepared by DBA Acoustical Consultants Inc., dated February 2021, was submitted in support of the applications. The Noise Study reviewed the impacts of Rymal Road West on the proposed subdivision. Staff have reviewed the Noise Study and are satisfied that the study is acceptable for the purposes of the Zoning By-law Amendment application and that potential noise impacts from Rymal Road West can be mitigated. Staff note that a detailed noise study / addendum will be required to be submitted in order to clear Draft Plan of Subdivision conditions. The revised addendum will need to confirm Sound Transmission Class requirements based on floor plans and exterior wall design, where and how mitigation is to be provided, ensure noise warning clauses are implemented in the appropriate agreements and review the sound barrier details. Condition Nos. 38 and 39 have been

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Noise</b></p> <p>Policies: B.3.6.3.1, B.3.6.3.2 and B.3.6.3.7 <b>(continued)</b></p>		<p>included to address the Noise Study requirements in Appendix D attached to Report PED25054.</p> <p>Therefore, the proposal complies with these policies.</p>
<p><b>Tree and Woodland Protection</b></p> <p>Policy: C.2.11.1</p>	<p>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.</p>	<p>Staff note that a Tree Preservation Plan and Landscape Plan by Adesso Design Inc., dated May 5, 2021 was submitted. A total of 173 trees were inventoried on site and a total of 158 trees are proposed to be removed. Of the 158 trees proposed to be removed on site, a total of 17 invasive species have been identified including five Norway Spruce, two Norway Maple, eight Manitoba Maple and one White Mulberry. The condition of the 158 trees proposed to be removed consists of 118 trees in good condition, 23 in fair condition and 17 trees in poor condition.</p> <p>Staff reviewed the Tree Protection Plan and required additional information related to compensation being provided on-site, confirmation that there are no additional opportunities to save trees on-site and add additional trees identified by Forestry on September 21, 2021 while confirming if the trees are proposed to be removed or retained. Staff recognize that there are challenges with preserving trees on the subject lands since the application is implementing a road design that has previously been approved as part of the surrounding subdivision applications. Therefore, compensation is being requested as part of the proposal for the removal of any trees that</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Tree and Woodland Protection (continued)</b></p> <p>Policy: C.2.11.1</p>		<p>cannot be planted on site. Condition Nos. 35 and 36 in Appendix D attached to Report PED25054 have been included in order to address the outstanding comments regarding the Tree Protection Plan.</p> <p>Therefore, the proposal complies with this policy.</p>
<p><b>Transportation</b></p> <p>Policy: C.4.5.12</p>	<p>The City shall require transportation impact studies to assess the impact of proposed developments on current travel patterns and / or future transportation requirements as part of a complete application for a Zoning By-law Amendment and Draft Plan of Subdivision application.</p>	<p>A Transportation Brief prepared by C.F. Crozier and Associates Inc., dated May 30, 2024, was submitted. Transportation Planning staff have determined that the assessment adequately indicates the trip generation for the subject lands and that access will be provided through the ongoing buildout of the residential subdivisions to the north along Forest Breeze Path and to the east and west of Spring Meadow Grove.</p> <p>Therefore, the proposal complies with this policy.</p>
<p><b>Infrastructure</b></p> <p>Policies: C.5.3.6, C.5.3.17 and C.5.4.3</p>	<p>All new development and redevelopment within the urban area shall be connected to the City's water and wastewater system. The City shall be satisfied that adequate infrastructure services can be provided prior to any development or intensification proceeding.</p> <p>A detailed stormwater management plan prior to development is required to properly address on site drainage and to ensure that new development has no negative impact on offsite drainage.</p>	<p>A Preliminary Servicing Report by Urbex Engineering Limited dated April 2021, Comment Response dated May 30, 2024, by Urbex Engineering Limited submitted by Landwise and a Geotechnical Investigation by Landtek Limited dated October 9, 2020, were submitted. Development Engineering recommends that the proposed Zoning By-law Amendment application be approved. Development Engineering requires Special Condition Nos. 1 to 30 be included as part of the approval of a Draft Plan of Subdivision which have been identified in Appendix D attached to Report PED25054.</p> <p>Therefore, the proposal complies with these policies.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Low Density Residential (Continued)</b></p> <p>Policies: E.3.4.1, E.3.4.2, E.3.4.3, E.3.4.5 and E.3.4.6 <b>(continued)</b></p>	<p>The preferred location for low density residential uses is within the interior of neighbourhoods. Low density residential areas are characterized by lower profile, grade-oriented built forms that generally have direct access to each unit at grade. The uses permitted in a low density residential area includes single detached, semi detached, duplex, triplex, fourplex, and street townhouse dwellings with a maximum height of three storeys.</p> <p>Development in areas dominated by low density residential uses shall be designed to discourage direct access to a major or minor arterial road, discourage backlotting along public streets and in front of parks shall be discouraged and development shall generally proceed by way of subdivision when infilling and / or creating a new public road. The design will need to consider a mix of lot widths and sizes compatible with the streetscape character and a mix of dwelling unit types and sizes compatible in exterior design including character, scale, appearance, and design features.</p>	<p>The proposed development represents an extension of an existing low density residential neighbourhood and maximum height permitted in the Low Density Residential – Small Lot (R1a, 911) Zone is 10.5 metres which accommodates a building approximately three storeys in height. Single detached dwellings are considered a permitted use in the low density residential designation.</p> <p>Staff are satisfied that the proposed development does not backlot onto any public street or park. The Draft Plan of Subdivision that was submitted meets the low density residential policies. Staff have reviewed the proposed residential lot sizes and conceptual elevations provided for the proposed development and are satisfied that the proposed development is compatible with the character of the surrounding neighbourhood. Staff note that although the proposed development identifies single detached dwellings as the proposed use, the zoning allows for semi-detached dwellings, triplexes, fourplexes and additional dwelling units.</p> <p>Therefore, the proposal complies with these policies.</p>
<p><b>Residential Greenfield Design</b></p> <p>Policies: E.3.7.1 and E.3.7.3</p>	<p>New greenfield communities shall be designed with a unique and cohesive character. Buildings, streetscapes, street patterns, landscaping, open spaces, and</p>	<p>The proposal consists of 42 single detached dwellings and builds upon the existing neighbourhood character, while allowing for more compact development through smaller lot widths and the permission to construct</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Residential Greenfield Design (Continued)</b></p> <p>Policies: E.3.7.1 and E.3.7.3 <b>(continued)</b></p>	<p>infrastructure shall be designed to contribute to this character. The configuration of streets, trails, and open spaces shall ensure clear and convenient pedestrian, cycling, and vehicular connections from within the Greenfield community to the focal point and adjacent neighbourhoods.</p>	<p>additional dwelling units on the properties. The proposed buildings, streetscape, street pattern, landscaping and infrastructure are all cohesive with the existing neighbourhood character. The proposal has been reviewed from a transportation perspective, which includes pedestrian, cycling and vehicular circulation and future connections. The proposal includes sidewalks on both sides of the proposed municipal street. As well, the proposal will contribute to the completion of the road network in conjunction with surrounding draft plans of subdivision and the continued build out of the surrounding residential area.</p> <p>Therefore, the proposal complies with these policies.</p>
<p><b>Residential Greenfield Design</b></p> <p>Policy: E.3.7.5</p>	<p>New greenfield development shall generally be designed to minimize changes to existing topography, preserve existing trees and natural features, as well as being compatible with and maintaining established views to prominent City features and landmarks.</p>	<p>The proposal seeks to minimize changes to the existing topography and the design will be finalized through conditions of draft plan approval. The final approval of the Tree Protection Plan has been included as Condition No. 35 in Appendix D attached to Report PED25054 to ensure existing trees are preserved to the fullest extent possible.</p> <p>Therefore, the proposal complies with this policy.</p>
<p><b>Division of Land</b></p> <p>Policy: F.1.14.1.2</p>	<p>Subdivisions shall meet a number of criteria ensuring the development of blocks and lots in conjunction with the road network can support the intent of the land use designations.</p>	<p>The proposed Draft Plan of Subdivision is for 42 lots for single detached residential dwellings, two blocks for road reserves and three blocks for right-of-way widenings. The proposed development supports the intent of the “Neighbourhoods” designation by adding residential uses. The proposed subdivision will implement the proposed residential development subject to the approval of the</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Division of Land (continued)</b></p> <p>Policy: F.1.14.1.2 <b>(continued)</b></p>		<p>draft Zoning By-law in Appendix B attached to Report PED25054. Staff note that the proposed municipal road is required to be constructed in order to continue the previously approved road network as part of Eden Park Phase 2 subdivision 62M-1299 and Sheldon's Gate subdivision as approved by the Ontario Land Tribunal.</p> <p>Therefore, the proposal complies with this policy.</p>
<b>Sheldon Neighbourhood Plan</b>		
<p><b>Residential Development</b></p> <p>Policy: 3.B.1</p>	<p>The predominant form of land use in the Sheldon neighbourhood will be low density residential and related uses. The neighbourhood plan identified additional information regarding lot sizes and institutional uses within the neighbourhood. Overall, residential development will be encouraged which is compatible in height and density of the adjacent development, is innovative in design and includes a variety of housing sizes, densities, tenures, types, and costs.</p>	<p>The subject lands are identified as "Single and Double" on Map 7605 in the Sheldon Neighbourhood Plan. The application is proposing to create 42 lots for single detached dwellings in an area that is characterized by single detached dwellings on a local road. In addition, the proposed location of the municipal road within the subject subdivision plan is the same as the proposed road on the Sheldon Neighbourhood Plan.</p> <p>Therefore, the proposed development implements the intent of the Sheldon Neighbourhood Plan.</p>

### Site Specific Modifications to the Low Density Residential – Small Lot (R1a) Zone in Zoning By-law No. 05-200

Regulation	Required	Modification	Analysis
Section 4.35 a) Minimum Front Yard Landscape Requirements	50%.	40%, except 32% for a corner lot.	<p>The intent of the Minimum Landscape Open Space provision is to ensure that adequate landscaping and permeable surfaces are provided to create and maintain a consistent streetscape, provide amenity area, and provide for adequate drainage. Staff are of the opinion that the proposed reduction is compatible with the character of the surrounding neighbourhood and the proposed single detached lot sizes are larger than the minimum requirement in the Low Density Residential – Small Lot (R1a) Zone.</p> <p>Although a reduction in the required landscaping is requested, the Zoning By-law includes a regulation for tree protection and / or tree planting. This regulation secures an area for each lot to be used for possible tree planting to allow for compensation and increase the tree canopy. For any lot that includes a single detached dwelling, this area shall be 3.75 metres in length on all sides and shall not contain hardscaping or structures. Staff support the proposed reduction for landscaping on residential lots that abut a daylight triangle since the daylight triangle is required to address transportation planning comments.</p> <p>Therefore, staff are supportive of the proposed modification.</p>

Regulation	Required	Modification	Analysis
Section 15.2.2.1 d) Minimum Setback for the Side Lot Line	1.2 metres.	<p>a) 1.2 metres on one side and 0.8 metres on the other side, provided that a maintenance easement is entered into between the owners of the abutting lands and properly registered on title of each of the abutting lots otherwise a minimum 1.2 metre setback is required; and,</p> <p>a) 0.8 metres to the hypotenuse of a daylight triangle.</p>	<p>The applicant is requesting to reduce the side yard setback requirement on one side of the single detached dwellings from 1.2 metres to 0.8 metres to facilitate a larger building envelope as the proposed lot widths are smaller than typical.</p> <p>Staff support this modification provided the 0.8 metre side yard is adjacent to a 1.2 metre side yard on the adjacent lands, to ensure a minimum separation of 2.0 metres between dwellings. As well, staff will require that the applicant register an easement on the adjacent property where a 0.8 metre side yard is proposed to ensure free and clear access within the side yard on all lots. The zoning has been drafted to ensure only yards adjacent to 1.2 metre side yards are permitted to be reduced, and a condition of Draft Plan Approval has been included that requires the proponent to register the appropriate access easement (Condition No. 37 in Appendix D to Report PED25054).</p> <p>Staff note that the establishment of an access easement along the interior side yard will limit the ability to construct fencing between the dwellings on the property line. The purpose of this easement is to facilitate access for maintenance to sides of the future dwellings. Through the clearance of the condition, the extent of the easement can be limited to not extend into the rear yard, which would still allow future residents the ability to fence in their rear yard.</p>

Regulation	Required	Modification	Analysis
15.2.2.1 d) Minimum Setback for the Side Lot Line <b>(continued)</b>			<p>Providing this flexibility in the zoning will allow for a broader range of built forms in the neighbourhood.</p> <p>Staff support this modification.</p>
Section 15.2.2.1 e)  Minimum Setback from the Flankage Lot Line	3.0 metres.	1.2 metres.	<p>The applicant is requesting to reduce the flankage setback requirement of the single detached dwellings from 3.0 metres to 1.2 metres to facilitate a larger building envelope as the proposed lot widths are smaller than typical.</p> <p>Staff support this modification provided there is enough buffer between the sidewalk and the building footprint to allow for a tree to grow to its full size. Urban Design and Urban Forestry confirmed that this modification is feasible.</p> <p>Staff support this modification.</p>

**CONSULTATION – DEPARTMENTS AND AGENCIES**

<b>Department or Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<p>Development Engineering Section, Growth Management Division, Planning and Economic Development Department</p>	<p>Development Engineering has reviewed the submitted Draft Plan of Subdivision for Forest Breeze Estates, prepared by Urbex Engineering, dated February 23, 2024.</p> <p>The proposed development consists of 42 single detached dwellings (Lots 1-42) along Spring Meadows Grove, two 0.3-metre reserve blocks (Blocks 43 and 45), and three right-of-way widening blocks (Blocks 46-48).</p> <p>The proposed north-south local road (Forest Breeze Path) will be designed to a standard 18.0 metre right-of-way to match the road extension to the north of the approved draft plan for Eden Park Phase 2 Subdivision subject to Council approval.</p> <p>The proposed east-west local road (Spring Meadow Grove) shall be designed to a standard 20.0m right-of-way may be constructed with temporary cul-de-sac(s) at the east and west limits of the site until such time the future road extensions within Sheldon’s Gate to the east and Eden Park to the west are constructed and/ or the Shady Oaks Trails is extended to West 5th Street.</p> <p>The proposed watermain will be extended and connected to the existing watermain located in Eden Park Phase 2 Subdivision to the north. According to the City Standards, since the lots in Eden Park Phase</p>	<p>Condition Nos. 1 to 30 of the draft Plan of Subdivision approval have been included in Appendix D attached to Report PED25054 in order to address Development Engineering comments.</p>

	1 and Forest Breeze Estates are more than 100 lots a secondary watermain feed shall be provided.	
<b>Department or Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<p>Development Engineering Section, Growth Management Division, Planning and Economic Development Department</p> <p><b>(continued)</b></p>	<p>The existing municipal SWM facility at William Connell Park is designed to accommodate the minor and major flows generated from the subject lands and provide quantity and quality control. However, construction of the proposed subdivision cannot occur until the emergency overland flow route and servicing on Forest Breeze Path is constructed through Eden Park Phase 2 Lands to the north and available at the limit of the subject lands.</p> <p>The sanitary flows generated from the subject development will be collected into the sanitary sewer system within Eden Park Phase 2 to the north and ultimately be directed through the Sheldon's Gate subdivision to the east to an outlet on West 5th Street.</p> <p>Development engineering requires special conditions to be added to the draft plan approval in order to confirm that detailed design requirements are addressed prior to final approval of the subdivision.</p>	
Landscape Architectural Services Environmental Services, Public Works Division, Public Works Department	<p>If private property is adjacent to public property, the developer is required to meet specific fence requirements and no gate access is permitted.</p> <p>Cash-in-lieu of parkland dedication will be requested, as required, at a later stage in the planning process.</p>	Noted. The owner will be required to make a cash-in-lieu payment prior to the issuance of a building permit. Based on the draft Plan of Subdivision, there will not be any private property adjacent to park lands.

Department or Agency	Comment	Staff Response
<p>Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department</p>	<p>Transportation Planning approves the Transportation Assessment submitted. The assessment adequately indicates the trip generation for the subject lands and that access will be provided through the ongoing buildout of adjacent residential subdivisions.</p> <p>In order to protect the existing and future pedestrian realm, cycling infrastructure and road network, Transportation Planning shall require the following:</p> <ul style="list-style-type: none"> <li>• 5.0 metres is to be dedicated along the Rymal Road West right-of-way;</li> <li>• Extension of Spring Meadow Grove shall have a right-of-way dedication of 20.0 metres as per the Council Approved Urban Hamilton Official Plan;</li> <li>• Extension of Forest Breeze Path shall have a right-of-way dedication of 18.0 metres; and,</li> <li>• 4.57 metre X 4.57 metre daylighting triangle at an intersection of two local roads.</li> </ul> <p>A temporary terminating cul-de-sac is required along the limits of Spring Meadow Grove in order to facilitate the turnaround of municipal waste and snow removal vehicles. Local roads for residential use require 18.0 metre minimum right-of-way radius and 13.0 metre minimum pavement radius. The Owner shall discuss the ultimate requirements with the City of Hamilton Waste Management and Development Engineering Approvals Staff, as the adjacent connections to Spring Meadow Grove extensions may not be available.</p>	<p>Condition Nos. 1, 13, 32, 33 and 34 have been included in Appendix D attached to Report PED25054 in order to address the comments.</p> <p>Staff note that the road widening block and proposed municipal roads has been shown on the Draft Plan of Subdivision in Appendix C and noted in the description of Appendix D attached to Report PED25054. Currently, the development only has one access for the proposed residential uses.</p> <p>Transportation Planning notes that a maximum of 100 units are permitted on one access. The site will have access through Forest Breeze Path which was constructed as part of an adjacent subdivision to the north. The construction of a second access is required.</p>

<b>Department or Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<p>Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department <b>(continued)</b></p>	<p>pending the timeline for the buildout of the subject lands.</p> <p>Transportation Planning notes that the subject lands may be limited to the timing of buildout depending on potential access to collector/arterial roadways. A maximum of 100 units can be supported by a singular access to point to collector/arterial roadways and the timing of additional connections being provided is not clear.</p> <p>The subdivision is required to meet the 40% on-street parking requirement as per the City of Hamilton Comprehensive Development Guidelines and Financial Policies Manual. A drawing is required to be submitted clearly illustrating the 40% on-street parking requirements, which shall dimension all on-street parking spaces as per City of Hamilton standards and requirements.</p>	<p>by adjacent landowners as part of future subdivision applications to ensure the requirement for two accesses are provided for more than 100 units.</p>
<p>Forestry and Horticulture Section, Environmental Services Division, Public Works Department</p>	<p>Forestry does not approve the Tree Management Plan/Tree Preservation Plan Rev. No 3, dated May 5, 2021. Four trees are located in proximity to the City of Hamilton municipal road allowance in front of # 212 and # 220 Rymal Road West and have not been captured on the plans. Plans should include these trees and note if they are public or private trees as per survey and if these are to be removed or retained.</p> <p>Tree Species to be noted:</p> <ul style="list-style-type: none"> <li>• 1-22cm Smoke Tree.</li> </ul>	<p>Condition Nos. 40, 41 and 42 have been included in Appendix D attached to Report PED25054 in order to address the comments.</p>

Department or Agency	Comment	Staff Response
Forestry and Horticulture Section, Environmental Services Division, Public Works Department <b>(continued)</b>	<ul style="list-style-type: none"> <li>• 1-79cm Silver Maple.</li> <li>• 1-46cm Walnut tree.</li> <li>• 1-35cm Norway Spruce.</li> </ul> <p>Forestry does not approve Landscape Plan Rev. No. 1, dated May 5, 2021. The Landscape Plan is required to show one street tree for standard lots and three trees for corner lots as per the Subdivision Agreement. Lots 6, 14, 18, 43 and 44 do not show street tree plantings.</p> <p>The Landscape Plan should note that, "All trees shown on municipal road allowance shall be identified as 'Trees to be planted by City of Hamilton Forestry Section.'"</p>	
Legislative Approvals, Growth Management Plan, Planning and Economic Development Department	<p>The owner and agent should be made aware that municipal addresses for the proposed lots will be determined after Draft Plan approval is granted. Pursuant to Section 51 (32) of the <i>Planning Act</i>, draft approval shall lapse if the plan is not given final approval within three years. Extensions may be considered if they are received two months before the lapsing date.</p>	Condition No. 31 and Note 1 has been included as Appendix D attached to Report PED25054 in order to address the comments.
Bell Canada	<p>Bell Canada have no objections to the application. However, it is advised that the Owner is to contact Bell Canada at <a href="mailto:planninganddevelopment@bell.ca">planninganddevelopment@bell.ca</a> during detailed design to confirm the provisioning of communication / telecommunication infrastructure needed to service the development. Bell Canada has</p>	Condition No. 47 has been included in Appendix D attached to Report PED25054 in order to address the comments.

<b>Department or Agency</b>	<b>Comment</b>	<b>Staff Response</b>
Bell Canada <b>(continued)</b>	requested that a condition be added regarding any easements required for any existing or proposed Bell Canada Infrastructure.	
Hamilton Street Railway	Hamilton Street Railway is requesting to retain the existing bus stop on the north side of Rymal Road West, adjacent to Block 48 and opposite to Westlawn Drive.	Noted, there are no changes proposed to the properties along Rymal Road West.
Hamilton Conservation Authority	<p>Hamilton Conservation Authority has no objection to the approval of the Zoning By-law Amendment and the Draft Plan of Subdivision, subject to following conditions being completed to the satisfaction of the Hamilton Conservation Authority:</p> <ul style="list-style-type: none"> <li>• A Stormwater Management Report demonstrating that post-development drainage is maintained to the open watercourse located downstream of the site within the William Connell Park;</li> <li>• A detailed Erosion and Sediment Control Plan;</li> <li>• A detailed Lot Grading, Servicing and Storm Drainage Plan; and,</li> <li>• The submission and approval of a Hamilton Conservation Authority permit.</li> </ul> <p><b><u>Regulatory Comments</u></b></p> <p>The subject property is regulated by Hamilton Conservation Authority pursuant to the <i>Conservation Authorities Act</i> and <i>Ontario Regulation 41/24 (Prohibited Activities, Exemptions, and Permits)</i>. The regulated area is associated with the identified headwater tributary on the property. Therefore, written</p>	Condition Nos. 43, 44, 45 and 46 have been included in Appendix D attached to report PED25054 in order to address the comments related to Stormwater Management Reports, Erosion and Sediment Control Plan, Lot Grading Plan, Storm Drainage Plan, Servicing Plan and obtain approval of a permit from the Hamilton Conservation Authority.

Department or Agency	Comment	Staff Response
Hamilton Conservation Authority (continued)	<p>permission will be required from the Hamilton Conservation Authority for any alteration or enclosure of this feature.</p> <p><b><u>Site Description</u></b> The subject properties, totaling approximately 1.9 hectares in size, are located within the headwaters of the Upper Ottawa subwatershed that drains to the Red Hill Creek system and ultimately Hamilton Harbour to the north. A headwater tributary is identified on the subject lands which drains in a southwest to northeast direction.</p> <p><b><u>Plan Review Comments</u></b> The subject lands were included within the study boundaries of the “Mewburn and Sheldon Neighbourhoods Master Servicing Plan Class Environmental Assessment Study, City of Hamilton” by SNC-Lavalin Engineers &amp; Constructors Inc., dated December 2004. This study examined both sanitary servicing and stormwater management issues within the Mewburn and Sheldon neighbourhoods. The Stormwater Management requirements for the area were updated through the “West Central Mountain Drainage Assessment” prepared by AMEC Environmental and Infrastructure in October 2011 and was used to prepare the “William Connell City Wide Park – Stormwater Management Facility (SWM1) Design Report” prepared by IBI Group in 2016. Once approved, a Stormwater Management facility was</p>	

Department or Agency	Comment	Staff Response
<p>Hamilton Conservation Authority (continued)</p>	<p>constructed on the William Connell Park lands in 2018 which has been sized and designed to provide post-development quantity and quality control for the Sheldon neighbourhood.</p> <p>The subject lands are contained in both the C-90F and D-1F catchments on the William Connell City Wide Park – Updated Future Ultimate Conditions Subcatchment Boundary Plan (DR1). The drainage from catchment D 1F is directed along Rymal Road West towards West 5<sup>th</sup> Street and the drainage from catchment C-90F is directed towards to the William Connell Park Stormwater Management facility.</p> <p>Given the above, Hamilton Conservation Authority defers to City staff to assess the quantity and erosion control requirements for the entire site since the development discharges storm water to the municipal storm sewer and to the Stormwater Management facility on the William Connell Park lands.</p> <p>The draft plan of subdivision proposes to develop the rear of the site where the regulated tributary is located. Through a site visit in 2019, Hamilton Conservation Authority advised that the tributary contributed drainage to the downstream watercourse into William Connell Park. Hamilton Conservation Authority verbally agreed that the tributary did not need to be preserved as an open channel, provided that post-</p>	

<b>Department or Agency</b>	<b>Comment</b>	<b>Staff Response</b>
Hamilton Conservation Authority <b>(continued)</b>	<p>development drainage was maintained to the downstream watercourse at pre-development levels.</p> <p>Staff also noted that a Hamilton Conservation Authority Permit would be required for any proposed alteration to the tributary.</p> <p>The Provincial Planning Statement, 2024, generally directs development to areas outside of hazardous lands. As noted above, the Hamilton Conservation Authority has advised the tributary could be enclosed provided that post-development drainage was maintained to the downstream watercourse at pre-development levels. Therefore, once the headwater tributary has been enclosed in a pipe system, no hazardous lands associated with the tributary will remain.</p>	
Canada Post	<p>Canada Post has requested that conditions be added to the draft Plan of Subdivision approval which are related to warning clauses being included in all purchase and sale agreements advising that home / business mail will be from a designated centralized mailbox. Until the ultimate locations of the centralized mailbox can be constructed, the owner agrees to work with Canada Post to find the location of the temporary centralized mailbox location until the curbs, boulevards and sidewalks are in place within the subdivision. Canada Post requires that any mail infrastructure required as a result of new construction is provided at the owner's expense.</p>	<p>Condition Nos. 48, 49 and 50 have been included in Appendix D attached to report PED25054 in order to address Canada Post comments.</p>

<b>Department or Agency</b>	<b>Comment</b>	<b>Staff Response</b>
Enbridge Gas Inc.	As a condition of final approval, the owner/developer will provide to Enbridge Gas Inc. the necessary easements and/or agreements required by Enbridge Gas Inc. for the provision of gas services for this project, in a form satisfactory to Enbridge Gas Inc.	Condition No. 51 has been included in Appendix D attached to Report PED25054 in order to address Enbridge comments.



## City of Hamilton Report for Consideration

**To:** Chair and Members  
Planning Committee

**Date:** April 8, 2025

**Report No:** PED25036

**Subject/Title:** Applications for Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 387, 397, 405 and 409 Hamilton Drive, Ancaster

**Ward(s) Affected:** Ward 12

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### Recommendations

- 1) That **Amended Zoning By-law Amendment Application ZAC-18-048, by Weston Consulting, c/o Martin Quarcoopome, on behalf of Lux 387 M.D. Holdings Inc, Lux 397 M.D. Holdings Inc, Lux 405 M.D. Holdings Inc, Lux 409 M.D. Holdings Inc, c/o Hamid Hakimi, Owner**, for a change in zoning from the Agricultural "A-216" Zone, Modified to a site specific Low Density Residential (R1, 930) Zone, Open Space (P4, 931) Zone and Conservation/Hazard Land (P5, 932) Zone to permit the development of a residential subdivision containing 17 lots for single detached dwellings, for lands located at 387, 397, 405 and 409 Hamilton Drive, Ancaster, as shown in Appendix A attached to Report PED25036, **BE APPROVED** on the following basis:
  - (i) That the draft By-law, attached as Appendix B to Report PED25036, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the proposed changes in zoning are consistent with the Provincial Planning Statement (2024) and comply with the Urban Hamilton Official Plan.
- 2) That **Amended Draft Plan of Subdivision Application 25T-201809, by Weston Consulting, c/o Martin Quarcoopome, on behalf of Lux 387 M.D. Holdings Inc, Lux 397 M.D. Holdings Inc, Lux 405 M.D. Holdings Inc, Lux 409 M.D. Holdings Inc, c/o Hamid Hakimi, Owner**, on lands located at 387, 397, 405 and 409 Hamilton

**Applications for Zoning By-law Amendment and Draft Plan of Subdivision for  
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Drive, Ancaster, Lots 39 and 40, Concession 3, Geographic Township of Ancaster, in the City of Hamilton, as shown in Appendix A attached to Report PED25036, **BE APPROVED**, in accordance with By-law No. 07-323 being the delegation of the City of Hamilton's Assigned Authority Under the *Planning Act* for the Approval of Subdivisions and Condominium, on the following basis:

- (i) That this approval apply to the Draft Plan of Subdivision certified by Bruce MacLeod, O.L.S, dated January 22, 2025, consisting of 17 lots for single detached dwellings (Lots 1 to 17), one stormwater management block (Block 18), one right-of-way widening block (Block 19), and the extension of Braithwaite Avenue, as shown on the Draft Plan of Subdivision in Appendix C attached to Report PED25036;
- (ii) That the Owner enter into a standard form Subdivision Agreement as approved by City Council and that the Special Conditions of Draft Plan of Subdivision Approval 25T-201809, as shown in Appendix D attached to Report PED25036, be received and endorsed by City Council;
- (iii) That in accordance with the City's Comprehensive Development Guidelines and Financial Policies Manual, there will not be any City of Hamilton cost sharing for this subdivision; and,
- (iv) 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.

## **Key Facts**

- The purpose of the report is to provide a recommendation regarding the Zoning By-law Amendment and Draft Plan of Subdivision applications submitted by Weston Consulting, c/o Martin Quarcoopome, on behalf of Lux 387 M.D. Holdings Inc, Lux 397 M.D. Holdings Inc, Lux 405 M.D. Holdings Inc, Lux 409 M.D. Holdings Inc, c/o Hamid Hakimi, Owner.
- The proposal is to permit a residential subdivision consisting of 17 lots for single detached dwellings, one stormwater management facility and the extension of Braithwaite Avenue.
- The subject lands are designated "Low Density Residential 1" on Map B.2.2-2 of the Shaver Neighbourhood Secondary Plan and zoned Agricultural "A-216" Zone, Modified, in Town of Ancaster Zoning By-law No. 87-57.
- Staff recommends approval of the applications for Zoning By-law Amendment and Draft Plan of Subdivision as shown in Appendices B and C, and subject to the conditions as shown in Appendix D attached to Report PED25036.

**Applications for Zoning By-law Amendment and Draft Plan of Subdivision for  
Lands Located at 387, 397, 405 and 409 Hamilton Drive, Ancaster (Ward 12)**

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## **Financial Considerations**

Not applicable.

## **Analysis**

The subject lands are municipally known as 387, 397, 405 and 409 Hamilton Drive, in Ancaster and are located east of Hamilton Drive, west of Braithwaite Avenue and south of the Alexander Graham Bell Parkway, Chedoke Expressway (Highway 403). The subject lands are approximately 2.2 hectares in size and have an irregular shape with frontage along Hamilton Drive and Braithwaite Avenue. The applications propose a residential subdivision consisting of 17 lots for single detached dwellings, one stormwater management facility and the extension of Braithwaite Avenue.

A full review of the applicable Provincial Planning Statement (2024) and Urban Hamilton Official Plan policies is provided in Appendix F attached to Report PED25036.

### **Provincial Planning Statement (2024)**

The Provincial Planning Policy Framework is established through the *Planning Act* (Section 3) and the Provincial Planning Statement (2024). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Planning Statement (2024).

The proposal supports the development of healthy, liveable, and complete communities by permitting residential uses within the urban area on vacant lands. The subject lands are proposed to be developed with 17 lots for single detached dwellings, a stormwater management facility, and the extension of Braithwaite Avenue in an area surrounded by existing low density residential dwellings. The proposal is compatible with the surrounding area as it is characterized by low density residential and continues to make efficient use of existing municipal infrastructure and completing the existing road network. The extension of Braithwaite Avenue to Hamilton Drive will complete a missing street linkage within the existing neighbourhood and increase connectivity for residents utilizing active transportation methods to travel through the neighbourhood.

The natural heritage features of the site have been evaluated through the review of the applications. Various mitigation measures secured by the application of the Conservation/Hazard Land (P5, 932) Zone and through Special Conditions of Draft Plan of Subdivision approval contained in Appendix D attached to Report PED25036 have included to secure items such as tree planting and tree compensation.

The applications are consistent with the Provincial Planning Statement (2024).

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**Urban Hamilton Official Plan and Shaver Neighbourhood Secondary Plan**

The subject lands are identified as “Neighbourhoods” on Schedule E – Urban Structure and designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations. Lands designated “Neighbourhoods” are characterized as complete communities that include a range of residential dwelling types, densities and supporting uses to serve local residents. The subject lands are also designated “Low Density Residential 1” in the Shaver Neighbourhood Secondary Plan.

The proposal would facilitate the development of 17 single detached dwellings, a stormwater management facility, and the extension of Braithwaite Avenue on the subject lands. The subject lands fall into the low density residential category of the “Neighbourhoods” designation, which permits single detached dwellings. As the proposal is considered greenfield development, the Residential Greenfield Design policies of Section E.3.7 apply. The proposal complies with these policies as the subdivision will contribute to the character of the Shaver Neighbourhood, complete the local street pattern, and proposed for the urbanization of Hamilton Drive adjacent to the subject lands with the inclusion of sidewalks. The proposal has been evaluated against Policy F.14.1.2 and it complies with the criteria for Draft Plans of Subdivision by illustrating the replacement and compensation of trees as shown in Appendix C attached to Report PED25036.

The subject lands include a large, wooded area and are adjacent to a “Core Area” (significant woodland). Recognizing that this feature is part of the broader landscape of the area, it was staked in consultation with the City in 2014 and reevaluated in 2018. The applications included the submission of an Environmental Impact Statement and Tree Protection Plan. To accommodate the extension of Braithwaite Avenue as envisioned in the Shaver Neighbourhood Secondary Plan, the building envelope of the proposed single detached dwellings, the required stormwater management facility, as well as the necessary grading and servicing easement, 683 trees are proposed to be removed. The applicant has proposed to retain 125 trees and plant 157 trees on site. In addition, cash in lieu for tree compensation for approximately 526 trees will be provided.

The Tree Protection Plan, prepared by GeoProcess, dated July 10, 2024, surveyed 757 trees. These trees were located individually as well as in a woodland and abandoned orchard. The woodland composition included a majority of Black Cherry, White Pine, and Norway Spruce Trees. Orchard species included, but were not limited to, Apple, Black Cherry, Manitoba Maple, Black Walnut and Butternut trees. Approximately 45 of the trees that are to be removed are invasive species, including Norway Maple, Manitoba Maple, Norway Spruce, and White Mulberry. As a condition of approval of the Draft Plan of Subdivision, the applicant is required to submit a Butternut Health Assessment to be approved by the Ministry of the Environment, Conservation and Parks prior to the removal of any Butternut trees on the subject lands.

The City’s Urban Forest Strategy establishes a goal to achieve 40 percent canopy cover in the urban area by 2050. Although there are no site specific targets, each

**Applications for Zoning By-law Amendment and Draft Plan of Subdivision for  
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development contributes to the City wide goal. Maximizing existing trees on site and requiring tree relocation and replacement on the subject lands are ways to assist in achieving this goal. Several measures to mitigate the impacts have been considered and staff are recommending a number of conditions to ensure that trees are protected, transplanted, and replanted successfully. To ensure that there will be space for trees to mature, the Zoning By-law Amendment will zone a portion of the subject lands as Conservation/Hazard Land (P5, 932) Zone. The zone only permits the construction of a retaining wall as this area is intended to accommodate the majority of the 157 trees intended to be replanted on the subject lands. Conditions include, but not limited to, the submission and approval of a revised Tree Protection Plan, a Butternut Health Assessment be completed, a revised Landscape Plan showing the placement and compensation of the trees be provided. In addition, warning clauses regarding the zoning and development restrictions that apply to the subject lands, tree protection and grading restrictions are required in all agreements of purchase and sale or lease agreements to ensure that residents are aware of the requirements. In addition, the owner is required to provide cash in lieu for compensation of any trees that cannot be planted. A full list of recommended conditions is in Appendix D attached to Report PED25036.

The Open Space (P4, 931) Zone permits the stormwater management facility as well as provides opportunities for additional tree planting and the inclusion of bat boxes.

The proposal contributes to the achievement of creating complete communities by providing family friendly homes on underutilized land, extends the existing right-of-way of Braithwaite Avenue to Hamilton Drive to further improve the connectivity of the area by completing the existing road network. The extension of Braithwaite Avenue was contemplated in the former Town of Ancaster Official Plan and Shaver Neighbourhood as illustrated on Appendix J attached to Report PED25036 and the proposed location is consistent with the intent of the plan.

Based on the foregoing, the proposal complies with the applicable policies of the Urban Hamilton Official Plan and Shaver Neighbourhood Secondary Plan.

### **City of Hamilton Zoning By-law No. 05-200**

The purpose of the Zoning By-law Amendment application is for a change in zoning from the Agricultural "A-216" Zone, Modified, to a site specific Low Density Residential (R1, 930) Zone, Open Space (P4, 931) Zone and Conservation/Hazard Land (P5, 932) Zone in Zoning By-law No. 05-200, to permit the development of 17 single detached dwellings. Modifications to the Low Density Residential (R1) Zone, Open Space (P4) Zone and Conservation/Hazard Land (P5) Zone are required to facilitate the development and to protect existing and replanted trees and are discussed in Appendix G attached to Report PED25036.

**Applications for Zoning By-law Amendment and Draft Plan of Subdivision for  
Lands Located at 387, 397, 405 and 409 Hamilton Drive, Ancaster (Ward 12)**  
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### **Rationale For Recommendation**

1. The proposal has merit and can be supported for the following reasons:

- (i) It is consistent with the Provincial Planning Statement (2024);
- (ii) It complies with the Urban Hamilton Official Plan; and,
- (iii) The proposal is compatible with existing development in the area and represents good planning by providing an efficient built form, increasing housing stock, and contributing to the achievement of a complete community.

2. Zoning By-law Amendment

The application for Zoning By-law Amendment is to rezone the subject lands to a site specific Low Density Residential (R1, 930) Zone, Open Space (P4, 931) Zone and Conservation/Hazard Land (P5, 932) Zone, to permit the development of 17 single detached dwellings.

An analysis of the requested modifications is provided in Appendix G attached to Report PED25036. Staff are satisfied that the proposed Zoning By-law Amendment, as amended, complies with the policies of the Urban Hamilton Official Plan and Shaver Neighbourhood Secondary Plan. The proposal includes the extension of Braithwaite Avenue, which will complete the transportation network of the neighbourhood by improving connectivity and the proposed lot fabric is consistent with the existing character of the area. By including the Open Space (P4, 931) Zone and Conservation/Hazard Land (P5, 932) Zone it provides opportunities for tree compensation and the development of the stormwater management facility necessary to service the proposed subdivision.

Therefore, staff support the proposed Zoning By-law Amendment.

3. Draft Plan of Subdivision

Staff have reviewed the application against criteria set out in the *Planning Act* sub-section 51(24) to assess the appropriateness of the proposed subdivision, and advise that:

- (i) The proposal is consistent with the Provincial Planning Statement (2024);
- (ii) The proposal represents a logical and timely extension of existing development and services and is in the public interest;

**Applications for Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 387, 397, 405 and 409 Hamilton Drive, Ancaster (Ward 12)****Page 7 of 8**

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- (iii) The proposal complies with the applicable policies of the Urban Hamilton Official Plan;
  - (iv) The proposal completes the street network within the Shaver Neighbourhood Secondary Plan, subject to applicable conditions of draft plan approval contained in Appendix D attached to Report PED25036;
  - (v) The subject lands can be appropriately used for the purposes for which it is to be subdivided;
  - (vi) The dimensions and shape of the lots and blocks are appropriate;
  - (vii) Restrictions and regulations for the development of the subdivision are included in the implementing Zoning By-law Amendment, conditions of draft plan approval and in the Subdivision Agreement;
  - (viii) Adequate utility and municipal services will be available, the particulars of which will be determined as part of the conditions of draft plan approval and the Subdivision Agreement; and,
  - (ix) Public land will be conveyed to create road rights-of-way, the particulars of which will be determined as part of the conditions of draft plan approval, Standard Subdivision Agreement, and final registration of the Plan of Subdivision.

Therefore, staff are supportive of the proposed Draft Plan of Subdivision and recommend its approval.

**Alternatives**

Should the applications be denied, the subject property can be used in accordance with the Agricultural "A-216" Zone, Modified in Zoning By-law No. 6593.

**Relationship to Council Strategic Priorities**

Priority 3: Responsiveness and Transparency

- 1.2: Prioritize customer service and proactive communication.

**Consultation**

The applications were circulated to internal departments and external agencies. Refer to the comments provided in Appendix H attached to Report PED25036.

The applicant submitted a Public Consultation Strategy which stated that a Neighbourhood Meeting would occur if required. To date, no Neighbourhood Meeting was hosted for the proposed development. Nine submissions were received from the

**Applications for Zoning By-law Amendment and Draft Plan of Subdivision for  
Lands Located at 387, 397, 405 and 409 Hamilton Drive, Ancaster (Ward 12)**

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public regarding the proposed development and a summary is included as Appendix H attached to Report PED25036. Residents were concerned with the potential consequences the proposal would have on the local community, habitat in the area, impacts to the water table with the inclusion of a stormwater management facility, requests for traffic calming measures to be implemented, and the potential connection to Tollgate Drive was noted as a potential solution to mitigate future traffic issues.

### **Appendices and Schedules Attached**

- Appendix A: Location Map
- Appendix A1: Existing Land Use, Surrounding Lands and Zoning Chart
- Appendix B: Amendment to Zoning By-law No. 05-200
- Appendix C: Proposed Concept Plan and Draft Plan of Subdivision
- Appendix D: Draft Plan of Subdivision Special Conditions
- Appendix E: Historical Background Report Fact Sheet
- Appendix F: Policy Review
- Appendix G: Zoning Modification Table
- Appendix H: Staff and Agency Comments
- Appendix I: Public Comments
- Appendix J: Former Town of Ancaster Shaver Neighbourhood Map 1

**Prepared by:** Jennifer Catarino, Area Planning Manager – West  
Development Planning, Planning and Economic  
Development Department

**Submitted and  
recommended by:** Anita Fabac, Acting Director of Planning and Chief Planner  
Planning and Economic Development Department



● Site Location

## Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

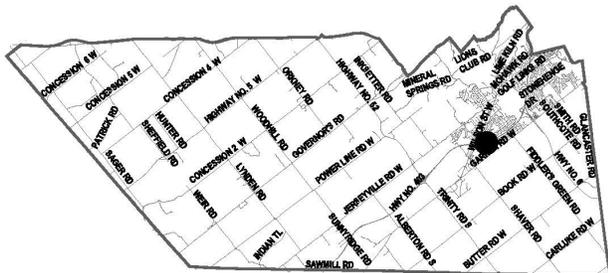
File Name/Number:  
ZAC-18-048 & 25T-201809

Date:  
February 4, 2025

Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
JC/NB



Key Map - Ward 12

### Subject Property

387, 397, 405 & 409 Hamilton Drive, Ancaster (Ward 12)

-  Change in zoning from Agricultural "A-216" District, Modified to Open Space (P4, 931) Zone
-  Change in zoning from Agricultural "A-216" District, Modified to Conservation/Hazard Lands (P5, 932) Zone
-  Change in zoning from Agricultural "A-216" District, Modified to Low Density Residential (R1, 930) Zone

## Existing and Surrounding Land Uses and Zoning

	<b>Existing Land Use</b>	<b>Existing Zoning</b>
<b>Subject Lands:</b>	Vacant single detached dwellings.	Agricultural "A-216" Zone, Modified.
<b>Surrounding Land Uses:</b>		
North	Alexander Graham Bell Parkway, Chedoke Expressway (Highway 403).	Agricultural "A-216" Zone, Modified, Deferred Development "D" Zone and Low Density Residential – Large Lot (R2) Zone.
South	Vacant.	Agricultural "A-216" Zone, Modified.
East	Single detached dwellings.	Residential "R4-494" Zone, Modified and Public Open Space "O2" Zone.
West	Single detached dwellings.	Agricultural "A-216" Zone, Modified.

**Authority:** Item ,  
Report (PED25036) CM: March 18, 2025  
Ward: 12

**Bill No.**

**CITY OF HAMILTON**  
**BY-LAW NO.**

**To amend Zoning By-law No. 05-200 with respect to lands located at  
387- 409 Hamilton Drive, Ancaster**

**WHEREAS** Council approved Item --- of Report PED25036 of the Planning Committee, at its meeting held on \_\_\_\_\_, 2025;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan;

**NOW THEREFORE** Council amends Zoning By-law No. 05-200 as follows:

1. That Map No. 1385 of Schedule “A” – Zoning Maps is amended by adding the Low Density Residential (R1, 930) Zone, Open Space (P4, 931) Zone, and Conservation/Hazard Land (P5, 932) Zone to the lands attached as Schedule “A” to this By-law.

2. That Schedule C: Exceptions of Zoning By-law No. 05-200, as amended, is hereby further amended by adding the following sub-section:

“930. Within the lands zoned Low Density Residential (R1, 930) Zone, identified on Map No. 1385 of Schedule “A” Zoning Maps and described as 387- 409 Hamilton Drive, the following special provisions shall apply:

(a) That notwithstanding the provisions of the Subsections 4.23 d) and e), all buildings or structures located on a property shall have a minimum setback of 1.2 metres from a P5 Zone.

(b) That notwithstanding the provisions of Subsections 15.1.2 “Regulations” of Section 15: Low Density Residential (R1) Zone, the provisions of the Low Density Residential (R1, 930) Zone, shall apply to the lands zoned (R1, 930):

Regulations

Notwithstanding Section 15.1.2.1 b), e), and f), on the lands zoned (R1, 930), the following regulations shall apply:

- |     |  |             |
|-----|--|-------------|
| (b) | Minimum Lot Width                        | 10.5 metres |
| (e) | Minimum Setback from a Flankage Lot Line | 1.2 metres  |
| (f) | Minimum Setback from the Rear Lot Line   | 7.0 metres  |

931. That notwithstanding the provisions of the Subsections of 7.4.1 “Permitted Uses” of Section 7: Open Space (P4) Zone, the provisions of Open Space (P4, 931) Zone, shall apply to the lands zoned (P4, 931):

Permitted Uses

- (a) Stormwater management facilities.

932. That in addition to the provisions of the Subsections of 7.5.1 “Permitted Uses” of Section 7: Conservation/Hazard Land (P5) Zone, the provisions of Conservation/Hazard Land (P5, 932) Zone, shall apply to the lands zoned (P5, 932):

Permitted Uses

- (a) Retaining Wall.

3. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the provisions of the Low Density Residential (R1) Zone, Open Space (P4) Zone, and Conservation/Hazard Land (P5) Zone, subject to the special requirements referred to in Section No. 2 of this By-law.
4. 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 AND ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

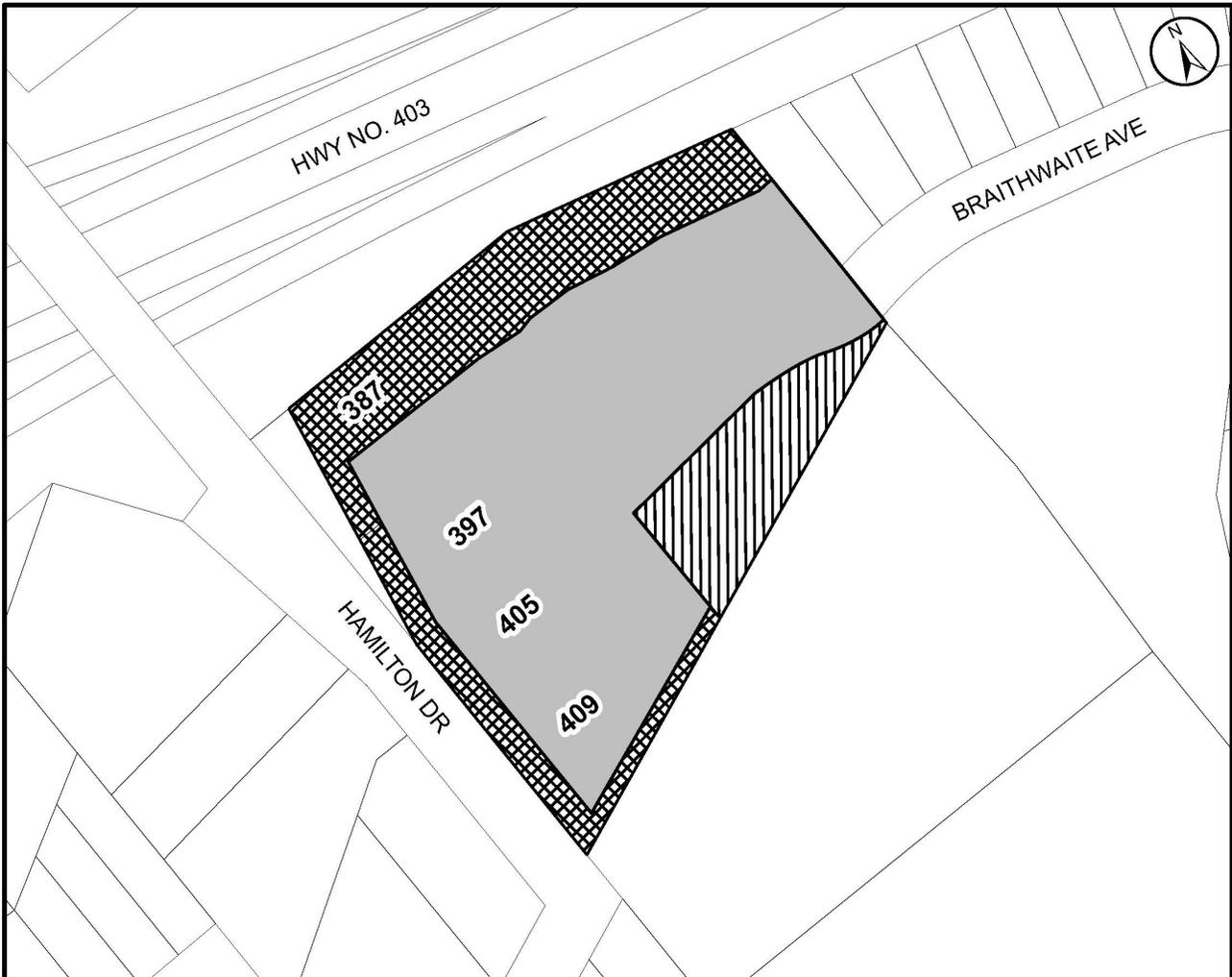
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A. Horwath  
Mayor

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Matthew Trennum  
City Clerk

ZAC-18-048



This is Schedule "A" to By-law No. 25-  
Passed the ..... day of ....., 2025

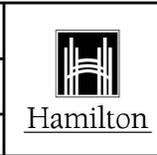
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Mayor  
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Clerk

**Schedule "A"**  
**Map forming Part of**  
**By-law No. 25-\_\_\_\_\_**  
**to Amend By-law No. 05-200**  
**Map 1385**

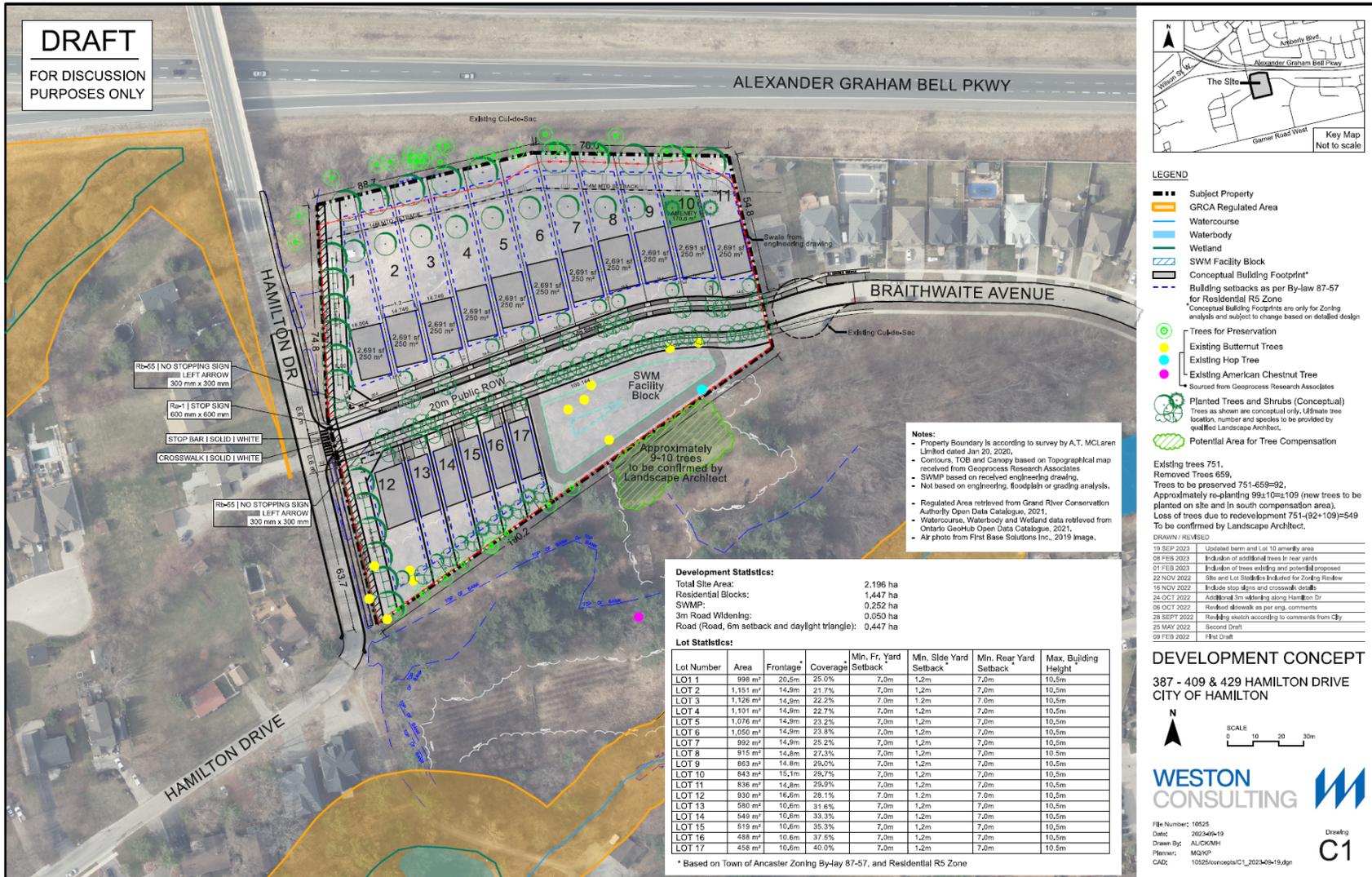
- Subject Property**  
387, 397, 405 & 409 Hamilton Drive, Ancaster (Ward 12)
-  Change in zoning from Agricultural "A-216" District, Modified to Open Space (P4, 931) Zone
  -  Change in zoning from Agricultural "A-216" District, Modified to Conservation/Hazard Lands (P5, 932) Zone
  -  Change in zoning from Agricultural "A-216" District, Modified to Low Density Residential (R1, 930) Zone

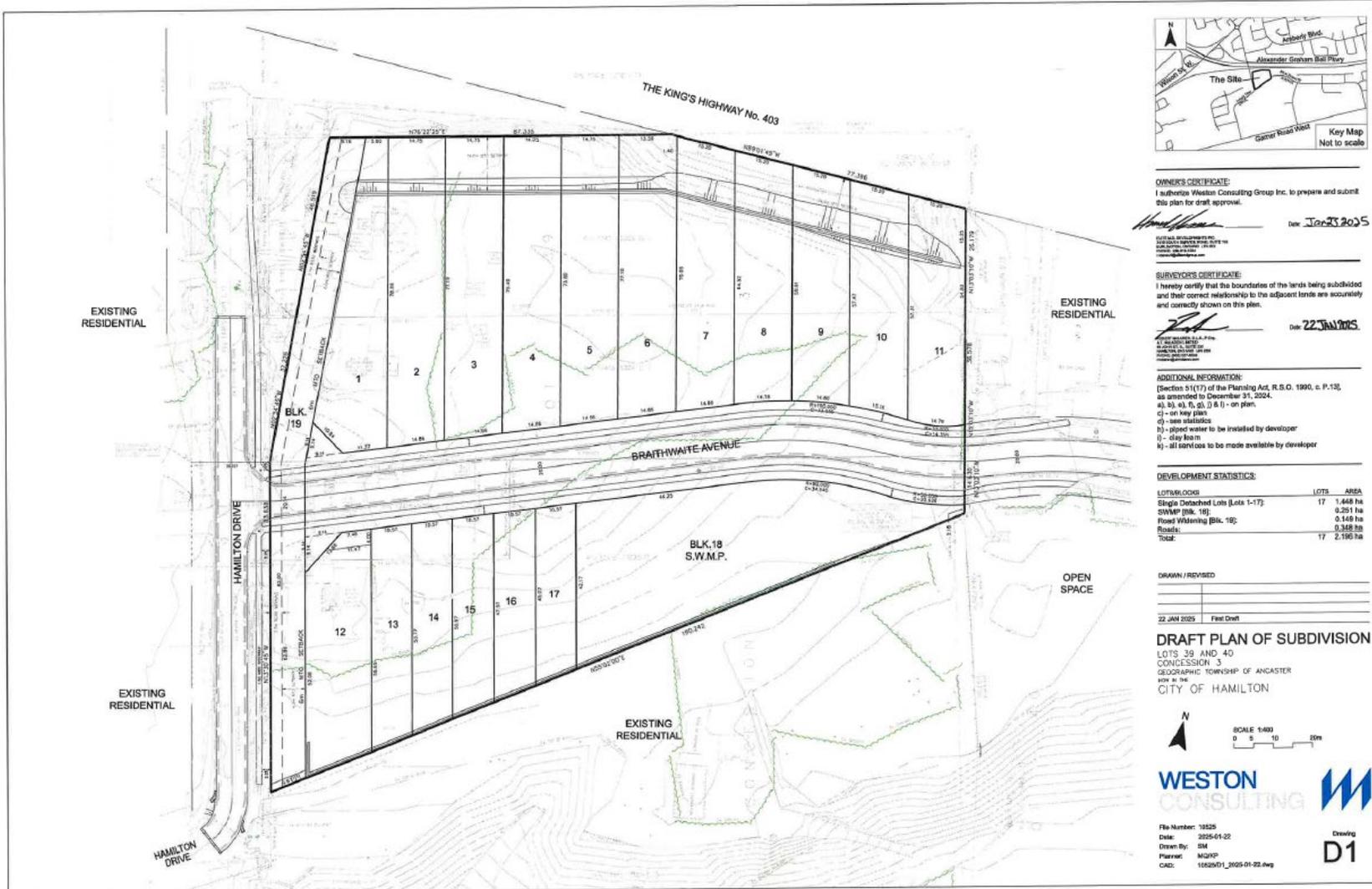
Scale:  
N.T.S.  
Date:  
February 4, 2025

File Name/Number:  
ZAC-18-048 & 25T-201809  
Planner/Technician:  
JC/SH



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT





### **Special Conditions for Draft Plan of Subdivision Approval for 25T- 201809**

That this approval apply to the Draft Plan of Subdivision “10525” certified by Bruce MacLeod, O.L.S., dated January 22, 2025, consisting of 17 lots for single detached dwellings (Lots 1 to 17), one block for a stormwater management facility (Block 18), and one block for a right-of-way widening (Block 19), and the extension of Braithwaite Avenue, be received and endorsed by City Council with the following special conditions:

#### **Development Engineering:**

1. That, **prior to the registration of the final plan of subdivision**, the owner shall agree to include in all the agreements of purchase and sale and/or lease of residential units, the following warning clauses, to the satisfaction of the Director of Growth Management and Chief Development Engineer:
  - i. “All Purchasers shall be advised of the proposed retaining wall located at the rear yard of Lots 12-17 and to be informed that the maintenance of the retaining wall will be entirely their responsibility.”
  - ii. “All Purchasers shall be advised of the proposed noise attenuation wall located at the rear yard of Lots 1-11 and to be informed that the maintenance of the noise wall will be entirely their responsibility.”
2. That, **prior to the City Assuming the Stormwater Management Facility**, the owner shall agree to the following, to satisfaction of the Director of Growth Management and Chief Development Engineer:
  - i. Submit an Operation and Maintenance manual, as per the City of Hamilton Operation and Maintenance Report for Stormwater Management Facilities (May 2009), for approval by the Director of Growth Management and Chief Development Engineer, and inspect and monitor the stormwater management facility upon commencement of construction or pre-grading of the subject lands through to assumption of the facility;
  - ii. Construct, operate, and maintain at the owner’s expense, the stormwater management facility, in a manner acceptable to the City, including any changes to conditions of the Ministry of Environment’s approval, throughout servicing of all stages of draft plan registration and development of all registered lots and blocks, or until such time as determined by Director of Growth Management and Chief Development Engineer; and,
  - iii. Remove sediment from the stormwater management facility attributed to development, carry out a survey and verify volumetric capacity of the stormwater management facility, prior to release of the owner’s operation and maintenance responsibilities for the stormwater management facility.

3. That, **prior to registration of the final plan of subdivision**, the owner dedicate two 9.14 metre by 9.14 metre daylight triangles at the intersection of Braithwaite Avenue and Hamilton Drive to the City as Public Highway under the Owner's Certificate on the final Plan of Subdivision, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
4. That, **prior to registration of the final plan of subdivision**, the owner agrees that the final plan of the subdivision shall include a 3.0 metre road widening block to be dedicated to the City of Hamilton as public highway by the owner's certificate on the plan, to establish the widened limit of Hamilton Drive at 26.213 metres from the center line of the original road allowance to the satisfaction of the Director of Growth Management and Chief Development Engineer.
5. That, **prior to registration of the final plan of subdivision**, the owner shall agree in writing to register the 9.0 metre wide service easement located within the adjacent property to the south at the municipal address 429 Hamilton Drive, in favour of the City of Hamilton, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
6. That, **prior to the registration of the final plan of subdivision**, the owner shall urbanize Hamilton Drive from the existing terminus to the west (fronting 445 Hamilton Drive) to the northern limit of the subject draft plan lands (up to the Highway 403 bridge), to the satisfaction of the Director of Growth Management and the Chief Development Engineer.
7. That, **prior to registration of the final plan of subdivision**, the owner dedicate Braithwaite Avenue (20.0 metre Right-of-Way) to the City as Public Highway under the Owner's Certificate on the final Plan of Subdivision, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
8. That, **prior to registration of the final plan of subdivision**, the owner shall indicate all driveway locations on the engineering drawings so that no driveway shall be located within a daylight triangle.
9. That, **prior to registration of the final plan of subdivision**, a minimum of 40% of on-street parking spaces shall be provided within the City Right-of-Ways, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
10. That, **prior to registration of the final plan of subdivision**, the owner agrees to submit the necessary transfer deeds to the City's Legal Department to transfer adequate lands for the stormwater management facility block (Block 18), subject to an approved stormwater management design, as required, within the draft plan, to the satisfaction of the Director of Growth Management and Chief Development Engineer.

11. That, **prior to registration of the final plan of subdivision**, the owner agrees that they will perform all required Winter Maintenance activities on all Public Highways within the registered plan as per Ontario Regulation 239/02 - Minimum Maintenance Standards for Municipal Highways - made under the *Municipal Act*, 2001 (MMS) until the criteria for municipal Winter Maintenance activities are met. Additionally, the owner commits to submitting an application to the City for assuming Winter Maintenance responsibilities before September 15<sup>th</sup>, provided that the following criteria are to the satisfaction of the Manager of Roadway Maintenance:
  - i) Sites are easily accessible;
  - ii) Roads are free of all construction debris and have at least the base course asphalt complete;
  - iii) Trucks shall be able to enter and exit without backing up; and,
  - iv) Utility chambers are ramped at a minimum 2.0 metres from each chamber or set to grade.
12. That, **prior to registration of the final plan of subdivision**, the owner agrees that until an application for Waste Collection Services has been submitted and approved as per the City of Hamilton Waste Requirements for the Design of New Developments and Collection, the owner shall make the appropriate arrangements for the collection and disposal of household waste, entirely at the owner's expense, all to the satisfaction of the Manager of Waste Collection.
13. That, **prior to registration of the final plan of subdivision**, the owner agrees that prior to the installation of the permanent Street Name Signs by the City, the owner shall install temporary street name signs, consisting of a painted and legible sign on wooden backing, fastened securely to a post 2.6 metres above ground level (to bottom of sign) that shall be erected at all street intersections within the subdivision immediately following base course asphalt placement. The signs shall be visible from both directions (i.e., double-sided). The street name signs shall be maintained until such time as all boulevard grading has been completed, all to the satisfaction of the Director of Growth Management and Chief Development Engineer.
14. That, **prior to registration of the final plan of subdivision**, the owner shall pay the appropriate fees for the installation of street signage, in accordance with the City's standards and the City's current user fees schedule, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
15. That, **prior to registration of the final plan of subdivision**, the owner shall design, install, and energize the street lighting system, entirely at the owner's expense, all to the satisfaction of the Director of Growth Management and Chief Development Engineer.
16. That, **prior to preliminary grading**, the owner shall prepare and provide a pre-post construction survey of surrounding roads such as: Hamilton Drive, and the

existing Braithwaite Avenue, including existing sidewalk, curb, and driveways, to the satisfaction of the Director of Growth Management and Chief Development Engineer.

17. That, **prior to preliminary grading**, the owner shall obtain the required permits and approval from the Ministry of Transportation prior to the satisfaction of the Director of Growth Management and Chief Development Engineer.
18. That, **prior to preliminary grading**, the owner shall obtain a permit from the Hamilton Conservation Authority under its Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation 161/06 under Ontario Regulation 97/04 prior to any watercourse alteration, construction and/or grading activities within HCA's Regulated Area, to the satisfaction of the Hamilton Conservation Authority.
19. That, **prior to preliminary grading**, the owner agrees to provide a plan or procedure for dealing with issues concerning dust control and street cleaning (external roads included) throughout construction within the subdivision, and surrounding areas. This document will also include, the first point of contact, a schedule for regular cleaning of streets that is specific to the methods to be used, the source of water, and the contractor or agent to be used to undertake the works as well as the contractor/agent contact information so that the City can direct works be completed as necessary, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
20. That, **prior to preliminary grading**, the owner shall obtain the necessary permission/consent from the adjacent landowners of the surrounding lands, to accommodate any grading encroachment on their properties required for the construction of the subject draft plan lands, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
21. That, **prior to preliminary grading**, the owner shall submit a detailed stand-alone stormwater management report prepared by a professional engineer that includes, but is not limited to, the following, all, to the satisfaction of the Director of Growth Management and Chief Development Engineer:
  - a) Demonstrate how the post-development flow from the subject development, including applicable external lands, will be controlled to pre-development levels for all ranges of storm events including the 100-year event through the proposed stormwater management facility (dry pond in Block 18);
  - b) Demonstrate with erosion exceedance analyses of the existing tributary of Big Creek, between the proposed storm outlet and the existing culvert under Garner Road West, that the potential for excess erosion within the watercourse from 25mm storm event runoff will be mitigated by proposed stormwater management measures; alternatively, the stormwater

management facility quantity control design should demonstrate that the runoff from a 25 mm design storm (4 hour Chicago distribution) will be detained and released over a period of at least 24 hours from erosion control perspective.

- c) Verify that the proposed stormwater management facility, Block 18, shall be of sufficient size and shape/geometry to adequately accommodate post-development flows up to 100 year storm events from the subject and applicable external lands, and erosion control volume, including a maintenance access road as per City of Hamilton Comprehensive Development Guideline (current) and the MECP Stormwater Management Planning and Design Manual (2003). Until such time as the shape and size of the stormwater management facility is confirmed, Lots 15, 16 and 17 shall be considered undevelopable;
  - d) Demonstrate how the proposed flow diversion manhole (MH13) with the proposed weir will divert the controlled outflows from the proposed dry pond to the downstream Big Creek Tributary bypassing the existing Marshall Estate stormwater management pond and confirm that the original design flows to the Marshall Estate stormwater management pond will not increase;
  - e) Demonstrate Level 1 'Enhanced Protection' quality control for stormwater runoff from the subject development and all applicable external areas;
  - f) Demonstrate an adequate outlet through the proposed easement within 429 Hamilton Drive for minor, major flow and emergency flow from drainage area of Hamilton Drive to be urbanized from south of the intersection of Hamilton Drive and the Braithwaite Avenue extension to 445 Hamilton Drive and drainage area upstream of the existing 400 millimetre diameter culvert at the road bend fronting 430 Hamilton Drive including applicable drainage from properties fronting the Hamilton Drive to be urbanized; and demonstrate Level 1 'Enhanced Protection' quality control for stormwater runoff from the Hamilton Drive and associated drainage area; and,
  - g) Demonstrate that the hydraulic grade line (HGL) for the post-development 100 year return period flow will be at a minimum of 0.30m below the top of grate elevation at all inlet locations and the 5 year HGL will be within storm sewers considering the 100 year and 5 year pond operating levels, respectively.
22. That, **prior to preliminary grading**, the owner agrees to monitor drainage across the existing lands from the proposed storm outlet at the Big Creek

Tributary to the existing culvert at Garner Road to ensure that the above-mentioned existing lands are not negatively impacted by the subject development. The development impact monitoring plan shall develop baseline conditions of the downstream systems and the monitoring shall occur throughout the construction of the subdivision and for a period of not less than two years after all lot/blocks within the approved draft plan are fully developed. In the event a problem arises, the owner further agrees to take the necessary remedial action as per the monitoring report, at their cost. The engineering design and cost estimate schedules for the outlet works shall include a minimum of \$100,000.00 cash security for potential remedial works. The security shall not be released or reduced until it has been demonstrated that there are no impacts as a result of development for a period of not less than two years after full buildout of the draft approved plan to the satisfaction of the Director of Growth Management and Chief Development Engineer.

23. That, **prior to servicing**, the owner agrees to submit and obtain approval for the watermain hydraulic analysis in accordance with City standards to the satisfaction of the City's Director of Water and Wastewater Planning and Capital, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
24. That, **prior to servicing**, the owner shall include in the engineering design and cost estimate schedule provisions for a suitable storm sewer outlet on the proposed Braithwaite Avenue to accommodate the major overland flows from the west portion of the site (external drainage area "A1") and the overland flow west of the proposed high point on Braithwaite Avenue extension. The storm sewer will be designed to capture the 100 year storm and convey it to the proposed stormwater management facility, at the owner sole expense, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
25. That, **prior to servicing**, the owner shall include in the engineering design and cost estimate schedule provisions for a suitable storm sewer outlet to accommodate major overland flows originating south of the Braithwaite Avenue and Hamilton Drive intersection, and east of the high point on Hamilton Drive (fronting 445 Hamilton Drive), extending to the south limit of 429 Hamilton Drive through the proposed 9.0 metre service easement. The storm sewer shall be designed to capture the 100 year storm event and convey it to the existing watercourse, to the satisfaction of the Director of Growth Management and the Chief Development Engineer.
26. That, **prior to servicing**, the owner/ shall include in the engineering design and cost estimate schedule provisions for the removal and replacement of the existing storm sewer system on the existing Braithwaite Avenue to the east, to convey the outlet flow from the proposed stormwater management facility to the existing Creek downstream including oil grit separators (OGS), headwalls, erosion control, road access, restoration, etc. at the owner's sole expense, to the

satisfaction of the Director of Growth Management and Chief Development Engineer.

27. That, **prior to servicing**, the owner shall include in the engineering design and cost estimate schedule provisions for the urbanization of Hamilton Drive from the existing terminus (fronting 445 Hamilton Drive) to the northern limit of the subject draft plan lands (up to the Highway 403 bridge). All work shall be completed to the satisfaction of the Director of Growth Management and the Chief Development Engineer.
28. That, **prior to servicing**, the owner agrees to include in the engineering design and cost estimate schedule provisions to relocate, as required, any affected utility poles, hydrants, pedestals, hydro vaults, etc., on existing Braithwaite Avenue and Hamilton Drive at the owner's sole expense, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
29. That, **prior to servicing**, the owner agrees to include provisions for installation of a sump pump completed with a secondary relief/overflow for each lot within the draft plan lands, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
30. That, **prior to servicing**, the owner shall include in the Engineering design and cost estimates provisions for the construction a 1.5 metre high black vinyl coated heavy-duty chain-link fence in the following locations, all, to the satisfaction of the Director of Growth Management and Chief Development Engineer:
  - i. along the south property line of the proposed stormwater management pond;
  - ii. along the property line between Lot 17 and the proposed stormwater management pond; and,
  - iii. along the West property line of Lots 1 and 12.
31. That, **prior to servicing**, the owner shall include in the engineering design and cost estimate schedule provisions for the installation of 1.5 metre wide concrete sidewalks along both sides of Braithwaite Avenue extension, and Hamilton Drive from the north limit of the subject draft plan lands to connect to the downstream existing urbanized road section, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
32. That, **prior to servicing**, the owner shall submit a Hydrogeological Report to the City, prepared by a qualified professional, and in accordance with City guidelines, to assess impacts, identify any significant recharge and discharge zone, and provide recommendations to mitigate the groundwater impacts during any construction within the subdivision, including but not limited to house construction, and to undertake the works as recommended including monitoring.

The report shall also provide a groundwater contingency plan to ensure that an appropriate mitigation strategy is available to be implemented in the case whereof, all, to the satisfaction of the Director of Growth Management and Chief Development Engineer:

- i. an aquifer is breached during excavation;
  - ii. groundwater is encountered during any construction within the subdivision, including but not limited to house construction;
  - iii. sump pumps are found to be continuously running; and,
  - iv. water supply and sewage disposal systems and any surface and groundwater related infrastructure are negatively impacted.
33. That, **prior to servicing**, the owner agrees to implement the recommendations of the final approved geotechnical engineering report, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
  34. That, **prior to servicing**, the owner acknowledges and agrees that the servicing of the draft plan lands shall not commence until the stormwater management (SWM) facility is completed and operational, as per the design approved by the City of Hamilton, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
  35. That, **prior to servicing**, the owner shall include in the engineering design and cost estimate schedules provisions for the proposed stormwater management (SWM) facility (in Block 18) to accommodate the subject development, including all applicable external lands, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
  36. That, **prior to servicing**, the owner shall include in the engineering design and cost estimate schedules, a landscape design of the Stormwater Management Facility as per City of Hamilton Landscape Design Guidelines for stormwater management facilities (May 2009) for the proposed stormwater management (SWM) facility (in Block 18) to accommodate the subject development, including all applicable external lands, to the satisfaction of the Director of Growth Management and Chief Development Engineer.
  37. That, **prior to servicing**, the owner agrees to include in the engineering design and cost estimate schedules permanent pavement marking and signage plans for all internal streets of the subdivision including, stop signs, stop bars, pedestrian crossings, etc., upon placement of surface course asphalt, entirely at the owner's cost, all to the satisfaction of the Director of Growth Management and Chief Development Engineer.

38. That, **prior to servicing**, the owner shall include in the engineering design and cost estimate schedule provisions for the costs of the following items all to the satisfaction of the Director of Growth Management and Chief Development Engineer:
- i. Removal of the existing temporary turning circles at the west end of the existing Braithwaite Avenue, including re-grading and road surface;
  - ii. Restoration of existing driveways on Braithwaite Avenue, if required; and,
  - iii. Restoration of the disturbed area of the existing Braithwaite Avenue due to the removal and replacement of the existing storm sewer from the east limit of the subject land to the proposed outlet structure downstream at the existing Creek and Marshall Estates stormwater management facility.
39. That **prior to servicing**, the owner agrees that the road geometric design of the proposed Braithwaite Avenue extension shall align with the existing centerline, street line, pavement edges, sidewalk, and boulevard width of the existing Braithwaite Avenue to the east, to the satisfaction of the Director of Growth Management and Chief Development Engineer.

### **Growth Planning**

40. That **prior to registration of the final plan of subdivision**, the owner and agent work with Legislative Approvals / Staging of Development Staff to finalize municipal addressing for the proposed Lots, to the satisfaction of the Director of Growth Management and Chief Development Engineer.

### **Planning**

41. That, **prior to registration of the final plan of subdivision**, the owner shall prepare and submit an Urban Design Guidelines Report and Architectural Control strategy, scoped to the residential use proposed in this application, shall be provided for review and approval, to the satisfaction of the Director of Heritage and Urban Design.

Terms of reference for this type of report are available online:

<https://www.hamilton.ca/develop-property/policies-guidelines/guidelines-urban-design-reports>

42. That, **prior to registration of the plan of subdivision**, the owner establish temporary protective fencing along the southern limits of the revised Project Location during construction activities, to the satisfaction of the Director of Heritage and Urban Design. The location of the fencing will be agreed upon by City staff, the proponent, and a registered archaeologist. The applicant should also submit photographs of the fencing and a letter from a registered professional archaeologist confirming the installation of fencing and authorizing the work.

43. That, **prior to grading and servicing**, the owner shall confirm the location of the bat boxes to the satisfaction of the Director of Heritage and Urban Design.
44. That, **prior to registration of the plan of subdivision**, the owner shall implement bat boxes, as outlined within the GeoProcess Research Associates October 2023, Environmental Impact Statement, to the satisfaction of the Director of Heritage and Urban Design.
45. That, **prior to grading and servicing**, the owner shall prepare and implement a Transplant Plan for the Common Hop Tree to the satisfaction of the Director of Heritage and Urban Design.
  - a) The Transplant Plan will outline the following:
    - i. Methodology;
    - ii. Timing of re-location;
    - iii. GPS coordinates and mapping of location of species; and,
    - iv. GPS coordinates and mapping of the “donor” site.
  - b) Once the species has been transplanted, a written letter from a qualified botanist is to be submitted to the City of Hamilton.
  - c) Monitoring Plan: Monitoring of the health of the transplanted species is to occur for a period of two years. Two monitoring reports are required to be submitted (1<sup>st</sup> report to be submitted by December 31 after the first full year of monitoring; 2<sup>nd</sup> report to be submitted by December 31 after second year of monitoring).
46. That, **prior to grading and servicing**, the owner shall prepare a revised Tree Protection Plan to the satisfaction of the Director of Heritage and Urban Design. Removal of trees is not to occur until this condition has been satisfied.
  - a) Prior to the approval of the Tree Protection Plan, permission to remove trees from the adjacent property is to be provided.
  - b) A Verification of Tree Protection Letter, prepared by a recognized tree management professional (i.e., certified arborist, registered professional forester, or landscape architect) is to be provided. This is to confirm that all tree protection measures have been installed in accordance with the approved Tree Protection Plan.
47. That, **prior grading and servicing**, the owner is to be aware of the *Migratory Birds Convention Act, 1994* and the *Endangered Species Act, 2007* and agrees that the removal of any vegetation on the subject lands is to occur during October

1 to March 31 by placing notations relating to breeding birds and bat roosting habitat on the Tree Protection Plan (TPP):

- a) Birds: In the event that vegetation removal is proposed during the restricted breeding period, the owner shall have a qualified biologist conduct a nest search of the vegetated area with the City of Hamilton Natural Heritage Planning staff prior to any work commencing. Accordingly, removal may occur if it is determined that active nests are not present in the proximity of the removal area, to the satisfaction of the Director of Heritage and Urban Design.
  - b) Bats: In the event that vegetation removal is proposed during the restricted bat roosting period, the owner shall contact the Ministry of Environment, Conservation, and Parks (MECP) to determine the permitting requirements.
48. That, **prior to grading and servicing**, the owner provide a Butternut Health Assessment and any correspondence from the Ministry of the Environment, Conservation and Parks, to the satisfaction of the Director of Heritage and Urban Design.
  49. That, **prior to registration of the plan of subdivision**, the owner shall prepare a Landscape Plan by a certified Landscape Architect showing the placement of compensation trees for any tree removals, completed in accordance with the Tree Protection Plan to the satisfaction of the Director of Heritage and Urban Design. The Planting Plan will prioritize native species. Native species are to be provided from a native seed source (within a 250 kilometre radius).
  50. That, **prior to registration of the plan of subdivision**, the owner shall prepare and implement Stewardship Initiatives, including a Stewardship Brochure that describes the importance of the adjacent Significant Woodlot and trees as well as how the homeowner can minimize their impact on these features, to the satisfaction of the Director of Heritage and Urban Design. This Plan will include the installation of two bat rocket boxes and long-term monitoring requirements.
  51. That, **prior to registration of the plan of subdivision**, the owner shall provide cash-in-lieu for any compensation trees that cannot be planted on site to the satisfaction of the Director of Heritage and Urban Design. The cash-in-lieu rate will be based on the Forestry Department's User Fee rate at the time of submission.
  52. That, **prior to registration of the plan of subdivision**, the owner agrees to implement the noise attenuation measures identified in the Environmental Noise Assessment Report titled "387-409 Hamilton Drive" and dated November, 2020, revised November, 2022, including a 3.0 metre to 4.5 metre high noise attenuation barrier in accordance with the Ministry of the Environment, Conservation and Park's noise criteria, constructed on the proposed berm on the

approved Grading Plan prepared by S. Llewellyn & Associates Limited, in the rear yards of Lots 1 through 11, to the satisfaction of the Director of Development Planning.

53. That, **prior to registration of the plan of subdivision**, the owner agrees to submit the proposed floor plans for Lots 1 to 11, including but not limited to, exterior building components such as windows, exterior doors and walls to ensure they provide an adequate Sound Transmission Class (STC) rating to attenuate the outdoor noise levels to achieve an indoor noise level as per the Ministry of the Environment, Conservation and Park's noise criteria, to the satisfaction of the Director of Development Planning.

54. That, **prior to registration of the plan of subdivision**, the owner agrees to include the following warning clauses for Lots 1 to 11 in all purchase and sale and / or lease agreements, and registered on title to the satisfaction of the Director of Development Planning:

Warning Clause "A":

"Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the Municipality's and the Ministry of the Environment, Conservation and Park's noise criteria."

55. That, **prior to registration of the plan of subdivision**, the owner agrees to the installation of a heating system including central air conditioning for Lots 1 to 17 to allow residents to leave exterior doors and windows closed in addition to including the following warning clauses for Lots 1 to 17 in all purchase and sale and / or lease agreements, and registered on title to the satisfaction of the Director of Development Planning:

Warning Clause "D":

"This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of Environment, Conservation and Parks."

56. That, **prior to registration of the plan of subdivision**, the owner agrees to include the following warning clauses in all purchase and sale and / or lease agreements, and registered on title to the satisfaction of the Director of Development Planning:

a) Purchasers / tenants are advised that Lots 1 through 17 on the Draft Plan of Subdivision, in Appendix C attached to Report PED25036, are dually zoned Low Density Residential (R1, 930) Zone and Conservation/Hazard Land (P5, 932) Zone. Development shall occur in accordance with the regulations of the

respective zones, which prohibits development within the Conservation/Hazard Land (P5, 932) Zone.

- b) Purchasers / tenants are advised that Lots 1 through 17 on the Draft Plan of Subdivision, in Appendix C attached to Report PED25036, have rear yard restrictions that will limit the potential for the development of accessory structures, such as pools, sheds and buildings.
  - c) Purchasers / tenants are advised that to ensure the City of Hamilton's Urban Forestry Strategy is achieved, all pools, sheds and accessory structures that would require a building permit are prohibited in the portion of the rear yards zoned Conservation/Hazard Land (P5, 932) Zone, as identified in Appendix A attached to Report PED25036.
  - d) Purchasers / tenants are advised that there is an approved grading plan and that the purchasers / tenants agree not to alter the approved grading plan without approval from the City of Hamilton.
  - e) Purchasers / tenants are advised that trees are regulated under the Urban Woodland Conservation By-law (By-law No. 14-212) and the Town of Ancaster By-law (By-law No. 2000-118). There is to be no tree removal without written consent from the City of Hamilton.
57. That, **prior to registration of the plan of subdivision**, the owner agrees to include the following warning clauses in all purchase and sale and / or lease agreements, and registered on title, to the satisfaction of the Director of Planning and Chief Planner:
- a) Purchasers / tenants will be provided a Stewardship Brochure that describes the importance of the adjacent Significant Woodland as well as surrounding trees and how the resident can minimize their impact on this feature.
58. That, **prior to registration of the plan of subdivision**, the owner agrees to provide a Letter of Credit or Surety Bond for the replacement and relocation of trees, in accordance with the approved Landscape Plan, prepared by a certified Landscape Architect, to the satisfaction of the Director of Environmental Services and Director of Growth Management:
- a) To provide cost estimates for 100% of the total cost of all tree relocation and replacement to be done by the Owner. Such cost estimates shall be in a form satisfactory to the Director of Environmental Services; or be prepared in accordance with the Guides for estimating security requirements for landscaping and engineering.

- b) Calculate the lump sum payment for all tree relocation and replacement using the City's Letter of Credit Policy or Surety Bond Policy.
- c) To provide an irrevocable Letter of Credit or Surety Bond to the Director of Growth Management for 75% of the total cost of all tree relocation and replacement in a form satisfactory to Finance (Development Officer, Budget, Taxation and Policy) to be held by the City as security for the completion of the tree relocation and replacement.

Alternatively, the owner may choose to provide a lump sum payment for on-site works in accordance with 57. b) above.

- d) The Letter of Credit or Surety Bond shall be kept in force until the completion of the required tree relocation and replacement in conformity with the approved design and requirements, securities may be reduced in accordance with the City's Letter of Credit Policy or Surety Bond Policy. If the Letter of Credit or Surety Bond is about to expire without renewal thereof and the works have not been completed in conformity with their approved designs, the City may draw all of the funds so secured and hold them as security to guarantee completion unless the City Solicitor is provided with a renewal of the Letter of Credit or Surety Bond forthwith.
- e) In the event that the Owner fails to complete, the required tree relocation and replacement in conformity with its approved design within the time required, then it is agreed by the Owner that the City, its employees, agents or contractors may, at the City's sole option and in addition to any other remedies that the City may have, enter on the lands and so complete the required site development works to the extent of monies received under the Letter of Credit or Surety Bond. The cost of completion of such works shall be deducted from the monies obtained from the Letter of Credit or Surety Bond. In the event that there is a surplus, the City shall pay it forthwith to the Owner. In the event that there are required site development works remaining to be completed, the City may exercise its authority under (Section 446 of the *Municipal Act*) to have such works completed and to recover the expense incurred in doing so in like manner as municipal taxes.

### Urban Forestry

- 59. That, **prior to preliminary grading**, the owner shall submit a revised Tree Management Plan which addresses potential conflicts with City owned trees, to the satisfaction of the Director of Environmental Services.
- 60. That, **prior to preliminary grading**, the owner shall submit any applicable fees for any municipal trees related to the subdivision, to the satisfaction of the Director of Environmental Services.

61. That, **prior to preliminary grading**, the owner shall submit a revised Landscape Plan illustrating the street tree planting scheme (one tree per lot, three trees per corner lot) and the stormwater management block (Block 18), to the satisfaction of the Director of Environmental Services.

### **Ministry of Transportation**

62. That, **prior to final approval**, the owner shall submit for review and approval a stormwater management report indicating the intended treatment of the calculated runoff, to the satisfaction of the Ministry of Transportation.
63. That, **prior to final approval**, the owner shall submit for review and approval, detailed grading, servicing, and internal road construction plans, to the satisfaction of the Ministry of Transportation.

### **Bell Canada**

64. That, **prior to registration of the plan of subdivision**, the owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the owner shall be responsible for the relocation of any such facilities or easements at their own cost, to the satisfaction of Bell Canada.

### **Canada Post**

65. That, **prior to registration of the final plan of subdivision**, the owner shall include in all offers of purchase and sale and/or lease or rental agreements, a statement that advises the prospective purchaser, to the satisfaction of Canada Post:
- a) that the home/ business mail delivery will be from a designated Centralized Mail Box; and,
  - b) that the owner be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
66. That, **prior to registration of the final plan of subdivision**, the owner agrees to complete the following, to the satisfaction of Canada Post:
- c) work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision;

- d) install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes;
- e) identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision;
- f) determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans; and,
- g) maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.

### **Enbridge Gas Inc.**

67. That, **prior to registration of the final plan of subdivision**, the owner agrees to provide Enbridge Gas Inc. with necessary easements and/or agreements required for the provision of gas services, to the satisfaction of Enbridge Gas Inc.

### **NOTES TO DRAFT PLAN APPROVAL**

1. Pursuant to Section 51 (32) of the *Planning Act*, draft approval shall lapse if the plan is not given final approval within 3 years. However, extensions will be considered if a written request is received two months before the draft approval lapses.
2. Stormwater Management Reports must adhere to accepted Ministry policies/standards and must be signed and stamped by the Drainage Engineer. Stormwater submissions must be provided in paper and electronic form (thumb drive).
3. Any identified highway improvements will require the owner to enter into a legal agreement with Ministry of Transportation whereby the owner agrees to assume financial responsibility for all necessary associated highway improvements.
4. Clearance of Ministry of Transportation Conditions

The contact for all Ministry conditions of approval, including the submission and approval of all required reports, plans, and agreements, etc. is:

Mr. Ted Lagakos  
Senior Project Manager  
Highway Corridor Management Section – Central Operations  
Ministry of Transportation  
7th Floor, Building D, 159 Sir William Hearst

Downsview, ON, M3M 0B7  
Phone No: (416) 235-3593  
Email: [ted.lagakos@ontario.ca](mailto:ted.lagakos@ontario.ca)

At this time, all ministry submissions should be provided in electronic form. Please make the applicant aware that the Ministry does not clear individual conditions. The ministry issues a single "Clearance Letter" once all plan conditions have been addressed to our satisfaction.

5. Ministry of Transportation Building and Land Use permits will be required for individual building lots within 395 metres from the centre point of Highway 403 and Hamilton Drive and 45 metres from all ministry property limits. Ministry permits are required prior to any on site grading being undertaken. Sign permits are required for signing within 400 metres of Highway 403.

Permit inquiries may be directed to:

Ms. Alexandra Boucetta  
Corridor Management Officer  
Phone No: (416) 235-3883  
Email: [alexandra.boucetta@ontario.ca](mailto:alexandra.boucetta@ontario.ca)

Highway Corridor Management System (HCMS)  
<https://www.hcms.mto.gov.on.ca/>

6. This property is eligible for municipal waste collection service subject to meeting the City's requirements indicated by the Public Works Department and subject to compliance with the City's Solid Waste Management By-law No. 09-067, as amended.

The property owner must contact the City by email [wastemanagement@hamilton.ca](mailto:wastemanagement@hamilton.ca) or by telephone 905-546-CITY (2489) to request waste collection service. Waste Management staff will complete a site visit to determine if the property complies with the City's waste collection requirements.

## Historical Background

<b>Application Details</b>	
Owner:	Lux 387 M.D. Holdings Inc, Lux 397 M.D. Holdings Inc, Lux 405 M.D. Holdings Inc, Lux 409 M.D. Holdings Inc, c/o Hamid Hakimi
Applicant:	Weston Consulting (c/o Martin Quarcoopome).
File Number:	ZAC-18-048 and 25T-201809.
Type of Applications:	Zoning By-law Amendment and Draft Plan of Subdivision.
Proposal:	<p>The purpose of the Zoning By-law Amendment and Draft Plan of Subdivision applications are to facilitate the development of a subdivision containing 17 lots for single detached dwellings, one stormwater management facility and the extension of an existing municipal road, Braithwaite Avenue.</p> <p>The applicant is proposing a change in zoning from Agricultural “A-216” Zone, Modified, to a site specific Low Density Residential (R1) Zone, Open Space (P4) Zone and Conservation/Hazard Land (P5) Zone.</p>
<b>Property Details</b>	
Municipal Address:	387, 397, 405 and 409 Hamilton Drive (see Location Map on Appendix A attached to Report PED25036).
Lot Area:	2.2 ha.
Servicing:	Municipal services.
Existing Use:	Vacant residential.
<b>Documents</b>	
Provincial Planning Statement:	The proposal is consistent with the Provincial Planning Statement (2024).
Official Plan Existing:	“Neighbourhoods” on Schedule E-1 Urban Land Use Designations.
Secondary Plan Existing:	“Low Density Residential 1” on Shaver Neighbourhood Land Use Plan Map B.2.2-1.
Zoning Existing:	Agricultural “A-216” Zone, Modified.

Zoning Proposed:	A site specific Low Density Residential (R1, 930) Zone, Open Space (P4, 931) Zone and Conservation/Hazard Land (P5, 932) Zone.
Modifications Proposed:	<p>The following modifications are proposed to the Low Density Residential (R1) Zone in Zoning By-law No. 05-200:</p> <ul style="list-style-type: none"> <li>• To reduce the minimum lot width from 12.0 metres to 10.5 metres;</li> <li>• To reduce the minimum setback from a flankage lot line from 3.0 metres to 1.2 metres; and,</li> <li>• To reduce the minimum setback from a rear lot line from 7.5 metres to 7.0 metres.</li> </ul> <p>The following modifications are proposed to the Open Space (P4) Zone in Zoning By-law No. 05-200:</p> <ul style="list-style-type: none"> <li>• To restrict the permitted uses to a stormwater management facility.</li> </ul> <p>The following modifications are proposed to the Conservation/Hazard Land (P5) Zone in Zoning By-law No. 05-200:</p> <ul style="list-style-type: none"> <li>• To restrict the permitted uses to a retaining wall.</li> </ul>
<b>Processing Details</b>	
Received:	September 7, 2018.
Deemed Complete:	September 28, 2018.
Notice of Complete Application:	Sent to 85 property owners within 120 metres of the subject property on October 12, 2018.
Public Notice Sign:	Posted October 20, 2018, updated on February 27, 2025.
Notice of Public Meeting:	Sent to 85 property owners within 120 metres of the subject property on March 7, 2025.
Staff and Agency Comments:	Staff and agency comments have been summarized in Appendix H attached to Report PED25036.

Public Consultation:	A public open house was held on June 27, 2018, at Bishop Tonnos Catholic Secondary School between 5:00 pm and 7:30 pm and 78 notices were circulated. Comments received included members of the public supporting the development in principle, however, expressing concerns with the loss of trees on the subject lands, increased traffic, the inability to monitor the neighbourhood through programs such as Neighbourhood Watch, increased noise, increased congestion, loss of parking for visitors and safety concerns for children with the increased traffic flow. Additionally, some residents noted concerns with the extension of Braithwaite Avenue as they had anticipated that the street would always terminate in a cul-de-sac.
Public Comments:	To date, staff received nine pieces of correspondence from the public and the comments have been summarized in Appendix I attached to Report PED25036.
Processing Time:	2,048 days, 264 days from last submission.

## SUMMARY OF POLICY REVIEW

The following policies, amongst others, apply to the proposal.

<b>Provincial Planning Statement (2024)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Planning for People and Homes</b>  Policy 2.1.6	Planning authorities should support the achievement of complete communities by accommodating an appropriate range and mix of land uses, housing options, transportation options, recreation, parks, open spaces, and other uses to meet the long term needs of the community. In addition, improving accessibility for people of all ages and abilities by addressing land use barriers to ensure social equity and overall quality of life for people of all ages is achieved.	The development will provide 17 lots for single detached dwellings, a stormwater management facility and extend Braithwaite Avenue to Hamilton Drive. The residential lots will contribute to the housing options in Ancaster, and the extension of Braithwaite Avenue improves the transportation network by providing an opportunity for residents to walk and cycle to Hamilton Drive.  The proposal complies with this policy.
<b>Settlement Areas</b>  Policy 2.3.1.1	Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.	The subject lands are located within the urban boundary, where the focus is to accommodate growth and development.  The proposal complies with this policy.
<b>Settlement Areas</b>  Policy 2.3.1.2	Land use patterns within settlement areas should be based on densities and a mix of land uses which efficiently use land and resources, optimize existing and planned infrastructure and public service facilities, support active transportation, are transit-supportive, as appropriate.	The development will provide 17 residential lots, a stormwater management facility, and the extension of Braithwaite Avenue to Hamilton Drive. The residential lots will contribute to the housing options in Ancaster, and the extension of Braithwaite Avenue supports active transportation options.  The proposal complies with this policy.

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Transportation and Infrastructure Corridors</b></p> <p>Policy 3.3.1</p>	<p>Planning authorities shall plan for and protect corridors and rights-of-way for infrastructure, including transportation, transit, and electricity generation facilities and transmission systems to meet current and projected needs.</p> <p>Major goods movement facilities and corridors means transportation facilities, corridors and networks associated with the inter- and intra-provincial movement of goods. Examples include inter-modal facilities, ports, airports, rail facilities, truck terminals, freight corridors, freight facilities, and haul routes, primary transportation corridors used for the movement of goods and those identified in provincial transportation plans. Approaches that are freight-supportive may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives.</p>	<p>The proposed development is adjacent to Highway 403, which is regulated by the Ministry of Transportation.</p> <p>A noise barrier and mandatory 14 metre setback required by the Ministry of Transportation have been accommodated in the proposed design to ensure that the major goods movement corridor is protected. In addition, the Conservation/Hazard Land (P5) Zone has been applied along the northern property line of the subject lands to ensure there is a buffer between the proposed residential uses and Highway 403, ranging from 19 metres and 25 metres.</p> <p>The proposal complies with this policy.</p>
<p><b>Natural Heritage</b></p> <p>Policies 4.1.1 and 4.1.7</p>	<p>Natural features and areas shall be protected for the long term.</p> <p>Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.</p>	<p>The subject lands include a large, wooded area and is adjacent to a Core Area (significant woodland). Recognizing that this feature is part of the broader landscape for the area, it was staked in consultation with the City in 2014 and reevaluated in 2018. The applications included the submission of an Environmental Impact Statement and Tree Protection Plan. Several measures to mitigate the impacts have been considered and staff are recommending a number of conditions to ensure that Provincial Environmental Acts are adhered</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Natural Heritage</b></p> <p>Policies 4.1.1 and 4.1.7 (continued)</p>		<p>to, that trees are transplanted successfully, that a revised Tree Protection Plan is prepared, a Butternut Health Assessment be completed, that a revised Landscape Plan showing the placement and compensation of the trees be provided, and that the applicant provide cash in lieu for any compensation of trees that cannot be planted. A full list of recommended conditions can be found in Appendix D attached to Report PED25036.</p> <p>The proposal complies with these policies.</p>
<b>Urban Hamilton Official Plan</b>		
Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Urban Design Goals</b></p> <p>Policies B.3.3.1.3, B.3.3.1.4 and B.3.3.1.5</p>	<p>Create pedestrian oriented places that are safe, accessible, connected, and easy to navigate for people of all abilities.</p> <p>Create communities that are transit-supportive and promote active transportation.</p> <p>Ensure that new development is compatible with and enhances the character of the existing environment and locale.</p>	<p>As noted above, the draft plan of subdivision application includes the extension of Braithwaite Avenue to facilitate the development of 17 lots for single detached dwellings. The road extension promotes active transportation as it provides a connection to the broader network through Hamilton Drive. The proposal is compatible with the built form of the existing neighbourhood. Staff have recommended conditions of Draft Plan Approval that ensure trees are compensated for, and planted, within the proposed Conservation/Hazard Land (P5) Zone. A full list of recommended conditions is in Appendix D attached to Report PED25036.</p> <p>The proposal complies with these policies.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Noise</b></p> <p>Policies B.3.6.3.1, 3.6.3.2, 3.6.3.3 and 3.6.3.4</p>	<p>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.</p> <p>Where feasible and in compliance with other policies, the City shall ensure that land use arrangements which minimize the impact of noise and vibration be considered in the implementation of planning mechanisms such as zoning by-law amendments and draft plans of subdivision.</p> <p>Where noise or vibration attenuation measures are required, for both outdoor and indoor spaces, the following may be considered:</p> <ul style="list-style-type: none"> <li>• sound-proofing measures, construction techniques, and materials; and,</li> </ul> <p>acoustical barriers such as berms, living walls, walls, favourable topographic features, or other intervening structures, where appropriate and according to all other policies.</p>	<p>S. Llewellyn &amp; Associated Limited has prepared a Noise Impact Report titled “387-409 Hamilton Drive, City of Hamilton” dated November 2020, revised November 2022, for the proposed development.</p> <p>Lots 1 through 17 will require the installation of a heating system including central air conditioning to allow residents to leave exterior doors and windows closed. Additionally, Warning Clauses will be required to be included in all purchase and sale agreements in accordance with the Noise Impact Report prepared by S. Llewellyn &amp; Associates Limited. The warning clauses have been included as Special Condition Nos. 54 and 55 in Appendix D attached to Report PED25036.</p> <p>A proposed berm shall be constructed adjacent to the Ministry of Transportation setback in the rear yards of Lots 1 through 11. The proposed berm will provide noise attenuation and shall be constructed with a maximum 3 to 1 slope, internal to the lot, and a maximum of 2 to 1 slope within the Ministry of Transportation setback and will be designed in accordance with the Preliminary Grading Plan prepared by S. Llewellyn &amp; Associates Limited.</p> <p>A 3.0 metre to 4.5 metre high noise attenuation barrier shall be constructed on the proposed berm offset 0.50 metres from the Ministry of Transportation setback internal to the lot and in the rear yards of Lots 1 through 11. The existing noise attenuation barrier along the east property line (proposed east return of the barrier) is to be modified/replaced to increase the height of the existing wall to 4.5 metres above the ground. The noise</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Noise</b></p> <p>Policies B.3.6.3.1, 3.6.3.2, 3.6.3.3 and 3.6.3.4</p> <p><b>(continued)</b></p>		<p>attenuation barrier also includes a return along the west property line limits. Noise barriers are to be constructed without gaps or spaces and shall be of a Ministry of Transportation approved material with a surface density of 20 kg/m<sup>2</sup>.</p> <p>Staff have confirmed that the noise barrier details have been shown on the appropriate plans, including the Preliminary Grading Plan DWG No. C-101 and special Condition Nos. 52 through 55 have been included in Appendix D attached to Report PED25036.</p> <p>The proposal complies with these policies.</p>
<p><b>Core Areas</b></p> <p>Policies C.2.2.4 and C.2.2.8</p>	<p>Notwithstanding the designations on Schedule E-1 - Urban Land Use Designations, the policies of this Plan shall apply to Core Areas not currently identified on Schedule B - Natural Heritage System and Schedules B-1 to B-8 - Detailed Natural Heritage Features. Additional Core Areas may be mapped and identified, or Core Area boundaries may be refined subject to the submission and review of studies, including, but not limited to an Environmental Impact Statements, watershed or subwatershed study, natural areas inventories, or Environmental Assessments. An amendment to the Official Plan may be required to recognize a new Core Area.</p>	<p>The subject lands include a large, wooded area and is adjacent to a Core Area (significant woodland). The application included the submission of an Environmental Impact Statement and Tree Protection Plan. To accommodate the extension of Braithwaite Avenue, the building envelope of the proposed single detached dwellings and stormwater management facility as well as the necessary grading and servicing easement, 683 trees are proposed to be removed. The applicant has proposed to retain 125 trees and plant 157 trees on site. In addition, cash in lieu for tree compensation will be provided.</p> <p>Special Condition Nos. 43, 44, 47, 48, 49, 50 and 51 have been included to ensure that provincial environmental <i>Acts</i> are adhered to, that trees are transplanted successfully, that a revised Tree Protection Plan is prepared, a Bitternut Health Assessment be completed, that a revised Landscape Plan showing the placement</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Core Areas</b></p> <p>Policies C.2.2.4 and C.2.2.8</p> <p><b>(continued)</b></p>	<p>All natural features required vegetation protection zones, and enhancement or restoration areas on a property shall be placed under appropriate zoning in the zoning by-law and/or protected through a conservation easement to the satisfaction of the City or the relevant Conservation Authority or deeded to a public authority. Acquisition by a public body may also be considered as an option for protecting natural features and functions.</p>	<p>and compensation of the trees be provided, that the applicant provide cash in lieu for any compensation of trees that cannot be planted, and that the owner investigate the feasibility of including bat boxes. A full list of recommended conditions is in Appendix D attached to Report PED25036.</p> <p>To ensure that a vegetation protection zone is included around the development, the Zoning By-law Amendment has incorporated a Conservation/Hazard Land (P5) Zone. The site specific zone only permits a retaining wall within the zone and provides an opportunity for tree compensation.</p> <p>The proposal complies with these policies.</p>
<p><b>Trees</b></p> <p>Policy C.2.11.1</p>	<p>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.</p>	<p>The City recognizes the importance of trees to the health and quality of life in the community (i.e., canopy cover, energy conservation, mental health benefits) and encourages the protection and restoration of trees.</p> <p>A Tree Protection Plan was prepared by GeoProcess Research Associates, dated July 10, 2024. A total of 808 trees have been inventoried. To accommodate the extension of Braithwaite Avenue, the building envelope of the proposed single detached dwellings and stormwater management facility as well as the necessary grading and servicing easement, 683 trees are proposed to be removed. The applicant has proposed to retain 125 trees and plant 157 trees on site. Cash-in-lieu will be provided for the remaining 526 trees.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Trees</b></p> <p>Policy C.2.11.1 (continued)</p>		<p>In addition, staff have required that warning clauses be applied to all purchase and sale agreements to inform residents of the development restrictions, tree protection and limitations to altering the grading that apply to Lots 1 through 17 on the draft plan of subdivision contained in Appendix C attached to Report PED25036.</p> <p>Special Condition Nos. 49, 51, 56, 57 and 58 have been included to ensure the above noted items are secured and a full list of special conditions is contained in Appendix D attached to Report PED25036.</p> <p>The proposal complies with this policy.</p>
<p><b>Local Roads</b></p> <p>Policy C.4.5.2 f)</p>	<p>The primary function of a local road shall be to provide direct land accesses. The secondary function shall be to enable the movement of low volumes of traffic to collector roads. Sidewalks should be provided on both sides of the street.</p>	<p>The proposed subdivision includes the extension of Braithwaite Avenue to Hamilton Drive, which is identified as a collector road on Schedule C – Functional Road Classification. The Braithwaite Avenue extension includes sidewalks on both sides of the street.</p> <p>Special Condition Nos. 7, 31 and 39 have been included to ensure the above noted items are secured through the Plan of Subdivision application and a full list of special conditions is contained in Appendix D attached to Report PED25036.</p> <p>The proposal complies with this policy.</p>
<p><b>Infrastructure</b></p> <p>Policy C.5.3.6</p>	<p>All new development and redevelopment within the urban area shall be connected to the City's water and wastewater system.</p>	<p>Development Engineering staff have reviewed the Functional Servicing Report and Stormwater Management Report and are satisfied that the existing municipal sanitary and water system can support the proposed</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<b>Infrastructure</b>  Policy C.5.3.6 <b>(continued)</b>		<p>development, subject to Special Condition Nos. 2, 10, 21, 23, 24, 25, 26, 30, 34, 35, 36 and 38 contained in Appendix D attached to Report PED25036 being satisfied.</p> <p>The proposal complies with this policy.</p>
<b>Infrastructure</b>  Policies C.5.3.13, C.5.3.17 and C.5.4.3	<p>The City shall ensure that any change in density can be accommodated within the municipal water and wastewater system and that investments into the system will support the achievement of the intensification and density targets.</p> <p>The City shall be satisfied that adequate infrastructure services can be provided prior to any development or intensification proceeding.</p> <p>A detailed stormwater management plan prior to development is required to address on site drainage and to ensure that new development has no negative impact on offsite drainage.</p>	<p>Development Engineering staff have reviewed the Functional Servicing Report and Stormwater Management Report in support of the proposed development. Staff have confirmed the proposal can be supported by the municipal infrastructure, subject to Special Condition Nos. 2, 10, 21, 23, 24, 25, 26, 30, 34, 35, 36 and 38 contained in Appendix D attached to Report PED25036 being satisfied.</p> <p>The proposal complies with these policies.</p>
<b>Residential Greenfield Design</b>  Policies E.3.7.1, E.3.7.5, E.3.7.7	<p>New greenfield communities shall be designed with unique and cohesive character. Buildings, streetscapes, street patterns, landscaping and infrastructure shall be designed to contribute to this character.</p> <p>New residential development in greenfield areas shall generally be designed and planned to minimize changes to the existing topography and preserve existing trees as</p>	<p>The subject lands are within the urban boundary but are not identified as being within the built up area and therefore, considered greenfield development.</p> <p>In review, the proposed development will extend an existing local road (Braithwaite Avenue) providing a connection to a collector road (Hamilton Drive), contributing to the completion of the street pattern in the Shaver Neighbourhood. Street trees will be planted along the Braithwaite Avenue extension and along Hamilton</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Residential Greenfield Design</b></p> <p>Policies E.3.7.1, E.3.7.5, E.3.7.7</p> <p><b>(continued)</b></p>	<p>well as natural features.</p> <p>Prior to registration of a plan of subdivision, the City may require that the owner to prepare urban design and/or architectural guidelines to the satisfaction of the City. The City may undertake architectural control to ensure compliance with the approved urban design or architectural guidelines.</p>	<p>Drive, adjacent to the subdivision. This will contribute to the cohesive character of the neighbourhood by maintaining the existing streetscape along Braithwaite Avenue. In addition, the development will result in the urbanization of Hamilton Drive, incorporating sidewalks, which will improve connectivity and improve conditions for pedestrians in the area.</p> <p>The proposed subdivision requires the inclusion of a retaining wall along Lots 1 through 11 to ensure that appropriate grading can be accommodated throughout the subdivision to meet the requirements for residential uses adjacent to provincial highways. As there are setback and noise requirements, a berm, retaining wall and noise barriers are required to ensure that the requirements of the Ministry of Transportation and the Ministry of the Environment, Conservation and Parks are satisfied. The berm will also provide an opportunity for tree planting and compensation.</p> <p>Condition No. 41 of Draft Plan Approval has been included which requires that the owner prepare Urban Design Guidelines and an Architectural Control Strategy for the subdivision. A full list of conditions is contained in Appendix D attached to Report PED25036.</p> <p>The proposal complies with these policies.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Implementation – Plan of Subdivision</b></p> <p>Policies F.1.14.1.1 and F.1.14.1.2</p>	<p>The development of lands may require subdivision of existing lots or tracts of land and shall be evaluated on a number of criteria including review of land use policy, integration with adjacent lands, staging of development, provision of adequate services, no adverse impact on the transportation systems and the natural environment, and not adversely impacting municipal finances.</p> <p>New road or an extension to an existing road or it is deemed in the public interest for the proper and orderly development of lands.</p> <p>Council shall approve plans of subdivision that conform to the policies and land use designations of the Official Plan, implements the City’s staging of development program, can be supplied with adequate services and community facilities, not adversely impact the transportation system and natural environment, the plan of subdivision can be integrated with adjacent lands and roadways and will not adversely impact municipal finances.</p>	<p>The subject lands are within the urban boundary. The proposed Draft Plan of Subdivision contained in Appendix C attached to Report PED25036, consists of 17 lots for single detached dwellings (Lots 1 – 17), one block for stormwater management purposes (Block 18), and the extension of the existing public right-of-way (Braithwaite Avenue).</p> <p>The proposal represents a logical and orderly development of the lands. The site can be serviced using existing and planned infrastructure and will not adversely impact the transportation system and the natural environment, subject to the mitigation measures proposed Draft Plan conditions. In addition, it will not adversely impact municipal finances, and meets all requirements of the <i>Planning Act</i>.</p> <p>The proposal complies with these policies.</p>

<b>Shaver Neighbourhood Secondary Plan – Volume 2 – Low Density Residential 1</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>General Policies</b>  Policy B.1.1	The policies of Volume 1 and 3 shall apply to all secondary plans unless otherwise specified in the policies of this Volume. Where a discrepancy between the policies and/or designations exists, the policies and designations of the secondary plan shall prevail.	The subject lands are within the Shaver Neighbourhood Secondary Plan and are identified as “Low Density Residential 1”. The lands are not identified as a “Core Area” within the Secondary Plan.  The proposal complies with this policy.
<b>General Policies</b>  Policy B.1.5 a)	Notwithstanding policies B.1.2, B.1.5, and the policies contained in Sections B.2.0 to B.7, and Volume 1 Policy F.1.2.2, for all lands designated “Low Density Residential 1” the policies E.3.4.3, E.3.4.4 and E.3.4.5 of Volume 1 shall apply for the purposes of permitted density ranges, built form, and height. (OPA 202)	Official Plan Amendment 202 notwithstanding the more restrictive policies within the Shaver Neighbourhood Secondary Plan that requires a minimum lot width of 10.7 metres and a maximum density of 20 dwelling units per gross/net residential hectare.  The proposal complies with this policy.
<b>General Policies</b>  Policy B.1.8	The location of roads on secondary plan maps are considered approximate and minor adjustments to the location of roads shall not require an amendment to a secondary plan provided the intent of its policies is maintained.	The proposed extension of Braithwaite Avenue is not illustrated on Map B.2.2-1 of the Shaver Neighbourhood Secondary Plan; however, the proposed road is considered a minor adjustment as it is a logical connection to Hamilton Drive. The proposed extension meets the intent of providing a transportation network that supports active transportation and connectivity. In addition, Braithwaite Avenue was always intended to extend to Hamilton Drive as illustrated in the former Town of Ancaster Official Plan, which is contained as Appendix J attached to Report PED25036.  The proposal complies with this policy.

**Site Specific Modifications to the Low Density Residential (R1) Zone in Zoning By-law No. 05-200.**

<b>Regulation</b>	<b>Required</b>	<b>Modification</b>	<b>Analysis</b>
Section 15.1.2.1 b) – Minimum Lot Width	12.0 metres.	10.5 metres.	<p>The applicant is requesting to reduce the minimum lot width from 12.0 metres to 10.5 metres. The reduced lot width will provide for a more cohesive streetscape and will maintain the character of the surrounding area. The modification is considered minor.</p> <p>Staff support this modification.</p>
Section 15.2.2.1 e) – Minimum Setback from a Flankage Lot Line	3.0 metres	1.2 metres	<p>The applicant is requesting to reduce the flankage setback requirement from 3.0 metres to 1.2 metres to facilitate a larger building envelope as the proposed lots abut the Conservation/Hazard Land (P5) Zone, which provides a large buffer between the proposed building envelope and Hamilton Drive.</p> <p>Staff support the modification as there is a sufficient buffer between the sidewalk and the building footprint to allow for a tree to grow to its full size. Condition No. 58 in Appendix D requires that the owner provide a revised landscaping plan illustrating the street tree planting plan.</p> <p>Staff support this modification.</p>
Section 15.2.2.1 f) – Minimum Setback from a Rear Lot Line	7.5 metres	7.0 metres	<p>The applicant is requesting to reduce the rear yard setback from 7.5 metres to 7.0 metres to accommodate the proposed building envelope of two lots. The requested reduced rear yard of 7.0 metres will provide adequate amenity space for the residential dwelling. Staff are of the opinion that the proposed modification is minor and consistent with the character of the existing residential neighbourhood. It should be noted that the Ministry of Transportation requested that a 14.0 metre buffer be included in the Zoning By-law Amendment. Section 4.23 a) of Zoning By-law No. 05-200 currently requires a 14.0 metre buffer from Highway 403, therefore a site specific provision has not been included in the draft Zoning By-law Amendment.</p> <p>Staff support this modification.</p>

**Site Specific Modifications to the Open Space (P4) Zone in Zoning By-law No. 05-200.**

Regulation	Required	Modification	Analysis
Section 7.4.1) – Permitted Uses	Botanical Gardens Cemetery Community Garden Conservation Golf Course (excluding mini golf) Nature Centres Marina Recreation Seasonal Campground Urban Farm	Stormwater management facilities.	To facilitate the proposed residential subdivision, a stormwater management facility is required. The applicant has suggested that the Open Space (P4) Zone be applied to the portion of the subject lands proposed to accommodate the stormwater management facility. Staff are supportive of the proposal and is limiting the permitted uses to solely a stormwater management facility. The frontage along the stormwater management pond will accommodate a number of street trees which will buffer the stormwater management pond from the residential uses proposed along the north side of the Braithwaite Avenue extension.  Staff support this modification.

#### Site Specific Modifications to the Conservation/Hazard Land (P5) Zone in Zoning By-law No. 05-200.

Regulation	Required	Modification	Analysis
Section 7.4.1) – Permitted Uses	Conservation Flood and Erosion Control Facilities Recreation, Passive	In addition to the uses, a Retaining Wall.	To facilitate the proposed residential subdivision and recognize the importance of trees and woodlands to the health and quality of life in our community, staff proposed the inclusion of the Conservation/Hazard Land (P5) Zone around the exterior of the subject lands to ensure there is an opportunity for the applicant to plant replacement trees in the area. Due to the topography of the subject lands and requirement for a noise wall, the construction of a retaining wall is required. Staff are supportive of a retaining wall within the Conservation/Hazard Land (P5) Zone to ensure that the grading within the subdivision is sufficient to accommodate the proposed residential development and proposed tree compensation along the exterior of the subject lands.  Staff support this modification.

**CONSULTATION – DEPARTMENTS AND AGENCIES**

Department/Agency	Comment	Staff Response
<ul style="list-style-type: none"> <li>• Commercial District and Small Business Section, Economic Development Division, Planning and Economic Development Department;</li> <li>• Hydro One; and,</li> <li>• Hamilton Conservation Authority.</li> </ul>	No comment.	Noted.
Development Engineering Section, Growth Management Division, Planning and Economic Development Department.	<p>Development Engineering is in support of the approval of the submitted Zoning By-law Amendment and Draft Plan of Subdivision applications, subject to the proposed Special Conditions, which will address any remaining technical comments related to the water, wastewater, and stormwater servicing of the proposed development. The proponent has demonstrated a functionally adequate stormwater management proposal and has also demonstrated that the existing municipal sanitary and water systems can support the proposed development.</p> <p>The Owner shall pay 100% of the total cost of the road urbanization of Hamilton Drive fronting the subject site (North and South of the intersection) to Hamilton Drive bend (up to MH20) including the installation of the storm sewer from MH17-MH20 as per the Preliminary Servicing Plan 1 of 2. The City will be responsible for 100% of the cost of the road urbanization from the existing terminus (445 Hamilton Drive) to the east of Hamilton Drive bend up to MH20 (East and West of the intersection), including the installation of the storm sewer from MH18-MH20.</p>	<p>Noted.</p> <p>The required materials and revisions are being addressed through the recommended conditions of Draft Plan approval. Please refer to Special Condition Nos. 1, 2, 10 through 30 and 32 through 39 in Appendix D attached to Report PED25036.</p>

Department/Agency	Comment	Staff Response
<p>Development Engineering Section, Growth Management Division, Planning and Economic Development Department.</p> <p><b>(continued)</b></p>	<p>The City will pay 50% of the total cost of the construction of the proposed storm sewer outlet within the easement (from MH20 to HW21.1). All the costs shall be included in Schedule F of the Subdivision Agreement.</p> <p>The owner must obtain a 9.0 metre wide easement for storm sewer outlet and overland flow route from Hamilton Drive to the existing watercourse at the south limit of the property 429 Hamilton Drive.</p>	
<p>Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department</p>	<p>Transportation Planning supports the proposed development. To protect the existing and future pedestrian realm, cycling infrastructure and road network, Transportation Planning shall require the following:</p> <ul style="list-style-type: none"> <li>• 1.5 metre clear width sidewalk shall be provided on both sides of all proposed municipal roads within the subject lands;</li> <li>• Approximately 3 metres is to be dedicated to the Hamilton Drive right-of-way;</li> <li>• The extension of Braithwaite Avenue shall be 20.0 metres wide, which is consistent with the existing roadway;</li> <li>• Daylighting triangles of 9.14 metres by 9.14 metres are to be dedicated to the City of Hamilton and shall be illustrated on the Draft Plan of Subdivision and all future plans;</li> <li>• A revised pavement marking, and signage drawing has not been provided and a stop sign is required on the approach of Braithwaite Avenue at the intersection to Hamilton Drive; and</li> <li>• Transportation Planning accepts the proposed parking plan as all parallel on-street parking stalls proposed meet the requirements of the City of Hamilton.</li> </ul>	<p>Noted. The requirements will be addressed through the recommended conditions of Draft Plan approval. Please refer to Special Condition Nos. 3 through 9 and 31 in Appendix D attached to Report PED25036.</p>

Department/Agency	Comment	Staff Response
Legislative Approvals, Growth Planning Section, Growth Management Division, Planning and Economic Development Department	<p>It should be determined who will be responsible to remove the turning circle at the westerly terminus of the existing Braithwaite Avenue in order to facilitate the proposed extension of Braithwaite Avenue i.e. the works and associated costs. Staff defer to Development Engineering Approvals for further comment.</p> <p>It should be determined if there are any implications arising from the adjacent Registered Plan of Subdivision, 62M-1002 (25T-96002), e.g. cost recoveries relating to the registered plan or any reserves to be lifted. It is noted that the subject lands are also adjacent to a defined area of cost recovery. Staff defer to Development Planning and / or Development Engineering Approvals for further comment.</p> <p>The owner and agent should be made aware that the addresses for this proposal will be determined through the Draft Plan of Subdivision process.</p>	<p>Noted.</p> <p>The applicant is responsible to work with Legislative Approvals to finalize municipal addressing. This is being addressed through a condition of Draft Plan Approval. Please refer to Special Condition No. 40 of Appendix D attached to Report PED25036.</p>
Forestry and Horticulture Section, Environmental Services Division, Public Works Department	A revised Landscape Plan be submitted and approved and shall include details surrounding the stormwater management facility block. Also, cash-in-lieu of street trees will be considered along the frontage of the stormwater management facility, however, the remainder of the development will be determined through the Subdivision Agreement.	<p>Noted.</p> <p>This is being addressed through conditions of Draft Plan Approval. Please refer to Special Condition Nos. 51 and 58 of Appendix D attached to Report PED25036.</p>
Waste Policy and Planning Section, Waste Management Division, Public Works Department	The residential dwellings can be serviceable for municipal waste collection if the requirements under the City of Hamilton Solid Waste Management By-law No. 20-221 are adhered to.	<p>Noted.</p> <p>The developer is responsible for all waste removal up until the time that municipal collection services are initiated. Note 6 has been included in Appendix D attached to Report PED25036.</p>

Department/Agency	Comment	Staff Response
Landscape Architectural Services, Strategic Planning Division, Public Works Department	Cash-in-lieu of parkland dedication will be requested at the building permit stage.	Noted.  The Cash-in-lieu payment will be required and addressed at the future Building Permit stage and a Draft Plan Condition confirming this requirement has been included.
Ministry of Transportation	<p>There is no objection in principle with the proposed rezoning and draft plan of subdivision applications. All above and below ground structures (including but not limited to, frontage roads, fire routes, stormwater management facilities [ponds/drainage channels], retaining walls and servicing/utilities) must be setback a minimum of 14.0 metres from all ministry property limits. Please ensure that the ministry's setback requirements are stipulated in the zoning by-law.</p> <p>Noise Attenuation features (e.g. earth berms) must be contained within the subject lands and setback a minimum of 0.3 metres from all Ministry property limits.</p> <p>Encroachment onto the highway right-of-way will not be permitted. MTO does not permit any lighting trespass onto the ministry's right-of-way. Direct access to ministry lands will not be permitted. All access to the subject site will be via the municipal road system.</p> <p>The Ministry has requested the following Conditions of Draft Plan approval:</p> <p>1. That prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval, a stormwater management report indicating the intended treatment of the calculated runoff.</p>	<p>Zoning By-law No. 05-200 contains General Provision 4.23 a) regarding setbacks from a provincial highway and requires that all buildings, structures, parking areas and stormwater management facilities not be located within 14 metres of the right-of-way.</p> <p>Noted. Special Condition Nos. 59 and 60 of Draft Plan approval have been incorporated in Appendix I attached to Report PED25036.</p> <p>In addition, staff have applied Notes 2 through 5 in Appendix D attached to Report PED25036 to convey the Ministry of Transportation's instructions regarding clearing the applicable conditions.</p>

Department/Agency	Comment	Staff Response
Ministry of Transportation (continued)	2. That prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval, detailed grading, servicing, and internal road construction plans.	
Bell Canada	<p>The following are to be included as a condition of approval:</p> <p>Bell Canada Condition(s) of Approval:</p> <ul style="list-style-type: none"> <li>• The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada; and,</li> <li>• The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.</li> </ul> <p>Upon receipt of this comment letter, the Owner is to provide Bell Canada with servicing plans/CUP at their earliest convenience to <a href="mailto:planninganddevelopment@bell.ca">planninganddevelopment@bell.ca</a> to confirm the provision of communication and telecommunication infrastructure needed to service the development. It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development.</p> <p>In the event that no such network infrastructure exists, in accordance with the <i>Bell Canada Act</i>, the Owner may be required to pay for the extension of such network infrastructure. If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.</p>	<p>Noted.</p> <p>Special Condition No. 64 of Draft Plan approval has been incorporated in Appendix D attached to Report PED25036.</p>

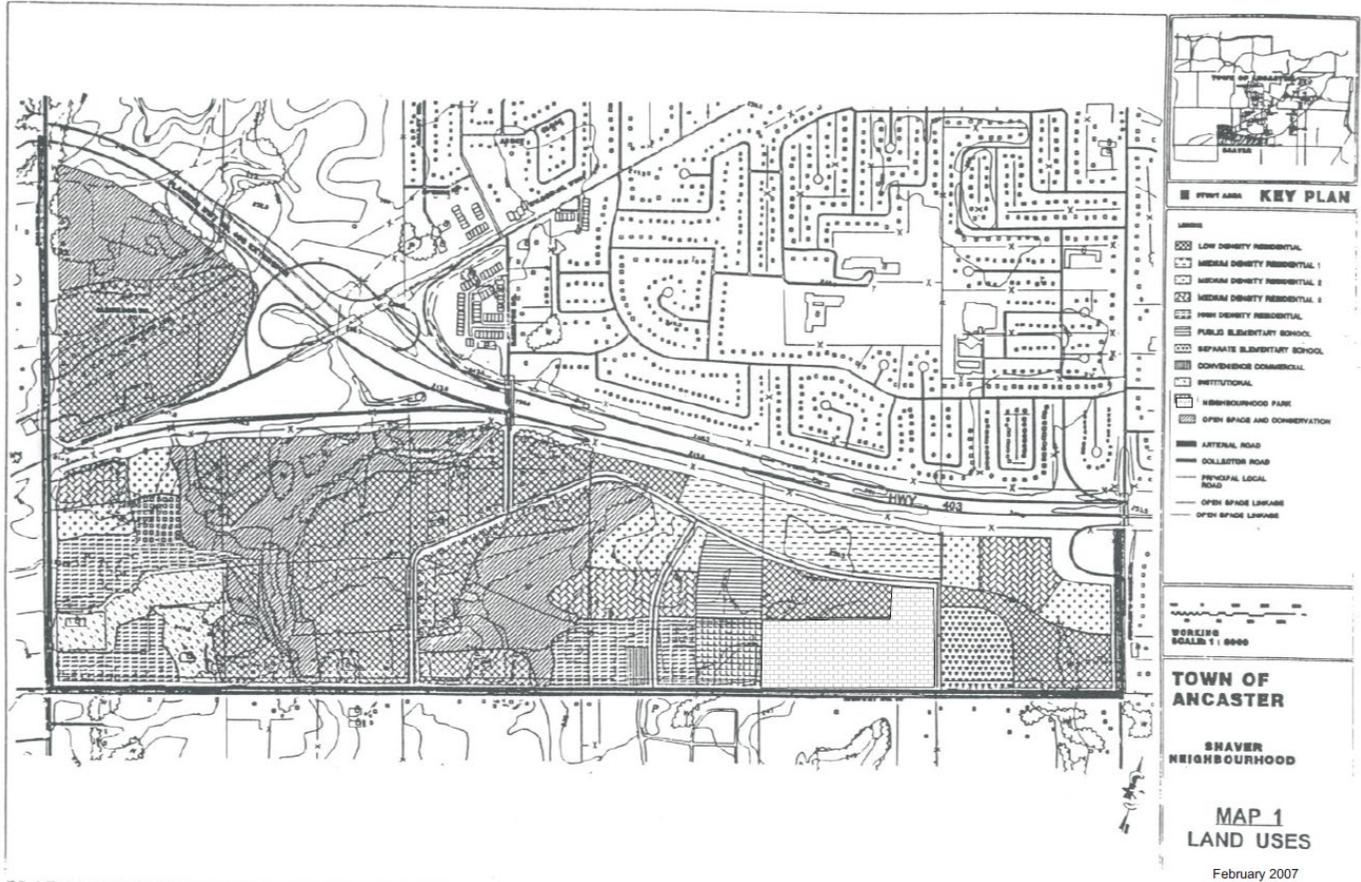
Department/Agency	Comment	Staff Response
Enbridge Gas	<p>Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions. This response does not signify an approval for the site/development.</p> <p>This response does not constitute a pipe locate, clearance for construction or availability of gas. The applicant shall use the 'Enbridge Gas Get Connected tool' to determine gas availability, service, and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping and/or asphalt paving.</p> <p>If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the applicant.</p> <p>In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas at no cost.</p> <p>The applicant will contact Enbridge Gas Customer Service prior to any site construction activities to determine if existing pipe facilities need to be relocated or abandoned.</p>	<p>Noted.</p> <p>Special Condition No. 67 of Draft Plan approval has been incorporated in Appendix D attached to Report PED25036 to address Enbridge Gas's comments.</p>

## Summary of Public Comments Received

Comment Received	Staff Response
<p>Nine submissions were received from the neighbours of the proposed development and the comments are summarized below.</p>	<p>Noted.</p>
<p>Residents were concerned with the potential consequences the proposal would have on the local community, habitat, and wildlife in the area. There is a benefit to the contributions of greenspace in neighbourhoods as they help provide clean air, clean water, and provide flood mitigation. With the loss of the trees on the subject lands there will be a burden placed on the local infrastructure.</p>	<p>Staff reviewed the Environmental Impact Statement prepared by GeoProcess Research Associates, dated October, 2023, and the Tree Protection Plan prepared by GeoProcess Research Associates, dated July 10, 2024, and note that tree compensation is required to ensure that the existing tree cover is maintained. Staff have recommended that a Conservation/Hazard Land (P5) Zone be implemented along the perimeter of the proposed development to ensure that there is space to accommodate additional tree plantings. The only development permitted in this zone is a retaining wall to accommodate the necessary grading required to accommodate the proposed development.</p> <p>Also, as a condition of the Draft Plan approval, staff are requiring the submission of a Landscape Plan illustrating the tree compensation for the site. Please refer to Special Condition No. 49 in Appendix D attached to Report PED25036.</p>
<p>Concerns that the potential development may impact the water table with the inclusion of the stormwater management facility.</p>	<p>Development Engineering staff reviewed the Servicing Plan Sketch for Schedule F, prepared by S. Llewellyn and Associates Limited, dated February 2024, Functional Servicing and Stormwater Management Report, prepared S. Llewellyn Associates Limited, revised February 2024, and Engineering Drawings prepared by S. Llewellyn and Associates Limited, dated February 2024. The review of the technical documents resulted in support</p>

Comment Received	Staff Response
	<p>of the proposal subject to detailed design. The requirements regarding the detailed design of the stormwater management facility have been applied through Draft Plan approval Special Condition Nos. 2, 10, 21, 22, 24, 25, 26, 30, 34, 35 and 36 in Appendix D attached to Report PED25036.</p>
<p>Residents inquired as to whether a Transportation Assess was completed as part of the application. Concerns regarding safety for young children was noted.</p> <p>Residents are concerned that the development will increase traffic in the community and request the installation of traffic calming measures such as traffic lights with advanced greens at the intersections and speed bumps.</p> <p>Residents inquired as to whether sidewalks would be included as part of the development.</p>	<p>Transportation Planning staff reviewed the report titled "Hamilton Drive Residential Development Transportation Impact &amp; TDM Options Report" prepared by Paradigm Transportation Solutions Limited, dated June, 2018, and generally found the transportation impact statement portion to be acceptable. It is acknowledged that the proposed Braithwaite Avenue extension to Hamilton Drive is anticipated to become a traffic route for the entire residential area between Hamilton Drive, Fiddler's Green Road to Garner Road West.</p> <p>To assist with safety, staff have applied conditions of Draft Plan approval to require the installation of sidewalks on both sides of the Braithwaite Avenue extension and for a stop sign to be located at the intersection of Hamilton Drive and Braithwaite Avenue.</p> <p>Draft Plan approval Special Condition Nos. 31 and 37 in Appendix D attached to Report PED25036 have been applied to address these concerns.</p>
<p>Residents have become concerned with the safety of Hamilton Drive, specifically where there is the sharp turn, south of the proposed development. There is no visibility for cars to see pedestrians or those on bikes. The area is residential and an extension for the sidewalk is considered important infrastructure to the transportation network. All should feel</p>	<p>There are no current commitments to install sidewalks along Hamilton Drive south of the proposed development. Sidewalks will be provided along Hamilton Drive adjacent to the proposed development as a condition of Draft Plan</p>

<b>Comment Received</b>	<b>Staff Response</b>
safe so all who walk our beautiful area can enjoy the streets	approval and any future connection will be accommodated through additional development as it occurs along Hamilton Drive.
It is our understanding that there was an original proposal to connect Hamilton Drive to Tollgate Drive. Residents note that this connection could potentially help mitigate future traffic problems.	The Shaver Neighbourhood Secondary Plan does not illustrate the extension of Braithwaite Avenue; however, it is staff's opinion that long term planning for the neighbourhood would benefit from the municipal road connection between Hamilton Drive and Tollgate Drive. In addition, Braithwaite Avenue was always intended to extend to Hamilton Drive as illustrated in the former Town of Ancaster Official Plan.



**From:** Imtiaz KIANI

**Sent:** April 3, 2025 5:28 PM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Subject:** Public Meeting - Planning Committee Zoning Amendment Public Input. : File. ZAC-18-048

**External Email:** Use caution with links and attachments

Subject: Wildlife Sightings in Green Belt Area Proposed for Zoning Change

Dear City Clerk,

I would like to draw your attention to the fact that deer, foxes, and other small animals, such as rabbits, have been sighted multiple times in the green belt adjacent to the area under consideration for a zoning change. This change would convert the habitat into a subdivision with 17 detached residential lots. Additionally, this area is home to numerous snakes, bird species that typically nest in the trees, including songbirds, and others, which rely on the natural environment for their survival. The green belt also contains a significant number of mature trees, which provide essential shelter and nesting sites for these species. In the Ancaster area, other wildlife such as squirrels, raccoons, and occasional sightings of larger mammals like coyotes also contribute to the rich biodiversity of this green space. If it becomes absolutely necessary to disturb this area, I strongly urge that measures be taken to relocate these animals with minimal impact to their habitat. This could include carefully planned relocation efforts in collaboration with wildlife experts to ensure their safety and the preservation of their natural behaviors, ideally to nearby protected areas where they can thrive without disruption, while also prioritizing the preservation of as many mature trees as possible.

Sincerely,

Imtiaz Kiani



## City of Hamilton Report for Consideration

**To:** Chair and Members  
Planning Committee

**Date:** April 8, 2025

**Report No:** PED24109(b)

**Subject/Title:** Official Plan Amendment and Final Framework for Processing and Evaluating Urban Boundary Expansion Applications

**Ward(s) Affected:** City Wide

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### Recommendations

- 1) That the Urban Hamilton Official Plan Amendment, attached as Appendix A to Report PED24109(b), to establish a policy Framework for Processing and Evaluating Urban Boundary Expansion Applications, **BE APPROVED** on the following basis:
  - a) That the Draft Official Plan Amendment, attached as Appendix A to Report PED24109(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
  - b) That the proposed Official Plan Amendment is consistent with the Provincial Planning Statement (2024) and conforms to the Greenbelt Plan; as amended;
- 2) That the Rural Hamilton Official Plan Amendment attached as Appendix B to Report PED24109(b), to establish a policy Framework for Processing and Evaluating Urban Boundary Expansion Applications, **BE APPROVED** on the following basis:
  - a) That the Draft Official Plan Amendment, attached as Appendix B to Report PED24109(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;

Official Plan Amendment and Final Framework for Processing and Evaluating Urban  
Boundary Expansion Applications (City Wide)

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- b) That the proposed Official Plan Amendment is consistent with the Provincial Planning Statement (2024) and conforms to the Greenbelt Plan; as amended;
- 3) That the Final Framework for Processing and Evaluating Urban Boundary Expansion Applications, attached as Appendix C to Report PED24109(b), **BE APPROVED**; and,
- 4) That the Terms of Reference for the following submission technical submission materials **BE APPROVED**;
- a) Subwatershed Study (Phase 1) (Urban Boundary Expansion Application), attached as Appendix F to Report PED24109(b);
- b) Energy and Climate Change Assessment Report (Urban Boundary Expansion), attached as Appendix F1 to Report PED24109(b);
- c) Housing Assessment (Urban Boundary Expansion), as Appendix F2 to Report PED24109(b)
- d) Financial Impact Analysis (Urban Boundary Expansion), attached as Appendix F3 to Report PED24109(b)
- e) Emergency Services Assessment (Urban Boundary Expansion), attached as Appendix F4 to Report PED24109(b);
- f) School Accommodation Issues Assessment (Urban Boundary Expansion), attached as Appendix F5 to Report PED24109(b); and,
- g) Concept Plan (Urban Boundary Expansion), as Appendix F6 to Report PED24109(b).

## Key Facts

- The purpose of this report is to seek approval of the final Framework for Processing and Evaluating Urban Boundary Expansion Applications (Framework) together with Official Plan Amendments and Terms of References to implement the Framework.
- The recommended Framework builds upon the Draft Framework for Processing and Evaluating Urban Boundary Expansions (Draft Framework) approved by City Council on August 16, 2024, and has been refined based on extensive consultation with the external review agencies, the public and Indigenous communities.
- Through staff's recommended amendments to the City's Urban and Rural Hamilton Official Plan and creation of new Terms of References for submission requirements, the recommended Framework establishes new requirements

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within both Official Plan's ensure that any urban boundary expansion application is carefully assessed against the City's priorities by:

- Establishing clear submission requirements by identifying the required technical plans and studies that must accompany any urban boundary expansion application.
- Prioritizing key considerations that matter to Hamilton by establishing a set of considerations for the City's rigorous review process, addressing issues such as impacts on farmland, infrastructure capacity and costs, and financial viability.
- Outlining a clear process for submission, review, and public and Indigenous engagement for any urban boundary expansion application, going beyond the minimum requirements of the *Planning Act*.

## Financial Considerations

Financial considerations associated with urban boundary expansion applications, including application fees, staffing implications and costs associated with Ontario Land Tribunals hearings are discussed in Report PED24109. Specific to application fees, Council approved a new graduated fee structure that increases based on the area of the proposed expansion area. The new fees were calculated based on the principle of full cost recovery and with input from City departments on anticipated time spent reviewing expansion applications. It is important to note that in determining the cost of processing applications the City cannot incorporate "adversarial matters" like Ontario Land Tribunal appeals. Staff will be monitoring time spent on processing urban boundary expansion applications to ensure they are reflective of the staff time it takes to process this type of application.

There are no financial considerations associated with this report.

## Background

### Provincial Planning Statement and Bill 185

In 2024, the Province enacted significant policy and legislative changes impacting when and how urban boundary expansion matters are considered and approved through the adoption of the Provincial Planning Statement and Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*. Specifically, these changes:

- Removed Provincial policy requirements that municipalities must undertake a municipal comprehensive review before considering urban boundary expansions over 40 hectares, opening the door for privately initiated urban boundary expansion applications at any time, size or location provided the lands were outside of the Greenbelt Area; and,

- Amended the *Planning Act* to allow applicants to appeal Council's refusal or non-decision on urban boundary expansion applications to the Ontario Land Tribunal.

On May 17, 2024, City Council adopted staff's submission to the Province raising concerns with these changes and provided direction for staff to develop and report back with recommendations on a framework for processing and evaluating urban boundary expansion applications through Report PED23145(a).

### **Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications**

In response to these Provincial changes, Planning Division staff prepared the Draft Framework with input from other City Departments and Dillon Consulting who provided technical guidance on suitable submission requirements based on the new Provincial Planning Statement. The Draft Framework was submitted to Planning Committee through Report PED24109 which adopted the following recommendations on August 13, 2024:

- “(a) That the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications, attached in Appendix “A” to Report PED24109, be used by staff in reviewing Official Plan Amendment urban boundary expansion applications until established in the Urban and Rural Official Plans through Official Plan Amendments, be APPROVED;
- (b) That Council direct Planning and Economic Development staff to:
  - (i) That city Planning staff be directed to prepare a public consultation and engagement report for a future Planning Committee meeting;
  - (ii) consult on the Draft Framework for Processing and Evaluating Urban Boundary Expansions, attached in Appendix “A” to Report PED24109; and,
  - (iii) prepare for Council's consideration Official Plan Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan to establish the Official Plan Amendment Submission Requirements, Evaluation and Locational Considerations, and Application Submission and Review Process for urban boundary expansions.
- (c) That Council direct Planning and Economic Development staff to establish a new team within the Planning and Economic Development Department to be funded in 2024 from the Development Fees Stabilization Reserve Account No. 110086, and through development application fees starting in 2024, for the coordinated review of urban boundary expansion applications, Ontario Land Tribunal appeals, and implementation of planning and related work should an Official Plan Amendment urban boundary expansion application be approved;

Official Plan Amendment and Final Framework for Processing and Evaluating Urban  
Boundary Expansion Applications (City Wide)

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- (d) That Council authorizes \$1,500,000 be added to the tax supported Official Plan OLT Appeals Capital Budget (8142455800) as part of the 2025 budget process;
- (e) That the amending By-law to By-law No. 12-282 (Tariff of Fees), as amended, attached as Appendix “C” to PED24109, to establish new fees for an Official Plan Amendment application for urban boundary expansions be APPROVED on the following basis:
- (i) That public notice of the proposal to amend the Tariff of Fees By-law to establish new fees has been provided in accordance with the City of Hamilton’s Public Notice By-law No. 707-351;
  - (ii) That the draft By-law, attached as Appendix “C” to PED24109, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.”

On August 16, 2024, City Council approved the recommendations from Planning Committee above with the following additional direction:

- “(g) That staff be requested to work with the assigned consultant to the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications under the proposed Provincial Planning Statement to ensure that the financial assessment of infrastructure extensions into greenfield areas (i.e. urban boundary expansion areas) compared to upgrades or renewals within our existing urban boundary accounts for the costs on a per hectare basis and the opportunities to generate additional property tax revenue via the enrichment of adjacent assessment property values.”

### **Approval of a Consultation and Engagement Plan**

As directed by City Council, Report PED24109(a) was heard by Planning Committee on October 18, 2024, providing the proposed consultation and engagement plan for soliciting input from the community on the Draft Framework. The plan was prepared with input from the City’s Indigenous Relations staff and Public Engagement Team. The two primary goals of plan were to:

- Inform the community about recent provincial changes that open the door for urban boundary expansions to be made outside of a Municipal Comprehensive Review and the denial of or non-decisions on these applications to be appealed to the Ontario Land Tribunal;
- Consult with the community on specific aspects of the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications, including:
  - How and when the community wants to be notified when an application for urban boundary expansion is made;
  - How and when the community will provide their input, within the

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mandated decision timelines for Official Plan Amendments under the *Planning Act* on urban boundary expansion applications once received; and,

- The information or additional studies that should be required as part of the urban boundary expansion applications.

With respect to Indigenous communities, the Consultation and Engagement Plan is focused on asking exactly how they want to participate in the City's processing of privately initiated urban boundary expansion applications.

### Urban Boundary Expansion Applications Received to Date

To date, the City has received three applications and one proposed Minister's Zoning Order request from landowners seeking urban boundary expansion applications. The location of these applications is identified in Appendix D to Report PED24109(b).

Area	Applicant	Status
Twenty Road West Lands	Upper West Side Landowners Group	<p>Three Official Plan Amendment applications in August 2020 to bring lands within Area 2 and Area 3 of the Twenty Road West lands into the urban area.</p> <p>The applications were appealed by the applicant to the Ontario Land Tribunal for Lack of Decision on June 27, 2024. City Council subsequently provided direction to oppose the applications on November 27, 2024. A Case Management Conference was held on January 14, 2025, and an eight week merit hearing is scheduled from April 13, 2026, to June 5, 2026.</p>
Elfrida Lands	Elfrida Community Builders Group Inc.	<p>The City of Hamilton received the application on November 20, 2024, and deemed the application incomplete on December 19, 2024. Following the submission of additional materials the application was deemed complete on March 18, 2025.</p> <p>The statutory public meeting has been scheduled for a special meeting of Planning Committee on June 25, 2025.</p>

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159/163 Sulphur Springs Road (within Greenbelt Area)	Mizrahi Developments	<p>The application was received on December 19, 2024, and deemed incomplete on January 15, 2025.</p> <p>The proposal does not conform to the Niagara Escarpment Plan which is part of the Greenbelt Area. As a result, City staff have requested that the applications be withdrawn.</p>
White Church Lands	White Church Landowner Group	<p>The application was deemed complete on March 4, 2025, and is currently under review.</p> <p>The statutory public meeting has been scheduled for a special meeting of Planning Committee on June 25, 2025.</p>

For the Area 2 and 3 of the Twenty Road West lands, the Mayor also received a request from the Upper West Side Landowners Group on December 17, 2024, to support a proposed Minister's Zoning Order request which would allow urban residential development within this area. On February 12, 2025, City Council approved the recommendations of Report PED25046 stating that the City does not support this request.

In addition, staff note that the City has received two Secondary Plan applications for Area 2 and 3 of the Twenty Road West lands and White Church lands which are outside of the urban boundary. Both applications, which have been deemed incomplete, were submitted shortly before the Province adopted Bill 150, *Planning Statute Law Amendment Act* which deemed the Province's previously imposed urban boundary expansions to have never had occurred.

## 1. Policy Implications and Legislative Requirements

### 1.1 Provincial Planning Statement

The Provincial Planning Policy framework is established through the *Planning Act* (Section 3) and the Provincial Planning 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 Provincial Planning Statement represents minimum standards and allows municipalities to be more restrictive provided it does not conflict with any other Provincial policy.

Section 2.3 of the Provincial Planning Statement establishes general policies for settlement areas and settlement area boundary expansions. The recommended Urban and Rural Hamilton Official Plan Amendments are consistent with the Provincial Planning Statement.

## **1.2 Greenbelt Plan & Niagara Escarpment Plan**

The majority of rural lands in Hamilton are within the Provincial Greenbelt Plan and Niagara Escarpment Plan, forming part of the Greenbelt Area. An Official Plan Amendment application to bring lands within the Protected Countryside designation of the Greenbelt Plan or any non-urban designation in the Niagara Escarpment Plan is not permitted under these Provincial Plans. As illustrated in Appendix D to Report PED24109(b), there are 4,320 hectares of land outside of the urban boundary and outside of the Greenbelt Plan which may be considered for urban expansion under Provincial policy and plans. This area is referred to as the white belt.

Provincial legislation directs the Province to undertake 10 year reviews of both the Greenbelt Plan and Niagara Escarpment Plan. At this time, the Province has not released information on when these reviews will begin and what will be within the scope of the review.

The recommended City initiated Urban and Rural Hamilton Official Plan Amendments conform to the Greenbelt Plan and Niagara Escarpment Plan.

## **1.3 Urban Hamilton Official Plan**

The Urban Hamilton Official Plan implements a no urban boundary expansion growth strategy, directing all urban population and employment growth forecasted in the Official Plan to the year 2051 to lands within the existing urban boundary.

The Urban Hamilton Official Plan does not contemplate, nor support privately initiated urban boundary expansion applications which, under the new Provincial Planning Statement and recent amendments to the *Planning Act* through Bill 185, are no longer subject to a municipal comprehensive review and may be appealed to the Ontario Land Tribunal. As a result, a policy framework is required in the Urban Hamilton Official Plan to consider and assess these applications.

It is important to note that the recommended Urban Hamilton Official Plan Amendment in this report does not move away from the no urban boundary expansion growth strategy, which was recently reaffirmed by City Council on November 22, 2023. Rather, as a direct result of the recent Provincial legislative and policy changes, the recommended Urban Hamilton Official Plan Amendment policies would require that any urban boundary applications received:

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- Consider and assess broader design, intensification, land use compatibility, environmental, climate change and financial implications to the City to ensure high quality applications; and,
- Require enhanced notification of, and consultation with, the public and Indigenous communities.

In addition to updating the Urban Hamilton Official Plan to implement the requirements of the Framework, amendments are also recommended to:

- Remove/update references to the Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe which have been repealed and replaced by the Provincial Planning Statement;
- Update the Official Plan policies related to Secondary Planning for urban expansion areas to reflect the Framework; and,
- Recognize that privately initiated urban boundary expansion applications may be approved in the future, introducing policies respecting the phasing, timing, and financing of the infrastructure required to develop those lands to ensure that they align with the Official Plan policies supporting residential intensification and financial sustainability, among others.

Rationale for each recommended amendment to the Urban Hamilton Official Plan is provided in Appendix E to Report PED24109(b).

#### **1.4 Rural Hamilton Official Plan**

The Rural Hamilton Official Plan also has policies that implement a firm urban boundary growth strategy and state that lands shall not be removed from the boundaries of Rural Hamilton and added to the urban area. The recommended Rural Hamilton Official Plan Amendment mirrors the Urban Hamilton Official Plan Amendment and a rationale for each proposed amendment is provided in Appendix E1 to Report PED24109(b).

## **2. Final Framework for Processing and Evaluating Urban Boundary Expansion Applications.**

Staff are recommending Council approve the Framework for Processing and Evaluating Urban Boundary Expansion applications which is provided in Appendix C to Report PED24109(b). Recommend modifications to the Draft Framework are discussed below.

### **2.1 Part A – Submission Requirements**

This part of the Framework sets out what technical plans and studies must be submitted as part of an urban boundary expansion application.

### 2.1.1 Modifications Made to the Draft Framework

Based on the input received through the City's consultation and engagement, Planning staff are recommending the following modifications to the Draft Framework:

- Requiring that applicants show evidence that they have contacted and informed Indigenous communities to discuss their proposal before an urban boundary expansion application is deemed complete.
- Approval of specific Terms of References for technical plans and studies required to be submitted as part of urban boundary expansion applications to provide clearer guidance on the City's expectations for these materials.

### 2.1.2 Recommended Official Plan Amendments

The recommended amendments to the Urban and Rural Hamilton Official Plan would establish the submission requirements identified in the Framework as being required prior to deeming an application complete. By specifying these requirements in the Official Plans, the City is in a better position to defend its decision to deem an application incomplete that does not include these materials.

## 2.2 Part B - Evaluation and Locational Considerations

Building upon the Provincial Planning Statement, the City's Urban and Rural Official Plan as well as recent work undertaken through the City's Growth Related Integrated Development Strategy (GRIDS 2) and Municipal Comprehensive Review, this part of the Framework sets out thematic considerations to be used by applicants in preparing an urban boundary expansion application and City staff to assess them.

Through the engagement on the Draft Framework, staff received many comments that urban boundary expansion applications need to assess and consider a wide array of considerations including financial sustainability, climate change, meeting our housing needs and protection of both agricultural and natural areas. Staff have reviewed these comments against Part B of the Framework and recommend the following changes to the Draft Framework:

- Adding a Process and Transparency theme which considers whether the applicant has undertaken early consultation with the public, stakeholders, and Indigenous communities.
- Adding a consideration under the Growth Allocation theme of whether the proposed expansion would have a positive impact on housing affordability within the City.
- Adding a consideration of the ecological services value of natural heritage features within the expansion area.
- Adding a consideration of whether the proposed expansion includes measures that would strengthen protection of biodiversity.

### **2.3 Part C - Application Submission and Review Process**

This part of the Framework sets out in detail how urban boundary expansion applications will be processed from preliminary discussions with landowners to what happens after an Ontario Land Tribunal decision.

The Framework has been updated to reference the recommended requirement that applicants submit an Indigenous Community Consultation Summary and Comment Response as part of any urban boundary expansion application.

With respect to notification of urban boundary expansion applications, staff are not recommending any changes to the requirements which were included in the Draft Framework:

- Providing written notice of the application being deemed complete and of the statutory public meeting to every owner of land within the urban expansion area and within 400 metres of the subject lands.
- Requiring multiple public notice signs be posted on the property with one public notice sign installed approximately every 500 metres of frontage along the public right-of-way surrounding the proposed expansion area and along any right-of-way that bisects the area. Each sign must clearly illustrate the location of the proposed urban expansion area, providing appropriate labels so the size and locational context can be clearly understood. The locations and design of the public notice signs must be approved by the City.
- Posting all application materials on the City of Hamilton's webpage for public review.

The Draft Framework also included sending e-mail notice of urban boundary expansion application matters to the City's Growth Related Integrated Development Strategy (GRIDS2) list. Due to anti-spam and privacy legislative requirements, the City cannot use this e-mail list for updates not related to GRIDS2. Through the City's engagement on the Draft Framework a new urban boundary expansion mailing list has been created in accordance with legislative requirements. The recommended Framework now states that the City will send updates to this mailing list.

### **3. Approval of Terms of References**

The Draft Framework approved by Council in August 2024 referenced a Technical Memo, which the City retained Dillon Consulting Limited to prepare, providing guidance on the scope of plans and studies required to support urban boundary expansions, including a Financial Impact Analysis, Energy and Climate Change Assessment and Subwatershed Study (Phase 1).

Building on this guidance and taking into consideration feedback received through the City's engagement on the Draft Framework, staff have prepared several new Terms of References identified in the Framework for the following submission requirements:

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- Subwatershed Study (Phase 1) (Urban Boundary Expansion Application), attached as Appendix F to Report PED24109(b);
- Energy and Climate Change Assessment Report (Urban Boundary Expansion), attached as Appendix F1 to Report PED24109(b);
- Housing Assessment (Urban Boundary Expansion), as Appendix F2 to Report PED24109(b);
- Financial Impact Analysis (Urban Boundary Expansion), attached as Appendix F3 to Report PED24109(b);
- Emergency Services Assessment (Urban Boundary Expansion), attached as Appendix F4 to Report PED24109(b);
- School Accommodation Issues Assessment (Urban Boundary Expansion), attached as Appendix F5 to Report PED24109(b); and,
- Concept Plan (Urban Boundary Expansion), as Appendix F6 to Report PED24109(b).

Approval of the recommended Terms of References will:

- Assist applicants with understanding the purpose of the submission requirement that is required to be part of an urban boundary expansion application.
- Assist staff in determining if an application can be deemed complete.
- Assist staff with the review of submitted urban boundary expansion applications.

### **3.1 Financial Impact Analysis**

In response to the Council motion included in the approval of Report PED24109 respecting the scope of the Financial Impact Analysis, staff retained Dillon Consulting to provide additional guidance on how a comparison of different growth patterns (e.g. greenfield development vs. increased intensification of a built up area) may be incorporated into the Terms of Reference. Dillon Consulting has provided a technical memo (see Appendix M to Report PED24109(c)) which concluded that there is too much variability and uncertainty associated with calculating the per hectare servicing costs of existing built-up areas and uncertainty to provide an accurate comparison to servicing greenfield areas. Dillon Consulting has recommended that as part of the Terms of Reference for the Financial Impact Analysis, the applicant provide a per hectare servicing revenue/cost estimate for the proposed expansion area.

### **3.2 Consideration of Ecological Services Valuation**

The technical memo provided by Dillon Consulting in support of the City's work on the Draft Framework identified that the ecological value of natural heritage features could be considered as part of the broader municipal fiscal implications and impacts of urban boundary expansion applications. This is a concept in where the ecological benefits provided by natural heritage features to humans and the environment are quantified and assigned a dollar value. An example related to municipal infrastructure is to quantify the value wetlands have on the City's storm water management systems.

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Neither the Province or the City have created guidelines on how specific fiscal value of features are assessed and calculated. Some Ontario Conservation Authorities, including the Niagara Peninsula Conservation Authority have undertaken natural asset analysis and valuations based on existing natural area mapping. The City of Hamilton is currently applying this approach as part of a Financial Impact Analysis being prepared in support of the City's review of the Airport Employment Growth District Secondary Plan. The findings and outcome of that process will be used by staff as part of any future considerations to establish City wide policies respecting ecological service valuations.

Since there are no established guidelines or criteria available that applicants can refer to at this time, staff are not recommending that applicants be required to provide an ecological dollar value for identified natural heritage features within the proposed expansion area as part of a Financial Impact Analysis. Rather, it is recommended that the Framework include a consideration of the ecological services value of an urban boundary expansion application to ensure that it is assessed and commented on by staff as part of its overall review of an urban boundary expansion application. For example, commenting on the overall water balance for an expansion area and how much rainwater is infiltrated and/or stored. The applicant will be required to identify and map existing natural and hydrologic features through the completion of the Subwatershed Study (Phase 1) which would form the basis of this assessment.

As guidelines and standards around ecological service valuations are developed there may be opportunities for the City to apply an ecological services valuation as part of their assessment as part of a Secondary Planning process.

#### **4. Next Steps**

##### **4.1 Legal Implications to Existing Planning Applications**

Should the recommended Official Plan Amendments be adopted and come into effect, any new urban boundary expansion application would be subject to the new submission and circulation requirements. Staff note that under the *Planning Act* these new Official Plan policies cannot be applied retroactively to an urban boundary expansion application that has been deemed complete. Official Plan Amendment applications that have been deemed incomplete are subject to the Official Plan policies in effect at the time the application has been deemed complete.

##### **4.2 Notification of the Statutory Public Meeting**

In accordance with the *Planning Act* notice of the statutory public meeting to consider the proposed Official Plan Amendments was posted in the Hamilton Spectator on March 28, 2025. In addition, notice of the statutory public meeting has been:

- Shared with residents on the City's urban boundary mailing list.
- Posted on the City's Draft Framework engage Hamilton webpage and the City's webpage which provides information on urban boundary expansions.

## Alternatives

Planning Committee may choose to not approve modifications to the Draft Framework and/or recommended Official Plan amendments enshrining the requirements of the Framework into both the Urban and Rural Hamilton Official Plan. This is not recommended as the recommendations in this report will provide greater clarity and firmer requirements for how the City receives, processes, and assesses urban boundary expansion applications. If the recommendations in this report are not approved staff will continue to use the Draft Frameworks to guide its review of urban boundary expansion applications.

## Relationship to Council Strategic Priorities

1. Sustainable Economic & Ecological Development
  - 1.1. Reduce the burden on residential taxpayers
  - 1.3 Accelerate our response to climate change
  - 1.4 Protect green space and waterways
- 2 Safe & Thriving Neighbourhoods
  - 2.3 Increase the supply of affordable and supportive housing and reduce chronic homelessness
  - 2.4 Make sure people can safely and efficiently move around by food, bike, transit, or car
  - 2.5 Provide vibrant parks, recreation, and public space
- 3 Responsiveness & Transparency
  - 3.3 Prioritize customer service and proactive communication
  - 3.4 Get more people involved in decision making and problem solving

## Previous Reports Submitted

- [PED23145\(a\)](#) – City of Hamilton Comments on Proposed Provincial Planning Statement, 2024
- [PED24109](#) – Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications under the proposed Provincial Planning Statement
- [PED24109\(a\)](#) – Draft Framework for Processing and Evaluating Urban Boundary Expansions – Consultation and Engagement Plan Consultation
- [PED25046](#) - Minister's Zoning Order Request for Twenty Road West and Airport Employment Growth District Lands

## Consultation

### Input from City Departments on the Framework

In preparation of this Report, including the recommended Final Framework, Terms of References and Official Plan Amendments, the following City Divisions were consulted.

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- Planning
- Growth Management
- Water and Wastewater Planning & Capital
- Transportation Planning & Parking
- Corporate Asset Management
- Office of Climate Change Initiatives
- Legal and Risk Management Services
- Environmental Services
- Financial Planning Administration and Policy
- Housing Services
- Housing Secretariat
- Corporate Facilities and Energy Management
- Hamilton Water

### **Input from External Review Agencies on the Framework**

The Draft Framework was circulated to external review agencies for comment. The City received comments from several agencies which are included in Appendix G to Report PED24109(b). Staff's responses to external agency comments received are provided in Appendix J to Report PED24109(b).

### **Comments from the Public and Community Groups on the Framework**

To implement Planning Committee's direction to consult with the public and Indigenous communities on the Draft Framework, Planning and Economic Development Department staff with assistance from the Public Engagement Office and Dillon Consulting, implemented the consultation and engagement plan set out in Report PED24109(a).

Further details on the consultation approach and feedback received is included in the Engagement Summary Report attached as Appendix G to Report PED24109(b). The City's consultation included:

<b>Consultation Method</b>	<b>Date(s)</b>	<b>Description</b>
In-Person Open House	November 26, 2024 November 28, 2024 December 3, 2024.	Each open house was a drop-in format, featuring boards with information about the project and opportunities to provide feedback.
Virtual Open House	December 5, 2024	Open house presentation and Q&A hosted via Zoom Webinar with 100 attendees.
Advisory Committee Meetings	October 29, 2024, November 18, 2024, November 21, 2024.	Formal presentations to City of Hamilton Advisory Committees

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Consultation Method	Date(s)	Description
Engage Hamilton Website	November-December 2024	<p>detailing the recent provincial policy changes and the draft framework.</p> <p>The webpage contained detailed information about the project and avenues to provide feedback. During the engagement period, the webpage received 1,125 unique visitors and one question was submitted via the question form.</p> <p>The Draft Framework was made available on the webpage and through a digital engagement tool participants were able to ask questions and provide comments directly in the document. The PDF was viewed approximately, 6,910 times and 132 comments were made on the Draft Framework.</p>

Through various engagement methods the City received hundreds of comments from the public and community groups which have been summarized in a 'What We Heard' report prepared by Dillon Consulting attached as Appendix G to Report PED24109(b).

Staff have thoroughly reviewed all input received in the formation of this Report and have:

- responded to the key themes and findings in the consultation report in Appendix H to Report PED24109(b);
- responded to specific comments received from both community groups and landowners' groups in Appendix I to Report PED24109(b);
- responded to all questions received from the public in Appendix L to Report PED24109(b).

### Comments from Indigenous Communities on the Framework

The City of Hamilton sent project information, invited comments, and offered to meet in-person or virtually to discuss the Draft Framework in detail with potentially affected Indigenous Communities, including:

- Six Nations Elected Council
- Mississaugas of the Credit First Nation

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- Haudenosaunee Development Institute
  - Huron Wendat First Nation
  - Métis Nation of Ontario

Information and invitations to comment were also sent to:

- Hamilton Regional Indian Centre
- Niwasa Kendaawsin Teg

Meetings were held with staff of Six Nations as Elected Council on December 4, 2024, and Mississauga's of the Credit First Nation on December 11, 2024, to discuss the Draft Framework and provide an opportunity for questions. Comments were received on aspects of the Draft Framework and considerations of treaty rights within the process.

Further details on the comments received and staff's response is included in Appendix K attached to Report PED24109(b).

## Appendices and Schedules Attached

Appendix A:	Draft Urban Hamilton Official Plan Amendment
Appendix B:	Draft Rural Hamilton Official Plan Amendment
Appendix C:	Framework for Processing and Evaluating Urban Boundary Expansion Applications
Appendix D:	Location of Urban Boundary Expansion Applications Received
Appendix E:	Draft Urban Boundary Expansion Amendment with Rationale
Appendix E1:	Draft Rural Hamilton Official Plan Amendment with Rationale
Appendix F:	Terms of Reference - Subwatershed Study (Phase 1) (Urban Boundary Expansion)
Appendix F1:	Terms of Reference - Energy and Climate Change Assessment Report (Urban Boundary Expansion)
Appendix F2:	Terms of Reference - Housing Assessment (Urban Boundary Expansion)
Appendix F3:	Terms of Reference - Financial Impact Analysis (Urban Boundary Expansion)
Appendix F4:	Terms of Reference - Emergency Services Assessment (Urban Boundary Expansion)
Appendix F5:	Terms of Reference - School Accommodation Issues Assessment (Urban Boundary Expansion)
Appendix F6:	Terms of Reference – Concept Plan (Urban Boundary Expansion)
Appendix G:	Proposed Framework for Processing and Evaluating Urban Boundary Expansion - What We Heard Report with Appendices
Appendix H:	General Public Comments and Responses
Appendix I:	Community Organization and Landowner Group Comments and Responses
Appendix J:	External Review Agency Comments and Responses

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Appendix K: Indigenous Community Comments and Responses  
Appendix L: Community Questions and Responses  
Appendix M: Dillon Consulting Technical Memo – Financial Impact Analysis

**Prepared by:** Charlie Toman, Program Lead – Policy Planning and  
Municipal Comprehensive, Planning and Economic  
Development Department, Planning Division

**Submitted and  
recommended by:** Anita Fabac, Acting Director of Planning and Chief Planner,  
Planning and Economic Development, Planning Division  
  
Dave Heyworth, Acting Director, and Senior Advisor –  
Strategic Growth, Planning and Economic Development

**Schedule “1”**

## **DRAFT Urban Hamilton Official Plan Amendment No. X**

The following text, together with:

Appendix “A”	Volume 1: Chapter A - Introduction
Appendix “B”	Volume 1: Chapter B – Communities
Appendix “C”	Volume 1: Chapter C – City Wide Systems and Designations
Appendix “D”	Volume 1: Chapter F – Implementation
Appendix “E”	Volume 1: Chapter G – Glossary
Appendix “F”	Volume 1: Schedule I – Other Information and Materials

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 amend the Urban Hamilton Official Plan by amending or deleting existing policies and adding new policies and definitions to provide clarification on the submission requirements, review process and considerations, and public and Indigenous engagement requirements for any urban boundary expansion application.

**2.0 Location:**

The lands affected by this Amendment are located within the Urban Area of the City of Hamilton.

**3.0 Basis:**

The basis for permitting this Amendment is:

- The Amendment provides clarity on the submission requirements for a complete urban boundary expansion application;
- The Amendment maintains the general intent of the policies of the Urban Hamilton Official Plan by addressing key considerations including impacts on farmland, infrastructure capacity and costs, financial viability and energy and climate impacts;
- The Amendment supports the Public Participation and Notification Policies of the Urban Hamilton Official Plan and the City's Public Engagement Policy by

outlining a clear process for public and Indigenous engagement requirements for any urban boundary expansion application; and,

- To update the Urban Hamilton Official Plan to reflect updated policy direction of the Provincial Planning Statement, 2024.

#### **4.0 Actual Changes:**

#### **4.1 Volume 1 – Parent Plan**

##### **Text**

##### 4.1.1 Chapter A – Introduction

a. That the following policies of Volume 1: Chapter A – Introduction be amended, added, or deleted, as outlined in Appendix “A”, attached to this amendment:

- A.1.3
- A.2.3
- A.2.5
- A.2.5.1
- A.2.5.5

##### 4.1.2 Chapter B – Communities

a. That the following policies of Volume 1: Chapter B – Communities be amended, added, or deleted, as outlined in Appendix “B”, attached to this amendment:

- B.2.2.3 (new)
- B.2.2.4 (new)
- B.2.2.5 (new)
- B.2.2.6 (new)
- B.2.2.7 (new)
- B.2.2.8 (new)
- B.2.2.9 (new)
- B.3.1

##### 4.1.3 Chapter C – City Wide Systems and Designations

a. That the following policies of Volume 1: Chapter C – City Wide Systems and Designations be amended, added, or deleted, as outlined in Appendix “C”, attached to this amendment:

- C.1.0
- C.1.4
- C.1.4.1

#### 4.1.4 Chapter F – Implementation

a. That the following policies of Volume 1: Chapter F – Implementation be amended, added, or deleted, as outlined in Appendix “D”, attached to this amendment:

- F.1.1.6
- F.1.1.11
- F.1.1.13
- F.1.2 (new)
- F.1.2.1 (new)
- F.1.2.8
- F.3.1.8.3 (new)
- F.3.1.9.3 (new)
- F.3.2.18 (new)

#### 4.1.5 Chapter G – Glossary

a. That Volume 1: Chapter G – Glossary be amended by revising, or adding definitions, as outlined in Appendix “E”, attached to this amendment.

### ***Schedules and Appendices***

#### 4.1.6 Schedule I - Other Information and Materials

a. That Volume 1: Schedule I – Other Information and Materials be amended by adding new study/material requirements, as shown on Appendix “F”, attached to this Amendment.

### **5.0 Implementation:**

The proposed policy amendments will be implemented through the submission and processing of privately initiated urban boundary expansion applications.

This Official Plan Amendment is Schedule “1” to By-law No. \_\_\_\_\_ passed on the \_\_\_<sup>th</sup> day of \_\_\_, 2025.

**The  
City of Hamilton**

\_\_\_\_\_  
A. Horwath  
MAYOR

\_\_\_\_\_  
M. Trennum  
CITY CLERK

Appendix "A" – Volume 1: Chapter A – Introduction

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
<del>Grey highlighted strikethrough text = text to be deleted</del>	<b>Bolded text = text to be added</b>
<p>A.1.3 Function of the Official Plan</p> <p>This Plan projects a long term vision for the physical <i>development</i> of the City to 2051. The policies provide the direction for managing long term <i>development</i> to achieve social, economic and environmental objectives of the City's vision. The Plan:</p> <ul style="list-style-type: none"> <li>• Implements Our Future Hamilton and the City's Strategic Plan; (OPA 167)</li> <li>• is a legal document whose origin is derived from the <u>Planning Act, R.S.O., 1990 c. P.13</u>;</li> <li>• builds on the concepts of provincial initiatives that support the building of strong communities [such as the Provincial <del>Policy</del> <b>Planning Statement, Growth Plan for the Greater Golden Horseshoe</b>, the Niagara Escarpment Plan]; and, (OPA 167)</li> <li>• is one of the key implementation mechanisms for the City's Growth Strategy (GRIDS 2) and other corporate initiatives including Master Plans (Transportation and Infrastructure, Recreational, Parks), the Social Development Strategy, the corporate Energy and Sustainability Policy and the Community Climate Change Action Plan (OPA 167)</li> </ul> <p>The Urban Hamilton Official Plan applies to lands within the <i>urban area</i>.</p>	<p>A.1.3 Function of the Official Plan</p> <p>This Plan projects a long term vision for the physical <i>development</i> of the City to 2051. The policies provide the direction for managing long term <i>development</i> to achieve social, economic and environmental objectives of the City's vision. The Plan:</p> <ul style="list-style-type: none"> <li>• Implements Our Future Hamilton and the City's Strategic Plan; (OPA 167)</li> <li>• is a legal document whose origin is derived from the <u>Planning Act, R.S.O., 1990 c. P.13</u>;</li> <li>• builds on the concepts of provincial initiatives that support the building of strong communities [such as the Provincial Planning Statement, Niagara Escarpment Plan]; and, (OPA 167)</li> <li>• is one of the key implementation mechanisms for the City's Growth Strategy (GRIDS 2) and other corporate initiatives including Master Plans (Transportation and Infrastructure, Recreational, Parks), the Social Development Strategy, the corporate Energy and Sustainability Policy and the Community Climate Change Action Plan (OPA 167)</li> </ul> <p>The Urban Hamilton Official Plan applies to lands within the <i>urban area</i>.</p>
<p>A.2.3 Growth Management – Provincial</p> <p><del>The Province of Ontario's A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (Growth Plan), as amended, had sets out a vision to 2051 for how and how much growth should occur in</del> The Greater Golden Horseshoe (GGH) is expected to grow by 4.6 million people by 2051 with Hamilton projecting to take a 5.1% share of this GGH growth. (OPA 167)</p> <p>Although the total population is expected to grow, certain demographic trends will shape Hamilton over the next three decades. These</p>	<p>A.2.3 Growth Management – Provincial</p> <p>The Greater Golden Horseshoe (GGH) is expected to grow by 4.6 million people by 2051 with Hamilton projecting to take a 5.1% share of this GGH growth. (OPA 167)</p> <p>Although the total population is expected to grow, certain demographic trends will shape Hamilton over the next three decades. These demographic changes will influence how, where, and when we will grow.</p> <p>Notably, the provincial growth forecasts are based on assumptions that household size [or</p>

demographic changes will influence how, where, and when we will grow.

Notably, the provincial growth forecasts are based on assumptions that household size [or persons per unit (PPU)] will slowly decline in varying degrees over the next 30 years. This trend is influenced by lower birth rates, an aging population contributing to a growing number of empty nester households and growth in non-traditional households (e.g. single person households, single parent households).

One of the principal components of the ~~Growth Plan~~ **Province of Ontario's A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) was** a series of population and employment forecasts for upper and single-tier municipalities within the GGH. The *Growth Plan* required ~~ds~~ these forecasts be used by municipalities for planning and managing growth. The *Growth Plan* also identified ~~ds~~ a series of density and *intensification* targets which municipalities **were required to** plan to achieve. **The Province of Ontario approval of Urban Hamilton Official Plan Amendment No. 167, as adjusted by Bill 150, Planning Statue Law Amendment Act, 2023, confirmed that the Urban Hamilton Official Plan growth policies, including density and intensification targets, conformed to the Growth Plan.**

**The Provincial Planning Statement states that municipalities may continue to forecast growth using population and employment forecasts previously issued by the Province for the purposes of land use planning.**

**The population and employment forecasts of the Urban Hamilton Official Plan shall continue to be based on the population and employment forecasts to 2051 of the *Growth Plan* until new population and employment forecasts are approved through a *Municipally Initiated Comprehensive Review* and Official Plan Review.**

persons per unit (PPU)] will slowly decline in varying degrees over the next 30 years. This trend is influenced by lower birth rates, an aging population contributing to a growing number of empty nester households and growth in non-traditional households (e.g. single person households, single parent households).

One of the principal components of the Province of Ontario's A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) was a series of population and employment forecasts for upper and single-tier municipalities within the GGH. The *Growth Plan* required these forecasts be used by municipalities for planning and managing growth. The *Growth Plan* also identified a series of density and *intensification* targets which municipalities were required to plan to achieve. The Province of Ontario approval of Urban Hamilton Official Plan Amendment No. 167, as adjusted by Bill 150, *Planning Statue Law Amendment Act, 2023*, confirmed that the Urban Hamilton Official Plan growth policies, including density and intensification targets, conformed to the Growth Plan.

The Provincial Planning Statement states that municipalities may continue to forecast growth using population and employment forecasts previously issued by the Province for the purposes of land use planning.

The population and employment forecasts of the Urban Hamilton Official Plan shall continue to be based on the population and employment forecasts to 2051 of the *Growth Plan* until new population and employment forecasts are approved through a *Municipally Initiated Comprehensive Review* and Official Plan Review.

<p>A.2.5 Provincial Legislation, Plans and Policies</p> <p>The planning regime within the City is affected and, in many ways, directed by provincial legislation, plans and policies, including the Provincial <b>Planning Policy</b> Statement, the Niagara Escarpment Plan, the Greenbelt Plan, <b>and the Parkway Belt West Plan, and the Growth Plan for the Greater Golden Horseshoe.</b></p>	<p>A.2.5 Provincial Legislation, Plans and Policies</p> <p>The planning regime within the City is affected and, in many ways, directed by provincial legislation, plans and policies, including the Provincial Planning Statement, the Niagara Escarpment Plan, the Greenbelt Plan, and the Parkway Belt West Plan.</p>
<p>A.2.5.1 Provincial <b>Planning Policy</b> Statement</p> <p>The Provincial <b>Planning Policy</b> Statement, 2024<del>20</del> was issued under the authority of the Planning Act, R.S.O., 1990 c. P.13, and provides policy direction on matters of provincial interest related to land use planning and development. It promotes a provincially 'policy-led' planning system in which municipal Official Plans and any planning decisions are consistent with the objectives and details of provincial policy, as required by Section 3 of the Planning Act, R.S.O., 1990 c.P.13. (OPA 167)</p> <p>The Provincial <b>Planning Policy</b> Statement (PPS) sets the policy foundation for regulating the development and use of land. It provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. It includes enhanced policies on issues that affect communities, such as: the efficient use and management of land and infrastructure; improving air quality, energy conservancy and reducing greenhouse gas emissions; protection of the environment and resources, including agricultural resources and mineral aggregate resources; and ensuring appropriate opportunities are provided for employment and residential development, including support for a mix of uses. The Official Plan must be consistent with the Provincial <b>Planning Policy</b> Statement. (OPA 167)</p>	<p>A.2.5.1 Provincial Planning Statement</p> <p>The Provincial Planning Statement, 2024 was issued under the authority of the Planning Act, R.S.O., 1990 c. P.13, and provides policy direction on matters of provincial interest related to land use planning and development. It promotes a provincially 'policy-led' planning system in which municipal Official Plans and any planning decisions are consistent with the objectives and details of provincial policy, as required by Section 3 of the Planning Act, R.S.O., 1990 c.P.13. (OPA 167)</p> <p>The Provincial Planning Statement (PPS) sets the policy foundation for regulating the development and use of land. It provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. It includes enhanced policies on issues that affect communities, such as: the efficient use and management of land and infrastructure; improving air quality, energy conservancy and reducing greenhouse gas emissions; protection of the environment and resources, including agricultural resources and mineral aggregate resources; and ensuring appropriate opportunities are provided for employment and residential development, including support for a mix of uses. The Official Plan must be consistent with the Provincial Planning Statement. (OPA 167)</p>
<p>Policy A.2.5.5 deleted in its entirety.</p> <p><del>A.2.5.5 Growth Plan for the Greater Golden Horseshoe</del></p>	

The Growth Plan for the Greater Golden Horseshoe was originally released in June 2006 to build stronger and more prosperous communities by better managing growth by 2031.

The current Plan (2019 as amended) extended the timeframe to the year 2051, and is based on a series of guiding principles which are aimed at building compact, complete and vibrant communities; providing a range of housing options including affordable housing; 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 that are adaptive to the impacts of a changing climate and incorporate approaches to reducing greenhouse gas emissions. This vision will be realized through partnerships with other levels of government, the private sector, residents and non profit agencies. The Official Plan must conform to the Growth Plan for the Greater Golden Horseshoe. (OPA 167)

Appendix “B” – Volume 1: Chapter B – Communities

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
Grey highlighted strikethrough text = text to be deleted	<b>Bolded text</b> = text to be added
<p>Policy B.2.2.3 deleted in its entirety.</p> <p><del>B.2.2.3 Expansions of the Urban Area of 40 hectares or less in accordance with policy 2.2.8.5 and 2.2.8.6 of the A Place to Grow: Growth Plan shall not be permitted in advance of a municipal comprehensive review. (OPA 167)</del></p>	
<p>Insert new subheading before Policy B.2.2.3</p> <p><b>Privately Initiated Urban Boundary Expansion Applications</b></p>	Privately Initiated Urban Boundary Expansion Applications
<p>Insert Policy B.2.2.3, as follows:</p> <p><b>B.2.2.3 A Privately Initiated Urban Boundary Expansion Application is not in keeping with Policy 1.4 (Principles of the Official Plan), Policy A.2.0 (Strategic Directions) and Policy A.3 (Growth Management), among others, which establish a firm urban boundary expansion growth strategy. However, the Provincial Planning Statement and Planning Act allow <i>privately initiated urban boundary expansion applications</i> to be submitted at any time and Council's refusal or non-decision of a <i>privately initiated urban boundary expansion application</i> may be appealed to the Ontario Land Tribunal. Therefore, this Plan establishes specific land use considerations for <i>privately initiated urban boundary expansion applications</i>.</b></p>	<p>B.2.2.3 A <i>Privately Initiated Urban Boundary Expansion Application</i> is not in keeping with Policy 1.4 (Principles of the Official Plan), Policy A.2.0 (Strategic Directions) and Policy A.3 (Growth Management), among others, which establish a firm urban boundary expansion growth strategy. However, the Provincial Planning Statement and Planning Act allow <i>privately initiated urban boundary expansion applications</i> to be submitted at any time and Council's refusal or non-decision of a privately initiated urban boundary expansion application may be appealed to the Ontario Land Tribunal. Therefore, this Plan establishes specific land use considerations for <i>privately initiated urban boundary expansion applications</i>.</p>
<p>Insert Policy B.2.2.4, as follows:</p> <p><b>B.2.2.4 Any <i>privately initiated urban boundary expansion</i> received shall consider:</b></p> <p><b>a) If there is sufficient capacity in existing or planned <i>infrastructure</i> and <i>Community Facilities/Services</i>.</b></p> <p><b>b) Protection of <i>Prime Agricultural Lands</i> and <i>Prime Agricultural Areas</i>.</b></p> <p><b>c) Its impact on the City's ability to meet its residential intensification and redevelopment targets in Section A.2.3.</b></p>	<p>B.2.2.4 Any <i>privately initiated urban boundary expansion</i> received shall consider:</p> <p>a) If there is sufficient capacity in existing or planned <i>infrastructure</i> and <i>Community Facilities/Services</i>.</p> <p>b) Protection of <i>Prime Agricultural Lands</i> and <i>Prime Agricultural Areas</i>.</p> <p>c) Its impact on the City's ability to meet its residential intensification and redevelopment targets in Section A.2.3.</p> <p>d) Whether there is a need to designate and</p>

<p><b>d) Whether there is a need to designate and plan for additional land to accommodate an appropriate range and mix of land uses within the Urban Hamilton Official Plan's growth forecast.</b></p> <p><b>e) Whether the expansion will have a positive or negative impact on the City's long term Infrastructure deficit.</b></p> <p><b>f) Whether there is sufficient reserve capacity in the existing street network (with consideration to the proposed street network) to accommodate the proposed increase in population and/or employment.</b></p> <p><b>g) Whether the expansion will protect, improve or restore the City's Key Hydrologic Features and Key Natural Heritage Features.</b></p> <p><b>h) Whether the proposed expansion would contribute or detract from the City's long-term goal of carbon neutrality.</b></p>	<p>plan for additional land to accommodate an appropriate range and mix of land uses within the Urban Hamilton Official Plan's growth forecast.</p> <p>e) Whether the expansion will have a positive or negative impact on the City's long term <i>Infrastructure</i> deficit.</p> <p>f) Whether there is sufficient reserve capacity in the existing street network (with consideration to the proposed street network) to accommodate the proposed increase in population and/or employment.</p> <p>g) Whether the expansion will protect, improve or restore the City's Key Hydrologic Features and Key Natural Heritage Features.</p> <p>h) Whether the proposed expansion would contribute or detract from the City's long-term goal of carbon neutrality.</p>
<p>Insert Policy B.2.2.5, as follows:</p> <p><b>B.2.2.5 Servicing of an approved <i>Urban Expansion Area</i> shall not occur until the City has updated its <i>Infrastructure and Community Facilities / Services Master Plans</i> to incorporate the expansion area.</b></p>	<p>B.2.2.5 Servicing of an approved <i>Urban Expansion Area</i> shall not occur until the City has updated its <i>Infrastructure and Community Facilities / Services Master Plans</i> to incorporate the expansion area.</p>
<p>Insert Policy B.2.2.6, as follows:</p> <p><b>B.2.2.6 A <i>privately initiated urban boundary expansion application</i> shall be received and reviewed in accordance with Chapter F, Policy 1.2 of the Urban Hamilton Official Plan.</b></p>	<p>B.2.2.6 A <i>privately initiated urban boundary expansion application</i> shall be received and reviewed in accordance with Chapter F, Policy 1.2 of the Urban Hamilton Official Plan.</p>
<p>Insert Policy B.2.2.7, as follows:</p> <p><b>B.2.2.7 The location, phasing, timing and financing of new <i>infrastructure and Community Facilities/Services</i> shall be determined when the City undertakes updates to its Master Plans to recognize and provide a servicing strategy for an approved <i>Urban Expansion Area</i>. Updates to Master Plans to recognize approved <i>Urban Expansion Areas</i> shall:</b></p> <p><b>a) Optimize existing <i>Infrastructure and Community Facilities/Services</i>.</b></p>	<p>B.2.2.7 The location, phasing, timing and financing of new <i>infrastructure and Community Facilities/Services</i> shall be determined when the City undertakes updates to its Master Plans to recognize and provide a servicing strategy for an approved <i>Urban Expansion Area</i>. Updates to Master Plans to recognize approved <i>Urban Expansion Areas</i> shall:</p> <p>a) Optimize existing <i>Infrastructure and Community Facilities/Services</i>.</p> <p>b) Not remove existing or planned</p>

<p><b>b) Not remove existing or planned <i>Infrastructure</i> capacity in a manner that conflicts with the achievement of the intensification and density targets provided in Section E.2.0 – Urban Structure.</b></p> <p><b>c) Only be provided for lands that are contiguous with existing urban development.</b></p> <p><b>d) Balance residential and employment growth.</b></p> <p><b>e) limit development to the ability and financial capability of the City to provide infrastructure services in accordance with its approved Master Plans that have been updated to recognize the approved <i>Urban Expansion Area</i> and approved Development Charge By-laws.</b></p> <p><b>f) Shall have regard to all other policies of the Urban Hamilton Official Plan.</b></p>	<p><i>Infrastructure</i> capacity in a manner that conflicts with the achievement of the intensification and density targets provided in Section E.2.0 – Urban Structure.</p> <p>c) Only be provided for lands that are contiguous with existing urban development.</p> <p>d) Balance residential and employment growth.</p> <p>e) limit development to the ability and financial capability of the City to provide infrastructure services in accordance with its approved Master Plans that have been updated to recognize the approved <i>Urban Expansion Area</i> and approved Development Charge By-laws.</p> <p>f) Shall have regard to all other policies of the Urban Hamilton Official Plan.</p>
<p>Insert Policy B.2.2.8, as follows:</p> <p><b>B.2.2.8 The timing and phasing of development of an approved <i>urban expansion area</i> shall not adversely affect the achievement of the <i>residential intensification target</i> and Greenfield density targets.</b></p>	<p>B.2.2.8 The timing and phasing of development of an approved <i>urban expansion area</i> shall not adversely affect the achievement of the <i>residential intensification target</i> and Greenfield density targets.</p>
<p>Insert Policy B.2.2.9, as follows:</p> <p><b>B.2.2.9 The timing and phasing of development shall consider active agricultural uses. Phasing options should be considered to keep lands in agricultural production and leave agricultural infrastructure in place until the land is to be developed.</b></p>	<p>B.2.2.9 The timing and phasing of development shall consider active agricultural uses. Phasing options should be considered to keep lands in agricultural production and leave agricultural infrastructure in place until the land is to be developed.</p>
<p>B.3.1 Strong Economy</p> <p>Hamilton has been working diligently to improve its economic diversification and increase its competitiveness with neighbouring and global jurisdictions. Many of the goals and policies within this Plan are coupled with other corporate strategies. Plans, projects and programs directly contribute to the City's economic health.</p> <p>There are many sectors which shape the economy such as traditional manufacturing,</p>	<p>B.3.1 Strong Economy</p> <p>Hamilton has been working diligently to improve its economic diversification and increase its competitiveness with neighbouring and global jurisdictions. Many of the goals and policies within this Plan are coupled with other corporate strategies. Plans, projects and programs directly contribute to the City's economic health.</p> <p>There are many sectors which shape the economy such as traditional manufacturing,</p>

<p>research and technology, education, healthcare, agriculture, arts and culture, transportation, either individually or as part of an economic and goods movement gateway, retail, and office. The new and emerging sectors enhance the attractiveness of the City and also provide for employment opportunities.</p> <p>The creation of a strong economy is contingent upon several key interdependent factors including developing and retaining a skilled labour force which is adaptable to changing technologies; providing infrastructure; creating an environment of innovation; supporting and enhancing the arts and culture sector; reducing poverty by providing better access to education, social programs, improving quality of life indicators such as housing choices, having abundant open spaces, access to nature, good air quality and a stable climate. (OPA 167)</p> <p>A strong economy stimulates housing demand and population growth. As the City thrives, the demand for residential options, including residential intensification, grows. The Downtown area in particular benefits from a strong economy and subsequent strength in the housing market.</p> <p>The policies of this Plan are both directly and indirectly intended to strengthen Hamilton's economic competitiveness, prosperity and resilience as envisaged by Our Future Hamilton, the City's Strategic Plan, and the Economic Development Action Plan <del>and the Growth Plan for the Greater Golden Horseshoe</del>. (OPA 167)</p>	<p>research and technology, education, healthcare, agriculture, arts and culture, transportation, either individually or as part of an economic and goods movement gateway, retail, and office. The new and emerging sectors enhance the attractiveness of the City and also provide for employment opportunities.</p> <p>The creation of a strong economy is contingent upon several key interdependent factors including developing and retaining a skilled labour force which is adaptable to changing technologies; providing infrastructure; creating an environment of innovation; supporting and enhancing the arts and culture sector; reducing poverty by providing better access to education, social programs, improving quality of life indicators such as housing choices, having abundant open spaces, access to nature, good air quality and a stable climate. (OPA 167)</p> <p>A strong economy stimulates housing demand and population growth. As the City thrives, the demand for residential options, including residential intensification, grows. The Downtown area in particular benefits from a strong economy and subsequent strength in the housing market.</p> <p>The policies of this Plan are both directly and indirectly intended to strengthen Hamilton's economic competitiveness, prosperity and resilience as envisaged by Our Future Hamilton, the City's Strategic Plan, and the Economic Development Action Plan. (OPA 167)</p>
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Appendix "C" – Volume 1: Chapter C – City Wide Systems and Designations

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
Grey highlighted strikethrough text = text to be deleted	<b>Bolded text</b> = text to be added
<p>C.1.0 PROVINCIAL PLANS WITH DESIGNATIONS</p> <p>The planning regime within the City is affected and is directed by provincial legislation, plans and policies, including the Provincial <del>Policy</del> <b>Planning</b> Statement, the Niagara Escarpment Plan, the Greenbelt Plan, <b>and</b> the Parkway Belt West Plan, <del>and the Growth Plan for the Greater Golden Horseshoe.</del></p> <p>The Official Plan must be consistent with the Provincial <del>Policy</del> <b>Planning</b> Statement and conform to <del>the Growth Plan,</del> the Greenbelt Plan, and the Niagara Escarpment Plan. However, in some areas of provincial policy, the municipality can be more restrictive than the provincial directions unless doing so would conflict with any other provincial policy. Where land use designations exist, this section details the interrelationship between the various provincial documents and this Plan. (OPA 167) (OPA 218)</p>	<p>C.1.0 PROVINCIAL PLANS WITH DESIGNATIONS</p> <p>The planning regime within the City is affected and is directed by provincial legislation, plans and policies, including the Provincial Planning Statement, the Niagara Escarpment Plan, the Greenbelt Plan, and the Parkway Belt West Plan.</p> <p>The Official Plan must be consistent with the Provincial Planning Statement and conform to the Greenbelt Plan, and the Niagara Escarpment Plan. However, in some areas of provincial policy, the municipality can be more restrictive than the provincial directions unless doing so would conflict with any other provincial policy. Where land use designations exist, this section details the interrelationship between the various provincial documents and this Plan. (OPA 167)(OPA 218)</p>
<p>Policy C.1.4 deleted in its entirety.</p> <p><del>C.1.4 Growth Plan for the Greater Golden Horseshoe (OPA 167)</del></p> <p><del>The Growth Plan for the Greater Golden Horseshoe is the provincial government's plan for growth and development within the Greater Toronto and Hamilton Areas and the surrounding communities over the next 30 years. Enabled by the Places to Grow Act, 2005, the Plan manages growth in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life for residents.</del></p>	
<p>Policy C.1.4.1 deleted in its entirety.</p> <p><del>C.1.4.1 The provisions of the Growth Plan for the Greater Golden Horseshoe shall apply to development of lands within the urban area and a portion of Rural Hamilton. In the case of discrepancy between the Growth Plan for the Greater Golden Horseshoe and this Plan, the most restrictive policies shall prevail provided</del></p>	

<del>that they are consistent with its intent and purpose.</del>	
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Appendix “D” – Volume 1: Chapter F – Implementation

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
<del>Grey highlighted strikethrough text</del> = text to be deleted	<b>Bolded text</b> = text to be added
<p>F.1.1.6 In the absence of a <b>Municipally Initiated Comprehensive Review</b> <del>Municipal Comprehensive Review</del> as defined <b>by the Urban Hamilton Official Plan</b> <del>Growth Plan for the Greater Golden Horseshoe</del>, there shall be no appeal with respect to the refusal or failure of the City to adopt an Official Plan amendment for:</p> <p>a) the redesignation, conversion or addition of non-employment land uses for lands designated Employment Area – Industrial Land, Employment Area – Business Park, Employment Area – Airport Business Park, or Employment Area – Shipping and Navigation on Schedule E-1 – Urban Land Use Designations;<del> and;</del></p> <p><del>b) the expansion of all or part of the urban boundary.</del></p>	<p>F.1.1.6 In the absence of a <i>Municipally Initiated Comprehensive Review</i> as defined by the Urban Hamilton Official Plan, there shall be no appeal with respect to the refusal or failure of the City to adopt an Official Plan amendment for:</p> <p>a) the redesignation, conversion or addition of non-employment land uses for lands designated Employment Area – Industrial Land, Employment Area – Business Park, Employment Area – Airport Business Park, or Employment Area – Shipping and Navigation on Schedule E-1 – Urban Land Use Designations.</p>
<p>F.1.1.11 In addition to the policies of the <b>Provincial Planning Statement</b> <del>Growth Plan for the Greater Golden Horseshoe</del> respecting the potential conversion of employment sites, the City may prepare and apply a set of criteria to determine the potential employment conversion sites or identification of regeneration areas.</p>	<p>F.1.1.11 In addition to the policies of the Provincial Planning Statement respecting the potential conversion of employment sites, the City may prepare and apply a set of criteria to determine the potential employment conversion sites or identification of regeneration areas.</p>
<p>F.1.1.13 Conversion of any lands designed as an Employment Area to permit non-employment uses may only be considered through a Municipally Initiated Comprehensive Review where both Provincial conversion criteria specified in <b>the Provincial Planning Statement</b><del>the Growth Plan for the Greater Golden Horseshoe</del> and local conversion criteria as noted in Policy F.1.1.11 have been satisfied. (OPA 167)</p>	<p>F.1.1.13 Conversion of any lands designed as an Employment Area to permit non-employment uses may only be considered through a Municipally Initiated Comprehensive Review where both Provincial conversion criteria specified in the Provincial Planning Statement and local conversion criteria as noted in Policy F.1.1.11 have been satisfied. (OPA 167)</p>
<p>Insert new Section F.1.2 and renumber subsequent sections and policies accordingly.</p> <p><b>F.1.2 Urban Boundary Expansion Applications</b></p>	<p>F.1.2 Urban Boundary Expansion Applications</p> <p>The Provincial Planning Statement permits <i>privately initiated Urban Boundary Expansion applications</i> to be submitted for any size and</p>

<p><b>The Provincial Planning Statement permits <i>privately initiated Urban Boundary Expansion applications</i> to be submitted for any size and location, and at any time, provided the lands are located outside of the Greenbelt Plan Area.</b></p> <p><b>The Official Plan policies do not support applications for an Urban Boundary Expansion or employment land conversion outside of a Municipally Initiated Comprehensive Review. However, the Provincial Planning Statement and <i>Planning Act</i> allow <i>privately initiated urban boundary expansion applications</i> and Employment Land conversions to be submitted at any time and Council's refusal or non-decision of a <i>privately initiated urban boundary expansion application</i> may be appealed to the Ontario Land Tribunal. Therefore, implementation policies have been established to ensure that these applications include the necessary <i>other information and material</i> required to comprehensively assess the proposal against applicable Official Plan policies.</b></p> <p><b>The following policies shall be applied to all Official Plan Amendment applications submitted that propose to expand the urban boundary or convert Employment Lands.</b></p>	<p>location, and at any time, provided the lands are located outside of the Greenbelt Plan Area.</p> <p>The Official Plan policies do not support applications for an Urban Boundary Expansion or employment land conversion outside of a Municipally Initiated Comprehensive Review. However, the Provincial Planning Statement and <i>Planning Act</i> allow <i>privately initiated urban boundary expansion applications</i> and Employment Land conversions to be submitted at any time and Council's refusal or non-decision of a <i>privately initiated urban boundary expansion application</i> may be appealed to the Ontario Land Tribunal. Therefore, implementation policies have been established to ensure that these applications include the necessary <i>other information and material</i> required to comprehensively assess the proposal against applicable Official Plan policies.</p> <p>The following policies shall be applied to all Official Plan Amendment applications submitted that propose to expand the urban boundary or convert Employment Lands.</p>
<p>Insert new Policy F.1.2.1 and renumber subsequent policies accordingly.</p> <p><b>F.1.2.1 The following requirements shall apply to any <i>privately initiated urban boundary expansion application</i>:</b></p> <p><b>a) Council has approved a Framework for Processing and Evaluating Urban Boundary Expansion Applications which outlines the submission requirements, land use considerations and review process for <i>privately initiated urban boundary expansion applications</i>. All <i>privately initiated urban boundary expansion applications</i> shall be assessed under this Framework. The City may revise the Framework for Processing and Evaluating Urban Boundary Expansion applications from time to time.</b></p> <p><b>b) The following <i>Other Information and</i></b></p>	<p>F.1.2.1 The following requirements shall apply to any <i>privately initiated urban boundary expansion application</i>:</p> <p>a) Council has approved a Framework for Processing and Evaluating Urban Boundary Expansion Applications which outlines the submission requirements, land use considerations and review process for <i>privately initiated urban boundary expansion applications</i>. All <i>privately initiated urban boundary expansion applications</i> shall be assessed under this Framework. The City may revise the Framework for Processing and Evaluating Urban Boundary Expansion applications from time to time.</p> <p>b) The following <i>Other Information and Materials</i>, amongst others, may be required</p>

<p><b>Materials, amongst others, may be required to support a <i>privately initiated urban boundary expansion</i> Official Plan Amendment:</b></p> <ul style="list-style-type: none"> <li><b>i. Agricultural Impact Assessment;</b></li> <li><b>ii. Concept Plan;</b></li> <li><b>iii. Draft Official Plan Amendment;</b></li> <li><b>iv. Emergency Services Assessment;</b></li> <li><b>v. Employment Needs Assessment;</b></li> <li><b>vi. Energy and Climate Change Assessment Report;</b></li> <li><b>vii. Indigenous Community Consultation Summary and Comment Response;</b></li> <li><b>viii. Financial Impact Analysis;</b></li> <li><b>ix. Functional Servicing Report;</b></li> <li><b>x. Housing Assessment;</b></li> <li><b>xi. Phasing Plan;</b></li> <li><b>xii. Planning Justification Report;</b></li> <li><b>xiii. Public Consultation Summary and Comment Response Report;</b></li> <li><b>xiv. Noise Impact Study;</b></li> <li><b>xv. Odour Impact Assessment;</b></li> <li><b>xvi. Recreation Needs Assessment;</b></li> <li><b>xvii. School Accommodation Issues Assessment;</b></li> <li><b>xviii. Subwatershed Study (Phase 1); and</b></li> <li><b>xix. Transportation Management Plan / Study.</b></li> </ul> <p><b>c) Where the applicant of a <i>privately initiated urban boundary expansion</i> Official Plan Amendment has opted to not proceed through a Formal Consultation:</b></p> <ul style="list-style-type: none"> <li><b>i. Notwithstanding Section F.1.19.15, all Other Information and Materials identified in F.1.2.1 shall be submitted for a <i>privately initiated urban boundary expansion</i> application to be deemed complete.</b></li> <li><b>ii. The City shall not provide the applicant a waiver letter that removes the requirement to submit any of the Other Information and Materials identified in F.1.2.1.b.</b></li> </ul> <p><b>d) Other information and material submitted in support shall be in accordance with endorsed Terms of Reference and in accordance with the Framework for Processing and Evaluating Urban Boundary Application applications.</b></p>	<p>to support a <i>privately initiated urban boundary expansion</i> Official Plan Amendment:</p> <ul style="list-style-type: none"> <li>i. Agricultural Impact Assessment;</li> <li>ii. Concept Plan;</li> <li>iii. Draft Official Plan Amendment;</li> <li>iv. Emergency Services Assessment;</li> <li>v. Employment Needs Assessment;</li> <li>vi. Energy and Climate Change Assessment Report;</li> <li>vii. Indigenous Community Consultation Summary and Comment Response;</li> <li>viii. Financial Impact Analysis;</li> <li>ix. Functional Servicing Report;</li> <li>x. Housing Assessment;</li> <li>xi. Phasing Plan;</li> <li>xii. Planning Justification Report;</li> <li>xiii. Public Consultation Summary and Comment Response Report;</li> <li>xiv. Noise Impact Study;</li> <li>xv. Odour Impact Assessment;</li> <li>xvi. Recreation Needs Assessment;</li> <li>xvii. School Accommodation Issues Assessment;</li> <li>xviii. Subwatershed Study (Phase 1); and</li> <li>xix. Transportation Management Plan/ Study.</li> </ul> <p>c) Where the applicant of a <i>privately initiated urban boundary expansion</i> Official Plan Amendment has opted to not proceed through a Formal Consultation:</p> <ul style="list-style-type: none"> <li>i. Notwithstanding Section F.1.19.15, all Other Information and Materials identified in F.1.2.1 shall be submitted for a <i>privately initiated urban boundary expansion</i> application to be deemed complete.</li> <li>ii. The City shall not provide the applicant a waiver letter that removes the requirement to submit any the any of the Other Information and Materials identified in F.1.2.1.b.</li> </ul> <p>d) <i>Other information and material</i> submitted in support shall be in accordance with endorsed Terms of Reference and in accordance with the Framework for Processing and Evaluating Urban Boundary Application applications.</p>
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<p><b>e) Notwithstanding Policy F.1.17.4 where an application has been received for an Official Plan Amendment to expand the urban boundary, the following additional public participation and notification requirements apply:</b></p> <p><b>i. Where feasible, provide multiple public notice signs at approximately 500 metre intervals of the subject lands frontage along public rights-of-way.</b></p> <p><b>ii. Any required written notice shall be provided to every owner of land within 400 metres of the proposed urban expansion area.</b></p> <p><b>iii. The City may hold at least one (1) Open House in advance of the statutory public meeting.</b></p>	<p>e) Notwithstanding Policy F.1.17.4 where an application has been received for an Official Plan Amendment to expand the urban boundary, the following additional public participation and notification requirements apply:</p> <p>i. Where feasible, provide multiple public notice signs at approximately 500 metre intervals of the subject lands frontage along public rights-of-way.</p> <p>ii. Any required written notice shall be provided to every owner of land within 400 metres of the proposed urban expansion area.</p> <p>iii. The City may hold at least one (1) Open House in advance of the statutory public meeting.</p>
<p>F.1.2.8 The following requirements shall apply to the preparation of secondary plans for any urban expansion areas established by a privately initiated application: (OPA 185)(OPA 218)</p> <p>a) <del>Any</del> <b>Separate secondary plans shall be prepared for all urban expansion areas. Any secondary plan for an urban expansion area shall cover the entirety of the lands located within that urban expansion area.</b></p> <p><b>b) Notwithstanding Policy F.1.2.8 a), an Urban Expansion Area over 500 hectares in size may be comprised of multiple secondary plans. In addition, a single secondary plan may cover both an approved urban expansion area and lands that were previously within the urban boundary.</b></p> <p><b>c) Notwithstanding Policy F.1.2.8 a), where the Urban Expansion Area is under 40 hectares in size, the City may determine that a Secondary Plan is not required only where the applicant has first gone through a Formal Consultation process.</b></p> <p>Renumber subsequent policies F.1.2.8 b) to m).</p>	<p>F.1.2.8 The following requirements shall apply to the preparation of secondary plans for any Urban Expansion Areas established by a privately initiated application: (OPA 185)(OPA 218)</p> <p>a) Separate secondary plans shall be prepared for all urban expansion areas. Any secondary plan for an urban expansion area shall cover the entirety of the lands located within that urban expansion area.</p> <p>b) Notwithstanding Policy F.1.2.8 a), an Urban Expansion Area over 500 hectares in size may be comprised of multiple secondary plans. In addition, a single secondary plan may cover both an approved urban expansion area and lands that were previously within the urban boundary.</p> <p>c) Notwithstanding Policy F.1.2.8 a), where the Urban Expansion Area is under 40 hectares in size, the City may determine that a Secondary Plan is not required only where the applicant has first gone through a Formal Consultation process.</p> <p>...</p>

<p>Insert new Policy F.3.1.8.3 and renumber subsequent policies accordingly.</p> <p><b>F.3.1.8.3 The City shall update the Water, Wastewater and Stormwater Master Plan should an <i>Urban Boundary</i> expansion be approved through a <i>privately initiated urban boundary expansion</i> application. That update, including planning and staging of infrastructure improvements shall be in accordance with the growth polices of this Plan.</b></p>	<p>F.3.1.8.3 The City shall update the Water, Wastewater and Stormwater Master Plan should an <i>Urban Boundary</i> expansion be approved through a <i>privately initiated urban boundary expansion</i> application. That update, including planning and staging of infrastructure improvements shall be in accordance with the growth polices of this Plan.</p>
<p>Insert new Policy F.3.1.9.3 and renumber subsequent policies accordingly.</p> <p><b>F.3.1.9.3 The City shall update the Transportation Master Plan should an <i>Urban Boundary</i> expansion be approved through a <i>privately initiated urban boundary expansion</i> application. That update, including planning and staging of infrastructure improvements shall be in accordance with the growth polices of this Plan.</b></p>	<p>F.3.1.9.3 The City shall update the Transportation Master Plan should an <i>Urban Boundary</i> expansion be approved through a <i>privately initiated urban boundary expansion</i> application. That update, including planning and staging of infrastructure improvements shall be in accordance with the growth polices of this Plan.</p>
<p>Insert new Policy F.3.2.18 and renumber subsequent policies accordingly.</p> <p><b>F.3.2.18 Indigenous Community Consultation Summary and Comment Response</b></p> <p><b>An Indigenous Community Consultation Summary and Comment Response shall be submitted as part of a complete application for any <i>privately initiated urban boundary expansion application</i> and shall include:</b></p> <p><b>i) Documentation demonstrating that the applicant has informed local Indigenous communities of the proposed expansion and requested input;</b></p> <p><b>ii) Documentation that the applicant has shared its draft Terms of Reference for the Subwatershed Study (Phase 1) and requested input; and,</b></p> <p><b>iii) Documentation of any meeting notes and/or comments received from the Indigenous Community.</b></p>	<p>F.3.2.18 Indigenous Community Consultation Summary and Comment Response</p> <p>An Indigenous Community Consultation Summary and Comment Response shall be submitted as part of a complete application for any <i>privately initiated urban boundary expansion application</i> and shall include:</p> <p>i) Documentation demonstrating that the applicant has informed local Indigenous communities of the proposed expansion and requested input;</p> <p>ii) Documentation that the applicant has shared its draft Terms of Reference for the Subwatershed Study (Phase 1) and requested input; and,</p> <p>iii) Documentation of any meeting notes and/or comments received from the Indigenous Community.</p>

Appendix “E” – Volume 1: Chapter G – Glossary

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
<p>Grey highlighted strikethrough text = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<p>Municipally Initiated Comprehensive Review: means a plan, undertaken by the City, which comprehensively applies the policies and schedules of <del>the A Place To Grow: Growth Plan for the Greater Golden Horseshoe, the Provincial Policy Statement</del> <b>Provincial Planning Statement</b> and the Official Plan. It can be undertaken on specific land use components, such as residential, employment, or undertaken as one comprehensive plan. (OPA 167)</p>	<p>Municipally Initiated Comprehensive Review: means a plan, undertaken by the City, which comprehensively applies the policies and schedules of the Provincial Planning Statement and the Official Plan. It can be undertaken on specific land use components, such as residential, employment, or undertaken as one comprehensive plan. (OPA 167)</p>
<p>Add definition of Privately Initiated Urban Boundary Expansion Application to Chapter G-Glossary.</p> <p><b>Privately initiated urban boundary expansion application: Means an application submitted under the Planning Act to the City of Hamilton to amend the location of the Urban Boundary.</b></p>	<p>Privately initiated urban boundary expansion application: Means an application submitted under the Planning Act to the City of Hamilton to amend the location of the Urban Boundary.</p>
<p>Add definition of Urban Expansion Area to Chapter G – Glossary.</p> <p><b>Urban Expansion Area: Means any lands added to the <i>Urban Boundary</i> through a <i>Privately initiated urban boundary expansion application</i>.</b></p>	<p>Urban Expansion Area: Means any lands added to the <i>Urban Boundary</i> through a <i>Privately initiated urban boundary expansion application</i>.</p>

Appendix "F" – Volume 1: Schedule I -Other Information & Materials

Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
1	Affordable Housing Report / Rental Conversion Assessment			✓			✓										✓
2	Aggregate Resource Assessment			✓													
3	Aggregate/Mineral Resource Analysis			✓													
4	Agricultural Impact Assessment		✓			✓				✓				✓			
5	Air Drainage Analysis Brief		✓			✓				✓				✓			
6	Air Quality Study		✓	✓		✓	✓			✓	✓						✓
7	Archaeological Assessment		✓			✓				✓				✓			
8	Channel Design and Geofluvial Assessment		✓			✓						✓					✓
9	Chloride Impact Study				✓			✓				✓					✓
10	Complete Application Compliance Summary / Summary Response to Formal Consultation Comments	✓				✓				✓				✓			
11	Concept Plan	✓				✓				✓							
12	<b>Concept Plan (Urban Boundary Expansion)</b>			✓													
13	Construction Management Plan											✓					✓
14	Contaminant Management Plan				✓			✓				✓					✓
14	Cost Recovery Agreement	✓				✓				✓							✓

Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
15																	
15	Cultural Heritage Assessment – Documentation and Salvage Plan				✓				✓				✓				✓
16	Cultural Heritage Impact Assessment		✓				✓				✓			✓			
17	Cut and Fill Analysis				✓				✓				✓				✓
18	Cycling Route Analysis	✓				✓				✓							
19	Design Review Panel Summary of Advice and Response		✓	✓			✓	✓			✓	✓			✓	✓	
20	Draft Official Plan Amendment/ Draft Zoning By-law Amendment	✓				✓											
21	Dust Impact Analysis				✓				✓				✓				✓
22	Elevations													✓			
23	Elevations (Conceptual)	✓				✓				✓							
24	Emergency Services Assessment (Urban Boundary Expansion)			✓													
25	Energy and Climate Change Assessment Report (Urban Boundary Expansion)			✓													
26	Energy and Environmental Assessment Report			✓				✓				✓				✓	

Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
<del>27</del>																	
<del>25</del> <b>28</b>	Environmental Impact Statement (EIS) and Summary of Environmentally significant Areas Impact Evaluation Group Comments (where applicable)		✓				✓				✓				✓		
<del>26</del> <b>29</b>	Environmental Site Assessment and/or Record of Site Condition		✓	✓			✓	✓			✓	✓			✓	✓	
<del>27</del> <b>30</b>	Erosion and Sediment Control Plan				✓			✓	✓								✓
<del>28</del> <b>31</b>	Erosion Hazard Assessment		✓				✓				✓				✓		
<del>29</del> <b>32</b>	Farm Economics Report				✓			✓									
<del>30</del> <b>33</b>	Financial Impact Analysis and Financial Strategy				✓			✓									
<b>34</b>	<b>Financial Impact Analysis (Urban Boundary Expansion)</b>			✓													
<del>31</del> <b>35</b>	Fish Habitat Assessment		✓				✓				✓				✓		
<del>32</del> <b>36</b>	Floodline Delineation Study/ Hydraulic Analysis		✓				✓				✓				✓		
<del>33</del> <b>37</b>	Full Disclosure Report				✓			✓									
<del>34</del> <b>38</b>	Functional Servicing Report	✓				✓			✓				✓				
<del>35</del> <b>39</b>	General Vegetation Inventory	✓				✓			✓				✓				



Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
47 53	Light Impact Assessment			✓			✓				✓				✓		
48 54	Limit of Core Areas or Limit of Conservation Authority Regulated Area		✓			✓				✓				✓			
49 55	Linkage Assessment		✓			✓				✓				✓			
50 56	Market Impact Study			✓			✓										
51 57	Master Drainage Plan				✓			✓				✓				✓	
52 58	Materials Palette or Imagery										✓					✓	
53 59	Meander Belt Assessment				✓			✓			✓					✓	
54 60	Minimum Distance Separation Calculation				✓			✓			✓					✓	
55 61	Ministry of the Environment Conservation and Parks - Environmental Compliance Approval				✓			✓			✓					✓	
56 62	Modern Roundabout and Neighbourhood Roundabout Analysis				✓			✓			✓						
57 63	Neighbourhood Traffic Calming Options Report		✓			✓				✓				✓			
58 64	Noise Impact Studies (Noise Feasibility and/or Detailed Noise Study)		✓	✓		✓	✓			✓	✓			✓	✓		
59	Nutrient Management Study				✓			✓				✓				✓	



Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
<del>73</del> 78	Roadway/Development Safety Audit				✓				✓				✓				
<del>74</del> 79	School Accommodation Issues Assessment				✓				✓								
80	<b>School Accommodation Issue Assessment (Urban Boundary Expansion)</b>			✓													
<del>75</del> 81	School and City Recreation Facility and Outdoor Recreation/Parks Issues Assessment				✓				✓				✓				
<del>76</del> 82	Servicing Plan				✓				✓	✓				✓			
<del>77</del> 83	Shoreline Assessment Study/Coastal Engineers Study		✓				✓				✓				✓		
<del>78</del> 84	Site Lighting Plan												✓				✓
<del>79</del> 85	Site Plan and Floor Plans													✓			
<del>81</del> 86	Slope Stability Study and Report		✓				✓				✓				✓		
<del>82</del> 87	Soil Management Plan												✓				✓
<del>83</del> 88	Soils/Geotechnical Study			✓				✓		✓				✓			
<del>84</del> 89	Species Habitat Assessment		✓				✓				✓				✓		
<del>85</del>	Storm Water Management Report/Plan and/or update to an	✓				✓				✓				✓			

Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
90	existing Storm Water Management Plan																
86 91	Sub-watershed Plan and/or update to an existing Sub-watershed Plan				✓				✓				✓				
92	<b>Subwatershed Study (Phase 1) (Urban Boundary Expansion)</b>			✓													
87 93	Sun/Shadow Study			✓				✓				✓				✓	
88 94	Survey Plan (Real Property Report)	✓				✓				✓				✓			
89 95	Transit Assessment	✓				✓				✓							
90 96	Transportation Demand Management Options Report				✓			✓				✓				✓	
91 97	Transportation Impact Study	✓				✓							✓				✓
92 98	Tree Management Plan/Study (City-owned trees and / or within 3 metres of ROW)	✓				✓				✓				✓			
94 99	Tree Protection Plan (Private trees)	✓				✓				✓				✓			
95 100	Urban Design or Architectural Guidelines and Architectural Control											✓					
96 101	Urban Design Report/ Brief			✓				✓				✓				✓	
97	Vibration Study		✓				✓				✓			✓			

Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
<del>102</del>																	
<del>98</del> <b>103</b>	Visual Impact Assessment		✓	✓			✓	✓			✓	✓			✓	✓	
<del>99</del> <b>104</b>	Water and Wastewater Servicing Study	✓				✓				✓				✓			
<del>100</del> <b>105</b>	Watermain Hydraulic Analysis							✓	✓					✓			
<del>101</del> <b>106</b>	Water Well Survey and Contingency Plan		✓				✓				✓			✓			
<del>102</del> <b>107</b>	Wildland Fire Assessment (OPA 167)											✓					✓
<del>103</del> <b>108</b>	Wind Study			✓				✓				✓				✓	
<del>104</del> <b>109</b>	Zoning Compliance Review					✓			✓				✓				
<del>105</del> <b>110</b>	3D Model			✓				✓				✓				✓	

## DRAFT Rural Hamilton Official Plan Amendment No. X

The following text, together with:

Appendix "A"	Volume 1: Chapter A - Introduction
Appendix "B"	Volume 1: Chapter B – Communities
Appendix "C"	Volume 1: Chapter C – City Wide Systems and Designations
Appendix "D"	Volume 1: Chapter F – Implementation
Appendix "E"	Volume 1: Chapter G – Glossary
Appendix "F"	Volume 1: Schedule H – Other Information and Materials

attached hereto, constitutes Official Plan Amendment No. "X" to the Rural Hamilton Official Plan.

### 1.0 **Purpose and Effect:**

The purpose and effect of this Amendment is to amend the Rural Hamilton Official Plan by amending or deleting existing policies and adding new policies and definitions to provide clarification on the submission requirements, review process and considerations, and public and indigenous engagement requirements for any urban boundary expansion application.

### 2.0 **Location:**

The lands affected by this Amendment are located within the Rural Area of the City of Hamilton.

### 3.0 **Basis:**

The basis for permitting this Amendment is:

- The Amendment provides clarity on the submission requirements for a complete urban boundary expansion application;
- The Amendment maintains the general intent of the policies of the Rural Hamilton Official Plan by addressing key considerations including impacts on farmland, infrastructure capacity and costs, financial viability and energy and climate; The Amendment supports the Public Participation and Notification Policies of the Rural Hamilton Official Plan and the City's Public Engagement Policy by outlining a clear process for public and Indigenous engagement

requirements for any urban boundary expansion application; and,

- To update the Rural Hamilton Official Plan to reflect updated policy direction of the Provincial Planning Statement, 2024.

#### 4.0 **Actual Changes:**

#### 4.1 **Volume 1 – Parent Plan**

##### **Text**

##### 4.1.1 Chapter A – Introduction

a. That the following policies of Volume 1: Chapter A – Introduction be amended, added, or deleted, as outlined in Appendix “A”, attached to this amendment:

- A.1.3
- A.2.3
- A.2.3.1

##### 4.1.2 Chapter B – Communities

a. That the following policies of Volume 1: Chapter B – Communities be amended, added, or deleted, as outlined in Appendix “B”, attached to this amendment:

- B.2.2 (new)
- B.2.2.1 (new)
- B.2.2.2 (new)

##### 4.1.3 Chapter C – City Wide Systems and Designations

a. That Policy C.1.0 of Volume 1: Chapter C – City Wide Systems and Designations be amended, as outlined in Appendix “C”, attached to this amendment.

##### 4.1.1 Chapter F – Implementation

a. That the following policies of Volume 1: Chapter F – Implementation be amended, added, or deleted, as outlined in Appendix “D”, attached to this amendment:

- F.1.2 (new)
- F.1.2.1 (new)
- F.3.2.19 (new)

4.1.1 Chapter G – Glossary

- a. That Volume 1: Chapter G – Glossary be amended, added, or deleted, as outlined in Appendix “E”, attached to this amendment.

***Schedules and Appendices***

4.1.2 Schedule H – Other Information and Materials

- a. That Volume 1: Schedule H – Other Information and Materials be amended by adding new study/material requirements, as shown on Appendix “F”, attached to this Amendment.

**5.0 Implementation:**

The proposed policy amendments will be implemented through the submission and processing of privately initiated urban boundary expansion applications.

This Official Plan Amendment is Schedule “1” to By-law No. \_\_\_\_ passed on the \_\_\_\_<sup>th</sup> of \_\_\_\_\_, 2025.

**The  
City of Hamilton**

\_\_\_\_\_  
A. Horwath  
MAYOR

\_\_\_\_\_  
M. Trennum  
CITY CLERK

Appendix “A” – Volume 1: Chapter A – Communities

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
Grey highlighted strikethrough text = text to be deleted	<b>Bolded text</b> = text to be added
<p>A.1.3 Role and Function of the Official Plan.</p> <p>This Plan projects a long term vision for the physical development of the City over the next 30 years. Its policies provide the direction for managing long term development to achieve social, economic and environmental objectives of the City's vision.</p> <p>The Official Plan plays a large role in setting a framework of actions that will lead to the sustainable, healthy future envisioned by Vision 2020. The City and its residents aspire to have a city that has:</p> <ul style="list-style-type: none"> <li>• compact urban communities that provide live, work and play opportunities;</li> <li>• a strong rural community protected by firm urban boundaries;</li> <li>• protected and enhanced environmental systems – land, air and water;</li> <li>• balanced transportation networks that offer choice so people can walk, cycle, take the bus or drive and recognizes the importance of goods movement to our local economy; and</li> <li>• strategic and wise use of its infrastructure services and existing built environment.</li> </ul> <p>This document:</p> <ul style="list-style-type: none"> <li>• is one of the primary implementation arms of Vision 2020;</li> <li>• is a legal document whose origin is derived from the Planning Act;</li> <li>• builds on the concepts of provincial initiatives that support the building of strong communities [such as the Provincial <b>Policy Planning</b> Statement, <b>and Growth Plan for the Greater Golden Horseshoe</b>, the Greenbelt Plan];</li> <li>• is one of the key implementation mechanisms for the City's Growth Strategy (GRIDS) and other corporate initiatives including Master Plans (Transportation and Infrastructure, Recreational), and the Social Development Strategy.</li> </ul> <p>The Rural Hamilton Official Plan applies to</p>	<p>A.1.3 Role and Function of the Official Plan</p> <p>This Plan projects a long term vision for the physical development of the City over the next 30 years. Its policies provide the direction for managing long term development to achieve social, economic and environmental objectives of the City's vision.</p> <p>The Official Plan plays a large role in setting a framework of actions that will lead to the sustainable, healthy future envisioned by Vision 2020. The City and its residents aspire to have a city that has:</p> <ul style="list-style-type: none"> <li>• compact urban communities that provide live, work and play opportunities;</li> <li>• a strong rural community protected by firm urban boundaries;</li> <li>• protected and enhanced environmental systems – land, air and water;</li> <li>• balanced transportation networks that offer choice so people can walk, cycle, take the bus or drive and recognizes the importance of goods movement to our local economy; and</li> <li>• strategic and wise use of its infrastructure services and existing built environment.</li> </ul> <p>This document:</p> <ul style="list-style-type: none"> <li>• is one of the primary implementation arms of Vision 2020;</li> <li>• is a legal document whose origin is derived from the <u>Planning Act</u>;</li> <li>• builds on the concepts of provincial initiatives that support the building of strong communities [such as the Provincial Planning Statement, and the Greenbelt Plan];</li> <li>• is one of the key implementation mechanisms for the City's Growth Strategy (GRIDS) and other corporate initiatives including Master Plans (Transportation and Infrastructure, Recreational), and the Social Development Strategy.</li> </ul> <p>The Rural Hamilton Official Plan applies to lands within Rural Hamilton. (OPA 26)</p>

<p>lands within Rural Hamilton.  (OPA 26)</p>	
<p>A.2.3 Provincial Legislation, Plans and Policies</p> <p>The planning regime within the City is affected and in many ways directed by provincial legislation, plans and policies, including the Provincial <b>Policy Planning</b> Statement, the Niagara Escarpment Plan, the Greenbelt Plan, <b>and</b> the Parkway Belt West Plan, <del>and the Growth Plan for the Greater Golden Horseshoe.</del></p>	<p>A.2.3 Provincial Legislation, Plans and Policies</p> <p>The planning regime within the City is affected and in many ways directed by provincial legislation, plans and policies, including the Provincial Planning Statement, the Niagara Escarpment Plan, the Greenbelt Plan, and the Parkway Belt West Plan.</p>
<p>A.2.3.1 Provincial <b>Planning Policy</b> Statement</p> <p>The Provincial <b>Planning Policy</b> Statement, 2024<del>05</del> was issued under the authority of the <u>Planning Act</u>, and provides policy direction on matters of provincial interest related to land use planning and development. It promotes a provincially 'policy-led' planning system in which municipal Official Plans and any planning decisions are consistent with the objectives and details of provincial policy, as required by Section 3 of the <u>Planning Act</u>.</p> <p>The Provincial <b>Planning Policy</b> Statement (PPS) sets the policy foundation for regulating the development and use of land. It provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. It includes enhanced policies on issues that affect communities, such as: the efficient use and management of land and infrastructure; improving air quality, energy conservancy and reducing greenhouse gas emissions; protection of the environment and resources, including agricultural resources and mineral aggregate resources; and ensuring appropriate opportunities are provided for employment and residential development, including support for a mix of uses. The Official Plan must be consistent with the Provincial <b>Planning Policy</b> Statement.</p>	<p>A.2.3.1 Provincial Planning Statement</p> <p>The Provincial Planning Statement, 2024 was issued under the authority of the <u>Planning Act</u>, and provides policy direction on matters of provincial interest related to land use planning and development. It promotes a provincially 'policy-led' planning system in which municipal Official Plans and any planning decisions are consistent with the objectives and details of provincial policy, as required by Section 3 of the <u>Planning Act</u>.</p> <p>The Provincial Planning Statement (PPS) sets the policy foundation for regulating the development and use of land. It provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. It includes enhanced policies on issues that affect communities, such as: the efficient use and management of land and infrastructure; improving air quality, energy conservancy and reducing greenhouse gas emissions; protection of the environment and resources, including agricultural resources and mineral aggregate resources; and ensuring appropriate opportunities are provided for employment and residential development, including support for a mix of uses. The Official Plan must be consistent with the Provincial Planning Statement.</p>

Appendix “B” – Volume 1: Chapter B – Communities

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
Grey highlighted strikethrough text = text to be deleted	<b>Bolded text</b> = text to be added
<p>Insert new subheading before Policy B.2.2</p> <p><b>Privately Initiated Urban Boundary Expansion Applications</b></p>	<p>Privately Initiated Urban Boundary Expansion Applications</p>
<p>Insert Policy B.2.2, as follows:</p> <p><b>B.2.2 A Privately Initiated Urban Boundary Expansion Application is not in keeping with Policy 1.3 (Role and Function of the Official Plan), Policy A.2.0 (Strategic Directions) and Policy B.2.1 (Defining Our Communities) among others, which establish a firm urban boundary expansion growth strategy. However, the Provincial Planning Statement and Planning Act allow privately initiated urban boundary expansion applications to be submitted at any time and Council's refusal or non-decision of a privately initiated urban boundary expansion application may be appealed to the Ontario Land Tribunal. Therefore this Plan establishes specific land use considerations for privately initiated urban boundary expansion applications.</b></p>	<p>B.2.2 A <i>Privately Initiated Urban Boundary Expansion Application</i> is not in keeping with Policy 1.3 (Role and Function of the Official Plan), Policy A.2.0 (Strategic Directions) and Policy B.2.1 (Defining Our Communities) among others, which establish a firm urban boundary expansion growth strategy. However, the Provincial Planning Statement and <u>Planning Act</u> allow <i>privately initiated urban boundary expansion applications</i> to be submitted at any time and Council's refusal or non-decision of a <i>privately initiated urban boundary expansion application</i> may be appealed to the Ontario Land Tribunal. Therefore this Plan establishes specific land use considerations for <i>privately initiated urban boundary expansion applications</i>.</p>
<p>Insert Policy B.2.2.1, as follows:</p> <p><b>B.2.2.1 Any privately initiated urban boundary expansion received shall consider:</b></p> <p><b>a) If there is sufficient capacity in existing or planned infrastructure and Community Facilities/Services.</b></p> <p><b>b) Protection of Prime Agricultural Lands and Prime Agricultural Areas.</b></p> <p><b>c) Its impact on the City's ability to meet its residential intensification and redevelopment targets of the Urban Hamilton Official Plan.</b></p> <p><b>d) Whether there is a need to designate and plan for additional land to accommodate an appropriate range and mix of land uses within the Urban Hamilton Official Plan's growth forecast.</b></p>	<p>B.2.2.1 Any <i>privately initiated urban boundary expansion</i> received shall consider:</p> <p>a) If there is sufficient capacity in existing or planned <i>infrastructure</i> and <i>Community Facilities/Services</i>.</p> <p>b) Protection of <i>Prime Agricultural Lands</i> and <i>Prime Agricultural Areas</i>.</p> <p>c) Its impact on the City's ability to meet its residential intensification and redevelopment targets of the Urban Hamilton Official Plan.</p> <p>d) Whether there is a need to designate and plan for additional land to accommodate an appropriate range and mix of land uses within the Urban Hamilton Official Plan's growth forecast.</p> <p>e) Whether the expansion will have a positive or negative impact on the City's long term</p>

<p><b>e) Whether the expansion will have a positive or negative impact on the City’s long term Infrastructure deficit.</b></p> <p><b>f) Whether there is sufficient reserve capacity in the existing street network (with consideration to the proposed street network) to accommodate the proposed increase in population and/or employment.</b></p> <p><b>g) Whether the expansion will protect, improve or restore the City’s Key Hydrologic Features and Key Natural Heritage Features.</b></p> <p><b>h) Whether the proposed expansion would contribute or detract from the City’s long-term goal of carbon neutrality.</b></p>	<p><i>Infrastructure deficit.</i></p> <p>f) Whether there is sufficient reserve capacity in the existing street network (with consideration to the proposed street network) to accommodate the proposed increase in population and/or employment.</p> <p>g) Whether the expansion will protect, improve or restore the City’s Key Hydrologic Features and Key Natural Heritage Features.</p> <p>h) Whether the proposed expansion would contribute or detract from the City’s long-term goal of carbon neutrality.</p>
<p>Insert Policy B.2.2.2, as follows:</p> <p><b>B.2.2.2 A privately initiated urban boundary expansion application shall be received and reviewed in accordance with Chapter F, Policy 1.2 of the Rural Hamilton Official Plan.</b></p>	<p>B.2.2.2 <i>A privately initiated urban boundary expansion application</i> shall be received and reviewed in accordance with Chapter F, Policy 1.2 of the Rural Hamilton Official Plan.</p>

Appendix “C” – Volume 1: Chapter C – City Wide Systems and Designations

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del></p>	<p><b>Bolded text = text to be added</b></p>
<p>C.1.0 PROVINCIAL PLANS WITH DESIGNATIONS</p> <p>The planning regime within the City is affected and is directed by provincial legislation, plans and policies, including the Provincial <del>Policy</del> <b>Planning</b> Statement, the Niagara Escarpment Plan, the Greenbelt Plan, <b>and</b> the Parkway Belt West Plan. <del>, and the Growth Plan for the Greater Golden Horseshoe.</del></p> <p>The Official Plan must be consistent with the Provincial <del>Policy</del> <b>Planning</b> Statement and conform to the Greenbelt Plan, and the Niagara Escarpment Plan. However, in some areas of provincial policy, the municipality can be more restrictive than the provincial directions. Where land use designations exist, this section details the interrelationship</p>	<p>C.1.0 PROVINCIAL PLANS WITH DESIGNATIONS</p> <p>The planning regime within the City is affected and is directed by provincial legislation, plans and policies, including the Provincial Planning Statement, the Niagara Escarpment Plan, the Greenbelt Plan, and the Parkway Belt West Plan.</p> <p>The Official Plan must be consistent with the Provincial Planning Statement and conform to the Greenbelt Plan, and the Niagara Escarpment Plan. However, in some areas of provincial policy, the municipality can be more restrictive than the provincial directions. Where land use designations exist, this section details the interrelationship</p>

between the various provincial documents and this Plan.	between the various provincial documents and this Plan.
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Appendix “D” – Volume 1: Chapter F – Implementation

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
<del>Grey highlighted strikethrough text = text to be deleted</del>	<b>Bolded text</b> = text to be added
<p>Insert new Section F.1.2 and renumber subsequent policies accordingly.</p> <p><b>F.1.2 Urban Boundary Expansion Applications</b></p> <p><b>The Provincial Planning Statement permits <i>privately initiated Urban Boundary Expansion applications</i> to be submitted for any size and location, and at any time, provided the lands are located outside of the Greenbelt Plan Area.</b></p> <p><b>The Official Plan policies do not support applications for an Urban Boundary Expansion outside of a Municipally Initiated Comprehensive Review. However, the Provincial Planning Statement and <i>Planning Act</i> allow <i>privately initiated urban boundary expansion applications</i> to be submitted at any time and Council's refusal or non-decision of a <i>privately initiated urban boundary expansion application</i> may be appealed to the Ontario Land Tribunal. Therefore, implementation policies have been established to ensure that these applications include the necessary <i>other information and material</i> required to comprehensively assess the proposal against applicable Official Plan policies.</b></p> <p><b>The following policies shall be applied to all Official Plan Amendment applications submitted that propose to expand the urban boundary.</b></p>	<p>F.1.2 Urban Boundary Expansion Applications</p> <p>The Provincial Planning Statement permits <i>privately initiated Urban Boundary Expansion applications</i> to be submitted for any size and location, and at any time, provided the lands are located outside of the Greenbelt Plan Area.</p> <p>The Official Plan policies do not support applications for an Urban Boundary Expansion outside of a Municipally Initiated Comprehensive Review. However, the Provincial Planning Statement and <i>Planning Act</i> allow <i>privately initiated urban boundary expansion applications</i> to be submitted at any time and Council's refusal or non-decision of a <i>privately initiated urban boundary expansion application</i> may be appealed to the Ontario Land Tribunal. Therefore, implementation policies have been established to ensure that these applications include the necessary <i>other information and material</i> required to comprehensively assess the proposal against applicable Official Plan policies.</p> <p>The following policies shall be applied to all Official Plan Amendment applications submitted that propose to expand the urban boundary.</p>
<p>Insert new Policy F.1.2.1 and renumber subsequent policies accordingly.</p> <p><b>F.1.2.1 The following requirements shall apply to any <i>privately initiated urban boundary expansion application</i>:</b></p>	<p>F.1.2.1 The following requirements shall apply to any <i>privately initiated urban boundary expansion application</i>:</p> <p>a) Council has approved a Framework for Processing and Evaluating Urban Boundary Expansion Applications which outlines the</p>

<p><b>a) Council has approved a Framework for Processing and Evaluating Urban Boundary Expansion Applications which outlines the submission requirements, land use considerations and review process for <i>privately initiated urban boundary expansion applications</i>. All <i>privately initiated urban boundary expansion applications</i> shall be assessed under this Framework. The City may revise the Framework for Processing and Evaluating Urban Boundary Expansion applications from time to time.</b></p> <p><b>b) The following <i>Other Information and Materials</i>, amongst others, may be required to support a <i>privately initiated urban boundary expansion</i> Official Plan Amendment:</b></p> <ul style="list-style-type: none"> <li>i. <b>Agricultural Impact Assessment;</b></li> <li>ii. <b>Concept Plan;</b></li> <li>iii. <b>Draft Official Plan Amendment;</b></li> <li>iv. <b>Emergency Services Assessment;</b></li> <li>v. <b>Employment Needs Assessment;</b></li> <li>vi. <b>Energy and Climate Change Assessment Report;</b></li> <li>vii. <b>Indigenous Community Consultation Summary and Comment Response;</b></li> <li>viii. <b>Financial Impact Analysis;</b></li> <li>ix. <b>Functional Servicing Report;</b></li> <li>x. <b>Housing Assessment;</b></li> <li>xi. <b>Phasing Plan;</b></li> <li>xii. <b>Planning Justification Report;</b></li> <li>xiii. <b>Public Consultation Summary and Comment Response Report;</b></li> <li>xiv. <b>Noise Impact Study;</b></li> <li>xv. <b>Odour Impact Assessment;</b></li> <li>xvi. <b>Recreation Needs Assessment;</b></li> <li>xvii. <b>School Accommodation Issues Assessment;</b></li> <li>xviii. <b>Subwatershed Study (Phase 1); and</b></li> <li>xix. <b>Transportation Management Plan / Study.</b></li> </ul> <p><b>c) Where the applicant of a <i>privately initiated urban boundary expansion</i> Official Plan Amendment has opted to not proceed through a Formal Consultation:</b></p> <ul style="list-style-type: none"> <li>i. <b>Notwithstanding Section F.1.9.16, all Other Information and Materials identified in F.1.2.1 shall be submitted for a <i>privately initiated</i></b></li> </ul>	<p>submission requirements, land use considerations and review process for <i>privately initiated urban boundary expansion applications</i>. All <i>privately initiated urban boundary expansion applications</i> shall be assessed under this Framework. The City may revise the Framework for Processing and Evaluating Urban Boundary Expansion applications from time to time.</p> <p>b) The following <i>Other Information and Materials</i>, amongst others, may be required to support a <i>privately initiated urban boundary expansion</i> Official Plan Amendment:</p> <ul style="list-style-type: none"> <li>i. Agricultural Impact Assessment;</li> <li>ii. Concept Plan;</li> <li>iii. Draft Official Plan Amendment;</li> <li>iv. Emergency Services Assessment;</li> <li>v. Employment Needs Assessment;</li> <li>vi. Energy and Climate Change Assessment Report;</li> <li>vii. Indigenous Community Consultation Summary and Comment Response;</li> <li>viii. Financial Impact Analysis;</li> <li>ix. Functional Servicing Report;</li> <li>x. Housing Assessment;</li> <li>xi. Phasing Plan;</li> <li>xii. Planning Justification Report;</li> <li>xiii. Public Consultation Summary and Comment Response Report;</li> <li>xiv. Noise Impact Study;</li> <li>xv. Odour Impact Assessment;</li> <li>xvi. Recreation Needs Assessment;</li> <li>xvii. School Accommodation Issues Assessment;</li> <li>xviii. Subwatershed Study (Phase 1); and</li> <li>xix. Transportation Management Plan / Study.</li> </ul> <p>c) Where the applicant of a <i>privately initiated urban boundary expansion</i> Official Plan Amendment has opted to not proceed through a Formal Consultation:</p> <ul style="list-style-type: none"> <li>i. Notwithstanding Section F.1.9.16, all Other Information and Materials identified in F.1.2.1 shall be submitted for a <i>privately initiated urban boundary expansion</i> application to be deemed complete.</li> </ul>
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<p><i>urban boundary expansion application to be deemed complete.</i></p> <p><b>ii. The City shall not provide the applicant a waiver letter that removes the requirement to submit any of the Other Information and Materials identified in F.1.2.1.b.</b></p> <p><b>d) Other information and material submitted in support shall be in accordance with endorsed Terms of Reference and in accordance with the Framework for Processing and Evaluating Urban Boundary Application applications.</b></p> <p><b>e) Notwithstanding Policy F.1.17.4 where an application has been received for an Official Plan Amendment to expand the urban boundary, the following additional public participation and notification requirements apply:</b></p> <p><b>i. Where feasible, provide multiple public notice signs at approximately 500 metre intervals of the subject lands frontage along public rights-of-way.</b></p> <p><b>ii. Any required written notice shall be provided to every owner of land within 400 metres of the proposed urban expansion area.</b></p> <p><b>iii. The City may hold at least one (1) Open House in advance of the statutory public meeting.</b></p>	<p>ii. The City shall not provide the applicant a waiver letter that removes the requirement to submit any of the Other Information and Materials identified in F.1.2.1.b.</p> <p>d) <i>Other information and material</i> submitted in support shall be in accordance with endorsed Terms of Reference and in accordance with the Framework for Processing and Evaluating Urban Boundary Application applications.</p> <p>e) Notwithstanding Policy F.1.17.4 where an application has been received for an Official Plan Amendment to expand the urban boundary, the following additional public participation and notification requirements apply:</p> <p>i. Where feasible, provide multiple public notice signs at approximately 500 metre intervals of the subject lands frontage along public rights-of-way.</p> <p>ii. Any required written notice shall be provided to every owner of land within 400 metres of the proposed urban expansion area.</p> <p>iii. The City may hold at least one (1) Open House in advance of the statutory public meeting.</p>
<p>Insert new Policy F.3.2.19 and renumber subsequent policies accordingly.</p> <p><b>F.3.2.19 Indigenous Community Consultation Summary and Comment Response</b></p> <p><b>An Indigenous Community Consultation Summary and Comment Response shall be submitted as part of a complete application for any <i>privately initiated urban boundary expansion application</i> and shall include:</b></p> <p><b>i) Documentation demonstrating that the applicant has informed local Indigenous communities of the proposed expansion and requested input;</b></p>	<p>F.3.2.19 Indigenous Community Consultation Summary and Comment Response</p> <p>An Indigenous Community Consultation Summary and Comment Response shall be submitted as part of a complete application for any <i>privately initiated urban boundary expansion application</i> and shall include:</p> <p>i) Documentation demonstrating that the applicant has informed local Indigenous communities of the proposed expansion and requested input;</p> <p>ii) Documentation that the applicant has shared its draft Terms of Reference for the</p>

<p>ii) Documentation that the applicant has shared its draft Terms of Reference for the Subwatershed Study (Phase 1) and requested input; and,</p> <p>iii) Documentation of any meeting notes and/or comments received from the Indigenous Community.</p>	<p>Subwatershed Study (Phase 1) and requested input; and,</p> <p>iii) Documentation of any meeting notes and/or comments received from the Indigenous Community.</p>
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Appendix “E” – Volume 1: Chapter G – Glossary

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
<del>Grey highlighted strikethrough text</del> = text to be deleted	<b>Bolded text</b> = text to be added
<p>Add definition of Municipally Initiated Comprehensive Review to Chapter G-Glossary.</p> <p><b>Municipally Initiated Comprehensive Review: means a plan, undertaken by the City, which comprehensively applies the policies and schedules of the Provincial Planning Statement and the Official Plan. It can be undertaken on specific land use components, such as residential, employment, or undertaken as one comprehensive plan.</b></p>	<p>Municipally Initiated Comprehensive Review: means a plan, undertaken by the City, which comprehensively applies the policies and schedules of the Provincial Planning Statement and the Official Plan. It can be undertaken on specific land use components, such as residential, employment, or undertaken as one comprehensive plan.</p>
<p>Add definition of Privately Initiated Urban Boundary Expansion Application to Chapter G-Glossary.</p> <p><b>Privately initiated urban boundary expansion application: Means an application submitted under the Planning Act to the City of Hamilton to amend the location of the Urban Boundary.</b></p>	<p>Privately initiated urban boundary expansion application: Means an application submitted under the Planning Act to the City of Hamilton to amend the location of the Urban Boundary.</p>
<p>Add definition of Urban Expansion Area to Chapter G – Glossary.</p> <p><b>Urban Expansion Area: Means any lands added to the <i>Urban Boundary</i> through a <i>Privately initiated urban boundary expansion application</i>.</b></p>	<p>Urban Expansion Area: Means any lands added to the <i>Urban Boundary</i> through a <i>Privately initiated urban boundary expansion application</i>.</p>

Appendix "F" – Volume 1: Schedule H

Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
1	Affordable Housing Report / Rental Conversion Assessment			✓			✓					✓				✓	
2	Aggregate Resource Assessment		✓	✓		✓	✓										
3	Aggregate/Mineral Resource Analysis		✓	✓		✓	✓										
4	Agricultural Impact Assessment			✓			✓				✓				✓		
5	Air Drainage Analysis Brief				✓			✓				✓				✓	
6	Air Quality Study		✓	✓		✓	✓			✓	✓					✓	
7	Archaeological Assessment		✓			✓				✓				✓			
8	Channel Design and Geofluvial Assessment		✓			✓						✓				✓	
9	Chloride Impact Study		✓			✓				✓				✓			
10	Complete Application Compliance Summary / Summary Response to Formal Consultation Comments	✓				✓				✓			✓				
11	Concept Plan	✓				✓				✓							
12	<b>Concept Plan (Urban Boundary Expansion)</b>			✓													
<del>12</del> 13	Construction Management Plan											✓				✓	
<del>13</del> 14	Contaminant Management Plan				✓			✓				✓				✓	
<del>14</del> 15	Cost Recovery Agreement	✓				✓				✓						✓	

Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
15 16	Cultural Heritage Assessment – Documentation and Salvage Plan				✓				✓				✓				✓
16 17	Cultural Heritage Impact Assessment		✓				✓			✓				✓			
17 18	Cut and Fill Analysis				✓				✓				✓				✓
18 19	Cycling Route Analysis	✓				✓			✓								
19 20	Design Review Panel Summary of Advice and Response			✓				✓				✓				✓	
20 21	Draft Official Plan Amendment/ Draft Zoning By-law Amendment	✓				✓											
21 22	Dust Impact Analysis				✓				✓				✓				✓
22 23	Elevations												✓				
23 24	Elevations (Conceptual)	✓				✓			✓								
24 25	<b>Emergency Services Assessment (Urban Boundary Expansion)</b>			✓													
25 26	<b>Energy and Climate Change Assessment Report (Urban Boundary Expansion)</b>			✓													
24 27	Energy and Environmental Assessment Report				✓				✓				✓				✓
25 28	Environmental Impact Statement (EIS) and Summary of Environmentally significant Areas Impact Evaluation Group		✓				✓			✓				✓			



Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
<del>37</del> <b>42</b>	Housing Report				✓				✓				✓				✓
<del>38</del> <b>43</b>	Hydrogeological Study			✓				✓		✓				✓			
<del>39</del> <b>44</b>	Impact Assessment for new Private Waste Disposal Sites				✓				✓				✓				✓
<b>45</b>	<b>Indigenous Community Consultation Summary and Comment Response (Urban Boundary Expansion)</b>			✓													
<del>40</del> <b>46</b>	Karst Assessment/Karst Contingency Plan		✓				✓				✓				✓		
<del>41</del> <b>47</b>	Land Use Compatibility Study			✓				✓								✓	
<del>42</del> <b>48</b>	Land Use in the Vicinity of Existing Pipelines Study		✓				✓				✓				✓		
<del>43</del> <b>49</b>	Land Use/ Commercial Needs and Impact Assessment				✓				✓								
<del>44</del> <b>50</b>	Landfill Impact Assessment		✓	✓			✓	✓			✓	✓			✓	✓	
<del>45</del> <b>51</b>	Landscape Plan									✓				✓			
<del>46</del> <b>52</b>	Landscape Plan (Conceptual)	✓				✓											
<del>47</del> <b>53</b>	Light Impact Assessment			✓				✓				✓				✓	

Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
<del>48</del> <b>54</b>	Limit of Core Areas or Limit of Conservation Authority Regulated Area		✓			✓				✓				✓			
<del>49</del> <b>55</b>	Linkage Assessment		✓			✓				✓				✓			
<del>50</del> <b>56</b>	Market Impact Study				✓				✓								
<del>54</del> <b>57</b>	Master Drainage Plan				✓				✓				✓			✓	
<del>52</del> <b>58</b>	Materials Palette or Imagery												✓			✓	
<del>53</del> <b>59</b>	Meander Belt Assessment				✓				✓				✓			✓	
<del>54</del> <b>60</b>	Minimum Distance Separation Calculation			✓					✓				✓				
<del>55</del> <b>61</b>	Ministry of the Environment Conservation and Parks - Environmental Compliance Approval				✓				✓				✓			✓	
<del>56</del> <b>62</b>	Modern Roundabout and Neighbourhood Roundabout Analysis				✓				✓				✓				
<del>57</del> <b>63</b>	Neighbourhood Traffic Calming Options Report		✓			✓				✓				✓			
<del>58</del> <b>64</b>	Noise Impact Studies (Noise Feasibility and/or Detailed Noise Study)		✓	✓		✓	✓			✓	✓			✓	✓		
<del>59</del> <b>65</b>	Nutrient Management Study				✓				✓				✓			✓	
<del>60</del> <b>66</b>	Odour Impact Assessment		✓	✓		✓	✓			✓	✓			✓	✓		

Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
61 67	On-Street Parking Plan											✓				✓	
62 68	Parking Analysis/Study			✓			✓				✓				✓		
63 69	Pedestrian Route and Sidewalk Analysis	✓				✓			✓							✓	
64 70	Planning Justification Report	✓				✓			✓							✓	
65 71	Planning Brief / Development Brief												✓				
66 72	Pre-Technical Conservation Authority Review				✓			✓				✓				✓	
67 73	Public Consultation Summary and Comment Response Report	✓				✓			✓								
68 74	Recreation Feasibility Study				✓			✓									
69 75	Recreation Needs Assessment				✓			✓				✓					
70 76	Restoration Plan				✓			✓				✓				✓	
71 77	Right of Way Impact Assessment			✓				✓			✓				✓		
72 78	Roadway/Development Safety Audit				✓			✓				✓					
73 79	Approved Source Water Protection Restricted Land Use Application (Section 59 Notice)		✓			✓				✓				✓			

Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
74 80	School Accommodation Issues Assessment				✓				✓								
81	<b>School Accommodation Issue Assessment (Urban Boundary Expansion)</b>			✓													
75 82	School and City Recreation Facility and Outdoor Recreation/Parks Issues Assessment				✓				✓				✓				
76 83	Servicing Plan				✓				✓	✓					✓		
77 84	Shoreline Assessment Study/Coastal Engineers Study		✓				✓				✓				✓		
78 85	Site Lighting Plan												✓				✓
79 86	Site Plan and Floor Plans													✓			
80 87	Slope Stability Study and Report		✓				✓				✓				✓		
81 88	Soil Management Plan												✓				✓
82 89	Soils/Geotechnical Study			✓				✓		✓				✓			
83 90	Species Habitat Assessment		✓				✓				✓				✓		
84 91	Storm Water Management Report/Plan and/or update to an existing Storm Water Management Plan	✓				✓				✓				✓			
85 92	Sub-watershed Plan and/or update to an existing Subwatershed Plan				✓				✓				✓				

Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
93	Subwatershed Study (Phase 1) (Urban Boundary Expansion)			✓													
86 94	Sun/Shadow Study				✓				✓				✓				✓
87 95	Survey Plan (Real Property Report)	✓				✓				✓				✓			
88 96	Transit Assessment				✓				✓				✓				
89 97	Transportation Demand Management Options Report				✓				✓				✓				✓
90 98	Transportation Impact Study	✓				✓							✓				✓
94 99	Tree Management Plan/Study (City-owned trees and / or within 3 metres of ROW)	✓				✓				✓				✓			
92 100	Tree Protection Plan (Private trees)	✓				✓				✓				✓			
93 101	Urban Design or Architectural Guidelines with Control Architect												✓				
94 102	Urban Design Report/ Brief				✓				✓				✓				✓
95 103	Vibration Study		✓				✓				✓				✓		
96 104	Visual Impact Assessment		✓	✓			✓	✓			✓	✓			✓	✓	
97 105	Water and Wastewater Servicing Study	✓				✓				✓				✓			

Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
<del>98</del> 106	Watermain Hydraulic Analysis					✓				✓				✓			
<del>99</del> 107	Water Well Survey and Contingency Plan			✓				✓				✓				✓	
<del>100</del> 108	Wildland Fire Assessment (OPA 167)											✓					✓
<del>101</del> 109	Wind Study			✓				✓				✓				✓	
<del>102</del> 110	Zoning Compliance Review					✓				✓				✓			
<del>103</del> 111	3D Model			✓				✓				✓				✓	



## Framework for Processing and Evaluating Urban Boundary Expansion Applications

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### PURPOSE:

This document explains the framework in which the City of Hamilton will receive, process, and assess new Official Plan Amendment applications to expand Hamilton's urban boundary under a Provincial Planning Statement, 2024 policy regime. The City of Hamilton has adopted, and the Province of Ontario has approved, a no urban boundary expansion growth strategy to the year 2051 through its Municipal Comprehensive Review in 2022. While the City's Official Plan does not support any urban boundary expansions outside of a city initiated Municipal Comprehensive Review or Official Plan review, the city also recognizes that under the proposed Provincial Planning Statement, 2024 and recent legislative changes made to the *Planning Act* through Bill 185, new privately initiated urban boundary expansion applications would be able to be received and approved at any time.

The purpose of this framework is to ensure that any urban boundary expansion applications submitted are complete and comprehensively assess the implications of the proposal against municipal land use priorities including accommodating growth through intensification, farmland preservation, infrastructure capacity and costs, planning for the impacts of climate change, protection of the natural environment, and supporting an active transportation network. This framework does not constitute a list of minimum submission requirements or criteria to determine whether an urban boundary expansion can receive municipal approval.

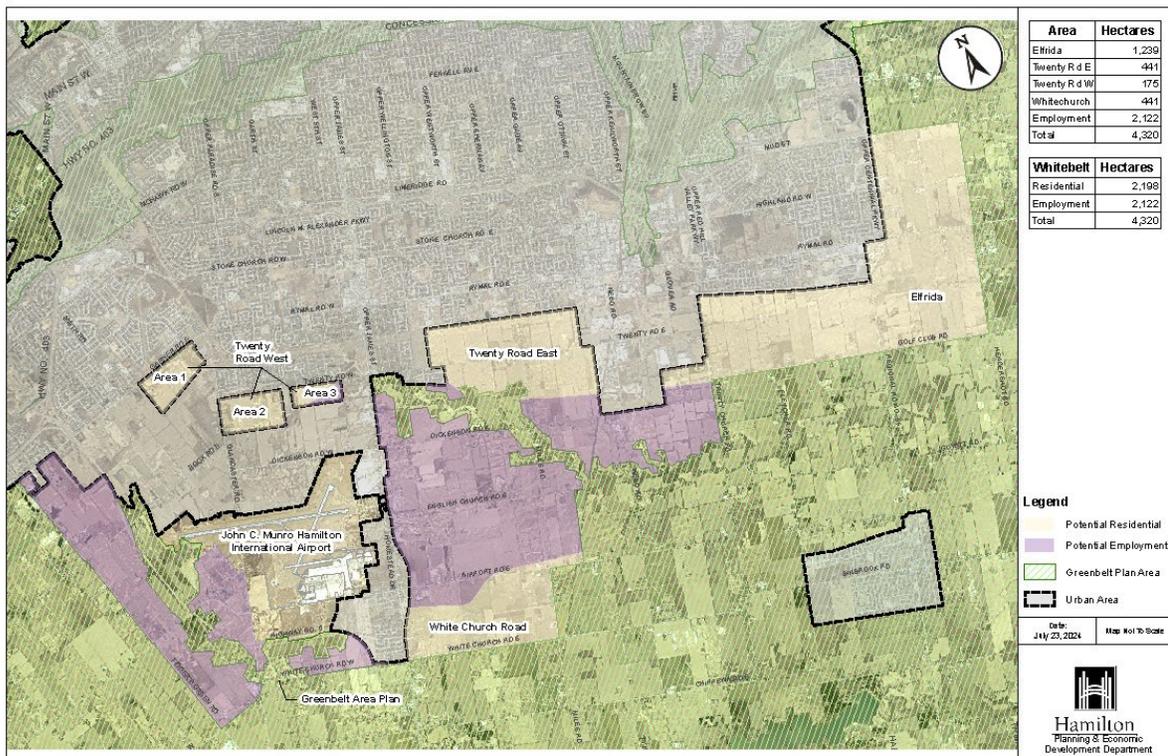
The framework is broken into three parts:

- Part A – Official Plan Amendment Submission Requirements
- Part B – Evaluation and Locational Consideration
- Part C – Application Submission & Review Process

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**City of Hamilton Potential Urban Expansion Areas**

Under the proposed Provincial Planning Statement, lands that are outside of an approved settlement area and outside of the Greenbelt Plan area may be considered for future urban boundary expansions. This area of land is sometimes referred to as the White Belt. Within the City of Hamilton’s Rural Hamilton Official Plan there is currently 4,320 hectares of these lands. This area is identified in the map below. Based on the City’s Official Plan policies which restrict sensitive land uses above 28 Noise Exposure Forecast (or NEF) contours, approximately 2,198 hectares could accommodate future community land uses and the other 2,122 hectares could accommodate employment uses.



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**PART A – Urban Boundary Expansion Submission Requirements**  
**Minimum Submission Requirements**

Unless specifically removed as a submission requirement through the Formal Consultation process, the technical plans and studies below must be submitted with any Official Plan Amendment application to expand Hamilton’s urban boundary. Both the Urban and Rural Hamilton Official Plans include additional policies respecting the submission requirements for urban boundary expansion applications.

<b>Minimum Submission Requirement</b>	<b>City Division / Agency Responsible for Reviewing Terms of Reference and Assessing the Technical Submission</b>
Concept Plan	Planning Division
Planning Justification Report	Planning Division
Energy and Climate Change Assessment Report	Planning Division / Office of Climate Change Initiatives Division
Financial Impact Analysis and Financial Strategy	Planning Division / Growth Management Division / Asset Management Division / Municipal Finance Division
Phasing Plan	Growth Management Division
Noise Impact Study	Planning Division
Transportation Impact Study	Transportation Planning and Parking Division
Transit Assessment	Transit Services Division
Pedestrian Route and Sidewalk Analysis	Transportation Planning and Parking Division
Functional Servicing Report	Growth Management Division / Conservation Authority
Subwatershed Study (Phase 1)	Planning Division / Growth Management / Conservation Authority
Geotechnical Study	Growth Management Division / Conservation Authority
Karst Assessment	Planning Division / Conservation Authority
Community Facilities and Recreational Needs Assessment	Public Works Department
School Accommodation Issues Assessment	School Boards
Emergency Services Assessment (Policy / Fire / Ambulance)	Planning Division Emergency Service Providers

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<b>Minimum Submission Requirement</b>	<b>City Division / Agency Responsible for Reviewing Terms of Reference and Assessing the Technical Submission</b>
Agricultural Impact Assessment	Planning Division
Cultural Heritage Impact Study	Planning Division
Archaeological Assessment	Planning Division
Public Consultation Summary and Comment Response Report	Planning Division
Indigenous Community Consultation Summary and Comment Response	Planning Division
Minimum Distance Separation (MDS) Formulae	Planning Division
Draft Official Plan Amendment	Planning Division

### **Mandatory Locational Submission Requirements**

The following submission requirements are required where, based on historic use of the lands or its proximity to other types of land uses, are required as minimum requirements. These additional submission requirements will be confirmed through a Formal Consultation process. In the absence of Formal Consultation, these are required to deem an application complete.

<b>Locational Submission Requirement</b>	<b>When Required</b>	<b>Department / Agency Responsible for Reviewing Terms of Reference and Assessing the Technical Submission</b>
Noise Impact Study	The urban expansion lands are within the Airport Influence Area identified within the 25+ Noise Exposure Forecast contours on Rural Hamilton Official Plan Appendix D.	Planning Division / Hamilton International Airport
Odour Impact Assessment	The proposed urban expansion area includes sensitive land uses in the vicinity of commercial, industrial, agricultural or any other uses with the potential to produce point source fugitive odour emissions.	Planning Division

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Employment Assessment	The urban expansion area includes lands intended for Employment uses.	Planning Division
<b>Locational Submission Requirement</b>	<b>When Required</b>	<b>Department / Agency Responsible for Reviewing Terms of Reference and Assessing the Technical Submission</b>
Housing Assessment	The urban expansion area includes lands intended for Residential uses.	Planning Division

### **Additional Submission Requirements**

Depending on the location and size of the urban boundary expansion application, the City may identify the following additional technical submission requirements through the Formal Consultation process or, where Formal Consultation is waived by an applicant, following the City's review of the applicant's submission.

### **Terms of References**

The City has approved draft Terms of Reference which are available on the City's website. Urban boundary expansion applications are unique, and the submission requirements may differ than what is submitted as part of a typical development application. The city strongly encourages that any proponent of an urban boundary expansion application consults with the municipality prior to undertaking any of these technical submissions.

City Council has approved the following Terms of Reference that are specifically related to Official Plan Amendment applications that seek to expand Hamilton's urban boundary. They are:

- Concept Plan (Urban Boundary Expansion)
- Emergency Services Assessment (Urban Boundary Expansion)
- Energy and Climate Change Assessment Report (Urban Boundary Expansion)
- Fiscal Impact Analysis (Urban Boundary Expansion)
- Housing Assessment (Urban Boundary Expansion)
- School Accommodation Issues Assessment (Urban Boundary Expansion)
- Subwatershed Study (Phase 1) (Urban Boundary Expansion)

### **Functional Servicing Report**

Building upon the City's existing Terms of Reference and guidance on Functional Servicing Reports, new urban boundary expansion applications must submit a Functional Servicing Report that includes the components below. Prior to the submission of an urban boundary expansion application, the proponent shall meet with

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Growth Management Division staff to confirm the specific Terms of Reference for the Functional Servicing Report.

Natural Hazards Components	Land Development Components
<ul style="list-style-type: none"> <li>• Floodline Delineation Study/Hydraulic Analysis</li> <li>• Erosion Hazard Assessment</li> <li>• Downstream Floodplain Assessment</li> <li>• Meander Belt Assessment</li> <li>• Slope Stability Study &amp; Report</li> <li>• Channel Design &amp; Geofluvial Assessment</li> <li>• Cut-Fill Analysis</li> <li>• Karst Assessment (or may be a stand-alone report)</li> </ul>	<ul style="list-style-type: none"> <li>• Grading Plan</li> <li>• Survey Plan</li> <li>• Erosion &amp; Sediment Control Plan</li> <li>• Water Servicing Study (or may be stand-alone report)</li> <li>• Wastewater Servicing Study (or may be stand-alone report)</li> <li>• Hydrogeological Study (or may be stand-alone report)</li> <li>• Geotechnical Study (or may be stand-alone report)</li> <li>• Master Drainage Plan</li> </ul>

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**PART B**

**Urban Boundary Expansion Application - Draft Evaluation and Locational Considerations**

Built upon the Provincial policies and plans, the City's Urban and Rural Official Plans as well as recent work undertaken through the City's Growth Related Integrated Development Strategy (GRIDS 2) and Municipal Comprehensive Review as well as local strategies including the Biodiversity Action Plan and Hamilton Food Strategy, the City has identified thematic considerations for urban boundary expansion applications that will be used by the City to assess urban boundary expansion applications.

The considerations do not represent minimum criteria which if addressed will result in a positive recommendation from City staff. This framework also does not include a formal scoring process to assess each consideration. The information collected and considered in the following framework is intended to help City staff formulate recommendations for expansion applications.

<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
<b>Process and Transparency</b>	Has the applicant undertaken early consultation with Indigenous communities, the public and stakeholders?	Public Consultation Summary and Comment Response Report  Indigenous Community Consultation Summary and Comment Response
	How does the urban boundary expansion impact the City's ability to meet its residential intensification and redevelopment targets in Section A.2.3 of the UHOP?	Housing Assessment
<b>Growth Allocation (Base Considerations)</b>	Is there a need to designate and plan for additional land to accommodate an appropriate range and mix of land uses within the Urban Hamilton Official Plan's growth forecast? (PPS 2.3.2.1 a)	Concept Plan  Housing Assessment

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<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
<b>Growth Allocation (Base Considerations) (continued)</b>	<p>Are the residential and/or employment uses within proposed urban boundary expansion area based on the approved population and employment forecasts and time horizon in the Urban Hamilton Official Plan, specifically A.2.3.1-2.3.3?</p> <p>If so, what time-frame? (e.g. 2031-2041)</p> <p>If not, what population and employment forecasts were used?</p>	<p>Housing Assessment</p> <p>Employment Needs Assessment</p>
	<p>The impact of the proposed expansion on the City's vision for a sustainable community, as it relates to the objectives, policies and targets established in this Plan; and the impact of the proposed expansion on the City's communities, environment and economy and the effective administration of the public service. (UHOP F.1.1.5)</p>	<p>Planning Justification Report</p> <p>Energy and Climate Change Assessment Report</p> <p>Financial Impact Analysis</p>
	<p>A comprehensive review and land budget analysis is required to determine the need for an urban boundary expansion, which includes an assessment of occupied and vacant urban land, brownfield availability, greenfield densities, and intensification targets to determine if sufficient opportunities to accommodate forecasted growth contained in the UHOP are not available.</p>	<p>Housing Assessment</p>
	<p>The timing of the urban boundary expansion and the phasing of development within the greenfield areas shall not adversely affect the achievement of the residential intensification target and Greenfield density targets.</p>	<p>Phasing Plan and Planning Justification Report</p> <p>Housing Assessment</p>

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<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
<b>Growth Allocation (Base Considerations) (continued)</b>	Is there a landowner group established representing all landowners within the proposed urban boundary expansion Area? If so, do they have a formalized cost-sharing agreement? If not, what efforts have been undertaken prior to the submission of the application to inform all landowners of the proposed urban boundary expansion.	Application Form with all Ownership Information
	Would the proposed urban boundary expansion have a positive impact on housing affordability within the City?	Housing Assessment
<b>Growth Allocation (Locational Considerations)</b>	Are the expansion lands located within the Greenbelt Plan area?	Location Map
	Are the expansion lands contiguous with the current Hamilton Urban Boundary and Built-Up Area? Are there any physical (e.g. highways, hydro lines) or natural barriers (watercourses) separating the proposed expansion lands to Hamilton's current built up area? (New)	Location Map  Planning Justification Report
	Does the new or expanded settlement area provide for phased progression of urban development? (PPS 2.3.2.1 g)	Phasing Plan  Planning Justification Report
<b>Land Use Compatibility (Locational Considerations)</b>	Does the expansion area and proposed land uses protect the Hamilton International Airport from incompatible land uses and supports its long term operation? (PPS 3.4.1, 3.4.2)	Noise Impact Study  Concept Plan
	Does the expansion area and proposed land use avoid other Major Facilities from sensitive land uses and where avoidance is not possible, protect the long-term viability of existing or planned industrial, manufacturing, or other major facilities? (PPS 3.5)	Noise/Odour Impact Study  Planning Justification Report  Concept Plan

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<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
<b>Land Use Compatibility (Locational Considerations) (continued)</b>	For employment area urban boundary expansions, does the proposed uses maintain land use compatibility between sensitive land uses and employment areas in accordance with policy 3.5.1 to maintain the long-term operational and economic viability of the planned uses and function of these areas? (PPS 2.8.2.4)	Planning Justification Report
	Does the proposed expansion area and proposed land uses maintain the UHOP and RHOP prohibition of new sensitive land uses within 28+ NEF? (UHOP Table C.4.8.1)	Noise Impact Study  Concept Plan
	Do the land uses within the proposed expansion area consider and not conflict with the Airport 2023-2043 Master Plan, including future NEF contours?	Noise Impact Study  Concept Plan
<b>Climate Change (Base Considerations)</b>	What mitigation measures are proposed to mitigate the impacts of a changing climate? (PPS 5.2.4)	Energy and Climate Change Assessment Report
	Does the growth scenario contribute to the City's long-term goal of carbon neutrality by providing opportunities for reductions in greenhouse gas emissions?	Energy and Climate Change Assessment Report
	Does the expansion area present any significant opportunities to address risks and challenges associated with climate change?	Energy and Climate Change Assessment Report
	Does the expansion area present any significant risks associated with climate change?	Energy and Climate Change Assessment Report
<b>Climate Change (Base Considerations)</b>	Does the proposed development incorporate any of the energy efficient and environmental designed development criteria under B.3.7.2, including:	Energy and Climate Change Assessment Report

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<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
	<ul style="list-style-type: none"> <li>- Use of environmental building rating system (LEED).</li> <li>- Designs with renewable or alternative energy systems.</li> <li>- Designs with cogeneration energy systems.</li> <li>- Designs to minimum heat loss in winter / heat island effect in summer.</li> <li>- Designs to include sustainable forms of transportation.</li> <li>- Pilots new community energy plans.</li> <li>- Passive House.</li> <li>- Canadian Home Builders Association Net Zero Homes Label.</li> </ul>	
<b>Climate Change (Locational Considerations)</b>	Does the location of the expansion area have the ability to promote a community form that reduces reliance on private automobiles helping to reduce transportation GHG's?	Energy and Climate Change Assessment Report  Transportation Impact Study  Transit Assessment  Pedestrian Route and Sidewalk
	Does the location provide an opportunity for district energy, wind, or solar power generation?	Energy and Climate Change Assessment Report

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<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
	<p>Is there sufficient capacity in existing stormwater management systems to manage potential changes in weather patterns and increased climate variability?</p> <p>Does the proposed stormwater management provide resilience and consider climate change adaptability?</p> <p>Does the proposed stormwater management consider Low Impact Development Best Management Practices</p> <ul style="list-style-type: none"> <li>- Other green infrastructure measures (e.g. rain/ green streets, sponge parks, etc.)</li> </ul>	<p>Functional Servicing Report</p>
	<p>Does the expansion area support the maintenance and enhancement of the existing tree canopy?</p>	<p>Subwatershed Study (Phase 1)</p>
<b>Natural Hazards (Base Considerations)</b>	<p>Are the urban expansion lands directed away from hazardous lands? (PPS)</p>	<p>Geotechnical Study</p> <p>Karst Assessment</p> <p>Floodline Delineation Study / Hydraulic Analysis</p> <p>Functional Servicing Report (Natural Heritage Components)</p> <p>Subwatershed Study (Phase 1)</p> <p>Karst Assessment</p>
<b>Municipal Finance (Base Considerations)</b>	<p>Is the required infrastructure and public service facilities required to service the urban expansion area financially viable over their lifecycle, leverage the capacity of</p>	<p>Financial Impact Analysis</p>

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<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
	development proponents and meet current and projected needs? (PPS 3.1.1).	
	Will the urban expansion increase the City's Infrastructure Deficit?	Financial Impact Analysis
	What is the financial value of natural heritage features within the proposed expansion area to the City?	Financial Impact Analysis Subwatershed Study (Phase 1)
<b>Infrastructure and Public Service Facilities (Base Considerations)</b>	Would the proposed expansion remove planned infrastructure capacity for new development within the existing built-up area?	Community Facilities and Recreational Needs Assessment
	Is there sufficient capacity in existing or planned water/wastewater/stormwater distribution and treatment systems?	School Accommodation Issues Assessment
<b>Infrastructure and Public Service Facilities (Locational Considerations)</b>	Are significant extensions / expansions beyond planned/budgeted trunk infrastructure required to service this area?	Functional Servicing Feasibility/Options Report
	Does the expansion area maximize existing capacity within the available water/wastewater and stormwater distribution systems?	Transportation Impact Study
	Is there sufficient capacity in planned waste management facilities?	Emergency Service Assessment (Police / Fire / Ambulance)
	Is the expansion area serviceable from a police / fire / medical emergency response perspective? If not, will new infrastructure be required?	
	Does the expansion area protect corridors and right-of-ways for infrastructure including transportation, transit, and electricity generation to meet current and projected needs? (PPS 3.3.1)	

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<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
<b>Transportation Systems (Base Considerations)</b>	Does the expansion area provide an urban form that will expand convenient access to a range of transportation options including active transportation, to promote complete communities?	Transportation Impact Study  Transit Assessment  Pedestrian Route and Sidewalk Analysis  Concept Plan
	Does the expansion area prioritize development of areas that would be connected to the planned BLAST network, the (Re)envision Plan and existing transit?	Transportation Impact Study  Transit Assessment
	Does the expansion area make use of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible? (PPS 3.2.2)	Transportation Impact Study  Transit Assessment  Concept Plan
<b>Transportation Systems (Locational Considerations)</b>	Does the expansion area contain or is it adjacent to existing City transit routes or stops?	Transit Assessment
	Can the expansion lands be connected to a planned City transit route or stop in a way that is financially feasible?	Financial Impact Analysis and Financial Strategy
	Does the expansion area contain an existing or planned pedestrian or cycling networks?	Pedestrian Route and Sidewalk Analysis

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<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
	Is there sufficient reserve capacity in the existing street network (with consideration to the proposed street network) to accommodate the proposed increase in population and/or employment?	Transportation Impact Study
	Is the proposed or potential street network within the expansion area a logical extension of the existing street network? Does it connect the expansion area to surrounding areas and key destinations?	Transportation Impact Study  Transit Assessment
<b>Natural Heritage and Water Resources (Base Considerations)</b>	Would the expansion protect natural features and areas for the long-term? (PPS 4.1.1)	Subwatershed Study (Phase 1)
	<p>Would the expansion protect, improve, or restore the quality and quantity of water by:</p> <ul style="list-style-type: none"> <li>a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;</li> <li>b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;</li> <li>c) identifying water resource systems;</li> <li>d) maintaining linkages and functions of water resource systems;</li> <li>e) implementing necessary restrictions on development and site alteration to; <ul style="list-style-type: none"> <li>a. protect drinking water supplies and designated vulnerable areas; and</li> <li>b. protect, improve, or restore vulnerable surface and ground water, and their hydrologic functions;</li> </ul> </li> <li>f) planning for efficient and sustainable use of water resources,</li> </ul>	Subwatershed Study (Phase 1)

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<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
	<p>through practices for water conservation and sustaining water quality; and;</p> <p>g) ensuring consideration of environmental lake capacity, where applicable? (PPS 4.2.1)</p>	
<b>Natural Heritage and Water Resources (Locational Considerations)</b>	Protect Water Resource Systems - Does the expansion area demonstrate an avoidance and/or mitigation of potential negative impacts on watershed conditions and the water resource system including quality and quantity of water?	Subwatershed Study (Phase 1) Species Habitat Assessment
	Avoid Key Hydrological Areas - Does the expansion area avoid key hydrologic areas including significant groundwater recharge areas, vulnerable aquifers, surface water contribution areas, and intake protection zones?	
	Connected and Protected Natural Heritage System - Does the expansion area avoid and protect Natural Heritage Systems as identified by the City and Province?	
	Mitigate Impact on Natural Heritage - Does the expansion area maintain, restore, or enhance the functions and features of the area including diversity and connectivity of natural features, the long-term ecological function and biodiversity of natural heritage systems?	
	Is the applicant proposing specific measures as part of the expansion proposal that would strengthen protection of biodiversity in both rural and urban contexts?	

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<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
<b>Complete Communities (Base Considerations)</b>	Is there a clear vision for the urban boundary expansion lands and how these lands would function and be integrated with the broader community?	Planning Justification Report  Draft Official Plan Amendment
	Does the expansion area provide a diverse mix of land uses in a compact built form, with a range of housing options to accommodate people at all stages of life and to accommodate the needs of all household sizes and incomes?	Housing Needs Assessment  Concept Plan
	Does the expansion area improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes?	Housing Needs Assessment  Recreational Needs Assessment
<b>Complete Communities (Base Considerations) (continued)</b>	Does the urban expansion support the achievement of complete communities by: <ul style="list-style-type: none"> <li>a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including, schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;</li> <li>b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and,</li> <li>c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups. (PPS 2.1.6)</li> </ul>	Housing Needs Assessment  Community Facilities and Recreational Needs Assessment  Concept Plan

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<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
<b>Complete Communities (Locational Considerations)</b>	Is the expansion area contiguous to the existing settlement area boundary?	Concept Plan
	Based on identified gaps in specific geographies, does the expansion area contribute to the surrounding community's completeness?	Planning Justification Report  Concept Plan
	Does the expansion area have access to planned community facilities?	Housing Needs Assessment
	Does the expansion area have access to existing community facilities? Are there gaps in the types of facilities currently available?	Community Facilities and Recreational Needs Assessment
	Can the expansion area function as a complete community including an appropriate mix of jobs, stores, services, housing, transportation options, and public service facilities for all ages and abilities?	School Accommodation Issues Assessment  Recreational Needs Assessment
	Taking into consideration protection of natural heritage areas and other development constraints (e.g. public infrastructure, NEF contours etc.) is there sufficient, consolidated developable land within the proposed urban expansion area to create a comprehensive, integrated, complete community?	Subwatershed Study (Phase 1)
<b>Agricultural System (Base Considerations)</b>	Does the expansion area prioritize development of areas that are non-prime agricultural?	Agricultural Impact Assessment
	Does the expansion area comprise specialty crop lands? (PPS 2.3.2.1 c))	Planning Justification Report
	Does the expansion area avoid prime agricultural areas and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in prime agricultural areas? (PPS 2.3.2.1 e))	

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<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
<b>Agricultural System (Base Considerations) (continued)</b>	Does the expansion area comply with the minimum distance separation formulae? (PPS 2.3.2.1 f))	
	Does the expansion area impact on the agricultural system avoid, or where avoidance is not possible, minimize and mitigate to the extent feasible as determined through an agricultural impact assessment or equivalent analysis, based on provincial guidance? (PPS 2.3.2.1 g))	
	Does the expansion area promote healthy, local, and affordable food options, including urban agriculture?	
	Does the proposed expansion area impact community food security from a climate emergency point of view?	
<b>Agricultural System (Locational Considerations)</b>	Does the expansion area include an evaluation of alternative locations which avoid prime agricultural areas and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in prime agricultural areas? (PPS 2.3.2.1 d))	Agricultural Impact Assessment  Planning Justification Report
<b>Cultural Heritage Resources (Base Considerations)</b>	Does the expansion area have the potential to impact cultural heritage resources including designated heritage properties, and can they be conserved? (GRIDS2)	Cultural Heritage Impact Assessment
	Does the expansion area have the potential to impact significant archaeological resources? (PPS 4.6)	Archaeological Assessment

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<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
	Has the proponent engaged early with Indigenous communities and First Nations whose treaty or traditional territories are located within the City of Hamilton municipal boundary and ensure their interests are considered when identifying, protecting, and managing archaeological resources, built heritage resources and cultural heritage landscapes? (PPS 4.6.5)	Indigenous Community Consultation Summary and Comment Response Report

## **PART C – Application Submission & Review Process**

### **1. Pre-Submission Discussions with the City**

Proponents for future urban boundary expansion applications are encouraged to contact the City's Planning Division as early as possible to discuss their forthcoming application including any questions related to this framework, most notably the scoping of technical studies. In any preliminary discussions with the City, the proponent must clearly identify the landowners they are representing. These discussions would be without prejudice to any future urban boundary expansion application.

### **2. First Nations, Indigenous and Metis Communities Consultation**

The City of Hamilton supports meaningful early engagement with Indigenous communities whose treaty of traditional territories are located within the City of Hamilton municipal boundary and strongly encourages proponents of new urban boundary expansion applications to contact First Nation, Indigenous and Métis communities which may have an interest in the land prior to the submission of a Formal Consultation and/or Official Plan Amendment application. Initial notification shall include an offer to meet to discuss the project. Where no response to commencement notice is received, a follow-up email and phone call will occur to confirm whether there are any interests related to the proposal. Where an interest has been expressed, the proponent shall begin constructive, cooperative discussions to ensure that their interests are considered through the formation of the proposal and to confirm when and how they would like to participate in the planning of these lands moving forward. Any discussions with First Nation, Indigenous and Métis communities must be documented and shared with the City as part of its Official Plan Amendment submission to the City through the submission of an Indigenous Community Consultation Summary and Comment Response.

The City will also circulate any urban boundary expansion Formal Consultation application and/or Official Plan Amendment application to First Nations and local Indigenous communities for input through both a Development Review Team meeting and direct in-person meetings.

### **3. Formal Consultation**

Bill 185 amended the *Planning Act* to allow applicants to opt out of this process. Given the complexity of any urban boundary expansion proposal, the City strongly encourages applicants to proceed through the Formal Consultation application process.

Where a Formal Consultation application has been submitted for an urban boundary expansion application the City may waive the requirement to submit specific technical plans and studies identified in Part A of this Framework, Schedule I of the Urban Hamilton Official Plan and Schedule H of the Rural Hamilton Official Plan where it has been determined that they are not required to fully assess the application. City staff will

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also work with the applicant to ensure that the timing, length, and agenda of the Development Review Team meeting best enables a productive discussion on the proposal.

#### Opting out of Formal Consultation

Where an applicant opts out of the Formal Consultation process, the applicant must submit the complete list of technical plans and studies identified in Part A prior to the City deeming the application complete.

#### **4. Pre-Submission Community Meeting/Event**

Early public engagement is a critical part of an urban boundary expansion application to ensure that residents are informed of the proposal and have an opportunity to provide any input prior to the application being deemed complete. The City strongly supports public participation in any urban boundary expansion proposal above and beyond the minimum requirements set out under the *Planning Act* and Official Plans. Nothing in this guideline is intended to restrict additional public engagement from taking place.

Building upon the Terms of Reference for a [Public Consultation Summary and Comment Response](#), the City strongly encourages that prior to the submission of an Official Plan Amendment application to expand the urban boundary, the applicant will:

- Send written notice to all landowners and residents within the proposed urban expansion area and within 400 metres of the subject lands advising of their intention to submit an urban boundary expansion application to the City. The notice shall clearly identify the names of the individuals(s) and/or corporation(s) that will be making the application as well as providing contact information for the applicant (or agent) who residents can contact if they have any questions.
- Using the same notification list and working with City staff and the local Ward Councillor(s) to identify any additional residents or community organizations, scheduling a community meeting or event open to the public that residents can attend to receive information regarding the proposal, ask questions of the applicant and provide input.

Additional direction of scheduling a community meeting/event and the required documentation is provided within the Public Consultation Summary and Comment Response Terms of Reference.

#### **5. Deeming an Urban Boundary Expansion Application Incomplete**

Should an Official Plan Amendment application be submitted that does not provide the information and materials identified in the City's Official Plans, Planning staff will deem the application incomplete within 30 days.

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If an application has been deemed incomplete, Planning staff will submit a Communication Update to Mayor and Council informing them of the status of the application. All materials submitted in support of the application will also be posted on the City's website at [www.Hamilton.ca/UBE](http://www.Hamilton.ca/UBE). The Planning Division will not circulate an incomplete application to applicable internal City Departments or to external review agencies and the public for comment.

## **6. Deeming an Urban Boundary Expansion Applications Complete**

Urban boundary expansion Official Plan Amendments applications, including application fees and technical studies, shall be submitted to the City's Planning Division in the same manner as typical Official Plan Amendment applications. Upon receipt, the Planning Division will notify the applicant within the prescribed *Planning Act* timeframe whether the application has been deemed complete or if any other information or material is required. This notification will also provide a primary contact person within the Planning Division that has been assigned the application.

## **7. Enhanced Public Notification for Urban Boundary Expansion Applications Deemed Complete**

Given the potential for urban boundary expansion applications covering a large geographic area as well as the significant impacts of urbanizing rural lands, the City has established enhanced public notification requirements above and beyond what is required for a standard Official Plan Amendment application. This will include:

- Providing written notice of the application being deemed complete and of the statutory public meeting to every owner of land within the urban expansion area and within 400 metres of the subject lands.
- Requiring multiple public notice signs be posted on the property with one (1) public notice sign installed approximately every 500 metres of frontage along any public right-of-way surrounding the proposed expansion area and along any right-of-way that bisects the area. In situations where it is not feasible for the applicant to install public notice signs every 500 metres, alternative locations may be approved by Planning Division staff. Each sign must clearly illustrate the location of the proposed urban expansion area, providing appropriate labels so the size and locational context can be clearly understood. The locations and design of the public notice signs must be approved by the City.
- Posting all application materials on the City of Hamilton's webpage for public review.
- Sending notice via e-mail to the City's Urban Boundary notification list.

## **8. Circulation & Review**

Once the application has been deemed complete and the notice has been issued, the Planning Division will circulate the application to all applicable City Departments and external review agencies for comment. Acceptance by City Departments and/or

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External Review agencies of technical plans and studies as part of the urban boundary expansion application does not imply or constitute a positive staff recommendation of the application. As noted above, the City will also circulate any urban boundary expansion application to First Nation, Indigenous and Métis communities for input.

In the City's review of an urban boundary expansion application, it is critical that it receives comments from all applicable external review agencies, most notably the Hamilton International Airport, applicable Conservation Authorities, and School Boards in order for the City to fully consider and assess the urban expansion application against this Framework.

The planner assigned to the application will provide the applicant with a consolidated set of comments and coordinate any requested meetings between the applicant and the commenting department/agency. The Planning Division may advise the applicant that a subsequent technical submission is required to respond to the comments prior to the scheduling of the statutory Public Meeting and preparation of Staff's recommendation report to Planning Committee. However, if this information cannot be submitted and assessed by the City within 120 days of the application being deemed complete, staff will provide a recommendation based on the information that was submitted at the time the application was deemed complete.

#### External Peer Reviews

As per section F.1.19.7 of the Urban Hamilton Official Plan, the City may request or conduct a peer review of any other information and materials submitted where the City lacks the appropriate expertise to review such other information and materials. Such peer review shall be completed by an appropriate agency or professional consultant retained by the City, at the applicant's expense. The City will identify which technical plans and studies may be subject to an external peer review through the Formal Consultation process.

### **9. Open House**

The Planning Division will determine whether the statutory Public Meeting to receive input on the urban boundary expansion application will be held in advance of or at the same Planning Committee meeting in which staff's recommendation report will be submitted.

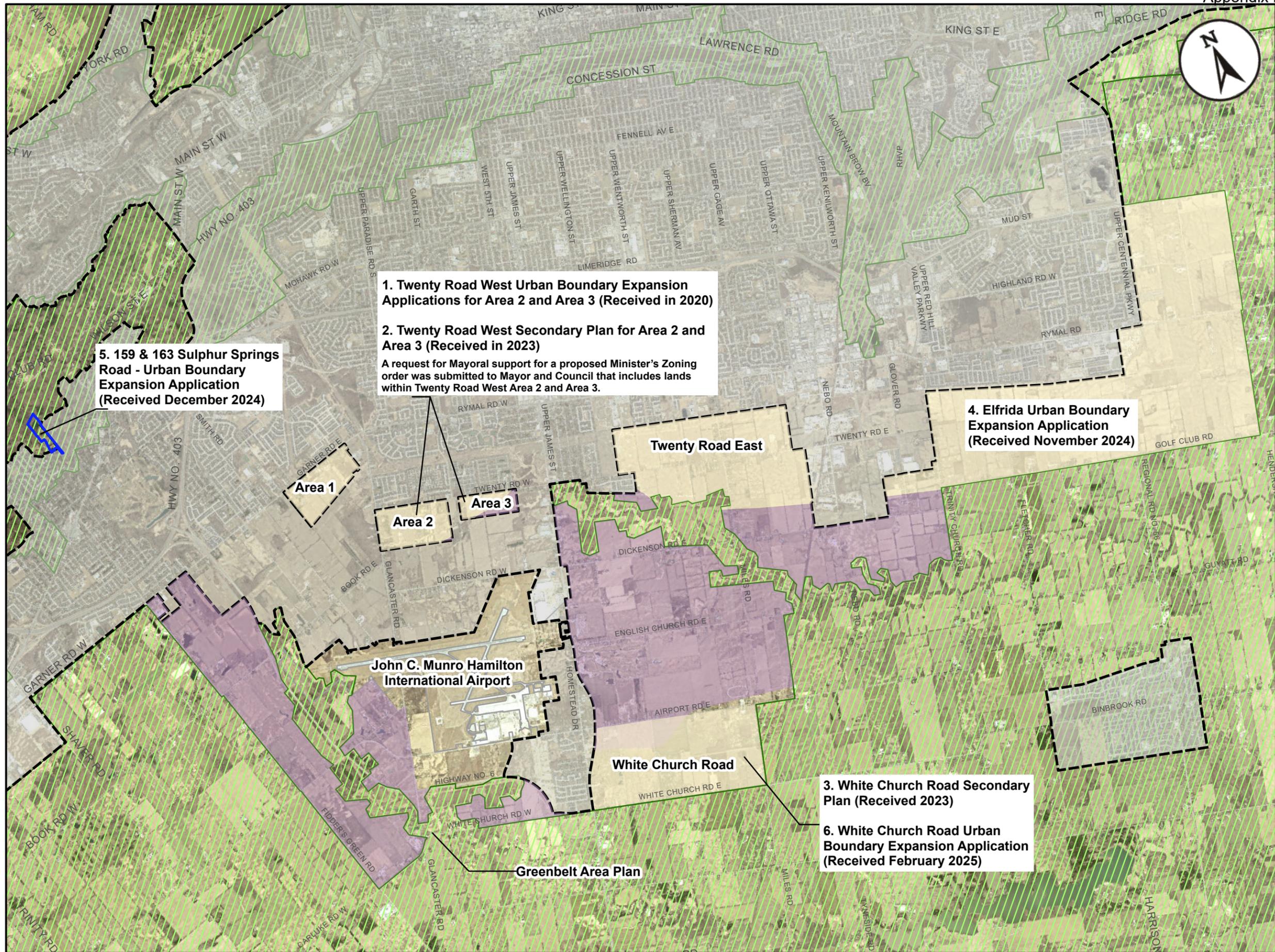
In addition, depending on the level of community interest in the application and input from the local Councillor(s), the City may initiate its own Open House (separate from any applicant-lead community meeting) prior to the statutory public meeting. This Open House may be in person and/or virtual. The Planning Division would determine the time, location and format of the Open House as well as prepare all consultation materials with input from the applicant.

**10. Statutory Public meeting & Planning Division Report for Consideration**

Once the urban boundary expansion application has been fully assessed, the Planning Division will prepare a Report for Consideration to Planning Committee. At this same meeting the City will hold its statutory public meeting under the *Planning Act* where the public can make delegations directly to Planning Committee. In addition to the required notification required under the *Planning Act* staff will provide notice of this meeting through the City's Urban Boundary notification list.

**11. Appeal to the Ontario Land Tribunal**

Under the *Planning Act*, the applicant may appeal Council's refusal or non-decision on an Official Plan Amendment application to expand an urban boundary to the Ontario Land Tribunal within 120 days. The City's Planning Division will provide the link to the Ontario Land Tribunal Website where residents can get information on application appeals.



**1. Twenty Road West Urban Boundary Expansion Applications for Area 2 and Area 3 (Received in 2020)**

**2. Twenty Road West Secondary Plan for Area 2 and Area 3 (Received in 2023)**

A request for Mayoral support for a proposed Minister's Zoning order was submitted to Mayor and Council that includes lands within Twenty Road West Area 2 and Area 3.

**5. 159 & 163 Sulphur Springs Road - Urban Boundary Expansion Application (Received December 2024)**

**4. Elfrida Urban Boundary Expansion Application (Received November 2024)**

**3. White Church Road Secondary Plan (Received 2023)**

**6. White Church Road Urban Boundary Expansion Application (Received February 2025)**

**Legend**

- Potential Residential
- Potential Employment
- Greenbelt Plan Area
- Urban Area

<b>Date:</b> March 14, 2025	Map Not To Scale
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**Hamilton**  
Planning & Economic  
Development Department

## Proposed Text Amendments – Urban Hamilton Official Plan Urban Boundary Expansion Application Policies under the Proposed Provincial Planning Statement, 2024

The table below includes all recommended amendments to the Urban Hamilton Official Plan provided in Appendix A to Report PED24109(b) with a rationale summarizing why the specific amendment is recommended. Note that staff's rationale is the same where similar amendments are recommended to the Rural Hamilton Official Plan (see Appendix B to Report PED24109(b)).

~~Grey highlighted strikethrough text~~ = text to be deleted

**Bolded text** = text to be added

Policy Number	Proposed Change	Proposed New / Revised Policy	Why Change is Recommended
Volume 1, Chapter A – Introduction			
A.1.3	<p>A.1.3 Function of the Official Plan</p> <p>This Plan projects a long term vision for the physical <i>development</i> of the City to 2051. The policies provide the direction for managing long term <i>development</i> to achieve social, economic and environmental objectives of the City's vision. The Plan:</p> <ul style="list-style-type: none"> <li>• Implements Our Future Hamilton and the City's Strategic Plan; (OPA 167)</li> <li>• is a legal document whose origin is derived from the <u>Planning Act, R.S.O., 1990 c. P.13;</u></li> <li>• builds on the concepts of provincial initiatives that support the building of</li> </ul>	<p>A.1.3 Function of the Official Plan</p> <p>This Plan projects a long term vision for the physical <i>development</i> of the City to 2051. The policies provide the direction for managing long term <i>development</i> to achieve social, economic and environmental objectives of the City's vision. The Plan:</p> <ul style="list-style-type: none"> <li>• Implements Our Future Hamilton and the City's Strategic Plan; (OPA 167)</li> <li>• is a legal document whose origin is derived from the <u>Planning Act, R.S.O., 1990 c. P.13;</u></li> <li>• builds on the concepts of provincial initiatives that support the building of</li> </ul>	<p>The Provincial Planning Statement rescinded both the Provincial Policy Statement, 2020 and Growth Plan.</p>

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	<p>strong communities [such as the Provincial <del>Policy</del> <b>Planning</b> Statement, <del>Growth Plan for the Greater Golden Horseshoe</del>, the Niagara Escarpment Plan]; and, (OPA 167)</p> <ul style="list-style-type: none"> <li>• is one of the key implementation mechanisms for the City's Growth Strategy (GRIDS 2) and other corporate initiatives including Master Plans (Transportation and Infrastructure, Recreational, Parks), the Social Development Strategy, the corporate Energy and Sustainability Policy and the Community Climate Change Action Plan (OPA 167)</li> </ul> <p>The Urban Hamilton Official Plan applies to lands within the <i>urban area</i>.</p>	<p>strong communities [such as the Provincial Planning Statement, Niagara Escarpment Plan]; and, (OPA 167)</p> <ul style="list-style-type: none"> <li>• is one of the key implementation mechanisms for the City's Growth Strategy (GRIDS 2) and other corporate initiatives including Master Plans (Transportation and Infrastructure, Recreational, Parks), the Social Development Strategy, the corporate Energy and Sustainability Policy and the Community Climate Change Action Plan (OPA 167)</li> </ul> <p>The Urban Hamilton Official Plan applies to lands within the <i>urban area</i>.</p>	
<p>A.2.3</p>	<p>A.2.3 Growth Management – Provincial</p> <p><del>The Province of Ontario's A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (Growth Plan), as amended, had set out a vision to 2051 for how and how much growth should occur in</del> The Greater Golden Horseshoe (GGH) is expected to grow by 4.6 million people by 2051 with Hamilton projecting to take a 5.1% share of this GGH growth. (OPA 167)</p> <p>Although the total population is expected to grow, certain demographic trends will shape</p>	<p>A.2.3 Growth Management – Provincial</p> <p>The Greater Golden Horseshoe (GGH) is expected to grow by 4.6 million people by 2051 with Hamilton projecting to take a 5.1% share of this GGH growth. (OPA 167)</p> <p>Although the total population is expected to grow, certain demographic trends will shape Hamilton over the next three decades. These demographic changes will influence how, where, and when we will grow.</p>	<p>The Provincial Planning Statement rescinded both the Provincial Policy Statement, 2020 and Growth Plan.</p> <p>New policy recognizes that a firm urban boundary was approved by the Province as conforming to the Growth Plan with the adoption of Bill 150.</p> <p>The new policy also recognizes that under the proposed Provincial Planning Statement, the City would be permitted to continue to use its growth and employment forecasts to 2051 until the next review of the Urban Hamilton Official Plan.</p>

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	<p>Hamilton over the next three decades. These demographic changes will influence how, where, and when we will grow.</p> <p>Notably, the provincial growth forecasts are based on assumptions that household size [or persons per unit (PPU)] will slowly decline in varying degrees over the next 30 years. This trend is influenced by lower birth rates, an aging population contributing to a growing number of empty nester households and growth in non-traditional households (e.g. single person households, single parent households).</p> <p>One of the principal components of the <del>Growth Plan</del> <b>Province of Ontario's A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan)</b> <del>was</del> a series of population and employment forecasts for upper and single-tier municipalities within the GGH. The <i>Growth Plan</i> <del>required</del> <b>these forecasts be used by municipalities for planning and managing growth. The <i>Growth Plan</i> also identified</b> a series of density and <i>intensification</i> targets which municipalities <b>were required to</b> plan to achieve. <b>The Province of Ontario approval of Urban Hamilton Official Plan Amendment No. 167, as adjusted by Bill 150, Planning Statute Law Amendment Act, 2023, confirmed that the Urban Hamilton</b></p>	<p>Notably, the provincial growth forecasts are based on assumptions that household size [or persons per unit (PPU)] will slowly decline in varying degrees over the next 30 years. This trend is influenced by lower birth rates, an aging population contributing to a growing number of empty nester households and growth in non-traditional households (e.g. single person households, single parent households).</p> <p>One of the principal components of the Province of Ontario's A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) was a series of population and employment forecasts for upper and single-tier municipalities within the GGH. The <i>Growth Plan</i> required these forecasts be used by municipalities for planning and managing growth. The <i>Growth Plan</i> also identified a series of density and <i>intensification</i> targets which municipalities were required to plan to achieve. The Province of Ontario approval of Urban Hamilton Official Plan Amendment No. 167, as adjusted by Bill 150, <i>Planning Statute Law Amendment Act, 2023</i>, confirmed that the Urban Hamilton Official Plan growth policies, including density and intensification targets, conformed to the Growth Plan.</p> <p>The Provincial Planning Statement</p>	
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	<p><b>Official Plan growth policies, including density and intensification targets, conformed to the Growth Plan.</b></p> <p><b>The Provincial Planning Statement states that municipalities may continue to forecast growth using population and employment forecasts previously issued by the Province for the purposes of land use planning.</b></p> <p><b>The population and employment forecasts of the Urban Hamilton Official Plan shall continue to be based on the population and employment forecasts to 2051 of the Growth Plan until new population and employment forecasts are approved through a Municipally Initiated Comprehensive Review and Official Plan Review.</b></p>	<p>states that municipalities may continue to forecast growth using population and employment forecasts previously issued by the Province for the purposes of land use planning.</p> <p>The population and employment forecasts of the Urban Hamilton Official Plan shall continue to be based on the population and employment forecasts to 2051 of the <i>Growth Plan</i> until new population and employment forecasts are approved through a <i>Municipally Initiated Comprehensive Review</i> and Official Plan Review.</p>	
A.2.5	<p>Provincial Legislation, Plans and Policies</p> <p>The planning regime within the City is affected and, in many ways, directed by provincial legislation, plans and policies, including the Provincial <b>Planning Policy</b> Statement, the Niagara Escarpment Plan, the Greenbelt Plan, <b>and</b>, the Parkway Belt West Plan., <del>and the Growth Plan for the Greater Golden Horseshoe.</del></p>	<p>Provincial Legislation, Plans and Policies</p> <p>The planning regime within the City is affected and, in many ways, directed by provincial legislation, plans and policies, including the Provincial Planning Statement, the Niagara Escarpment Plan, the Greenbelt Plan, and the Parkway Belt West Plan.</p>	<p>The Provincial Planning Statement rescinded both the Provincial Policy Statement, 2020 and Growth Plan.</p>
A.2.5.1	<p>Provincial <b>Planning Policy</b> Statement</p> <p>The Provincial <b>Planning Policy</b></p>	<p>Provincial Planning Statement</p> <p>The Provincial Planning Statement,</p>	<p>The Provincial Planning Statement rescinded both the Provincial Policy Statement,</p>

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	<p>Statement, 20<del>24</del><sup>20</sup> was issued under the authority of the Planning Act, R.S.O., 1990 c. P.13, and provides policy direction on matters of provincial interest related to land use planning and development. It promotes a provincially 'policy-led' planning system in which municipal Official Plans and any planning decisions are consistent with the objectives and details of provincial policy, as required by Section 3 of the Planning Act, R.S.O., 1990 c.P.13. (OPA 167)</p> <p>The Provincial <b>Planning Policy</b> Statement (PPS) sets the policy foundation for regulating the development and use of land. It provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. It includes enhanced policies on issues that affect communities, such as: the efficient use and management of land and infrastructure; improving air quality, energy conservancy and reducing greenhouse gas emissions; protection of the environment and resources, including agricultural resources and mineral aggregate resources; and ensuring appropriate</p>	<p>2024 was issued under the authority of the Planning Act, R.S.O., 1990 c. P.13, and provides policy direction on matters of provincial interest related to land use planning and development. It promotes a provincially 'policy-led' planning system in which municipal Official Plans and any planning decisions are consistent with the objectives and details of provincial policy, as required by Section 3 of the Planning Act, R.S.O., 1990 c.P.13. (OPA 167)</p> <p>The Provincial Planning Statement (PPS) sets the policy foundation for regulating the development and use of land. It provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. It includes enhanced policies on issues that affect communities, such as: the efficient use and management of land and infrastructure; improving air quality, energy conservancy and reducing greenhouse gas emissions; protection of the environment and resources, including agricultural resources and mineral aggregate resources; and ensuring appropriate employment and residential</p>	<p>2020 and Growth Plan.</p>
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	<p>opportunities are provided for employment and residential development, including support for a mix of uses. The Official Plan must be consistent with the Provincial <b>Planning Policy Statement</b>. (OPA 167)</p>	<p>development, including support for a mix of uses. The Official Plan must be consistent with the Provincial Planning Statement. (OPA 167)</p>	
<p>A.2.5.5</p>	<p><b>Delete Policy in its entirety.</b></p> <p><del>Growth Plan for the Greater Golden Horseshoe</del></p> <p><del>The Growth Plan for the Greater Golden Horseshoe was originally released in June 2006 to build stronger and more prosperous communities by better managing growth by 2031.</del></p> <p><del>The current Plan (2019 as amended) extended the timeframe to the year 2051, and is based on a series of guiding principles which are aimed at building compact, complete and vibrant communities; providing a range of housing options including affordable housing; 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 that are adaptive to the impacts of a changing climate</del></p>	<p><b>Delete Policy in its entirety.</b></p>	<p>The Provincial Planning Statement rescinded both the Provincial Policy Statement, 2020 and Growth Plan.</p>

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	and incorporate approaches to reducing greenhouse gas emissions. This vision will be realized through partnerships with other levels of government, the private sector, residents and non-profit agencies. The Official Plan must conform to the Growth Plan for the Greater Golden Horseshoe. (OPA 167)		
Volume 1: Chapter B – Communities			
B.2.2.3	<b>Deleted in its entirety.</b>  2.2.3 Expansions of the Urban Area of 40 hectares or less in accordance with policy 2.2.8.5 and 2.2.8.6 of the A Place to Grow: Growth Plan shall not be permitted in advance of a municipal comprehensive review. (OPA 167)		The Provincial Planning Statement rescinded both the Provincial Policy Statement, 2020 and Growth Plan.
<b>Subheading</b>	Insert new subheading before Policy B.2.2.3  <b>Privately Initiated Urban Boundary Expansion Applications</b>	Privately Initiated Urban Boundary Expansion Applications	
<b>B.2.2.3 (New Policy)</b>	<b>A Privately Initiated Urban Boundary Expansion Application is not in keeping with Policy 1.4 (Principles of the Official Plan), Policy A.2.0 (Strategic Directions) and Policy A.3 (Growth Management), among others, which establish a firm urban boundary expansion growth strategy. However, the Provincial Planning Statement and Planning Act allow privately initiated urban boundary expansion applications to be</b>	<i>A Privately Initiated Urban Boundary Expansion Application is not in keeping with Policy 1.4 (Principles of the Official Plan), Policy A.2.0 (Strategic Directions) and Policy A.3 (Growth Management), among others, which establish a firm urban boundary expansion growth strategy. However, the Provincial Planning Statement and Planning Act allow privately initiated urban boundary expansion applications to be</i>	Recognizes that while any urban boundary expansion application would conflict with the overall growth vision of the Urban Hamilton Official Plan, these applications may be received and refers to the Official Plan's implementation policies in Chapter F which would establish the Framework for Processing and Evaluating Urban Boundary Expansions.

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	<p>submitted at any time and Council's refusal or non-decision of a <i>privately initiated urban boundary expansion application</i> may be appealed to the Ontario Land Tribunal. Therefore this Plan establishes specific land use considerations for <i>privately initiated urban boundary expansion applications</i>.</p>	<p>submitted at any time and Council's refusal or non-decision of a <i>privately initiated urban boundary expansion application</i> may be appealed to the Ontario Land Tribunal. Therefore this Plan establishes specific land use considerations for <i>privately initiated urban boundary expansion applications</i>.</p>	
<p><b>B.2.2.4 (new policy)</b></p>	<p><b>Any <i>privately initiated urban boundary expansion</i> received shall consider:</b></p> <p><b>a) If there is sufficient capacity in existing or planned <i>infrastructure</i> and <i>Community Facilities/Services</i>.</b></p> <p><b>b) Protection of <i>Prime Agricultural Lands</i> and <i>Prime Agricultural Areas</i>.</b></p> <p><b>c) Its impact on the City's ability to meet its residential intensification and redevelopment targets in Section A.2.3.</b></p> <p><b>d) Whether there is a need to designate and plan for additional land to accommodate an appropriate range and mix of land uses within the Urban Hamilton Official Plan's growth forecast.</b></p> <p><b>e) Whether the expansion will have a positive or negative impact on the City's long term <i>Infrastructure</i> deficit.</b></p> <p><b>f) Whether there is sufficient reserve capacity in the existing street</b></p>	<p><i>Any privately initiated urban boundary expansion</i> received shall consider:</p> <p>a) If there is sufficient capacity in existing or planned <i>infrastructure</i> and <i>Community Facilities/Services</i>.</p> <p>b) Protection of <i>Prime Agricultural Lands</i> and <i>Prime Agricultural Areas</i>.</p> <p>c) Its impact on the City's ability to meet its residential intensification and redevelopment targets in Section A.2.3.</p> <p>d) Whether there is a need to designate and plan for additional land to accommodate an appropriate range and mix of land uses within the Urban Hamilton Official Plan's growth forecast.</p> <p>e) Whether the expansion will have a positive or negative impact on the City's long term <i>Infrastructure</i> deficit.</p> <p>f) Whether there is sufficient reserve capacity in the existing street</p>	<p>Enshrines the key considerations identified in the Framework in Official Plan policy to strengthen the requirement that applicants shall consider for privately initiated urban boundary expansion applications.</p>

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	<p>network (with consideration to the proposed street network) to accommodate the proposed increase in population and/or employment.</p> <p>g) Whether the expansion will protect, improve or restore the City's Key Hydrologic Features and Key Natural Heritage Features.</p> <p>h) Whether the proposed expansion would contribute or detract from the City's long-term goal of carbon neutrality.</p>	<p>network (with consideration to the proposed street network) to accommodate the proposed increase in population and/or employment.</p> <p>g) Whether the expansion will protect, improve or restore the City's Key Hydrologic Features and Key Natural Heritage Features.</p> <p>h) Whether the proposed expansion would contribute or detract from the City's long-term goal of carbon neutrality.</p>	
<b>B.2.2.5 (new policy)</b>	<p><b>Servicing of an approved <i>Urban Expansion Area</i> shall not occur until the City has updated its <i>Infrastructure and Community Facilities / Services Master Plans</i> to incorporate the expansion area.</b></p>	<p>Servicing of an approved <i>Urban Expansion Area</i> shall not occur until the City has updated its <i>Infrastructure and Community Facilities / Services Master Plans</i> to incorporate the expansion area.</p>	<p>Relates to Policy B.2.2.6 to ensure that the servicing of an approved urban expansion is properly planned with consideration to how it relates to the City's overall servicing plans and strategies.</p>
<b>B.2.2.6 (new policy)</b>	<p><b>A <i>privately initiated urban boundary expansion application</i> shall be received and reviewed in accordance with Chapter F, Policy 1.2 of the Urban Hamilton Official Plan.</b></p>	<p>A <i>privately initiated urban boundary expansion application</i> shall be received and reviewed in accordance with Chapter F, Policy 1.2 of the Urban Hamilton Official Plan.</p>	<p>Policy to clarify that urban boundary expansion applications have specific submission and processing requirements.</p>
<b>B.2.2.7 (new policy)</b>	<p><b>The location, phasing, timing and financing of new <i>infrastructure and Community Facilities/Services</i> shall be determined when the City undertakes updates to its Master Plans to recognize and provide a</b></p>	<p>The location, phasing, timing and financing of new <i>infrastructure and Community Facilities/Services</i> shall be determined when the City undertakes updates to its Master Plans to recognize and provide a</p>	<p>Recognizes that should a privately initiated urban boundary expansion application be approved and lands added to the urban area, the City does not have policies</p>

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	<p>servicing strategy for an approved <b>Urban Expansion Area. Updates to Master Plans to recognize approved Urban Expansion Areas shall:</b></p> <p><b>a) Optimize existing Infrastructure and Community Facilities/Services.</b></p> <p><b>b) Not remove existing or planned Infrastructure capacity in a manner that conflicts with the achievement of the intensification and density targets provided in Section E.2.0 – Urban Structure.</b></p> <p><b>c) Only be provided for lands that are contiguous with existing urban development.</b></p> <p><b>d) Balance residential and employment growth.</b></p> <p><b>e) Limit development to the ability and financial capability of the City to provide infrastructure services in accordance with its approved Master Plans that have been updated to recognize the approved Urban Expansion Area and approved Development Charge By-laws.</b></p> <p><b>f) Shall have regard to all other policies of the Urban Hamilton Official Plan.</b></p>	<p>servicing strategy for an approved <i>Urban Expansion Area</i>. Updates to Master Plans to recognize approved <i>Urban Expansion Areas</i> shall:</p> <p>a) Optimize existing <i>Infrastructure</i> and <i>Community Facilities/Services</i>.</p> <p>b) Not remove existing or planned <i>Infrastructure</i> capacity in a manner that conflicts with the achievement of the intensification and density targets provided in Section E.2.0 – Urban Structure.</p> <p>c) Only be provided for lands that are contiguous with existing urban development.</p> <p>d) Balance residential and employment growth.</p> <p>e) limit development to the ability and financial capability of the City to provide infrastructure services in accordance with its approved Master Plans that have been updated to recognize the approved <i>Urban Expansion Area</i> and approved Development Charge By-laws.</p> <p>f) Shall have regard to all other policies of the Urban Hamilton Official Plan.</p>	<p>directing when those lands are to be serviced.</p> <p>These policies would be applied by the City when it undertakes updates to its various Master Plans to recognize and provide a servicing strategy for approved urban expansion areas.</p>
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- Commented [TC1]:** @Norman, Gavin @Molloy, Steve @Daniels, Hanna This is a new policy that planning is adding that addresses when/how the City will consider servicing of new expansion areas should they be approved by Council or the OLT. It is meant to be high level policy direction to guide servicing decisions. Please let me know if these policies are clear and if you can think if any should be added/deleted/revised. Note that the definition of *Infrastructure* is broad to include transportation/transit systems as well.
- Commented [TC2R1]:** Please also review the policy below (B.2.2.7)
- Commented [CT3R1]:** @Winterton, Timothy @Hartley, Mark
- Commented [HM4R1]:** Infrastructure Planning has no additional comments regarding the text associated with the line "B.2.2.6 (new policy)"

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B.2.2.8 (new policy)	<b>The timing and phasing of development of an approved urban expansion area shall not adversely affect the achievement of the residential intensification target and Greenfield density targets.</b>	The timing and phasing of development of an approved urban expansion area shall not adversely affect the achievement of the residential intensification target and Greenfield density targets.	Maintains the Official Plan's 'intensification first' vision.
B.2.2.9 (new policy)	<b>The timing and phasing of development shall consider active agricultural uses. Phasing options should be considered to keep lands in agricultural production and leave agricultural infrastructure in place until the land is to be developed.</b>	The timing and phasing of development shall consider active agricultural uses. Phasing options should be considered to keep lands in agricultural production and leave agricultural infrastructure in place until the land is to be developed.	Policy is intended to ensure that active agricultural production remains in place for as long as possible.
B.3.1	<p>Strong Economy</p> <p>Hamilton has been working diligently to improve its economic diversification and increase its competitiveness with neighbouring and global jurisdictions. Many of the goals and policies within this Plan are coupled with other corporate strategies. Plans, projects and programs directly contribute to the City's economic health.</p> <p>There are many sectors which shape the economy such as traditional manufacturing, research and technology, education, healthcare, agriculture, arts and culture, transportation, either individually or as part of an economic and goods movement gateway, retail, and office. The new and emerging sectors enhance the attractiveness of the City and also provide for</p>	<p>Strong Economy</p> <p>Hamilton has been working diligently to improve its economic diversification and increase its competitiveness with neighbouring and global jurisdictions. Many of the goals and policies within this Plan are coupled with other corporate strategies. Plans, projects and programs directly contribute to the City's economic health.</p> <p>There are many sectors which shape the economy such as traditional manufacturing, research and technology, education, healthcare, agriculture, arts and culture, transportation, either individually or as part of an economic and goods movement gateway, retail, and office. The new and emerging sectors enhance the attractiveness of the City and also provide for</p>	The Provincial Planning Statement rescinded both the Provincial Policy Statement, 2020 and Growth Plan.

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	<p>employment opportunities.</p> <p>The creation of a strong economy is contingent upon several key interdependent factors including developing and retaining a skilled labour force which is adaptable to changing technologies; providing infrastructure; creating an environment of innovation; supporting and enhancing the arts and culture sector; reducing poverty by providing better access to education, social programs, improving quality of life indicators such as housing choices, having abundant open spaces, access to nature, good air quality and a stable climate. (OPA 167)</p> <p>A strong economy stimulates housing demand and population growth. As the City thrives, the demand for residential options, including residential intensification, grows. The Downtown area in particular benefits from a strong economy and subsequent strength in the housing market.</p> <p>The policies of this Plan are both directly and indirectly intended to strengthen Hamilton's economic competitiveness, prosperity and resilience as envisaged by Our Future Hamilton, the City's Strategic Plan, and the Economic Development Action Plan and the Growth Plan for</p>	<p>employment opportunities.</p> <p>The creation of a strong economy is contingent upon several key interdependent factors including developing and retaining a skilled labour force which is adaptable to changing technologies; providing infrastructure; creating an environment of innovation; supporting and enhancing the arts and culture sector; reducing poverty by providing better access to education, social programs, improving quality of life indicators such as housing choices, having abundant open spaces, access to nature, good air quality and a stable climate. (OPA 167)</p> <p>A strong economy stimulates housing demand and population growth. As the City thrives, the demand for residential options, including residential intensification, grows. The Downtown area in particular benefits from a strong economy and subsequent strength in the housing market.</p> <p>The policies of this Plan are both directly and indirectly intended to strengthen Hamilton's economic competitiveness, prosperity and resilience as envisaged by Our Future Hamilton, the City's Strategic Plan, and the Economic Development Action Plan.</p>	
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	<del>the Greater Golden Horseshoe</del> . (OPA 167)	(OPA 167)	
Volume 1: Chapter C – Provincial Plans and Designations			
C.1.0	<p>C.1.0 PROVINCIAL PLANS WITH DESIGNATIONS</p> <p>The planning regime within the City is affected and is directed by provincial legislation, plans and policies, including the Provincial <del>Policy Planning</del> Statement, the Niagara Escarpment Plan, the Greenbelt Plan, <b>and</b> the Parkway Belt West Plan, <del>and the Growth Plan for the Greater Golden Horseshoe</del>.</p> <p>The Official Plan must be consistent with the Provincial <del>Policy Planning</del> Statement and conform to <del>the Growth Plan</del>, the Greenbelt Plan, and the Niagara Escarpment Plan. However, in some areas of provincial policy, the municipality can be more restrictive than the provincial directions unless doing so would conflict with any other provincial policy. Where land use designations exist, this section details the interrelationship between the various provincial documents and this Plan. (OPA 167) (OPA 218)</p>	<p>C.1.0 PROVINCIAL PLANS WITH DESIGNATIONS</p> <p>The planning regime within the City is affected and is directed by provincial legislation, plans and policies, including the Provincial Planning Statement, the Niagara Escarpment Plan, the Greenbelt Plan, and the Parkway Belt West Plan.</p> <p>The Official Plan must be consistent with the Provincial Planning Statement and conform to the Greenbelt Plan, and the Niagara Escarpment Plan. However, in some areas of provincial policy, the municipality can be more restrictive than the provincial directions unless doing so would conflict with any other provincial policy. Where land use designations exist, this section details the interrelationship between the various provincial documents and this Plan. (OPA 167) (OPA 218)</p>	The Provincial Planning Statement rescinded both the Provincial Policy Statement, 2020 and Growth Plan.
C.1.4	<p>Deleted in its entirety.</p> <p><del>Growth Plan for the Greater Golden Horseshoe (OPA 167)</del></p> <p><del>The Growth Plan for the Greater</del></p>		The Provincial Planning Statement rescinded both the Provincial Policy Statement, 2020 and Growth Plan.

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	<p>Golden Horseshoe is the provincial government's plan for growth and development within the Greater Toronto and Hamilton Areas and the surrounding communities over the next 30 years. Enabled by the <i>Places to Grow Act, 2005</i>, the Plan manages growth in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life for residents.</p>		
<p>C.1.4.1</p>	<p><b>Deleted in its entirety.</b></p> <p>The provisions of the Growth Plan for the Greater Golden Horseshoe shall apply to development of lands within the urban area and a portion of Rural Hamilton. In the case of discrepancy between the Growth Plan for the Greater Golden Horseshoe and this Plan, the most restrictive policies shall prevail provided that they are consistent with its intent and purpose.</p>		<p>The Provincial Planning Statement rescinded both the Provincial Policy Statement, 2020 and Growth Plan.</p>

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Volume 1: Chapter F – Implementation			
F.1.1.6	<p>In the absence of a <b>Municipally Initiated Comprehensive Review</b> as defined by the <b>Urban Hamilton Official Plan Growth Plan for the Greater Golden Horseshoe</b>, there shall be no appeal with respect to the refusal or failure of the City to adopt an Official Plan amendment for:</p> <p>a) the redesignation, conversion or addition of non-employment land uses for lands designated Employment Area – Industrial Land, Employment Area – Business Park, Employment Area – Airport Business Park, or Employment Area – Shipping and Navigation on Schedule E-1 – Urban Land Use Designations.; and,</p> <p>b) the expansion of all or part of the urban boundary.</p>	<p>In the absence of a <i>Municipally Initiated Comprehensive Review</i> as defined by the Urban Hamilton Official Plan, there shall be no appeal with respect to the refusal or failure of the City to adopt an Official Plan amendment for:</p> <p>a) the redesignation, conversion or addition of non-employment land uses for lands designated Employment Area – Industrial Land, Employment Area – Business Park, Employment Area – Airport Business Park, or Employment Area – Shipping and Navigation on Schedule E-1 – Urban Land Use Designations.</p>	<p>The Provincial Planning Statement rescinded both the Provincial Policy Statement, 2020 and Growth Plan.</p> <p>Bill 185 allows appeals of the City's refusal or failure to make a decision on Official Plan Amendment applications that expand the urban boundary.</p>
F.1.1.11	<p>In addition to the policies of the <b>Provincial Planning Statement Growth Plan for the Greater Golden Horseshoe</b> respecting the potential conversion of employment sites, the City may prepare and apply a set of criteria to determine the potential employment conversion sites or identification of regeneration areas.</p>	<p>F.1.1.11 In addition to the policies of the Provincial Planning Statement respecting the potential conversion of employment sites, the City may prepare and apply a set of criteria to determine the potential employment conversion sites or identification of regeneration areas.</p>	<p>The Provincial Planning Statement rescinded both the Provincial Policy Statement, 2020 and Growth Plan.</p>
F.1.1.13	<p>Conversion of any lands designed as an Employment Area to permit non-</p>	<p>F.1.1.13 Conversion of any lands designed as an Employment Area to</p>	<p>The Provincial Planning Statement rescinded both the</p>

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	<p>employment uses may only be considered through a Municipally Initiated Comprehensive Review where both Provincial conversion criteria specified in <b>the Provincial Planning Statement</b> <del>the Growth Plan for the Greater Golden Horseshoe</del> and local conversion criteria as noted in Policy F.1.1.11 have been satisfied. (OPA 167)</p>	<p>permit non- employment uses may only be considered through a Municipally Initiated Comprehensive Review where both Provincial conversion criteria specified in the Provincial Planning Statement and local conversion criteria as noted in Policy F.1.1.11 have been satisfied. (OPA 167)</p>	<p>Provincial Policy Statement, 2020 and Growth Plan.</p>
<b>F.1.2 (new)</b>	<p><b>Urban Boundary Expansion Applications</b></p> <p><b>The Provincial Planning Statement permits <i>privately initiated urban boundary expansion applications</i> to be submitted for any size and location, and at any time, provided the lands are located outside of the Greenbelt Plan Area.</b></p> <p><b>The Official Plan policies do not support applications for an Urban Boundary Expansion or employment land conversion outside of a Municipally Initiated Comprehensive Review. However, the Provincial Planning Statement and <i>Planning Act</i> allow <i>privately initiated urban boundary expansion applications</i> and Employment Land conversions to be submitted at any time and Council's refusal or non-decision of a <i>privately initiated urban boundary expansion application</i> may be appealed to the Ontario Land Tribunal. Therefore, implementation policies have been established to</b></p>	<p>The Provincial Planning Statement permits <i>privately initiated urban boundary expansion applications</i> to be submitted for any size and location, and at any time, provided the lands are located outside of the Greenbelt Plan Area.</p> <p>The Official Plan policies do not support applications for an Urban Boundary Expansion or employment land conversion outside of a Municipally Initiated Comprehensive Review. However, the Provincial Planning Statement and <i>Planning Act</i> allow <i>privately initiated urban boundary expansion applications</i> and Employment Land conversions to be submitted at any time and Council's refusal or non-decision of a <i>privately initiated urban boundary expansion application</i> may be appealed to the Ontario Land Tribunal. Therefore, implementation policies have been established to ensure that these applications include the necessary <i>other information and material</i> required to</p>	<p>New subsection in Chapter F specific to Urban Boundary Expansion applications. Subsequent policies under this section would be renumbered.</p> <p>Establishes the policy context in which new urban boundary expansion applications would be received.</p>

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	<p>ensure that these applications include the necessary <i>other information and material</i> required to comprehensively assess the proposal against applicable Official Plan policies.</p> <p>The following policies shall be applied to all Official Plan Amendment applications submitted that propose to expand the urban boundary or convert Employment Lands.</p>	<p>comprehensively assess the proposal against applicable Official Plan policies.</p> <p>The following policies shall be applied to all Official Plan Amendment applications submitted that propose to expand the urban boundary or convert Employment Lands.</p>	
F.1.2.1 (new)	<p>The following requirements shall apply to any <i>privately initiated urban boundary expansion application</i>:</p>	<p>The following requirements shall apply to any <i>privately initiated urban boundary expansion application</i>:</p>	
	<p>a) Council has approved a Framework for Processing and Evaluating Urban Boundary Expansion Applications which outlines the submission requirements, land use considerations and review process for <i>privately initiated urban boundary expansion applications</i>. All <i>privately initiated urban boundary expansion applications</i> shall be assessed under this Framework. The City may revise the Framework for Processing and Evaluating Urban Boundary Expansion applications from time to time.</p>	<p>a) Council has approved a Framework for Processing and Evaluating Urban Boundary Expansion Applications which outlines the submission requirements, land use considerations and review process for <i>privately initiated urban boundary expansion applications</i>. All <i>privately initiated urban boundary expansion applications</i> shall be assessed under this Framework. The City may revise the Framework for Processing and Evaluating Urban Boundary Expansion applications from time to time.</p>	<p>The proposed policy directly ties any urban boundary expansion applications to the Framework for Processing and Evaluating Urban Boundary Expansions.</p>
	<p>b) The following <i>Other Information and Materials</i>, amongst others, may be required to support a <i>privately initiated urban boundary expansion</i></p>	<p>b) The following <i>Other Information and Materials</i>, amongst others, may be required to support a <i>privately initiated urban boundary expansion</i></p>	<p>To provide clarity on what materials are required to be submitted with an Official Plan Amendment application to</p>

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	<p><b>Official Plan Amendment:</b></p> <ul style="list-style-type: none"> <li><b>i. Agricultural Impact Assessment;</b></li> <li><b>ii. Concept Plan;</b></li> <li><b>iii. Draft Official Plan Amendment;</b></li> <li><b>iv. Emergency Services Assessment;</b></li> <li><b>v. Employment Needs Assessment;</b></li> <li><b>vi. Energy and Climate Change Assessment Report;</b></li> <li><b>vii. Indigenous Community Consultation Summary and Comment Response;</b></li> <li><b>viii. Financial Impact Analysis;</b></li> <li><b>ix. Functional Servicing Report;</b></li> <li><b>x. Housing Assessment;</b></li> <li><b>xi. Phasing Plan;</b></li> <li><b>xii. Planning Justification Report;</b></li> <li><b>xiii. Public Consultation Summary and Comment Response Report;</b></li> <li><b>xiv. Noise Impact Study;</b></li> <li><b>xv. Odour Impact Assessment;</b></li> <li><b>xvi. Recreation Needs Assessment;</b></li> <li><b>xvii. School Accommodation Issues Assessment;</b></li> <li><b>xviii. Subwatershed Study (Phase 1); and</b></li> <li><b>xix. Transportation Management Plan / Study.</b></li> </ul>	<p>Official Plan Amendment:</p> <ul style="list-style-type: none"> <li>xx. Agricultural Impact Assessment;</li> <li>xxi. Concept Plan;</li> <li>xxii. Draft Official Plan Amendment;</li> <li>xxiii. Emergency Services Assessment;</li> <li>xxiv. Employment Needs Assessment;</li> <li>xxv. Energy and Climate Change Assessment Report;</li> <li>xxvi. Indigenous Community Consultation Summary and Comment Response;</li> <li>xxvii. Financial Impact Analysis;</li> <li>xxviii. Functional Servicing Report;</li> <li>xxix. Housing Assessment;</li> <li>xxx. Phasing Plan;</li> <li>xxxi. Planning Justification Report;</li> <li>xxxii. Public Consultation Summary and Comment Response Report;</li> <li>xxxiii. Noise Impact Study;</li> <li>xxxiv. Odour Impact Assessment;</li> <li>xxxv. Recreation Needs Assessment;</li> <li>xxxvi. School Accommodation Issues Assessment;</li> <li>xxvii. Subwatershed Study (Phase 1); and</li> <li>xxviii. Transportation Management Plan / Study.</li> </ul>	<p>expand the urban boundary.</p> <p>The identified submission requirements directly relate to the following Provincial Planning Statement policies (amongst others):</p> <ul style="list-style-type: none"> <li>i. Agricultural Impact Assessment (2.3.2.1 c), d), e), f))</li> <li>ii. Concept Plan (2.3.2.1 a), g));</li> <li>iii. Draft Official Plan Amendment;</li> <li>iv. Emergency Services Assessment (3.1.3);</li> <li>v. Employment Needs Assessment (2.8.2);</li> <li>vi. Energy and Climate Change Assessment Report (2.9.1);</li> <li>vii. Indigenous Community Consultation Summary and Comment Response (6.2.2);</li> <li>viii. Financial Impact Analysis (3.1.1);</li> <li>ix. Functional Servicing Report (3.6.1);</li> <li>x. Housing Assessment (2.2.1);</li> <li>xi. Phasing Plan (2.3.1.6);</li> <li>xii. Planning Justification Report (all policies);</li> <li>xiii. Public Consultation Summary and Comment Response</li> </ul>
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			<ul style="list-style-type: none"> <li>xiv. Report (6.2.3); Noise Impact Study (3.5);</li> <li>xv. Odour Impact Assessment (3.5);</li> <li>xvi. Recreation Needs Assessment (2.3.2.1 b)</li> <li>xvii. School Accommodation Issues Assessment (6.2.4);</li> <li>xviii. Subwatershed Study (Phase 1) (4.2.1); and</li> <li>xix. Transportation Management Plan / Study 9(2.3.2.1 b).</li> </ul>
	<p><b>c) Where the applicant of a <i>privately initiated urban boundary expansion</i> Official Plan Amendment has opted to not proceed through a Formal Consultation:</b></p> <p><b>i. Notwithstanding Section F.1.19.15, all Other Information and Materials identified in F.1.2.1 shall be submitted for a <i>privately initiated urban boundary expansion application</i> to be deemed complete.</b></p> <p><b>ii. The City shall not provide the applicant a waiver letter that removes the requirement to submit any of the Other Information and Materials identified in F.1.2.1.b.</b></p>	<p>c) Where the applicant of a <i>privately initiated urban boundary expansion</i> Official Plan Amendment has opted to not proceed through a Formal Consultation:</p> <p>i. Notwithstanding Section F.1.19.15, all Other Information and Materials identified in F.1.2.1 shall be submitted for a <i>privately initiated urban boundary expansion application</i> to be deemed complete.</p> <p>ii. The City shall not provide the applicant a waiver letter that removes the requirement to submit any the any of the Other Information and Materials identified in F.1.2.1.b.</p>	<p>Consistent with the City's proposed policies respecting issuing Formal Consultation waivers for new Official Plan Amendment applications submitted through Report PED24134.</p>
	<p><b>d) <i>Other information and material</i> submitted in support shall be in accordance with endorsed Terms of Reference and in accordance with</b></p>	<p>d) <i>Other information and material</i> submitted in support shall be in accordance with endorsed Terms of Reference and in accordance with</p>	

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	<b>the Framework for Processing and Evaluating Urban Boundary Application applications.</b>	the Framework for Processing and Evaluating Urban Boundary Application applications.	
	<b>e) Notwithstanding Policy F.1.17.4 where an application has been received for an Official Plan Amendment to expand the urban boundary, the following additional public participation and notification requirements apply:</b>	e) Notwithstanding Policy F.1.17.4 where an application has been received for an Official Plan Amendment to expand the urban boundary, the following additional public participation and notification requirements apply:	Implements in policy the enhanced public engagement requirements identified in the Framework for Processing and Evaluating Urban Boundary Expansions.
	<p><b>i. Where feasible, provide multiple public notice signs at approximately 500 metre intervals of the subject lands frontage along public rights-of-way.</b></p> <p><b>ii. Any required written notice shall be provided to every owner of land within 400 metres of the proposed urban expansion area.</b></p> <p><b>iii. The City may hold at least one (1) Open House in advance of the statutory public meeting.</b></p>	<p>i. Where feasible, provide multiple public notice signs at approximately 500 metre intervals of the subject lands frontage along public rights-of-way.</p> <p>ii. Any required written notice shall be provided to every owner of land within 400 metres of the proposed urban expansion area.</p> <p>iii. The City may hold at least one (1) Open House in advance of the statutory public meeting.</p>	<p>This policy implements the direction in the Framework for enhanced public notification.</p> <p>Note that this policy also provides flexibility to staff to approve alternative locations of public notice signs where the applicant has land use and/or ownership constraints on where they can install a sign.</p>

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<p><b>F.1.2.8</b></p>	<p>The following requirements shall apply to the preparation of secondary plans for any urban expansion areas established by a privately initiated application: (OPA 185)(OPA 218)</p> <p>a) <del>Any</del> <b>Separate</b> secondary plans shall be prepared for all <del>the</del> urban expansion areas. <b>Any secondary plan for an urban expansion area</b> shall cover the entirety of the lands located within that urban expansion area.</p>	<p>F.1.2.8 The following requirements shall apply to the preparation of secondary plans for any Urban Expansion Areas established by a privately initiated application: (OPA 185) (OPA 218)</p> <p>a) Separate secondary plans shall be prepared for all <i>urban expansion areas</i>. Any secondary plan for an <i>urban expansion area</i> shall cover the entirety of the lands located within that <i>urban expansion area</i>.</p>	<p>This policy was first approved prior to the adoption of Bill 150 when the Urban Hamilton Official Plan had several identified urban expansion areas and needs to be revised to reflect current Official Plan mapping</p>
	<p><b>b) Notwithstanding Policy F.1.2.8 a), an Urban Expansion Area over 500 hectares in size may be comprised of multiple secondary plans. In addition, a single secondary plan may cover both an approved urban expansion area and lands that were previously within the urban boundary.</b></p>	<p>b) Notwithstanding Policy F.1.2.8 a), an <i>Urban Expansion Area</i> over 500 hectares in size may be comprised of multiple secondary plans. In addition, a single secondary plan may cover both an approved <i>urban expansion area</i> and lands that were previously within the urban boundary.</p>	<p>Recognizes that there may now be large urban expansion areas in addition to the Elfrida area where multiple secondary plans may be required.</p>
	<p><b>c) Notwithstanding Policy F.1.2.8 a), where the Urban Expansion Area is under 40 hectares in size, the City may determine that a Secondary Plan is not required only where the applicant has first gone through a Formal Consultation process.</b></p> <p>Renumber subsequent policies F.1.2.8 b) to m).</p>	<p>c) Notwithstanding Policy F.1.2.8 a), where the <i>Urban Expansion Area</i> is under 40 hectares in size, the City may determine that a Secondary Plan is not required only where the applicant has first gone through a Formal Consultation process.</p>	<p>Recognizes that for small urban expansion areas a full Secondary Plan may not be necessary, and an Official Plan Amendment is sufficient to determine appropriate land use policies for the area. It is important that this only be considered through Formal Consultation which allows the Planning Services to receive input from all City Departments, External Review agencies and Indigenous communities on not</p>

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			requiring a Secondary Plan.
F.1.8.3 (new)	The City shall update the Water, Wastewater and Stormwater Master Plan should an <i>Urban Boundary expansion</i> be approved through a <i>privately initiated urban boundary expansion application</i> . That update, including planning and staging of infrastructure improvements shall be in accordance with the growth polices of this Plan.	The City shall update the Water, Wastewater and Stormwater Master Plan should an <i>Urban Boundary expansion</i> be approved through a <i>privately initiated urban boundary expansion application</i> . That update, including planning and staging of infrastructure improvements shall be in accordance with the growth polices of this Plan.	<p>The City's Master Plans do not consider new expansion area. As a result, should an urban expansion area be approved, those Master Plans will need to be updated to determine how services will be provided to those lands.</p> <p>In combination with this policy, Policy B.2.2.7 is recommended which states, among other things, that servicing of urban expansion areas cannot occur until the applicable City Master Plans have been updated.</p>
F.3.1.9.3 (new)	The City shall update the Transportation Master Plan should an <i>Urban Boundary expansion</i> be approved through a <i>privately initiated urban boundary expansion application</i> . That update, including planning and staging of infrastructure improvements shall be in accordance with the growth polices of this Plan.	The City shall update the Transportation Master Plan should an <i>Urban Boundary expansion</i> be approved through a <i>privately initiated urban boundary expansion application</i> . That update, including planning and staging of infrastructure improvements shall be in accordance with the growth polices of this Plan.	<p>The City's Master Plans do not consider new expansion area. As a result, should an urban expansion area be approved, those Master Plans will need to be updated to determine how services will be provided to those lands.</p> <p>In combination with this policy, Policy B.2.2.7 is recommended which states, among other things, that servicing of urban expansion areas cannot occur until the applicable City Master Plans have been updated.</p>

Commented [TC5]: [redacted], [redacted] This is related to the other policy I tagged you on. Basically stating that if a new UBE is approved the City will have to update its servicing Master Plan.

Commented [CT6R5]: [redacted]

Commented [HM7R5]: Infrastructure Planning has no additional comments regarding the text associated with the line "F.1.8.2 (new)"

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<p><b>F.3.2.18 (new)</b></p>	<p><b>Indigenous Community Consultation Summary and Comment Response</b></p> <p><b>An Indigenous Community Consultation Summary and Comment Response shall be submitted as part of a complete application for any <i>privately initiated urban boundary expansion application</i> and shall include:</b></p> <p><b>i) Documentation demonstrating that the applicant has informed local Indigenous communities of the proposed expansion and requested input;</b></p> <p><b>ii) Documentation that the applicant has shared its draft Terms of Reference for the Subwatershed Study (Phase 1) and requested input; and,</b></p> <p><b>iii) Documentation of any meeting notes and/or comments received from the Indigenous Community.</b></p>	<p>Indigenous Community Consultation Summary and Comment Response</p> <p>An Indigenous Community Consultation Summary and Comment Response shall be submitted as part of a complete application for any <i>privately initiated urban boundary expansion application</i> and shall include:</p> <p>i) Documentation demonstrating that the applicant has informed local Indigenous communities of the proposed expansion and requested input;</p> <p>ii) Documentation that the applicant has shared its draft Terms of Reference for the Subwatershed Study (Phase 1) and requested input; and,</p> <p>iii) Documentation of any meeting notes and/or comments received from the Indigenous Community.</p>	<p>Requested by Indigenous communities the City consulted with.</p>
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Volume 1: Chapter G – Glossary			
Municipally Initiated Comprehensive Review	Means a plan, undertaken by the City, which comprehensively applies the policies and schedules of <del>the A Place To Grow: Growth Plan for the Greater Golden Horseshoe, the Provincial Policy Statement</del> <b>Provincial Planning Statement</b> and the Official Plan. It can be undertaken on specific land use components, such as residential, employment, or undertaken as one comprehensive plan. (OPA 167)	Municipally Initiated Comprehensive Review: Means a plan, undertaken by the City, which comprehensively applies the policies and schedules of the Provincial Planning Statement and the Official Plan. It can be undertaken on specific land use components, such as residential, employment, or undertaken as one comprehensive plan. (OPA 167)	The Provincial Planning Statement rescinded both the Provincial Policy Statement, 2020 and Growth Plan.  It is recommended that the Official Plan still allow and support a municipal comprehensive review process that the City can undertake as part of a review and update to its Official Plan to be in conformity with provincial policies and plans.
Privately initiated urban boundary expansion application	<b>Means an application submitted under the <i>Planning Act</i> to the City of Hamilton to amend the location of the <i>Urban Boundary</i>.</b>	Privately initiated urban boundary expansion application: Means an application submitted under the <i>Planning Act</i> to the City of Hamilton to amend the location of the <i>Urban Boundary</i> .	Clarifies that privately initiated urban boundary expansion applications are distinct from the City undertaking it's own review and update to the urban boundary.
Urban Expansion Area	<b>Means any lands added to the <i>Urban Boundary</i> through a <i>Privately initiated urban boundary expansion application</i>.</b>	Urban Expansion Area: Means any lands added to the <i>Urban Boundary</i> through a <i>Privately initiated urban boundary expansion application</i> .	Provides clarity.

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Volume 1: Schedule I – Other Information and Materials		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
Study / Material Name		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
1	Affordable Housing Report / Rental Conversion Assessment			✓				✓									✓
2	Aggregate Resource Assessment			✓													
3	Aggregate/Mineral Resource Analysis			✓													
4	Agricultural Impact Assessment		✓				✓				✓				✓		
5	Air Drainage Analysis Brief		✓				✓				✓				✓		
6	Air Quality Study		✓	✓			✓	✓			✓	✓					✓
7	Archaeological Assessment		✓				✓				✓				✓		
8	Channel Design and Geofluvial Assessment		✓				✓						✓				✓
9	Chloride Impact Study				✓				✓				✓				✓
10	Complete Application Compliance Summary / Summary Response to Formal Consultation Comments	✓				✓				✓				✓			
11	Concept Plan	✓				✓				✓							
12	<b>Concept Plan (Urban Boundary Expansion)</b>			✓													
13	Construction Management Plan												✓				✓





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Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
34 38	Functional Servicing Report	✓				✓				✓				✓			
35 39	General Vegetation Inventory	✓				✓				✓				✓			
36 40	Grading Plan	✓				✓				✓				✓			
41	<b>Housing Assessment (Urban Boundary Expansion)</b>			✓													
37 42	Housing Report			✓			✓				✓						✓
38 43	Hydrogeological Study			✓			✓		✓				✓				
39 44	Impact Assessment for new Private Waste Disposal Sites			✓			✓								✓		
45	<b>Indigenous Community Consultation Summary and Comment Response (Urban Boundary Expansion)</b>			✓													
40 46	Karst Assessment/Karst Contingency Plan		✓				✓			✓				✓			
41 47	Land Use Compatibility Study			✓			✓								✓		
42 48	Land Use in the Vicinity of Existing Pipelines Study		✓				✓			✓				✓			
43 49	Land Use/ Commercial Needs and Impact Assessment			✓			✓										
44 50	Landfill Impact Assessment		✓	✓			✓	✓		✓	✓			✓	✓		

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Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
45 51	Landscape Plan								✓				✓				
46 52	Landscape Plan (Conceptual)	✓			✓												
47 53	Light Impact Assessment			✓			✓				✓					✓	
48 54	Limit of Core Areas or Limit of Conservation Authority Regulated Area		✓			✓				✓				✓			
49 55	Linkage Assessment		✓			✓				✓				✓			
50 56	Market Impact Study			✓			✓										
51 57	Master Drainage Plan				✓			✓				✓					✓
52 58	Materials Palette or Imagery											✓					✓
53 59	Meander Belt Assessment				✓			✓				✓					✓
54 60	Minimum Distance Separation Calculation				✓			✓				✓					✓
55 61	Ministry of the Environment Conservation and Parks - Environmental Compliance Approval				✓			✓				✓					✓
56 62	Modern Roundabout and Neighbourhood Roundabout Analysis				✓			✓				✓					
57 63	Neighbourhood Traffic Calming Options Report		✓			✓				✓				✓			

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Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
58 64	Noise Impact Studies (Noise Feasibility and/or Detailed Noise Study)		✓	✓		✓	✓			✓	✓			✓	✓		
59 65	Nutrient Management Study				✓			✓				✓					✓
60 66	Odour Impact Assessment		✓	✓		✓	✓			✓	✓			✓	✓		
64 67	On-Street Parking Plan											✓					✓
62 68	Parking Analysis/Study			✓			✓				✓				✓		
63 69	Pedestrian Route and Sidewalk Analysis	✓				✓			✓								✓
64 70	Planning Justification Report	✓				✓			✓								✓
65 71	Planning Brief / Development Brief												✓				
66 72	Pre-Technical Conservation Authority Review				✓			✓				✓					✓
67 73	Public Consultation Summary and Comment Response Report	✓				✓			✓								
68 74	Recreation Feasibility Study				✓			✓									
69 75	Recreation Needs Assessment				✓			✓				✓					
74 76	Restoration Plan				✓			✓				✓					✓

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Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
<del>72</del> 77	Right of Way Impact Assessment			✓			✓				✓				✓		
<del>73</del> 78	Roadway/Development Safety Audit			✓			✓				✓						
<del>74</del> 79	School Accommodation Issues Assessment			✓			✓										
80	<b>School Accommodation Issue Assessment (Urban Boundary Expansion)</b>			✓													
<del>75</del> 81	School and City Recreation Facility and Outdoor Recreation/Parks Issues Assessment			✓			✓				✓						
<del>76</del> 82	Servicing Plan			✓			✓	✓				✓					
<del>77</del> 83	Shoreline Assessment Study/Coastal Engineers Study		✓			✓			✓				✓				
<del>78</del> 84	Site Lighting Plan											✓					✓
<del>79</del> 85	Site Plan and Floor Plans												✓				
<del>81</del> 86	Slope Stability Study and Report		✓			✓			✓				✓				
<del>82</del> 87	Soil Management Plan											✓					✓
<del>83</del> 88	Soils/Geotechnical Study			✓			✓	✓				✓					
<del>84</del> 89	Species Habitat Assessment		✓			✓			✓				✓				

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Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
85 90	Storm Water Management Report/Plan and/or update to an existing Storm Water Management Plan	✓				✓				✓				✓			
86 91	Sub-watershed Plan and/or update to an existing Sub-watershed Plan				✓				✓				✓				
92	<b>Subwatershed Study (Phase 1) (Urban Boundary Expansion)</b>			✓													
87 93	Sun/Shadow Study			✓			✓				✓					✓	
88 94	Survey Plan (Real Property Report)	✓				✓				✓				✓			
89 95	Transit Assessment	✓				✓				✓							
90 96	Transportation Demand Management Options Report				✓		✓				✓					✓	
94 97	Transportation Impact Study	✓				✓						✓					✓
92 98	Tree Management Plan/Study (City-owned trees and / or within 3 metres of ROW)	✓				✓				✓				✓			
94 99	Tree Protection Plan (Private trees)	✓				✓				✓				✓			
95 100	Urban Design or Architectural Guidelines and Architectural Control										✓						
96 101	Urban Design Report/ Brief			✓			✓				✓				✓		

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Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
<del>97</del> 102	Vibration Study		✓			✓				✓				✓			
<del>98</del> 103	Visual Impact Assessment		✓	✓		✓	✓			✓	✓			✓	✓		
<del>99</del> 104	Water and Wastewater Servicing Study	✓				✓				✓				✓			
<del>100</del> 105	Watermain Hydraulic Analysis							✓		✓				✓			
<del>101</del> 106	Water Well Survey and Contingency Plan		✓			✓				✓				✓			
<del>102</del> 107	Wildland Fire Assessment (OPA 167)												✓				✓
<del>103</del> 108	Wind Study			✓			✓				✓				✓		
<del>104</del> 109	Zoning Compliance Review					✓				✓				✓			
<del>105</del> 110	3D Model			✓			✓				✓				✓		

## Proposed Text Amendments – Rural Hamilton Official Plan Urban Boundary Expansion Application Policies under the Proposed Provincial Planning Statement, 2024

The table below includes all recommended amendments to the Rural Hamilton Official Plan provided in Appendix B to Report PED24109(b) with a rationale summarizing why the specific amendment is recommended. Note that staff's rationale is the same where similar amendments are recommended to the Urban Hamilton Official Plan (see Appendix A to Report PED24109(b)).

~~Grey highlighted strikethrough text~~ = text to be deleted

**Bolded text** = text to be added

Policy Number	Proposed Change	Proposed New / Revised Policy	Why Change is Recommended
Volume 1, Chapter A – Introduction			
A.1.3	<p>Role and Function of the Official Plan.</p> <p>This Plan projects a long term vision for the physical development of the City over the next 30 years. Its policies provide the direction for managing long term development to achieve social, economic and environmental objectives of the City's vision.</p> <p>The Official Plan plays a large role in setting a framework of actions that will lead to the sustainable, healthy future envisioned by Vision 2020. The City and its residents aspire to have a city that has:</p> <ul style="list-style-type: none"> <li>• compact urban communities that</li> </ul>	<p>Role and Function of the Official Plan.</p> <p>This Plan projects a long term vision for the physical development of the City over the next 30 years. Its policies provide the direction for managing long term development to achieve social, economic and environmental objectives of the City's vision.</p> <p>The Official Plan plays a large role in setting a framework of actions that will lead to the sustainable, healthy future envisioned by Vision 2020. The City and its residents aspire to have a city that has:</p> <ul style="list-style-type: none"> <li>• compact urban communities that</li> </ul>	<p>The Provincial Planning Statement rescinded both the Provincial Policy Statement, 2020 and Growth Plan.</p>

	<p>provide live, work and play opportunities;</p> <ul style="list-style-type: none"> <li>• a strong rural community protected by firm urban boundaries;</li> <li>• protected and enhanced environmental systems – land, air and water;</li> <li>• balanced transportation networks that offer choice so people can walk, cycle, take the bus or drive and recognizes the importance of goods movement to our local economy;</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>• strategic and wise use of its infrastructure services and existing built environment.</li> </ul> <p>This document:</p> <ul style="list-style-type: none"> <li>• is one of the primary implementation arms of Vision 2020;</li> <li>• is a legal document whose origin is derived from the Planning Act;</li> <li>• builds on the concepts of provincial initiatives that support the building of strong communities [such as the Provincial Policy <b>Planning</b> Statement, <b>and Growth Plan for the Greater Golden Horseshoe</b>, the Greenbelt Plan];</li> <li>• is one of the key implementation mechanisms for the City's Growth Strategy (GRIDS) and other corporate initiatives including Master Plans (Transportation and Infrastructure, Recreational), and the Social Development Strategy.</li> </ul> <p>The Rural Hamilton Official Plan applies to lands within Rural Hamilton.</p>	<p>provide live, work and play opportunities;</p> <ul style="list-style-type: none"> <li>• a strong rural community protected by firm urban boundaries;</li> <li>• protected and enhanced environmental systems – land, air and water;</li> <li>• balanced transportation networks that offer choice so people can walk, cycle, take the bus or drive and recognizes the importance of goods movement to our local economy;</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>• strategic and wise use of its infrastructure services and existing built environment.</li> </ul> <p>This document:</p> <ul style="list-style-type: none"> <li>• is one of the primary implementation arms of Vision 2020;</li> <li>• is a legal document whose origin is derived from the Planning Act;</li> <li>• builds on the concepts of provincial initiatives that support the building of strong communities [such as the Provincial Planning Statement, and the Greenbelt Plan];</li> <li>• is one of the key implementation mechanisms for the City's Growth Strategy (GRIDS) and other corporate initiatives including Master Plans (Transportation and Infrastructure, Recreational), and the Social Development Strategy.</li> </ul> <p>The Rural Hamilton Official Plan applies to lands within Rural Hamilton. (OPA 26)</p>	
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	(OPA 26)		
A.2.3	<p>Provincial Legislation, Plans and Policies</p> <p>The planning regime within the City is affected and in many ways directed by provincial legislation, plans and policies, including the Provincial <b>Policy Planning</b> Statement, the Niagara Escarpment Plan, the Greenbelt Plan, <b>and</b> the Parkway Belt West Plan, <del>and the Growth Plan for the Greater Golden Horseshoe.</del></p>	<p>Provincial Legislation, Plans and Policies</p> <p>The planning regime within the City is affected and in many ways directed by provincial legislation, plans and policies, including the Provincial Planning Statement, the Niagara Escarpment Plan, the Greenbelt Plan, and the Parkway Belt West Plan.</p>	<p>The Provincial Planning Statement rescinded both the Provincial Policy Statement, 2020 and Growth Plan.</p>
A.2.3.1	<p>Provincial <b>Planning Policy</b> Statement</p> <p>The Provincial <b>Planning Policy</b> Statement, 2024<del>05</del> was issued under the authority of the <u>Planning Act</u>, and provides policy direction on matters of provincial interest related to land use planning and development. It promotes a provincially 'policy-led' planning system in which municipal Official Plans and any planning decisions are consistent with the objectives and details of provincial policy, as required by Section 3 of the <u>Planning Act</u>.</p> <p>The Provincial <b>Planning Policy</b> Statement (PPS) sets the policy foundation for regulating the development and use of land. It provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of</p>	<p>Provincial Planning Statement</p> <p>The Provincial Planning Statement, 2024 was issued under the authority of the <u>Planning Act</u>, and provides policy direction on matters of provincial interest related to land use planning and development. It promotes a provincially 'policy-led' planning system in which municipal Official Plans and any planning decisions are consistent with the objectives and details of provincial policy, as required by Section 3 of the <u>Planning Act</u>.</p> <p>The Provincial Planning Statement (PPS) sets the policy foundation for regulating the development and use of land. It provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS</p>	<p>The Provincial Planning Statement rescinded both the Provincial Policy Statement, 2020 and Growth Plan.</p>

	<p>the natural environment. The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. It includes enhanced policies on issues that affect communities, such as: the efficient use and management of land and infrastructure; improving air quality, energy conservancy and reducing greenhouse gas emissions; protection of the environment and resources, including agricultural resources and mineral aggregate resources; and ensuring appropriate opportunities are provided for employment and residential development, including support for a mix of uses. The Official Plan must be consistent with the Provincial <b>Planning Policy Statement</b>.</p>	<p>supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. It includes enhanced policies on issues that affect communities, such as: the efficient use and management of land and infrastructure; improving air quality, energy conservancy and reducing greenhouse gas emissions; protection of the environment and resources, including agricultural resources and mineral aggregate resources; and ensuring appropriate opportunities are provided for employment and residential development, including support for a mix of uses. The Official Plan must be consistent with the Provincial Planning Statement.</p>	
<p>Volume 1: Chapter B – Communities</p>			
<p><b>B.2.2 (new policy)</b></p>	<p><b>Privately Initiated Urban Boundary Expansion Applications</b></p> <p><b><i>A Privately Initiated Urban Boundary Expansion Application is not in keeping with Policy 1.3 (Role and Function of the Official Plan), Policy A.2.0 (Strategic Directions) and Policy B.2.1 (Defining Our Communities) among others, which establish a firm urban boundary expansion growth strategy. However, the Provincial Planning Statement and Planning Act allow privately initiated urban boundary expansion applications to</i></b></p>	<p>Privately Initiated Urban Boundary Expansion Applications</p> <p><i>A Privately Initiated Urban Boundary Expansion Application is not in keeping with Policy 1.3 (Role and Function of the Official Plan), Policy A.2.0 (Strategic Directions) and Policy B.2.1 (Defining Our Communities) among others, which establish a firm urban boundary expansion growth strategy. However, the Provincial Planning Statement and Planning Act allow privately initiated urban boundary expansion applications to</i></p>	<p>Recognizes that while any urban boundary expansion application would conflict with the overall growth vision of the Rural Hamilton Official Plan, these applications may be received and refers to the Official Plan’s implementation policies in Chapter F which would establish the Framework for Processing and Evaluating Urban Boundary Expansions.</p>

	<p>be submitted at any time and Council's refusal or non-decision of a <i>privately initiated urban boundary expansion application</i> may be appealed to the Ontario Land Tribunal. Therefore, this Plan establishes specific land use considerations for <i>privately initiated urban boundary expansion applications</i>.</p>	<p>be submitted at any time and Council's refusal or non-decision of a <i>privately initiated urban boundary expansion application</i> may be appealed to the Ontario Land Tribunal. Therefore, this Plan establishes specific land use considerations for <i>privately initiated urban boundary expansion applications</i>.</p>	
<b>B.2.2.1 (new policy)</b>	<p><b>Any <i>privately initiated urban boundary expansion</i> received shall consider:</b></p> <p><b>a) If there is sufficient capacity in existing or planned <i>infrastructure</i> and <i>Community Facilities/Services</i>.</b></p> <p><b>b) Protection of <i>Prime Agricultural Lands</i> and <i>Prime Agricultural Areas</i>.</b></p> <p><b>c) Its impact on the City's ability to meet its residential intensification and redevelopment targets of the Urban Hamilton Official Plan.</b></p> <p><b>d) Whether there is a need to designate and plan for additional land to accommodate an appropriate range and mix of land uses within the Urban Hamilton Official Plan's growth forecast.</b></p> <p><b>e) Whether the expansion will have a positive or negative impact on the City's long term <i>Infrastructure</i> deficit.</b></p> <p><b>f) Whether there is sufficient reserve</b></p>	<p><i>Any privately initiated urban boundary expansion</i> received shall consider:</p> <p>a) If there is sufficient capacity in existing or planned <i>infrastructure</i> and <i>Community Facilities/Services</i>.</p> <p>b) Protection of <i>Prime Agricultural Lands</i> and <i>Prime Agricultural Areas</i>.</p> <p>c) Its impact on the City's ability to meet its residential intensification and redevelopment targets in Section A.2.3 of the Urban Hamilton Official Plan.</p> <p>d) Whether there is a need to designate and plan for additional land to accommodate an appropriate range and mix of land uses within the Urban Hamilton Official Plan's growth forecast.</p> <p>e) Whether the expansion will have a positive or negative impact on the City's long term <i>Infrastructure</i> deficit.</p>	<p>Enshrines the key considerations identified in the Framework in Official Plan policy to strengthen the requirement that applicants shall consider for privately initiated urban boundary expansion applications.</p>

	<p><b>capacity in the existing street network (with consideration to the proposed street network) to accommodate the proposed increase in population and/or employment.</b></p> <p><b>g) Whether the expansion will protect, improve or restore the City's Key Hydrologic Features and Key Natural Heritage Features.</b></p> <p><b>h) Whether the proposed expansion would contribute or detract from the City's long-term goal of carbon neutrality.</b></p>	<p>f) Whether there is sufficient reserve capacity in the existing street network (with consideration to the proposed street network) to accommodate the proposed increase in population and/or employment.</p> <p>g) Whether the expansion will protect, improve or restore the City's Key Hydrologic Features and Key Natural Heritage Features.</p> <p>h) Whether the proposed expansion would contribute or detract from the City's long-term goal of carbon neutrality.</p>	
<p><b>B.2.2.2 (new policy)</b></p>	<p><b>A privately initiated urban boundary expansion application shall be received and reviewed in accordance with Chapter F, Policy 1.2 of the Rural Hamilton Official Plan.</b></p>	<p><i>A privately initiated urban boundary expansion application shall be received and reviewed in accordance with Chapter F, Policy 1.2 of the Rural Hamilton Official Plan.</i></p>	<p>Policy to clarify that urban boundary expansion applications have specific submission and processing requirements.</p>

Volume 1: Chapter C – Provincial Plans and Designations			
<p>C.1.0</p>	<p>C.1.0 PROVINCIAL PLANS WITH DESIGNATIONS</p> <p>The planning regime within the City is affected and is directed by provincial legislation, plans and policies, including the Provincial <del>Policy</del> <b>Planning</b> Statement, the Niagara Escarpment Plan, the Greenbelt Plan, <b>and</b> the Parkway Belt</p>	<p>C.1.0 PROVINCIAL PLANS WITH DESIGNATIONS</p> <p>The planning regime within the City is affected and is directed by provincial legislation, plans and policies, including the Provincial Planning Statement, the Niagara Escarpment Plan, the Greenbelt Plan, and the Parkway Belt West Plan.</p>	<p>The Provincial Planning Statement rescinded both the Provincial Policy Statement, 2020 and Growth Plan.</p>

	<p>West Plan. , and the Growth Plan for the Greater Golden Horseshoe.</p> <p>The Official Plan must be consistent with the Provincial <b>Policy Planning</b> Statement and conform to the Greenbelt Plan, and the Niagara Escarpment Plan. However, in some areas of provincial policy, the municipality can be more restrictive than the provincial directions. Where land use designations exist, this section details the interrelationship between the various provincial documents and this Plan.</p>	<p>The Official Plan must be consistent with the Provincial Planning Statement and conform to the Greenbelt Plan, and the Niagara Escarpment Plan. However, in some areas of provincial policy, the municipality can be more restrictive than the provincial directions. Where land use designations exist, this section details the interrelationship between the various provincial documents and this Plan.</p>	
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Volume 1: Chapter F – Implementation			
<p><b>F.1.2 (new)</b></p>	<p><b>Urban Boundary Expansion Applications</b></p> <p><b>The Provincial Planning Statement permits <i>privately initiated Urban Boundary Expansion applications to be submitted for any size and location, and at any time, provided the lands are located outside of the Greenbelt Plan Area.</i></b></p> <p><b>The Official Plan policies do not support applications for an Urban Boundary Expansion outside of a Municipally Initiated Comprehensive Review. However, the Provincial Planning Statement and <i>Planning Act</i> allow <i>privately initiated urban boundary expansion applications to be submitted at any time and</i></b></p>	<p>Urban Boundary Expansion Applications</p> <p>The Provincial Planning Statement permits <i>privately initiated Urban Boundary Expansion applications to be submitted for any size and location, and at any time, provided the lands are located outside of the Greenbelt Plan Area.</i></p> <p>The Official Plan policies do not support applications for an Urban Boundary Expansion outside of a Municipally Initiated Comprehensive Review. However, the Provincial Planning Statement and <i>Planning Act</i> allow <i>privately initiated urban boundary expansion applications to be submitted at any time and</i></p>	<p>New subsection in Chapter F specific to Urban Boundary Expansion applications. Subsequent policies under this section would be renumbered.</p> <p>Establishes the policy context in which new urban boundary expansion applications would be received.</p>

	<p><b>Council's refusal or non-decision of a privately initiated urban boundary expansion application may be appealed to the Ontario Land Tribunal. Therefore, implementation policies have been established to ensure that these applications include the necessary <i>other information and material</i> required to comprehensively assess the proposal against applicable Official Plan policies.</b></p> <p><b>The following policies shall be applied to all Official Plan Amendment applications submitted that propose to expand the urban boundary.</b></p>	<p>Council's refusal or non-decision of a privately initiated urban boundary expansion application may be appealed to the Ontario Land Tribunal. Therefore, implementation policies have been established to ensure that these applications include the necessary <i>other information and material</i> required to comprehensively assess the proposal against applicable Official Plan policies.</p> <p>The following policies shall be applied to all Official Plan Amendment applications submitted that propose to expand the urban boundary.</p>	
<b>F.1.2.1</b>	<p><b>The following requirements shall apply to any <i>privately initiated urban boundary expansion application</i>:</b></p>	<p>The following requirements shall apply to any <i>privately initiated urban boundary expansion application</i>:</p>	
	<p><b>a) Council has approved a Framework for Processing and Evaluating Urban Boundary Expansion Applications which outlines the submission requirements, land use considerations and review process for <i>privately initiated urban boundary expansion applications</i>. All <i>privately initiated urban boundary expansion applications</i> shall be assessed under this Framework. The City may revise the Framework for Processing and Evaluating Urban Boundary Expansion applications from time to time.</b></p>	<p>a) Council has approved a Framework for Processing and Evaluating Urban Boundary Expansion Applications which outlines the submission requirements, land use considerations and review process for <i>privately initiated urban boundary expansion applications</i>. All <i>privately initiated urban boundary expansion applications</i> shall be assessed under this Framework. The City may revise the Framework for Processing and Evaluating Urban Boundary Expansion applications from time to time.</p>	<p>The proposed policy directly ties any urban boundary expansion applications to the Framework for Processing and Evaluating Urban Boundary Expansions.</p>

	<p><b>b) The following <i>Other Information and Materials</i>, amongst others, may be required to support a <i>privately initiated urban boundary expansion Official Plan Amendment</i>:</b></p> <ul style="list-style-type: none"> <li><b>i. Agricultural Impact Assessment;</b></li> <li><b>ii. Concept Plan;</b></li> <li><b>iii. Draft Official Plan Amendment;</b></li> <li><b>iv. Emergency Services Assessment;</b></li> <li><b>v. Employment Needs Assessment;</b></li> <li><b>vi. Energy and Climate Change Assessment Report;</b></li> <li><b>vii. Indigenous Community Consultation Summary and Comment Response;</b></li> <li><b>viii. Financial Impact Analysis;</b></li> <li><b>ix. Functional Servicing Report;</b></li> <li><b>x. Housing Assessment;</b></li> <li><b>xi. Phasing Plan;</b></li> <li><b>xii. Planning Justification Report;</b></li> <li><b>xiii. Public Consultation Summary and Comment Response Report;</b></li> <li><b>xiv. Noise Impact Study;</b></li> <li><b>xv. Odour Impact Assessment;</b></li> <li><b>xvi. Recreation Needs Assessment;</b></li> <li><b>xvii. School Accommodation Issues Assessment;</b></li> <li><b>xviii. Subwatershed Study (Phase 1); and</b></li> <li><b>xix. Transportation Management</b></li> </ul>	<p>b) The following <i>Other Information and Materials</i>, amongst others, may be required to support a <i>privately initiated urban boundary expansion Official Plan Amendment</i>:</p> <ul style="list-style-type: none"> <li>i. Agricultural Impact Assessment;</li> <li>ii. Concept Plan;</li> <li>iii. Draft Official Plan Amendment;</li> <li>iv. Emergency Services Assessment;</li> <li>v. Employment Needs Assessment;</li> <li>vi. Energy and Climate Change Assessment Report;</li> <li>vii. Indigenous Community Consultation Summary and Comment Response;</li> <li>viii. Financial Impact Analysis;</li> <li>ix. Functional Servicing Report;</li> <li>x. Housing Assessment;</li> <li>xi. Phasing Plan;</li> <li>xii. Planning Justification Report;</li> <li>xiii. Public Consultation Summary and Comment Response Report;</li> <li>xiv. Noise Impact Study;</li> <li>xv. Odour Impact Assessment;</li> <li>xvi. Recreation Needs Assessment;</li> <li>xvii. School Accommodation Issues Assessment;</li> <li>xviii. Subwatershed Study (Phase 1); and</li> <li>xix. Transportation Management</li> </ul>	<p>To provide clarity on what materials are required to be submitted with an Official Plan Amendment application to expand the urban boundary.</p> <p>The identified submission requirements directly relate to the following Provincial Planning Statement policies (amongst others):</p> <ul style="list-style-type: none"> <li>i. Agricultural Impact Assessment (2.3.2.1 c), d), e), f))</li> <li>ii. Concept Plan (2.3.2.1 a), g));</li> <li>iii. Draft Official Plan Amendment;</li> <li>iv. Emergency Services Assessment (3.1.3);</li> <li>v. Employment Needs Assessment (2.8.2);</li> <li>vi. Energy and Climate Change Assessment Report (2.9.1);</li> <li>vii. Indigenous Community Consultation Summary and Comment Response (6.2.2);</li> <li>viii. Financial Impact Analysis (3.1.1);</li> <li>ix. Functional Servicing Report (3.6.1);</li> <li>x. Housing Assessment (2.2.1);</li> </ul>
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	<p><b>Plan / Study.</b></p>	<p>Plan / Study.</p>	<ul style="list-style-type: none"> <li>xi. Phasing Plan (2.3.1.6);</li> <li>xii. Planning Justification Report (all policies);</li> <li>xiii. Public Consultation Summary and Comment Response Report (6.2.3);</li> <li>xiv. Noise Impact Study (3.5);</li> <li>xv. Odour Impact Assessment (3.5);</li> <li>xvi. Recreation Needs Assessment (2.3.2.1 b)</li> <li>xvii. School Accommodation Issues Assessment (6.2.4);</li> <li>xviii. Subwatershed Study (Phase 1) (4.2.1); and</li> <li>xix. Transportation Management Plan / Study 9(2.3.2.1 b).</li> </ul>
	<p><b>c) Where the applicant of a <i>privately initiated urban boundary expansion</i> Official Plan Amendment has opted to not proceed through a Formal Consultation:</b></p> <ul style="list-style-type: none"> <li><b>i. Notwithstanding Section F.1.19.16, all Other Information and Materials identified in F.1.2.1 shall be submitted for a <i>privately initiated urban boundary expansion application</i> to be deemed complete.</b></li> <li><b>ii. The City shall not provide the applicant a waiver letter that removes the requirement to submit any of the Other Information and</b></li> </ul>	<p>c) Where the applicant of a <i>privately initiated urban boundary expansion</i> Official Plan Amendment has opted to not proceed through a Formal Consultation:</p> <ul style="list-style-type: none"> <li>i. Notwithstanding Section F.1.19.16, all Other Information and Materials identified in F.1.2.1 shall be submitted for a <i>privately initiated urban boundary expansion application</i> to be deemed complete.</li> <li>ii. The City shall not provide the applicant a waiver letter that removes the requirement to submit any of the Other Information and</li> </ul>	<p>Consistent with the City's proposed policies respecting issuing Formal Consultation waivers for new Official Plan Amendment applications submitted through Report PED24134.</p>

	<b>Materials identified in F.1.2.1.b</b>	Materials identified in F.1.2.1.b	
	<b>d) Other information and material submitted in support shall be in accordance with endorsed Terms of Reference and in accordance with the Framework for Processing and Evaluating Urban Boundary Application applications.</b>	d) Other information and material submitted in support shall be in accordance with endorsed Terms of Reference and in accordance with the Framework for Processing and Evaluating Urban Boundary Application applications.	
	<p><b>e) Notwithstanding Policy F.1.17.4 where an application has been received for an Official Plan Amendment to expand the urban boundary, the following additional public participation and notification requirements apply:</b></p> <p><b>i. Where feasible, provide multiple public notice signs at approximately 500 metre intervals of the subject lands frontage along public rights-of-way.</b></p> <p><b>ii. Any required written notice shall be provided to every owner of land within 400 metres of the proposed urban expansion area.</b></p> <p><b>iii. The City may hold at least one (1) Open House in advance of the statutory public meeting.</b></p>	<p>e) Notwithstanding Policy F.1.17.4 where an application has been received for an Official Plan Amendment to expand the urban boundary, the following additional public participation and notification requirements apply:</p> <p>i. Where feasible, provide multiple public notice signs at approximately 500 metre intervals of the subject lands frontage along public rights-of-way.</p> <p>ii. Any required written notice shall be provided to every owner of land within 400 metres of the proposed urban expansion area.</p> <p>iii. The City may hold at least one (1) Open House in advance of the statutory public meeting.</p>	<p>This policy implements the direction in the Framework for enhanced public notification.</p> <p>Note that this policy also provides flexibility to staff to approve alternative locations of public notice signs where the applicant has land use and/or ownership constraints on where they can install a sign.</p>
<b>F.3.2.19 (new)</b>	Insert new Policy F.3.2.19 and renumber subsequent policies accordingly.	F.3.2.19 Indigenous Community Consultation Summary and Comment Response	Requested by Indigenous communities the City consulted with.

	<p><b>F.3.2.19 Indigenous Community Consultation Summary and Comment Response</b></p> <p><b>An Indigenous Community Consultation Summary and Comment Response shall be submitted as part of a complete application for any <i>privately initiated urban boundary expansion</i> application and shall include:</b></p> <p><b>i) Documentation demonstrating that the applicant has informed local Indigenous communities of the proposed expansion and requested input;</b></p> <p><b>ii) Documentation that the applicant has shared its draft Terms of Reference for the Subwatershed Study (Phase 1) and requested input; and,</b></p> <p><b>iii) Documentation of any meeting notes and/or comments received from the Indigenous Community.</b></p>	<p>An Indigenous Community Consultation Summary and Comment Response shall be submitted as part of a complete application for any <i>privately initiated urban boundary expansion</i> application and shall include:</p> <p>i) Documentation demonstrating that the applicant has informed local Indigenous communities of the proposed expansion and requested input;</p> <p>ii) Documentation that the applicant has shared its draft Terms of Reference for the Subwatershed Study (Phase 1) and requested input; and,</p> <p>iii) Documentation of any meeting notes and/or comments received from the Indigenous Community.</p>	
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Volume 1: Chapter G – Glossary			
<b>Municipally Initiated Comprehensive Review</b>	<p>Add definition of Municipally Initiated Comprehensive Review to Chapter G-Glossary.</p> <p><b>Municipally Initiated Comprehensive Review: means a plan, undertaken by the City, which comprehensively applies the policies and schedules of the Provincial Planning Statement and the Official Plan. It can be undertaken on specific land use components, such as residential, employment, or undertaken as one comprehensive plan.</b></p>	<p>Municipally Initiated Comprehensive Review: means a plan, undertaken by the City, which comprehensively applies the policies and schedules of the Provincial Planning Statement and the Official Plan. It can be undertaken on specific land use components, such as residential, employment, or undertaken as one comprehensive plan.</p>	<p>The Provincial Planning Statement rescinded both the Provincial Policy Statement, 2020 and Growth Plan.</p> <p>It is recommended that the Official Plan still allow and support a municipal comprehensive review process that the City can undertake as part of a review and update to its Official Plan to be in conformity with provincial policies and plans.</p>
<b>Privately initiated urban boundary expansion application</b>	<p>Add definition of Privately Initiated Urban Boundary Expansion Application to Chapter G-Glossary.</p>	<p>Privately initiated urban boundary expansion application: Means an application submitted under the Planning Act to the City of Hamilton to amend the location of the Urban Boundary.</p>	<p>Clarifies that privately initiated urban boundary expansion applications are distinct from the City undertaking it's own review and update to the urban boundary.</p>
<b>Urban Expansion Area</b>	<p>Add definition of Urban Expansion Area to Chapter G – Glossary.</p>	<p>Urban Expansion Area: Means any lands added to the <i>Urban Boundary</i> through a <i>Privately initiated urban boundary expansion application</i>.</p>	<p>Provides clarity.</p>

Volume 1: Schedule H – Other Information and Materials		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
Study / Material Name		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
		1	Affordable Housing Report / Rental Conversion Assessment			✓				✓				✓			
2	Aggregate Resource Assessment		✓	✓			✓	✓									
3	Aggregate/Mineral Resource Analysis		✓	✓			✓	✓									
4	Agricultural Impact Assessment			✓				✓				✓				✓	
5	Air Drainage Analysis Brief				✓				✓			✓					✓
6	Air Quality Study		✓	✓			✓	✓			✓	✓					✓
7	Archaeological Assessment		✓				✓				✓				✓		
8	Channel Design and Geofluvial Assessment		✓				✓					✓					✓
9	Chloride Impact Study		✓				✓				✓				✓		
10	Complete Application Compliance Summary / Summary Response to Formal Consultation Comments	✓				✓				✓				✓			
11	Concept Plan	✓				✓				✓							
<b>12</b>	<b>Concept Plan (Urban Boundary Expansion)</b>			✓													
<del>12</del>	Construction Management Plan											✓					✓



Study / Material Name	Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
	<b>(Urban Boundary Expansion)</b>															
24 27	Energy and Environmental Assessment Report															
25 28	Environmental Impact Statement (EIS) and Summary of Environmentally significant Areas Impact Evaluation Group Comments (where applicable)															
26 29	Environmental Site Assessment and/or Record of Site Condition															
27 30	Erosion and Sediment Control Plan															
28 31	Erosion Hazard Assessment															
29 32	Farm Economics Report															
30 33	Financial Impact Analysis and Financial Strategy															
34	<b>Financial Impact Analysis (Urban Boundary Expansion)</b>															
31 35	Fish Habitat Assessment															
32 36	Floodline Delineation Study/ Hydraulic Analysis															
33 37	Full Disclosure Report															
34 38	Functional Servicing Report															
35	General Vegetation Inventory															



Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
<del>52</del>																	
<del>47</del> 53	Light Impact Assessment			✓			✓				✓				✓		
<del>48</del> 54	Limit of Core Areas or Limit of Conservation Authority Regulated Area		✓			✓				✓				✓			
<del>49</del> 55	Linkage Assessment		✓			✓				✓				✓			
<del>50</del> 56	Market Impact Study				✓			✓									
<del>51</del> 57	Master Drainage Plan				✓			✓				✓					✓
<del>52</del> 58	Materials Palette or Imagery											✓					✓
<del>53</del> 59	Meander Belt Assessment				✓			✓				✓					✓
<del>54</del> 60	Minimum Distance Separation Calculation			✓			✓				✓				✓		
<del>55</del> 61	Ministry of the Environment Conservation and Parks - Environmental Compliance Approval				✓			✓				✓					✓
<del>56</del> 62	Modern Roundabout and Neighbourhood Roundabout Analysis				✓			✓				✓					
<del>57</del> 63	Neighbourhood Traffic Calming Options Report		✓			✓				✓				✓			
<del>58</del> 64	Noise Impact Studies (Noise Feasibility and/or Detailed Noise Study)		✓	✓		✓	✓			✓	✓			✓	✓		
<del>59</del>	Nutrient Management Study				✓			✓				✓					✓

Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
<del>65</del>																	
<del>66</del>	Odour Impact Assessment		✓	✓			✓	✓			✓	✓			✓	✓	
<del>64</del>	On-Street Parking Plan											✓					✓
<del>62</del>	Parking Analysis/Study			✓			✓				✓				✓		
<del>63</del>	Pedestrian Route and Sidewalk Analysis	✓				✓				✓							✓
<del>64</del>	Planning Justification Report	✓				✓				✓							✓
<del>65</del>	Planning Brief / Development Brief												✓				
<del>66</del>	Pre-Technical Conservation Authority Review				✓			✓				✓					✓
<del>67</del>	Public Consultation Summary and Comment Response Report	✓				✓				✓							
<del>68</del>	Recreation Feasibility Study				✓			✓									
<del>69</del>	Recreation Needs Assessment				✓			✓				✓					
<del>70</del>	Restoration Plan				✓			✓				✓					✓
<del>71</del>	Right of Way Impact Assessment			✓				✓			✓				✓		
<del>72</del>	Roadway/Development Safety Audit				✓			✓				✓					

Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
78																	
<del>73</del> 79	Approved Source Water Protection Restricted Land Use Application (Section 59 Notice)		✓			✓				✓				✓			
<del>74</del> 80	School Accommodation Issues Assessment				✓			✓									
81	<b>School Accommodation Issue Assessment (Urban Boundary Expansion)</b>			✓													
<del>75</del> 82	School and City Recreation Facility and Outdoor Recreation/Parks Issues Assessment				✓			✓				✓					
<del>76</del> 83	Servicing Plan				✓			✓	✓				✓				
<del>77</del> 84	Shoreline Assessment Study/Coastal Engineers Study		✓			✓				✓				✓			
<del>78</del> 85	Site Lighting Plan											✓					✓
<del>79</del> 86	Site Plan and Floor Plans												✓				
<del>80</del> 87	Slope Stability Study and Report		✓			✓				✓				✓			
<del>81</del> 88	Soil Management Plan											✓					✓
<del>82</del> 89	Soils/Geotechnical Study			✓			✓		✓				✓				
<del>83</del> 90	Species Habitat Assessment		✓			✓				✓				✓			
84	Storm Water Management Report/Plan and/or update to an	✓				✓			✓				✓				

Study / Material Name		Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
		Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
91	existing Storm Water Management Plan																
85	Sub-watershed Plan and/or update to an existing				✓				✓				✓				
92	Subwatershed Plan																
93	<b>Subwatershed Study (Phase 1) (Urban Boundary Expansion)</b>			✓													
86	Sun/Shadow Study				✓				✓				✓				✓
94																	
87	Survey Plan (Real Property Report)	✓				✓				✓				✓			
95																	
88	Transit Assessment				✓				✓				✓				
96																	
89	Transportation Demand Management Options Report				✓				✓				✓				✓
97																	
90	Transportation Impact Study	✓				✓							✓				✓
98																	
94	Tree Management Plan/Study (City-owned trees and / or	✓				✓				✓				✓			
99	within 3 metres of ROW)																
92	Tree Protection Plan (Private trees)	✓				✓				✓				✓			
100																	
93	Urban Design or Architectural Guidelines with Control												✓				
101	Architect																
94	Urban Design Report/ Brief				✓				✓				✓				✓
102																	
95	Vibration Study		✓				✓				✓				✓		
103																	
96	Visual Impact Assessment		✓	✓			✓	✓			✓	✓		✓	✓		

Study / Material Name	Official Plan Amendment				Zoning By-law Amendment				Draft Plan of Subdivision				Site Plan Control			
	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary	Minimum	Locational	Proposal Based	Discretionary
<del>104</del>																
<del>97</del> 105	Water and Wastewater Servicing Study	✓							✓							
<del>98</del> 106	Watermain Hydraulic Analysis								✓							
<del>99</del> 107	Water Well Survey and Contingency Plan			✓			✓				✓				✓	
<del>100</del> 108	Wildland Fire Assessment (OPA 167)											✓				✓
<del>101</del> 109	Wind Study			✓			✓				✓				✓	
<del>102</del> 110	Zoning Compliance Review					✓			✓				✓			
<del>103</del> 111	3D Model			✓			✓				✓				✓	



Hamilton

## **Subwatershed Study (Phase 1) (Urban Boundary Expansion)**

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### **PURPOSE:**

This document explains the process for the completion of a Subwatershed Study (Phase 1) which is a requirement for the submission of an urban boundary expansion application under the *Planning Act*. The Terms of Reference for this Study is based upon the Technical Memo titled City of Hamilton Review of Urban Area Expansion Criteria, prepared by Dillon Consulting and dated July 26, 2024. A Subwatershed Study (Phase 1) shall follow the requirements referenced in this document unless further scoped through a Formal Consultation prior to the submission of the application. For each Subwatershed Study (Phase 1), the City requires the applicant to develop a Terms of Reference that outlines how they will fulfil the requirements of this document, in consultation with the applicable Conservation Authority. In addition, the applicant should consult with and consider input from Indigenous communities on the proposed Terms of Reference. That Terms of Reference will need to be approved by the City prior to initiation of the study.

The Subwatershed Study (Phase 1) Terms of Reference is specific to urban boundary expansion proposals and takes a phased approach as contemplated in the Provincial Subwatershed Planning Guide (2022) and focuses on existing conditions as an initial impact assessment. Should an urban boundary expansion application be approved, the findings of the Phase 1 study would be incorporated into subsequent Phase 2 and 3 work for the Subwatershed Study completed through Secondary Planning. Phase 2 of the Subwatershed Study focuses on the development of a preferred land use scenario and more refined impact assessment. Phase 3 of the Subwatershed Study focuses on the implementation of the Subwatershed recommendations and management strategies.

The Subwatershed Study (Phase 1) may be submitted in place of an Environmental Impact Study where the subwatershed planning process was carried out as part of a comprehensive planning process to the satisfaction of the City in consultation with the applicable Conservation Authority.

### **PREPARED BY:**

A Subwatershed Study (Phase 1) must be prepared by a qualified expert in fields relevant to the natural environment and civil engineering, including an ecologist,

biologist, hydrogeologist, arborist/forester, or geologist, depending on the area of expertise required. In some cases, expertise in storm water management, geology, aquatic ecology, terrestrial ecology, hydrogeology, or fluvial geomorphology will be required.

## CONTENTS:

The Subwatershed Study (Phase 1) shall include the technical studies below which are interrelated and must provide recommendations that considers all technical information:

- Hydrogeology;
- Hydrology and Hydraulics;
- Stream Morphology;
- Surface Water Quality; and,
- Terrestrial and Aquatic Ecology.

While the contents of a Subwatershed Study (Phase 1) may be scoped on a site-by-site basis, the general content incorporated into this Study will include identification of existing conditions and an initial impact assessment, including:

- Confirmation of objectives for the Subwatershed Study (Phase 1);
- Review of the Subwatershed boundaries within the study area taking into consideration broader water resources and natural heritage systems within the watershed;
- Identification and mapping of existing natural features, hydrologic features and hazard lands including the related hydrologic functions and conditions;
- Completion of existing conditions hydrologic modelling. The **detailed hydrologic model** shall be developed and calibrated for the subwatersheds' existing condition for all relevant rain events.
- A **hydrogeology** study should be completed to establish a geological conceptual model for the subwatershed(s), determining the key characteristics of the bedrock and overburden systems, in addition to their functions in terms of controlling groundwater movement, availability, and quality in these subwatersheds. An integral component is to assess the interactions between the groundwater system and the surface water system, and to determine the overall role or function of these interactions in an ecosystem context.
- A **water balance model** shall be developed based on the output of the hydrologic model and hydrogeology of the area. The water budget shall include an estimate of precipitation, evapotranspiration, runoff, and infiltration, including groundwater recharge / discharge estimations. The present low flow status shall be evaluated, and the constraints associated to water takings and land use changes shall be identified.
- A **stream morphology study** shall assess the morphological and fluvial character of the streams, identify physical habitat attributes (e.g., pools, riffles etc.) and diversity and fluvial processes (e.g., bed load transport, energy

reduction through sinuosity, etc.) with the overall objective to prevent increases in erosion and deposition through the maintenance of the hydrological regime.

- The Subwatershed Study (Phase 1) shall undertake an existing conditions **erosion potential analysis**, based on the erosion data collected to understand the erosion processes, and to identify areas which are highly prone to erosion, where erosions are occurring, or where structures may be at risk.
- Identification of existing land uses.
- Based on a preliminary land use scenario, completion of an initial assessment of the potential impact of development on the water resource and natural systems (including the associated hydrological and ecological functions) in the Subwatershed Study Area based on a preliminary land use scenario.

Consistent with the City of Hamilton's approved Environmental Impact Statement Guidelines, if field studies have been conducted more than five years before the Subwatershed Study (Phase 1) is submitted, updated field work will be required.

### **Environmentally Significant Areas Impact Evaluation Group (ESAIEG)**

The Environmentally Significant Areas Impact Evaluation Group (ESAIEG) is a voluntary technical group established to advise the Planning and Economic Development Department on the impacts on proposed development within or adjacent to Core. Areas. Their mandate is to provide advice to Planning Division staff on whether the technical information provided is adequate to address impacts, whether the proposal should proceed, and if so, what mitigation measures are needed.

Planning Division staff may refer all or part of a Subwatershed Study (Phase 1) to ESAIEG for review. Where ESAIEG has reviewed, a summary of key feedback from City staff and ESAIEG will be issued by City staff following the ESAIEG meeting. This summary and a summary of any subsequent changes made to the proposal to address the comments is required as part of a resubmission of the Subwatershed Study (Phase 1).

### **OTHER INFORMATION:**

- City of Hamilton Environmental Impact Statement Guidelines
- City of Hamilton Green Standards and Guidelines for Site Servicing (Stormwater)
- City of Hamilton Comprehensive Development Guidelines
- City of Hamilton Linkage Assessment Guidelines (March 2015)
- City of Hamilton Tree Protection Guidelines (revised October 2010)
- Ministry of Environment, Conservation and Parks DRAFT Subwatershed Planning Guide (January 2022)
- Six Nations of the Grand River – Environmental Levy Policy

**REVIEWED AND APPROVED BY:**

- Natural Heritage staff, Planning and Economic Development Department.
- Growth Management staff, Planning and Economic Development Department.
- Environmentally Significant Areas Impact Evaluation Group (ESAIEG).
- Applicable Conservation Authority.

**CONTACT:**

Natural Heritage staff: [pdgeninq@hamilton.ca](mailto:pdgeninq@hamilton.ca)

Growth Management staff: [Mark.Hartley@Hamilton.ca](mailto:Mark.Hartley@Hamilton.ca)

Hamilton Conservation Authority: <https://conservationhamilton.ca/>

Conservation Halton: <https://www.conservationhalton.ca/>

Grand River Conservation Authority: <https://www.grandriver.ca/en/index.aspx>

Niagara Peninsula Conservation Authority: <https://npca.ca/>



Hamilton

## Energy and Climate Change Assessment Report (Urban Boundary Expansion Application)

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### **PURPOSE:**

This document explains the process for the completion of an Energy and Climate Change Assessment Report which is a requirement for the submission of an urban boundary expansion application under the *Planning Act*. The Report builds upon Hamilton's Climate Action Strategy which was approved by Council in August 2022 and includes the Community Energy and Emissions Plan (CEEP) that outlines the goal of achieving net zero emissions (carbon neutrality) by 2050, and the Climate Change Impact Adaptation Plan. All Energy and Climate Change Assessment Reports shall follow the requirements in this guideline.

The purpose of the Energy and Climate Change Assessment Report is to provide the City with applicable information to evaluate a number of criteria related to climate change adaptation and mitigation, including Greenhouse Gas (GHG) emission reductions. Based on this information, the Report must assess whether the proposed boundary expansion adversely impacts the ability of the City to achieve carbon neutrality and identify any specific land use policies, measures or actions proposed for the expansion area to mitigate climate change impacts.

The Energy and Climate Change Assessment Report is a critical component of an urban boundary expansion application which, together with other submission requirements including the Subwatershed Study (Phase 1), Financial Impact Analysis, Housing Assessment and Agricultural Impact Assessment informs the City of the long term environmental, social, and financial implications to the City.

### **PREPARED BY:**

Where an Energy and Climate Change Assessment Report is required, the required information should be incorporated into a Planning Justification Report as a separate section. Energy and Climate Change Assessment Reports are required to be prepared by a Registered Professional Planner (RPP), Certified Energy Manager (CEM) or Certified Energy Auditor (CEA).

## CONTENTS:

A preliminary consultation with staff may be required prior to preparing an Energy and Climate Change Assessment Report to confirm the terms of reference for the report. The contents of this Report shall be based on the information provided in support of the urban boundary expansion application including Concept Plan, Planning Justification Report, Subwatershed Impact Study (Phase 1) and Housing Assessment. An Energy and Climate Change Assessment Report shall include:

1. **Site Design** – The Report shall assess if/how the site design elements for the potential expansion and/or proposed concept will mitigate urban heat island effect and preserve or protect natural heritage. Information related to natural heritage is to be based on the applicant's Subwatershed Impact Study (Phase 1) and should include a list of natural assets and planned management, retention, expansion, or enhancement of existing features and/or addition of new features.
2. **Land Use Patterns** – The Report shall assess the transportation related impacts of the proposed urban expansion on GHG emissions. Referencing or building upon the information submitted as part of the Transportation Impact Study, Transit Assessment and Pedestrian Route and Sidewalk Analysis, this study shall provide modelled GHG emissions based on vehicle kilometres travelled to key destinations. The Report shall identify opportunities related to land use patterns and transportation and would ideally provide information on active and sustainable transportation opportunities within and connecting to the potential boundary expansion from abutting urban areas.
3. **Building Design and Use** – The Report shall identify how the proposed urban boundary expansion will allow for energy efficient low carbon building design (e.g., LEED rating system, passive housing). This includes information on the feasibility of providing Electric Vehicle Supply Equipment, climate resilient building design (e.g. air source heat pumps, building orientation to facilitate solar panels) to the entire boundary expansion area (as informed by proposed Concept Plan). This section can reference requirements from the City's Green Building Standards which would be implemented through subsequent planning approvals.
4. **Overall GHG Emissions** – The Report shall include analysis of the overall GHG emission impacts of the proposed urban boundary expansion to model and demonstrate how the expansion will impact the City's net-zero goal as identified in the CEEP. The assumptions used in the modelling shall be based on key assumptions included in the information submitted as part of the complete urban boundary expansion application (e.g. population, employment, dwelling units, industry type, transportation modal split, energy impacts, etc). This analysis shall include any measures planned for that would reduce emissions (e.g., building design, energy sources, etc.) and identify how/where they would be incorporated into planning approval.

5. **Renewable Energy Feasibility Review** – The Report shall assess whether the potential urban boundary expansion could feasibly be serviced or is planned to be serviced by renewable energy, alternative energy systems, or district energy and why. Details on how/why energy supply options are feasible should be provided (e.g., site size, design, study that has been conducted, assessments that will be conducted, etc.). Detail should be provided on whether energy providers have been contacted or engaged with as part of this consideration. If renewable energy systems are proposed, the Applicant's Planning Justification Report shall discuss how these would be incorporated into subsequent planning approvals (e.g. Secondary Plan, Draft Plan of Subdivision).
6. **Water Conservation and Management** – The Report shall provide information within the EEA Report regarding the approach to water conservation, stormwater management, and low impact design. The report should demonstrate how the potential urban boundary expansion will consider stormwater management and promote green infrastructure and low impact development. It should also demonstrate the feasibility and potential opportunities for water conservation at a strategic level. It is noted that this could overlap with the Functional Servicing Report and Subwatershed Impact Study (Phase 1) submission requirements.
7. **Energy and Climate Change Targets** – The Report shall include targets and objectives as it pertains to energy and climate change within the Report. These targets/objectives shall form part of the Planning Justification Report and Draft Official Plan Amendment(s). The above Report requirements are assumed to be based, at a minimum, on the Concept Plan. However, it is recognized that an Official Plan Amendment for urban boundary expansion may be a first step in the application process whereby further assessment and more detailed planning is completed for a subsequent Secondary Plan. As such, the analysis and feasibility demonstrated within the Report in regard to site design, GHG emissions, land use efficiency patterns, building design, and energy would ideally result in targets/objectives that would guide the secondary planning for the urban boundary expansion as part of implementation.

**OTHER INFORMATION:**

City of Hamilton - Community Energy & Emissions Plan  
City of Hamilton - Climate Change Impact Adaption Plan  
City of Hamilton - Better Homes Hamilton Program  
City of Hamilton – Green Development Standards

**REVIEWED AND APPROVED BY:** Planning Division, Planning and Economic Development Department

A peer review of an Energy and Climate Change Assessment Report may also be required.

**CONTACT:**

City of Hamilton Planning Division - [urbanboundary@hamilton.ca](mailto:urbanboundary@hamilton.ca)

City of Hamilton Office of Climate Change Initiatives - [climatechange@hamilton.ca](mailto:climatechange@hamilton.ca)



Hamilton

## Housing Assessment (Urban Boundary Expansion)

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### PURPOSE:

This document explains the process for the completion of a Housing Assessment, which may be required for the submission of an urban boundary expansion application under the *Planning Act*. All Housing Assessments shall follow the requirements referenced in this document.

The purpose of the Housing Assessment is to assess whether there is a need for the mix and type of housing proposed for the urban boundary expansion area that cannot be accommodated within the existing urban area and what the impact of the proposed expansion would be to the Urban Hamilton Official Plan's growth policies. This includes the City wide intensification rate, densification of the Downtown, Urban Growth Centres and other nodes and corridors including Major Transition Station Areas.

### PREPARED BY:

Where a Housing Assessment is required, the required information should be incorporated into a Planning Justification Report as a separate section. Housing Assessments are required to be prepared by a Professional Land Economist (PLE) or qualified Registered Professional Planner with experience in completing housing assessments.

### CONTENTS:

A preliminary consultation with staff may be required prior to preparing a Housing Assessment to confirm the terms of reference for the report. The contents of the Housing Assessment shall be based on the proposed type and mix of housing for the urban boundary expansion area as described and illustrated in the Planning Justification Report and Concept Plan. A Housing Assessment shall include the following five topic areas:

1. **Need for the Expansion** - Recognizing that under the PPS (2024) municipalities will be required to consider the need for settlement area expansion, proponents should be required to demonstrate that any proposed expansion is necessary to accommodate the range and mix of land uses, including housing by type based on the City's approved Urban Hamilton Official Plan housing targets. The Assessment shall consider whether there is a need for additional supply for

'ground-related' housing, at the time of application, and show that this type of supply cannot reasonably be provided within the existing urban area.

2. **Impact on City-Wide Intensification Objectives** – The Housing Assessment shall assess whether the proposed expansion would adversely affect City-wide intensification objectives including demand for higher-density forms within the Downtown Urban Growth Centre, other Urban Growth Centres and Urban Nodes and Corridors, notably the Major Transit Station Areas (MTSA). To the extent that higher density forms are proposed as part of 'complete communities' in new greenfield areas, the Assessment shall be required to show that these units would not compete or otherwise reduce demand within planned medium and high-density areas identified within the Urban Hamilton Official Plan (e.g. Downtown, Urban Growth Centres etc.). Implications for the planned distribution of intensification should also be addressed in terms of the shares of growth anticipated for the Downtown Urban Growth Centre, Urban Nodes and Corridors and Neighbourhoods designated in Schedule E of the Urban Hamilton Official Plan.
3. **Densification of Existing Neighbourhoods and Designated Greenfield Area Supply** - Recognizing that a critical aspect of the City's no urban boundary expansion growth strategy is to 'redirect' greenfield demand for ground-related housing to other potential opportunities within existing residential communities in the form of detached accessory units (i.e. laneway housing), the Housing Assessment shall show how any proposed expansion would impact that objective. The Housing Assessment shall also assess whether there are opportunities for the reasonable densification of existing vacant Designated Greenfield Areas.
4. **Greenfield Density Target** – The Housing Assessment shall include the planned greenfield density of the urban boundary expansion area and provide commentary on how this density relates to Provincial Policy and Plans and Urban Hamilton Official Plan policies. Where planned density exceeds Provincial and Municipal policies, implications to the City's intensification targets (see topic area #2) must be assessed.
5. **Phasing of Development** – In accordance with the Provincial Planning Statement (2.3.1.6), the Housing Assessment shall show that any new expansion is orderly and aligns with the timely provision of infrastructure and public service facilities and avoids the uneconomical expansion of infrastructure into rural areas or make reference to where this is discussed in other materials submitted as part of the urban boundary expansion application (e.g. reference which other studies and submissions such as the Financial Impact Analysis. In addition, the Housing Assessment shall include the targeted planning horizon the proposed expansion area would be developed (e.g. 2031-2041 etc.) as well as how the proposed housing relates to any other specific housing targets, including the Province's 10 year housing target.

**REVIEWED AND APPROVED BY:** Planning Division, Planning and Economic Development Department

A peer review of a Housing Assessment may also be required.

**CONTACT:**

[urbanboundary@hamilton.ca](mailto:urbanboundary@hamilton.ca)



Hamilton

## Financial Impact Analysis (Urban Boundary Expansion)

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### **PURPOSE:**

This document explains the guidelines for the preparation of a Fiscal Impact Assessment (FIA) for urban boundary expansion applications. All FIAs shall follow the guidelines contained and referenced in this document. The FIA is required under the *Planning Act*, and it should describe the economic and fiscal impacts of a proposed expansion on the City. A FIA is required for all proposed expansions to the City's urban boundary. The primary purpose of an FIA is to evaluate the financial implications of a proposed urban boundary expansion.

### **PREPARED BY:**

The FIA must be prepared by a Professional Land Economist (PLE) or a qualified financial consultant with experience in preparing fiscal impact assessments.

### **CONTENTS:**

Prior to initiating a FIA, the applicant should confirm the terms of reference through a pre-study consultation with Planning Division staff. The FIA is to be provided as a stand-alone report and shall include the following information:

- Introduction
  - Who was retained to write the report and date retained;
  - What application(s) has/have been submitted or are required;
  - Whether pre-consultation took place with the City and date of meeting(s);
  - A statement of the purpose of the report.
  
- Description of the proposed development
  - A map showing the location of the proposed expansion area;
  - A concept plan showing the plan for the area, illustrating the proposed land use(s);
  - Total gross and net areas to be developed;
  - Estimated total number of housing units, by type;
  - Estimated total number of people planned for the area;
  - Estimated total number of jobs by type and associated Gross Floor Area of employment, commercial and institutional uses; and,

- The estimated phasing of growth in 5-year intervals and the overall time horizon that it will take to fully develop the proposed development.
- A summary of the methodology, including any technical assumptions and source materials used as the basis for the financial impact analysis.
- An estimate of municipal costs for all municipal infrastructure required to support development, including:
  - A description of all capital infrastructure required to support the proposed development;
  - Estimated capital costs for all infrastructure elements, such as water, sewer, stormwater, roads, transit, trails, parks, recreational facilities, and other elements as required;
  - Estimated operating and maintenance costs;
  - Estimated replacement/lifecycle costs;
  - Depending on the size and complexity of the community or employment area being planned for, cost estimates may need to include provision(s) for various public service facilities, such as police, fire and emergency services, libraries, parks and recreational facilities and any other municipally operated facility associated with the planned growth; and,
  - Public service facilities which are not the responsibility of the municipality, such as schools, hospitals, etc. do not need be included as part of the FIA.
- An estimate and breakdown of the various revenue streams for cost recovery, including development charges, property taxes, user fees and other charges, including any provincial/federal funding.
- A concluding net fiscal impact statement illustrating:
  - The overall breakdown of how the costs compare to the revenue sources over time, showing how development will be funded;
  - The statement should also include general commentary on debt impact, property taxes and user rates, including any assumptions included/excluded from the FIA. Applicants should refer to the City's latest financial plans/budgets for context;
  - The net financial impact statement should reflect the phasing plan and identify incremental costs and revenues over the full lifetime of the proposed development; and,
  - A summary calculation showing the total cost per gross hectare and total revenue per gross hectare along with general commentary on the financial sustainability of the expansion area.

**OTHER INFORMATION:**

Applicants should refer to the City's 2024 Development Charges Background Study and latest financial results for supporting technical information to complete.

<https://www.hamilton.ca/build-invest-grow/planning-development/development-charges/development-charges>

<https://www.hamilton.ca/city-council/city-administration/financial-results>

**REVIEWED AND APPROVED BY:**

Planning Division, Planning & Economic Development Department

**CONTACT:**

pdgeninq@hamilton.ca



Hamilton

## Emergency Services Assessment (Urban Boundary Expansion)

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### **PURPOSE:**

This document explains the process for the completion of an Emergency Services Assessment, which may be required as part of an urban boundary expansion application under the *Planning Act*.

The purpose of the Emergency Services Assessment is to identify and provide a description of all existing or planned Police, Fire and Emergency Medical Services facilities (referred to as Emergency Services) in proximity to the proposed urban expansion area and provide commentary on whether it is anticipated that new emergency services facilities will be required to service the expansion area which must then be incorporated into the Financial Impact Analysis.

Should the urban boundary expansion application be approved, detailed emergency services planning, including type and location of required emergency service facilities, would be determined through the Secondary Planning process.

All Emergency Services Assessment shall follow the requirements referenced in this document.

### **PREPARED BY:**

Where an Emergency Services Assessment is required, the required information should be incorporated into the Planning Justification Report as a separate section. Emergency Service Assessments are required to be prepared by a Registered Professional Planner (RPP), or Certified Planning Technician (CPT).

### **CONTENTS:**

- Identification of all Emergency Service Facilities within a 2km radius of the proposed urban expansion area.
- Short profile of each service facility, including any planned expansions or removals.
- Using the submitted Concept Plan and Transportation Impact Study, provide an estimated emergency response time from existing emergency service facilities to the proposed expansion area.

- The identification of new emergency service facilities identified through the Emergency Services Assessment shall be incorporated into the Applicant's Financial Impact Analysis (Urban Boundary Expansion).

**OTHER INFORMATION:**

Hamilton Paramedic Master Plan (2022) - [emergency\\_hps-master-plan-2022-2031.pdf](#)

**REVIEWED AND APPROVED BY:** Planning Division, Planning & Economic Development Department

**CONTACT:**

**City of Hamilton Planning Division** - [urbanboundary@hamilton.ca](mailto:urbanboundary@hamilton.ca)



Hamilton

## **School Accommodation Issues Assessment (Urban Boundary Expansion)**

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### **PURPOSE:**

This document explains the process for the completion of a School Accommodation Issues Assessment which is identified as a submission requirement for an Official Plan Amendment application seeking an expansion to the urban boundary.

The purpose of the School Accommodation Issues Assessment (urban boundary expansion application) is to assess the impact of the proposed urban boundary expansion area against the existing and/or planned capacity within the catchment areas of the Hamilton Wentworth District School Board, Hamilton Wentworth Catholic District School Board, Conseil scolaire catholique and Conseil scolaire Viamonde. Where additional student capacity is identified to accommodate the expansion area, the School Accommodation Issues Assessment supports the school board's ability to assess and determine the number and type of new schools required and/or expansions to existing schools to accommodate future student growth within the proposed expansion area.

### **PREPARED BY:**

Where a School Accommodation Issues Assessment is required, the required information shall either be incorporated into a Planning Justification Report as a separate section or as a standalone report. School Accommodation Issues Assessments are required to be prepared by a Registered Professional Planner (RPP).

### **CONTENTS:**

A School Accommodation Issues Assessment (urban boundary expansion application) must provide the following information:

- Location and mapping of the lands that are the subject of the application.
- Dwelling unit types, counts and bedroom counts to the smallest geographic area possible.
- Density of the proposed expansion area.
- Development phasing strategy- Requirement for a growth management development strategy to ensure that school sites are available at the appropriate

time and based on school board needs. Due to the location of the potential urban expansion areas and the capacities of the schools in the area, it is important that school sites are included in the first phase when completing the servicing strategies for urban boundary expansion.

After reviewing the data above, each School Board will provide the following assessment to the applicant as part of their comments on the application:

- Capacity, enrolment, and utilization rates for schools located in the area of the proposed development.
- The projected number of elementary and secondary students from the proposed development.
- The possible identification of additional school site requirements based on preliminary enrolment projections from the proposed development.

Urban boundary expansion proponents are strongly encouraged to contact the local School Boards prior to the submission of their application and provide the information above so that the School Boards comments are incorporated into the urban boundary expansion submission, including the required Concept Plan, Phasing Plan and Financial Impact Analysis.

**REVIEWED AND APPROVED BY:**

- Planning Division, Planning and Economic Development Department.

**CONTACT:**

Hamilton Wentworth District School Board – Planning, Accommodation and Rentals:  
planning@hwdsb.on.ca

Hamilton Wentworth Catholic District School Board: ramelliv@hwcdsb.ca

Conseil scolaire Viamonde: planification@csvgiamonde.ca

Conseil scolaire catholique MonAvenir : aaazouz@cscmonavenir.ca



Hamilton

## Concept Plan (Urban Boundary Expansion)

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### **PURPOSE:**

This document explains the requirement of a Concept Plan in support of an Official Plan Amendment application seeking expansion to the urban boundary. This Concept Plan is intended to provide a higher level overview of the type and mix of land uses within the proposed expansion area than what is reviewed submitted as part of a Secondary Plan. However, it must provide sufficient information on the proposed total mix and type of uses to inform other technical studies submitted as part of an urban boundary expansion application (specifically the Financial Impact Analysis, Housing Assessment and Functional Servicing Report) as well as provide a visual aid to illustrate the vision for the expansion area.

### **PREPARED BY:**

A Concept Plan (Urban Boundary Expansion) should be prepared by an urban designer, licensed architect (OAA), landscape architect (OALA), Planner (RPP MCIP), or Certified Planning Technician (CPT) with a demonstrated specialization in urban design.

### **CONTENTS:**

Concept Plans (Urban Boundary Expansion) should be drawn to scale and utilize a variety of colour to assist with visualizing how this area may look should the expansion be approved, and the lands are developed and integrated with Hamilton's urban fabric. The following features must be illustrated on Concept Plans (Urban Boundary Expansion):

- A north arrow;
- The boundaries and dimensions of the subject lands;
- The general location of any proposed arterial or collector roads (as identified in the Traffic Impact Study);
- The general location of any natural heritage features, linkages, and watercourses (as identified in the Subwatershed Study (Phase 1));

- If urbanization is proposed to be phased; depiction of each phase area including anticipated time horizon (e.g. 2031-2041, 2041-2051);
- A summary table that identifies:
  - Projected total number and mix (low, medium, high density) of dwellings within the proposed expansion area;
  - Projected population at full build out; and
  - Projected number of schools within the proposed expansion area based on the School Accommodation Assessment (Urban Boundary Expansion);

The Concept Plan (Urban Boundary Expansion Applications) does not need to include the specific location of:

- Low, medium, and high density residential uses;
- Commercial areas; and,
- Public Parks and other public service facilities.

**REVIEWED AND APPROVED BY:**

- Planning Division, Planning & Economic Development Department
- Applicable Conservation Authority

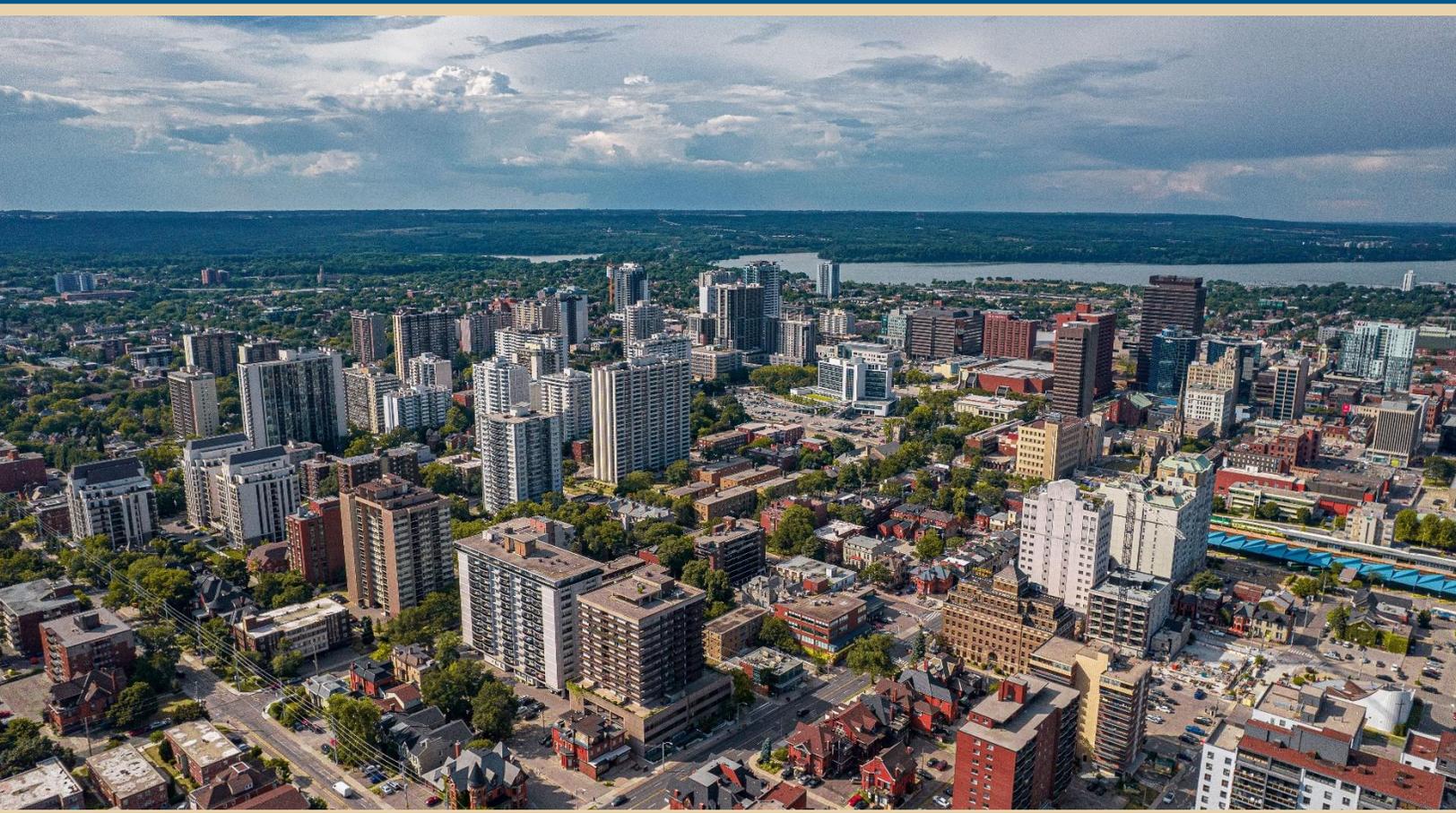
**CONTACT:**

urbanboundary@hamilton.ca

# City of Hamilton Proposed Framework for Processing and Evaluating Urban Boundary Expansion

## What We Heard Report

January 2025



## Acknowledgements

This report reflects the valuable time, effort, and insights shared by hundreds of Hamiltonians during the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications public engagement process. Participants offered a wide range of perspectives, providing valuable insights that will be instrumental in shaping the final Framework for Processing and Evaluating Urban Boundary Expansion Applications.

The City of Hamilton sincerely thanks everyone who contributed by participating in open houses, public meetings, online forums, and written submissions. Your feedback and expertise have provided essential guidance as we work to address the challenges and opportunities of managing Hamilton's growth in a way that reflects the needs and values of the community.

## How to Read This Report

This report provides a summary of the key themes and insights shared by participants during the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications public engagement process. It highlights areas of alignment while acknowledging the diversity of perspectives shared. The report is not intended to serve as a verbatim record of discussions, prioritize any viewpoint, or diminish the importance of perspectives that may not be fully detailed here.

It is also important to note that this document does not evaluate the accuracy or validity of the feedback provided during the engagement process, nor does it imply the City of Hamilton's endorsement of any specific perspective. For questions about this report, please email [urbanboundary@hamilton.ca](mailto:urbanboundary@hamilton.ca).

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**Acronyms, Abbreviations, and Definitions**

# Acronyms, Abbreviations, and Definitions

<b>Acronym or Abbreviation</b>	<b>Definition</b>
Bill 185	<i>Cutting Red Tape to Build More Homes Act, 2024</i>
City	City of Hamilton
Draft Framework	Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications
FCM	Federation of Canadian Municipalities
GHG	Greenhouse gases
Greenbelt	Protected Countryside and Niagara Escarpment
GRIDS 2	Growth Related Integrated Development Strategy
IDEA	Inclusion, Diversity, Equity, and Accessibility
OLT	Ontario Land Tribunal

# Executive Summary

The City of Hamilton initiated a public engagement process to gather community feedback on the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications (Draft Framework). This report summarizes the engagement activities undertaken, the feedback received from the community, and the next steps in the process.

**What we did:** The City of Hamilton held a variety of engagement activities to solicit feedback from the community on the Draft Framework. These activities included in-person open houses, a virtual open house, meetings with advisory committees, direct mailouts to potentially affected landowners, a dedicated project email address, and an online engagement hub hosted on the Engage Hamilton platform.

**Who we talked to:** The City engaged a variety of internal and external interested persons, including residents, community partners, and City Council members. The City also sought the input of a variety of external agencies and organizations, including utilities (e.g. Bell Canada), conservation authorities, school boards, and community groups. Engagement with Indigenous communities (First Nations, Métis, and Inuit) included providing information to potentially affected Indigenous communities and meeting with staff from Six Nations Elected Council and Mississaugas of the Credit First Nation.

**What we heard:** There was broad support for a transparent and robust process for evaluating urban boundary expansion applications, with an emphasis on the need to uphold the City's commitment to a firm urban boundary. Participants also highlighted the importance of prioritizing environmental protection, responsible development, and infrastructure considerations. Some participants expressed concerns that the Draft Framework could hinder growth opportunities or add unnecessary barriers to development.

**What's next:** The City will consider the feedback received through the engagement process and refine the Draft Framework accordingly. An updated Draft Framework will be posted on Engage Hamilton, with a target for incorporating the Framework into Official Plan Policy in Q1 2025.

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# 1.0 Introduction

## 1.1 Responding to Provincial Policy Changes

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How growth is managed in Ontario cities is changing. The provincial government, which sets the planning rules for Ontario municipalities, has recently made changes to those rules, impacting how cities can plan at the local level.

Previously, Ontario had strict regulations for how cities could expand their urban boundaries – the line that separates urban areas from farmland and countryside. These regulations helped manage growth responsibly by protecting green spaces and farmland while focusing development within existing infrastructure. However, under new legislation, including Bill 185, the *Cutting Red Tape to Build More Homes Act, 2024*, and the new *Provincial Planning Statement (PPS)*, the Province of Ontario has introduced new rules that grant developers more freedom to propose expansions of municipal urban areas.

The City of Hamilton has a no urban boundary expansion policy. But, because of provincial planning policy changes, some areas outside of Hamilton’s urban boundary can now be subject to urban boundary expansion applications. These areas, referred to as the “White Belt”, include land outside the established urban boundary and outside the Greenbelt (Protected Countryside and Niagara Escarpment), encompassing approximately 4,320 hectares.

Despite the provincial planning policy changes, the City of Hamilton remains committed to its urban boundary plan, which was developed through extensive community consultation. This means prioritizing growth within the existing urban area, focusing on intensification and making the best use of existing infrastructure and services.

## 1.2 The Draft Framework

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In response to the new provincial rules and in anticipation of new applications to expand the urban boundary, the City of Hamilton has developed the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications (Draft Framework). The Draft Framework aims to provide a transparent and rigorous process for reviewing any proposed urban boundary expansions. The goal is to comprehensively assess all proposals against the City’s priorities by:

- **Establishing clear submission requirements** by outlining the required technical plans and studies that must accompany any urban boundary expansion application.
- **Prioritizing key considerations that matter to Hamilton** by establishing a set of considerations to guide the City's rigorous review process, addressing issues such as impacts on farmland, infrastructure capacity and costs, and financial viability.
- **Outlining a clear process** for submission, review, and public and Indigenous engagement for any urban boundary expansion application, going beyond the minimum requirements of the Planning Act.

To support a comprehensive and transparent review process, the Draft Framework is structured into three parts: defining submission requirements, outlining key assessment criteria, and detailing a clear application review process that supports community involvement. These components collectively establish a clear and systematic approach to evaluating applications under the new provincial rules.

### **Part A: Establish Submission Requirements**

The Draft Framework outlines the specific plans and studies that developers must submit as part of any urban boundary expansion application. These include both existing requirements found in the City's Official Plans, such as a Subwatershed Impact Study and an Energy and Climate Change Assessment Report, and new requirements specifically designed for urban boundary expansion applications, like a Housing Needs Assessment and an Emergency Services Assessment.

### **Part B: Prioritize Key Considerations**

The Draft Framework also establishes a set of considerations that the City will use to assess any proposed urban boundary expansion. These considerations go beyond the requirements outlined in the Provincial Planning Statement, reflecting the City's commitment to a more comprehensive and rigorous review process.

### **Part C: Outline a Clear Process for Submission, Review, and Public Engagement**

Finally, the Draft Framework sets out a detailed process for Indigenous (First Nations, Métis, and Inuit) community consultation and public engagement throughout the review of any urban boundary expansion application. This process includes several steps that go beyond the minimum requirements of the *Planning Act*.

## 2.0 The Engagement Process

The City of Hamilton firmly believes in the value of public input in shaping a thriving and sustainable future for the community. Council directed staff to prepare both a public engagement plan and a plan for engaging Indigenous communities in contributing to the Draft Framework (see [Report Number PED24109a](#) and Appendix A of this report). The engagement process was designed to inform the community about the role of the provincial government in planning and to highlight how recent shifts in provincial planning directions require changes in how land use is managed at the local level. Using the Consult Level from Hamilton's Public Engagement Policy, community members, interested parties, review agencies, and Indigenous community rightsholders were invited to share their feedback on the Draft Framework.

The City of Hamilton shared information and invited community input through various methods from November 5 to December 15, 2024.

### 2.1 Goals and Objectives of Engagement

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The goals and objectives of the engagement activities, as specified in the Urban Boundary Expansion Framework - Public Engagement Plan (Appendix A) are summarized below.

#### **Goal #1: Inform the community about recent provincial changes that impact Hamilton.**

Specific Objectives:

- Clearly outline recent provincial changes that impact planning decisions in Hamilton.
- Clearly outline decision making powers/authority at the municipal and provincial levels.

#### **Goal #2: Consult with the community on specific aspects of the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications.**

Specific Objectives:

- Clearly outline what the Draft Framework is, how it will be used and why it is important.

## 2.0 The Engagement Process

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- Seek input from the community on the three main aspects in the Draft Framework, gathering feedback on:
  - What information or additional studies should be required as part of the urban boundary expansion applications;
  - How and when the community wants to be notified when an application for urban boundary expansion is made; and
  - How and when the community wants to provide their input on urban boundary expansion applications once received.

## 2.2 Communications and Engagement Techniques

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Communications and engagement techniques were selected to meet the goals and objectives of the process while reducing barriers to community participation by incorporating the principles of IDEA (Inclusion, Diversity, Equity, and Accessibility). Information and engagement materials were designed using plain language; project details were communicated through a variety of mediums; public meetings were accessible, held in different geographic locations, and included family-friendly activities; and community members were offered numerous opportunities to participate online.

### 2.2.1 Communications

#### Social Media

The City of Hamilton shared invitations to participate in the Draft Framework engagement across its social media channels. **A total of 8 social media posts were published between November and December 2024, resulting in 8,926 impressions and 44 engagements.** An example of a social media post is included in Appendix B.

#### Newspaper Advertisements

Two paid newspaper advertisements in the Hamilton Spectator were taken out on **November 12<sup>th</sup> and 19<sup>th</sup>, 2024** to advertise the information open house events. Project Information Sheet (Appendix B).

#### Project Information Sheet

A project information sheet (Appendix C) was created to outline the provincial policy changes, their impact on Hamilton, and how people could provide input. This document was distributed online, mailed to landowners in the areas in and around the White Belt, and made available at in-person open house events.

## 2.0 The Engagement Process

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### Mailers

On August 2, 2024, **6,365 letters** were mailed to all landowners within and near the White Belt lands, informing them of the provincial changes. The project information sheet was included within the mailer to provide detailed information.

### Emails

The City of Hamilton promoted and monitored a dedicated project email ([urbanboundary@hamilton.ca](mailto:urbanboundary@hamilton.ca)), which received **three emails from the public**. Project information and an invitation to participate was also shared with over **2,200 subscribers** to the Our Future Hamilton email distribution list.

### Phone Calls

The City of Hamilton provided a phone number for interested persons to call with questions about the Provincial policy changes or the Draft Framework. The project team **received ten phone calls**.

### 2.2.2 Correspondence with External Agencies, Community Groups, and Other Interested Parties

Formal requests for comments were sent to numerous external review and approval agencies as well as community groups, nongovernmental organizations, and interested parties (see Appendix D for the letter, full circulation list, and the responses received). Responses were received from:

#### External Agencies:

- Alectra
- Bell Canada
- Enbridge
- Grand River Conservation Authority
- Hamilton Conservation Authority
- Hamilton International Airport
- Hamilton-Wentworth Catholic District School Board
- Hamilton-Wentworth District School Board
- Niagara Escarpment Commission
- TransCanada Pipelines Limited

## 2.0 The Engagement Process

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### Community and Stakeholder Groups:

- Clean Air Partnership
- Hamilton Naturalists' Club
- West End Home Builders' Association

### 2.2.3 Project Information Materials

#### Infographics

Three detailed infographics were created (Appendix E) and shared online and at in-person events to explain various aspects of the project:

1. Timeline of growth management policy changes and their impacts on Hamilton.
2. Components of the Draft Framework for Processing and Evaluating Urban Boundary Applications.
3. Responsibilities of the province and the City for urban boundary expansion applications.

#### Video

A 4-minute video (<https://youtu.be/pAvYqWZwoOA>) was produced to explain the provincial policy changes, their impact on Hamilton, and the Draft Framework for Processing and Evaluating Urban Boundary Applications. The video, posted on Engage Hamilton, YouTube, and played during in-person open houses, also outlined how interested persons could provide feedback and get involved. **The video had 474 views on YouTube as of December 15, 2024.**

### 2.2.4 Engage Hamilton Website

The webpage ([engage.hamilton.ca/ubeapplicationframework](https://engage.hamilton.ca/ubeapplicationframework)) contained detailed information about the project, additional resources such as the infographics and resources, a project timeline, and avenues for feedback. During the project engagement period, the engagement webpage received **1,125 unique visitors** and **one question** was submitted via the question form.

A PDF of the full Draft Framework for Processing and Evaluating Urban Boundary Applications was also uploaded to the Engage Hamilton website, and through a digital engagement tool participants were able to ask questions and provide comments directly in the document. **The PDF was viewed approximately 6,910**

## 2.0 The Engagement Process

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times, receiving 132 comments from an estimated 26 different commenters on various sections of the Draft Framework.

### 2.2.5 Information Open Houses

#### In-Person Open Houses

Three open houses were held in Hamilton to share project information and provide community members and other interested parties with the opportunity to have one-on-one conversations with the project team. Each open house was a drop-in format, featuring boards with detailed information about the project and opportunities to provide feedback.

The open houses were held on the following dates:

- November 26, 2024, at the Hamilton Convention Centre (**81 attendees**).
- November 28, 2024, at Ancaster High School (**60 attendees**).
- December 3, 2024, at Gatestone Elementary School (**51 attendees**).

**A total of 77 comments were left on post-its, 22 comment cards were submitted, and project team members recorded 74 verbal comments and questions.**

#### Virtual Open House

A virtual open house was held on December 5, 2024, via Zoom Webinar to present project information through a formal presentation and to engage attendees in dialogue and the Question and Answer (Q&A) tool through the webinar platform. **100 attendees joined the virtual open house. Participants asked 93 questions, with 19 answered live. A survey was available to attendees after leaving the meeting and distributed through email, receiving 31 responses. Survey respondents rated their Virtual Open House experience an average of 4.2 out of 5.**

Following the virtual open house, an accessible version of the presentation slide deck (see Appendix F) was posted on the Engage Hamilton website. A full recording of the virtual open house was also made available on Engage Hamilton, hosted on YouTube ([https://youtu.be/mP\\_Eo-0eFXI](https://youtu.be/mP_Eo-0eFXI)). The recording had **80 views** by December 15, 2024.

### 2.2.6 Advisory Committee Meetings

Formal presentations describing details about the provincial policy changes and the Draft Framework were presented to three advisory committees by City staff:

## 2.0 The Engagement Process

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- **Climate Change Committee:** October 29, 2024, at Hamilton City Hall
- **Development Industry Liaison Group:** November 18, 2024, virtually via Webex
- **Rural and Agricultural Affairs Committee:** November 21, 2024, at Hamilton City Hall

### 2.2.7 Indigenous Community Consultation

The City of Hamilton sent project information, invited comments, and offered to meet in-person or virtually to discuss the Draft Framework in detail with potentially affected Indigenous Communities, including:

- Six Nations Elected Council
- Mississaugas of the Credit First Nation
- Haudenosaunee Development Institute
- Huron Wendat First Nation
- Métis Nation of Ontario

Information and invitations to comment were also sent to:

- Hamilton Regional Indian Centre
- Niwasa Kendaawsin Teg

Haudenosaunee Development Institute requested a meeting, which has yet to be scheduled by the date of this report. Huron Wendat First Nation indicated that they do not have capacity to participate in the initiative at this time and requested to be kept updated. Métis Nation of Ontario indicated that they do not have concerns or comments at this time.

Meetings were held with staff of Six Nations Elected Council on December 4, 2024, and Mississaugas of the Credit First Nation on December 11, 2024, to discuss the Draft Framework and provide an opportunity for questions. Comments were received on aspects of the Draft Framework and considerations of treaty rights within the process.

## 3.0 What We Heard – Key Themes and Findings

All comments recorded and transcriptions from engagement events were analyzed using thematic analysis, involving a review of nearly **550 separate comments submitted through online platforms, letters, open houses, public events, and meeting minutes**. A trained team member assigned each comment to one or more themes to identify patterns and priorities in the feedback. These themes are summarized below and will inform the finalization of the Draft Framework.

Throughout the engagement process, participants posed numerous questions. The engagement team reviewed all comments tagged as questions, creating a consolidated list presented in Section 4.0 of this report.

The themes and summaries provided below reflect both shared priorities and areas of disagreement among participants. While this section offers a high-level overview of key insights, it necessarily simplifies the breadth and nuance of the diverse perspectives gathered during the engagement process. Representative quotes chosen from the comments received are included at various points throughout to illustrate the themes. A full record of comments received is included in Appendix G.

To help clarify the prevalence and significance of the key themes, we have used specific terms to describe how frequently certain feedback appeared and its overall importance. These terms reflect qualitative judgments rather than numerical counts, ensuring that the full context and meaning of the responses are preserved:

- **Notable Portion:** Refers to a theme or idea that was mentioned meaningfully by multiple respondents, but not frequently enough to dominate the overall feedback.
- **Large Portion:** Describes a theme that was raised by a significant number of participants and is consistently observed throughout the feedback, indicating its importance.
- **Broad Consensus:** Represents a theme that was widely agreed upon or supported by the majority of respondents, or respondents to that particular question, indicating a collective or dominant viewpoint.

### 3.0 What We Heard – Key Themes and Findings

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- **Key Insight:** Refers to feedback provided by a small number of respondents that is highlighted due to its significance, relevance, or potential impact on the project or decision-making.

#### 3.1 Theme 1: Concerns about Provincial Policy Changes

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Feedback from the public engagement process highlighted concern about recent provincial changes to urban boundary expansion policies. A large portion of participants felt these changes undermined the City of Hamilton's ability to manage growth and maintain a firm urban boundary. Others expressed distrust in the Ontario Land Tribunal (OLT) appeals process, fearing it would prioritize developers' interests over those of the City and its residents. Key concerns included:

- **Uncoordinated urban expansion:** Participants worried that haphazard urban boundary expansions could lead to the loss of valuable farmland and greenspaces, undermining Hamilton's carefully planned growth strategy. These concerns included questions about whether the Greenbelt Plan would be reviewed in the future and could be amended to allow further urban expansions, and requests to be included in any consultations regarding that policy.
- **Environmental and agricultural risks:** A notable portion raised concerns about the potential destruction or degradation of farmland, wetlands, woodlots, and watercourses to accommodate new development. These comments reflected a strong commitment to protecting Hamilton's natural and agricultural heritage.
- **Financial and infrastructure burdens:** Participants were concerned about the financial implications of unplanned urban expansion. They noted that while developers would bear initial infrastructure costs, long-term maintenance, operational expenses, and lifecycle replacement would fall on taxpayers. Concerns also included the cost of defending City decisions at the OLT, which could further strain municipal resources.

"I strongly oppose the province's ability to override city decisions. We (citizens of Hamilton) have no voice. And the city has to pay for all this urban expansion even though the city (citizens) oppose all urban expansion." - Written comment from public open house.

### 3.0 What We Heard – Key Themes and Findings

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## 3.2 Theme 2: Support for a Robust and Transparent Review Process

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There was strong support for the City's proactive approach to developing a rigorous framework for the review of urban boundary expansion applications. Specific aspects of the Draft Framework that received positive feedback included:

- **Detailed submission requirements:** A key insight was participant appreciation of the inclusion of the numerous technical studies and reports required for urban boundary expansion applications. Those respondents valued the focus on examining environmental, social, economic, and infrastructure impacts before decisions are made.
- **Broad thematic considerations:** A notable portion supported the emphasis on agricultural impacts, climate change, and community well-being in the Draft Framework.
- **Prioritization of public and Indigenous engagement:** Participants strongly emphasized the importance of meaningful and accessible public involvement throughout the urban boundary expansion review process. They appreciated the City's commitment to transparency and called for robust communication strategies, diverse engagement formats, and opportunities for ongoing dialogue. The significance of early and continuous engagement with Indigenous communities was repeatedly highlighted, reflecting a shared understanding of the need to uphold the City's reconciliation commitments.

While the Draft Framework was generally well-received, a key insight included suggestions for stronger language in certain areas to ensure accountability. For example, there were suggestions to replace “encourage” with “must” regarding applicant engagement with Indigenous communities, reflecting a desire for more prescriptive requirements.

“I completely agree that Hamilton should maintain the no boundary expansion at all costs. We need to consider the impact of climate change, natural hazards, and heritage, water resources, land use and agricultural needs. There is plenty of non-used land within our current boundary to accommodate growth.” - Written comment from public open house.

“I strongly support this plan of action. Please raise awareness on every possible platform; every citizen of Hamilton has a stake in this. Thank you for your commitment to get it right.” - Comment received online.

### 3.0 What We Heard – Key Themes and Findings

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### 3.3 Theme 3: Balancing Growth and Preservation

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The engagement process highlighted a tension between accommodating future growth and preserving Hamilton’s natural and agricultural resources. Participants expressed a range of opinions, reflecting the complexity of balancing these competing priorities:

- **Advocacy for maintaining the current urban boundary:** Of those expressing an opinion about a firm urban boundary, most emphasized the need to prioritize infill development and revitalization within the existing boundary before expanding outward. They highlighted the importance of protecting prime agricultural land and natural areas for future generations while encouraging efficient use of existing infrastructure.
- **Support for strategic expansions:** A few commenters supported carefully planned urban boundary expansions to address housing affordability and population growth. They argued that restricting growth to the current urban area could limit housing supply, while well-managed expansions could meet future housing needs and help Hamilton remain a desirable city.
- **Calls for responsible planning:** If urban boundary expansion was to occur, a key insight included calls for well-planned developments that prioritize connectivity, sustainability, and fiscal responsibility, ensuring that long-term infrastructure costs are minimized, and growth fairly contributes to the tax base.

“I strongly support the City's efforts to defend the urban boundary as established by the city. Development in the White Belt lands would destroy as much as 4,000 acres of wetlands, woodlots, watercourses and prime farmland. It would also saddle municipal taxpayers with the heavy costs of maintaining all the additional infrastructure.” - Written comment from public open house.

“I support expansion provided studies are done, which it appears to be” - Written comment from public open house.

“‘Yes and’ isn't a real option here. Hamilton can't plan for **both** densification of existing neighbourhoods AND development of Greenfield sprawl neighbourhoods outside the existing [urban boundary] without saddling itself with a white elephant.” - Comment received online.

### 3.0 What We Heard – Key Themes and Findings

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#### 3.4 Theme 4: The Role of Housing Affordability in Urban Growth

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Housing affordability emerged as a recurring theme, with participants expressing diverse views on how urban boundary expansion might contribute to the housing crisis.

- **Concerns about restricting boundary expansions:** This key insight argued that limiting urban boundary expansions could constrain housing supply, worsening affordability challenges and making it harder for families to find homes.
- **Counterarguments about urban sprawl:** Others contended that sprawl-driven development would result in higher long-term infrastructure costs, such as roads and water systems, and fail to provide genuinely affordable housing options.
- **A focus on affordability:** Where urban expansion might occur, a notable portion of respondents stressed that such developments must prioritize affordable, inclusive housing rather than catering to luxury markets.

“More cutting of red tape is required to make affordable homes. This entire plan slows down the process, adds costs, adds time and [is] making Canada the slowest Country to issue building permits where [we] have the most land.” - Comment received online.

“If the City is being forced into expanding its urban boundary, it’s important to build intelligently. Encouraging dense, mix-used neighbourhoods should be the priority, not adding more low-density housing.” - Comment received online.

#### 3.5 Theme 5: Environment and Climate Resilience

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Environmental sustainability and climate resilience were major priorities for a large portion participants. Feedback focused on the following:

- **Protecting greenspaces and natural areas:** Participants advocated for safeguarding wetlands, woodlands, and other greenspaces, emphasizing their role in supporting biodiversity, improving air quality, and mitigating climate change impacts.

### 3.0 What We Heard – Key Themes and Findings

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- **Preserving farmland:** Protecting Hamilton’s prime agricultural land was a recurring theme, with participants highlighting the importance of local food security and resilient food systems.
- **Mitigating environmental impacts of expansion:** Those supporting strategic expansions stressed the need for comprehensive environmental impact assessments, mitigation strategies, and the adoption of green infrastructure to minimize harm to ecosystems and water resources.
- **Integrating climate-forward design:** Participants called for renewable energy use, energy-efficient building designs, and water conservation measures to ensure new developments align with climate resilience goals.
- **Addressing climate change risks:** Concerns about increased flooding, extreme heat, and biodiversity loss prompted calls for the City to integrate climate change risks into all growth-related decisions.

“The citizens of Hamilton and Ontario value the surrounding Greenspace provided by rural farms and communities as a component of our Cultural Heritage. Sprawl has been destroying the economic and social fabric of rural communities for decades, as well as the destruction of soil, wetlands and biodiversity.” - Comment received online.

### 3.6 Theme 6: Equity and Accessibility in Public Engagement

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Participants emphasized the importance of equitable and accessible public engagement in decisions regarding urban boundary expansion. Feedback highlighted several key areas for improvement:

- **Inclusive and clear communication:** A key insight that emerged referenced the difficulty understanding the technical aspects of urban boundary expansion due to complex language and inaccessible presentation formats. Some called for plain-language materials and visually engaging formats to make information more accessible. Suggestions included creating a dedicated, user-friendly website separate from the City’s main site to better explain proposals.
- **Diverse engagement formats:** Residents appreciated virtual options like online surveys and open houses but also stressed the importance of in-person opportunities. Requests included town hall meetings, open houses in specific neighborhoods, and ward-specific engagement to address local concerns.

### 3.0 What We Heard – Key Themes and Findings

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- **Engagement with equity-deserving and traditionally underrepresented communities:** A key insight included calls for targeted efforts to engage marginalized communities and ensure their voices are heard. Comments included requests to prioritize outreach to groups often excluded from planning discussions, such as low-income residents and newcomers.
- **Strengthened Indigenous engagement:** Feedback throughout the engagement underscored the importance of Indigenous community involvement. Another key insight included a suggestion to mandate Indigenous input for all expansion proposals.

“The public must be given enough notice of any planned community meetings. We must be allowed to ask questions, to challenge and to oppose plans, not just sit and listen to some proposal.” - Comment received online.

### 3.7 Theme 7: Perspectives Challenging the Firm Urban Boundary and Draft Framework

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Not all feedback supported the rigorous process outlined in the Draft Framework or the City’s efforts to maintain a firm urban boundary. A notable portion of participants expressed concerns that the Draft Framework could hinder growth opportunities, create unnecessary barriers to development, or fail to address Hamilton’s housing and economic needs. Key points included:

- **Criticism of the firm urban boundary policy:** Participants expressed concerns that restricting urban boundary expansions could limit housing supply, increase costs, and push development beyond Hamilton’s limits. A key insight included the view that the firm boundary as a contributing factor to affordability challenges and a barrier to meeting housing demand.
- **Frustration with process complexity:** A key insight included that the Draft Framework could make applications overly difficult for developers, potentially discouraging responsible growth.
- **Preference for managed expansion over intensification:** This key insight reveals a preference for well-planned expansions that address housing demand while balancing environmental and infrastructure considerations. Specific areas, such as locations with existing infrastructure capacity, were identified as potential candidates for strategic growth.
- **Concerns about overemphasis on environmental goals:** A few participants expressed concerns that prioritizing environmental preservation and farmland

### 3.0 What We Heard – Key Themes and Findings

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protection might come at the expense of addressing urgent housing and economic needs. They felt a more balanced approach could better support Hamilton’s long-term growth objectives.

“We need to expand the urban boundary to alleviate homelessness.”  
– Verbal comment recorded at open house.

“More comments, more studies, just add more costs and overall prolonging the development of homes and businesses. Low supply, high demand, creates high housing prices.” - Comment received online.

## 3.8 Specific Feedback on Draft Framework Components

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The following includes feedback on the required submission information, the draft evaluation and locational considerations, and the process for application submission and review.

### 3.8.1 Part A - Urban Boundary Expansion Submission Requirements

Part A of the Draft Framework outlines the specific plans and technical studies required for urban boundary expansion applications. Participants were asked to consider if there were additional studies that should be required in the application process. Public feedback emphasized the need for comprehensive assessments that address environmental, infrastructure, social, and economic impacts, reflecting strong concerns for sustainability and community well-being. Key themes included:

- **Environmental studies:** The need for detailed and independent environmental impact studies was a recurring theme in the feedback. Participants called for a thorough examination of the potential effects of expansion on various environmental factors, including:
  - **Air and water quality:** Concerns about pollution and traffic led to requests for thorough analysis of air and water quality impacts, with one participant requesting peer review of subwatershed studies impact assessment findings.
  - **Biodiversity and wildlife:** Protecting habitats and wildlife corridors was emphasized. Recommendations included restoration plans and consideration of Species at Risk.

### 3.0 What We Heard – Key Themes and Findings

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- **Climate change:** Participants highlighted the need to evaluate greenhouse gas emissions and to have alignment with the City’s climate strategy.

“First report should be contribution to or reduction of greenhouse gas emissions over the long term.” - Comment received online.

- **Impact on existing infrastructure and services:** A large portion of participants emphasized the importance of assessing potential strain on existing infrastructure and services, including:
  - **Transportation networks:** Concerns included traffic flow, road capacity, and public transit integration.
  - **Water and sewer capacity:** Participants suggested development in areas where capacity exists, such as near the airport to address concerns about reliable infrastructure.
  - **Emergency services:** Feedback called for a detailed evaluation of how expansion would impact response times and resources for police, fire, and ambulance services.
  - **Schools and community facilities:** Participants expressed concerns about overcrowding and requested assessments to determine the need for additional facilities.
- **Social and economic impacts:** Participants called for a comprehensive understanding of the potential social and economic impacts of a proposed expansion, requesting studies addressing:
  - **Housing needs:** Participants advocated for analysis beyond unit counts to address affordability and housing diversity.
  - **Community well-being:** Participants highlighted concerns about the potential impacts on community character, social cohesion, and quality of life.
  - **Economic impacts:** Suggestions included assessing long-term costs and benefits, such as job creation and tax revenue.
- **Impact on agriculture:** Concerns about the loss of farmland and conflicts between urban and rural land uses prompted requests for studies examining the economic viability of local farms and agricultural systems.

### 3.0 What We Heard – Key Themes and Findings

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“[Assess] how local neighbouring farm operations will be impacted - traffic, stormwater runoff onto fields, complaints from new UBE neighbours about farming noise, smells, slow moving farm equipment, etc.” - Comment received during virtual open house.

#### 3.8.2 Part B - Urban Boundary Expansion Application - Draft Evaluation and Locational Considerations

Part B of the Draft Framework outlines the considerations the City would use to assess proposed urban boundary expansion applications. Input highlighted diverse perspectives, reflecting both support for the framework’s rigor and concerns about its complexity and focus areas. While a notable portion of participants supported the considerations presented, some identified factors that should be emphasized or other considerations that should be integrated into the framework. Key contributions here included:

- **Support for comprehensive evaluation:** A notable portion of participants commended the comprehensive approach to assessing urban boundary applications. Some emphasized the need for a multi-departmental approach in examining applications, involving municipal finance, technical experts, and committees (e.g., adding the Agriculture and Rural Affairs Sub-committee as a reviewer) to inform decision-making.

“I think Hamilton did a great job on considering what needs to be part of a complete urban expansion application. My only one suggestion is to provide [applicants] with tools/suggestions/guidance for how they can complete these requirements if there are resources that can provide consistency in considerations across criteria.” - Comment received via email.

- **Concerns about bias against applications:** While there was significant support for the robust process outlined in the Draft Framework, a key insight included concerns that the process is overly restrictive, potentially discouraging necessary development. They called for balancing rigorous evaluation with support for housing affordability and addressing the growing demand for homes.

“The proposed submission requirements and City proposed criteria to be satisfied are very onerous and are unfairly geared to discouraging applications. There is a shortage of affordable housing in Hamilton and the areas that are eligible either have services or are in close proximity to services.” - Comment received during virtual open house.

### 3.0 What We Heard – Key Themes and Findings

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- **Housing affordability:** A large portion of participants explicitly urged the City to include housing affordability as a core evaluation factor. They stressed that the framework should not only assess the quantity of housing units proposed but also prioritize diverse housing types and tenures that meet the needs of various households and income levels.

“Affordable housing should be part of any proposal. If there’s no affordable housing, it shouldn’t be permitted.” - Verbal comment recorded at open house.

“I suggest adding the following theme: does the development support affordable housing? The weighting of this theme should trump all other themes.” - Comment received online.

- **Transparency in decision-making:** Concerns were raised about the transparency of assessment criteria. Respondents requested clear prioritization of criteria, with a key insight including a proposed “top-down” assessment approach to eliminate applications that fail critical initial considerations, thereby saving time and resources.
- **Environmental and agricultural concerns:** Strong support emerged for prioritizing environmental sustainability and farmland protection. Respondents advocated for stricter measures to safeguard wetlands, biodiversity, and agricultural land, emphasizing that these resources are irreplaceable and vital for climate resilience and food security.
- **Climate change as a priority:** Participants highlighted the importance of aligning application assessments with Hamilton’s climate change goals, including carbon neutrality and resilience to extreme weather events. They suggested stronger measures for flood management and urban tree canopy preservation.
- **Complete communities and livability:** Respondents advocated for developments that promote walkability, access to public transit and inclusion of amenities such as schools, healthcare, and grocery stores.

“It is imperative that developers who want to expand our boundaries provide a full range of services, such as parks, recreation centres, libraries, schools, long-term care homes, medical offices as well as grocery and hardware stores... Create complete communities so people don’t have to drive for recreation, shopping, school, etc.” - Comment received online.

### 3.0 What We Heard – Key Themes and Findings

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- **Focus on infrastructure and financial sustainability:** Feedback highlighted the need for a thorough analysis of the long-term costs of infrastructure maintenance and operational expenses. Participants questioned whether new developments would exacerbate Hamilton’s existing infrastructure deficit.

“Missing [consideration]: How does the Urban Boundary Expansion impact the City’s ability to reduce and eliminate its current \$3.8B infrastructure deficit? Adding more infrastructure will only worsen that deficit, leaving the City to maintain the new infrastructure over its lifetime.” - Comment received online.

- **Cumulative impacts:** A few respondents recommended assessing cumulative impacts of development on ecosystems, water quality, and community infrastructure to avoid piecemeal decision-making.

#### 3.8.3 Part C - Application Submission & Review Process

At the in-person and virtual open house events, participants were asked key questions related to notification and participation in the urban boundary expansion application review process. Responses highlighted diverse preferences for how the public would like to be informed and engaged in the process. This section summarizes feedback received, organized around the key questions posed, as well as additional themes that emerged.

##### How would you like to be notified of a new urban boundary expansion proposal?

- **Email notifications:** There was broad consensus among participants preferring email as their primary notification method. A notable portion emphasized the importance of leveraging existing mailing lists, such as the Growth Related Integrated Development Strategy (GRIDS 2) survey list and Engage Hamilton participants.
- **Multiple methods:** A large portion supported combining email notifications with updates on the City of Hamilton webpage, Engage Hamilton, and public notice boards at the subject property. Other suggestions included: text message alerts, notices in the Hamilton Spectator, and a dedicated webpage for urban boundary expansion applications.
- **Public notice boards:** A notable portion suggested improvements to public notice boards, such as QR codes linking to project information, larger text, and clear identification of the proposal as an urban boundary expansion application.

### 3.0 What We Heard – Key Themes and Findings

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#### When would you like to be notified of a new urban boundary expansion proposal?

- **At every stage of the process:** Of those who responded to this question, a large portion indicated that they would like to be notified of a new urban boundary expansion proposal upon receipt of the application. Many wanted to be notified at every stage of the process, including prior to the Council meeting, after the Council meeting, and any time the application status changes.
- **Legislative changes:** Participants also suggested notifying the public about any new planning legislation that could impact urban boundary decisions.

#### How would you like to provide feedback on a new urban boundary expansion proposal?

- **Email and online platforms:** Email remained the most popular method for providing feedback, followed closely by the Engage Hamilton platform.
- **In-person engagement:** Respondents valued opportunities for face-to-face input, including community open houses and public meetings held in neighborhoods directly affected by proposals.
- **Virtual public meetings and surveys:** Virtual meetings and city-wide surveys were highlighted as inclusive and accessible options.

“I want to provide feedback in person!” - Comment submitted during virtual public meeting.

#### Additional Feedback Themes

- **Indigenous engagement:** Strong feedback underscored the importance of meaningful dialogue with potentially affected Indigenous communities.
- **Inclusive consultation and notification:** Feedback emphasized the importance of broadening consultation efforts, including one suggestion to engage with tenant farmers, in addition to landowners. Participants also debated the adequacy of the 400-meter notification boundary, with a key insight being a suggestion for broader notification to include the entire city or at least one kilometre from proposed sites.
- **Simplification and accessibility:** Respondents emphasized the need for accessible and clear communication in public notices and the overall process.
- **Transparency and accountability:** Participants requested clear timelines for review processes, transparency in decisions, and detailed updates at each stage.

## 4.0 Questions Received

This section lists key questions raised by community members during the consultation process. These questions were distilled from the many inquiries and comments received, reflecting a consolidation of frequently asked questions and recurring concerns. City staff will be answering these questions in a separate report to help clarify the City's position, outline procedural details, and provide more detailed responses to community priorities.

### Provincial Authority and Local Decision-Making

- Why is the Province overriding the City's decision on the urban boundary expansion?
- Can the Province force Hamilton to service lands outside the urban boundary?
- How does Bill 212 and the proposed Highway 413 impact urban boundary expansion?
- How do the Strong Mayor powers affect the Mayor's ability to represent the City and Councillors in this process?
- Does the City have recourse if the Ontario Land Tribunal (OLT) overrules its decision?
- What is the point of this review process if a decision will just be appealed to the OLT?
- Are new staff being hired to manage these applications and address the OLT cases that will be brought forward in these areas?

### Development Applications and Processes

- How many applications have been submitted for development in the White Belt? How many urban boundary expansion proposals does the City anticipate receiving each year?
- How can I register my opposition to a specific development application? What feedback opportunities will residents have?
- What is the cost range for studies and assessments if paid for by applicants?
- How will "island" development applications not adjacent to built-up areas be reviewed?

## 4.0 Questions Received

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- Can a developer submit an incomplete application and still go to the OLT?
- What's the new third-party appeal rule? Can I / how can I be involved in the OLT/appeal process?
- Can the City set timelines for new proposals to prevent stalled projects?

### Environmental Impacts and Protections

- Will developers have to adhere to environmental regulations and pay for potential environmental impacts (e.g., flooding)?
- How might urban boundary expansion impact flooding?
- Will the loss of rural areas and their carbon sequestration capacity be considered in climate impact assessments?
- Can the City advocate for adding the White Belt areas to the Greenbelt or protecting them as animal corridors?
- Have any submission requirements incorporated the new work on the Biodiversity Action Plan for the city?

### Infrastructure and Services

- Will tax from new developments revenue cover the costs of utility maintenance and replacement?
- Can developers be charged for future transit development (feasibility studies, new transportation staff)?
- Will you examine the impact of additional traffic on already busy roads?
- Historically, housing development has taken place prior to road development. How does Hamilton plan to prioritize this?
- Will you be considering school capacity and the impacts on education boards?

## 4.0 Questions Received

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### Affordable Housing and Social Impacts

- How does potential urban boundary expansion impact the housing crisis in the city center?
- Does expansion contribute to more affordable housing, or does it facilitate taking up green space with larger homes?
- Is there a plan to explicitly address social impacts and hold developers (and the City) accountable for quality of life, health, and local economic & social well-being?
- Have studies included densification vs. expansion in regard to effects on homelessness?
- Please define what is meant by “affordable housing.”

# 5.0 Conclusion

## 5.1 Summary of Key Findings

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The engagement process surrounding the Draft Framework for Processing and Evaluating Urban Boundary Expansion applications revealed a complex and nuanced set of perspectives from the Hamilton community. While a large portion of participants expressed support for the City’s proactive approach in developing a rigorous framework, particularly its focus on transparency, environmental protection, and infrastructure considerations, there were also concerns regarding potential barriers to development and housing affordability. A significant takeaway was the widespread apprehension about the provincial policy changes, with a large portion feeling that they undermine the City’s control over its urban boundary and future growth.

## 5.2 Implications for the Draft Framework

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The feedback gathered through the engagement process has important implications for the Draft Framework. The City must carefully consider the balance between establishing a robust evaluation process that protects Hamilton’s environmental assets and addresses infrastructure needs, while ensuring the framework supports responsible planning decisions that address housing affordability concerns. The City will need to clearly articulate how the framework addresses community concerns and demonstrates its commitment to achieving a sustainable and balanced approach to growth management.

## 5.3 What’s Next?

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In response to the valuable input received, the City will refine the Draft Framework to better reflect the community’s priorities and address the questions raised during the engagement process. The updated Framework will be published on Engage Hamilton, along with answers to the questions listed in Section 4.0 of this report. The City aims to incorporate the finalized framework into Official Plan Policy in Q1 2025, providing a clear and consistent approach to evaluating future urban boundary expansion applications.

## **5.4 Commitment to Continued Community Engagement**

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Recognizing the significance of this issue for the Hamilton community, the City reaffirms its commitment to continued communication and meaningful engagement throughout any urban boundary expansion application process. The City will proactively provide the community with updates on urban boundary expansion applications, inform residents, interested parties, and potentially affected Indigenous communities about the application of the Framework and its implications, and facilitate ongoing dialogue to include community voices in all future decisions related to urban boundary management.

# Appendix A

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## Urban Boundary Expansion Framework – Consultation & Engagement Plan



# Urban Boundary Expansion Framework – Public Engagement Plan



## Background

The Province of Ontario approved the Provincial Planning Statement (PPS) on August 16, 2024, replacing both the Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe. The new PPS removes the requirement for a Municipal Comprehensive Review before a municipality or landowner can expand the urban boundary. The impact to the City of Hamilton is that a landowner can now apply to expand the urban boundary at any time and without a limitation on expansion size. Additional changes through provincial legislation, through Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* (Bill 185), that impact urban boundary expansion include:

- allowing landowners to appeal Council's decision on urban boundary expansion applications to the Ontario Land Tribunal (OLT); and,
- removing the requirement for applicants to consult with the municipality (previously referred to as Formal Consultation) which would determine application submission requirements.

These Provincial changes undermine Council's position of maintaining a firm urban boundary. In anticipation of the Provincial Planning Statement being approved by the Province and the City receiving private urban boundary expansion applications in the near future, staff developed the Draft Framework for Processing and Evaluating Urban Boundary Expansion applications which was approved by Council on August 16, 2024.

## Context

The City of Hamilton has established and planned for a firm urban boundary. Recent Provincial planning changes have undermined Hamilton's position to maintain this stance by allowing for new privately initiated urban boundary expansion applications.

To effectively plan for engagement on the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications, it is important to consider the broader context in which this work is occurring.

- 2018-2021: The City undertakes extensive public engagement as part of the Municipal Comprehensive Review and Growth-Related Integrated Development Strategy workplan to allocate forecasted population and employment growth to 2051. This included a city wide survey that received 18,387 responses. 90.4% of residents supported a no urban boundary expansion growth strategy.
- November 2021: Council votes to adopt a no urban boundary expansion growth strategy. The Official Plan Amendments are approved by Council and the Province.
- November 2022: The Province revises the City's Official Plan Amendments to remove Council's approval of a no urban boundary expansion growth strategy. Approximately 2,200 hectares of land are added to Hamilton's urban boundary. At the same time the Province removes lands from the Greenbelt Plan area.
- 2023: In response to the Provincial decision to add lands to the urban boundary, Council approves Secondary Planning Guidelines for Urban Expansion Areas.
- September 2023: The City undertakes public engagement and holds a Special Meeting of Planning Committee to discuss lands removed from the Greenbelt. There is significant public interest/participation in this engagement. Majority of residents express opposition the Greenbelt changes. Shortly after this meeting, the Province reverses its changes to the Greenbelt Plan through Bill 136.
  - Challenges to meaningful engagement experienced during the public consultation phase included: location of the meeting, size of venue (too small), transportation (requiring HSR shuttle bus), planning for safety and security of staff at the meeting, date and time of meeting.
- October 2023: The Province announces its intent to reverse the November 2022 decision to revise municipal Official Plans, including Hamilton's urban boundary expansion. City Council supports the reversal.
- December 2023: Bill 150 is passed and removed 2,200 hectares of land from Hamilton's Urban Boundary.
- August 2023: The Province approves the new Provincial Planning Statement (PPS). The PPS and Bill 185 (2024) opens the door for new privately initiated urban boundary expansion applications to be submitted. Local decisions can be appealed to the Ontario Land Tribunal for final decision. Council submits multiple comments to the Province not supporting these changes.
- August 2024: In anticipation of receiving new privately initiated urban boundary expansion applications, Council approves the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications.

These facts will be used to inform the public engagement plan for the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications.



# Purpose

The purpose of this engagement plan is to outline the City’s strategy for soliciting community input on specific aspects of the Draft Framework and to better inform the community and interested participants on both the recent provincial planning decisions and their impacts to local decision-making authority.

Goals	Objectives
<p>INFORM the community about recent provincial changes that impact Hamilton.</p>	<ul style="list-style-type: none"> <li>● Clearly outline recent <a href="#">provincial changes</a> that impact planning decisions in Hamilton.</li> <li>● Clearly outline decision making powers/authority at the municipal and provincial levels.</li> <li>● Using the INFORM process (outlined in <a href="#">Hamilton’s Public Engagement Policy</a>), ensure community has the appropriate information and knowledge in order to provide meaningful input to the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications.</li> </ul>
<p>CONSULT with the community on specific aspects of the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications.</p>  <p>Consult Level: staff will get your feedback on a project or initiative.</p> <p>We promise to:</p> <ul style="list-style-type: none"> <li>● keep you informed</li> <li>● listen to and acknowledge your concerns or hopes for the project</li> <li>● provide feedback to you on how the input received was used to inform the project</li> </ul>	<ul style="list-style-type: none"> <li>● Clearly outline what the Draft Framework is, how it will be used and why it is important.</li> <li>● Using the <a href="#">CONSULT level</a>, seek input from community on three main aspects in the Framework:                         <ul style="list-style-type: none"> <li>○ How and when the community wants to be notified when an application for urban boundary expansion is made;</li> <li>○ How and when the community will provide their input on urban boundary expansion applications once received; and,</li> <li>○ Identify what information or additional studies should be required as part of the urban boundary expansion applications.</li> </ul> </li> </ul>



## Scope

The public engagement plan is focused on gathering input on three specific components of the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications. A separate engagement plan will be developed for specialized engagement with the Indigenous Community, supported by Hamilton's Indigenous Relations Team.

### IN SCOPE

Input on the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications related to:

- **Notice:** how and when the community will be notified when an application for urban boundary expansion is made;
- **Public Notice Signs:** Identify what information should be included on any [public notice signs and/or application webpage](#) posted on the proposed UBE lands and/or application webpage;
- **Public Engagement:** how and when the community will provide their input on urban boundary expansion applications;
- **Required Studies/Other Information**
  - **General Community:** In addition to the proposed study requirements, what other studies or information should a proponent be required to submit as part of the application process;
  - **External Review Agencies:** Identification of the minimum submission requirements for urban boundary expansion applications and what is in scope/out of scope as part of required technical plans and studies.

### OUT OF SCOPE

Decisions made by the Provincial Government: comments can be directed to councillor, mayor, member of provincial parliament, minister of municipal affairs and housing.

Prohibition of applications for urban boundary expansions.



## Engagement Methods & Audiences

**Note: Indigenous Engagement** will be defined and planned as a separate engagement plan and may consider a level of engagement that differs from those outlined below.

Decision: What will community influence through participation?	Target Audience: Who will influence the decision?	Engagement Level	Engagement Method(s) and Tool(s)
<p>How and when the community wants to be <b>notified</b> when an application for urban boundary expansion is made.</p>	<p><b>General Public:</b></p> <p>Landowners within and near lands that may be subject to UBEs</p> <p>Individuals on the GRIDS2 email list</p>	<p>Consult</p>	<p><b>Engage Hamilton IDEAS tool:</b> Allows community to post their ideas in a creative way.</p> <p><b>In-person open house:</b> set-up will allow community to:</p>
<p>How and when the community will provide their <b>input</b> on urban boundary expansion applications once received.</p>	<p>Individuals who are interested in advocacy related to UBE</p> <p>Individuals who value intensification</p> <p><b>Specialized Committees:</b></p> <p>Agricultural and Rural Affairs Sub-Committee</p> <p>Community Climate Change Advisory Committee</p>	<p>Consult</p>	<ul style="list-style-type: none"> <li>● Understand the background</li> <li>● Rotate to three focus areas offering opportunities to provide input into the Drafte Framework</li> </ul> <p><b>Focus Discussions:</b> scoped to specialized committees.</p> <p><b>Individual Agency Outreach:</b> input requested through direct contact</p>
<p>Identify what <b>information</b> or additional studies should be required as part of the urban boundary expansion applications.</p>	<p>Development Industrial Liaison Group</p> <p><b>External Review Agencies and Government Agencies:</b></p> <p>Niagara Escarpment Commission</p> <p>Conservation Authorities</p>	<p>Consult</p>	<p><b>Engage Hamilton FORUM tool</b> - engage on controversial issues through (moderated) open discussion. Invites two-way communication (public shares input and staff offer visible comment).</p> <p><b>In-person open house:</b> set-up will allow community to:</p> <ul style="list-style-type: none"> <li>● Understand the background</li> </ul>

	<p>School Boards</p> <p>Hamilton International Airport</p> <p>Provincial Ministries</p> <p>Public Utilities</p>	<ul style="list-style-type: none"> <li>● Rotate to three focus areas offering opportunities to provide input into the Drafte Framework</li> </ul> <p><b>Focus Discussions:</b> scoped to specialized committees.</p> <p><b>Individual Agency Outreach:</b> input requested through direct contact</p>
Decision: What will community influence through participation?	Target Audience: Who will influence the decision?	Engagement Method(s) and Tool(s)
<p>INFORM the community about recent provincial changes that impact Hamilton</p>	<p><b>General Public:</b> same as audience identified above.</p> <p><b>Specialized Committees:</b> same as audience identified above.</p> <p><b>External Review Agencies and Government Agencies:</b> same as audience identified above.</p>	<p><b>Engage Hamilton QUESTIONS tool:</b> offers space for the public to ask questions and get answers publicly. Project lead can provide answers and provide additional resources in a moderated process. Contributes to project FAQ page.</p> <p><b>Engage Hamilton FAQ</b> ensures the public has the right information to be able to participate in a meaningful way to the engagement.</p> <p><b>In-person open house:</b> set-up will allow community to understand the background and scope of engagement.</p>

## Deliverables

- Promotion of public engagement opportunities via direct and indirect communication channels.
- Improved understanding and awareness of recent provincial changes that impact Hamilton's firm urban boundary position and other local planning decisions.
- Implementation of multiple engagement methods that supports meaningful engagement opportunities:
  - Engage Hamilton project page, incorporating multiple EngagementHQ Tools;
  - In-person open house-style public meetings.
- Reduced barriers to community participation, supporting an engagement process that incorporates the principles of IDEA (Inclusion, Diversity, Equity and Accessibility) and results in meaningful engagement on the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications.
- Engagement of the Indigenous Community that is specifically designed to better meet the needs of the Indigenous Community in contributing to the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications and to foster and build improved relationships for ongoing and future projects.
- Report back to community by developing and sharing a "What We Heard Summary Report" that outlines the engagement process, the input received and how the engagement contributed to an updated Draft Framework.
- Updated Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications that has been informed by meaningful public engagement.
- Meaningful engagement results that will inform City-initiated amendments to the Urban and Rural Hamilton Official Plans.



## Risks and Alternatives

Risks	Alternatives
<p>Participants wanting to express their opposition to decisions that are made by the province.</p>	<p>Provide clear and proactive communications in advance of the planned engagement.</p> <p>Retain a consultant to support and facilitate the in-person engagement activities.</p> <p>Provide community members with a list of contacts with whom to direct their concerns about the impacts from recent provincial decisions.</p> <p>Leverage EngageHamilton tools that allow for interactive questions and answers prior to attending in-person engagement event(s).</p>
<p>Lack of trust by the community related to urban boundary decisions.</p>	<p>Increase transparency and accessibility through:</p> <p>Established Communication Strategy using a variety of communications channels / methods, dedicated staff who can respond to inquiries in a timely manner, information that is clear and easy to understand, sustained communication, multiple methods to communicate and inform community.</p> <p>Ensure adequate staff are available to support in-person engagement.</p> <p>Ensure City of Hamilton' Corporate Security team is involved in the planning of this event.</p> <p>Close the loop and report back on how participation and input informed the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications.</p>
<p>Community perception that their participation will not be used to inform the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications.</p>	<p>Report back on how input was used to inform the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications.</p> <p>Outlining the scope in a clear manner through proactive communication and timely</p>



## Timeline

Action	Status	Timeline
Present Public Engagement Plan to Planning Committee	<b>On track</b>	October 14, 2024
Activate the Engage Hamilton Page and allow for on-line engagement	<b>In progress</b>	October 15 - November 15 2024
Host in-person open houses (minimum 2)	<b>In progress</b>	November 2024
Revise the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications, based on input received through the public participation process		December 2024
Report Back to community through “What We Heard Summary Report” on the engagement findings and next steps		February 2025
Bring Recommendation Report to Planning Committee		February 2025



## Engagement Resourcing

PE BUDGET - to be shared by Charlie



# Who's Listening

## Planning and Economic Development Staff

Charlie Toman	Dave Heyworth
<p>Senior Project Manager, Policy Planning/Municipal Comprehensive Review</p> <p><a href="mailto:Charlie.Toman@hamilton.ca">Charlie.Toman@hamilton.ca</a></p>	<p>Manager, Sustainable Communities</p> <p><a href="mailto:Dave.Heyworth@hamilton.ca">Dave.Heyworth@hamilton.ca</a></p>



# Attachments

- City of Hamilton Public Engagement Policy
- City of Hamilton Public Engagement Levels
- City of Hamilton Public Engagement Principles

# Appendix B

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## Newspaper and Social Media Advertisements



# 'I don't want something bad to happen'

## Brant County parent calls for safer roundabouts after son almost hit by car

**CELESTE PERCY-BEAUREGARD**  
LOCAL JOURNALISM INITIATIVE  
REPORTER

Alicia Hassan witnessed a car almost hit her 13-year-old son as he crossed Rest Acres Road in Paris.

Her son was riding his scooter home from basketball practice, and she was giving his friend a ride in the car. She just happened to be stopped at the roundabout when her son was crossing and watched in horror as he was almost struck.

"It was very, very scary," she said, noting the approaching vehicle stopped at the last minute.

"People do not pay attention. And it was nighttime too, which makes it even worse," she told The Spectator on a call.

Now, Hassan is asking the County of Brant to implement more safety measures to protect pedestrians crossing the busy road.

The roundabouts on Rest Acres Road are "built to today's engineering standards for both pedestrian and vehicular safety" with "signs



and pavement markings to indicate a pedestrian crossing. These signs and pavement markings are very visible for both the pedestrian and road users," Greg Demers, director of roads for the county, told The Spectator in an email.

But Hassan says there might be "too much going on" at the four roundabouts between Powerline Road and Laurie Ann Lane with all the other signage.

"There needs to be lights there. There are so many families, there are so many kids" with "not hundreds, but thousands more people

coming in this area" with all the development, she said.

There is "a signalized crossing on Rest Acres Road for pedestrians that are not comfortable crossing at a roundabout," Demers said.

But it's at Laurie Ann Lane and Hanlon Place, two kilometres from Brant Sports Complex and around a kilometre from the shopping plaza, where Hassan said her son and his friends like to hang out.

When he's going to meet friends it's "a constant worry until I know that they're (at the plaza), and then it's a constant worry until I know

**A concerned parent is asking the County of Brant to implement more safety measures to protect pedestrians crossing at busy Rest Acres Road roundabouts.**

CELESTE PERCY-BEAUREGARD  
THE HAMILTON  
SPECTATOR

that they're back home safely," she said.

While Hassan also wondered if the mound in the middle of the roundabout could be flattened for better visibility, Demers said it's an engineered safety feature and reducing it "would lead to unsafe vehicle use within the roundabout."

Of the seven traffic circles in the county, Demers said there haven't been any crashes related to pedestrians crossing.

Still, the municipality is open to increased safety measures like crosswalk lights when the conditions of an analysis are met, he said.

"The County of Brant reviews all concerns that are submitted, and upgrades are made to the road and sidewalk network when warranted," Demers said.

The county also continues to share "public education" on "pedestrians' safety when using roundabouts," he said. Hassan thinks something needs to be changed. She has reached out to neighbours for support and said she plans to present to council as a delegate later this month because, "I don't want something bad to happen."

CELESTE PERCY-BEAUREGARD'S REPORTING IS FUNDED BY THE CANADIAN GOVERNMENT THROUGH ITS LOCAL JOURNALISM INITIATIVE. CPERCYBEAUREGARD@TORSTAR.CA.

# Ousted trustee wins court case against Grand Erie District School Board

## Elected official 'unfairly targeted' by trustees, divisional court judge rules

**CELESTE PERCY-BEAUREGARD**  
LOCAL JOURNALISM INITIATIVE  
REPORTER

A divisional court has overturned four decisions made by the Grand Erie District School Board against longtime trustee Carol Ann Sloat.

Sloat was "unfairly dealt with and unfairly targeted," Justice Nancy Backhouse wrote in her 31-page verdict dated Nov. 15.

"I have found that (Sloat's) transgressions, if any, were minor, and the sanctions imposed in their totality to be unreasonable," she continued.

Sloat asked the panel of three justices to consider the complaints brought against her — each by a different trustee — over a one-year period, triggering her year-long ban from board and committee meetings.

Few details had been shared by the board or Sloat.

But the one-day virtual trial on Oct. 29 revealed that the alleged transgressions included:

- Sloat telling Ontario's ombudsman that the board passed new by-laws and policies in private, and the board said in doing so, she shared in

camera information.

- Sloat allegedly waiting in the wrong spot during in camera portions of meetings.

- The board said Sloat exposed a staff member to in camera materials they weren't privy to when her lawyer served papers to the board marked for director JoAnna Roberto.

- Sloat allegedly sighing while watching a meeting as a member of the public, and potentially being able to hear parts of an in camera meeting she wasn't part of, even though she was sitting in the designated waiting area.

The supposed breaches were "at most, minor or technical," but the consequence — barring Sloat from attending board meetings from May 16, 2023, to May 2024, and from attending committee meetings for more than two years — was "very harsh" and had "a significant impact" on Sloat, Backhouse wrote.

She went on to say the punishment was "excessive and punitive," considering the sanctions had "no rational connection" to Sloat's conduct.

Backhouse pointed to sanctions imposed by other boards in "argua-

bly more egregious school trustee cases" that were "not more than a single general board meeting, if that."

Sloat had no prior code of conduct violations in her 20 years as a trustee, and her case marks the first time GEDSB has found any trustee guilty of breaching their code of conduct, and barred a trustee from meetings as a sanction.

Typically, the divisional court would send the decision back to the school board and let them determine how to move forward, but given the minor transgressions and "unreasonable" sanctions, it wouldn't be "an efficient use of public resources to send these matters back to the Board to be started over again," Backhouse said.

"These matters have obviously taken an inordinate amount of time and expense and have no doubt diverted the Board's attention from its primary responsibility of promoting student achievement and well-being," she said.

The board will be required to pay Sloat \$10,000 for court costs related to the four applications, as well as an additional \$5,000 deferred from an earlier hearing to stay her sanc-

**Brantford trustee Carol Ann Sloat was "unfairly dealt with and unfairly targeted," Justice Nancy Backhouse wrote in her divisional court verdict.**

GRAND ERIE  
DISTRICT  
SCHOOL BOARD  
PHOTO



tions while awaiting the judicial review.

It's a drop in the bucket considering the close to \$100,000 Sloat said she has spent on legal fees.

The Spectator reached out to GEDSB, which said in an emailed statement: "We have received the decision by the divisional court which is currently being reviewed by our legal counsel. The Board of Trustees will determine next steps. The Board has no further comment at this time."

The decision was welcome news for Sloat after two years of "uncertainty," she told The Spectator in a call Friday.

"I've worked hard as a trustee for over 20 years and I'm very pleased with the decision of the court," she said.

CELESTE PERCY-BEAUREGARD'S REPORTING IS FUNDED BY THE CANADIAN GOVERNMENT THROUGH ITS LOCAL JOURNALISM INITIATIVE. CPERCYBEAUREGARD@TORSTAR.CA.

## WE WANT TO HEAR FROM YOU!

The City of Hamilton is seeking feedback on the Urban Boundary Expansion Framework

### HOW YOU CAN PARTICIPATE

Attend an In-Person or Virtual Open House

**IN-PERSON:**  
**Tuesday November 26, 2024 / 12-9pm**  
 Hamilton Convention Centre, Chedoke Ballroom  
 1 Summers Lane, Hamilton

**Thursday November 28, 2024 / 6-9pm**  
 Ancaster High Secondary School, Main Gym  
 374 Jerseyville Rd W, Ancaster

**Tuesday December 3, 2024 / 6-9pm**  
 Gatestone Elementary School  
 127 Gateston Dr, Hamilton

**VIRTUAL:**  
**Thursday December 5, 2024 / 7-8:30pm**  
 To register please visit:  
<https://engage.hamilton.ca/ubeapplicationframework>

Residents in need of accessibility requirements to be able to review the material and provide input are asked to contact [Urbanboundary@hamilton.ca](mailto:Urbanboundary@hamilton.ca) or at 905-546-2424 Ext. 5863

The City of Hamilton supports a firm urban boundary and responsible growth. However, the Ontario government has introduced significant changes to municipal planning rules (Bill 185). These changes pose a direct challenge to the City's existing, provincially approved, Official Plan.

In response to these Provincial changes, the City of Hamilton has developed a Draft Framework for processing and evaluating Urban Boundary Expansion applications. We are actively seeking public input to shape the final version of the Urban Boundary Expansion Framework.

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@cityofhamilton



The Province has changed city planning rules that allow landowners to propose urban boundary expansions at any time. We want your voice in shaping how the City responds to expansion proposals. Visit [engage.hamilton.ca/ubeapplication...](https://engage.hamilton.ca/ubeapplication...) to learn more and have your say.

# WE WANT TO HEAR FROM YOU!



## Framework for Processing and Evaluating Urban Boundary Expansion Applications

Comment Period: Oct 21 - Dec 31  
Open houses in November and December



[engage.hamilton.ca](https://engage.hamilton.ca)



12:32 PM · Nov 14, 2024 · **1,481** Views



# Appendix C

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## Project Information Sheet





# Responding to Provincial Policy Changes

## Proposed Framework for Urban Boundary Expansion

The Ontario government has introduced significant changes to planning rules, including new permissions for private landowners to propose urban boundary expansions. The new rules pose a direct challenge to a firm urban boundary and our existing, provincially approved Official Plans.

### How Have Provincial Rules Changed?

**Recent changes to provincial planning rules allow proponents to propose urban boundary expansions of any size and appeal directly to the Ontario Land Tribunal if Council's decision on those proposals are rejected or delayed, as long as they are outside the Greenbelt Plan area.**

This new process, established by Bill 185 and the new Provincial Planning Statement, diminishes the City's ability to manage growth according to its established plans.

### Didn't We Decide on No Urban Boundary Expansion?

**Yes!** In 2021, Hamilton City Council, supported by many residents, voted to contain urban growth within the existing boundary until 2051. This decision, a key part of the City's growth strategy, aimed to limit sprawl, protect farmland, and use existing infrastructure more efficiently.

**But,** new provincial rules enable proponents to bypass the City and potentially expand the urban boundary through direct appeals to the Ontario Land Tribunal. This means that even though Hamilton has a firm urban boundary policy in place, the City can't simply reject expansion proposals. The City will need to respond to and assess applications for urban boundary expansions.

## Hamilton's Response

### A Draft Framework for Processing & Evaluating Urban Boundary Expansion Applications

In response to the provincial changes, the City of Hamilton has developed a Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications. This framework aims to ensure that any proposed urban boundary expansions are carefully assessed against the City's priorities by:



**Establishing clear submission requirements** by outlining the required technical plans and studies that must accompany any urban boundary expansion application.



**Prioritizing key considerations that matter to Hamilton** by establishing a set of considerations for the City's rigorous review process, addressing issues such as impacts on farmland, infrastructure capacity and costs, and financial viability.



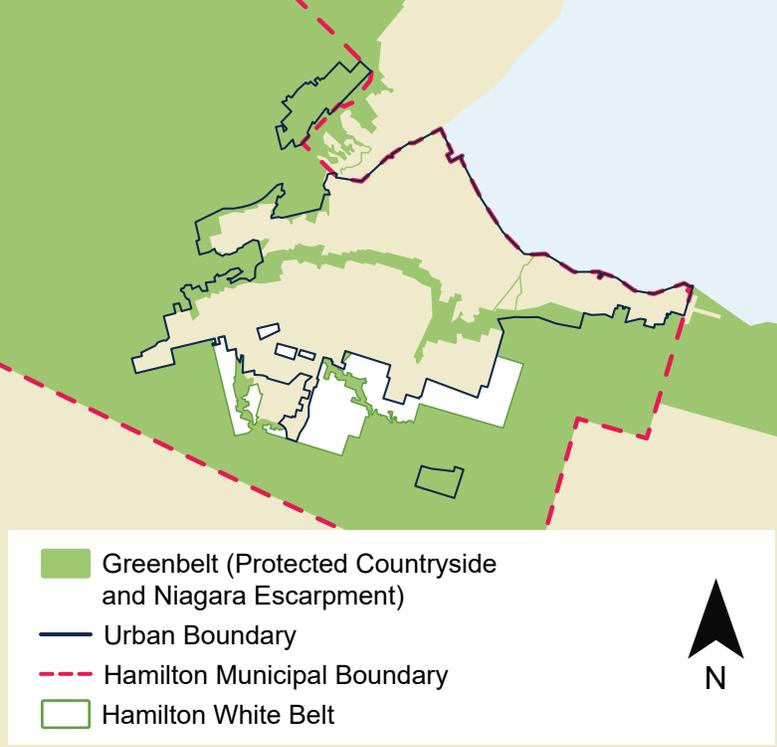
**Outlining a clear process for submission, review, and public and Indigenous engagement** for any urban boundary expansion application, going beyond the minimum requirements of the *Planning Act*.

## A Look at Hamilton's Current Urban Boundary

### Why is the Urban Boundary So Important?

The urban boundary is the line that defines the edge of Hamilton's urban areas, separating it from surrounding rural areas and farmland. It isn't just a line on a map — it helps manage Hamilton's growth responsibly by protecting green spaces, preserving farmland, and focusing on using existing infrastructure more efficiently.

The "White Belt" refers to the land outside the established urban boundary and the Greenbelt (Protected Countryside and Niagara Escarpment) encompassing approximately 4,320 hectares and representing a potential target for urban expansion applications.



### What Happens Next?

The Draft Framework and the City's process for reviewing urban boundary expansion applications are not yet finalized, and the City of Hamilton is actively seeking public input to shape the final version. The City recognizes the importance of public feedback and wants to understand your priorities and concerns regarding the urban boundary expansion process in Hamilton. We encourage you to get involved and help shape the future of our city.

### How You Can Participate

#### In-Person Open House:

**Tuesday November 26, 2024:** Hamilton Convention Centre, between 12:00pm and 9:00pm

**Thursday November 28, 2024:** Ancaster High Secondary School, between 6:00pm and 9:00pm

**Tuesday, December 3, 2024:** Gatestone Elementary School, between 6:00pm and 9:00pm

#### Participate Online:

Visit [engage.hamilton.ca/UBApplicationframework](https://engage.hamilton.ca/UBApplicationframework) or scan the QR Code to learn more:

#### Virtual Open House:

Thursday, December 5, 2024, 7:00pm to 8:30pm



The City of Hamilton is dedicated to ensuring that all engagement activities are accessible and inclusive, providing opportunities for all residents to share their voices and help shape a thriving and sustainable future for our community.

**More questions?** Contact Charlie Toman, Program Lead - Policy Planning for the City of Hamilton, at: [urbanboundary@hamilton.ca](mailto:urbanboundary@hamilton.ca) or call (905) 546-2424 Ext. 5863

**Concerns about the provincial policy?** If you have concerns about recent changes to urban boundary expansion management in Ontario, please contact the Provincial Minister of Municipal Affairs and Housing at [minister.mah@ontario.ca](mailto:minister.mah@ontario.ca), or your local Member of Provincial Parliament.

# Appendix D

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**Correspondence with External Agencies,  
Community Groups, and Other Stakeholders**



**Organization**

Hamilton Naturalists Club

Cootes to Escarpment  
Enviornment Hamilton  
Enviornment Defence  
Greenbelt Foundation  
Ontario Federation of Agriculture  
Realtors Association of Hamilton-Burlington (RAHB)  
Christian Farmers of Ontario  
West End Home Builders Association  
Rural Ontario Institute  
Hamilton Chamber of Commerce

Bruce Trail Conservancy  
HRIC Hamilon  
NIWASA Hamilton  
**Hamilton Community Foundation**  
Social Planning and Research Council of Hamilton (SPRC)  
Federation of Rental-housing Providers of Ontario (FRPO)  
Hamilton and District Apartment Association  
Indwell  
Hamilton Housing

**Contact Person**

Jen Baker  
Tomasz Wiercioch  
Jodi Crawford  
Ian Borsuk  
Susan Lloyd Swail  
Kevin Beaulieu  
Conor Warren

Tom Tavani  
Michelle Diplock  
[info@ruralontarioinstitute.ca](mailto:info@ruralontarioinstitute.ca)  
[hcc@hamiltonchamber.ca](mailto:hcc@hamiltonchamber.ca)

**E-mail Address**

[land@hamiltonnature.org](mailto:land@hamiltonnature.org)  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[info@rahb.ca](mailto:info@rahb.ca)  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[info@hamiltoncommunityfounda](mailto:info@hamiltoncommunityfounda)  
[sprc@sprc.hamilton.on.ca](mailto:sprc@sprc.hamilton.on.ca)  
[info@frpo.org](mailto:info@frpo.org)  
[info@hamiltonapartmentassocia](mailto:info@hamiltonapartmentassocia)  
[info@indwell.ca](mailto:info@indwell.ca)  
[info@housinghelpcentre.ca](mailto:info@housinghelpcentre.ca)  
[REDACTED]  
[REDACTED]  
[REDACTED]



P.O. Box 89052  
HAMILTON, ONTARIO L8S 4R5

Charlie Toman  
Program Lead - Policy Planning & MCR  
City of Hamilton  
[urbanboundary@hamilton.ca](mailto:urbanboundary@hamilton.ca)

December 11, 2024

**Re: Comments on the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications**

Dear Charlie,

On behalf of the Hamilton Naturalists' Club (HNC) I am pleased to submit comments on the *Draft Framework for Processing and Evaluating Urban Boundary Expansion Application*. HNC supports the City's no urban boundary expansion (UBE) growth strategy that was approved in 2022. HNC would like to see the white belt protected through the Greenbelt Plan so that the natural lands are benefitting the whole community, not just a few large homes. We would like to see Hamilton continue to build homes through infill within the current urban boundary, including granny suites and density increases along transit lines. We also feel that Hamilton's policies need to align with policies that have been adopted with the community, including the Biodiversity Action Plan. This means no UBE, particularly in areas like the white belt which provide important ecosystem services such as flood management. But HNC recognizes the need to prepare for potential privately initiated UBE applications that may be submitted due to recent changes to the Planning Act through Bill 185, and is submitting these comments in response to the draft Framework.

HNC feels that the City's 2022 growth strategy should be followed before any development happens in greenfield areas, particularly in areas that have not been planned for development and therefore do not have services (road, water, sewer). It is far more efficient and cost effective in terms of resources and construction capacity to build new homes in already built up areas. This means it is more affordable for new owners or tenants. Increased efficiency also means more homes can be built faster. Hamilton already has a lot of planned development and we do not feel there is enough construction capacity for new, unplanned development.

HNC suggests allowing for more mid-rise development within the current urban boundary which will increase efficiency and cost-effectiveness while providing a range of housing opportunities. In order to support mid-rise development, minimum parking requirements could be eliminated and the mandatory step back requirements could be removed for buildings six stories or less. In addition, establishing a dedicated staff team to work with mid-rise developers would increase the appeal of this type of development.

There are a number of warehouses being proposed in Hamilton's white belt and HNC suggests that developers should follow the vertical warehouse model being implemented in several other countries.

Hamilton Naturalists' Club is a non-profit organization dedicated to the study, appreciation and conservation of our wild plants and animals.

This type of warehouse helps with automation which is the goal for a number of the warehouse companies.

The planning justification must show that expansion is required for the City to meet housing targets and that no other sites within the urban boundary (including underutilized spaces like brownfield, parking lots, vacant former commercial lots, etc.) could be a viable alternative site for the development of similar mix of units, taking into account not only housing price point but also lifetime cost to the municipality of providing services.

Hamilton has made positive strides in protecting and enhancing biodiversity, and HNC is concerned that UBE applications will negate the positive steps that have been made. We would like to know how the proposed developments will help to grow the urban tree canopy, and how they will contribute to the protection and enhancement goals in the Biodiversity Action Plan (BAP). The BAP has not been mentioned in the Draft Framework and we are wondering how the City plans to meet its commitments to protect and restore biodiversity if random developments are permitted outside of the urban boundary? We feel the BAP should be included in the Natural Heritage and Water Resources section.

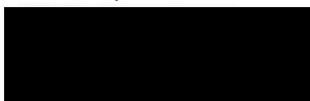
Urban boundary expansion applications need to submit an Environmental Impact Statement to demonstrate how it will not impact our important natural heritage. This should include mapping Ecological Restoration Zones (ERZs) that describe how Significant Woodlands will be expanded through substantive plantings and that linkages to adjacent Core Areas will be rebuilt. This would be a new designation in the Official Plan but can easily be supported by existing Natural Heritage policies and/or Natural Heritage sections of the Provincial Policy Statement such as Significant Wildlife Habitat - i.e., bat maternity areas or significant bird species. Wood Thrush and Eastern Wood Peewee are often identified around development areas, opening the door to requiring a larger forest, required by identifying a ERZ area.

We are concerned about the increased pressure from urban boundary expansion development to existing infrastructure throughout the rest of the city such as the increased stormwater runoff from the larger impermeable surface area. We noticed there is no mention of the upcoming Green Building Standards and suggest that any proposed development needs to exceed the standards and that all rainwater needs to be managed on-site to not impact the rest of the city.

The public consultation area for urban boundary expansion applications should be all Hamilton residents as it was Hamilton residents who pushed for the firm urban boundary in 2022. Residents need to be made aware of what's happening through this process and of the applications that come in. HNC looks forward to seeing what the process will be.

HNC looks forward to hearing your response to our comments. HNC also asks to be notified of applications so that we can ensure BAP goals are being met and that important natural heritage values are not impacted.

Sincerely,



Jen Baker  
General Manager

Hamilton Naturalists' Club is a non-profit organization dedicated to the study, appreciation and conservation of our wild plants and animals.

# Re: Bill 185 urban expansion requests

2024-12-06 4:33:38 p.m. 

From [Gaby Kalapos](#) >

To [Toman, Charlie](#) > [Imhoff, Trevor](#) >

Cc [Urban Boundary](#) >

 [image001.png](#)

**External Email:** Use caution with links and attachments

Hi there Charlie,

I think Hamilton did a great job on considering what needs to be part of a complete urban expansion application. My only one suggestion to to provide them with tools/suggestions/guidance for how they can complete these requirements if there are resources that can provide consistency in considerations across criteria for what it is worth it would be good to highlight that to them to be able to inform council decisions in a more apples to apples manner.. This idea came up for the GHG implications and infrastructure costs because there is a FCM tool that was developed that would enable them to do some of that analysis that may be good to use because it looks at GHG emissions and municipal infrastructure costs. Think this tool would be great to test out to see if it can provide the climate and infrastructure costs comparison to within the urban boundary versus way beyond urban boundary and what that means re infrastructure capital costs (it doesn't look at operational costs). I believe Trevor already is working with you on this effort re integrating that tool/infrastructure costing in a consistent way. thanks again so much for sharing Hamilton's Urban Expansion process and requirements with other municipalities next year. really appreciate that. thanks, gaby

<https://greenmunicipalfund.ca/resources/toolkit-making-sustainable-land-use-decisions-your-municipality>

---

**From:** Gaby Kalapos <[REDACTED]>

**Sent:** November 20, 2024 5:07 PM

**To:** Toman, Charlie <[REDACTED]>; Imhoff, Trevor <[REDACTED]>; Jort-Conway, Melissa <[REDACTED]>

**Cc:** Ezzio, Sarah <[REDACTED]>; Lauren Patterson <[REDACTED]>; Lukasik, Lynda <[REDACTED]>; Turnbull, Scott <[REDACTED]>; Urban Boundary <urbanboundary@hamilton.ca>

**Subject:** Re: Bill 185 urban expansion requests

Hi there All, and thanks for looping all folks together Trevor. and thanks for sharing all that great work that Hamilton has done on this effort with the Ottawa team Charlie, much appreciated. Charlie I will provide some input via the engage Hamilton portal, I dont have a lot as it looks very comprehensive.

Just wanted to reach out and see if the Hamilton and Ottawa teams may be willing to share what they have done with the Clean Air Council network so that this work can be shared with others and it can hopefully reduce duplication of work across municipalities.

I can easily share the resources developed thus far with the network but we have found that getting them together and getting one or two leading municipalities to share their stories and then getting the others on the webinar to provide an update on their efforts on this topic via a roundtable format following the presentation works the best for learnings/sharings across the network.

If this sounds reasonable to you all was wondering if sometime in late January may be possible.

Here are some dates if you can let me know if which of these may work for you would be great.

Tuesday January 21 st from 11 AM - 12 PM or from 1 - 2 PM

Thursday January 23rd from 11 - 12 or from 1 - 2

Tuesday January 28<sup>th</sup> from 11 - 12 or 1 - 2 PM

Thursday the 30<sup>th</sup> from 11 - 12 or 1 - 2

Thanks for considering this all, appreciate it! gaby

---

**From:** Toman, Charlie <[REDACTED]>  
**Sent:** November 18, 2024 11:06 AM  
**To:** Imhoff, Trevor <[REDACTED]>; Gaby Kalapos <[REDACTED]>; Jort-Conway, Melissa <[REDACTED]>  
**Cc:** Ezzio, Sarah <[REDACTED]>; Lauren Patterson <[REDACTED]>; Lukasik, Lynda <[REDACTED]>; Turnbull, Scott <[REDACTED]>; Urban Boundary <urbanboundary@hamilton.ca>  
**Subject:** RE: Bill 185 urban expansion requests

You don't often get email from [REDACTED]. [Learn why this is important](#)

Good morning,

Thanks for looping us in Trevor,

We have an engage page up now which has all of our materials on the City's Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications. Visit [Framework for Processing & Evaluating Urban Boundary Expansion Applications | Engage Hamilton](#)

With respect to Energy and Climate Change, we retained Dillon Consulting to prepare guidance on what would be in scope for an Energy and Climate Change Assessment Report, a new submission requirement specific for urban boundary expansion applications. The Dillon technical memo is posted on the engage Hamilton page.

Our plan is to take that Dillon work, incorporate input from our consultation, then finalize the requirements into Official Plan policy along with a formal Terms of Reference document.

Happy to join any conversations on this. Gaby – we welcome any input that the Clean Air Partnership has on the Draft Framework but note that we'd need comments by December 6<sup>th</sup>.

Best regards,

**Charlie Toman, MCIP, RPP**

Program Lead – Policy Planning and Municipal Comprehensive Review  
Sustainable Communities Section  
Planning and Economic Development Department  
Planning Division



---

**From:** Imhoff, Trevor <[redacted]>  
**Sent:** Friday, November 15, 2024 4:24 PM  
**To:** Gaby Kalapos <[redacted]>; Jort-Conway, Melissa <[redacted]>  
**Cc:** Ezzio, Sarah <[redacted]>; Lauren Patterson <[redacted]>; Lukasik, Lynda <[redacted]>; Toman, Charlie <[redacted]>; Turnbull, Scott <[redacted]>  
**Subject:** RE: Bill 185 urban expansion requests

Hi Gaby, Melissa and All – thanks for the email and bringing starting this important conversation.

I'm copying my Planning colleagues Charlie and Scott into this conversation, as well as my Director Lynda.

Thanks and let's plan to touch base next week about setting up a specific time that ideally works for all.

Cheers,  
Trevor

---

**From:** Gaby Kalapos <[redacted]>  
**Sent:** Friday, November 15, 2024 12:45 PM  
**To:** Jort-Conway, Melissa <[redacted]>; Imhoff, Trevor <[redacted]>  
**Cc:** Ezzio, Sarah <[redacted]>; Lauren Patterson <[redacted]>  
**Subject:** Re: Bill 185 urban expansion requests

**External Email:** Use caution with links and attachments

Hi there Trevor, I wanted to introduce you to Melissa from the City of Ottawa. they are working on what emissions/climate considerations reports they will be seeking as part of any urban expansion request and I thought it would be good for Ottawa and Hamilton to chat since both of you are working on pulling together the requirements for urban expansion requests that come to the City. <https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=424549>

Trevor can you loop Melissa in with the planning folks who are leading tis work?

And i was thinking this would be a good discussion to have across the CAC network. I am guessing this will be an issue in particular for Ottawa and Hamilton but others are also likely to encounter some expansion requests for additional greenfields developers want to see get opened up.

I was thinking that it would be great for the Hamilton planning folks to share what they did re the research and requirements. then have Ottawa share how you are approaching this.

Then we can hear form others on what discussion are taking place internally. There may be the ability for them to follow in your footsteps re urban expansion report requirements.

If that would be possible I was thinking this would be good to do in January and was wondering if you thought that would be doable?

If so we can provide some date in mid to late January 2025. thanks, gaby

---

**From:** Jort-Conway, Melissa <[REDACTED]>  
**Sent:** November 14, 2024 9:03 AM  
**To:** Gaby Kalapos <[REDACTED]>  
**Cc:** Ezzio, Sarah <[REDACTED]>  
**Subject:** RE: Bill 185 urban expansion requests

Hi Gaby,

I would appreciate an introduction, yes, to ask them how the climate / emissions piece will be a factor in considering urban expansion. It's a bit of an oxymoron to suggest that sprawl can be achieved without adding emissions from transportation, let alone the embodied emissions associated with new streets and pipes in the ground.

Many thanks!

**Melissa Jort-Conway, MCIP, RPP**  
**Planner III, Climate Change and Resiliency**  
Strategic Initiatives Department  
City of Ottawa

**T:** 6 [REDACTED]

I am working from the office Mondays and Tuesdays.

---

**From:** Gaby Kalapos <[REDACTED]>  
**Sent:** November 13, 2024 6:13 PM  
**To:** Jort-Conway, Melissa <[REDACTED]>  
**Cc:** Ezzio, Sarah <[REDACTED]>  
**Subject:** Re: Bill 185 urban expansion requests

**CAUTION: This email originated from an External Sender. Please do not click links or open attachments unless you recognize the source.**

**ATTENTION : Ce courriel provient d'un expéditeur externe. Ne cliquez sur aucun lien et n'ouvrez pas de pièce jointe, excepté si vous connaissez l'expéditeur.**

Hi there, Just found out City of Hamilton is working on what they are going to require as part of their requirements for urban expansion requests. Is a discussion with them still of value? If so ill do an intro to the Hamilton climate and planning team working on this.

---

**From:** Jort-Conway, Melissa <[REDACTED]>  
**Sent:** October 7, 2024 10:29 AM  
**To:** Gaby Kalapos <[REDACTED]>  
**Cc:** Ezzio, Sarah <[REDACTED]>  
**Subject:** Bill 185 urban expansion requests

Hi Gaby,

You may have seen that Ottawa is contemplating a new application process for urban expansion requests.

We want part of the evaluation of expansion requests to consider GHG's.

Do you know if any other municipalities are looking into this?

Thanks,

**Melissa Jort-Conway, MCIP, RPP**  
**Planner III, Climate Change and Resiliency**  
Strategic Initiatives Department  
City of Ottawa

[REDACTED]  
[REDACTED]

I am working from the office Mondays and Tuesdays.

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,



December 6, 2024

From:  
**West End Home Builders' Association**  
1112 Rymal Road East  
Hamilton, Ontario L8W 3N7

To:  
**Charlie Toman**  
Program Lead - Policy Planning & MCR  
City of Hamilton  
71 Main Street West  
Hamilton, ON L8P 4Y5

CC: Steve Robichaud, Anita Fabac

## **WE HBA Letter: Framework for Processing & Evaluating Urban Boundary Expansion Applications**

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The West End Home Builders' Association ("WE HBA") is the voice of the land development, new housing and professional renovation industries in Hamilton, Burlington, and Grimsby. WE HBA represents 320 member companies made up of all disciplines involved in land development and residential construction.

WE HBA understands that City Council has approved in principle a Draft Framework for Processing & Evaluating Urban Boundary Expansion ("UBE") Applications ("Framework") and is engaging in consultation with the public to gather feedback before the final report and statutory meeting, on the Official Plan Amendment ("OPA") in Q1 2025. WE HBA also understands that City staff have been directed to utilize the Framework prior to the formal adoption of it into the Urban and Rural Hamilton Official Plans ("UHOP", "RHOP") as an interim measure. WE HBA appreciates the opportunity to provide feedback and comment on the Draft Framework prior to the formal adoption to provide input on behalf of our membership on the impact of the Framework on process and our collective ability to meet our housing needs. Please see below for comments and recommendations from the residential construction industry.

### **Previously Submitted and Unaddressed Comments**

Many of WE HBA's previous concerns remain since we provided comments on the Framework last August, including concerns related to requiring that Financial Impact Assessment ("FIA") "be prepared by a qualified urban land economist or municipal finance practitioner with clearly demonstrable experience in fiscal impact analyses prepared for public sector clients"; the quantification of ecological service value for the FIA; a lack of TORs for many of the required studies; the additional requirement for a Secondary Plan after the OPA is decided upon; and that the FIA consider "that the time horizon assessed in any analysis extend past the lifecycle replacement costs of new infrastructure". WE HBA encourages the previously submitted comments be considered before the final adoption of the Framework. Our submission from August has been attached as Appendix A.

### **Terms of Reference**

It is noted in the report that "UBE applications are unique and the submission requirements may differ than what is submitted as part of a typical development application". This raises serious concerns for the industry, as clearly laying out study requirements prior to submission for any Formal Consultation



is paramount for community builders to make property decisions and come to the City fully informed. The City must prepare detailed Terms of Reference for all potential studies that may be required for accountability and transparency. WE HBA was engaged in the first phase of the City's Terms of Reference consultation in 2022. We encourage the City to initiate phase two of the Terms of Reference, and would like to participate in a fulsome review of each document.

### Study Requirements

There are several elements within the Dillon Memo that present concerns.

- 1) "the proponent should be required to demonstrate support the need to provide additional supply for 'ground-related' housing, at the time of application, and show that this type of supply cannot reasonably be provided within the existing urban area";
- 2) "proponents should be required to show that the proposed expansion would not adversely affect City-wide intensification objectives including demand for higher-density apartment forms within the downtown UGC and other priority nodes and corridors, notably the Major Transit Station Areas (MTSA) along the planned Light Rail Transit (LRT) and other transit lines";
- 3) "at a minimum, any new expansion areas should be required to achieve the planned greenfield density of new urban areas proposed as part of the Ambitious Density Scenario (approximately 77 residents and jobs per ha) ... without planning for significant greenfield apartment units".

WE HBA provides the following comment:

- 1) As per the City's previous Lands Need Assessment and opinion of professional planning staff at the City of Hamilton, additional land is required to accommodate Hamilton's projected growth. Those initial projections were based on the Growth Plan Schedule #3 forecasts, which are now out of date and have been replaced by Ministry of Finance projections based on the much higher levels of growth that Canada and Ontario have experienced these past few years. Demographic pressures have only increased with the gap between housing supply and population demand having grown further. According to the Financial Accountability Office of Ontario, single detached housing starts are at a 69-year low across the Province<sup>1</sup>. There has been a decline in starts of ground-related housing at a time where there is escalating demand for family-friendly housing typologies. The Dillon memo notes that "work undertaken as part of the March 2021 LNA concluded that delivering the necessary number of larger, family-sized apartments and ground-related units within existing areas would be a challenge." Requiring developers to provide additional study to demonstrate the need for additional housing is superfluous.
- 2) Demand for ground-related housing such as townhomes and singles is largely unrelated to demand for studio, one- and two-bedroom apartments in Downtown towers. Between 2016 and 2021, Hamilton built 5,990 3+ bedroom dwellings, while rural-exurban areas such as County of Brant built 2,815, at a much higher per capita rate<sup>2</sup>. Families are increasingly leaving the GTHA to find attainable, family-friendly housing that meets their needs<sup>3</sup> in the form of ground-related housing, and are typically not looking for units in tower apartments. There

<sup>1</sup> Ontario Economic Monitor: April to September 2024, Financial Accountability Office of Ontario <https://fao.on.org/en/report/oem-2024-q3/>

<sup>2</sup> Inside the crisis facing Canada's dysfunctional housing market. Globe and Mail, Statistics Canada.

<sup>3</sup> Who Will Swing the Hammer, Smart Prosperity Institute. <https://institute.smartprosperity.ca/WhoWillSwingTheHammer>



should be an explicit recognition that ground oriented housing types will be displaced to neighbouring communities (such as Brant County) if they are not accommodated in Hamilton. Additionally, due to the location and distance from Downtown and Intensification Corridor of any potential UBE areas, it will be difficult to determine impacts of UBE on these areas.

- 3) The City should adhere to the new Provincial Planning Statement requirements for minimum Greenfield Density. Achieving ground-related ambitious densities while limiting form and function presents a challenge to community builders.

### Growth Allocation

In Part B, the Framework notes the following consideration: “A comprehensive review and land budget analysis is required to determine the need for an urban boundary expansion, which includes an assessment of occupied and vacant urban land, brownfield availability, greenfield densities, and intensification targets to determine if sufficient opportunities to accommodate forecasted growth contained in the UHOP are not available. (Former UHOP Policy deleted by OPA 167)”. As previously stated, the need for a UBE is clear; population projections have risen dramatically since the March 2021 staff recommendation to adopt the Ambitious Density Scenario, “which included an urban expansion of approximately 1,300 net ha combined with aggressive targets for residential intensification and greenfield density” (Dillon Memo). The City’s Land Needs Assessment and a third-party review of that Land Needs Assessment clearly demonstrated the City requires a boundary expansion to accommodate the forecasted population growth and projections in the City’s Official Plan. Again, the City’s in force Official Plan is based on outdated Schedule 3 Growth Plan population projections which identified Hamilton growing at a significantly slower rate than the region is ultimately experiencing. UBE Applications should be received and analyzed based on the Ministry of Finance 2046 population projection for Hamilton.

### Relation to Green Building Standards

In October 2024, Hamilton Council adopted the Green Building Standards (GBS) which will apply to all new residential and non-residential development in the City. It is understood that the City is currently consulting internally regarding the implementation of the Standards and will be bringing a report forward in February 2025 to Planning Committee regarding implementation, as per Update on Green Building Standards Consultation (Report PED24228). It is noted in Appendix "A" to Report PED24114 that “there may be an opportunity to require GBS as a component of” the submission of an Energy and Environmental Assessment report. WE HBA strongly encourages the City prevent the duplication of study and review, and ensure that the requested information within the Energy and Environmental Assessment are aligned with and not extraneous to GBS requirements.

### Part C Application Submission and Review Process

WE HBA requests clarification regarding the statement “acceptance by City Departments and/or External Review agencies of technical plans and studies as part of the urban boundary expansion application does not imply or constitute a positive staff recommendation of the application”. While we understand local political opposition to boundary expansion, the province of Ontario is ultimately responsible for land use planning in Hamilton – and has identified that urban boundary expansions will occur in accordance with the provincial direction to allow for appeals to the OLT.



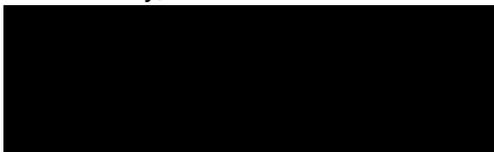
### Conclusion

WE HBA is increasingly concerned and alarmed by a shifting political landscape in the City of Hamilton that caters to local political concerns of existing incumbent homeowners at the expense of younger generations, families, and those desperately trying to get into the housing market. The housing crisis will only get worse if we don't legalize more housing options of all types and tenures in both in existing and new communities. To put it bluntly - there is no pathway to middle class housing affordability with lengthy, costly and uncertain planning processes designed to prevent needed housing from being constructed.

The City of Hamilton is increasingly debating and passing policies that are both anti-housing and anti-intensification which despite political commentary to the contrary further supports planning and demographic justification for UBE. The City's stated preference for a no-UBE scenario stands in stark contrast to the City's own public and political policy, including the phase-out of Downtown CIP incentives, a 30-storey height limit city-wide, the rejection of many intensification projects and subsequent OLT cases, and the need to use Strong Mayor powers to move forward affordable housing projects.

As widely cited by many politicians, "Don't tell me what you value, show me your budget, and I'll tell you what you value." – the City cannot simply state it values intensification over boundary expansion, while devaluing opportunities for intensification and housing supply through planning and fiscal policy. All levels of government and industry should be working together to spur construction of desperately needed housing of all types and tenures to close Canada's housing deficit. WE HBA looks forward to continuing to work in partnership with the City of Hamilton to achieve the City's housing targets through a variety of forms of growth.

Sincerely,



**Mike Collins-Williams**  
Chief Executive Officer  
West End Home Builders' Association



## Appendix A:

WE HBA Submission on Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications – August 15, 2024

August 15, 2024

Mayor and Members of Council  
**City of Hamilton**  
71 Main Street West

**West End Home Builder's Association | Submission on Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications under the proposed Provincial Planning Statement (PED24109) (City Wide)**

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The West End Home Builders' Association (WE HBA) is the voice of the land development, new housing and professional renovation industries in Hamilton and Burlington. The WE HBA represents approximately 300 member companies made up of all disciplines involved in land development and residential construction, including: community builders, developers, professional renovators, trade contractors, consultants, and suppliers.

The WE HBA supports the newly permitted ability for landowners to privately initiate urban boundary expansions. While our organization understands the City had adopted a "No Urban Boundary Expansion" position in their Official Plan, **the City of Hamilton's initial Staff Recommendation in 2021 was that an urban boundary expansion is necessary to accommodate the City's forecasted population growth.** Additionally, both the City's Land Needs Assessment and a third-party review of that Land Needs Assessment clearly demonstrated the City requires a boundary expansion to accommodate the forecasted population growth and projections in the City's Official Plan. Furthermore, the City's in force Official Plan is based on outdated Schedule 3 Growth Plan population projections which identified Hamilton growing at a significantly slower rate than the region is ultimately experiencing.

To put our region's rapid growth into context, Ontario experienced a decade's worth of population growth in the past three years. Hamilton cannot support that growth without building significantly more homes of all types. To quote economist Dr. Mike Moffatt's [August 7<sup>th</sup>, Toronto Star Article](#), "[i]n the first six months of the year alone, Ontario's population grew by nearly 200,000" people. How this impacts Hamilton is that when the "No Urban Boundary Expansion" decision was made, it was based on Hamilton's population growing at a stable forecasted rate, which is not occurring. Instead, Hamilton's supply of housing is lagging far behind Ontario's population growth. As a result, Hamilton is displacing tens of thousands of residents annually to neighbouring communities. Bill 185 enables new home and community builders to access expansion area lands by applying for an Urban Boundary Expansions in the City of Hamilton as necessary. This ability provides the City with an additional opportunity to set a framework for collaborative discussions to work together and move more quickly towards building more attainable housing supply in new complete communities.

Finally, WE HBA would like to identify that a proposed annual expense of \$1.5 million to oppose boundary expansions at the Ontario Land Tribunal is a significant cost taxpayers will incur. Council may wish to consider this expense if the City seeks to defend its refusal or failure to make decisions on urban boundary expansion applications within the context of our regional housing crisis.

Appended to this letter are our organization's initial comments on the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications. WE HBA looks forward to participating in the upcoming consultation.

Sincerely,

Michelle Diplock, RPP, Manager of Planning and Government Relations, West End Home Builders' Association



## West End Home Builder's Association's Initial Comments: Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications under the proposed Provincial Planning Statement

- Given the critical need for housing in the City of Hamilton, the end result of an applicant pursuing an Official Plan Amendment for an Urban Boundary Expansion should be the inclusion of the subject area into the Urban Boundary **with** a Secondary Plan implemented. Since many of the supporting studies require the applicant to evaluate the subject lands at a Secondary Plan-level of detail, implementation of a Secondary Plan at the conclusion is reasonable.
- There is concern with the number of supporting materials required which do not have a Terms of Reference authored by the City at this time. This may create a scenario where applicants are unable to submit plans and reports to constitute a complete application until the City has drafted and approved Terms of Reference for each study. WE HBA looks forward to participating in the City's next phase of consultation on the Development Application Terms of Reference project.
- The Staff Report sets out that the framework for the Financial Impact Analysis set out as a requirement of an Urban Boundary Expansion recommends "that the time horizon assess in any analysis extend past the lifecycle replacement costs of new infrastructure". It is unclear to what end a proponent is expected to provide analysis on costs of infrastructure beyond the lifecycle of said infrastructure.
- The Staff Report notes that the removal of any open space and natural heritage features would have additional costs due to the ecological services value these natural features provide. As a result, the City states that the Financial Impact Analysis should include this in the municipal finance considerations. It is unclear how the ecological services value associated with natural heritage features could be quantified for the purposes of a report like a Financial Impact Analysis.
- The Dillon Report states "It is recommended that the City require that the assessment be prepared by a qualified urban land economist or municipal finance practitioner with clearly demonstrable experience in fiscal impact analyses prepared for public sector clients". Limiting consultant teams to only those with experience preparing analyses for public sector clients creates high potential for conflicts in qualified consultants due to their engagement with the public sector. Ultimately, this expectation may limit the ability to find objective consultants which can provide expert analysis.





December 13, 2024

**Via Email**

Charlie Toman  
Program Lead - Policy Planning & MCR  
Sustainable Communities, Planning Division  
City of Hamilton  
71 Main Street West, 4<sup>th</sup> Floor  
Hamilton, Ontario, L8P 4Y5

Dear Mr. Toman,

**RE: SUBMISSION ON THE DRAFT FRAMEWORK FOR PROCESSING AND EVALUATING URBAN BOUNDARY EXPANSION APPLICATIONS ON BEHALF OF 2113522 ONTARIO INC. (RELATED TO VANTAGE GROUP)**

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Landwise has been retained by 2113522 Ontario Inc. (related to Vantage Group), to prepare a submission for the on-going consultation of the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications on their behalf. 2113522 Ontario Inc. owns approximately 23 hectares (57 acres) of land south of the Hamilton International Airport lands and east of the newly leased lands. The lands are located to the west of the southernmost boundary of the Airport Employment Growth District Secondary Plan boundaries in the Rural area. The purpose of this letter is to formally request consideration on establishing priorities for the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications and to highlight the strategic importance of the subject lands and their contribution to the overall economic growth objectives of the City of Hamilton.

## **DESCRIPTION OF SUBJECT LANDS**

The subject lands are located in the south portion of Hamilton in the former Township of Glanbrook immediately adjacent to the south of Hamilton International Airport. The lot is irregularly shaped and has an area of  $\pm 23$  hectares (57 acres). The subject lands have  $\pm 250.6$  metres of frontage onto the Highway No. 6 northbound access ramp,  $\pm 604.5$  metres of frontage onto the ramp to and from the airport, and  $\pm 506.6$  metres of frontage onto Airport Road West (see Figure 1). The subject lands are surrounded by recently approved warehousing uses to the east, the Hamilton International Airport to the north, agricultural lands to the west, and Highway No. 6 and agricultural lands to the south. There is currently one vacant silo on the subject lands as well as remnants of a previous agricultural operation but no complete structures. The subject lands have gentle changes in topography, with many of them being former agricultural areas and several more naturalized portions existing.



Figure 1: Vantage Group Lands

## PLANNING STATUS:

### 1. Rural Hamilton Official Plan (RHOP)

The subject lands are designated “Rural” on Schedule “D” - Rural Land Use Designations of the Rural Hamilton Official Plan. Additionally, a portion of the lands are identified as “Core Areas” on Schedule “B” - Natural Heritage System, “Significant Woodlands” on Schedule “B-2”, “Wetlands” on Schedule “B-4” and containing “Streams” on Schedule “B-8”.

The subject lands have frontage on Airport Road West, and Arterial Road and Hwy No. 6 a Provincial Highway (Controlled Access) as identified on Schedule “C” - Rural Functional Road Classification.



Finally, the subject lands are also identified as “Airport Influence Area” on Schedule “F” - Airport Influence Area and within an area of “Overall Archeology Potential” on Appendix “F-2”.

The Natural Heritage features are currently protected with the Conservation/Hazard Land - Rural (P7) Zone. The policies of the Rural Designation acknowledge lands that have lower capability for agriculture uses due to a range of factors, with the intent of the Plan being to maintain and protect agricultural uses as the primary and predominant land use and to protect farm operations from incompatible forms of development to preserve these lands for agricultural use.

## **2. City of Hamilton Zoning By-law No. 05-200**

The subject lands are subject to two zoning categories in the City of Hamilton Zoning By-law No. 05-200. These include the Conservation / Hazard Land - Rural (P7) Zone and the Rural (A2, 272) Zone. The Rural A2 Zone permits agricultural operations as well as a variety of other farm supportive service commercial uses and storage facilities. Single detached dwellings and residential care facilities are also permitted. Special Exception 272 allows for additional permitted uses including: airport, airport storage, maintenance, and operation facilities, as well as previously existing uses.

The P7 Zone applies to a portion of the property which is recognized in the RHOP as a Natural Heritage feature. The P7 Zone permits agriculture, conservation, existing single detached dwellings, flood and erosion control facilities, and passive recreation opportunities.

## **STRATEGIC SUPPORT FOR REDEVELOPMENT**

### **1. Location and Accessibility**

The subject lands are strategically located adjacent to the leased lands for the Hamilton International Airport and the southern boundaries of the Airport Employment Growth District (AEGD). With the recent lease of the lands south and west of the Airport the subject lands have been left as a remnant piece of Rural lands.

The subject lands benefit from direct access to the City’s transportation network specifically Highway No.6 and Upper James Street. The location makes the subject lands ideal for the goods movement sector and uses that support the operational requirements of the Hamilton International Airport. The lands are within the Airport Influence Area which limits the options for development of any sensitive land uses.

### **2. Alignment with the City’s Strategic Goals**

The subject lands are conveniently located between the boundaries of the AEGD boundaries and the Hamilton International Airport lands. The parcel offers significant options for providing a range of lands uses that would directly support the Hamilton International Airport and enhance the AEGD, including:



Employment related uses:

- Warehousing, advanced manufacturing, and logistics operations that capitalize on proximity and access to the airport freight and distribution networks.

Airport Related Services:

- Hotels, car rental facilities, and commercial parking lots to support airport operations, travelers, and employees.

Ancillary Commercial Development:

- Restaurants, retail, and service commercial uses that would cater to airport passengers, employees, and business park employees.

The incorporation of these lands into the AEGD would establish a land use framework that prioritizes strategic and cohesive development options that complements the Hamilton International Airport operations and the overall goals of the AEGD. Road and servicing infrastructure exists to support the surrounding lands, including the Hamilton International Airport. A comprehensive policy framework that incorporates the subject lands would generate significant economic benefits, including job creation across multiple sectors, increased municipal revenues, and strengthened regional competitiveness.

### **3. Contribution to Economic Growth and Employment**

The Hamilton International Airport and surrounding lands, designated as part of the AEGD, play a critical role in the City's economic development strategy. Permitting the expansion and development of the subject lands for employment and airport related land uses would strengthen the AEGD by creating a logical extension of compatible land uses, making efficient use of remnant lands, and supporting the City's vision for this strategic growth area.

The City's Economic Development Strategy reinforces the importance of the AEGD lands and the significant investment that will occur to service and support the employment lands around the Airport. The future development of the subject lands aligns with the City's priority for employment growth in the AEGD.

### **4. Prioritization**

The Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications should address the importance of creating, supporting, and promoting the logical expansion of employment areas. Urban Boundary Expansions that aim to close gaps and create more cohesive employment area boundaries should be recognized as when it can be demonstrated that they support the long-term objectives of employment areas and more specifically the success of the Hamilton International Airport.



## CONCLUSION

With consideration of the subject lands and the strategic location adjacent to the Hamilton International Airport lands and between the additional leased lands and the boundary of the AEGD it is our opinion that the Draft Framework for Processing and Evaluating Urban Boundary Applications should reflect priority areas that strengthen the City of Hamilton’s position as a regional economic leader and support the long term viability of the AEGD.

As it relates to the subject lands, it is important to consider the significance of the ongoing consultation on the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications, AEGD Secondary Plan Review and the Implementation Plan for Area of Employment changes Under the Planning Act and Provincial Planning Statement, 2024.

We respectfully request that this submission be given full consideration and look forward to continuing discussions through this and other ongoing City consultation processes to reinforce our goal of supporting the City of Hamilton’s strategic and economic goals for the AEGD.

Should you have any questions or require additional information, please do not hesitate to contact Shannon McKie at (905) 574-1993 ext. 209 or [shannon.mckie@landwise.ca](mailto:shannon.mckie@landwise.ca).

Respectfully Submitted,

## LANDWISE



**Terri Johns, MCIP RPP**  
Founder / Principal Planner



**Shannon McKie, MCIP RPP**  
Associate / Principal Planner

- cc. C. Puckering, Vice President, Head of Canada, Vantage Group (via email)
- D. Grant, Director, Asset Management & Corporate Finance, Vantage Group (via email)
- A. Fabac, Acting Director of Planning and Chief Planner (via email)
- D. Heyworth, Manager, Sustainable Communities (via email)

# Appendix E

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## Explainer Infographics



# Hamilton's Urban Boundary



## A Timeline of Growth Management Policy Changes

### City Actions

**2018**

**Planning For Growth:** The City launches the Growth Related Integrated Development Strategy (GRIDS) 2 process to plan for growth to 2041 (eventually updated to 2051).

**November 2021**

- **Review of Growth Scenarios:** Using the Province's methodology for land needs assessments, the City reviewed and assessed two alternative growth scenarios (Ambitious Density and No Urban Boundary Expansion).
- **No Boundary Expansion:** Hamilton City Council votes to adopt a "no urban boundary expansion" growth strategy.

**June 2022**

**Council Adopts Official Plan Amendment (OPA) 167:** The amendment implements the No Boundary Expansion growth strategy to the Hamilton Urban Official Plan and Rural Hamilton Official Plan.

**September 2023**

**Hamilton Opposes Greenbelt Development:** Through City-led public engagement, majority of residents express opposition to Greenbelt changes.

**November 2023**

**Hamilton Supports Reversals:** City Council supports the reversals of Greenbelt development and urban boundary expansion policies.

**April 2024**

**Council Recommits to Firm Urban Boundary:** Hamilton City Council opposes Bill 185 and the undermining of its "no expansion" policy.

**August 2024**

**Draft Framework Developed:** Anticipating privately initiated urban boundary expansion applications, Council approves the Draft Urban Boundary Expansion Application Framework.

**October to November 2024**

City of Hamilton engages the community and stakeholder groups on the Draft Urban Boundary Expansion Application Framework.

### Provincial Actions

**November 2021**

**Updated Growth Projections:** Ontario mandates updated official plans; Hamilton's population forecasted to reach 820,000 by 2051.

**November 2022**

**No Boundary Expansion Overruled, Greenbelt Lands Opened Up:** The Province approves OPA 167 with a series of modifications, including the addition of an over 2,200 hectare expansion.

**September 2023**

**Greenbelt Decision Reversed:** Premier Ford reverses proposed changes to the Greenbelt Plan.

**October to December 2023**

**Urban Boundary Expansion Reversed:** Province announces reversal of November 2022 decision to modify municipal urban plans, including Hamilton's urban boundary expansion. This is put into force by passing of Bill 150, removing the 2,200 hectares of land previously added to Hamilton's urban boundary.

**April 2024**

**Urban Boundary Expansion Reopened:** Province introduces Bill 185, Cutting Red Tape to Build More Homes Act, 2024, opening the door for new privately initiated urban boundary expansion applications to be appealed to the Ontario Land Tribunal.

**August 2024**

**New Provincial Planning Statement Approved:** Province approves new Provincial Planning Statement, removing the requirement for a Municipal Comprehensive Review for boundary expansions.

**October 2024**

**New Provincial Planning Statement In Effect:** New provincial policies in effect, opening the door for urban boundary expansion applications.

## The Impacts of Recent Policy Changes on Hamilton's Growth Management

The City of Hamilton, guided by extensive community engagement and its 2051 Growth Management Strategy, remains committed to accommodating growth within its existing urban boundary. However, recent provincial policy changes, including the removal of mandatory Municipal Comprehensive Reviews (MCRs) and the introduction of Bill 185, have empowered landowners and proponents to propose urban boundary expansions of any size at any time, challenging the City's ability to manage growth.

### Here's how the new Provincial rules affect Hamilton



#### Influx of Urban Boundary Expansion Applications:

The new policies are likely to trigger urban boundary expansion requests from proponents, potentially leading to conflicts with the City's existing growth management strategy, which prioritizes intensification within the current urban boundary.

#### Challenges in Maintaining a Firm Urban Boundary:

The City's commitment to a firm urban boundary is challenged by recent changes to the Provincial Planning Statement and Bill 185. The new provincial rules enable proponents to bypass the City and potentially expand the urban boundary through direct appeals to the Ontario Land Tribunal.



#### Green Space and Farmland Preservation:

With less emphasis on comprehensive planning and more focus on individual development applications, the City might face challenges in preserving its green spaces and farmland.

#### Financial Implications:

Defending against Ontario Land Tribunal appeals on urban boundary expansions poses significant financial burdens for the City.



### The City Cannot Control Provincial Policy Changes:

Planning policy changes made by the Provincial Government are out of the City's control. Comments and concerns regarding Provincial policy changes can be directed to your Member of Provincial Parliament, or to the Provincial Minister of Municipal Affairs and Housing.

# Managing Provincial Policy Changes to Urban Boundary Expansion



## Hamilton's Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications

### What is the Draft Framework?

The Draft Framework guides how the City of Hamilton will handle applications to expand its urban boundary. Currently, the Urban Hamilton Official Plan and Rural Hamilton Official Plan do not provide guidance for how to assess urban boundary expansion proposals. The Framework will establish a clear and rigorous process for reviewing these requests, ensuring transparency and providing opportunities for public input. The Framework is critical because recent provincial policy changes now allow urban boundary expansion applications to be made at any time, despite the City's commitment to a firm urban boundary until 2051. The Framework is divided into Parts A, B, and C:

### Navigating the Framework: Three Key Parts

#### A Establishes Urban Boundary Expansion Submission Requirements

Part A outlines the specific plans and technical studies required for any urban boundary expansion application. These include existing requirements found in the City's Official Plans and new requirements specifically designed for urban boundary expansion applications, like a Housing Needs Assessment and an Emergency Services Assessment.

##### Required Submissions:



#### B Key Considerations

Part B outlines the factors the City will consider when evaluating urban boundary expansion applications to ensure a comprehensive and rigorous review process. The key considerations are informed by the Planning Act, the Provincial Planning Statement and the goals and objectives of the Urban Hamilton Official Plan and Rural Official Plan.

##### Considerations for Assessing Applications:



#### C Outlines a Clear Process for Submission, Review, and Public Engagement

Part C details the process for submitting an urban boundary expansion application for review. Importantly, it outlines the enhanced public and Indigenous community consultation requirements the City has added beyond the minimum legal requirements, including notification methods, and ways to review the applications. It sets out a process in which the City would consider urban boundary expansion applications within the **120 day time frame** required by the Province.



# Urban Boundary Expansion Applications

## Responsibilities of the Province and the City



The Province of Ontario sets rules and regulations for municipal growth under the Planning Act, allowing municipalities to create Official Plans and Zoning By-laws. Recent legislation, including Bill 185 (Cutting Red Tape to Build More Homes Act, 2024) and the new Provincial Planning Statement (2024), has changed how urban growth is managed. These enable urban boundary expansion proposals of any size, at any time.

The table below outlines recent Provincial policy changes regarding urban boundary expansion proposals and the actions the City can take in response, based on the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications.

### Provincial Policy Changes



### Hamilton's Response

Topic	Provincial Policy Changes	Hamilton's Response
<b>Consideration of Urban Boundary Expansion Applications</b>	<ul style="list-style-type: none"> <li>New Provincial Planning Statement (2024) permits urban boundary expansion applications to occur at any time</li> <li>Allows proponents to submit Official Plan Amendments for settlement area expansions</li> <li>Sets out the minimum criteria for settlement area expansions</li> </ul>	<ul style="list-style-type: none"> <li>Determines strategic growth areas, identifying the parts of the City that are to be focus for development</li> <li>Current Official Plan maintains a firm boundary, where growth is expected to occur in nodes, corridors and elsewhere within existing greenfield areas and built up areas</li> <li>Complete applications are accepted for processing</li> <li>City can establish criteria for decision-making around settlement area expansion given the unique characteristics of the City</li> </ul>
<b>Early Consultation Requirements</b>	<ul style="list-style-type: none"> <li>Bill 185 allows proponents to opt out of formal consultation requirements and public consultation before submitting an application</li> </ul>	<ul style="list-style-type: none"> <li>Establish policies that strongly encourage pre-application consultation with municipalities, community residents, and Indigenous Communities</li> </ul>
<b>Required Information</b>	<ul style="list-style-type: none"> <li>Proponents can appeal municipal submission requirements (e.g. Sub-Watershed Studies) requirements to the Ontario Land Tribunal (OLT)</li> </ul>	<ul style="list-style-type: none"> <li>The City can identify specific plans and studies, defensible based on land use policy, that must be submitted as part of a complete application</li> </ul>
<b>Application Fees</b>	<ul style="list-style-type: none"> <li>Proponents can appeal fees to the Ontario Land Tribunal (OLT)</li> </ul>	<ul style="list-style-type: none"> <li>Able to establish the fees for submitting a planning application that cover the cost of processing the application</li> </ul>
<b>Public Notification</b>	<ul style="list-style-type: none"> <li>Minimum notification requirements for Official Plan Amendment Applications are established</li> </ul>	<ul style="list-style-type: none"> <li>Can establish enhanced notification requirements for members of the public and interested parties</li> </ul>
<b>Public Access to Information</b>	<ul style="list-style-type: none"> <li>Requires all information associated with an application to be made public</li> </ul>	<ul style="list-style-type: none"> <li>Can share all information on the City's website</li> </ul>
<b>Public Meetings</b>	<ul style="list-style-type: none"> <li>Requires at least one statutory public meeting</li> </ul>	<ul style="list-style-type: none"> <li>Can hold additional community meetings in advance of and in addition to the statutory public meeting and can request proponents do the same</li> </ul>
<b>Decision Timeline</b>	<ul style="list-style-type: none"> <li>Proponents can appeal to the Ontario Land Tribunal (OLT) if no decision is made within 120 days</li> </ul>	<ul style="list-style-type: none"> <li>No ability to request the Province extend the 120 day review timeline</li> </ul>
<b>Approval Decisions</b>	<ul style="list-style-type: none"> <li>Applicants can appeal Council's refusal of an application to the Ontario Land Tribunal (OLT)</li> </ul>	<ul style="list-style-type: none"> <li>City Council can approve or deny an application, subject to appeal</li> </ul>
<b>Refusal of Applications</b>	<ul style="list-style-type: none"> <li>Proponents can appeal to the Ontario Land Tribunal (OLT) if the City fails to review an application within 120 days or deems an application as incomplete</li> </ul>	<ul style="list-style-type: none"> <li>Can refuse applications that are missing certain required information (i.e. incomplete applications)</li> </ul>
<b>Appeals on Council's Decision to the Ontario Land Tribunal (OLT)</b>	<ul style="list-style-type: none"> <li>Through Bill 185, the Province eliminated 'third party appeals,' meaning only registered landowners within the area subject to the application can appeal</li> </ul>	<ul style="list-style-type: none"> <li>Similar to other planning decisions, the City would be responsible for defending Council decisions on matters appealed to the Ontario Land Tribunal (OLT)</li> </ul>
<b>Attendance at OLT Hearings</b>	<ul style="list-style-type: none"> <li>The Province has legislation that determines who can participate in and attend Ontario Land Tribunal (OLT) hearings</li> </ul>	<ul style="list-style-type: none"> <li>The City has no control over who attends Ontario Land Tribunal (OLT) hearings</li> </ul>
<b>Approved Urban Boundary Expansion Areas</b>	<ul style="list-style-type: none"> <li>The applicant can appeal a Secondary Plan Official Plan Amendment based on policy or mapping discrepancies</li> </ul>	<ul style="list-style-type: none"> <li>Before development can proceed, long-term land use must be approved using the City's approved Framework for establishing urban boundary expansion area Secondary Plans</li> </ul>

# Appendix F

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## Virtual Open House Presentation Slides





Hamilton

# Responding to Provincial Policy Changes:

Proposed Framework for Processing & Evaluating Urban  
Boundary Expansion Applications

# Welcome

**Thank you for participating** in the  
Framework for Processing & Evaluating  
Urban Boundary Expansion Applications  
Virtual Open House!

# Housekeeping



This meeting will be **recorded**.



Use the **Q&A function** to ask questions. They will be answered at **specific points throughout the presentation**.



Today, you can provide feedback using the **polls** and **chat** during this meeting or the **survey** at the end of the presentation.

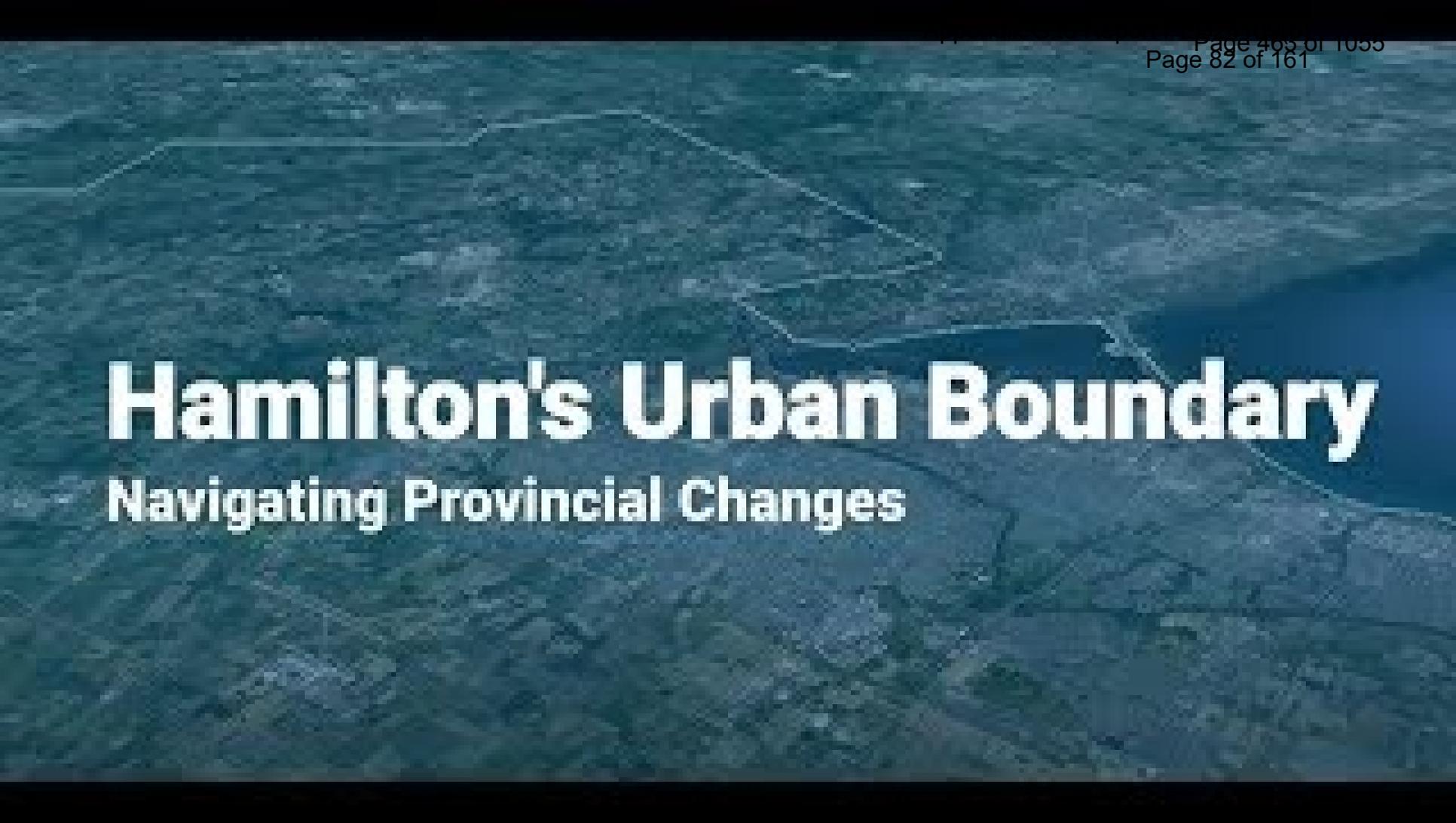
# Land and Water Acknowledgement

# Meeting Agenda

1. Short Video
2. Introductions
3. Recent Provincial Policy Changes
4. Rationale for Establishing a Framework
5. The Draft Framework
6. How You Can Participate More
7. What Happens Next?
8. Q&A
9. Closing Remarks



# Video



# Hamilton's Urban Boundary

## Navigating Provincial Changes

## 2 Staff Introduction

### **Charlie Toman**

**City of Hamilton**  
Program Lead - Policy  
Planning & Municipal  
Comprehensive Review

### **Morgan Boyco**

**Dillon Consulting**  
Associate

### **Laura Swyers**

**Dillon Consulting**  
Planner



# Poll:

## What part of Hamilton do you live in?

Let us know in the **chat** if you live **outside of Hamilton**.

# 3 Recent Provincial Policy Changes



- New Provincial Policy Statement came into effect **October 20, 2024**
- New rules allow landowners to propose urban boundary expansions **at any time.**
- Proponents can appeal directly to the Ontario Land Tribunal if **Council's decisions are rejected or delayed.**
- Challenges Hamilton's **firm urban boundary** and existing Official Plans.





Anticipated Urban  
Boundary Expansion  
Applications



Challenges in  
Maintaining a Firm  
Urban Boundary



Green Space and Farmland  
Preservation



Financial  
Implications

# How do the New Provincial rules affect Hamilton?

# Q&A Break

# 4 Rationale for Establishing a Framework

- Bill 185 and the Provincial Planning Statement **challenge Hamilton's no urban expansion policy.**

# Rationale for Establishing a Framework

- Urban boundary expansion applications will be come in **despite policies in Hamilton's Official Plans.**
- Hamilton's Official Plans don't specify requirements for these applications.

# 5

# The Draft Framework

# What is the Framework?

- Council-Approved **Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications.**
- Relates to **application completeness and quality**
- Establishes a **clear, transparent process** for receiving and processing applications.
- Made up of **Parts A, B, and C**

# Part A

## Submission Requirements

Outlines the **specific plans and technical studies** required for any urban boundary expansion application.

## Standard Submission Requirements



Draft Official Plan  
Amendment



Planning  
Justification Report



Geotechnical  
Study



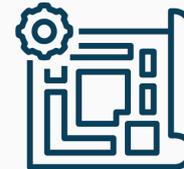
Cultural Heritage  
Impact Study



Archaeological  
Assessment



Karst  
(Land Stability)  
Assessment



Minimum  
Distance  
Separation  
Formulae



Noise Impact  
Study

## Enhanced Submission Requirements



Concept Plan



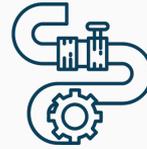
Energy and  
Climate Change  
Assessment  
Submission



Financial Impact  
Analysis and  
Financial Strategy



Phasing Plan



Functional  
Servicing  
Feasibility  
Report



Subwatershed  
Study  
(Phase 1)



Agricultural  
Impact  
Assessment



Pedestrian Route  
and Sidewalk  
Analysis



Public Consultation  
Summary



Noise Impact  
Study



Transportation  
Impact Study



Transit  
Assessment



Odour Impact  
Study

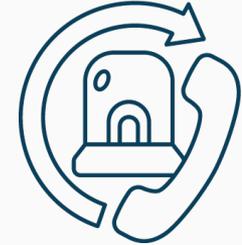
## New Submission Requirements



Employment Needs  
Assessment



Housing  
Assessment



Emergency Service  
Assessment  
(Police, Fire,  
Ambulance)



## Tell Us:

Are there any **additional studies** that should be required in a urban boundary expansion application?

# Part B

## Key

# Considerations

Part B outlines the **factors** the City will consider when **evaluating** urban boundary expansion applications.



Growth Allocation



Transportation Systems



Land Use Compatibility



Natural Hazards



Municipal Finance



Cultural Heritage Resources



Natural Heritage & Water Resources



Climate Change



Agricultural System



Infrastructure & Public Service Facilities



Complete Communities



# Tell Us:

What other '**Considerations**' should the City include in the **evaluation Framework**?

Do you have any **questions about these key considerations**?

# Part C

## Submission and Review Process

Part C: Outlines a clear process for **submission, review, and public engagement** within the **120 day** time frame.





# Poll:

**How** would you like to be notified when an application for an urban boundary expansion is made?

Let us know in the **chat** if there are other options you would prefer.



# Poll:

**When** would you like to be notified of a new urban boundary expansion proposal?

Let us know in the **chat** if there are other options you would prefer.



# Poll:

**How** would you like to provide feedback on a new urban boundary expansion proposal?

Let us know in the **chat** if there are other options you would prefer.



## Tell Us:

Does the **example notice** in the next slide provide all of the information you would need to understand the urban boundary expansion application?

Let us know in the **chat** if there is something missing.

Information about **who** is submitting, the **affected lands**, and **purpose**

**Map** of the affected land

**Public meeting details** (in-person and virtual)

**File number and Planner Contact Information**

**CITY OF HAMILTON**  
**PUBLIC NOTICE**  
 OF COMPLETE APPLICATION(S) FOR AN URBAN BOUNDARY EXPANSION AND PUBLIC MEETING OF THE PLANNING COMMITTEE

OWNER / APPLICANT:	
AGENT:	
SUBJECT LANDS:	
PURPOSE AND EFFECT OF THE PROPOSED OFFICIAL PLAN AMENDMENT / ZONING BY-LAW AMENDMENT	

PROVIDE A LOCATION MAP ON SIGN  
 (SEE SAMPLE BELOW)



**PUBLIC MEETING**  
**DATE:** [Enter Target Date]  
**TIME:** [Enter Target Date]  
**LOCATION:** [Enter Target Location]

The City of Hamilton is now conducting meetings in a hybrid format via an in-person and Webex platform. All Hybrid Meetings can be viewed at:  
 City's Website: [www.hamilton.ca/MeetingAgendas](http://www.hamilton.ca/MeetingAgendas)

Inquiries Refer to File(s): [File(s)]  
 For where and when a copy of [the proposed Urban Boundary Expansion and information and material related to it] [additional information and material about the proposed By-law to amend the Zoning By-law] will be available for public inspection; or for a copy of the Notice of Complete Applications which was mailed to all [land owners](#) within 120 metres of the subject lands, please contact [Planner].

For more information about this matter, including information about preserving your appeal rights, contact [Planner].

Collection of Information  
 Information respecting this application is being collected under the authority of the Planning Act, R.S.O. 1990, c. P.13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public and will appear on the City's website unless you expressly request within your communication that City remove your personal information.

NB: TO SIGN MAKER: ALL WORDING CONTAINED ON THIS SHEET MUST BE INCLUDED ON THE SIGN.

**CITY OF HAMILTON  
 PUBLIC NOTICE**

OF COMPLETE APPLICATION(S) FOR AN URBAN BOUNDARY EXPANSION  
 AND PUBLIC MEETING(S) OF THE PLANNING COMMITTEE

OWNER / APPLICANT:	
AGENT:	
SUBJECT LANDS:	
PURPOSE AND EFFECT OF THE PROPOSED OFFICIAL PLAN AMENDMENT / ZONING BY-LAW AMENDMENT	

**A**

Area of the information about **who** is submitting, the **affected lands**, and **purpose**

PROVIDE A LOCATION MAP ON SIGN  
 (SEE SAMPLE BELOW)



**B**

Area of the **Map** of the affected land

**PUBLIC MEETING**

DATE: [Enter Target Date]  
 TIME: [Enter Target Date]  
 LOCATION: [Enter Target Location]

**C**

Area of the **public meeting details** (in-person and virtual)

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 City's Website: [www.hamilton.ca/MeetingAgendas](http://www.hamilton.ca/MeetingAgendas)

Inquiries Refer to File(s): [File(s)]

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**D**

Area of the **file number** and **Planner Contact Information**

For more information about this matter, including information about preserving your appeal rights, contact [Planner].

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NB: TO SIGN MAKER: ALL WORDING CONTAINED ON THIS SHEET MUST BE INCLUDED ON THE SIGN.

# 6

## How you can participate more



- You can review the **Draft Framework** and submit questions directly in the document on our Engage Hamilton website:  
[engage.hamilton.ca/ UBEapplicationframework](https://engage.hamilton.ca/UBEapplicationframework)
- You can **take a survey** that will be linked at the end of this Virtual Open House.
- You can ask questions online or contact:

**Charlie Toman**  
City of Hamilton

Phone: 905-546-2424 ext 5863

Email:  
urbanboundary@hamilton.ca

# How can I oppose the new Provincial legislative and policy changes?

Any comments opposing the recent provincial policy changes, including it's approval of the new Provincial Planning Statement and adoption of Bill 185 should be submitted **directly to the Government of Ontario**.

# Submit Opposing Comments To:

## Hon. Paul Calandra

Minister of Municipal  
Affairs and Housing

**Address:** Ministry of Municipal Affairs and Housing, 17th Floor  
777 Bay St. Toronto, ON M7A 2J3

**Phone:** 416-585-7000 **Email:** Paul.Calandra@pc.ola.org

## Hon. Neil Lumsden

MPP – Hamilton East –  
Stoney Creek

**Address:** Constituency Office, Unit 102  
115 Hwy. 8 Hamilton, ON L8G 1C1

**Phone:** 905-662-8755 **Email:** Neil.Lumsden@pc.ola.org

## Donna Skelly

MPP – Flamborough –  
Glanbrook

**Address:** Constituency Office, Suite 104  
2000 Garth St. Hamilton, L9B 0C1

**Phone:** 905-679-3770 **Email:** Donna.Skelly@pc.ola.org

# 7 What Happens Next?

- We are taking **your feedback** and adjusting the Draft Framework
- A **summary of what we heard** will be posted on Engage Hamilton.
- Target for incorporating the Framework into Official Plan policy: **Q1, 2025**

# Q&A

You can ask questions later by visiting



[engage.hamilton.ca/UBEapplicationframework](https://engage.hamilton.ca/UBEapplicationframework)

or contact:

**Charlie Toman**  
City of Hamilton

**Phone:** 905-546-2424 ext 5863

**Email:** urbanboundary@hamilton.ca



Hamilton

**Thank you for  
Participating!**

**Charlie  
Toman**

City of Hamilton

Phone: 905-546-2424 ext 5863

Email: [urbanboundary@hamilton.ca](mailto:urbanboundary@hamilton.ca)



[engage.hamilton.ca/UBEapplicationframework](https://engage.hamilton.ca/UBEapplicationframework)

# Appendix G

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## Full Record of Comments



## Appendix G - Full Record of Comments

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### Comment Source: Email

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- Asked for designation of the property, whether it is white belt or greenbelt
- Provided a letter requesting that the City re-consider a Stantec environmental report that was submitted back in 2020.
- I think Hamilton did a great job on considering what needs to be part of a complete urban expansion application. My only one suggestion to provide them with tools/suggestions/guidance for how they can complete these requirements if there are resources that can provide consistency in considerations across criteria for what it is worth it would be good to highlight that to them to be able to inform council decisions in a more apples to apples manner.. This idea came up for the Greenhouse gases (GHG) implications and infrastructure costs because there is a Federation of Canadian Municipalities (FCM) tool that was developed that would enable them to do some of that analysis that may be good to use because it looks at GHG emissions and municipal infrastructure costs. Think this tool would be great to test out to see if it can provide the climate and infrastructure costs comparison to within the urban boundary versus way beyond urban boundary and what that means re infrastructure capital costs (it doesn't look at operational costs). I believe **[Redacted]** already is working with you on this effort re integrating that tool/infrastructure costing in a consistent way. thanks again so much for sharing Hamilton's Urban Expansion process and requirements with other municipalities next year. really appreciate that. thanks, ...  
<https://greenmunicipalfund.ca/resources/toolkit-making-sustainable-land-use-decisions-your-municipality>

### Comment Source: Engage Page Question Form

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- How can I oppose to the urban expansion **outside** of the urban boundaries?  
There are many reasons why it should not be expanded

### Comment Source: Formal Submission

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- (summary) The Hamilton Naturalists' Club (HNC) submitted comments on the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications. The HNC supports the City's no urban boundary expansion (UBE) growth strategy and would like to see the white belt protected. The HNC recognizes the need to prepare for potential UBE applications and has provided suggestions to help the City meet its commitments to protect and restore biodiversity if development is permitted outside the urban boundary.

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- (summary) The West End Home Builders' Association (WE HBA) submitted a letter to the City of Hamilton regarding the Draft Framework for Processing & Evaluating Urban Boundary Expansion (UBE) Applications. The WE HBA disagrees with the City's position that a UBE is not necessary, and believes that an expansion is required to meet the needs of Hamilton's growing population. The WE HBA also disagrees with a number of the study requirements in the Draft Framework, and has provided feedback on those requirements.
- Alectra: Our office has no comment/objection based on the information provided.
- Bell Canada: no comments or concerns at this time
- (summary) Enbridge request that the City of Hamilton include maps, statements, and policies that address development in proximity to pipeline infrastructure. These additions are meant to support understandings in several of the Framework focus areas and ensure that development occurs safely around the pipelines.
- (summary) The Hamilton Conservation Authority recommends that Conservation Authorities be included as an agency responsible for reviewing and assessing submission requirements, and that the framework be revised to indicate that pre-submission discussions should also occur with Conservation Authorities.
- (summary) The Grand River Conservation Authority (GRCA) comments focus on including Conservation Authorities in the review process and ensuring that all necessary studies are completed as part of the application process.
- (summary) The Hamilton-Wentworth District School Board (HWDSB) and Hamilton-Wentworth Catholic District School Board (HWCDSB) have jointly provided feedback on the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications. Their primary concern is the inclusion of a School Accommodation Issues Assessment in the initial submission requirements, and they have outlined proposed Terms of Reference for this assessment.
- (summary) The Niagara Escarpment Commission (NEC) main point is that any urban boundary expansion within the Niagara Escarpment planning area requires an amendment to the Niagara Escarpment Plan (NEP), and this can only be considered during the 10-year plan review.

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### Comment Source: Konveio (Online PDF Commenting Tool)

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- As part of any application for settlement boundary expansion, the applicant should be required to demonstrate through independent modeling conducted at the applicant's expense but directed and controlled and contracted or conducted by the City (and the above market and feasibility studies) that every hectare of the subject land that is in fact not permanently maintained as farmland or natural cover (and excluded from any residential or commercial lot) will in fact have an active transportation mode share of no less than 75% and with a public transit farebox recovery ratio of at least 68%.
- I strongly recommend using existing infrastructure and vacant spaces, as well as homeowners' properties within our urban centres for family friendly, Additional Dwelling Units.

The reasons for creating these unique, safe spaces is to revitalize existing neighbourhoods, businesses, schools and social services. People love living in established neighbourhoods and communities where they grew up. Paving over existing farmland and wild spaces are more expensive for young families and dumps the costs onto the rest of us. They choke roads, because everyone needs to drive, adding to the greenhouse effect while taking away our lands that can help offset climate change. Keeping schools, recreational facilities and existing social services populated and protected, encourage healthy, happy families in our communities.

Additionally they are much more affordable, and can increase our city's tax revenue easily. Even so far as to give young people dreams of owning their own properties with ADU's to help support them.

This relieves the burden on our communities and our environment.

Opposingly, adding to gridlock and destroying our greenspaces does nothing to relieve people struggling to find homes.

Do not stoke the builders dreams, stoke the peoples' dreams, Put money back into our pockets. This economy works.

- As part of any application for settlement boundary expansion, the applicant should be required to provide market and feasibility studies, as well as supporting site analysis, showing that with the requested settlement boundary expansion, and OP designation and zoning, and even factoring in the possibility of future rezoning or changes to OP designation, every hectare of the subject land will in fact be developed at and maintain for no less than 30 years density of no less

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- than 100 residents per hectare (for residential and mixed use land) and at a density of no less than 100 jobs per hectare (for employment or commercial land).
- All residents of the City of Hamilton should be provided with mailed notice of all requests for settlement boundary expansion - there should be no limit or reduction in weighting of input based on physical proximity. This is because greenfield development, by consuming construction capacity (e.g., labour, equipment time, including for infra) impacts the viability of infill housing development throughout the City of Hamilton, and by increasing the area of road and sewer and other infrastructure, undermines the future tax burden and the availability of funds to maintain, replace and upgrade infrastructure elsewhere in the city of Hamilton. However there should be intensive, proactive consultation in the form of in-person interviews with all tenant farmers and owner farmers both on the land where settlement boundary expansion is proposed. Where the farmers in question have a tenant relationship with the applicant or the owner of the subject lands, their identity should be kept confidential from the applicant and owner upon request, but nonetheless factored in.
  - Any proponent should be required to demonstrate that there will be no reduction of land available to tenant farmers, and no adverse effects upon agricultural uses and operations elsewhere.
  - As part of any application for settlement boundary expansion, the applicant should be required to provide labour and equipment market studies and such other supporting research which demonstrate that there is sufficient unused construction labour within the relevant categories in excess of what would be consumed by build-out of all infill development permitted as-of-right (or which is likely to be permitted as of right upon conclusion of existing or planned city initiatives), assuming that all infill construction of six storeys and under would make use of conventional stick frame construction (and associated labour and equipment). Any proponent should be required to demonstrate that proceeding with greenfield development would not increase construction costs or compete for labour and equipment time with infill development, even assuming construction of six-storey stick-frame mid-rise apartment buildings on all residential and mixed use lots on collectors and arterials, and construction of four-storey fourplexes on every existing residential lot that is sold or conveyed.
  - A policy set to 2051 does not give the opportunity for existing rural farmers and their children to sever land and use that money to reinvest in rural operations or expand. Farm equipment, labour and growing crops on any scale using climate change/no till methods are expensive. It's generations to build profit on small margins. The Rural masters plans and Hamilton city planners state there is a negative population growth in the rural zoned areas. That is because it doesn't

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pay. Canada is the second largest country and land is our investment. Let farmers sever land so other people in the city can have 0.5 to 1 acre lots so they can homestead on farm land that is too small or not workable.

- agreed!
- This entire frame work is biased and themed towards a firm no urban expansion, eliminating the opportunity for existing farmers, landowners and business persons to sever, sell and develop.

The government is funded by the tax payers and this report does not fairly represent all the tax payers in the City of Hamilton and their opinions.

I suggest this report takes into account the economic benefits of landowners being able to sever, sell and/or develop land, especially land zoned rural but not farmable in any way.

Further comments down in this report suggest that when an expansion is proposed, the entire city should be notified. That is unnecessary. This process will only slow the development which proves this City of Hamilton is biased.

I suggest removing the notification requirements and cutting most of the themes out. This framework process is slowing things down and proves the city is not align with the province.

More comments, more studies, just add most costs and overall prolonging the development of homes and businesses. Low supply, high demand, creates high housing prices. I recommend keeping the notifications, setbacks and requirements to a minimum or even none.

Immigration is not the issues and causing the house crisis. It is this unclear and rigorous process proposed by the City of Hamilton.

To conclude, this framework is clearly biased. It is suggested that for every imposed no expansion theme or requirement added, the City is to provide a positively biased solution that cuts, remove or encourages development expansion. The ultimate solution is to fast track development were possible. It is clear the province has that goal in mind, but the City of Hamilton and those coming here to encourage this framework are here to slow down the process. Ultimately making it harder, and causing the housing crisis.

- I don't think we are considering children's mental health and the fact that not everyone wants to live in the city. I agree with this person's comment. Why can't

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the city allow smaller severances for lot construction at the same time while they execute their other agenda items? If climate crisis initiatives are the reasons, it's starting to make me feel guilty I was born!

- I am opposed to enlarging the boundary except on a very limited basis. Grow up not out. I know this may not be popular but i do not want us to end up in guelph and or hagersville. Toronto

Is a good example of urban sprawl.

Thanks for hearing me.

Fortunately I live [REDACTED] and do not

Have to worry.

- I don't understand why both cannot happen? Densify and expand. Is it because the City doesn't have enough staff and too much policy?
- 1.Land Cost: Create As-Of-Right Permission To Build Mid-Rise In Places Where It's Actually Viable To Build
- 2.Construction Cost: Legalize Labour Efficient Designs And Methods For Mid-Rise
- 3.Carrying And Procedural Costs: Simplify And Speed Up Approvals Processes
- 4.Reduce Fees, Taxes And Charges For Midrise
- 5.Spur Competition: Transition Small-Scale Infill Developers And Low-Rise Construction Sub-trades To Mid-Rise Development
- Is there a plan to develop a minimum list of submission requirements or criteria? It would be very useful to have a tight, disciplined set of requirements to determine whether an urban boundary expansion can receive municipal approval. It would save time, effort, and money.
- I agree. And please clarify the purpose and language regarding minimum requirements. Page 1 states that the Framework doe **not** constitute a list of Minimum Requirements , the provides a list in a table on the next page.

A time frame for developing the criteria should be included. Definitions of the criteria are needed.

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- Public should be notified through existing methods- sign boards, email newsletters, engage hamilton mailing list. Invite people to submit impact statement. Applicants should have to demonstrate benefits to community and environment as well as sustainability
- Adding this comment (as it appears it was incorrectly left below, in contact with Helpdesk to remove)....I am Counsel and Land Use and Land Development Program Manager for the environmental charity and think tank Environmental Defence. I am not in fact a resident of any Hamilton ward, but I am submitting at the request of multiple Hamilton residents who wish Environmental Defence to contribute technical support for their own submissions on the question of how to respond to requests for settlement area boundary expansion. The ward number reflects that of an individual who made such a request.

(1) All residents of the City of Hamilton should be provided with mailed notice of all requests for settlement boundary expansion - there should be no limit or reduction in weighting of input based on physical proximity. This is because greenfield development, by consuming construction capacity (e.g., labour, equipment time, including for infra) impacts the viability of infill housing development throughout the City of Hamilton, and by increasing the area of road and sewer and other infrastructure, undermines the future tax burden and the availability of funds to maintain, replace and upgrade infrastructure elsewhere in the city of Hamilton. However there should be intensive, proactive consultation in the form of in-person interviews with all tenant farmers and owner farmers both on the land where settlement boundary expansion is proposed. Where the farmers in question have a tenant relationship with the applicant or the owner of the subject lands, their identity should be kept confidential from the applicant and owner upon request, but nonetheless factored in.

(2) As part of any application for settlement boundary expansion, the applicant should be required to provide market and feasibility studies, as well as supporting site analysis, showing that with the requested settlement boundary expansion, and OP designation and zoning, and even factoring in the possibility of future rezoning or changes to OP designation, every hectare of the subject land will in fact be developed at and maintain for no less than 30 years density of no less than 100 residents per hectare (for residential and mixed use land) and at a density of no less than 100 jobs per hectare (for employment or commercial land).

(3) As part of any application for settlement boundary expansion, the applicant should be required to demonstrate through independent modeling conducted at the applicant's expense but directed and controlled and contracted or conducted

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by the City (and the above market and feasibility studies) that every hectare of the subject land that is in fact not permanently maintained as farmland or natural cover (and excluded from any residential or commercial lot) will in fact have an active transportation mode share of no less than 75% and with a public transit farebox recovery ratio of at least 68%.

(4) As part of any application for settlement boundary expansion, the applicant should be required to provide labour and equipment market studies and such other supporting research which demonstrate that there is sufficient unused construction labour within the relevant categories in excess of what would be consumed by build-out of all infill development permitted as-of-right (or which is likely to be permitted as of right upon conclusion of existing or planned city initiatives), assuming that all infill construction of six storeys and under would make use of conventional stick frame construction (and associated labour and equipment). Proponent should be required to demonstrate that proceeding with greenfield development would not increase construction costs or compete for labour and equipment time with infill development, even assuming construction of six-storey stick-frame mid-rise apartment buildings on all residential and mixed use lots on collectors and arterials, and construction of four-storey fourplexes on every existing residential lot that is sold or conveyed.

(5) Proponent should be required to demonstrate that there will be no reduction of land available to tenant farmers, and no adverse effects upon agricultural uses and operations elsewhere.

- Adding this comment too (seam reasoning) Please keep me informed if any new boundary expansion applications are received at [REDACTED]
- I don't see an Environmental Impact Statement in this list. Likely too much detail to submit here but working with the Planning Dept I am reviewing 10 example development applications in and around Core Areas part of the Natural Heritage System. Most of the proposed developments are on farmland so areas where ecological features have already been severely compromised. Comments in EISs then just focus on how the remaining habitat pieces do not connect to each other or are poor in quality, while promoting their development schemes. The policy response to this should be a focus on mapping Ecological Restoration Zones (ERZs) or similar name - for example expanding the size of Significant Woodlands through substantive plantings to achieve larger forests, and rebuilding linkages to adjacent Core Areas. This would be a new designation in the OP but can easily be supported by existing OP Natural Heritage policies and/or Natural Heritage sections of the PPS such as Significant Wildlife Habitat - i.e., Bat Maternity areas or Significant bird species such as Wood Thrush or Eastern Wood Pewee are often identified around development areas, opening

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the door to requiring a larger forest, required by identifying a ERZ area. This is for areas within the existing OP. This approach could be used by redrawing the NHS for the Whitebelt, adding in ERZs so the area has stronger natural heritage protection. Hard to explain here but fundamentally the current NHS is insufficient and will lead to more biodiversity loss even if protected in full - mapping a NHS that would truly protect and restore ecological function is what is needed. Happy to chat about this idea as it is complex but we have the OP and PPS tools to do it!

- Add Municipal Finance as an additional Reviewing agency. In general, need more checks and balances such that Planning does not have total authority over the Urban Boundary Expansion. It should be wide variety of departments and agencies that work together to determine the legitimacy of the application.
- What about the Waterdown area?
- The citizens of Hamilton and Ontario value the surrounding Greenspace provided by rural farms and communities as a component of our Cultural Heritage. Sprawl has been destroying the economic and social fabric of rural communities for decades, as well as the destruction of soil, wetlands and biodiversity. There is a need to document this loss and to understand the spin-off impacts of the decreased agricultural inputs such as feed companies, veterinary services, and equipment sales. Such jobs maintain rural villages and towns as viable places to work and live. In turn, this supports the survival of local schools, churches and other components of civil society. Constant elimination of family farms for low density housing keeps diminishing the social fabric of southwestern and central Ontario. This benefits only a few developers and builders and homeowners compared to the damage it causes. Consultation is required with the Agriculture Economic Development and Planning Community of Practice of the Ontario Federation of Agriculture, and the Rural Economic Development and the Rural Ontario Municipal Association.
- First report should be contribution to or reduction of greenhouse gas emissions over the long term. Second report should be fiscal impact of UBE.
- A report that evaluates to value to replicate the function of, and replace the loss of natural assets already in place such as wetlands, woodlots, meadows that provide habitat etc.
- Noise Impct Study needs to include the input of citizens who live and work in the surrounding area as they are the people most impacted by Development in more rural areas and the White Belt. In addition to aircraft noise that is 24 hours every day, there is the noise of increased truck traffic, especially if further distribution warehouses are built.

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- Too many requirements are driving up the costs of affordable homes. If one was to obtain a quote from consultants for all this work, this adds tens to hundreds of thousands of dollars in consulting fees which business people and developers pass down to buyer; causing unaffordable housing. If these rules were applied today, Hamilton or the GTA would not exist. Less is better, leave it up to the consultants to decide what is the minimum requirement, not the City.
- The Ag and Rural Affairs Committee should be a reviewing agency and should especially be consulted in determining what constitutes prime ag land. Are they being consulted? I don't see them on any lists.
- -Environmental Impact Statement?
  - A Natural Asset Valuation report should be required to be carried out by a reputable firm such as Green Analytics
- LEAR system of land classification should not be used to determine if land is "prime" or not. It allows the downgrading of soils based on proximity to urban areas and other factors, rather than soil composition itself.
- What criteria will be used to Assess applications? Will some criteria have more "weight/value than others? This design making process needs to be transparent. Subjective, private decisions are no longer acceptable to the public.
- Public Works, Office of Climate Management, Growth Management, and Municipal Finance need to have final input to the Draft Official Plan Amendment.
- Add other groups such as Ontario Farmer's Association for more general assessments and background information. By limiting the decision-making to the Planning Division alone, there is less room for varied input and opinions. We need the best in every field to make the right decisions and to ensure only the appropriate applications for UBE are accepted.
- Let's bring in Growth Management and Municipal Finance too for a balanced report.
- Agree. An extensive public consultation should be conducted regarding the total impact of the combined development proposals. Addressing each application individually is not appropriate. The past history of the Planning Department of making piecemeal decisions in isolation of the larger goals of the Official Plan can not continue if sustainable development is the goal.
- Planning Division should have a very minor role in Emergency Services. Again, this is not their area of expertise.

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- Again, add Indigenous and cultural/heritage experts who can quickly make an informed decision as to the appropriateness of an application. They need to be considered early in the process such that rejected applications do not waste the time and energy of other groups.
- The subwatershed study should require assessments by qualified engineers, hydrologists, hydrogeologists, etc. i.e. specialists in this field. Failure to properly identify and manage subwatersheds can negatively impact flooding, erosion, and water quality.
- Include Indigenous Groups + historical/cultural departments for an informed decision.
- Surely a different dept. than Planning should judge the Noise Impact Study. It requires engineers who understand decibels and points of origin.
- Who comprises the Growth Management department. Have never previously heard of them in any expansion or application discussions. Under whose umbrella does this group fall>
- Because Hamilton is legalizing wood-frame, labour-efficient mid-rise on the edges of all its urban and suburban neighborhoods, and has already legalized adding an additional family-sized detached house (a detached SDU) behind each existing home, there will be far more homes permitted as of right than can be built using the construction capacity Hamilton has. This that if Hamilton allows any homes to be built beyond our current SABE they will be at the expense of a greater number of infill homes.

(2) "Yes and" isn't a real option here. Hamilton can't plan for **both** densification of existing neighbourhoods AND development of Greenfield sprawl neighbourhoods outside the existing SABE without saddling itself with a white elephant. Hamilton will be proactively planning its future infrastructure to support densification of its existing neighbourhoods through midrise and multiplex and SDUs, and that means that work premised on supporting sprawl sewers and roads would be wasted.

(3) Extending settlement boundaries would undermine the financial viability of upgraded public transit within Hamilton's existing neighborhoods and settlement area. Existing neighbourhoods need all the people and jobs that boundary expansion would divert into greenfield sprawl in order to make all its transit and other plans for existing neighbourhoods viable

- Add timelines of review periods so we can see how long this takes.

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- How will the impact of odours from surrounding farmland on residents of the new communities be addressed in such a way that the farmers are not limited in their operations (manure etc) by new neighbours who begin to complain about odours, noise, tractors in their vicinity?
- Housing development near farms and industry require sufficient distance to minimize noise and odors and air pollution. Allowing housing right up to the road, across from a farm, is not adequate and against best practices but has occurred in Ancaster. This situation has resulted in citizens complaining about normal farming practices.

It seems the farmer is often forced to change practices,

sometimes at great cost as the new neighbour doesn't like the smell of manure, or the sound of tractors at 6 a.m.

Air pollution from the airport and proposed increase in roads may damage the health of citizens in nearby housing and workplaces.

- My same general comments apply to this portion of Locational Submission Requirements, i.e. many departments in addition to Planning, should be added, considered, and consulted.
- When will the finalized Terms of Reference for all plans and studies be completed? There is another requirement for a second review at that time.
- The CA has no budget or data, so reduce the study requirements and prolonging the design phase of development. Again, passing on the costs to developers to map every square inch due to the lack of the city's or CA federal budget should not be passed on to everyday people trying to find affordable homes . The CA and City hiring summer students to delineate woods and trees (using Google Maps) as P7, P8 and P9 shackles farmers and potential developers from even building an AirBnB cabin or sheds. Less requirements, equals less costs, which means more affordable homes.
- Another key to this is reductions in permeable surfaces which causes flooding, loss of baseflow in watercourses and wetlands etc. The Environment and Climate Change Canada document, How Much Habitat is Enough contains recommendations including targets for impervious surfaces, noting what to expect as the percentages of impervious surfaces increase. This same document describes targets for % wetlands in watersheds and sub-watershed, % forest cover, % interior forest etc. so it would support identification of ERZ areas noted in my first comment. That is, based on OP and PPS policy and Council-adopted

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- plans like the Climate Change and Biodiversity Action Plan, a re-mapped NHS would include how much habitat is really needed to achieve ecological function.
- Who would complete this Functional Servicing Report? If the expectation is that the developers will use their own consultants, the City can expect skewed reports.

- Could the City hire its own experts to approve the plans because fully trained experts in each field should be the ones to assess the plans for completeness and accuracy.
- Natural hazards assessments need to be top priority.
  - ...as well as any projected increases in operational costs and \*lifetime infrastructure upkeep and renewal costs to service and maintain\* the urban expansion lands. It will cost the City money in perpetuity to maintain and upkeep the new infrastructure along with the added costs to operate it.
  - This studies require someone with hydrological/ hydrogeological expertise to assess, not city planners.
  - I do not understand these first 2 considerations in the Growth Allocation. I think these are the City's guiding principles and as such, the answers have already been established so is there no need to review this for each application? Could they be stated as Top Criteria and only exceptions will be processed through the application routine?
  - I suggest adding the following theme: does the development support affordable housing? The weighting of this theme should trump all other themes.
  - Environmental sustainability should trump all themes. You can't reverse land and soil degradation, including agriculture. We need to build up, not out. Don't need land expansion. Need purpose built properties, sustainable population growth, blended multiplexes not just these cookie cutter garb. Have to also change definition of "affordable" housing on federal level for the purposes of developer subsidies. Have to remove some of the red tape and zoning hurdles, but NOT the environmentally relevant ones such as this.
  - Affordable housing hinges largely on location. It's not going to be affordable if it's in a sprawl neighbourhood with zero transit, which expansion lands will be for decades. Binbrook still has no transit after all these years. Affordable housing can and is being built within the city boundary close to jobs, transit and amenities and even in existing backyards as ADUs.
  - No everyone wants to live in condo, townhouse or apartment

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- True, but only wealthy people can afford large single family homes on large lots. These guidelines are for what is best for the entire community of Hamilton, not individual preference. The City is massively in debt because of permitting urban sprawl over the past 60 years. Developers have never paid the entire cost of new infrastructure. Therefore, citizen property taxes have gone up and the City stopped repairing old infrastructure to subsidize the new builds. Thus is not sustainable and must end.
- There is another option and that is the missing middle. Three - four storey walk ups, duplexes, triplexes, quads and laneway suites all contribute to housing. It's not just single family houses or skyscrapers. There is a lot in between.
- Missing: How does the Urban Boundary Expansion impact the City's ability to reduce and eliminate its current \$3.8B infrastructure deficit? Adding more infrastructure will only worsen that deficit, leaving the City to maintain the new infrastructure over its lifetime.
- Building in greenfield rural areas allow for new infrastructure to be installed by the subdivision developer or in severed lots residential owners can pay for septic or OBC class 8 sewer, wells. Electric and/or natural gas is also mostly readily available
- There are approximately 70 "Considerations" in Part B. To answer all of them for each application will take a great deal of time, energy, and money. Could I suggest a top-down approach such that the most critical considerations top the list and if the application fails one of the critical considerations, the application process ends. It does not carry on through all the other departments, when it is already a failure.
- Evaluating based on a "former" policy?

Deleted?

- Have these deleted items been re-instated through Bill 150?
- Missing: assessment of lands within the built up area that are not 'vacant' but are still ripe for residential intensification eg: single storey strip malls.
- Why is this required, I suggest it be removed. People's opinion will just slow any potential development. One can claim this lowers their real estate value or quality of life. How can this be measured? This is just a delay tactic imposed by the city and this entire framework to slow down the process.

When HOPA needs to develop anything, do they follow this? No, because

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- they are federal and apply logic to build projects within a year or less on larger scales.
- why only watercourses? Also wetlands, hedgerows, woodlots.
  - I suggest removing these climate change requirements. Normal homes that are mostly for sale are not LEED and are very unaffordable if they are. Build normal homes out of renewable trees called timber sourced from Canada like it was since 1950-1980's
  - So just keep doing what we have done since the 50s because it's 'normal'? No thanks. Homes with heat pumps have super low heating and cooling bills which is a great outcome and big consideration if they are to be affordable. Climate is the paramount consideration for everyone on the planet and needs to be a top priority.
  - What is a 'ratting' system? Spelling error?
  - Correction: Carbon neutrality needs to be an immediate, short term goal. Does it add carbon? If not, it fails.
  - floodwater management and stormwater management has not been taken into account concerning the head water in the area of AEGD. Also the predictors of climate change models for floodwater management are predicting 300% increase in floods over next 5-10 years. We must keep our wetlands intact and pristine
  - Hamiltons climate change initiatives have not been put into serious practice in any of the recent commercial spaces such as the Amazon warehouses on upper janes, how can we trust that these areas will see less area covered in impermeable surfaces?
  - Should say 'eliminate' or something stronger than 'reduce'.
  - Heritage trees in all newly built areas must be protected by law. Stop the practice of bull-dozing trees to create these flat, boring neighbourhoods (that usually flood every time there is an extreme rainstorm.) A minimum of at least one tree per property, three trees at corners and a dozen or more at shopping centres or other areas with large parking lots.
  - Remove "significant".
  - over its entire lifetime?
  - The ability of existing emergency services to cover this newly built area is vital for the safety of all residents.

Who wants to wait an extra 10 minutes for police, fire or ambulance?

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- the taxpayers will 100% be on the hook for all cost overruns, maintaining the infrastructure long after the development companies have made their massive profits and run. how can taxpayers be guaranteed we will NOT pay a single dime of this proposed expansion and its cost over runs.
- Regardless, there will be an increase of service costs to cover new areas.
- Is the proposed expansion area on or adjacent to an already existing transit stop?

Are there bike lanes planned to connect with the city-wide network?

Will there be sidewalks to make walking safer and more accessible for those who require assistive devices?

- 97% of all southern ontarios wetlands are gone, 2 hectares of wetland can absorb 70 times that areas water. we must protect them forever, no matter what their size is
- Does the expansion area contribute to the City's goal to double our urban tree canopy by protecting existing mature trees as well as planting more?

Does the expansion area contribute to the City's Biodiversity preservation and enhancement goals through the approved Biodiversity Action Plan?

Does the expansion area contribute to the City's signing of the Montreal 30 x 30 pledge for biodiversity to protect 30% of land and water by 2030?

- the headwaters of 3 major watersheds are in this airport area and improving the water quality CANNOT be guaranteed with any more impermeable surfaces, additional contaminated runoff, etc
- Cumulative impacts need to be considered a top priority. Yet there is presently to planning framework that assesses new applications within a particular subwatershed in order that a visual/ and technical record can document changes to flooding, water quality, erosion and any other non point sources of pollution like road salt.
- I meant there is presently NO planning framework....
- Why not have a clear requirement that there will be no further damaging of remaining natural heritage resources, eg. wetlands, meadows, forests. These resources took thousands of years to develop and cannot be replaced in their entirety. Nothing prevents flooding as well as non-paved land and wetlands.

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- Change to something stronger like: Is there a clear vision for the UBE lands that reflects the urgent need to dispose of old planning norms and completely revamp expectations in the face of climate change?
- every single wetland, marsh, swamp must be protected in perpetuity, they clean and filter our water and absorb catastrophic rainfall events, which will continue to occur in greater frequency and severity with climate change
- This is very important.
- This is a must. It should not be optional, protection of biodiversity, endangered species etc must be mandated.
- Add the importance of wildlife, specifically Species at Risk in Ontario (SARO). Reports from consultants need to be complete and accurate, conducted over a long period of time to account for seasonal habits, breeding grounds, migratory birds, etc. The report must be from a trusted source/group. I realize you discuss biodiversity and these fit into that overall umbrella but think it worthwhile to actually mention wildlife and their contribution to public health and human welfare.
- Are woodlands with native Carolinian forests being protected? Heritage trees or rare trees must also be protected. We need this biomass to help us mitigate the effects of climate change, extremely hot weather and increases in carbon emissions.
- How will these damages/impacts be assessed? How in the city had the expertise to critically examine the potential for damage to water resources?
- Who NOT how
- Great addition, if the City is being forced into expanding it's urban boundary it's important to build intelligently. Encouraging dense, mix-used neighbourhoods should be the priority, not adding more low density housing.
- There should be NO development on or near wetlands or other low lying areas that flood occasionally and allow water to be absorbed into the ground and into the aquifers. We have huge flooding problems now with extreme weather events becoming more common due to climate change.
- All newly built communities must include semi-detached home, 4 plexes and 6 plexes. This will allow a mix of ages and income groups and ensure that there is housing for all, not just the wealthy. The era of detached homes with expansive lawns are over.

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- Change to: Taking into consideration protection of trees, hedgerows, woodlots, wetlands, watercourses, meadows and their associated protective buffers, and other development constraints (e.g. public infrastructure, NEF contours etc.) is there sufficient, consolidated developable land
- It is imperative that developers who want to expand our boundaries provide a full range of services, such as parks, recreation centres, libraries, schools, long-term care homes, medical offices as well as grocery and hardware stores. It is not fair to tax payers to pay for these new services at the expense of neglecting the rec centres etc in their own neighbourhoods. Create complete communities so people don't have to drive for recreation, shopping, school, etc.
- Remove “where avoidance is not possible and alternatives...” Full stop. There should be zero development on Prime 1,2,3, ag land.
- Be specific on land classification system that is to be used and consult with Ag and rural affairs committee on this. According to Drew Spoelstra, president of the Ontario Federation of Agriculture and Chair of Hamilton’s Ag and rural affairs committee, Prime agricultural land is officially defined as classes 1-3 farmland as defined under Canada land inventory (CLI). Ensure the CLI system is clearly indicated as the standard for classifying “Prime farmland” rather than the LEAR classification system.
- There should be no exception to the protection of farmland. Prime agricultural land is a must. We cannot allow it to be paved over. Water and food resources are going to be scarce in a few years and it is imperative that Hamilton have a supply of sufficient farmland to feed its population, and enough clean water for all.
- No development on agricultural lands ever! We need a farm belt as well as a green belt.
- and natural resources.
- Engagement with Indigenous leaders, including traditional leaders as well as elected leaders, is necessary. No development anywhere without it. Reconciliation comes first before anything else.
- I recommend making this an optional requirement. It later states encourage following up which implies it's a requirement.
- 400 meters is only about 5-6 city blocks, so not enough people would be notified. This is a city-wide issue and many more people should be notified.
- It's not a city wide issue and not everyone has the same opinion.

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- 1km into the closest urban area at minimum, especially since there will be empty farmland surrounding the area so no one or very few people to advise. Also notice could be sent to anyone on the City's GRIDS email list regardless of location in the city.
- Some people like privacy would not feel very welcome if someone across the city would want them stopped from building a home in the Country.
- Great addition. The notice boards should also include a QR code that links to the City's webpage where all documents pertaining to the expansion will be housed for public review.
- Yes. Also the City Planning department received several thousand emails from Hamilton residents who responded to the urban expansion survey in 2021. Can they be notified?
- I think this relates to a comment at the bottom because too much opinion is not going to help build homes faster. Maybe the frame should be simple question have we met the house demand? Answer = no, then make it a priority to build.
- I would suggest that 400 meters is too small. In a lot of cases, that would equate to only one or perhaps two neighbouring farm properties being notified.
- Good addition. A city webpage with instructions and details on how to participate at the OLT would be better than just a link to the OLT. The OLT website is opaque and difficult to understand. The City can do a better job of explaining how and why residents should apply for Participant Status at the OLT and assist them to do so.
- Great idea to hold two separate statutory public meetings and a joint open house.
- The public must be given enough notice of any planned community meetings. We must be allowed to ask questions, to challenge and to oppose plans, not just sit and listen to some proposal.
- Great addition. Make them pay and plan for any and all subwatershed studies and EIS to be peer reviewed.
- This just passes the costs to you!
- But...don't all of these studies identify literally every single thing that might be needed for a new community? There has to be a second study?
- Yes I agree, what is Secondary Planning in this case.

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- More cutting of red tape is required to make affordable homes. This entire plan slows down the process, adds costs, add time and making Canada the slowest Country to issues building permits where have the most land.
- The Consultant did not take into account the publics opinion. As stated earlier in the report they were hired by the City to review and provide comment based on the theme of no expansion strategy. It is recommended and suggested that consultant and city look into options and a key considerations for:
  1. Land owners who have parcels of land in the green belt that that are too small for farming, and would be better development into low density rural/residential lots.
  2. Suggest which types of constructions would increase the supply in the shortest amount of time.
  3. The economic benefits of farm and landowners be able to sever land into lots and able to use those fund to expand grown in Ontario food.
- You advocated above that public opinion shouldn't be taken into consideration since it slows the process down. Now you are saying it should (or at least your should). This should make it clear why public consultation is a necessary step.
- this doesn't make sense
- [REDACTED] Please read my original comments. I believe there might be a miss understanding here.
- I live [REDACTED]. I first saw a draft plan about 2008/9. The area south of Twenty Road was designated for light industrial which made sense due to proximity to the airport, similar to what exists around TO airport. We already experience noise from the airport, this will get worse in time. To put housing south of Twenty road make no sense, it will be a future impediment to airport expansion due to lobbying efforts by neighbouring residents. Also the downtown core is a wasteland, this area needs more apartments, condos and residential housing. To even be considering LRT without a populated downtown is ridiculous. Planners should be using some common sense.
- I fully support this plan of action. Please raise awareness on every possible platform, every citizen of Hamilton has a stake in this. Thank you for your commitment to get it right
- This entire framework is bias towards a no urban boundary expansion theme and does not consider the economic benefits or encourages the young generation to become farmers because it's simply not affordable. As stated in the City's master

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rural plans, they see a negative population growth in the farming community because the margins are small in farmer and the kids are going off to secondary education and working in the city.

- A major reason for Farmland being so expensive is the decades of land speculators buying agricultural land then pressuring Councillors to rezone to residential.
- Land is expensive because of supply and demand. They are not making any more of it, and there isn't enough construction to meet the demand or severances allowed. Anyone can go to Onland.ca and see who owns it, and it's not just major developers over decades buying properties up. Land is up for sale all the time around here and trades hands all the time. Go to realtor.ca to see for yourself.

I think you are missing the point that if more homes are built faster than demand, then pricing can be reversed. Plus, its a lifestyle choice to live on lot with a backyard. All this extra policy is contributing to the problem.

### **Comment Source: Letter**

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- (letter regarding specific property)

### **Comment Source: Indigenous Community Meetings**

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- Six Nations staff expressed opposition to Urban Boundary Expansion
- Question raised by Six Nations staff as to the whether the OLT will accept the draft framework and the City's requirements that these applications go through a separate process from other development applications.
- Question raised by Six Nations staff as to how the OLT will consider these new submission requirements.
- Environmental Levy identified as an example of a potential submission requirement from Six Nations. Includes a fee, and specific benchmarks/requirements (e.g. enhanced offset mitigation). This would be considered a base line requirements and Six Nations would still expect additional consultation.
- Questioned raised by Six Nation staff as to whether the City has to accept studies regardless of quality.
- the Provincial Planning Statement 2024 emphasizes early consultation which should be captured through this process.

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language regarding consultation and accommodations to First Nations, in relation to Treaty Rights, should be incorporated into the Framework.

adequate capacity funding should be provided to allow for Six Nations review of Urban boundary Expansion Applications.

Applicants for Urban Boundary Expansion applications should consult with Six Nations early to discuss Terms of Reference for required studies.

- the Mississaugas of the Credit First Nation are the only First Nation with recognized treaty rights within Hamilton (Between the Lakes Purchase, 1792). The City of Hamilton needs to recognize these treaty rights when undertaking engagement as well as in agreements between the City and Mississaugas of the Credit First Nation (including Archaeological agreements) which the City has not done to date. These treaty rights are recognized by Infrastructure Canada.
- It was commented that as stated in the new Provincial Planning Statement, the City's Framework and Official Plan policies need to require early engagement with the Mississaugas of the Credit First Nation. It was discussed how the changes in Bill 185 allow applicants to opt out of Formal Consultation which removes an opportunity for the City to include Indigenous Communities on pre-application discussions with proponents of urban boundary expansions. As a result the Draft Framework strongly encourages proponents to undertake this early engagement prior to submitting an application. The Mississaugas of the Credit recommend that the City include a policy in its Official Plan requiring that applicants be required to submit a consent or closure letter from the Mississaugas of the Credit First Nation as part of their urban boundary expansion application before the City deems that application complete. It was noted Infrastructure Canada already has this requirement.
- Regardless of what early Indigenous Engagement occurs, the Mississaugas of the Credit First Nation want to be circulated on all urban boundary expansion applications (including Formal Consultations). This can be sent via e-mail.
- The Mississaugas of the Credit First Nation is a recognized 'public body' under the Planning Act, meaning that they can participate in Ontario Land Tribunal hearings related to urban boundary expansion applications.

### **Comment Source: Open House Comment Card**

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- What municipal bylaws can be implemented in these areas to support green space and farmland preservation?

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- What is the relationship (mandated updates to official plan) between election cycles or/and planning act changes?
- Impact of Bill 212?
- Economic impact on local tax payers - now and future world will be signif. impacted. Dense urban form and holding the line on UBE is so important. Fix + improve existing infrastructure before you conservation for paving over much needed farmland, forests.
- Why do you not send mailings to all residents involved
- Building on the whilebelt is much needed the city needs to expand, we need more homes.
- City of Hamilton needs to expand. Save the greenbelt Build every where else you can
- Most of the proposed urban expansion is in the airport area. The airport + the historic planes need to be protected. Hamilton's future economic growth is tied to the airport. You need to account for future increase in plane traffic + airport expansion.
- I strongly support the city's efforts to defend the urban boundary as established by the city. Development in the whitebelt lands would destroy as much as 4,000 acres of wetlands, woodlots, watercourses and prime farmland. It would also saddle municipal taxpayers with the heavy costs of maintaining all the additional infrastructure. The importance of defending Hamilton's urban boundary was underlined at a Nov. 20 webinar which took issue with the provincial government's plans to promote forced urban boundary expansion. In fact, speakers emphasized that every new home in expanded urban boundary areas will come at the expense of a larger number of homes in existing, settled areas that are fully serviced. Organizations like Environmental Defence have urged sustainable policies, such as requiring a building density of 100 people per hectare. A minimum density like this would help to discourage urban sprawl, help to deal with climate change and help to ensure that expanded growth in whitebelt areas won't conflict with existing infill development. I urge the city to support the provincial opposition parties in taking as much action as they can to convince the provincial government to uphold Hamilton's right and responsibility to maintain a strong, firm urban boundary.

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- Require an urban design brief as part of a complete application and make sure your urban design standards require (strongly recommend) quality building materials like brick or stone, & architectural excellence.
- The open house format is a good idea, but it should follow a presentation to all attendees by a knowledgeable city representative. Supplement and complement the other, giving a more complete understanding of parameters of framing the application process.
- The 400 m. notification boundary should be increased. In some cases, this could be just one, or two, properties on either side.
- Urban design considerations both for built form and building sustainability and resiliency.
- What finances are being directed to develop our legal approach (new lawyers needed, no more settlements)?
- Chart OPA changes & negative environmental outcomes.
- Could it be seriously considered that the empty spaces above Jackson be developed to house seniors? They could have access to healthy, sustainable amenities e.g. H.P.L., Farmers market, shops, food court. They would also be contributing financially - win-win-win scenario!
- The city can make it easy for residents and community groups to navigate applying to attend OLT hearings.
- The city needs precedents & visions for what good design in these spaces means.
- Why doesn't Hamilton look after the current situation with roads, houses, parks, schools, jobs? Think about what we need now, leave the land alone.
- Sounds like Hamilton council has a good handle on expansion.
- Firm boundary as is. Environmental assessments are needed before any development. We have enough vacant land within the current boundaries: remediate existing land and use the many buildings & properties already available.
- If new housing estates are built in the midst of existing farm properties, what protections will be provided to the farms to protect them from storm run-off etc.?

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Also, what protections when new homeowners start complaining about odours, noise, muck on the roads, etc.?

### Comment Source: Open House Panel

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- If the applicants pay for all the studies and assessments it would be great to know a cost range.
- Expedite infill projects. Put up more hoops for urban boundary app applications.
- Canada Land Inventory (most robust standards)
- Where do the School Accommodations Issues Assessment fit in?
- What about daylighting & wind studies
- Thanks for pursuing a firm boundary. I'm especially pleased to see the agriculture impact study is required. I hope that will be a heavily weighted criteria.
- Cycle paths, care for seniors, access for wheelchairs, costs to the rest of the taxpaying population to build equitable infrastructure.
- Build somewhere else!!!
- The Environment. The most important thing we have.
- emphasis on public transport is necessary to limit car dependence and gridlock. Same for bike paths.
- How will pocket "island" dev. applications not adjacent to built up area be reviewed?
- This is a costly for the city procedure which is meaningless because the Province can override our decision
- Rebuttal: the procedure needs to reflect the values and aims of the city not cave in to the destructive policies of province
- Engage our indigenous people to get involved with assessing all submissions
- We agree the city should strenuously continue to oppose urban expansion. Increased submission fees, require rigorous environmental assessments
- Require indigenous peoples input has said here

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- Let's think about the scale of the land and the acreage in the application and scale back the application process for those
- We need better lawyers on staff, we need to go to OLT and defend, not doing so breaks trust.
- Impossible for a small land owner to complete these 11 steps without considerable time and cost. Making it only possible for large developers.
- city wide outreach to update GRIDS 2 notice list
- Renderings & preliminary site plan w landscape & servicing concepts
- can more info be required of the developer to provide / inform local land owners -  
- expose & hold accountable the process
- link for info on project
- If you're driving you can't read a PN sign w all this detail... rethink some notices?
- Toronto recently revised how these signs are presented, and they are good. Refer to those for ideas.
- All new applications to be e-mailed to subscribers of the mailing list as soon as they are received, we need to be informed timely!
- visuals
- big QR code
- Why 400m when the planning act only requires 120 m?
- Yes, please notify me and all other email list subscribers of this statutory public meeting in Spring '25
- Diagram how OPA changes are negatively impacting the common goods and climate
- With so many homeless, building on already cleared land is cost effective. Intensification requires cleaning up contaminated land which is costly.
- I strongly oppose the province's ability to override city decisions. We (citizens of Hamilton) have no voice. And the city has to pay for all this urban expansion even though the city (citizens) oppose all urban expansion. How is that fair?? The province is being a bully.

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- Understanding the city's position I still want to make clear that I, as a citizen of Hamilton, am firmly opposed to the urban boundary expansion. The city has shown in the past to share this view and it is a shame that the City of Hamilton is now bypassed by this law!
- Formal Consultation or prior to community engagement
- CMCH - local news
- Micro site specific
- All
- Proposal/application specific page (w/RSS)
- city should develop visions for different priority parcels to establish design expectations.
- Social Media
- area should be wider or narrower in proportion to the scale of the application.
- Expansions that are small don't effect the whole city. How many acres require the public's input?
- Will tax revenue cover the costs of utility maintenance and replacement in a 30-year timeframe? (Two others agreed with this)
- Expansions affect the whole city. All residents, not just those nearby geographically, should be notified and invited to offer feedback.
- Support public to navigate applications to attend OLT. No more settlements. Fight for your citizens.
- City-wide survey is best but will only work after full information of the public - newspapers - tv - on-line - open house - town halls etc.
- Air quality is important.
- Proximity to built-up area, proximity to frequent transit, orientation around transit on-site
- I support expansion provided studies are done which it appears to be.
- Can a development be charged that for future transit development (feasibility studies, new transportation staff, service provider water)?

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- Applicant's connections to the area.
- Development fees need to be put back onto the buyer of the new home for homes built on expanded lands. Stop subsidizing these new builds.
- Development fees should include long-term operating costs of infrastructure: i.e. roads, water, schools, sewers
- How is the growth self-sufficient? Climate change needs more than energy-efficient: no gas, net zero, energy positive
- Connecting the "Climate Change" and "Complete Communities" considerations. Many new city parks are not much more than a sprawling lawn with a playground. Can the city amend requirements for new parks to include features that address climate and community considerations, for example, mini-forests, community gardens near multi-storey, multi-res buildings, pollinator plants around storm-water ponds, etc...
- Define "affordable housing." Ensure percentage of new builds include homes that low income families can afford.
- Implement bylaws to encourage / support mixed-use developments that have food production as a commercial component.
- I completely agree that Hamilton should maintain the no boundary expansion: At all costs, we need to consider the impact of climate change, natural hazards, and heritage, water resources, land use and agricultural needs. There is plenty of non-used land within our current boundary to accommodate growth.
- Impact on recreation places (parks, playgrounds, sports, pools, etc.)
- Impact on education system
- Economic impact!!!
- Addition of water resources criteria for assisting site application is great! But who in the planning dept has the expertise to assess this?
- Construction labour management
- Much needed tax revenue to allocate towards infrastructure and repairs!
- I support expansion to build more homes in Hamilton
- Impact on anticipated social services

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- Impact of development on surrounding economic development (house vs. airport, house vs. Amazon)
- Make Donna Skelly defend this provincial government's decisions.
- Simplify this sign. It's too difficult to read from a car window.
- Mail or email
- social media
- Applicant contact info (email+phone) / whether or not they had formal consult w/ city FNMI
- Much more visible from Andrea Horvath
- adverts in local newspaper should also be done
- Use the Spectator to inform about the leadership erosion of city council planning
- Public meetings should be held in community where change is made - not at City Hall

### Comment Source: Open House Verbal Comments Recorded

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- Comment period too short
- Against the inflexibility of a firm urban boundary. We should be able to negotiate rather than be at the whim of the OLT.
- Support a firm urban boundary
- Can we strengthen the language from "encourage" to "must"?
- Dissatisfaction that the City has to pay for the results of Provincial policy changes
- Public and Catholic school boards interest in contributing to School Assessment Terms of Reference
- It's not practical to keep a firm urban boundary
- We need to expand the urban boundary to alleviate homelessness
- This represents too much process, slowing things down
- Another key to this is reductions in permeable surfaces which causes flooding, loss of baseflow in watercourses and wetlands etc. The Environment and Climate

## Appendix G - Full Record of Comments

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Change Canada document, How Much Habitat is Enough contains recommendations including targets for impervious surfaces, noting what to expect as the percentages of impervious surfaces increase. This same document describes targets for % wetlands in watersheds and sub-watershed, % forest cover, % interior forest etc. so it would support identification of ERZ areas noted in my first comment. That is, based on OP and PPS policy and Council-adopted plans like the Climate Change and Biodiversity Action Plan, a re-mapped NHS would include how much habitat is really needed to achieve ecological function.

- Link firm urban boundary to affordable housing, addressing homelessness.
- Concern about how to pay for infrastructure that UBE would necessitate
- Concern about congestion, need for road expansions with UBE
- Concern about online surveys being biased and not representative of the whole public since not everyone has time to fill out a survey
- 120 days is so much time and the City will probably always take the full 120 days to finish reviewing an application
- How are you going to provide affordable housing if you take so long to approve of development?
- Referendum style is a good option for engagement
- There is so much information on Engage Hamilton so it is hard to navigate the Urban Boundary Expansion project. There should be an easier filter process to find projects.
- There should be a direct Engage page from Hamilton's website so it is easier to find.
- My taxes are paying for these events even though the public voted against the urban boundary expansion
- We are with the urban boundary expansion because with it more housing can be built.
- Can/will the potential residential/employment areas change?
- Stop urban sprawl. Protect the environment, farmland & wetlands, natural habitat.
- Flooding is an ongoing concern & will only become more so in the near future.

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- So many steps for small farmers to complete the application.
- How do individuals get indigenous contact info?
- Prime agricultural land: based on soil types (Class 1-7; in Hamilton classifies 1-3 as prime)
- Steps are so much (11 step). Definitely favors developers. Maybe a smaller process for smaller expansions (scale expansion process)
- Process seems sufficient, more encouragement - rebates for proceeding development.
- Combine steps 2-3, look at Haldimand, Indigenous with formal consultation.
- Sliding fee for step 1, lump steps 2-3.
- Key considerations are unachievable
- Calgary Public Notice is good
- Affordable housing is impossible on Whitebelt
- Small properties should be allowed to sever
- Stronger lawyer team for OLT.
- Charting OPA that undermines public good
- First principle approach
- OLT appeals should be super transparent.
- List of OPAs that affect this.
- Load map from table onto webpage
- Land purchase inquiries
- Prospective land development.
- Concern that OLT process favors the interest of the province + not the city. More likely that developers will get approval.
- Concern that the province can determine itself to be the approval authority of OPAs if it wishes (ex. Toronto OPAs recently).

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- I wonder how well this 'Open House' was promoted in Hamilton - So much staff, security, cautions - Less would suffice.
- What is the impact of UBE on the housing crisis in the centre of the city?
- Why are we doing this again when it's already been decided?
- Does the White belt have a higher opportunity to be built than lands within the greenbelt?
- How many times do we need to vote on this?
- We're in Elfrida. How do we stop development here?
- What's the new third-party appeal rule? Can I / how can I be involved in the OLT/appeal process?
- What is the point if people will just appeal after the 120 days?
- Is OLT decision final or can Hamilton appeal?
- What is the benefit of pre-consultation?
- Request for information on development behind property
- Commercial property. Wants to know if the property can be made commercial.
- What are the existing land use permissions/zoning for specific property?
- How can we mandate green building standards in these areas?
- If I was notified of the open house, will I get notice of all applications?
- Email the What We Heard summary (email removed)
- Economic, business impact of the area, needs
- Focus speaker at events
- Website it complicated. Make simpler.
- Statistics for Hamilton housing
- Make a print-out of contacts on the "Your Questions and Next Steps" panel
- More 11x17 maps
- Indigenous consult should be mandated.

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- Updates on application should be reflected on notice. Meeting should be in the neighbourhood the application is in.
- Affordable housing should be part of any proposal. If there's no affordable housing, it shouldn't be permitted.
- If building new, must make a commitment to affordable housing (20-30%).
- Need to mix incomes.
- Avoid large homes (i.e. 5 bedrooms). Those are not needed or appropriate.
- Concern about environment, specifically wetlands and sensitive species.

### Comment Source: Telephone Message

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- Hi, is this my phone number is [REDACTED] if someone could please call me back. That would be great. I just have a couple of questions about what's happening right behind my house right now. Thank you. Bye.
- It's about a mailing that we received responding to the provincial policy changes, the proposed framework for urban boundary expansion and I just wanted to be sure that this is a legitimately from the city. My name is [REDACTED]. Merci and my number is [REDACTED]. Thank you.
- Hello, I'm calling about the expansion of the boundary lines that was in the paper I can't get to vote, but definitely against the expanse sprawling out into the countryside. You're taking all the beautiful from land and putting farmers out of business and taking food that has grown fruit trees, everything away expansion. Say that it is too much too much. There's too many people coming in. There should be bound against too many people coming in that they're taking up all our land. It's not right the expense. It should be. Oh, thank you. Very much. Bye.
- Hi, Charlie, it's [REDACTED] that you're calling. I believe I left a message about a week ago and hoping to hear from you soon. Still have not heard back from you if you wouldn't mind. Giving me a call. My number is [REDACTED] and it is about 20 to 1 on Friday, November the 15th. Thank you.
- Hi, Charlie, my name is [REDACTED]. I will have some information like some information from you if you could give me a call. [REDACTED]. Thank you.
- Hi, this is [REDACTED] I'm calling from cell phone. [REDACTED], cycled all the way from Hamilton to the convention center to go to the open house, but convention center is closed on Monday. The 20 at 12:30:Wow open house was

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- advertised as being from 12 noon to 9 evening. So, I'd like to have an explanation for that so you can call me back or give me a text or something. I appreciate that. Thank you. And hopefully.
- Good afternoon. It's [REDACTED]. From the city of Bradford playing department calling. I have some questions about process for evaluating urban boundary expansions in the city. Hamilton, the city of Branford is currently looking at some of our processes and just looking at some of the criteria for what the city of Hamilton evaluates. I see that your contact information from provided here. So, yeah, just looking to have a general high level conversation about some of the processes that you guys have utilized within recent years, when evaluating these types of applications. So, give me a call back. That'd be greatly. Appreciate it again as [REDACTED] from the city of Bradford. I'll leave you my phone number here. Um, the city don't use it too often. So my phone number here is [REDACTED] thanks a lot.

### Comment Source: Virtual Open House

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- Thank you, City of Hamilton for all you're doing to protect the farm, wet and woodland here from this rapacious provincial government! Keep up the firmness on the boundary!
- I own [REDACTED]. I have been paying property taxes since purchasing the land in 2011. It is not only in the interest of the land owners if the urban boundary is expanded, but also for the city of Hamilton. I will be able to build my house on the property (once the land is developed privately) and the city can get higher property taxes anywhere between 18 to 20 times what I pay currently. It is a win-win for all. Population of Hamilton is set to increase in the coming decades and time to act is now. Please do not wait until 2050 to revise the boundary limits. Thanks!
- I thought we had banned child abuse. Why don't we apply these to the province
- Auditor General recent concerns about OLT :  
[https://www.auditor.on.ca/en/content/annualreports/arreports/en24/pa\\_ONlandtribunal\\_en24.pdf#page31](https://www.auditor.on.ca/en/content/annualreports/arreports/en24/pa_ONlandtribunal_en24.pdf#page31)
- Add a specific requirement for increasing and protecting biodiversity.
- safety study as seniors dominating area around Garth/Twenty Road.
- labour considerations - we need to prioritize our construction labour to densification of existing neighborhoods

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- At minimum inform everyone who was part of the urban boundary survey
- I want to provide feedback in person!
- Property owners,' name. Is it primary agricultural land?
- Notice board should include name of property owner not just the numbered company.
- Notice board should clearly say at the top URBAN BOUNDARY EXPANSION APPLICATION
- FULL identification oof owner and developer involved mplus their insurance company
- Who is the company? What's their full name? Who is insuring the project?
- the diagram explaining the notice components demonstrates its inaccessibility
- more context as to the intent of the proposal is required, the notice should inform the observer what is going on not that something is
- Thank you for providing this information to us. It's a lot of work but I think people are really engaged in this topic that affects all our lives and the future of Hamilton.
- Thanks for your efforts in trying to enshrine these criteria in official plan so that it has the "teeth" to refuse applications. My personal feeling is that ALL applications should be refused as the people have clearly spoken and expressed opposition to urban boundary expansion.
- This has been amazing! Thanks to you all for this information. Special thanks to Charlie Toman for his deep knowledge. Looking forward to the future of this development.
- The OLT has WAY too much power over municipalities! Totally undemocratic!
- Doug ford the dictator!
- How many applications have been submitted for development?
- how will it minimize flooding?
- Will this information be easily accessible for those that cannot attend?
- Can they check the habitat for wildlife?

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- How long would it take for the city to give a final decision on the requests?
- How do we get the provincial government to back down from this provincial policy which undermines our local democracy?
- Specific to proposals coming from developers, how many urban boundary expansion proposals do you anticipate receiving each year?
- How do the Strong Mayor Powers relate to these policy orders and the capacity of the Mayor to represent the City and Councillors?
- Have feasibility studies or visioning exercises been done to establish best practices for these development areas?
- How does Bill 212 and the proposed highway 413 impact the urban boundary expansion?
- Can the Province for Hamilton to service lands outside of this firm urban boundary?
- Is there documentation the city legal team can prepare to advocate these areas be added to the green belt or a new category under a restoration plan or animal corridors to protect this area?
- Are any of these areas have city water and sewer systems already in place ?
- how does the city define "prime agricultural land"? Is there a standard?
- Can Hamilton say that we are too busy doing intensification within our already firm boundaries to even consider something outside because we are already meeting Provincial targets?
- the city has a history of settling with developers before olt regardless of frameworks, breaking trust with the community groups it engages with. Is the city preparing a new approach to defend cases at olt, if so, how (ex, additional legal staff etc.)?
- Toxins in the air from spraying of toxins from Sod Farms
- what are the population forecasts prepared by the city and does the city need more land to achieve its housing targets?
- Can we set development chsrge for private additions thst FULLY cover actual costs?

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- Environmental impact studies and proof that these developments will not cause more flooding in the lower city or any parts of the city?
- A question relating to how these sites relate with the larger regional context and connectivities of multiple functions and values: Is the province attempting to force unwanted development in Burlington, Halton Region, the Niagara Escarpment and the RBG's Cootes-to-Escarpment lands?
- The preparatory review is excellent but does not address the positive social, financial, economic and health impacts of densities that are accountable to nuanced qualities of spaces and daily life -- from childhood to elders to immigrants and youth and many more ways of seeing Hamilton's peoples and affordability, walkability etc. (In additional to robust data in landscape architecture, planning, class-based & other research regarding physical, mental & social health w/nature access & airqual
- Have any of these submission requirements incorporated the new work on the Biodiversity Action Plan for the city?
- The recent auditor general's report on the OLT had concerns: [https://www.auditor.on.ca/en/content/annualreports/arreports/en24/pa\\_ONlandtribunal\\_en24.pdf#page31](https://www.auditor.on.ca/en/content/annualreports/arreports/en24/pa_ONlandtribunal_en24.pdf#page31) Does the City have recourse if the OLT unfairly favours land speculators?
- Is there a plan to explicitly address social impacts and the accountability of development (and the city) to update quality of human life, health, thermal comfort, and local economic & social relationship wellbeing?
- Rural lands and greenspace, with or without regenerative support, are critical for flood & stormwater retention, and the support of trees/air quality/dust management and more. Accountability on these ecosystem functions and on cumulative impacts of various activities and proposals isn't clear in the documentation I've seen, and may be legally and educationally important to make very clear to applicants and as an act of public knowledge mobilization.
- Are these going to be detailed in updated ways under the fiscal and longterm costs of municipal, provincial and federal services and impacts on Canadian and local wellbeing at various human and social scales?
- Can a developer go to OLT if they submit an incomplete application? What requires them to submit the additional studies (wind and solar is missing, are on-

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- site renewable opportunity studies required for these applications? Can these areas be required to be "off-the grid" or "grid positive"?
- EIS studies?
  - Can we ensure all potential climate impacts on and by these new boundary expansions are paid for
  - What about studies for schools and impact on Boards of Education?
  - This tedium just dances around the obvious fact we have a corrupt provincial government. One that is perfectly willing to disregard environmental laws and bully municipalities.
  - The city has already spent millions developing a zero
  - There is a strong unexamined case to be made for a legal and professional duty of care concerning the impacts and potential of city planning on human and social daily quality of life. Intimate historic and global towns are beloved for reasons that Ontario developers could be invited (and counterpressured) to participate in -- to mutual win-win benefit. It's happening in Jasper now. But it's up to municipal council and populace to be stern about this and create the necessary details, policies+
  - Re: impacts on the Unhoused Persons -- also the \*prevention\* of unhousedness and the dynamics that lead to precarious mortgages, rentals, access to safe and thriving housing and neighbourhoods etc
  - Will these new communities be required to have a better balance between the needs of people who walk, cycle and those that drive?
  - The New York Times posted that "North Carolina Town Sues Duke Energy Over Climate Change". "Court sides with youth in historic climate case against Ontario". If the government of Ontario pushed an expansion that affects the municipality's ability to move toward net zero would litigation against Queens Park be considered?
  - What feedback/input do home/property owners have in this proposal. As this will drastically impact their homes, families, lives and investments.
  - can these developments be linked to goals/measurable outcomes of the climate change department/office?

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- Is there a requirement that food /work/healthcare/schools be within 15 minutes or will we just get food deserts? and urban sprawl? having to drive and thus an impact on environment?
- what about a submission requirement about labour availability of sufficient density is happening within existing neighborhoods. Labour and resources should not be prioritized outside the UBE.
- Are there any concerns with the provincial government's gutting of conservation authority powers and the requirements for subwatershed assessments?
- Would it violate provincial policy for the City of Hamilton to publicly report the anticipated lifetime cost to Hamilton taxpayers of a given proposal and to identify the developer who proposes and would profit from the expansion?
- More than health care, there is robust data showing the powerful impacts of green space and biodiversity on human medical, mental and behavioural and community health (crime reduction)\_ and that began in Chicago in the 1930s through landscape architect Jens Jense's work and continues to this day (see the evidence gathered by Kaiser Permanente, by Rich Louv's Child & Nature Network's library and science circle, social science and impacts on dementia and neurodiversity support and much much more
- what about health care? putting in a family health care unit if none in that area or existing ones are not large enough for more family doctors to service this new population
- Have studies included densification vs. expansion in regard to effects on homelessness situation? (eg. expanding suburbs with large homes will not address the huge problem that Hamilton faces housing the unhoused - urban intensification with construction of rental facilities is what is needed ie. affordable housing
- Can the city require notices to new residents of these expansion areas that there kids will have to be bused?
- Higher density/affordable housing isn't listed as an evaluation factor.
- another consideration: Does the urban boundary expansion contribute to more affordable housing, or does it simply facilitate taking up valuable green space with dwellings with a much higher single environmental footprint?

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- What will Hamilton do if the Province bulldozes through new legislation that outlaws Hamilton's key considerations?
- Legal duties of care are not limited to municipal and provincial policy for a city on the shores and watershed of a major freshwater lake that the planet and not just Ontario depends upon. From UNDRIP to the Navigable Waters Act to emergent Ecocide Law and impact on shared US wataers, the scope of responsibilities operates at multiple scales and geographies of impact.
- Will you examine the impact of additional traffic on already busy roads.
- It appears to me that the proposed submission requirements and City proposed criteria to be satisfied are very onerous and are unfairly geared to discouraging applications. There is a shortage of affordable housing in Hamilton and the areas that are eligilbe either have services or are in close proximity to services. How are these proposed submission requirements and proposed criteria to be satsfied are justified having regard to the need for more housing and the fact that eligible areas are either serviced or in close proximilty to services?
- It is important and wise to not exploit Indigenous peoples for these purposes; however, this challenge opens an opportunity for Hamiltonians and the city to update its ways of being in right relations with Indigenous peoples and the full constellation of responsibilities that Covenanted friends provide one another.
- How will these requirements play out at the OLT?
- i'd like to also hear narratives in plain language about this adventure in policy and power relationships, and in descriptive engaging ways that connect the people of Hamilton (and councilors etc) with Place. Making visible and alive the relationships between policy decisions, local governance, and quality of daily personal lives and livelihoods
- (alongside these notices about applications etc)
- That is very disappointing that all the people signed up to the GRIDS email list won't be automatically transferred to the new Urban Boundary List. Why can't you write to all the GRIDs list people and ask if they would give their permission to be notified about Urban Boundary applications. It would be a shame to lose all those contacts. Can't you give them the option to join?
- I think this is an important question that is consistantly disregarded. but impacts families ability to commute to work, schools and community servicesses.

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- Is it possible to include a QR code
- Will the notice have a soil map ?
- It is important to invite and market this information to citizens and peoples in the municipalities, rural communities, watersheds and soilsheds adjacent to these areas. This is not solely a Hamilton matter.
- i think the public notice should have a warning like a cigarette package the impacts it will have on the environment...and taxes i guess
- Much larger print should be on the notices. Also, maybe a special large banner at the top of any urban boundary application public notice
- Story marketing on the notices would be powerful so people can relate to the impacts and see their own relevance to decisions and the point of putting these notices up in the first place.
- (technical language excludes and distances many(
- more detail re. proposed development is needed as I think the form is too brief ie. developers can "fudge " it. We really need to know the environmental impact of what they are doing and the project really needs to justify giving up green space
- yes i agree - additional attention on the notice that this is beyond the urban boundary and part of an expansion and pan expansion that the VAST majority of the city voted against
- is there a concern about safety. There is a current development in Mount hope with no sidewalks from new development school or bus stops on major street. Residents are forces to walk on the road.
- A QR code on notices could lead citizens to continually updated "living documents" regarding impacts and the public shared conversation. And also provide Accessible ways of engaging in this information and the decisions.
- is adequacy of supply and affordability of housing missing as considerations?
- The Red Hill Parkway and Linc are already a parking lot, are there any plans to expand these roads and add more infrastructure before building more houses?
- Agree with Laura! Give the Notice Boards a huge **warning! tax increases and environmental degradation application** at the top.
- Notice boards should have QR code that leads to application page.

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- Laura nailed it! The sign should say development is dangerous to your health and that of your city and grandkid! And show a ruined wetland like a cancerous lung!
- I have attended an Ontario Land Tribunal hearing and it was very discouraging, as it seemed the "judge" was hand picked to support developers. It seems a very undemocratic process, perhaps it has improved since my experience?
- I'm still not understanding why the province is able to override the city's decision (and backing studies and constituent input) on this matter
- The whole suite of changes and processes at this moment is attempting to make city governance moot. Laden with catch 22s.
- Will developers have to adhere to environmental regulations? Will they have to pay considering the potential environmental impacts (ie flooding)?
- I would like considerations into how existing residents affected by potential developments be compensated in regards to infrastructure. (i.e. I'm on well water, the development may effect absorption/water table, will considerations be made to connect my residence to the new infrastructure)?
- DOUG FORD IS THE REASON WHY WE ARE IN THIS SITUATION
- Because our premier is a tinpot tyrant who seems only to care about driving his car!
- Historically, housing development has taken place prior to road development. How does Hamilton plan to prioritize this.
- Thank you for this presentation. Great job!
- Thank you to the team for this meeting tonight
- Well done! Thank you!
- Since many projects seem to be stalled, can the city set timelines for new proposals, where approvals can be reviewed if they do not move forward in a timely manner.
- Please define what is meant by affordable housing
- Nearly one third of current greenhouse gas emissions are absorbed by existing green spaces, wetlands, etc. Will the loss of such rural areas also be compensated as part of climate impacts?

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- where is the environmental review in this process?
- Does the Gardner Marsh fall into one of the areas noted on map, and does the plan allow for “replacement” wetlands? Thank you to everyone at the city for their efforts to protect our urban boundary
- is there a time frame for addressing these issues that have been raised?
- Can you post the link to the webpage where all the development applications and materials can be viewed?
- Can the city just honestly explain the OLT is a province appointed body?
- are new staff being hired to address the olt cases that will be brought forward in these areas?
- how many were on the Grids2 list?
- is the city legal team and planning department monitoring the changes / amendments (and diagramming) to the planning act that infringe on the common goods / constitutional rights ?
- can't think of any right now. A dedicated website (doesn't have to be linked to the City for security reasons) with rich, readable "storytelling" would really honour the citizens who are so engaged.
- Public Facing Notice boards posted on the property (with coloured banners for application status changes)
- Text
- Virtual meetings if you do not live that close to an area that is being discussed In person for the local neighbourhood should be made .
- In person
- Through The Hamilton Spectator
- Notification when decisions are made
- Yes, I want to hear narratives told like a story --in plain language --to interpret & mobilize the technical information about both applic'ns and sites and impacts - public ESIA respect & consentethic

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- Specifically would like to know about any decisions that are made esp after the council meeting.
- New legislation re land use
- Like tonight -- this was so well done, and you truly made space for so many different voices -- even more than when live. Please remember persons with disabilities and do e-consultations for them too
- In an on-line meeting.
- In person meeting
- In person
- at a virtual and in person meeting
- In person
- yes
- A QR code to access the documents?
- Narrative interpretive information so all readers are included and understand that they are democratically invited and welcomed to engage in their own ways and words. Rich narrative+RHFACsite.QRcode.
- QR code that leads to the City's appropriate application webpage where all the materials are displayed. Clearly listed as Urban Boundary Expansion
- How many houses/units will be built
- No. The diagram explaining the content describes its inaccessibility. More visuals that indicate the intent of the proposed changed and not just a notice that a change is being considered.
- Yes however it should link to the full application.
- Yes
- A QR code to access the documents.
- "Much larger print.
- Maybe a special 'banner' at the top indicating it is for an UBE application"
- yes

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- Yes, it provides a comprehensive description.
- Yes
- The area affected needs to be more visible
- Note any effects on wetlands, forests, biodiversity or other environmental concerns.
- Banner saying this will expand the urban boundary.

Whether the project has an EI Study

Who are all the companies involved?

Who is financially responsible?

- Always provide a City of Hamilton contact name and how to reach them by phone or email
- Urban Boundary expansion should be in larger print. Better map.
- Owner name & phone number rather than a numbered company which is no help at all. Whether or not it is prime agricultural land.
- close to road allowance (but not affecting sightlines)
- Every 100 metres
- HUGE, with BRIGHT NEON YELLOWGREEN EDGES FOR CATCHING EYES ON Multiple sides of site AND IN GATHERING PLACES IN NEIGHBOURHOODS AND CITYWIDE SIGNIF sites where lingering HAPPEN(markets/sports/librar+++)
- yes. all around.
- closest spot on nearby road? (Outside of urban boundaries it might not even be on a road); and in all neighbouring homes or other structures.
- Large white Board with bright Yellow or Orange border to grab viewer, clearly seen with no obstruction of trees, etc.
- All road facing properties
- a notice board is insufficient for public interest. this space should be required to inform the public of the intent and committed outcomes of the proposal

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- Highly visible in the immediate area of the proposed expansion
- Closest to the nearest public roadway and entrance to the property. If the property fronts on multiple roads, boards should be centered on each frontage.
- on all sides of affected area
- All corners and in full street view
- Along roads and trails and in the closest residential areas.
- The front of the possible so that residents would not trespass on these properties.
- All roadsides.
- All around and further than a few hundred yards. More than just the immediate neighbours are impacted.
- at the public right of way and along the edges of current/existing urban boundary that is proposed for expansion.
- Website
- as close to the property as possible
- Posted along the boundaries of the property and not just in one spot.
- All corners of it.
- At a main entrance site and in a place where it can be read without trespassing on the land and in an area with at least safe access to read it, ideally from a car if in a rural area.
- In a safe location for people to stop and read the info on the sign
- At the front in a highly visible location.
- Near the public roadway in front of the affected property.
- Proof that any development meet the 15 minute walkable city criteria in order to have services /housing /food /work meet greenhouse targets and prevent the city having to pay for urban sprawl.

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- I answered this thoroughly and in detail on the Q&A during tonight's meeting. :). You need to give us more than 200 characters for these answers. Another act of inclusion ++ democratic generosity.
- EIS that includes actual on the ground fieldwork.
- type of housing to be built  
are rental units, co-ops, supportive housing included?
- Commuter traffic, air quality, noise pollution. Ensure wildlife can be sustained in area of developments.
- Yes, existing traffic issues, prior to development, schools and churches and turning lanes.
- Impact to existing residents - i.e. Water absorption effecting the water table impacts basement flooding or reducing well water supply. Residents should be compensated in new connections to infrastruc
- Not that I think about right now
- Impact on school boards. Contribution to mid-density/affordable housing. Documenting resources provided to Indigenous communities (often under-resourced/over-committed) to respond in a timely manner.
- It should never be expanded on farmland.
- Ecological/biodiversity impact assessments.
- How local, neighbouring, farm operations will be impacted - traffic, stormwater runoff onto fields, complaints from new UBE neighbours about farming noise, smells, slow moving farm equipment etc
- Nothing comes to mind at the moment
- Assessment of growth implication on municipal infrastructure, servicing and municipal budget.
- None
- Effect on Hamilton's Climate Strategy, urban Forest canopy, plan for mitigating the effects of rainwater and runoff, and effect on our Biodiversity plan.
- They're good! Just absurd the developers can go over our heads to OLT! 🙄

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- Environment impact on the land and if it is good agricultural land we are going to need all that we have as per raising food costs and self sustainability
- Impact on rural communities such a flooding and bussing to school for children.
- A very strict EIS that no one can refute!

### Staff Response to Public Concerns - Key Themes

#### 1. Concern about Provincial Changes

Comment	Staff Response
<p><b>Uncoordinated urban expansion:</b> Participants worried that haphazard urban boundary expansions could lead to the loss of valuable farmland and greenspaces, undermining Hamilton's carefully planned growth strategy.</p>	<p>The City of Hamilton shares these concerns and had raised them with the Province when it was considering changes to planning rules.</p>
<p><b>Environmental and agricultural risks:</b> Many raised concerns about the potential destruction or degradation of farmland, wetlands, woodlots, and watercourses to accommodate new development. These comments reflected a strong commitment to protecting Hamilton's natural and agricultural heritage.</p>	<p>The City of Hamilton shares these concerns and had raised them with the Province when it was considering changes to planning rules.</p>
<p><b>Financial and infrastructure burdens:</b> Participants were concerned about the financial implications of unplanned urban expansion. They noted that while developers would bear initial infrastructure costs, long-term maintenance, operational expenses, and lifecycle replacement would fall on taxpayers. Concerns also included the cost of defending City decisions at the OLT, which could further strain municipal resources.</p>	<p>The recommended Framework and terms of reference for the submission of a Financial Impact Analysis are based on understanding whether or not a proposed expansion area would have a positive or negative impact on the City's long term financial outlook.</p> <p>Through the 2025 budget, City Council approved an additional \$1.5 million to be used by the City in defending its position at future Ontario Land Tribunal hearings.</p>

## 2. Support for a Robust and Transparent Review

Comment	Staff Response
<p><b>Detailed submission requirements:</b> Several participants appreciated the inclusion of the numerous technical studies and reports required for urban boundary expansion applications. They valued the focus on examining environmental, social, economic, and infrastructure impacts before decisions are made.</p>	Noted.
<p><b>Broad thematic considerations:</b> Many supported the emphasis on agricultural impacts, climate change, and community well-being.</p>	Noted.
<p><b>Prioritization of public and Indigenous engagement:</b> Participants strongly emphasized the importance of meaningful and accessible public involvement throughout the urban boundary expansion review process. They appreciated the City's commitment to transparency and called for robust communication strategies, diverse engagement formats, and opportunities for ongoing dialogue. The significance of early and continuous engagement with Indigenous communities was repeatedly highlighted, reflecting a shared understanding of the need to uphold the City's reconciliation commitments.</p>	Noted.

### 3. Balancing Growth and Preservation

Comment	Staff Response
<p><b>Advocacy for maintaining the current urban boundary:</b> Many participants emphasized the need to prioritize infill development and revitalization within the existing boundary before expanding outward. They highlighted the importance of protecting prime agricultural land and natural areas for future generations while encouraging efficient use of existing infrastructure.</p>	<p>The Urban Hamilton Official Plan supports and directs new residential development towards the existing built up area through residential intensification to achieve the City's 80% intensification target.</p>
<p><b>Support for strategic expansions:</b> Some participants supported carefully planned urban boundary expansions to address housing affordability and population growth. They argued that restricting growth to the current urban area could limit housing supply, while well-managed expansions could meet future housing needs and help Hamilton remain a desirable city.</p>	<p>The recommended Framework requires the City to carefully consider and assess each individual urban boundary expansion application across a range of land use planning considerations including housing.</p>
<p><b>Calls for responsible planning:</b> If urban boundary expansion was to occur, many called for well-planned developments that prioritize connectivity, sustainability, and fiscal responsibility, ensuring that long-term infrastructure costs are minimized, and growth fairly contributes to the tax base.</p>	<p>The recommended Framework seeks to incorporate all of these considerations into the City's review of an urban boundary expansion application.</p>

#### 4. The Role of Housing Affordability in Urban Growth

Comment	Staff Response
<p><b>Concerns about restricting boundary expansions:</b> Some participants argued that limiting urban boundary expansions could constrain housing supply, worsening affordability challenges and making it harder for families to find homes.</p>	<p>Staff have updated the Framework to include a consideration of whether or not the proposed expansion would have a positive impact on meeting the City's housing supply needs.</p>
<p><b>Counterarguments about urban sprawl:</b> Others contended that sprawl-driven development would result in higher long-term infrastructure costs, such as roads and water systems, and fail to provide genuinely affordable housing options.</p>	<p>Noted.</p>
<p><b>A focus on affordability:</b> Where urban expansion might occur, many participants stressed that such developments must prioritize affordable, inclusive housing rather than catering to luxury markets.</p>	<p>The recommended Framework requires the applicant to provide information on what types of housing would be proposed within an expansion area so that the City can consider whether it supports broader housing goals and objectives.</p>

#### 5. Environment and Climate Resilience

Question	Staff Response
<p><b>Protecting greenspaces and natural areas:</b> Participants advocated for safeguarding wetlands, woodlands, and other greenspaces, emphasizing their role in supporting biodiversity, improving air quality, and mitigating climate change impacts.</p>	<p>Considerations of the impact on natural heritage systems, biodiversity and climate change targets are all considered under the recommended Framework.</p>

Question	Staff Response
<p><b>Preserving farmland:</b> Protecting Hamilton’s prime agricultural land was a recurring theme, with participants highlighting the importance of local food security and resilient food systems.</p>	<p>This is also a consideration under the recommended Framework.</p>
<p><b>Mitigating environmental impacts of expansion:</b> Those supporting strategic expansions stressed the need for comprehensive environmental impact assessments, mitigation strategies, and the adoption of green infrastructure to minimize harm to ecosystems and water resources.</p>	<p>Should an urban boundary expansion be approved, these matters would be considered through the Secondary Planning process.</p>
<p><b>Integrating climate-forward design:</b> Participants called for renewable energy use, energy-efficient building designs, and water conservation measures to ensure new developments align with climate resilience goals.</p>	<p>The Framework requires applicants to submit a Energy and Climate Change Assessment which is required to consider and incorporate these goals.</p>
<p><b>Addressing climate change risks:</b> Concerns about increased flooding, extreme heat, and biodiversity loss prompted calls for the City to integrate climate change risks into all growth-related decisions.</p>	<p>The Framework requires the applicant to submit an Energy and Climate Change Assessment which considers how the expansion relates to climate change risks.</p>

## 6. Equity and Accessibility in Public Engagement

Comment	Staff Response
<p><b>Inclusive and clear communication:</b> Many participants expressed difficulty understanding the technical aspects of urban boundary expansion due to complex language and inaccessible presentation formats. They called for plain-language materials and visually engaging formats to make information more accessible. Suggestions included creating a dedicated, user-friendly website separate from the City's main site to better explain proposals.</p>	<p>Through the City's engagement on the Draft Framework, effort was put into making sure that consultation materials were easily accessible and in plain language. This included the preparation of several infographics and a short video.</p> <p>Staff will continue this approach in how it shares information on individual urban boundary expansion applications, including the materials shared at any City initiated Open Houses.</p>
<p><b>Diverse engagement formats:</b> Residents appreciated virtual options like online surveys and open houses but also stressed the importance of in-person opportunities. Requests included town hall meetings, open houses in specific neighborhoods, and ward-specific engagement to address local concerns.</p>	<p>The recommended Framework identifies that both pre-application community meetings scheduled by the applicant and City led Open Houses to receive input on urban boundary expansion proposals may be both in-person and virtual.</p> <p>If an urban boundary expansion application is received, staff will work with the ward councillor to identify where/how additional notification and consultation can occur on an application (e.g. staff providing information at a Ward Councillor's regularly scheduled town-hall meeting).</p>
<p><b>Engagement with marginalized and underrepresented communities:</b> Some participants called for targeted efforts to engage marginalized communities and ensure their voices are heard. Comments included requests to prioritize outreach to groups often excluded from planning discussions, such as low-income residents and newcomers.</p>	<p>Comment noted. Through the City's engagement on Draft Framework staff reached out to local organizations that support and provide services to marginalized communities. The Planning Division will continue to work with the City's Public Engagement office to improve engagement of communities that have been historically underrepresented in planning discussions.</p>

Comment	Staff Response
<p><b>Strengthened Indigenous engagement:</b> Feedback throughout the engagement underscored the importance of Indigenous community involvement. Some participants suggested mandating Indigenous input for all expansion proposals.</p>	<p>The recommended Framework:</p> <ul style="list-style-type: none"> <li>- Specifies that any Formal Consultation application received for an urban boundary expansion application will be provided to Six Nations Elected Council for review and input.</li> <li>- Requires applicants to submit an Indigenous Community Consultation Summary and Comment Response as part of a complete application that documents how the applicant has informed local Indigenous communities of the proposed expansion and documents any meeting notes and/or comments received from the Indigenous Community.</li> </ul>

## 7. Perspectives Challenging the Firm Urban Boundary and Draft Framework

Comment	Staff Response
<p><b>Criticism of the firm urban boundary policy:</b> Participants expressed concerns that restricting urban boundary expansions could limit housing supply, increase costs, and push development beyond Hamilton's limits. Some viewed the firm boundary as a contributing factor to affordability challenges and a barrier to meeting housing demand.</p>	<p>The recent Provincial changes to the planning rules governing urban boundary expansions have been changed to open the door for privately initiated urban boundary expansion proposals to be considered and approved.</p>

Comment	Staff Response
<p><b>Frustration with process complexity:</b> Several participants felt that the Draft Framework makes applications overly difficult for developers, potentially discouraging responsible growth.</p>	<p>Any proposal to expand Hamilton's urban boundary seeks to transform lands from their current rural/agricultural state to an urban state. This impacts the City as a whole, including how the City funds and delivers both hard infrastructure and city services. As such, these applications are inherently complex and require thorough assessment and evaluation.</p>
<p><b>Preference for managed expansion over intensification:</b> Many participants highlighted a preference for well-planned expansions that address housing demand while balancing environmental and infrastructure considerations. Specific areas, such as locations with existing infrastructure capacity, were identified as potential candidates for strategic growth.</p>	<p>By establishing the Framework, the City is seeking to ensure that any urban boundary expansion received must consider and be assessed against a broad range of considerations including infrastructure capacity and housing demands.</p>
<p><b>Concerns about overemphasis on environmental goals:</b> A few participants expressed concerns that prioritizing environmental preservation and farmland protection might come at the expense of addressing urgent housing and economic needs. They felt a more balanced approach could better support Hamilton's long-term growth objectives.</p>	<p>The City has an approved firm urban boundary growth strategy which was approved, in part, to protect existing natural areas and farmland. The Provincial changes to planning rules governing urban boundary expansions now allows privately initiated urban boundary expansion applications. The recommended Framework requires a more rigorous review of the impact of urban boundary expansions but do not preclude City Council or the Ontario Land Tribunal from approving an expansion proposal.</p>

### Comments from Community Organizations and Landowner Groups with Staff Responses

This appendix provides a summary of comments from community organizations and staff's response. A copy of all community organization comments are included from in Appendix "G" to Report PED24109(b).

<b>West End Home Builders Association</b>	<b>Comment</b>	<b>Staff Response</b>
	<p>Many of WE HBA's previous concerns remain since we provided comments on the Framework last August, including concerns related to requiring that Financial Impact Assessment ("FIA") "be prepared by a qualified urban land economist or municipal finance practitioner with clearly demonstrable experience in fiscal impact analyses prepared for public sector clients"; the quantification of ecological service value for the FIA; a lack of TORs for many of the required studies; the additional requirement for a Secondary Plan after the OPA is decided upon; and that the FIA consider "that the time horizon assessed in any analysis extend past the lifecycle replacement costs of new infrastructure". WE HBA encourages the previously submitted comments be considered before the final adoption of the Framework. Our submission from August has been attached as Appendix A.</p>	<p>Staff and Dillon Consulting have considered these comments and are now recommending:</p> <ul style="list-style-type: none"> <li>• The qualifications for the Financial Impact Analysis be a Professional Land Economist (PLE) or a qualified financial consultant with experience in preparing fiscal impact assessments.</li> <li>• Removing the requirement from the Financial Impact Analysis that the applicant is required to determine the ecological service value of natural areas within the expansion area. The City's approach to ecological service valuations is discussed in Section 3.2 of Report PED24109(b).</li> </ul>

<b>West End Home Builders Association</b>	<b>Comment</b>	<b>Staff Response</b>
	<p>It is noted in the report that “UBE applications are unique, and the submission requirements may differ than what is submitted as part of a typical development application”. This raises serious concerns for the industry, as clearly laying out study requirements prior to submission for any Formal Consultation is paramount for community builders to make property decisions and come to the City fully informed. The City must prepare detailed Terms of Reference for all potential studies that may be required for accountability and transparency. WE HBA was engaged in the first phase of the City’s Terms of Reference consultation in 2022. We encourage the City to initiate phase two of the Terms of Reference and would like to participate in a fulsome review of each document.</p>	<p>As part of Report PED24109(b), staff are recommending Council’s approval of several new Terms of References specific to urban boundary expansion applications to provide clarity to applicants on submission expectations. These Terms of References are based on previous guidance provided by Dillon Consulting which was commented on by the West End Home Builders Association and refined based on community feedback.</p>
	<p>As per the City’s previous Lands Need Assessment and opinion of professional planning staff at the City of Hamilton, additional land is required to accommodate Hamilton’s projected growth. Those initial projections were based on the Growth Plan Schedule #3 forecasts, which are now out of date and have been replaced by Ministry of</p>	<p>The purpose of a Housing Assessment to be submitted as part of an urban boundary expansion application is to assess whether there is a need for the mix and type of housing proposed for the urban boundary expansion area that cannot be accommodated within the existing urban area and what the impact of the proposed expansion would be to the Urban Hamilton</p>

<b>West End Home Builders Association</b>	<b>Comment</b>	<b>Staff Response</b>
	<p>Finance projections based on the much higher levels of growth that Canada and Ontario have experienced these past few years. Demographic pressures have only increased with the gap between housing supply and population demand having grown further. According to the Financial Accountability Office of Ontario, single detached housing starts are at a 69-year low across the Province. There has been a decline in starts of ground-related housing at a time where there is escalating demand for family-friendly housing typologies. The Dillon memo notes that “work undertaken as part of the March 2021 LNA concluded that delivering the necessary number of larger, family-sized apartments and ground-related units within existing areas would be a challenge.” Requiring developers to provide additional study to demonstrate the need for additional housing is superfluous.</p>	<p>Official Plan’s growth policies. Staff note that as part of the City’s and Province’s approval of Official Plan Amendment No. 167, which established a firm urban boundary, was an increase in residential land use permissions throughout the City to meet future housing needs.</p>
	<p>Demand for ground-related housing such as townhomes and singles is largely unrelated to demand for studio, one- and two-bedroom apartments in Downtown towers. Between 2016 and 2021, Hamilton built 5,990 3+ bedroom dwellings, while rural-exurban areas such as County of Brant built 2,815, at a much</p>	<p>The potential for an increase in the number of households leaving Hamilton for other municipalities further away from the GTHA due to housing affordability under a firm urban boundary growth strategy was thoroughly reviewed and debated in the lead up to City Council and the Province of Ontario approving Urban Official Plan</p>

<b>West End Home Builders Association</b>	<b>Comment</b>	<b>Staff Response</b>
	<p>higher per capita rate. Families are increasingly leaving the GTHA to find attainable, family-friendly housing that meets their needs in the form of ground-related housing and are typically not looking for units in tower apartments. There should be an explicit recognition that ground oriented housing types will be displaced to neighbouring communities (such as Brant County) if they are not accommodated in Hamilton. Additionally, due to the location and distance from Downtown and Intensification Corridor of any potential UBE areas, it will be difficult to determine impacts of UBE on these areas</p>	<p>Amendment No. 167 which established this strategy.</p> <p>The Planning Division is currently preparing a family friendly housing strategy to respond to the issue of the private sector not constructing multiple bedroom dwellings.</p> <p>In addition, Staff note that the City tracks interprovincial migration to and from Hamilton through its annual housing monitoring report.</p>
	<p>The City should adhere to the new Provincial Planning Statement requirements for minimum Greenfield Density. Achieving ground-related ambitious densities while limiting form and function presents a challenge to community builders.</p>	<p>The Provincial Planning Statement encourages large and fast growing municipalities including Hamilton to plan for a target of 50 residents and jobs per hectare for greenfield areas. The Provincial Planning Statement represents minimum standards and the Urban Hamilton Official Plan states that designated greenfield areas shall be planned to accommodate a minimum of 60 people and jobs per hectare.</p>

<b>West End Home Builders Association</b>	<b>Comment</b>	<b>Staff Response</b>
	<p>In Part B, the Framework notes the following consideration: “A comprehensive review and land budget analysis is required to determine the need for an urban boundary expansion, which includes an assessment of occupied and vacant urban land, brownfield availability, greenfield densities, and intensification targets to determine if sufficient opportunities to accommodate forecasted growth contained in the UHOP are not available. (Former UHOP Policy deleted by OPA 167)”. As previously stated, the need for a UBE is clear; population projections have risen dramatically since the March 2021 staff recommendation to adopt the Ambitious Density Scenario, “which included an urban expansion of approximately 1,300 net ha combined with aggressive targets for residential intensification and greenfield density” (Dillon Memo). The City’s Land Needs Assessment and a third-party review of that Land Needs Assessment clearly demonstrated the City requires a boundary expansion to accommodate the forecasted population growth and projections in the City’s Official Plan. Again, the City’s in force Official Plan is based on outdated Schedule 3 Growth Plan population projections which</p>	<p>Staff note that the City’s 2021 Land Need Assessment was completed under the Growth Plan for the Greater Golden Horseshoe (Growth Plan) which provided a specific methodology on how land needs are to be calculated. This methodology was removed with the repeal of the Growth Plan. The Ministry of Municipal Affairs and Housing has indicated that updated guidance is being developed for municipalities in undertaking this work; however, to date nothing has been released and the Provincial Planning Statement allows municipalities to establish their own intensification targets.</p> <p>The Provincial Planning Statement states that municipalities must begin basing population and employment growth projections on Ministry of Finance projections (2.1.1), but this policy document also states:</p> <ul style="list-style-type: none"> <li>- Municipalities “may modify projections, as appropriate”; and,</li> <li>- Municipalities may continue to use the previous forecast issued by the Province until its next Official Plan review.</li> </ul>

<b>West End Home Builders Association</b>	<b>Comment</b>	<b>Staff Response</b>
	<p>identified Hamilton growing at a significantly slower rate than the region is ultimately experiencing. UBE Applications should be received and analyzed based on the Ministry of Finance 2046 population projection for Hamilton</p>	<p>The City of Hamilton will be required to update both its population and employment forecasts based on this direction when it undertakes its next conformity review of the Urban Hamilton Official Plan. The timing of this review had not yet been determined.</p> <p>It is important to note that the Ministry of Finance projections do not take into account planning policy, infrastructure capacity, housing affordability, land supply or other matters that influence the pattern of growth in southern Ontario. The results also tend to vary from year to year, given that the method is based on a continuation of recent patterns of migration and population growth rather than a forecast of longer-term trends.</p> <p>Hamilton's population growth is driven almost entirely by international immigration and staff anticipate that the recently announced Federal cuts to immigration levels, which had been at record highs, will have a direct impact on future Ministry of Finance population projections for Hamilton.</p>

<b>West End Home Builders Association</b>	<b>Comment</b>	<b>Staff Response</b>
	<p>In October 2024, Hamilton Council adopted the Green Building Standards (GBS) which will apply to all new residential and non-residential development in the City. It is understood that the City is currently consulting internally regarding the implementation of the Standards and will be bringing a report forward in February 2025 to Planning Committee regarding implementation, as per Update on Green Building Standards Consultation (Report PED24228). It is noted in Appendix "A" to Report PED24114 that "there may be an opportunity to require GBS as a component of" the submission of an Energy and Environmental Assessment report. WE HBA strongly encourages the City prevent the duplication of study and review and ensure that the requested information within the Energy and Environmental Assessment are aligned with and not extraneous to GBS requirements.</p>	<p>The recommended Terms of Reference for the Energy and Climate Change Assessment allow an applicant to reference the impact implementation of the City's Green Building Standards will have on the proposed expansion area. The Assessment also allows applicants to identify specific land use policies, measures or actions beyond these standards proposed for the expansion area to mitigate climate change impacts. This will ensure there is no duplication. The Green Building Standards will be applied at the Draft Plan of Subdivision stage.</p>

<b>West End Home Builders Association</b>	<b>Comment</b>	<b>Staff Response</b>
	<p>WE HBA is increasingly concerned and alarmed by a shifting political landscape in the City of Hamilton that caters to local political concerns of existing incumbent homeowners at the expense of younger generations, families, and those desperately trying to get into the housing market. The housing crisis will only get worse if we don't legalize more housing options of all types and tenures in both in existing and new communities. To put it bluntly - there is no pathway to middle class housing affordability with lengthy, costly and uncertain planning processes designed to prevent needed housing from being constructed.</p> <p>The City of Hamilton is increasingly debating and passing policies that are both anti-housing and anti-intensification which despite political commentary to the contrary further supports planning and demographic justification for UBE. The City's stated preference for a no-UBE scenario stands in stark contrast to the City's own public and political policy, including the phase-out of Downtown CIP incentives, a 30-storey height limit city-wide, the rejection of many intensification projects and subsequent OLT cases, and</p>	<p>These comments are noted. Staff note that some of the suggestions fall outside of the scope of the Framework for Processing and Evaluating Urban Boundary Expansions.</p>

<b>West End Home Builders Association</b>	<b>Comment</b>	<b>Staff Response</b>
	<p>the need to use Strong Mayor powers to move forward affordable housing projects.</p> <p>As widely cited by many politicians, “Don't tell me what you value, show me your budget, and I'll tell you what you value.” – the City cannot simply state it values intensification over boundary expansion, while devaluing opportunities for intensification and housing supply through planning and fiscal policy. All levels of government and industry should be working together to spur construction of desperately needed housing of all types and tenures to close Canada's housing deficit. WE HBA looks forward to continuing to work in partnership with the City of Hamilton to achieve the City's housing targets through a variety of forms of growth.</p>	

<b>Hamilton Naturalist's Club</b>	<b>Comment</b>	<b>Staff Response</b>
	<p>HNC feels that the City's 2022 growth strategy should be followed before any development happens in greenfield areas, particularly in areas that have not been planned for development and therefore do not have services (road, water, sewer). It is</p>	<p>Comment received. Under the recent provincial changes to policies and legislative governing urban boundary expansion applications the City must receive and consider urban boundary expansion applications.</p>

<b>Hamilton Naturalist's Club</b>	<b>Comment</b>	<b>Staff Response</b>
	<p>far more efficient and cost effective in terms of resources and construction capacity to build new homes in already built up areas. This means it is more affordable for new owners or tenants. Increased efficiency also means more homes can be built faster. Hamilton already has a lot of planned development and we do not feel there is enough construction capacity for new, unplanned development.</p>	
	<p>HNC suggests allowing for more mid-rise development within the current urban boundary which will increase efficiency and cost-effectiveness while providing a range of housing opportunities. In order to support mid-rise development, minimum parking requirements could be eliminated and the mandatory step back requirements could be removed for buildings six stories or less. In addition, establishing a dedicated staff team to work with mid-rise developers would increase the appeal of this type of development.</p>	<p>Comment received.</p>
	<p>There are a number of warehouses being proposed in Hamilton's white belt and HNC suggests that developers should follow the vertical warehouse model being implemented in several other countries. This type of warehouse helps with</p>	<p>Comment received. As discussed in Report PED24203, the City must also undertake a review and update of its employment policies to be consistent with the Provincial Planning Statement, through which there will be opportunities for community input on employment densities.</p>

<b>Hamilton Naturalist's Club</b>	<b>Comment</b>	<b>Staff Response</b>
	automation which is the goal for a number of the warehouse companies.	
	The planning justification must show that expansion is required for the City to meet housing targets and that no other sites within the urban boundary (including underutilized spaces like brownfield, parking lots, vacant former commercial lots, etc.) could be a viable alternative site for the development of similar mix of units, taking into account not only housing price point but also lifetime cost to the municipality of providing services.	These comments are to be addressed through the City review of the required Housing Assessment which the applicant must provide to show the impact of the proposed expansion on the City meeting its intensification targets (including specifically within the Downtown, Community Nodes etc.) and Financial Impact Analysis.
	Hamilton has made positive strides in protecting and enhancing biodiversity, and HNC is concerned that UBE applications will negate the positive steps that have been made. We would like to know how the proposed developments will help to grow the urban tree canopy, and how they will contribute to the protection and enhancement goals in the Biodiversity Action Plan (BAP). The BAP has not been mentioned in the Draft Framework and we are wondering how the City plans to meet its commitments to protect and restore biodiversity if random developments are permitted outside of the urban boundary? We feel the BAP should be included in the	Part B of the Framework has been updated to include a specific consideration of whether the applicant is proposing measures that would strengthen protection of biodiversity in both rural and urban contexts.

<b>Hamilton Naturalist's Club</b>	<b>Comment</b>	<b>Staff Response</b>
	Natural Heritage and Water Resources section.	
	<p>Urban boundary expansion applications need to submit an Environmental Impact Statement to demonstrate how it will not impact our important natural heritage. This should include mapping Ecological Restoration Zones (ERZs) that describe how Significant Woodlands will be expanded through substantive plantings and that linkages to adjacent Core Areas will be rebuilt. This would be a new designation in the Official Plan but can easily be supported by existing Natural Heritage policies and/or Natural Heritage sections of the Provincial Policy Statement such as Significant Wildlife Habitat - i.e., bat maternity areas or significant bird species. Wood Thrush and Eastern Wood Peewee are often identified around development areas, opening the door to requiring a larger forest, required by identifying a ERZ area.</p>	<p>The Framework requires the applicant to submit a Subwatershed Study (Phase 1) which identify and map all existing natural features/functions, hydrologic features and hazard lands including the related hydrologic functions and conditions. The information gathered in this phase will be the foundation for identifying measures such as buffers and restoration areas within subsequent phases of the Subwatershed Study. These phases (2 and 3) would be completed through the Secondary Plan process should the urban expansion be approved. Staff note that the City is scheduled to undertake a comprehensive review and update to its Natural Heritage System policies and mapping in both the UHOP and RHOP.</p>

<b>Hamilton Naturalist's Club</b>	<b>Comment</b>	<b>Staff Response</b>
	<p>We are concerned about the increased pressure from urban boundary expansion development to existing infrastructure throughout the rest of the city such as the increased stormwater runoff from the larger impermeable surface area. We noticed there is no mention of the upcoming Green Building Standards and suggest that any proposed development needs to exceed the standards and that all rainwater needs to be managed on-site to not impact the rest of the city.</p>	<p>The recommended Terms of Reference for the Energy and Climate Change Assessment allow applicant's referencing the impact implementation of the City's Green Building Standards at the Draft Plan of Subdivision and Site Plan stage will have on the proposed expansion area. The Assessment also allows applicants to identify specific land use policies, measures or actions beyond these standards proposed for the expansion area to mitigate climate change impacts.</p>
	<p>The public consultation area for urban boundary expansion applications should be all Hamilton residents as it was Hamilton residents who pushed for the firm urban boundary in 2022. Residents need to be made aware of what's happening through this process and of the applications that come in. HNC looks forward to seeing what the process will be.</p>	<p>The Draft Framework proposes enhanced public notification requirements including providing written notice of an application being deemed complete and of the statutory public meeting to all landowners and residents within the proposed urban expansion area and within 400 metres of the subject lands.</p> <p>Any members of the public who sign up to the Urban Boundary Mailing list will receive notification of an Urban Boundary Expansion application being deemed complete and notification of the statutory public meeting.</p> <p>In addition, the City has created a new Urban Boundary Expansion Application</p>

Hamilton Naturalist's Club	Comment	Staff Response
		webpage that will include all application materials for public review.

Landwise (on Behalf of Vantage Group)	Comment	Staff Response
	<p>Landwise has been retained by 2113522 Ontario Inc. (related to Vantage Group), to prepare a submission for the on-going consultation of the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications on their behalf. 2113522 Ontario Inc. owns approximately 23 hectares (57 acres) of land south of the Hamilton International Airport lands and east of the newly leased lands. The lands are located to the west of the southernmost boundary of the Airport Employment Growth District Secondary Plan boundaries in the Rural area. The purpose of this letter is to formally request consideration on establishing priorities for the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications and to highlight the strategic importance of the subject lands and their contribution to the overall economic growth objectives of the City of Hamilton.</p>	<p>The letter from Landwise is related to a specific area of land south of the Hamilton International Airport that is outside of the urban boundary.</p> <p>It is not within the scope of this project to provide recommendations or establish site specific policies for area of land where an urban boundary expansion application may be received. Each urban boundary expansion application received will be considered on its own merits through the process established under the Framework.</p> <p>Staff note that for smaller urban boundary expansion applications there is an opportunity to scope the submission requirements for an urban boundary expansion application by proceeding through the Formal Consultation process.</p>

<b>Landwise (on Behalf of Vantage Group)</b>	The Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications should address the importance of creating, supporting, and promoting the logical expansion of employment areas. Urban Boundary Expansions that aim to close gaps and create more cohesive employment area boundaries should be recognized as when it can be demonstrated that they support the long-term objectives of employment areas and more specifically the success of the Hamilton International Airport.	See above comment.
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<b>Corbett Land Strategies (on behalf of Upper West Side Landowners Group)</b>	<b>Comment</b>	<b>Staff Response</b>
	The graphics within the proposed UBE Framework should be modified to distinguish the UWSLG lands from lands located on Garner Road given their geographic separation and lack of affiliation to the UWSLG (See Appendix A). The graphic suggests that the three parcels are linked together given the black/bold linework attached to them.	The three areas on the graphic have historically been referred to as the "Twenty Road West" lands and staff do not recommend renaming them in City of Hamilton materials at this time. By numbering the three distinct areas outside of the urban boundary, staff can clearly illustrate which areas are subject to specific urban boundary expansion applications.
	The graphic should be further modified to include a specific colouring scheme and labels for candidate expansion areas	The Twenty Road West lands are not within the urban boundary and the Urban Hamilton Official Plan has no policies referring to

<p><b>Corbett Land Strategies (on behalf of Upper West Side Landowners Group)</b></p>	<p>which are “white belt” (lands on the periphery of urban boundaries) and the lands which are “infill” (found interior to and are generally surrounded by the urban boundary) (See Appendix A). This distinction is important when evaluating the 79 ha of the UWS “infill” lands that are surrounded by urban boundary against the 4,320 hectares of the City’s total “white belt” land.</p>	<p>these specific areas as being ‘infill’ or distinct from other whitebelt lands.</p>
	<p>The framework to evaluate urban expansion applications should be modified to permit sensitive land uses up to the 30 NEF, in accordance with Transport Canada, Provincial Planning Statement and MOE policy. The application of the 30 NEF, when considering sensitive lands uses in proximity to airports, is common amongst airports in the GTA and beyond. The City of Hamilton should look to other world class cities that have maximized their residential development potential around airport areas, either through the introduction of exemption areas, or adoption of NEF policies in line with the Province and Federal guidelines as noted above. This should be considered in the context of the ongoing housing crisis.</p>	<p>Staff note that the Upper West Side Landowners Group have several Official Plan amendment applications related to urban boundary expansions and Noise Exposure Forecast contours that are currently under appeal at the Ontario Land Tribunal. As a result, staff have refrained from commenting.</p>
	<p>The recent implementation of the Provincial Planning Statement introduced the Ministry of Finance population</p>	<p>The Provincial Planning Statement states that municipalities must begin basing</p>

<p><b>Corbett Land Strategies (on behalf of Upper West Side Landowners Group)</b></p>	<p>projections as the guide for setting housing targets. As part of their framework, as well as position on Urban Boundary expansions, the city should consider the Ministry of Finance projections to 2051 (903,270 people) as they have increased by 83,270 people compared to those currently included in the Urban Hamilton Official Plan (820,000 people).</p>	<p>population and employment growth projections on Ministry of Finance projections (2.1.1), but this policy document also states:</p> <ul style="list-style-type: none"> <li>- Municipalities “may modify projections, as appropriate”; and,</li> <li>- Municipalities may continue to use the previous forecast issued by the Province until its next Official Plan review.</li> </ul> <p>The City of Hamilton will be required to update both its population and employment forecasts based on this direction when it undertakes its next conformity review of the Urban Hamilton Official Plan. The timing of this review had not yet been determined.</p> <p>It is important to note that the Ministry of Finance projections do not take into account planning policy, infrastructure capacity, housing affordability, land supply or other matters that influence the pattern of growth in southern Ontario. The results also tend to vary from year to year, given that the method is based on a continuation of recent patterns of migration and population growth rather than a forecast of longer-term trends.</p> <p>Hamilton’s population growth is driven almost entirely by international immigration and staff anticipate that the recently announced Federal cuts to immigration</p>
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<p><b>Corbett Land Strategies (on behalf of Upper West Side Landowners Group)</b></p>		<p>levels, which had been at record highs, will have a direct impact on future Ministry of Finance population projections for Hamilton.</p>
	<p>Council should consider the recent updates to legislation, which permit the expansion of the urban boundary, as an opportunity and prepare the framework accordingly. The framework should be prepared to establish a process which is focused on allowing the City to deliver missing middle housing and resolve outstanding and historical staff recommendations regarding the need to expand the settlement area.</p>	<p>The need to create the Framework is in direct response to recent provincial policy and legislative changes, including the repeal of the Growth Plan which the City had to previously conform to in considering urban expansions, which allow privately initiated urban boundary expansion applications to be appealed.</p>
	<p>In evaluating urban boundary expansion, Council should consider making a mandatory affordable housing contribution part of the evaluation criteria. This would ensure that new communities being formed are already contemplating the development of affordable housing and planning accordingly.</p>	<p>The <i>Planning Act</i> allows the City to adopt Inclusionary Zoning policies to mandate affordable housing only for lands within Protected Major Transit Station Areas, lands subject to a Community Planning Permit System or through a Minister's Zoning Order. As a result, the City cannot mandate affordable housing be included as part of an urban boundary expansion application.</p> <p>Staff are recommending that the final Framework include a consideration under Part B of whether the proposed expansion would have a positive impact on housing affordability within the City.</p>

### External Agency Comments and Responses

This appendix provides a summary of comments from external review agencies and staff's response. A copy of all external agency comments are included as part of Appendix G to Report PED24109(b).

Hamilton Conservation Authority	Comment	Staff Response
	<p>HCA supports the City's interest in developing a framework for processing and evaluating urban boundary expansion applications. This will ensure that new communities are developed in a coordinated and sustainable manner, that development is located outside of hazardous lands, and that hazard-related impacts on communities downstream of the UEA are avoided.</p>	<p>Noted.</p>
	<p>HCA notes that a subwatershed study was initiated for the Elfrida area in 2014, with Phase 1 (subwatershed characterization) of the study completed in 2018. Phase 2 (subwatershed management strategies) and Phase 3 (implementation and monitoring plans) of the subwatershed study were not initiated. HCA participated in the Phase 1 study and notes that through the characterization work completed, a number of important features and recommendations were identified that should be reviewed and considered if an urban boundary expansions application for the Elfrida UEA proceeds. Importantly, this included recommendations for additional assessment work related to</p>	<p>Noted.</p>

	<p>watercourses/HDF, floodplain modelling and karst. Given the Phase 1 study was completed five years ago, there may be other aspects of the characterization work that would need to be updated.</p>	
	<p>On pages 2 and 3 of the draft framework, it is noted that Conservation Authorities are the agency responsible for reviewing the terms of reference and assessing the technical submission for Karst Assessments. In addition to Karst Assessments, HCA recommends Conservation Authorities be included as an agency responsible for reviewing and assessing the following submission requirements:</p> <ul style="list-style-type: none"> <li>a. Functional Servicing Report</li> <li>b. Subwatershed Study (Phase 1)</li> <li>c. Geotechnical Study.</li> </ul>	<p>The final Framework has been revised to reference Conservation Authorities as also being a review / approval agency for these submission requirements.</p>
	<p>Given the UEA are located in the upper reaches of a number of subwatersheds, studies may be required to assess the impact of development in the UEA on downstream flooding and erosion. HCA notes that development in UEA that was not accounted for in existing floodplain mapping has the potential to increase floodplains in existing developed areas and communities downstream of the UEA. As such, HCA staff recommend the "Natural Hazard Components" within the Functional Servicing report outlined on page 5, also</p>	<p>This has been added to the Framework.</p>

	<p>include a “Downstream Floodplain Assessment”</p>	
	<p>The City may also wish to note that the reports and studies outlined within the submission requirements must be completed by a qualified professional.</p>	<p>Both the Urban and Rural Hamilton Official Plan contain policies requiring that technical plans and studies submitted as part of a complete application must be prepared by a qualified professional.</p>
	<p>On page 10 of the draft framework, the “Natural Hazards (Base Considerations)” theme, does not capture the full submission requirements for natural hazards. Consequently, the “Submission Requirement” heading should be revised to include:</p> <ul style="list-style-type: none"> <li>a. Functional Servicing Report (Natural Hazards Components)</li> <li>b. Subwatershed Study (Phase 1)</li> <li>c. Karst Assessment</li> </ul> <p>Further, HCA recommends the City notes that Conservation Authorities will be the review agency for Natural Hazards including the above noted studies.</p>	<p>This has been added to Part B in the final Framework.</p>

<b>Grand River Conservation Authority</b>	<b>Comment</b>	<b>Staff Response</b>
	<p>We recommend including Conservation Authorities as an agency responsible for reviewing Terms of Reference and assessing technical submissions for the following minimum submission requirements, as outlined in the table on page 2 and 3 of the Draft Framework:</p> <ul style="list-style-type: none"> <li>a. Concept Plan</li> <li>b. Functional Servicing Report</li> <li>c. Subwatershed Study (Phase 1)</li> <li>d. Geotechnical Study</li> </ul>	<p>The recommended Terms of References have been updated accordingly.</p>
	<p>In the table on page 10, under theme Natural Hazards (Base Considerations), it is recommended that 'Submission Requirements' include all minimum submission requirements as listed in the table on page 2 and 3, including:</p> <ul style="list-style-type: none"> <li>a. Functional Servicing Report (which includes the natural hazard components as listed on page 5)</li> <li>b. Subwatershed Study (Phase</li> <li>c. Geotechnical Study</li> <li>d. Karst Assessment</li> </ul>	<p>This section of Part B of the Framework has been updated.</p>
	<p>In the table on page 13, under theme Natural Heritage and Water Resources (Base Considerations), we note that many considerations would typically be completed as part of Phase 2 or Phase 3 of a Subwatershed Study. The Framework stipulates that only Phase 1 of a</p>	<p>Staff are not recommending that the any of the natural heritage and water resource considerations in Part B of the Framework be removed at this time. Staff understand the comment but do not recommend removing these considerations. It is implied that the Subwatershed Study (Phase 1) will address considerations and/or make recommendations related to subsequent phases.</p>

	Subwatershed Study be submitted as part of a complete application. We recommend re-wording to specify that the Phase 1 study should be completed to address considerations and/or make recommendations as to how to address considerations as part of a Phase 2 or Phase 3 study.	
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<b>Niagara Escarpment Commission</b>	<b>Comment</b>	<b>Staff Response</b>
	Where a boundary expansion is requested, the NEPDA details, land that is within the land use designation of Escarpment Natural Area, Escarpment Protection Area, Mineral Resource Extraction Area or Escarpment Rural Area of the Niagara Escarpment Plan and the application seeks to redesignate the land to the land use designation of Minor Urban Centre, Urban Area, Escarpment Recreation Area: Section 2 of the NEPDA restricts such an amendment to being considered until the time of NEP 10-year coordinated review (with the Greenbelt Plan under the Greenbelt Act, 2005). The last coordinated plan review was commenced in 2015, completed in 2017 and the next coordinated plan review is anticipated to commence as early as 2025.	<p>Within the City of Hamilton, all lands designated Escarpment Urban Area and Escapement Minor Urban Centre are within the existing urban boundary. This means that any urban expansion application into the Niagara Escarpment Plan would not be permitted under the current land use designations within this plan.</p> <p>Planning Division staff are aware of and will be reporting to Planning Committee on the upcoming 10-year review of the Niagara Escarpment Plan. At this time, the Niagara Escarpment Commission has not confirmed the scope of this review.</p> <p>Staff also note that the Niagara Escarpment Plan forms part of the Greenbelt Area under the <i>Greenbelt Act</i> and that the <i>Planning Act</i> restricts the ability of landowners to appeal Council's refusal or non-decision of urban boundary expansion applications into this this.</p>

	<p>The NEP provides policies for boundary expansions to lands that are located within the Minor Urban Area and Urban Area designations. For lands located within the NEP area, other legislation and decision making cannot conflict with the policies of the NEP. As set out in the NEP and NEPDA, a boundary expansion can only be considered through an amendment to the NEP at the time of the 10-year plan review. The current PPS identifies less restrictive policies than the NEP regarding the timing of when a boundary expansion can occur. The PPS states that where provincial plans such as the NEP has more restrictive policies those policies prevail over the policies of the PPS.</p>	<p>Noted.</p>
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<b>Hamilton International Airport</b>	<b>Comment</b>	<b>Staff Response</b>
	<p>The Airport Zoning Regulations (AZR's) and Noise Exposure Forecasts (NEF) contours serve as essential tools in guiding development decisions, ensuring that noise sensitive land uses and new developments are compatible with existing and future airport operations. As such, Hamilton International believes it is important that these continue to be integrated into and considered when evaluating any proposed urban boundary expansion.</p>	<p>Part B of the Framework requires the City to consider whether the expansion area protects the Airport from incompatible land uses and supports its long term operations.</p> <p>Staff are not recommending any amendments to the Official Plan's that loosen its current restrictions on developing sensitive land uses near the airport.</p>

	<p>Additional consideration may be given to the Airport's 2023-2043 Master Plan, in which the recommended NEF contours differ from the contours shown in the Hamilton Official Plan. The Airport recommended that the NEF contours presented in the Master Plan be further considered by the City for future planning and policy, with perspective of inclusion in a future update to the Hamilton Official Plan. This review of the Urban Boundary Expansion process may present opportunity to undertake such consideration, while the City continues to adhere to its current NEF contours.</p>	<p>A new consideration has been added to Part B of the Framework stating that the proposed land uses within the expansion area consider and not conflict with the Airport's 2023-2043 Master Plan, including updated NEF Contours.</p>
	<p>Also included in the City's approval of the Airport's 2023-2043 Master Plan (PED19084(b)) was the requirement to advance an additional study on the current AZR's. With recent changes to government regulations, specifically TP312, there is a probability that the current AZR's will need to be expanded. Hamilton International is undertaking this assessment in 2025, with expectation that the gap analysis will be completed by the end of the year.</p>	<p>The Hamilton International Airport will be circulated all applications to expand the urban boundary and will have an opportunity to provide comments to the City prior to staff finalizing its recommendation to Planning Committee and Council on the application.</p> <p>Staff note that the <i>Planning Act</i> recognizes the Hamilton International Airport as a public body, meaning that it may have participant status at the Ontario Land Tribunal.</p>
	<p>Hamilton International also acknowledges that the Draft Framework identifies instances where consultation with the Airport may be required to assess boundary expansion applications. The Airport would welcome an update to the Framework that more formally</p>	<p>The importance of receiving comments from the Hamilton International Airport, along with applicable Conservation Authorities, School Boards etc., before the City completes its review and assessment of an urban boundary expansion</p>

	incorporates Hamilton International into the review process for boundary expansion applications, particularly those that pertain to the lands around the Airport property. Formal integration in this manner will enable the Airport to provide comment in step with the City's own review to ensure alignment on respective growth opportunities and mitigate risks to the economic benefits the Airport delivers for the City.	application has been added to Part C of the Framework.
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Hamilton Wentworth District School Board	Comment	Staff Response
&  Hamilton Wentworth Catholic District School Board	The HWDSB & HWCDSB provided a joint submission on the draft framework.	Noted
	Part A of the framework lists minimum submission requirements that must be submitted with any application to expand Hamilton's urban boundary. Both school board administrations agree that a School Accommodation Issues Assessment should be included in the initial submission requirement, however, would like to outline the Terms of Reference for that assessment.	
	The School Boards sent a detailed list of information that must be included as part of the completion of a School Accommodation Issues Assessment so that each school board can determine number and type of schools that would be required to accommodate the expansion area.	The School Boards input has been incorporated into the recommended Terms of Reference for the School Accommodation Issues Assessment (Urban Boundary Expansion).

Enbridge	Comment	Staff Response
	<p>The Draft Framework for Processing &amp; Evaluating Urban Boundary Expansion Applications was reviewed, and does not appear to contain any maps, statements or policies related to development in proximity of pipeline infrastructure. Therefore, Enbridge would like to recommend inclusion of the maps, statements and policies detailed in the recommendations below.</p>	<p>Noted.</p>
	<p>We recommend that Enbridge's pipelines (and any other pipelines) and facilities be indicated on one or more maps within the Framework. We believe it would benefit the City to provide mapping showing the location of pipeline infrastructure, so that potential applicants/appellants may speak to the ways they would account for the infrastructure and any potential ground disturbances or crossings.</p>	<p>This information is currently available online.</p>
	<p>As per Federal and Provincial Regulatory Requirements and Standards, pipeline operators are required to monitor all new development in the vicinity of their pipelines that results in an increase in population or employment. To ensure that all development within the pipeline assessment area is referred to Enbridge for review and comment, we recommend inclusion of the following policy:</p>	<p>The City of Hamilton currently circulates applications made under the <i>Planning Act</i>, including Formal Consultation and Official Plan Amendment applications to Enbridge and other pipeline operators where the subject lands are within 200 metres of a pipeline. This is required under the <i>Planning Act</i>.</p>

	<p>a. "When an urban boundary expansion application is proposed that involves land within 200m of a pipeline, as demonstrated in "Map xx: " (per recommendation #1), Administration shall refer the matter to the pipeline company for review and input."</p>	
	<p>To ensure that no unauthorized ground disturbance or pipeline crossings occur when development progresses, we recommend the following policy be included within the Framework for Processing &amp; Evaluating Urban Boundary Expansion Applications:</p> <p>a. "All development within 30m or crossings of a pipeline shall require written consent from the pipeline company and is the responsibility of the applicant to obtain prior to development approval."</p>	<p>Noted.</p>
	<p>Although the Draft Framework for Processing &amp; Evaluating Urban Boundary Expansion Applications details a long-term future development vision, there are development requirements that will be mandatory at the subdivision and development stage that will be helpful to consider prior to application submission. Please review Enbridge Development Requirements for requirements for planning and development in proximity of pipelines. In addition, for more information about when written consent is required and</p>	<p>Noted.</p>

	how to submit an application, see Enbridge Pipeline Crossing Guidelines. For additional resources on safe development in proximity of Enbridge's pipeline network please view Enbridge's Public Awareness Brochures or visit the Land Use Planning and Development website.	
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<b>Bell Canada</b>	<b>Comment</b>	<b>Staff Response</b>
	While we do not have any comments or concerns at this time, we would ask that Bell continue to be circulated on any future materials and/or decisions related to this matter.	Noted.

<b>Alectra Utilities</b>	<b>Comment</b>	<b>Staff Response</b>
	No comment/objection based on the information provided	Noted.

### Indigenous Community Comments and Responses

This appendix provides a summary of comments from external review agencies and staff's response. A copy of all comments are included as part of Appendix G to Report PED24109(b).

<b>Huron Wendat</b>	<b>Comment</b>	<b>Staff Response</b>
	Unable to participate in the review of the Draft Framework due to limited resources but requested to be updated on the project moving forward.	Planning staff will follow up with the Huron Wendat to provide updates on the Framework and offer to schedule a meeting to discuss urban boundary expansion matters if requested.
<b>Métis Nation of Ontario</b>	<b>Comment</b>	<b>Staff Response</b>
	No comments at this time.	Noted.
<b>Six Nations Elected Council</b>	<b>Comment</b>	<b>Staff Response</b>
	The Six Nations Environmental Levy Policy is identified as an example of a potential submission requirement from Six Nations. Includes a fee, and specific benchmarks/requirements (e.g. enhanced offset mitigation). This would be considered a base line requirements and Six Nations would still expect additional consultation.	Staff have included the Environmental Levy Policy in the recommended Terms of Reference for the Subwatershed Study (Phase 1) as a document that applicants should reference.  It is important to note that the scope of a Subwatershed Study (Phase 1) required as part of an urban boundary expansion is focused on identifying and assessing the current condition of natural heritage features within the proposed expansion area. Many of the matters that fall under the Environmental Levy Policy like setbacks from specific natural heritage features and compensation for the removal/alteration of features would be considered if an urban expansion area is approved through the completion of a Phase 2 and 3 Subwatershed Study.

	<p>The Provincial Planning Statement 2024 emphasizes early consultation which should be captured through this process.</p>	<p>The recommended Framework and Official Plan Amendments enable early consultation with Six Nations Elected Council on urban boundary expansion applications by:</p> <ul style="list-style-type: none"> <li>- Specifying that any Formal Consultation application received for an urban boundary expansion application will be provided to Six Nations Elected Council for review and input.</li> <li>- Requiring applicants to submit an Indigenous Community Consultation Summary and Comment Response as part of a complete application that documents how the applicant has informed local Indigenous communities of the proposed expansion and documents any meeting notes and how they have responded to any comments received from the Indigenous Community.</li> </ul>
	<p>Language regarding consultation and accommodations to First Nations, in relation to Treaty Rights, should be incorporated into the Framework.</p>	<p>This has been incorporated into the Framework.</p>
	<p>Adequate capacity funding should be provided to allow for Six Nations review of Urban boundary Expansion Applications.</p>	<p>The City of Hamilton currently does not have a policy or protocol that sets out if, when, where and how capacity funding is provided to Indigenous Communities for the review of privately initiated Planning Act applications.</p> <p>The recommended Framework and Official Plan Amendments does not prevent or preclude Indigenous Communities from requesting capacity funding directly from applicants.</p>

	Applicants for Urban Boundary Expansion applications should consult with Six Nations early to discuss Terms of Reference for required studies.	The recommended Terms of Reference for the Subwatershed Study (Phase 1) directs applicants to first consult with local Indigenous Communities as well as the applicable Conservation Authority, before submitting the scope of the Study to the City for approval. The recommended Official Plan amendments require the applicant to document sharing this information as part of the Indigenous Community Consultation Summary and Comment Response.
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<b>Mississaugas of the Credit First Nation</b>	<b>Comment</b>	<b>Staff Response</b>
	The Mississaugas of the Credit First Nation are the only First Nation with recognized treaty rights within Hamilton (Between the Lakes Purchase, 1792). The City of Hamilton needs to recognize these treaty rights when undertaking engagement as well as in agreements between the City and Mississaugas of the Credit First Nation (including Archaeological agreements) which the City has not done to date. These treaty rights are recognized by Infrastructure Canada.	The City of Hamilton will continue to engage with Indigenous Communities on land use planning matters.
	The Mississaugas of the Credit recommend that the City include a policy in its Official Plan requiring that applicants be required to submit a consent or closure letter from the Mississaugas of the Credit First Nation as part of their urban boundary expansion application before the City deems that application complete. It was noted Infrastructure Canada already has this requirement.	Staff are recommending adding a requirement in its Official Plans that applicants must submit an Indigenous Community Consultation Summary and Comment Response before an urban boundary expansion application is deemed complete.

	Regardless of what early Indigenous Engagement occurs, the Mississaugas of the Credit First Nation want to be circulated on all urban boundary expansion applications (including Formal Consultations). This can be sent via e-mail.	Staff will circulate and notify the Mississaugas of the Credit First Nation of all matters related to urban boundary expansion applications.
	The Mississaugas of the Credit First Nation is a recognized 'public body' under the Planning Act, meaning that they can participate in Ontario Land Tribunal hearings related to urban boundary expansion applications.	Noted.

<b>Haudenosaunee Development Institute</b>	<b>Comment</b>	<b>Staff Response</b>
	Requested an in-person meeting with the Chiefs and Clanmothers to discuss how the Draft Framework will be compliant with the Provincial Planning Statement which requires that planning authorities engage on treaty rights which are in place over the entirety of Hamilton	At the time of this report, this meeting has not been scheduled yet.

<b>Hamilton Regional Indian Centre</b>	<b>Comment</b>	<b>Staff Response</b>
	No response received.	N/A

<b>NIWASA</b>	<b>Comment</b>	<b>Staff Response</b>
	No response received.	N/A

### Public Questions and Staff Response

#### Theme – Provincial Authority and Local Decision Making

Question	Staff Response
<p>Why is the Province overriding the City's decision on the urban boundary expansion?</p>	<p>With the passing of Bill 150, the Province reversed its earlier decision to expand Hamilton's urban boundary.</p> <p>The new planning rules established by the Province do not directly override the City's firm urban boundary growth strategy. Rather, they open the door for privately initiated expansion applications to be approved by the Ontario Land Tribunal.</p>
<p>Can the Province force Hamilton to service lands outside the urban boundary?</p>	<p>If lands are brought into the urban boundary through a privately initiated application, the Province has authority under the <i>Planning Act</i> to issue zoning, draft plan of subdivision and site plan approvals as well as require the City to enter into development agreements with landowners respecting servicing.</p> <p>The Province rarely uses this authority; however, if the City simply refused to provide services to new lands within the urban boundary the Province could compel the City to service them through legislation.</p>
<p>How does Bill 212 and the proposed Highway 413 impact urban boundary expansion?</p>	<p>None of the priority transportation projects identified in Bill 212 (Highway 414, Bradford Bypass, Garden City Skyway Bridge Twinning) are located in areas where the City could receive urban boundary expansions.</p>

<b>Question</b>	<b>Staff Response</b>
<p>How do the Strong Mayor powers affect the Mayor's ability to represent the City and Councillors in this process?</p>	<p>These powers would enable the Mayor to overturn a decision by City Council to either approve or refuse an urban boundary expansion application.</p> <p>These powers do not allow the Mayor to overturn a decision made by the Ontario Land Tribunal respecting an urban boundary expansion (e.g. if the Ontario Land Tribunal approves an urban expansion overturning City Council's refusal, the Mayor could not overturn this decision).</p>
<p>Does the City have recourse if the Ontario Land Tribunal (OLT) overrules its decision?</p>	<p>The City can make a request to the Ontario Land Tribunal to review its decision. Generally, this review is only to consider if there was an error in law made by the Ontario Land Tribunal and does not reconsider the merits of the application.</p> <p>The City could also file a motion for leave to appeal to Divisional Court, which similarly does not reconsider the merits of the application but requires demonstrating a question of correctness on an extricable question of law which is of general or public importance.</p>
<p>What is the point of this review process if a decision will just be appealed to the OLT?</p>	<p>The recommended Framework establishes more rigorous standings than what is provided in the Provincial Planning Statement to ensure that any urban boundary expansion application received must also be evaluated against Hamilton's land use policies and priorities.</p> <p>If an urban boundary expansion application is appealed to the Ontario Land Tribunal, the City may call expert witnesses to provide evidence at the hearing which requires them to fully review and assess the application.</p>

Question	Staff Response
Are new staff being hired to manage these applications and address the OLT cases that will be brought forward in these areas?	Yes, City Council provided direction to create a new team within the Planning and Economic Development Department to specifically review and respond to urban boundary expansion applications and provide evidence at any Ontario Land Tribunal hearings. The City is actively filling these positions now.

### Theme – Development Applications and Processes

How many applications have been submitted for development in the White Belt? How many urban boundary expansion proposals does the City anticipate receiving each year?	<p>A list of all applications received to date can be found at <a href="http://www.hamilton.ca/ube">www.hamilton.ca/ube</a>.</p> <p>The City does expect to receive additional urban boundary expansions in the coming years for additional lands within the white belt area. The number of applications depends on the size of the proposed expansion area.</p>
How can I register my opposition to a specific development application? What feedback opportunities will residents have?	<p>When an urban boundary expansion application is deemed complete, the City will be seeking public comments prior to finalizing its recommendation report to Planning Committee. These comments will be able to be provided:</p> <ul style="list-style-type: none"> <li>- Via e-mail to the Planner assigned to that application.</li> <li>- At any Open House held by the City to receive input on the application.</li> <li>- At the statutory Public Meeting at Planning Committee.</li> </ul>

Question	Staff Response
	If you wish to be notified of any urban boundary expansion application deemed complete, please e-mail <a href="mailto:urbanboundary@hamilton.ca">urbanboundary@hamilton.ca</a> and request to be added to the City's mailing list respecting these applications.
What is the cost range for studies and assessments if paid for by applicants?	Staff do not have an estimate of the cost for the applicant to commission or prepare each submission requirement for an urban boundary expansion application. The studies and assessments must be prepared by qualified professionals.
How will "island" development applications not adjacent to built-up areas be reviewed?	Both the Provincial Planning Statement and City's Framework have policies and considerations which discourage 'island' developments that are not contiguous with the existing urban boundary and/or cannot be easily integrated with Hamilton's urban fabric.
Can a developer submit an incomplete application and still go to the OLT?	An applicant can appeal the decision by the City to deem their application incomplete to the Ontario Land Tribunal. The Tribunal would only rule whether the application is complete, not whether or not it can be approved. If the Ontario Land Tribunal rules that an application is in fact complete, then it would be processed and evaluated by the City in accordance with the Framework.
What's the new third-party appeal rule? Can I / how can I be involved in the OLT/appeal process?	The Province recently amended the <i>Planning Act</i> through Bill 185 to no longer allow third party public appeals of planning applications. Generally, this means that members of the public would be limited to "participant" status where you can provide written submissions to the Ontario Land Tribunal but cannot provide oral evidence or retain your own expert witnesses. For more information visit <a href="#">OLT   Participant Status Request</a> .

Question	Staff Response
<p>Can the City set timelines for new proposals to prevent stalled projects?</p>	<p>If a privately initiated urban boundary expansion application is approved by Council or the Ontario Land Tribunal, there are no mechanisms under the <i>Planning Act</i> which would enable the City to automatically remove it from the urban area if development does not occur within a specified time horizon.</p> <p>The Province has recently made changes to the <i>Planning Act</i> that allow municipalities to create 'use it or lose it' policies to withdraw previous approvals for stalled developments. However, these powers only apply to Draft Plan of Subdivision and Site Plan applications, not Official Plan Amendment applications.</p>

### Theme – Environmental Impacts and Protections

<p>Will developers have to adhere to environmental regulations and pay for potential environmental impacts (e.g., flooding)?</p>	<p>The Framework includes a requirement for a Subwatershed Study (Phase 1) to be submitted which looks at the impact of urban development on the larger watershed. This includes the potential for downstream flooding. Should an urban boundary expansion application be approved, the lands would be subject to a Secondary Plan and more detailed subwatershed planning that would identify the location and size of required storm water management infrastructure and facilities (e.g. ponds, storm sewer upgrades) required to prevent downstream flooding. All Subwatershed studies are carefully reviewed by both the City and Conservation Authorities. The applicant would be required to provide this infrastructure through their development approvals.</p>
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Question	Staff Response
How might urban boundary expansion impact flooding?	See comment above.
Will the loss of rural areas and their carbon sequestration capacity be considered in climate impact assessments?	No, but this may be considered at the Secondary Plan stage should an urban boundary expansion be ultimately approved.
Can the City advocate for adding the White Belt areas to the Greenbelt or protecting them as animal corridors?	Yes. The Province is required to review the Greenbelt Plan every 10 years and through that process the City should have an opportunity to make requests to the Province on changes to the Plan, including expansion of the Greenbelt Area. The last Greenbelt Plan review began in 2015.
Have any submission requirements incorporated the new work on the Biodiversity Action Plan for the city?	Part B of the Draft Framework does require the City to assess whether the expansion area maintains, restores, or enhances the functions and features of natural features, their ecological functions and biodiversity. This is in line with the Biodiversity Action Plan.

### Theme – Infrastructure and Services

Will tax from new developments revenue cover the costs of utility maintenance and replacement?	This is a question that the City will assess through the review of an urban boundary expansion application through the Financial Impact Analysis submission requirement.
Can developers be charged for future transit development (feasibility studies, new transportation staff)?	The City can recover capital costs (e.g. buying additional buses) associated with future transit development of expansion lands as well as transit studies through Development Charge revenue. The operational costs (e.g. staffing) associated with servicing expansion areas cannot be collected through Development Charges and would

Question	Staff Response
	need to be collected through a combination of fare revenue, property tax revenue and government grants.
Will you examine the impact of additional traffic on already busy roads?	Yes. The Framework requires the submission of a Traffic Impact Assessment that would look at the impacts of urban development on the expansion lands to the existing transportation network.
Historically, housing development has taken place prior to road development. How does Hamilton plan to prioritize this?	Should an urban expansion area be approved, the lands would still be subject to approval of a Secondary Plan, Zoning By-law Amendment and Draft Plan of Subdivision which would determine what roads would need to be improved to accommodate new housing development. The City has tools like Holding Provisions which are to ensure that new residential development cannot occur until these types of infrastructure improvements are made.
Will you be considering school capacity and the impacts on education boards?	Yes. The Framework includes the requirement for the submission of a School Accommodation Issues Assessment that considers whether and where new schools are required to accommodate residential development within the expansion area. This Assessment would be reviewed by all local School Boards, and should an urban expansion be approved, those School Boards would need to secure new school sites through subsequent planning approvals.

**Theme - Affordable Housing and Social Impacts**

<b>Question</b>	<b>Staff Response</b>
How does potential urban boundary expansion impact the housing crisis in the city center?	It is challenging to say. The City cannot require developers in newly expanded urban areas to provide deeply affordable housing that would support Hamilton residents experiencing homelessness. Over the long term it can be argued that expanding Hamilton's urban boundary to create new residential neighbourhoods provides more opportunities to increase the overall supply of housing in the City which in turn puts downward pressure on housing costs across the housing continuum.
Does expansion contribute to more affordable housing, or does it facilitate taking up green space with larger homes?	See above comment.
Is there a plan to explicitly address social impacts and hold developers (and the City) accountable for quality of life, health, and local economic & social well-being?	The Framework requires the City to take a wider review of proposed urban expansions to consider how its approval would impact the City's long term economic, social, and sustainable objectives over the long term. Ensuring that an approved expansion area has sufficient services to support social well-being like park space, mix of housing options, nearby schools and commercial businesses would be completed through the Secondary Planning process.
Have studies included densification vs. expansion in regard to effects on homelessness?	The City of Hamilton has not commissioned any studies.
Please define what is meant by "affordable housing."	Different levels of government and organizations have different definitions of "affordable housing" which can also vary based on the housing type. One definition used by the City in administering funding through its Affordable Housing Development Project Stream is rent at or below 80% of Canada Mortgage and Housing Corporation's Average Market Rent, by bedroom type.

# Memo

**To:** Charlie Toman, Program Lead, Policy Planning and MCR, City of Hamilton  
Dave Heyworth, Manager, Sustainable Communities, City of Hamilton

**From:** Paddy Kennedy, RPP, Partner  
Antony Lorius, RPP, PLE, Associate

**Date:** January 10<sup>th</sup>, 2024

**Subject:** City of Hamilton, Review of Urban Area Expansion Criteria: Financial Impact Analysis

**Our File:** 24-7609

## 1.0

# Introduction

## 1.1

### Background

Ontario's planning system has changed significantly over the last several years. Changes to the *Planning Act*, the repeal of the *Places to Grow Act* and the issuance of a new *Provincial Planning Statement (2024)* have had significant implications on how the municipalities plan for future growth, in particular future potential urban area expansions (UAE).

The City of Hamilton's current Urban Hamilton Official Plan (UHOP) does not provide comprehensive guidance for large-scale, private landowner-led applications for urban boundary expansion. At the time the City completed its Municipal Comprehensive Review, private applications for urban boundary expansion were restricted under previous versions of the UHOP/*Planning Act*/PPS/Growth Plan, etc. To address gaps between the current UHOP and recent Provincial changes, the City has developed a planning framework to assess and respond to urban boundary expansion applications.

The purpose of the framework is to ensure that UAE applications comprehensively assess the implications of the proposal against relevant Provincial and municipal land use priorities including prime agricultural land preservation, efficient use of land and infrastructure, financial sustainability, planning for the impacts of climate change, protection of the natural environment, and supporting transit and active transportation network. The City's Draft Framework includes three main components:

- Part A: Submission Requirements (specific plans and technical studies required for an UBE application);
- Part B: Key Considerations (the factors the City will consider when evaluating UAE applications); and,
- Part C: Submission and Review Process (the overall application process and key steps involved within a 120-day time frame).

Dillon Consulting was retained to provide technical guidance on developing aspects of the above-noted planning framework, including how to assess impacts on growth allocation, energy and climate change as well as guidance for public engagement and subwatershed study requirements. Dillon also provided guidance on how the City should assess and consider the financial impacts of proposed UAEs.

With respect to the matter of financial impacts in particular, Dillon recommended that a Financial Impact Analysis (FIA) be prepared to support future UAE. It was recommended that the FIA include a comprehensive assessment of the growth-related infrastructure, operating and replacement costs associated with the infrastructure required, anticipated revenues, consideration of broader municipal fiscal implications and conclusions on the long-term net fiscal impact<sup>1</sup>. In addition to policy conformity matters, understanding the fiscal impacts of making changes to the City's approved urban structure is of significance given the City's infrastructure deficit, which is forecast to be \$195.9 million annually (1.9 billion over ten years) for core assets of water, sewers, roads and engineered structures<sup>2</sup>.

On August 16, 2024, Hamilton City Council (Council) approved the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications and directed staff to develop a public consultation and engagement program to help with finalizing and implementing the Draft Framework. As part of the August 16<sup>th</sup> decision, Council also directed Staff to undertake additional technical work on the FIA aspect of the Draft Framework. Council passed the following motion stating:

*"that staff be requested to work with the assigned consultant to the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications under the proposed Provincial Planning Statement to ensure that the financial assessment of infrastructure extensions into greenfield areas (i.e. urban boundary expansion areas) compared to upgrades or renewals within our existing urban boundary accounts for the costs on a per hectare basis and the opportunities to generate additional property tax revenue via the enrichment of adjacent assessment property values."*<sup>3</sup>

## 1.2 Memo Purpose and Contents

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The purpose of the following memo is to elaborate on our initial July 26<sup>th</sup>, 2024 memo on the subject of municipal financial impact assessments (within the context of urban boundary expansions). To properly address the request from Council, this Memo covers the broader legislative and policy context for urban boundary expansions and municipal finance in Ontario (Section 2). Section 3 provides a recommended approach for FIAs, outlining the key concepts and proposed submission requirements for future UAEs and taking into account feedback that has been received to date on the proposed framework, including feedback provided by the development industry through the West End Homebuilders Association (WEHBA). The analysis and commentary in Section 3 is informed by a review of FIAs undertaken

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<sup>1</sup> Refer to Appendix A1 to Report PED 24109 (Dillon Consulting Memo dated July 26, 2024).

<sup>2</sup> Refer to Corporate Asset Management Plan Overview, City of Hamilton, June, 2022 (page 1).

<sup>3</sup> Refer to Council Minutes 24-015 for Planning Committee Report 24-011, August 16, 2024 (page 11 of 30, item 10).

elsewhere in the Province (including Hamilton). Section 4 summarizes conclusions and recommendations and Section 5 provides a listing of selected references.

## 2.0 Legislative and Policy Context

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### 2.1 Planning Act

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The *Planning Act* outlines the basis for municipal land use planning in Ontario. Section 2 of the Act identifies twenty (20) distinct matters of Provincial interest which the Province, Councils and municipalities shall have regard to when making decisions. Of relevance for this Memo are the following:

- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (h) the orderly development of safe and healthy communities;
- (i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (l) the protection of the financial and economic well-being of the Province and its municipalities; and,
- (p) the appropriate location of growth and development;

### 2.2 Provincial Planning Statement (2024)

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The PPS (2024) directs municipalities to plan for growth in an integrated, coordinated and efficient manner and requires planning authorities to consider the financial viability of future development. Section 2.3.2.1 provides general guidance to planning authorities around decision-making for settlement area expansion, stating that (amongst various items) that planning authorities shall consider “if there is sufficient capacity in the existing or planned infrastructure and public service facilities (item b)”. The PPS also provides high level guidance for integrated growth management and infrastructure planning. Section 3.1.1 of the PPS states that infrastructure and public service facilities “shall be provided in an efficient manner while accommodating projected needs” and that “infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they:

- a) Are financially viable over their life cycle, which may be demonstrated through asset management planning;
- b) Leverage the capacity of development proponent, where appropriate; and,
- c) Are available to meet current and project needs”.

Section 3.1.2 establishes the importance of leveraging existing infrastructure before undertaking major expansions, stating that “before consideration is given to developing new infrastructure and public service facilities:

- a) The use of existing infrastructure and public service facilities should be optimized; and,
- b) Opportunities for adaptive re-use should be considered where feasible”.

Additional sections of the PPS provide more detailed guidance for specific types of infrastructure and public service facilities, such as Section 3.6.1 which underscores the importance of planning for sewage and water services in an efficient manner that is feasible and financially viable over their lifecycle.

## 2.3

### **Municipal Act (2001) and Development Charges Act (1997)**

The Municipal Act, 2001, grants municipalities broad powers to govern their affairs, including financial management. Within the context of infrastructure cost recovery, the key tools include:

- **Fees and Charges:** Municipalities can impose fees and charges for services, activities, and the use of municipal property. This includes capital cost recovery for infrastructure like water and sewage services, even for future beneficiaries.
- **Local Improvements:** Municipalities can undertake local improvement projects and recover costs from benefiting properties through special assessments.
- **Debenture Financing:** Municipalities can issue debentures to finance large capital projects, with debt levels regulated to ensure financial stability.
- **Infrastructure Ontario:** Provides access to low-cost, long-term financing for municipal infrastructure projects.

The Development Charges (DC) Act, 1997, enables municipalities to levy development charges on new developments to fund infrastructure and services needed for growth. Development charges help recover the costs of infrastructure such as roads, water, sewage, and recreational facilities required for new development. Together, the *Municipal Act* and *Development Charges Act* equip municipalities with tools to plan, fund, and manage infrastructure development, supporting sustainable growth and community well-being in accordance with provincial and City of Hamilton planning policy objectives.

Within the context of UBE, municipalities rely heavily on the combination of development charges, fees and charges and applicable provincial/federal grants/transfer payments to cover the initial round of capital infrastructure investment. As an UBE area evolves and becomes part of a broader community over time, the expectation is that the local tax base, along with user fees (such as water, sewer and stormwater fees) largely supports the need for any future improvements or replacements over the longer-term. The FIA Criteria and associated submission requirements discussed below are considered within the above-noted legislative context.

## 3.0 FIA Criteria and Submission Requirements

### 3.1 What is a Financial Impact Analysis?

The purpose of an FIA is to evaluate the financial implications of a development where there typically aren't existing or sufficient services to accommodate the envisioned growth. Typically, municipalities will undertake an FIA for new large greenfield areas or major intensification areas. This type of assessment is crucial for understanding the economic and fiscal consequences of new development on a municipality to assist Council in its decision-making.

The goal of conducting an FIA for an urban boundary expansion is to provide Council with a comprehensive understanding of the specific financial impacts of a large-scale development, enabling decision-makers to make informed choices that balance growth with fiscal responsibility and community well-being. FIAs are not usually prepared as a comprehensive City-wide assessment, rather they are typically completed as a site-specific or local area-assessment that examines the financial impacts resulting from a proposed development. The results of an FIA can be used to inform other municipal processes such as secondary planning, infrastructure master planning, development charge studies, fee/rate studies and municipal budgeting amongst others.

### 3.2 What should be included in an FIA?

Traditional FIAs include the following elements:

- Summary of the proposed development, including the overall amount and type of growth and its anticipated phasing over time;
- Breakdown of costs to develop and maintain the area, including both the initial capital-related costs noted above as well as longer term operating implications;
- Breakdown of the various revenue sources associated with the proposed development, typically organized around the tools currently available within the applicable municipal land use planning and regulatory powers; and,
- Overall net fiscal impact statement, including summary conclusions on whether or not the municipality (in this case the City of Hamilton) is expected to be better or worse off from a municipal fiscal perspective as a result of the proposed development.

**Table 3.1** below provides a brief description and examples of these four elements:

**Table 3.1: FIA Components**

<b>FIA Component</b>	<b>General Description</b>
<b>Summary of Proposed Development</b>	<ul style="list-style-type: none"> <li>Overview of the proposed development identifying the overall area to be developed, the quantum of growth that the plan will accommodate, including the number and type of housing units, population and employment (number of jobs and gross floor area by type, etc.).</li> <li>The expected phasing of growth and the overall time horizon that it will take to fully develop (e.g. 20, 30, 50 years., etc.). Phasing plans are used to describe the quantum of growth over 5 to 10 year intervals.</li> </ul>
<b>Municipal Costs (Capital and Operating)</b>	<ul style="list-style-type: none"> <li>Municipal costs are broken down by several streams: capital costs, operating/maintenance costs and replacement/lifecycle costs. Examples of typical capital costs include roads, transit, trails/paths, water, sewer and stormwater, etc.).</li> <li>Depending on size and complexity of the community or employment area being planned for, municipal costs should also include provision of various public service facilities, such as police, fire and emergency services, libraries, parks and recreational facilities and any other municipally operated facility associated with the planned growth. Public service facilities which are not the responsibility of the municipality, such as schools, hospitals, etc. are typically not included as part of the FIA but would be included as part of a broader secondary planning process and addressed through distinct funding mechanisms (such as. Education Development Charges, provincial funding programs, etc).</li> </ul>
<b>Revenue Sources</b>	<ul style="list-style-type: none"> <li>Revenue sources are typically organized around the various municipal tools for cost recovery, including development charges, property taxes, user fees and other charges, provincial/federal funding and other potential revenue streams that may be relevant (such as development agreements, debenture financing under Ontario Regulation 403/02 of the Municipal Act, etc.).</li> </ul>
<b>Net Fiscal Impact Statement</b>	<ul style="list-style-type: none"> <li>The net fiscal impact statement illustrates the overall breakdown of how the costs compare to the revenue sources over time, showing how development will be funded, along with commentary on debt impact, property taxes and user rates. Depending on the results of the net fiscal impact statement, FIAs sometimes provide policy recommendations for how the municipality should balance the overall financial pressures.</li> </ul>

## 3.3

## Considerations and Commentary

Traditionally, FIAs have been used to support decision-making around growth and development. FIAs enable decision-makers to plan for sustainable growth by minimizing the impact of growth on existing rate payers, providing guidance for different options and approaches to financing development and ensuring a plan is in place to maximize cost recovery. Considering the recent Provincial policy and legislative changes, the following are expected to be the main challenges for the City (in the context of using FIAs as a tool to support decision-making around future UAE applications):

- **The City's current capital and infrastructure plans do not contemplate boundary expansions and it will be a challenge to identify the full infrastructure requirements associated with any given expansion proposal.** The City's current growth management plan is to focus growth and development within the existing urban boundary. Accordingly, the City's infrastructure master planning is based on the Provincially approved Official Plan and unless there is residual capacity, in most cases there is not likely to be existing and/or planned capacity already in place to support future boundary expansions<sup>4</sup>.
- Future applicants for boundary expansions will be in the position of identifying the infrastructure needs for a specific area but **may not be able to fully identify broader system level implications** and the associated costs related to the proposed expansion (e.g. water or wastewater plant expansions, pumping station upgrades, road widenings for facilities outside of the area, etc.). In addition, the need for community level services that are shared across a broader area will be difficult to identify as applications come forward at the site or neighbourhood level (e.g. fire and police services; arenas/community facilities; schools).
- Further, there are plausible scenarios where the **City may have to consider multiple different expansions at the same time**, which adds a layer of complexity and nuance to the decision-making process and further underscores the value of comprehensive growth management planning exercises (such as GRIDS/GRIDS 2). When assessing the completeness of an FIA the City should consider whether the applicant has identified the appropriate amount and type of infrastructure and public facilities to serve the area.
- **FIAs may produce an incomplete picture:** In most cases, FIAs form part of a broader growth management or secondary plan process that is led by the municipality. Accordingly, FIAs tend to speak directly to the fiscal pressures that a municipality can expect to face. In the context of the recent UAE changes whereby a private applicant is initiating an expansion proposal, the onus on assessing the overall fiscal impact rests with the applicant. In this scenario, applicants can be expected to speak to overall costs and revenues associated with their development but may not be able to be able to assess wider financial implications of the proposed development on the

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<sup>4</sup> One of the PPS tests for assessing the boundary expansion is whether there is sufficient capacity in existing or planned infrastructure (Policy 2.3.2.1.b).

City's overall fiscal position and therefore are less likely to propose a fulsome range of cost recovery options (i.e. cost recovery tools are likely to focus on DCs, fees, taxes, etc.).

- To address this issue, and given the 120 day window for making a decision on a complete application, the City should consider an approach that would **have submitted FIAs peer reviewed and/or supplemented with additional technical analysis** to ensure a) a fulsome analysis of infrastructure and public service facilities needs have been undertaken (as noted above), b) that the cost estimates are appropriate and that c) reasonable cost recovery options are considered – this will position the City to have a better understanding of the overall impact of the proposed development in the City's fiscal position.
- **Development industry has provided feedback on the FIA recommendations:** As part of the consultation and engagement program, the City received feedback from the development industry with respect to several of the FIA recommendations contained in the July 26<sup>th</sup> Memo and subsequently met with representatives in January 2025 to receive additional feedback. Key concerns raised with respect to the FIA component include:
  - The recognition that FIAs are technically complex and there are a limited number of qualified experts available to properly complete this type of analysis. Accordingly, the July 26<sup>th</sup> Memo recommended that FIAs be completed by a “qualified urban land economist or municipal finance practitioner with clearly demonstrable experience in fiscal impact analysis prepared for public sector clients”. Feedback from the industry suggested that the qualifications for FIAs not be limited to practitioners with public sector FIA experience for a variety of reasons including the limited number of qualified professionals available and potential for conflicts with other or related applications.
  - To address these concerns and still ensure that the City receives an analysis prepared by a qualified professional, the criteria in the study Terms of Reference should be simplified to state that the study be undertaken by a qualified urban land economist or municipal finance practitioner with clearly demonstrable experience in fiscal impact analysis” and subject to the Peer Review and supplemental analysis noted above.
  - The recommendation that the FIA include “an assessment of the ecological value of natural heritage features” would be difficult to quantify for the purposes of an FIA. The inclusion of ecological value estimates into the FIA would require additional study to properly assess how best to practically incorporate this type of information into the traditional FIA methodology. Given the novelty of the concept and the tight timeline for implementing a terms of reference for the FIA work, these comments are well taken and we would agree that there are practical advantages to having the City's FIA methodology generally aligned with current industry practices.
  - The ecological value of current features and how their function contributes to the broader sustainability objectives of the City, however, remain an important municipal planning objective and would certainly benefit from further study/testing. This type of work could

be incorporated and considered as part of a City-led secondary plan exercise to establish and pilot an acceptable methodology for assessing and incorporating ecological value; and,

- **The time horizons should align with infrastructure lifecycle timelines.** The initial Staff Report that laid out the UBE criteria had recommended “that the time horizon assess in any analysis extend past the lifecycle replacement costs of new infrastructure”. Feedback from the development industry stated that the approach for FIAs needs to be clear and that the timelines reflect the general infrastructure lifecycles. The terms of reference for the FIAs should provide clear language for the expected time horizons and, as noted above, generally aligned with current industry practices.

### 3.4 Benchmarking Applications (Greenfield vs. Intensification Areas)

On a final and broader methodological note, it is also important to understand that **comparing the infrastructure costs and revenues between greenfield and intensification areas is a complex matter.** The Council motion referenced at the outset of this Memo is essentially exploring the notion (from a FIA perspective) that the City consider how the FIA tool can be used to better understand the different costs, revenues and resulting long-term fiscal impacts associated with development in new greenfield areas compared to development in the City’s built-up area.

Our July 2024 Memo spoke generally to some of the differences in infrastructure costs and cost recovery, outlining that infrastructure costs for intensification tend to be higher relative to greenfield areas and development charges tend to favour greenfield development because they can more readily recover a higher portion of relative costs in greenfield areas compared to intensification areas as a result of the benefit to existing users discounts that apply in the built-up area. Earlier analysis from the GRIDS 2 work program prepared by Watson and Associates (2021) spoke this in more detail<sup>5</sup> – noting that the benefit to existing users could result in development charge discounts of between 10% to 50% for water and wastewater upgrades and improvements within the built-up area. The 2021 analysis by Watson also spoke to a range of other differences which can influence the cost profile for redevelopment, such as the presence of combined sewers vs. separated sewers, as well as cost differences for securing parks and public facilities (which tend to be higher and more challenging in the built-up area).

From a revenue perspective, the potential for generating municipal tax revenues also depends heavily on the number of tax payers living in an area, the rates and the overall land use mix. Areas with higher housing densities and larger size and number of employment uses will tend to generate higher volumes of tax revenue and vice versa for lower density areas (i.e. areas with less housing units, fewer employment uses will tend to generate lower tax revenues) other things being equal. And while intensification areas, such as downtowns, nodes and corridors would fit the profile of an area with

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<sup>5</sup> Refer to Appendix B: Municipal Finance Reports by Watson and Associates (part of City of Hamilton GRIDS 2 / MCR Planning for Growth to 2051: How Should Hamilton Grow? Evaluation of Growth Options, Dillon Consulting, October 2021).

higher rates of revenue generation on a per hectare basis compared to a new greenfield area, there is limited data on what the overall net financial position is for different spatial patterns<sup>6</sup>. In absence of City-specific datasets, it is difficult to pin-point the specific density range and land use pattern that optimizes municipal finance considerations.

Intensification, like all forms of urban development, still requires expensive infrastructure and the net fiscal impacts of intensified urban environments are far more complex than simply making 'better' or more intensive use of existing and future infrastructure. To that end, there is an opportunity for the City to take a closer look at the different costs/revenue implications for various densities/mixes within the City to inform future decision-making. An audit/study on a selection of areas, for example, could help the City better understand the overall fiscal impacts of intensification and inform longer term decisions around intensification priority areas. The data and findings resulting from such an analysis would also help Staff and Council contextualize and assess UAE proposals from a financial perspective, along with the FIA materials submitted by the applicants, as the case may be.

## 4.0 Recommendations and Conclusions

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From a process perspective, in our view it is more appropriate for the FIAs prepared by UBE proponents to be focussed primarily on the proposed expansion areas. Requesting that applicants prepare a comparative analysis between the proposed greenfield expansion area and other built-up areas from a financial perspective is of questionable practical relevance from a development review and approvals perspective and likely to yield incomplete results given the limited access to City-wide data on the net fiscal impacts of intensification compared to greenfield development.

However, we do consider it reasonable to request that applicants include a summary of the total estimated cost and revenue per hectare for the proposed expansion, as requested in the Council motion noted earlier. Applicants should provide general commentary on how the proposed development has been optimized from a municipal finance perspective in the context of the Council motion. The recommended terms of reference for FIAs are attached in **Appendix A**. The terms of reference reflect industry standards and provide general guidance to the applicant. Applicants are strongly encouraged to participate in the City's pre-consultation process and on the FIA matters noted above.

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<sup>6</sup> While there has been a fair amount of analysis and commentary on the costs of suburban development, there has been very little detailed study on the costs of intensification. For example, studies such as the Sustainable Prosperity's (now Smart Prosperity) "Suburban Sprawl: Exposing the Hidden Costs, Identifying Innovations" (2013) tend to be general comparing initiatives from one city to another; Meaningful comparisons of costs/revenues associated with different spatial development patterns should be informed by the very real costs/revenue differences within a specific City context.

## 5.0

# Selected References

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Bolton Residential Expansion Study, Fiscal Impact Re: The Town of Caledon, prepared by Watson and Associates, June 16<sup>th</sup>, 2014.

Corporate Asset Management Plan Overview, City of Hamilton, June, 2022.

Council Minutes 24-015, Planning Committee Report 24-011, City of Hamilton, August 16, 2024.

City of Hamilton GRIDS 2/MCR – Planning for Growth to 2051: How Should Hamilton Grow? Evaluation of Growth Option, Dillon Consulting Limited, October 2021.

*Development Charges Act*, S.O. 1997.

Elfrida Community Area Fiscal Impact Assessment, prepared by Parcel, November 18<sup>th</sup>, 2024.

Fiscal Impact Assessment, City of Guelph, Clair Maltby Secondary Plan, prepared by Watson and Associates, April 29<sup>th</sup>, 2022.

Fiscal Impact Assessment for the Vision Georgetown Secondary Plan, Town of Halton Hills, prepared by Watson and Associates, July 8<sup>th</sup>, 2018.

Fiscal Impact Study, Alloa, Town of Caledon, prepared by KPEC Planning and Economics, July 2, 2024.

Fiscal Impact Analysis, Southeast Courtice Secondary Plan, Municipality of Clarington, date of publication not provided.

Fiscal Strategy for Settlement Expansion Lands, City of Brantford, prepared by Hemson Consulting, November 2020.

Financial Impact Analysis, Upper West Side Landowners Group, Urban Boundary Expansion Plan, Hamilton Ontario, prepared by MGP, June 2020.

Glendale Secondary Plan, Fiscal Impact Assessment, Town of Niagara-on-the-Lake, prepared by Urban Metrics, August 24, 2024.

*Municipal Act*, S.O. 2001.

*Planning Act*, R.S.O. 1990.

*Provincial Policy Statement*, Government of Ontario, 2024.

Report PED-24109, City of Hamilton, August 13, 2024.

Report PED-24109, City of Hamilton, Appendix A, “Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications”, August 2024.

Report PED-24109, City of Hamilton, Appendix A1, Dillon Consulting Memo dated July 26, 2024.

“Suburban Sprawl: Exposing Hidden Costs, Identifying Innovations”, Sustainable Prosperity, October 2013.

Upper West Side Secondary Plan: Financial Impact Analysis, prepared by MGP City Plan Ltd, November 2023.

**From:** Lois Corey

**Sent:** March 28, 2025 5:31 PM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Subject:** Submission of Comments re. public meeting on urban boundary expansion

Hello Planning Committee Members,

I am writing to submit my personal comments in regard to the upcoming public meeting on April 8 to consider amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan.

As a tax-payer and resident of Hamilton, I am officially opposed completely to any urban boundary expansion. The City of Hamilton should intensify within existing pre-established urban boundaries and build more small, affordable rental accommodations to address the homeless issue. But also of utmost importance is the protection of our precious greenbelt, which previous governments had the vision to establish, realizing that without these protections, the temptation to build out and pave over greenbelt would be too tempting and would proceed without control, resulting in permanent irreversible loss. Now, more than ever, with the threats from the U.S., we need to depend on growing our food locally, and not importing it from elsewhere, This is more sustainable environmentally and in terms of our economic future and well being.

As a person who values our natural world, I feel passionately that we have a responsibility to protect it for future generations, as well as our own survival. I cannot stress enough how strongly I feel about this, so I am adding my voice

as a citizen urging you to maintain the existing urban boundary at all costs.

I appreciate the opportunity to submit my comments and the time you took in listening to them.

Regards,

Lois Corey

**From:** Ian Hanecak

**Sent:** April 3, 2025 4:09 PM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Subject:** PED24109(b) - Official Plan Amendment and Final Framework for Processing and Evaluating Urban Boundary Expansion Applications

**External Email:** Use caution with links and attachments

Chair & Planning Committee Members,

I am writing in support of the Official Plan Amendment and Final Framework for Processing and Evaluating Urban Boundary Expansion Applications.

As a tax-payer and family-man, I invite growth in our City and am strongly in favour of expanding opportunities for homes and community amenities. Hamilton has plenty of room to expand and my children will need places to work, grow and live.

To be clear, I am also in favour of intensification, but believe Hamilton needs to do both in order to combat the housing crisis.

Thank you for your time.

Ian Hanecak



## City of Hamilton Report for Consideration

**To:** Chair and Members  
Planning Committee

**Date:** April 8, 2025

**Report No:** PED25106

**Subject/Title:** Application for a Zoning By-law Amendment for Lands Located at 120 Wentworth Street North, Hamilton

**Ward(s) Affected:** Ward 3

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### Recommendations

That **Zoning By-law Amendment Application ZAC-25-010, by Landwise (c/o Katelyn Gillis), on behalf of Indwell Community Homes (c/o Graham Cubitt), Owner**, for a change in zoning from the Neighbourhood Institutional (I1) Zone to the Mixed Use Medium Density (C5, 933, H196) Zone, to permit the adaptive reuse of a portion of an existing place of worship and the construction of a four storey multiple dwelling containing 50 units for affordable housing with supports, on the lands located at 120 Wentworth Avenue North, Hamilton, as shown on Appendix A attached to Report PED25106, **BE APPROVED** on the following basis:

- (a) That the draft By-law, attached as Appendix B to Report PED25106, 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 including the Holding symbol 'H' to the proposed Mixed Use Medium Density (C5, 933, H196) Zone;

The Holding Provision 'H196', is to be removed conditional on the following:

- (i) The owner submits and receives approval of an updated Watermain Hydraulic Analysis Report to demonstrate that there is sufficient water

**Application for a Zoning By-law Amendment for Lands Located at 120 Wentworth  
Street North (Ward 3)  
Page 2 of 10**

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supply available to meet the fire flow requirements for the proposed development, to the satisfaction of the Director of Growth Management and Chief Development Engineer;

- (ii) The owner makes satisfactory arrangements with the City's Growth Management Division and enter into and register on title of the lands, an External Works Agreement with the City for the design and construction of any required improvements to the municipal infrastructure at the Owner's cost, should it be determined that upgrades are required to the infrastructure to support this development, according to the Functional Servicing Report and Watermain Hydraulic Analysis Report, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
  - (iii) The owner submits and receives approval of a Demolition Plan that identifies potential salvage items and a process for safely removing and storing them as part of a controlled demolition process. The plan should include protective measures for the 1924 Sanctuary that is being retained, including foundation shoring, vibration monitoring, and protection of stained-glass windows in the east wall of the Sanctuary, to the satisfaction of the Director of Heritage and Urban Design; and,
  - (iv) The owner submits and receives approval of a Salvage & Commemorative Plan that includes a list of salvaged architectural elements and building materials and a strategy for how they will be reused elsewhere or repurposed on site as commemorative features. The plan should include interpretive material that provides a context for the commemorative features and strategies for conveying their significance, to the satisfaction of the Director of Heritage and Urban Design;
- (c) That the proposed change in zoning is consistent with the Provincial Planning Statement (2024), and complies with the Urban Hamilton Official Plan; and,
  - (d) That upon finalization of the amending By-law, the subject lands be redesignated from "Civic and Institutional" to "Institutional and Medium Density Apartments" in the Gibson Neighbourhood Plan and that the "Institutional and Medium Density Apartments" designation be added to the legend of Map 6607 – Gibson Neighbourhood Plan, as shown in Appendix J attached to Report PED25106.

## **Key Facts**

- The purpose of the Zoning By-law Amendment application is for a change in zoning from the Neighbourhood Institutional (I1) Zone to the Mixed Use Medium

**Application for a Zoning By-law Amendment for Lands Located at 120 Wentworth  
Street North (Ward 3)  
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Density (C5, 933, H196) Zone to permit the adaptive reuse of a portion of the existing place of worship and construction of a four storey multiple dwelling.

- The subject lands are designated “Neighbourhoods” on Schedule E – Urban Structure and identified as “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations as well as zoned Neighbourhood Institutional (I1) Zone in Zoning By-law No. 05-200.
- The proposal will facilitate the development of a four storey building containing 50 affordable housing dwelling units. To facilitate the new addition, the eastern portion of the existing two storey place of worship will be demolished while the western portion will be retained, which contains the main sanctuary building of the Wentworth Baptist Church, as is illustrated in the Concept Plan in Appendix D attached to Report PED25106.
- Staff recommends approval of the application for Zoning By-law Amendment as included in Appendix B attached to Report PED25106.

## **Financial Considerations**

Not applicable.

## **Analysis**

The subject lands are municipally known as 120 Wentworth Street North and are approximately 0.21 hectares in size. The subject lands are rectangular in shape with frontage along Wentworth Street North, Cannon Street East, and Huntley Street. Currently, the subject lands contain an existing place of worship, known as the Wentworth Baptist Church.

The proposed development will adaptively reuse a portion of the existing place of worship that contains the sanctuary and construct a four storey multiple dwelling containing 50 affordable housing studio apartments with supports. The first floor will contain administrative offices, tenant services, and amenity space. The second floor will contain additional amenity space with a proposed rooftop patio for resident use. A total of 14 parking spaces are proposed, including 13 spaces located in a parking garage and one located at grade. Although not formally recognized under the *Ontario Heritage Act* through registration or designation, the subject property is of potential cultural heritage value and staff do have an interest in ensuring any proposed changes are sympathetic to the historic character of the property and are contextually appropriate. Details on surrounding land uses are included in Appendix A1, the Concept Plan in Appendix D, and the Historical Background Factsheet in Appendix C attached to Report PED25106.

A full review of applicable Provincial Planning Statement (2024), and Urban Hamilton Official Plan policies is provided in Appendix E attached to Report PED25106.

**Application for a Zoning By-law Amendment for Lands Located at 120 Wentworth  
Street North (Ward 3)  
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### **Provincial Policy Framework**

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the Provincial Planning Statement (2024). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Planning Statement (2024).

The proposal supports the development of healthy, livable, and complete communities by providing affordable housing options in an area with access to a mix of land uses, transportation options, employment, public service facilities, institutional uses, recreation, and parks and open spaces. The development is located within a settlement area and is designed to promote efficient land and resource use. The proposal optimizes existing and planned infrastructure and public service facilities, supports active transportation, is transit supportive, and contributes to the provision of affordable housing for low to moderate income households.

Based on the foregoing, the proposal is consistent with the Provincial Planning Statement (2024).

### **Urban Hamilton Official Plan**

The subject lands are designated “Neighbourhoods” on Schedule E – Urban Structure and identified as “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations. Wentworth Street North and Cannon Street East are categorized as “Minor Arterial Road” on Schedule C – Functional Road Classification. A full review of applicable Urban Hamilton Official Plan policies is provided in Appendix E attached to Report PED25106.

The “Neighbourhoods” designation permits the proposed residential use. Policy E.3.2.1 notes that areas designated “Neighbourhoods” shall function as complete communities, with diverse residential types, densities, and supporting uses. The proposal will adaptively reuse a portion of an existing place of worship and intensify the site with a four storey multiple dwelling that is compatible with the surrounding development. The subject lands are situated on an underutilized institutional site, and the proposal represents an efficient use of land and will contribute to the affordable housing options in the neighbourhood.

Policy E.3.2.3 promotes the integration of housing with supports, local community uses/services, and local commercial uses within the “Neighbourhoods” designation. The proposed development aligns with these objectives by facilitating the construction of affordable housing adjacent to an existing place of worship, which will continue to serve as a community resource.

Policy E.3.8.1 permits local commercial uses that serve the daily and weekly needs of nearby residents within the “Neighbourhoods” designation, while Policy E.3.8.2 specifies the types of local commercial uses permitted. The subject lands have direct access to two minor arterial roads and benefit from higher order transit, supporting a mix of local

**Application for a Zoning By-law Amendment for Lands Located at 120 Wentworth  
Street North (Ward 3)  
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commercial uses that will enhance the surrounding area. The amending Zoning By-law includes provisions for limited local commercial uses to minimize the potential impacts related to noise, parking, deliveries, and loading, as detailed in Appendix B attached to Report PED25106. Introducing small scale retail, service, and office uses within walking distance will enhance convenience and accessibility for residents of all ages, abilities, and backgrounds, improving their quality of life.

The Mixed Use Medium Density (C5) Zone is found along collector and arterial roads. It permits a range of retail, service, commercial, and residential uses that serve the surrounding community while supporting active transportation and a pedestrian focused public realm. This aligns with the policy goals of the “Neighbourhoods” designation by fostering complete communities where people can live, work, shop, learn, and play. By reducing local automobile trips and promoting active transportation, these amenities will contribute to a vibrant, pedestrian friendly environment.

While no commercial uses are currently proposed due to the need for housing, the amending Zoning By-law includes provisions for limited commercial uses that will serve the daily and weekly needs of nearby residents, in accordance with Policy E.3.8 of the Urban Hamilton Official Plan. The proposal also meets the intent of the Mixed Use Medium Density (C5) Zone, which permits residential uses within a single or mixed use building, as outlined in Appendix B attached to Report PED25106. This flexibility allows for the evolution of the subject lands with the potential introduction of social enterprises and community based commercial uses, which will contribute to the neighbourhood’s vitality and long term sustainability.

Policy B.2.4.2.2 outlines considerations for residential intensification, including the evaluation of compatibility with adjacent land uses, height, massing, amenity space, and infrastructure impacts. The development is strategically located to maximize distance from nearby low rise residential uses and the parking garage entrance has been situated to the rear of the site for added privacy. There are no residential units that have windows facing north, mitigating overlook concerns to the adjacent single detached dwellings to the north. The development preserves the existing lot pattern and offers sufficient public and private amenity spaces. The proposal’s height and massing align with the surrounding neighbourhood, contributing to a cohesive streetscape. A central courtyard in the southwest corner of the site encourages foot traffic towards Cannon Street East while preserving the privacy of homes located on Huntley Street. Compatibility is further achieved through the efficient use of existing infrastructure and the integration of low impact development strategies to minimize environmental impacts. Additionally, the building is designed to meet passive house standards, achieving the sustainability goals of the Urban Hamilton Official Plan.

The proposal is a medium density residential development and complies with the Urban Hamilton Official Plan, permitting all forms of multiple dwellings within the “Neighbourhoods” designation. Policy E.3.5.1 defines medium density residential areas as those situated near major or minor arterial roads. Additionally, the general policies in the residential uses section advocate for higher density dwelling forms and supporting

**Application for a Zoning By-law Amendment for Lands Located at 120 Wentworth  
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uses to be located near such roads. Given that the subject lands have frontage on two minor arterial roads, Wentworth Street North and Cannon Street East, the site is ideally positioned to support medium density residential development. The proposed development represents an appropriate form of housing compatible with the evolving nature of the neighbourhood.

Policy E.3.5.8 and E.3.5.9 define criteria for evaluating the height and design, respectively, of medium density residential development. The development will exceed the height of existing residential uses; however, the overall building massing and scale achieve an appropriate transition in built form and scale. Additionally, the development incorporates adequate landscaping, amenity features, and on site parking, aligning with the intended function, scale, height, and design of medium density residential development policies.

A Cultural Heritage Impact Assessment for the subject property was completed by Hobson Built Heritage, dated December 6, 2024. The report assessed the impact of the demolition of the eastern part of the structure, including the circa 1870s stone house and the 1928 Sunday School addition. The main sanctuary building is proposed to be retained and integrated into the development. To ensure that development occurs within the portion of the building to be protected, a regulation has been included in the amending Zoning By-law that requires the development to occur in the building that existed on the date of the passing of the by-law. In addition, the Zoning By-law contains a regulation amending the definition of “existing” to permit the multiple dwelling within a new modification, enlargement, or extension of the building, as outlined in Appendix B attached to Report PED25106.

Staff also require that a detailed Demolition Plan and a Salvage and Commemorative Plan of the building on the subject property be submitted and approved as part of the Holding ‘H’ Provision as contained in Appendix B attached to Report PED25106. The proposal supports the conservation of a cultural heritage resource by adaptively reusing the existing place of worship, integrating it into the four storey multiple dwelling.

Staff have reviewed the evaluation of the subject property under Ontario Regulation 9/06 of the *Ontario Heritage Act* as supplied as part of the Cultural Heritage Impact Assessment and have determined that the subject property is a candidate for designation under Part IV of the *Ontario Heritage Act*. As regulated by the *Ontario Heritage Act*, Cultural Heritage staff are unable to designate the existing place of worship until the Zoning By-law Amendment process is complete as it is considered a prescribed event. Cultural Heritage staff and Hamilton Municipal Heritage Committee were satisfied with the approach of partial retention and protection within the Zoning By-law Amendment and have not recommended heritage designation at this time.

Based on the foregoing, and subject to the Holding Provisions, the proposal complies with the applicable policies of the Urban Hamilton Official Plan.

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### **Gibson Neighbourhood Plan**

The subject lands are identified as “Civic and Institutional” within the Gibson Neighbourhood Plan. Policy F.1.2.11 states that Neighbourhood Plans are policies adopted by Council resolution and do not form part of the Official Plan. Any proposal for development or redevelopment must conform to the designations, and policies in the Neighbourhood Plan. The subject lands are in the Gibson Neighbourhood Plan which consists of mapping and no associated policies to provide further guidance to development.

The subject lands are identified as “Civic and Institutional”, which does not permit the proposed development, which would be considered “Medium Density Apartments.” Therefore, staff are recommending that the Gibson Neighbourhood Plan be amended to change the designation of the subject lands to “Institutional and Medium Density Apartments” to implement the proposed development and the “Institutional and Medium Density Apartments” designation be added to the legend of Map 6607 – Gibson Neighbourhood Plan.

The proposed amendment can be supported for the following reasons:

- It allows for the residential intensification of the subject lands, consistent with the Provincial Planning Statement and represents good planning; and,
- Amendments to the Gibson Neighbourhood Plan will be in conformity with the Urban Hamilton Official Plan and aligns with the policy objectives.

The proposed mapping changes to the Gibson Neighbourhood Plan can be found in Appendix J attached to Report PED25106.

### **City of Hamilton Zoning By-law No. 05-200**

The purpose of the Zoning By-law Amendment application is for a change in zoning from the Neighbourhood Institutional (I1) Zone to the Mixed Use Medium Density (C5, 933, H196) Zone under Hamilton Zoning By-law No. 05-200, to permit the adaptive reuse of a portion of an existing place of worship and construction of a four storey multiple dwelling containing 50 affordable dwelling units with 14 parking spaces, including three barrier-free spaces.

Modifications to the Mixed Use Medium Density (C5) Zone are required to facilitate the development and are discussed in Appendix G attached to Report PED25106. Staff are satisfied that the proposed Zoning By-law Amendment complies with the policies of the Urban Hamilton Official Plan, in particular as it relates to policies regarding residential intensification, providing a range of housing options, local commercial, and developing complete communities.

**Application for a Zoning By-law Amendment for Lands Located at 120 Wentworth  
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The City of Hamilton's Comprehensive Zoning By-law No. 05-200 came into effect on May 25, 2005, and has been implemented in stages. The final phase of this project focuses on residential zones within the urban area, aiming to establish consistent zoning regulations city wide while expanding housing options for residents. As part of this initiative, the Residential Zones project will introduce two new Mid Rise Residential Zones to facilitate increased density along major roads. To align with this objective, Zoning By-law Reform staff recommend that the subject lands be designated within a Mid Rise Residential Zone, ensuring appropriate density and land use along key corridors.

### **Rationale For Recommendation**

1. The proposal has merit and can be supported for the following reasons:
  - (i) It is consistent with the Provincial Planning Statement (2024);
  - (ii) It complies with the Urban Hamilton Official Plan; and,
  - (iii) The proposal is compatible with existing development in the area and represents good planning by introducing a residential development that aligns with the existing and planned character of the area. The proposal contributes to the creation of a complete community by providing housing types and densities that are in harmony with the neighbourhood, while making efficient use of the land, existing municipal services, and multi modal transportation infrastructure.

2. Zoning By-law Amendment

The proposed Zoning By-law Amendment is to rezone the subject lands to the Mixed Use Medium Density (C5, 933, H196) Zone under Hamilton Zoning By-law No. 05-200, to permit the adaptive reuse of a portion of an existing place of worship and a four storey multiple dwelling containing 50 units for affordable housing with supports. A Holding 'H' Provision has been included to address water supply, infrastructure upgrades, and the documentation and salvage of the building elements.

Modifications are requested to the proposed zoning, including site specific performance regulations and the addition of prohibited uses, which are discussed in Appendix G attached to Report PED25106. Staff are satisfied that the proposed Zoning By-law Amendment complies with the policies of the Urban Hamilton Official Plan, particularly those related to the "Neighbourhoods" designation and residential intensification. Currently, no commercial uses are proposed due to the need for housing. However, the amending Zoning By-law includes provisions for limited commercial uses to support the long term sustainability and vitality of the subject lands. Overall, the proposal expands the range of housing options within the neighbourhood, adaptively reuses an existing

**Application for a Zoning By-law Amendment for Lands Located at 120 Wentworth  
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place of worship, and introduces a built form that is compatible with the surrounding context while supporting appropriate intensification. Staff are satisfied that the proposed Zoning By-law Amendment, as amended, meets the intent of the Urban Hamilton Official Plan. Therefore, staff support the proposed Zoning By-law Amendment, subject to the Holding 'H' Provisions.

## **Alternatives**

Should the application be denied, the subject lands can be used in accordance with the Neighbourhood Institutional (I1) Zone in City of Hamilton Zoning By-law No. 05-200.

## **Relationship to Council Strategic Priorities**

- Priority 1: Sustainable Economic & Ecological Development
  - 1.2: Facilitate the growth of key sectors.
- Priority 2: Safe & Thriving Neighbourhoods
  - Increase the supply of affordable and supportive housing and reduce chronic homelessness.

## **Consultation**

The applications were circulated to internal departments and external agencies. Refer to the comment summary and responses provided in Appendix F attached to Report PED25106.

The applicant submitted a public consultation summary which included notifying the Ward Councillor and mailing information to 250 property owners within 120 metres. 39 individuals attended the open house. The response to the Public Consultation that occurred prior to the submission of the application is included as Appendix H attached to Report PED25106. At the time of writing this report, three submissions were received from the public regarding the proposed development and a summary is included in Appendix I attached to Report PED25106. Residents indicated concerns regarding the number of units proposed, lack of green space, whether adequate parking was provided, and potential disruption caused by construction activities during site works. One resident was in favour of the development, supporting the rezoning and site-specific provisions, emphasizing the role of this application in providing affordable housing and preserving community space.

## **Appendices and Schedules Attached**

Appendix A:	Location Map
Appendix A1:	Existing and Surrounding Land Uses and Zoning
Appendix B:	Amendment to Zoning By-law No 05-200
Appendix C:	Historical Background Report Fact Sheet

**Application for a Zoning By-law Amendment for Lands Located at 120 Wentworth  
Street North (Ward 3)**

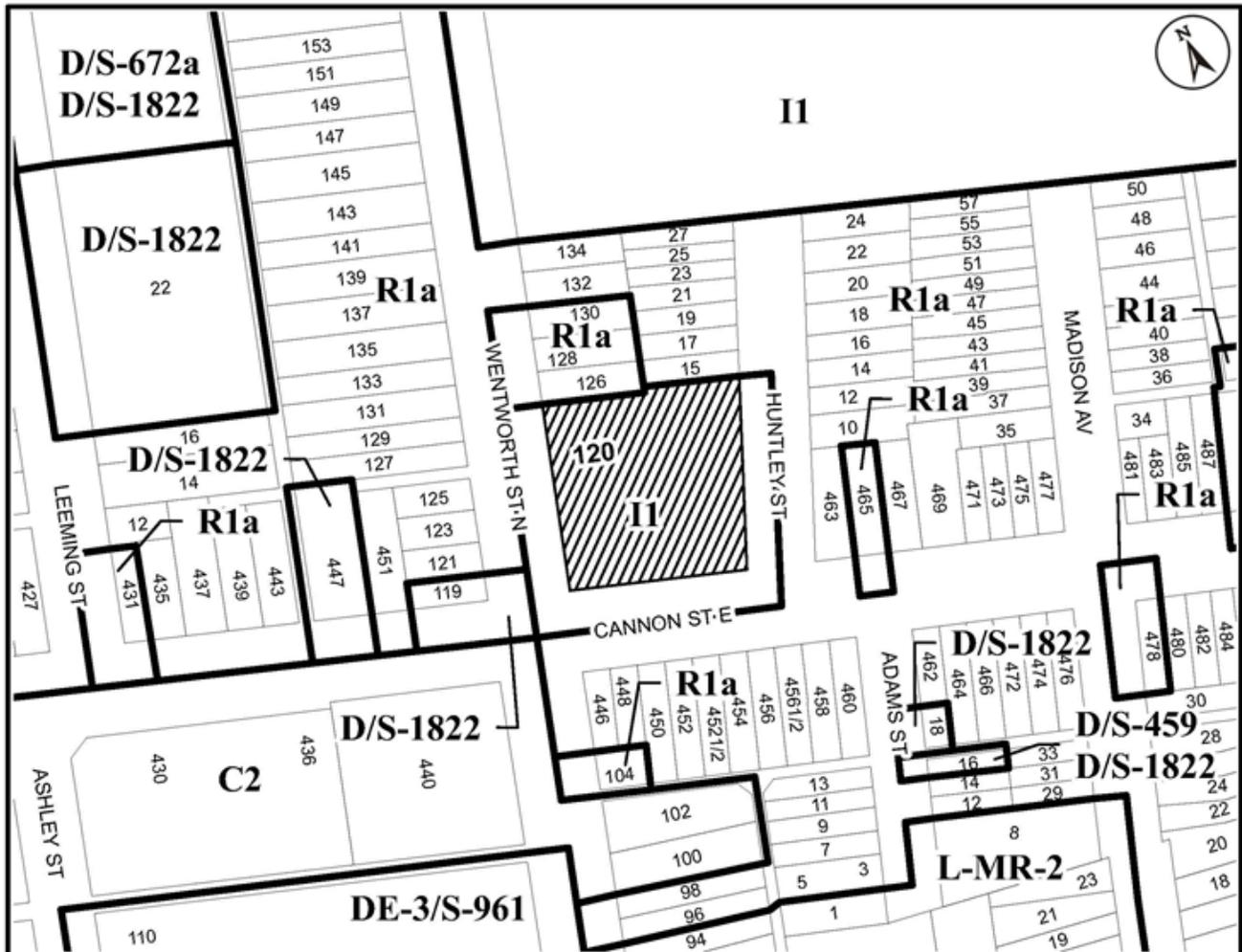
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Appendix D:	Concept Plan
Appendix E:	Policy Review
Appendix F:	Staff and Agency Comments
Appendix G:	Zoning Modification Table
Appendix H:	Public Consultation Summary
Appendix I:	Public Comments Received
Appendix J:	Amendment to Gibson Neighbourhood Plan Mapping

**Prepared by:** Amna Amir, Planner I  
Planning and Economic Development Department

**Submitted and  
recommended by:** Anita Fabac, Acting Director of Planning and Chief Planner  
Planning and Economic Development Department



● Site Location



Key Map - Ward 3

## Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
ZAC-25-010

Date:  
February 28, 2025

Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
AA/AL

### Subject Property

120 Wentworth Street North

 Change in zoning from Neighbourhood Institutional (I1) Zone to Mixed Use Medium Density (C5, 933, H196) Zone

## Existing and Surrounding Land Uses and Zoning

	<b>Existing Land Use</b>	<b>Existing Zoning</b>
<b>Subject Lands:</b>	Place of worship.	Neighbourhood Institutional (I1) Zone.

### Surrounding Land Uses:

North	Single detached dwellings.	Low Density Residential – Small Lot (R1a) Zone.
South	Single detached dwellings.	Low Density Residential – Small Lot (R1a) Zone.
East	Single detached dwellings.	Low Density Residential – Small Lot (R1a) Zone.
West	Single detached dwellings.	Low Density Residential – Small Lot (R1a) Zone and “D/S-1822” (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified.

**Authority:** Item,  
Report (PED25106) CM:  
Ward: 3

**Bill No.**

## **CITY OF HAMILTON**

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

**To amend Zoning By-law No. 05-200 with respect to lands located at  
120 Wentworth Street North, Hamilton**

**WHEREAS** Council approved Item \_\_\_ of Report PED25106 of the Planning Committee, at its meeting held on April 8, 2025;

**AND WHEREAS** this By-law conforms to the Urban Hamilton Official Plan;

**NOW THEREFORE** Council amends Zoning By-law No. 05-200 as follows:

1. That Map No. 954 of Schedule “A” – Zoning Maps is amended by changing the Neighbourhood Institutional (I1) Zone to the Mixed Use Medium Density (C5, 933, H196) Zone, for the lands known as 120 Wentworth Street North, the extent, and boundaries of which are shown on Schedule “A” to this By-law.
2. That Schedule “C”: Special Exceptions is amended by adding the following new Special Exception:

“933. Within the lands zoned Mixed Use Medium Density (C5, 933, H196) Zone, identified on Map No. 954 of Schedule “A” – Zoning Maps and described as 120 Wentworth Street North, Hamilton the following special provisions shall apply:

- a) That notwithstanding Section 3 – Definitions, as it relates to “Existing”, for the purposes of this By-law, “Existing” shall mean existing on the date of passing of this By-law, including the enlargement or extension thereof, and shall include the following:
  - a) The front (south) and side (west) exterior brick facades of the 1924 Sanctuary, including its:
    - a. 1953 front (south) addition with its gabled front parapet, three-bay façade with central raised entrance with decorative door surround, and various cast stone decorative elements throughout;

- b. Hip roofline on the side (west) elevation with the projecting gabled central brick parapet wall; and,
  - c. Round-headed window openings with brick voussoirs throughout.
- b) That notwithstanding the permitted uses of Section 10.5.1, only the following uses shall be permitted in conjunction with the building existing on the date of passing of this By-law:

Artist Studio  
 Catering Service  
 Commercial Recreation  
 Craftsperson Shop  
 Day Nursery  
 Dwelling Unit(s)  
 Emergency Shelter  
 Lodging House  
 Medical Clinic  
 Multiple Dwelling  
 Office  
 Personal Service (NOT FINAL & BINDING: By-law No. 24-137, July 12, 2024)  
 Performing Arts Theatre  
 Place of Assembly  
 Place of Worship  
 Repair Service  
 Residential Care Facility  
 Restaurant  
 Retail  
 Retirement Home  
 Social Services Establishment  
 Urban Farmers Market  
 Veterinary Service

- c) Notwithstanding Section 10.5.3 a) i), b), c), g) vii), and i), and in addition to 10.5.3 a), the following regulations shall apply:

- |  |    |   |
|--|----|---|
| a) Building Setback from a Street Line | i) | Minimum 2.7 metres except 1.0 metre to the hypotenuse of a daylight triangle for a building with residential units on the ground floor. |
| b) Minimum Rear Yard                   |    | 2.5 metres.   |

- |    |                                |      |  |
|----|--------------------------------|------|--|
| c) | Minimum Interior Side Yard     |      | 1.2 metres abutting a Residential or Institutional Zone or lot containing a residential use.   |
| g) | Built form for New Development | vii) | A minimum of one principal entrance shall be accessible from a building façade with direct access from the public sidewalk.  |
| l) | Landscaped Area Requirements   | i)   | Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 0.3 metre wide Landscaped Area shall be provided and maintained. |
|    |                                | ii)  | Notwithstanding i) above, where a parking space abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, no Landscaped Area shall be required.                |

3. That Schedule “D” – Holding Provisions be amended by adding the following Holding Provision:

“H196. Notwithstanding Section 7.6 of this By-law, within lands zoned Mixed Use Medium Density (C5, 933, H196) Zone, identified on Map No. 954 of Schedule “A” – Zoning Maps and described as 120 Wentworth Street North, Hamilton, no development shall be permitted until such time as:

- a) The owner submits and receives approval of an updated Watermain Hydraulic Analysis Report to demonstrate that there is sufficient water supply available to meet the fire flow requirements for the proposed development, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- b) The owner makes satisfactory arrangements with the City’s Growth Management Division and enter into and register on title

of the lands, an External Works Agreement with the City for the design and construction of any required improvements to the municipal infrastructure at the Owner's cost, should it be determined that upgrades are required to the infrastructure to support this development, according to the Functional Servicing Report and Watermain Hydraulic Analysis Report to the satisfaction of the Director of Growth Management and Chief Development Engineer.

- c) The owner submits and receives approval of a Demolition Plan that identifies potential salvage items and a process for safely removing and storing them as part of a controlled demolition process. The plan should include protective measures for the 1924 Sanctuary that is being retained, including foundation shoring, vibration monitoring, and protection of stained-glass windows in the east wall of the Sanctuary, to the satisfaction of the Director of Heritage and Urban Design; and,
  - d) The owner submits and receives approval of a Salvage & Commemorative Plan that includes a list of salvaged architectural elements and building materials and a strategy for how they will be reused elsewhere or repurposed on site as commemorative features. The plan should include interpretive material that provides a context for the commemorative features and strategies for conveying their significance, to the satisfaction of the Director of Heritage and Urban Design.
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 Mixed Use Medium Density (C5, 933, H196) Zone, subject to the special requirements referred to in Section No. 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 \_\_\_\_\_, 2025

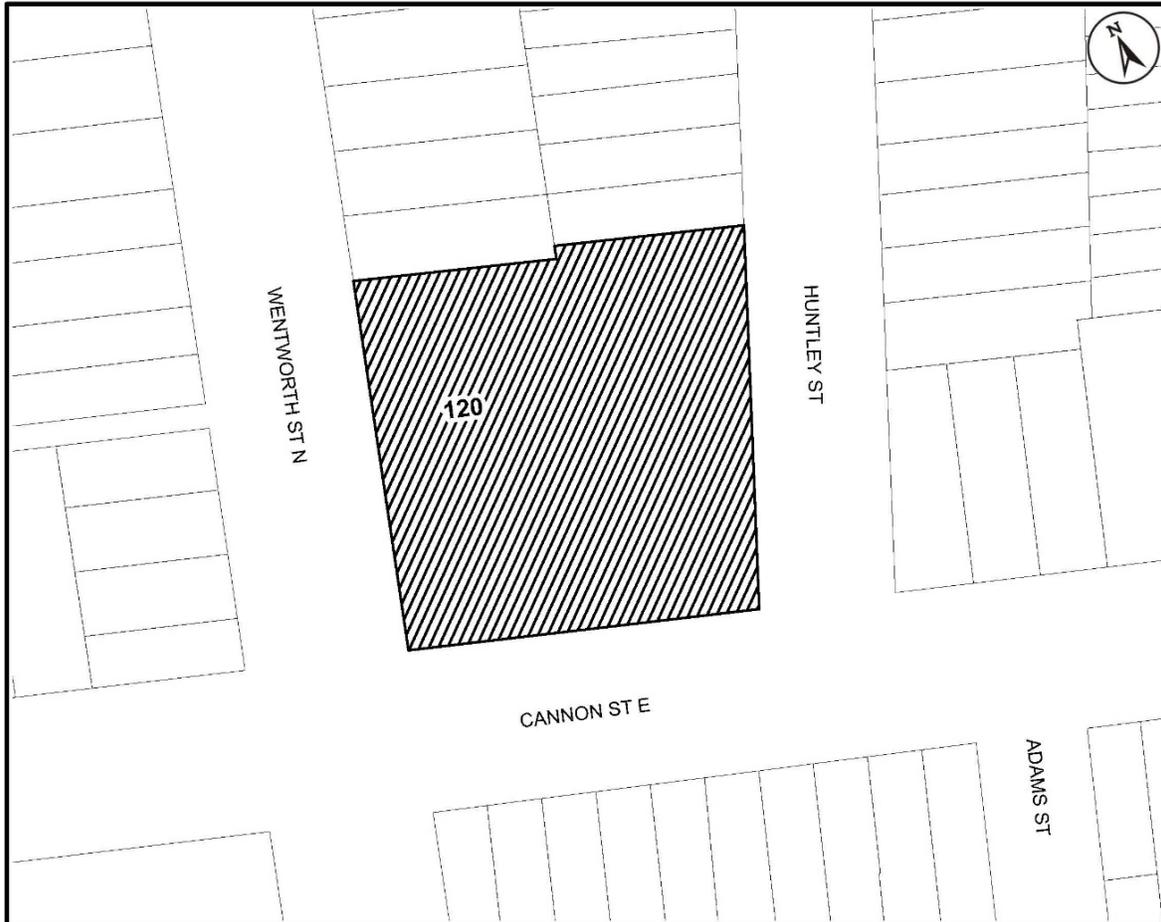
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A. Horwath  
Mayor

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M. Trennum  
City Clerk

ZAC-25-010



<p>This is Schedule "A" to By-law No. 25-</p> <p>Passed the ..... day of ....., 2025</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p> <p>-----</p>
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;"><b>Map forming Part of By-law No. 25-_____</b></p> <p style="margin: 0 0 0 0;"><b>to Amend By-law No. 954</b></p>	<p><b>Subject Property</b></p> <p>120 Wentworth Street North</p> <p> Change in zoning from Neighbourhood Institutional (I1) Zone to Mixed Use Medium Density (C5, 933, H196) Zone</p>
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<p><b>Scale:</b> N.T.S</p>	<p><b>File Name/Number:</b> ZAC-25-010</p>	<p><b>Hamilton</b></p>
<p><b>Date:</b> February 27, 2025</p>	<p><b>Planner/Technician:</b> AA/AL</p>	
<p><b>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</b></p>		

## Historical Background

<b>Application Details</b>	
Owner:	Indwell Community Homes (c/o Graham Cubitt).
Applicant:	Landwise (c/o Katelyn Gillis).
File Number:	ZAC-25-010.
Type of Applications:	Zoning By-law Amendment.
Proposal:	<p>The purpose of the Zoning By-law Amendment application is for a change in zoning from the Neighbourhood Institutional (I1) Zone to a site specific Mixed Use Medium Density (C5) Zone.</p> <p>The effect of the application is to permit the adaptive reuse of a portion of the existing place of worship (Wentworth Baptist Church) including a four storey addition containing 50 dwelling units for affordable housing. The development application proposes 14 parking spaces, including three barrier-free spaces, and access is provided from Huntley Street.</p>
<b>Property Details</b>	
Municipal Address:	120 Wentworth Street North, Hamilton.
Lot Area:	0.21 ha.
Servicing:	Existing municipal services.
Existing Use:	Place of worship.
Proposed Use:	Multiple dwelling.
<b>Documents</b>	
Provincial Planning Statement:	The proposal is consistent with the Provincial Planning Statement (2024).
Official Plan Existing:	"Neighbourhoods" on Schedule E – Urban Structure and E-1 – Urban Land Use Designations.
Zoning Existing:	Neighbourhood Institutional (I1) Zone.
Zoning Proposed:	Mixed Use Medium Density (C5, 933, H196) Zone.
Modifications Proposed:	<p>The following modifications have been requested by the applicant:</p> <ul style="list-style-type: none"> <li>• To reduce the minimum building setback from a street line from 3.0 metres to 2.7 metres except 1.0 metre to the hypotenuse of a daylight triangle for a building with residential units on the ground floor;</li> <li>• To reduce the minimum rear yard setback from 7.5 metres to 2.5 metres;</li> <li>• To reduce the minimum interior side yard setback from 7.5</li> </ul>

<p>Modifications Proposed: <b>(continued)</b></p>	<p>metres abutting a Residential or Institutional Zone or lot containing a residential use to 1.2 metres;</p> <ul style="list-style-type: none"> <li>• To provide for a minimum of one principal entrance to be accessible from a building façade with direct access from the public sidewalk; and,</li> <li>• To eliminate the minimum 1.5 metre planting strip requirement and provide a minimum 0.3 metre wide Landscaped Area, where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone.</li> </ul> <p>The following modifications have been requested by staff:</p> <ul style="list-style-type: none"> <li>• That notwithstanding the permitted uses of Section 10.5.1, only the following uses shall be permitted within the building existing on the date of passing of this By-law and any additions thereto:</li> </ul> <p style="padding-left: 40px;">Artist Studio Catering Service Commercial Recreation Craftsperson Shop Day Nursery Dwelling Unit(s) Emergency Shelter Lodging House Medical Clinic Multiple Dwelling Office Personal Service (NOT FINAL &amp; BINDING: By-law No. 24-137, July 12, 2024) Performing Arts Theatre Place of Assembly Place of Worship Repair Service Residential Care Facility Restaurant Retail Retirement Home Social Services Establishment Urban Farmers Market Veterinary Service</p> <p>The applicant supports the proposed modification to limit the commercial uses permitted on the subject lands.</p>
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<b>Processing Details</b>	
Received:	January 24, 2025.
Deemed Complete:	February 6, 2025.
Notice of Complete Application:	Sent to 158 property owners within 120 metres of the subject property on February 14, 2025.
Public Notice Sign:	Posted February 20, 2025.
Notice of Public Meeting:	Sent to 158 property owners within 120 metres of the subject property on February 14, 2025.
Staff and Agency Comments:	Staff and agency comments have been summarized in Appendix F attached to Report PED25106.
Public Consultation:	<p>A Community Meeting was held on August 28, 2024, and 250 residences within 120 metres received a mailout detailing the proposal, including a site plan and an invitation for feedback. The Ward Councillor was notified by email and a Newspaper advertisement was placed in the local paper (GALA Herald). According to the Public Consultation Summary, 39 individuals attended the open house. Public feedback raised concerns about height, traffic, parking, cultural heritage preservation, housing type and tenancy.</p> <p>The response to the Public Consultation that occurred prior to the submission of the application is included as Appendix H attached to Report PED25106.</p>
Public Comments:	<p>Three comments from the public were received at the time of this report being written. The residents were concerned about the number of units proposed, lack of green space, whether adequate parking was provided, and potential disruption caused by construction activities during site works. One resident was in favour of the development, supporting the rezoning and site specific provisions, emphasizing the role of this application in providing affordable housing and preserving community space.</p> <p>The public comments are summarized in Appendix I attached to Report PED25106.</p>
Processing Time:	61 days.





REV	DESCRIPTION	DATE
B	ISSUED FOR T&A	2025-01-28
A	ISSUED FOR FINAL CONSULTATION	2024-08-07

DO NOT SCALE DRAWING DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON SITE.  
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PROJECT NAME	STONE HOUSE APARTMENTS
PROJECT ADDRESS	120 WENTWORTH ST. N. HAMILTON, ONTARIO
PROJECT NO.	20039
DRAWING TITLE	BUILDING ELEVATIONS
PILOT DATE:	
DRWN	TR
CHKD	KB
DATE:	23/11/17
SCALE:	1 : 100
DRAWING NO.:	A500





## SUMMARY OF POLICY REVIEW

The following policies, amongst others, apply to the proposal.

<b>Provincial Policy Statement (2024)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Planning for People and Homes</b>  Policies: 2.1.6. a), b), c)	Planning authorities should promote complete communities by accommodating a diverse mix of land uses, housing, transportation options, employment, and public services to meet long term needs; enhancing accessibility for people of all ages and abilities by addressing land use barriers; as well as improving social equity and quality of life for all, including equity deserving groups.	<p>The proposed development supports housing needs by introducing a four storey multiple dwelling on a portion of the land while preserving a portion of the existing place of worship. This approach will achieve a complete community by providing further housing options in an area with multi modal transportation access, employment, public service facilities, institutional uses, recreation, and open spaces. The development is designed in compliance with Accessibility for Ontarians with Disability Act standards and improves the overall quality life for people of all ages, abilities, and incomes, particularly equity deserving groups by providing affordable housing units and barrier-free units.</p> <p>The proposal is consistent with these policies.</p>
<b>Housing</b>  Policies: 2.2.1 a), b) 1, 2, c), d)	Planning authorities must ensure a range of housing options to meet current and future needs, including affordable housing for low and moderate income households. They should support residential intensification, particularly for underutilized institutional sites, and increase housing in developed areas. Additionally, development should prioritize efficient land use, infrastructure, active transportation, and transit-oriented development near transit corridors and stations.	<p>The proposed development aligns with the policy by providing quality affordable housing options to meet current needs. The proposed development introduces appropriate densities through suitable residential intensification on an underutilized institutional site. The subject lands will be serviced by existing municipal infrastructure and well served by public transportation options as the subject lands are located within 400 metres of four bus stations and 450 metres of a future B Line LRT station.</p> <p>The proposal is consistent with these policies.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>General Policies for Settlement Areas</b></p> <p>Policies: 2.3.1.1, 2.3.1.2 a), b), c), d), 2.3.1.3</p>	<p>Settlement areas shall be the primary focus of growth and development, with an emphasis on strategic growth areas, including major transit station areas. Land use patterns should be based on densities and a mix of land uses which efficiently use land and resources, optimize existing infrastructure and public services, support active transportation, and be transit supportive. The proposal must demonstrate that it encourages intensification and redevelopment to promote complete communities which provide diversification of housing options and prioritize the necessary infrastructure and local services to support growth.</p>	<p>The proposal is within a settlement area and located near planned future major transit station areas. The development is fitting with the existing compact urban character and provides crucial housing options. The proposal encourages active transportation through the provision of five short term and 35 long term sheltered and secured bicycle parking spaces. The proposed development benefits from the existing bicycle lane connections, including the protected bicycle lane along Cannon Street East. The development will connect to existing municipal services and make efficient use of the current infrastructure and resources.</p> <p>The proposal is consistent with these policies.</p>
<p><b>General Policies for Strategic Growth Areas</b></p> <p><b>Frequent Transit Corridors</b></p> <p>Policy: 2.4.3</p>	<p>The Provincial Planning Statement supports intensification on lands that are adjacent to existing and planned frequent transit corridors, where appropriate.</p>	<p>The subject lands currently have one bus stop on site along Cannon Street East at the intersection with Wentworth Street North. Three additional routes currently operate within 400 metres, including: Routes 12 Wentworth, 03 Cannon, and 02 Barton. Three additional bus routes are planned for future operation. Additionally, the B Line LRT is approximately 450 metres away with the nearest stop planned at the intersection of King Street East and Wentworth Street South. The existing transit stops offer departures every 15 to 30 minutes.</p> <p>The proposal is consistent with this policy.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Energy Conservation, Air Quality and Climate Change</b></p> <p>Policy: 2.9.1</p>	<p>Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that support the achievement of compact, transit supportive, and complete communities; incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities; support energy conservation and efficiency; promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality; and take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate.</p>	<p>The development promotes a compact form of urban growth within a transit supportive, complete community. While the proposal intends to retain one tree, one to one compensation is proposed for the 11 trees identified for removal. According to the Tree Protection Plan prepared by Terrastory, dated January 9, 2025, seven of the 11 trees identified for removal are in fair or poor health and/or structural condition. The placement, species selection, and strategic design integration of the 11 new trees to be planted on site will be further refined during the Site Plan Control Stage. These new plantings will offer a range of benefits including canopy cover, energy conservation, mental health benefits, enhanced biodiversity, and play a vital role in mitigating the impacts of climate change.</p> <p>Additionally, low impact development strategies such as permeable paving and low flow roof drains are proposed to reduce stormwater runoff, prevent erosion, improve water quality, and promote groundwater recharge, thereby alleviating pressure on municipal infrastructure.</p> <p>The four storey building will also be designed to meet passive house certification criteria, which will reduce greenhouse gas emissions, enhance resiliency to climate change and lower tenant utility costs. Solar panels are also incorporated into the development to improve air quality, conserve water, support grid stability, and further reduce overall greenhouse gas emissions.</p> <p>The proposal is consistent with this policy.</p>

<b>Urban Hamilton Official Plan</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Archeology Policies</b>  Policy: B.3.4.4	An archaeological assessment is required for applications involving site alteration or soil disturbance in areas of archaeological potential.	Cultural Heritage staff require a written caution be added to any future Site Plan with respect to archaeology.  The proposal complies with this policy.
<b>Residential Intensification</b>  Policy: B.2.4.1.1	Residential intensification is encouraged throughout the entire built up area.	The subject lands are located within the built up area and the proposed development is considered residential intensification.  The proposal complies with this policy.
<b>Residential Intensification Evaluation</b>  Policy: B.2.4.1.4	Proposals are evaluated based on how it builds upon desirable established patterns as well as built form and requires an evaluation of compatible integration with the surrounding area in terms of use, scale, form, and character. This policy also considers evaluating the proposal against the Urban Structure (Schedule E of the Urban Hamilton Official Plan) to ensure that the overall structure goals of the Urban Hamilton Official Plan are also achieved.	The proposal is for residential intensification within the existing neighbourhood and proposes to increase density by providing a diverse housing type. Further, the location of the proposed development is on the periphery of the neighbourhood and the subject parcel is located along two minor arterial roads. The proposed multiple dwelling has also been appropriately sited to integrate with the existing site, replace an underutilized structure, and minimize adverse impacts on existing development and maximize interaction with the street.  The proposal complies with this policy.

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Residential Intensification</b></p> <p>Policy: B.2.4.2.2</p>	<p>Residential intensification development within the “Neighbourhoods” designation shall consider matters such as, but not limited to, compatibility with adjacent land uses, relationship with nearby buildings and lot patterns, transitions in height and density, relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood, the provision of amenity space, the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations, the ability to complement the existing functions of the neighbourhood, the conservation of cultural heritage resources and, infrastructure and transportation capacity and impacts.</p>	<p>The subject property is a corner lot, and the location of the proposed development is not anticipated to adversely impact the adjacent low rise residential development to the north, south, and east nor the commercial uses to the south.</p> <p>The design of the four storey building addresses overlook concerns by ensuring minimal windows are provided on the north face of the building, and that no residential units have windows facing north.</p> <p>The proposal seeks to adaptively reuse a portion of the existing place of worship and to construct a four storey multiple dwelling, accommodating 50 affordable dwelling units. Staff consider the proposed multiple dwelling to be well integrated into the subject lands alongside the existing place of worship. The lot pattern remains unchanged, and the development provides ample amenity spaces and landscaped areas. Transitions in height and density have been considered to ensure integration with adjacent residential dwellings, particularly to the north, east, and south. A noise letter from HGC Noise Vibration Acoustics (dated January 20, 2025) confirms that it is feasible to achieve appropriate sound level limits per Ministry of Environment, Conservation, and Parks noise guidelines with the implementation of noise mitigation measures. A Transportation Assessment, prepared by Paradigm Transportation Solutions, dated January 20, 2025, confirms that the development will generate few trips and have a minimal impact the surrounding road network.</p> <p>The height and massing of the proposed development are compatible with the surrounding neighbourhood. The southwest corner of the site contains a central courtyard directing pedestrian movement towards Cannon Street East</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Residential Intensification</b></p> <p>Policy: B.2.4.2.2 (continued)</p>		<p>to maintain the privacy of homes located on Huntley Street. The proposal also preserves and integrates the main sanctuary building into the development, recognizing its potential cultural heritage value, which staff support.</p> <p>Furthermore, the proposed development will utilize existing municipal service infrastructure efficiently while reducing environmental impact through the implementation of low impact development strategies such as permeable paving and low flow roof drains. The building is designed to be energy-efficient integrating passive house design criteria, achieving the sustainability goals of the Urban Hamilton Official Plan.</p> <p>The proposal complies with this policy.</p>
<p><b>Urban Housing Goals</b></p> <p>Policy: B.3.2.1.6</p>	<p>Increase the mix and range of housing types, forms, tenures, densities, affordability levels, and housing with supports throughout the urban area of the City.</p>	<p>The proposed development aligns with this policy by enhancing the variety and range of housing types and promoting housing affordability through the construction of a multiple dwelling that includes 50 affordable units.</p> <p>The proposal complies with this policy.</p>
<p><b>Built Form</b></p> <p>Policy: B.3.3.3.2</p>	<p>New development shall be designed to minimize impacts on neighbouring buildings and public spaces by creating transitions in scale to neighbouring buildings, ensuring adequate privacy and sunlight to neighbouring properties, and minimizing the impacts of shadows and wind conditions.</p>	<p>The proposed development complies with this policy by incorporating design elements, including limiting building height to a scale that is compatible with the adjacent two to three storey buildings in the neighbourhood. In addition, a one storey link has been introduced between the place of worship and the addition to provide a gradual transition in scale and massing, ensuring a complementary integration into the existing built environment. The addition is designed in a contemporary style with a flat roof and modern cladding to reduce visual disruption and minimize impacts on neighbourhood character. No new shadow or wind impacts</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Built Form</b> Policy: B.3.3.3.2 <b>(continued)</b></p>		<p>are anticipated from this development due to its orientation and massing. To maintain privacy for the neighbouring properties to the north, the number of windows facing north has been restricted and no residential units directly overlook onto the abutting single detached dwellings to the north.</p> <p>The proposal complies with this policy.</p>
<p><b>Built Form</b> Policy: B.3.3.3.5 c) and d)</p>	<p>Built form shall create comfortable pedestrian environments by including a quality landscape edge along frontages where buildings are set back from the street and locating surface parking to the sides or rear of sites or buildings.</p>	<p>The Landscape Plan, prepared by OMC Landscape Architecture, dated January 20, 2025, shows a mix of planting, trees, shrubs, and street furniture, contributing to an attractive streetscape that prioritizes pedestrian movement and interaction with the development.</p> <p>A designed landscaped edge has been shown on the Landscape Plan along the frontage of the proposed development. Staff note that a focal point has been incorporated at the front of the lot, where the building is setback from the street, providing a transition between the institutional use, the multiple dwelling, and the public realm. Staff recommend the addition of further plantings and trees, spaced six to eight metres apart throughout the site, including along street facing property lines.</p> <p>The development has created a comfortable pedestrian environment by locating parking at the rear of the site, with most parking spaces located underground. This approach reduces the visual impact of parking on the streetscape and ensures a pedestrian friendly environment that prioritizes safety.</p> <p>The proposal complies with this policy.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Built Form</b></p> <p>Policy: B.3.3.10.1</p>	<p>To create and enhance safe, attractive pedestrian oriented streetscapes, surface parking shall be discouraged, and parking located below grade or in parking structures shall be encouraged.</p>	<p>The development proposes an underground parking structure located at the east side of the building and 13 out of 14 parking spaces will be located within the parking structure.</p> <p>The proposal complies with this policy.</p>
<p><b>Cultural Heritage</b></p> <p>Policies: B.3.4.1.3, B.3.4.1.4; B.3.4.2, B.3.4.3.6 and B.3.4.3.7</p>	<p>Ensure that all new development, site alterations, building alterations, and additions are contextually appropriate and maintain the integrity of all on site or adjacent cultural heritage resources.</p> <p>Encourage the rehabilitation, renovation, and restoration of built heritage resources in order that they remain in active use.</p> <p>Ensure the conservation and protection of cultural heritage resources in planning and development matters through appropriate planning and design measures or as conditions of development approvals.</p> <p>Conserve the character of areas of cultural heritage significance, including designated heritage conservation districts and cultural heritage landscapes, by encouraging those land uses, development and site alteration activities that protect, maintain, and enhance these areas within the City.</p>	<p>Although not formally recognized under the <i>Ontario Heritage Act</i> through registration or designation, the subject property is of potential cultural heritage value and staff do have an interest in ensuring any proposed changes are sympathetic to the historic character of the property and are contextually appropriate.</p> <p>A Cultural Heritage Impact Assessment for the subject property was completed by Hobson Built Heritage, dated December 6, 2024. The report assessed the impact of the demolition of the eastern part of the structure, including the circa 1870s stone house and the 1928 Sunday School addition. The main sanctuary building is proposed to be retained and integrated into the new development.</p> <p>Staff have reviewed the Cultural Heritage Impact Assessment submitted with the subject application and find it to be comprehensive, however, the following changes are required prior to resubmission:</p> <ol style="list-style-type: none"> <li>1) That section 6.0, the Evaluation According to Ontario Regulation 9/06 be revised to reflect that the subject property demonstrates the work and idea of Hutton &amp; Souter; and,</li> <li>2) That a detailed Salvage plan be added as an Appendix to the Cultural Heritage Impact Assessment submitted,</li> </ol>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Cultural Heritage</b></p> <p>Policies: B.3.4.1.3, B.3.4.1.4; B.3.4.2, B.3.4.3.6 and B.3.4.3.7 <b>(continued)</b></p>	<p>The City shall protect established historical neighbourhoods, as identified in the cultural heritage landscape inventory, secondary plans, and other City initiatives, by ensuring that new construction and development are sympathetic and complementary to existing cultural heritage attributes of the neighbourhood, including lotting and street patterns, building setbacks, and building mass, height, and materials.</p>	<p>including a list of features to be salvage and their locations on the subject property. The plan should include both features that are proposed for incorporation into the proposed work as well as features that are not proposed for incorporation but should be diverted from the landfill. At the applicant's request, staff can provide a list of local salvage companies that may be interested in the materials.</p> <p>Staff note that the Cultural Heritage Impact Assessment recommends that the applicant complete the following actions:</p> <ul style="list-style-type: none"> <li>a) a Demolition Plan that identifies potential salvage items and a process for safely removing and storing them as part of a controlled demolition process. The plan should include protective measures for the 1924 Sanctuary that is being retained, including foundation shoring, vibration monitoring, and protection of stained-glass windows in the east wall of the Sanctuary; and,</li> <li>b) a Salvage &amp; Commemorative Plan that includes a list of salvaged architectural elements and building materials and a strategy for how they will be reused elsewhere or repurposed on site as commemorative features. The plan should include interpretive material that provides a context for the commemorative features and strategies for conveying their significance.</li> </ul> <p>Staff require that a detailed Demolition Plan and a Salvage and Commemorative Plan of the building on the subject property be submitted and approved as part of the Holding 'H' Provision.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Cultural Heritage</b></p> <p>Policies: B.3.4.1.3, B.3.4.1.4; B.3.4.2, B.3.4.3.6 and B.3.4.3.7</p> <p><b>(continued)</b></p>		<p>Further, Staff have reviewed the evaluation of the subject property under Ontario Regulation 9/06 of the <i>Ontario Heritage Act</i> as supplied as part of the Cultural Heritage Impact Assessment and have determined that the subject property is a candidate for designation under Part IV of the <i>Ontario Heritage Act</i>.</p> <p>The amending Zoning By-law ensures that the development occur in the building that existed on the date of the passing of the By-law and any additions thereto. To accommodate the new addition, the eastern portion of the two storey place of worship will be demolished while the western portion will be retained, which contains the main sanctuary building of the Wentworth Baptist Church. The place of worship will be connected to the multiple dwelling by a one-storey extension of the new building.</p> <p>The proposal complies with these policies.</p>
<p><b>Road Traffic Noise and Vibration</b></p> <p>Policy: B.3.6.3.9</p>	<p>A noise feasibility and detailed noise study will be required by the City prior to or at the time of application submission for residential or noise-sensitive developments located within 400 metres of an arterial road.</p>	<p>The proposed development, located within 400 metres of Wentworth Street North and Cannon Street East, both classified as Minor Arterial roads under Schedule C – Rural Functional Road Classification, requires a noise study due to its proximity. However, a noise letter from HGC Noise Vibration Acoustics (dated January 20, 2025) confirms that it is feasible to achieve appropriate sound level limits per Ministry of Environment, Conservation, and Parks noise guidelines with proper implementation of noise mitigation measures, such as air conditioning. These mitigation measures will be addressed at the Site Plan Control Stage through the application of warning clauses, as necessary.</p> <p>The proposal complies with this policy.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Trees</b></p> <p>Policy: C.2.11.1</p>	<p>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.</p>	<p>The proposed development aims to preserve the large, mature Ginkgo tree located in southwest portion of the site. Retaining this tree is a design feature of the central courtyard and enhances the quality of the public space and contributes to overall character of this development.</p> <p>A Conceptual Landscape Plan (drawing L1) prepared by OMC Landscape Architecture (Marianne Mokrycke), dated January 20, 2025, was submitted in support of the application. The following is to be considered through the future Site Plan Control stage:</p> <ul style="list-style-type: none"> <li>• Native species representative of the area should be planted on site as this contributes to the overall quality and diversity of species found within the City.</li> <li>• Through the Council adopted Urban Forest Strategy, a tree canopy cover target of 40% within the urban area by 2050 has been identified. Trees proposed to be planted on site should include those that have larger canopies.</li> <li>• To ensure that planting can occur on site, it is recommended that adequate space (i.e., 3.0 metres) be provided on site.</li> </ul> <p>The proposal complies with this policy.</p>
<p><b>Infrastructure</b></p> <p>Policies: C.5.3.6, C.5.3.13, C.5.3.17, C.5.4.3</p>	<p>All new development and redevelopment within the urban area shall be connected to the City's water and wastewater system.</p> <p>The City shall ensure that any change in density can be accommodated within the</p>	<p>Development Engineering staff have reviewed the Watermain Hydraulic Analysis, prepared by CIMA+, dated January 20, 2025. Additional information and revisions to the analysis are required to confirm that adequate fire flows can be achieved.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Infrastructure</b></p> <p>Policies: C.5.3.6, C.5.3.13, C.5.3.17, C.5.4.3</p> <p><b>(continued)</b></p>	<p>municipal water and wastewater system and that investments into the system will support the achievement of the intensification and density targets.</p> <p>The City shall be satisfied that adequate infrastructure services can be provided prior to any development or intensification proceeding.</p> <p>A detailed stormwater management plan prior to development is required to properly address on site drainage and to ensure that new development has no negative impact on offsite drainage.</p>	<p>Further, Development Engineering staff reviewed the Functional Servicing Report and Stormwater Management Report, prepared by S. Llewellyn &amp; Associates Limited, dated January 20, 2025. Revisions to the Functional Servicing Report are required to demonstrate that the municipal system has the capacity to accept the increased flows resulting from the proposed intensification. In addition, a Stormwater Management Report is required to demonstrate that the 100 year post development flows can be controlled to the allowable discharge rate.</p> <p>To address comments from Development Engineering, a Holding 'H' Provision is proposed to ensure that the studies are updated to demonstrate that sufficient water supply, wastewater capacity, and target flow calculations can accommodate the proposed intensification.</p> <p>The proposal complies with these policies.</p>
<p><b>Neighbourhoods Designation – General Policies</b></p> <p>Policies: E.3.2.1, E.3.2.3</p>	<p>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 local residents.</p> <p>The following uses are permitted: Residential dwellings, including second dwelling units and housing with supports, open space and parks, local community facilities/services, and local commercial uses.</p>	<p>The proposal supports the functions of a complete community by increasing residential density in the area. Multiple dwellings are a permitted use in areas designated “Neighbourhoods”, making this development consistent with the area’s intended land use.</p> <p>The four storey multiple dwelling will add affordable housing options in the neighbourhood while preserving the existing place of worship as a continued community resource. No commercial uses are currently proposed due to the critical need for housing but are permitted through the amending Zoning By-law, which includes a regulation to limit the commercial uses permitted on the subject lands.</p> <p>The proposal is consistent with these policies.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Neighbourhoods Designation – Scale and Design</b></p> <p>Policy: E.3.2.4</p>	<p>Areas designated “Neighbourhoods” are to maintain the existing character and intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of the Official Plan.</p>	<p>The proposed four storey development complies with this policy by ensuring residential intensification enhances and complements the scale and character of the existing neighborhood. The design seamlessly integrates the new multiple dwelling with the Wentworth Baptist Church and the broader Gibson Neighbourhood. The building’s scale, massing, and architectural features preserves and enhances the area’s character through compatible intensification.</p> <p>The proposal complies with this policy.</p>
<p><b>Medium Density Residential – Function</b></p> <p>Policy: E.3.5.1</p>	<p>Medium density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads, or within the interior of neighbourhoods fronting on collector roads.</p>	<p>The proposal is for a multiple dwelling on lands located along Wentworth Street North and Cannon Street East. Schedule C – Functional Road Classification classifies Wentworth Street North and Cannon Street East as a Minor Arterial Road. The subject lands are adjacent to Wentworth Street North, which is located along the periphery of the Gibson Neighbourhood.</p> <p>The proposal complies with this policy.</p>
<p><b>Medium Density Residential – Design</b></p> <p>Policy: E.3.5.9</p>	<p>Development within “Medium Density Residential” category shall be evaluated on the basis of the following criteria:</p> <ul style="list-style-type: none"> <li>- Developments should have direct access to a collector or major or minor arterial road;</li> <li>- Development shall be integrated with other lands in the Neighbourhoods designation with respect to density, design, and physical and functional considerations;</li> <li>- Development shall be comprised of sites of suitable size and provide adequate</li> </ul>	<p>The subject lands are a corner parcel with frontage along Wentworth Street North, Cannon Street East, and Huntley Street. There is direct access onto the site from Wentworth Street North and Cannon Street East, which are designated minor arterial roads.</p> <p>The proposal has been integrated into the neighborhood, aligning with existing density, design, and physical characteristics of the neighbourhood.</p> <p>The Landscape Plan, prepared by OMC Landscape Architecture (Marianne Mokrycke), dated January 20, 2025,</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Medium Density Residential – Design</b></p> <p>Policy: E.3.5.9 <b>(continued)</b></p>	<p>landscaping, amenity features, on-site parking, and buffering if required. The height, massing, and arrangement of buildings and structures shall be compatible with existing and future uses in the surrounding area;</p> <ul style="list-style-type: none"> <li>- Access to the property shall be designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets;</li> <li>- The City may require studies to demonstrate that the height, orientation, design, and massing of a building or structure shall not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses.</li> </ul>	<p>and Concept Plan (revision no. B), prepared by Invizij, dated January 23, 2025, were submitted in support of the application. The plans have demonstrated that the subject lands would have adequate landscaping, amenity features, and onsite parking. Access points have been designed to minimize potential conflicts between vehicles and pedestrians, both on site and on the surrounding streets. The layout prioritizes pedestrian safety and efficient pedestrian movement. The Building Elevations (revision no. B), prepared by Invizij, dated January 23, 2025, have demonstrated that the proposed development would not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses. The height, massing, and orientation of the new building is compatible with both existing and future uses in the surrounding area. The proposal contributes to the provision of multiple affordable dwelling units in neighborhood.</p> <p>The proposal complies with this policy.</p>
<p><b>Local Commercial – Function</b></p> <p>Policy E.3.8.1</p>	<p>Local commercial uses that primarily cater to the weekly and daily needs of residents within the surrounding neighbourhood may be permitted within the “Neighbourhoods” designation.</p>	<p>The amending Zoning By-law includes provisions for limited commercial uses to minimize the potential impacts related to noise, parking, deliveries, and loading. The permitted uses include small scale retail, service, and office uses to be located within proximity of nearby residents.</p> <p>The proposal complies with this policy.</p>
<p><b>Local Commercial – Function</b></p> <p>Policy E.3.8.2</p>	<p>The following local commercial uses shall be permitted within the “Neighbourhoods” designation:</p> <ul style="list-style-type: none"> <li>• retail and service uses such as a craftsperson shop, day nursery, office, personal service, place of worship, repair service, restaurant, studio, art gallery,</li> </ul>	<p>The amending Zoning By-law includes a regulation to permit limited commercial uses, for example day nursery, office, personal service, and retail. Please refer to Appendix B to Report PED25106 for the list of uses.</p> <p>These local commercial uses will serve the surrounding community while promoting active transportation and</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Local Commercial – Function</b></p> <p>Policy E.3.8.2 <b>(continued)</b></p>	<p>tradesperson shop, and veterinary service;</p> <ul style="list-style-type: none"> <li>• medical offices or clinic, provided it has direct access to an arterial road and is adjacent to other local commercial uses; and,</li> <li>• residential uses, in accordance with Policy E.3.8.10.</li> </ul>	<p>enhancing a pedestrian focused public realm. The Mixed Use Medium Density (C5) Zone permits the uses and is intended to permit commercial and residential uses along collector and arterial roads, such as Wentworth Street North and Cannon Street East.</p> <p>The proposal complies with this policy.</p>
<p><b>Local Commercial – Design</b></p> <p>Policies E.3.8.9</p>	<p>Development and redevelopment of local commercial uses shall:</p> <ul style="list-style-type: none"> <li>• front and have access to a major arterial, minor arterial, or collector road;</li> <li>• provide safe and convenient access for pedestrians and cyclists; and,</li> <li>• be compatible with the surrounding area in terms of design, massing, height, setbacks, on-site parking, noise impact, landscaping, and lighting.</li> </ul>	<p>The subject lands have frontage on Wentworth Street North and Cannon Street East. Wentworth Street North and Cannon Street East are categorized as minor arterial roads on Schedule C – Functional Road Classification.</p> <p>The proposal complies with these policies.</p>

### Site Specific Modifications to the Mixed Use Medium Density (C5) Zone in Zoning By-law No. 05-200.

Regulation	Required	Modification	Analysis
10.5.1 Permitted Uses	Artist Studio Beverage Making Establishment Catering Service Commercial Entertainment Commercial Parking Facility Commercial Recreation Commercial School Communications Establishment Conference or Convention Centre Craftsperson Shop Day Nursery Dwelling Unit(s) Educational Establishment Emergency Shelter Financial Establishment Funeral Home Hotel Laboratory Lodging House	<p>a) That notwithstanding the permitted uses of Section 10.5.1, only the following uses shall be permitted within the building existing on the date of passing of this By-law and any additions thereto:</p> <p>Artist Studio Catering Service Commercial Recreation Craftsperson Shop Day Nursery Dwelling Unit(s) Emergency Shelter Lodging House Medical Clinic Multiple Dwelling Office Personal Service (NOT FINAL &amp; BINDING: By-law No. 24-137, July 12, 2024) Performing Arts Theatre Place of Assembly Place of Worship Repair Service Residential Care Facility Restaurant</p>	<p>Staff have considered the permitted uses in the Mixed Use Medium Density (C5) Zone and compared them to the proposed development. Given the unique context of the project, staff have determined that certain permitted uses are incompatible with the surrounding residential area. Staff have recommended a limited list of permitted uses on the subject lands that are compatible with the surrounding neighbourhood.</p> <p>Staff are proposing that limited commercial uses be permitted given the property's location along two minor arterial roads. The local commercial policies in the Urban Hamilton Official Plan encourages higher density dwellings, supporting uses, and local commercial areas to be located near such roads to promote transit supportive, pedestrian friendly communities with a mix of amenities, community facilities, and commercial options within walking or cycling distance.</p> <p>The zoning modification allows for the potential introduction of social enterprise and community based commercial uses, contributing to the neighbourhood's vitality and long-term sustainability. The subject lands</p>

Regulation	Required	Modification	Analysis
10.5.1 Permitted Uses <b>(continued)</b>	Medical Clinic Microbrewery Motor Vehicle Gas Bar Motor Vehicle Service Station Motor Vehicle Washing Establishment Multiple Dwelling Office Personal Service (NOT FINAL & BINDING: By-law No. 24-137, July 12, 2024) Repair Service Residential Care Facility Restaurant Retail Retirement Home Social Services Establishment Tradesperson's Shop Transportation Depot Urban Farmers Market Veterinary Service	Retail Retirement Home Social Services Establishment Urban Farmers Market Veterinary Service	<p>are well suited for the proposed uses as they are located on two minor arterial roads, optimize existing and planned infrastructure, support active transportation, expand green spaces, and contribute to the supply of affordable housing for low to moderate income households. Overall, staff support the modification to mitigate negative impacts while ensuring growth and intensification align with area's existing residential character and future needs.</p> <p>Staff support the modification.</p>

Regulation	Required	Modification	Analysis
10.5.3 a) - Building Setback from a Street Line	Minimum 3.0 metres for a building with residential units on the ground floor facing a street.	Minimum 2.7 metres, except 1.0 metre to the hypotenuse of a daylight triangle.	<p>The provision aims to ensure adequate separation between residential units on the street for privacy and noise mitigation.</p> <p>The proposed development includes a ground floor residential unit with a reduced setback of 2.73 metres from the Cannon Street East Street line. The concern for privacy and noise mitigation is generally around the windows of ground floor units. In regard to the proposed development, the window for the affected unit is setback approximately 3.2 metres, which is sufficient to maintain the intent of the setback provision and minimize privacy, overlook, and noise concerns. Given the minor nature of the proposed reduction, it is staff's opinion that the modification meets the general intent of this provision.</p> <p>The exception for a building setback of 1.0 metre to the hypotenuse of a daylight triangle is required to accommodate a 4.57 metre by 4.57 metre daylight triangle at the intersection of Cannon Street East and Huntley Street. Transportation Planning staff have required the daylight triangle to ensure sufficient space is dedicated at the intersection for vehicular safety and access. It is staff's opinion that the modification meets the general intent of this provision.</p> <p>Staff support these modifications.</p>

Regulation	Required	Modification	Analysis
10.5.3 b) - Minimum Rear Yard	Minimum 7.5 metres.	Minimum 2.5 metres.	<p>The subject site has an existing rear yard of 1.0 metre. The proposed rear yard will represent an improvement to existing conditions and is sufficient to allow for the addition of landscaping and connections throughout the subject lands.</p> <p>Staff support this modification.</p>
10.5.3 c) - Minimum Interior Side Yard	7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.	Minimum 1.2 metres.	<p>The proposed modification seeks to reduce the minimum interior side yard abutting a Residential or Institutional Zone, or lot containing a residential use, from the required 7.5 metres to 1.26 metres. Currently, the site has an existing interior side yard of 0.4 metres, meaning the proposed modification represents an improvement over existing conditions. This reduction will accommodate a service entrance for the kitchen and dining area, which is not intended for use by residents or visitors but will function as a buffer. Additionally, the adjacent building walls do not contain windows, thus eliminating any privacy or overlook concerns.</p> <p>The reduction allows for a more efficient, compact, and functional site layout without negatively impacting the surrounding area.</p> <p>Staff support the modification.</p>

Regulation	Required	Modification	Analysis
<p>10.5.3 d) vii) - Built Form for New Development</p>	<p>A minimum of one principal entrance shall be provided:</p> <ol style="list-style-type: none"> <li>1. Within ground floor façade that is set back is closest to a street.</li> <li>2. Shall be accessible from the</li> </ol> <p>building façade with direct access from the public sidewalk.</p>	<p>A minimum of one principal entrance shall be accessible from a building façade with direct access from the public sidewalk.</p>	<p>The proposed development seeks to align the principal entrance of the new building addition with the setback of the existing place of worship entrance, rather than positioning it directly on the street facing façade. This approach preserves the architectural integrity of the place of worship and maintains its prominent character, while also enabling the creation of a central courtyard in front of the building.</p> <p>Staff are of the opinion that the proposed modification, which aligns the residential building entrance with the setback of the existing place of worship, is appropriate. Situating the principal entrance further from the street allows for the creation of a high quality public space featuring ample landscaping and seating, contributing to an animated, pedestrian friendly frontage. Pedestrian pathways will direct residents and visitors to the principal and secondary entrances.</p> <p>Staff support the modification.</p>

Regulation	Required	Modification	Analysis
10.5.3 e) - Minimum Planting Strip	Minimum 1.5 metre wide Planting Strip abutting a Residential or Institutional Zone.	No planting strip shall be required.	<p>With the location of the existing place of worship proposed to be retained and adaptively reused, there is no opportunity to provide a consistent landscape strip along the northern property line that abuts a Residential zone. Staff are of the opinion that there is sufficient separation between the proposed addition and the existing single detached dwellings to the north. The entrance to the underground parking structure, greenspace area and the existing place of worship provides a sufficient transition to the low density uses. Staff do not anticipate impacts to the low density residential uses to the north as a result of this modification.</p> <p>Staff support the modification.</p>



# Public Consultation Summary

120 Wentworth Street North, Hamilton, Ontario

January 2025

**Prepared for:**

Indwell  
1430 Main Street East  
Hamilton ON, L8K 1C3  
[www.indwell.ca](http://www.indwell.ca)

**Prepared by:**

Flourish  
111-1429 Main Street East  
Hamilton, ON L8K1C2  
[www.flourish.ca](http://www.flourish.ca)

## Introduction

Flourish Affordable Housing Communities (“Flourish”), a social purpose real estate development services company, has been retained by Indwell Community Homes (“Indwell”) to manage the development of 120 Wentworth Street North, Hamilton. Flourish has coordinated public consultation activities and prepared this Public Consultation Summary report in support of Indwell’s Zoning By-law Amendment Application.

## Summary of Public Consultation Activities

### **Early Engagement Activities**

Since purchasing the property in May 2021, Indwell has participated in a variety of community engagement activities and shared earlier iterations of the development proposal. These activities include:

Doors Open Hamilton event (May 7, 2022)

*Guided tours of the existing building for members of the public. Slide show in church hall summarizing development proposal. Approximately 120 people in attendance.*

Meeting with Gibson Landsdale Community Planning Team (February 4, 2023)

*Attended by Brenda Duke (Volunteer, GALA), Teresa Howe (Community Engagement Manager, Indwell), Rachel Courey (Regional Program Manager, Indwell), and Ashlynn Hill (Program Manager, Indwell).*

Community Meeting (February 15, 2023)

*Hosted at Wentworth Baptist Church. Advertised in GALA Herald newspaper. Approximately 15 people in attendance.*

Coldest Night of the Year event (February 26, 2022, February 25, 2023, February 24, 2024)

*Indwell had representation at this annual event on Barton Street East, sharing information about the Wentworth Street North development proposal.*

### **Summer 2024 Stakeholder Engagement**

Meetings were organized with key stakeholders in the summer of 2024 to review the updated development proposal in detail, gather feedback, answer questions, and solicit input for the best methods of engaging the community at large.

Meetings with Wentworth Baptist Church (March 10, 2024, August 22, 2024)

*Attended by Graham Cubitt (President, Flourish), Emily Power (Development Manager, Flourish), Rev. Dr. Seán McGuire (Lead Pastor, WBC), steering committee and congregation.*

Meeting with Ward Councillor (July 29, 2024)

*Attended by Cllr. Nrinder Nann, Graham Cubitt (Flourish), and Emily Power (Flourish).*

Meeting with Barton Village BIA (August 13, 2024)

*Attended by Nadine Ubl (Executive Director, Barton Village BIA) and Emily Power (Flourish).*

Meeting with Gibson Landsdale Community Planning Team (August 22, 2024)

*Attended by Brenda Duke (Volunteer, GALA) and Emily Power (Flourish).*

### **August 2024 Community Meeting**

Indwell hosted a Community Meeting on Wednesday, August 28, 2024, 6:30pm to 8:00pm in the existing building at Wentworth Baptist Church (120 Wentworth Street North, Hamilton).

The following stakeholders were present at the meeting, available to speak with members of the public:

- Rev. Dr. Seán McGuire, Lead Pastor, Wentworth Baptist Church
- Ward 3 Councillor Nrinder Nann
- Staff from Indwell, the owner/operator of the housing development
  - Ashlynn Hill, Program Manager
  - Teresa Howe, Community Engagement Manager
- Staff from Flourish, development manager
  - Graham Cubitt, President
  - Sylvia Harris, Development Manager
  - Emily Power, Development Manager
  - Joseph Battaglia, Project Manager
- Staff from Invizij, project architect
  - Emma Cubitt, Principal
  - Kyle Benassi, Intermediate Architectural Designer
- Staff from Landwise, planning consultant
  - Katelyn Gillis, Senior Planner

Invitational flyers were circulated to approximately 250 households living within 120 metres or a two block radius of the site. Invitations were delivered two weeks prior to the event by Flourish and Indwell staff. Staff personally invited residents to attend the event and answered questions about the development through one-on-one conversations when door-knocking. Refer to Appendix A for a copy of the invitation and circulation area. In addition, an advertisement was placed in the August edition of the *GALA Herald*, a local newspaper with distribution to 6,000 households in the Gibson and Landsdale neighbourhoods. Refer to Appendix A for a copy of the advertisement. Finally, Ward 3 Councillor Nrinder Nann advertised the event through her email newsletter and social

media accounts. The Gibson and Landsdale neighbourhoods are among the poorest in the city, with a large number of low-income residents, racialized and Indigenous residents, persons with disabilities, renter households, immigrant households, and single-parent households, as illustrated by the Hamilton Spectator’s Code Red reports and the City of Hamilton’s Ward 3 Profile. The community meeting was advertised throughout the Gibson and Landsdale neighbourhoods, beyond the recommended 120m circulation area and to both owner and renter households. Indwell and Wentworth Baptist Church have been active in the neighbourhood for many years, connecting with residents and sharing information about the development at community events, Sunday services, and weekly food servings.

Large-format presentation boards were displayed around the room for attendees to review the plans in more detail. This included the proposed site plan, ground floor plan, residential floor plan, and conceptual renderings.

The open house consisted of introductory remarks from Pastor Seán McGuire and Councillor Nringer Nann, followed by a presentation on the development proposal by Graham Cubitt, President of Flourish and a presentation on the housing program by Ashlynn Hill, Program Manager at Indwell, ending with a question and answer period with the audience lasting approximately 30 minutes. Refer to Appendix D for a copy of the presentation slide deck.

Comment sheets and Flourish’s contact information were provided at the sign-in desk in order for attendees to submit written feedback, either on the spot or at a later date. Participants were asked to submit comments by September 11, 2024, within two weeks of the community meeting. Refer to Appendix B for a copy of the comment form. No completed forms were received.

39 people attended the open house. Refer to Appendix C for the list of attendees who completed the sign-in sheet.

## Comment Response

Table 1 summarizes the public feedback received to date and how the proposal addresses the feedback.

*Table 1: Public Feedback and Response*

Concern	Response
<p><u>Height</u></p> <ul style="list-style-type: none"> <li>Shadows on Huntley Street properties</li> </ul>	<p>The height of the proposed apartment building has been decreased from previous iterations of the design, from 6 storeys to 4 storeys. The apartment building has been designed to minimize privacy and overlook concerns respecting the residential neighbours immediately north of the</p>

<ul style="list-style-type: none"> <li>• Overlook on Huntley Street properties</li> </ul>	<p>site. Unit floorplans are oriented with windows facing east and west. A communal rooftop terrace is proposed on the second level, rather than individual balconies for each unit. Refer to the Urban Design Report prepared by Landwise and Invizij for full details.</p>
<p><u>Traffic and Parking</u></p> <ul style="list-style-type: none"> <li>• Sufficiency of parking spaces</li> <li>• Waste collection</li> </ul>	<p>14 parking spaces are proposed to meet the needs of the development, including 3 accessible spaces and 4 visitor spaces. Long-term, secure parking for bicycles and mobility scooters is provided indoors. A lay-by waste collection and loading area will be accessed from Huntley Street.</p> <p>The Traffic Impact Brief prepared by Paradigm Transportation Solutions Ltd. concludes the proposed development can be supported from a transportation operations perspective. Few, if any, tenants in the housing program are expected to own cars. Proxy data collected in December 2024 from comparable Indwell programs indicate an average vehicle ownership rate and parking demand of 0.01 spaces per unit. The majority of Indwell tenants are low-income and rely on walking, cycling, mobility scooters, or public transit. It is expected the parking spaces will primarily be used by Indwell staff or visitors. Refer to the Traffic Impact Brief for full details.</p>
<p><u>Heritage</u></p> <ul style="list-style-type: none"> <li>• Proposed methods for salvage and adaptive reuse</li> </ul>	<p>Indwell has a strong track record of adaptive reuse of heritage buildings, including places of worship (e.g. St. Marks Place, Kitchener; Magnolia Apartments, Kitchener). In this case, Indwell plans to preserve and renovate the Wentworth Baptist Church sanctuary as tenant amenity space, congregation use, and community use. The buildings on the eastern portion of the site (18709s stone house and 1928 Sunday school addition) are proposed to be demolished to accommodate the new 50-unit apartment building. Indwell will be preparing a Demolition Plan and Salvage &amp; Commemorative Plan on the recommendation of heritage consultant Hobson Built Heritage. The Demolition Plan will include protective measures for the 1924 sanctuary that is being retained, such as foundation shoring, vibration monitoring, and protection of stained glass windows. The Salvage &amp; Commemorative Plan will include a list of salvaged architectural elements and building materials and a strategy for how they will be reused elsewhere or repurposed on site as commemorative features. For example, Indwell intends to use reclaimed Eramosa limestone from the stone house in the landscaping for the courtyard. Interior features such as ornate plaster ceiling medallions are proposed to be reinstalled and displayed as an artefact in the development. Indwell has proposed commemorative naming for the new residential building which will be called</p>

	Stonehouse Apartments in reference to the 1870s stone house. Refer to the Cultural Heritage Impact Assessment prepared by Hobson Built Heritage for full details.
<u>Construction Management</u> <ul style="list-style-type: none"> <li>• Construction timeline</li> <li>• Communication with local residents</li> </ul>	The construction period for this development is anticipated to be 16 to 18 months, with the goal of achieving occupancy by late 2026. Indwell and its construction manager will provide regular communication to neighbours throughout the construction process. Contact information for the site manager will be provided, offering a dedicated point of contact for residents to raise concerns.
<u>Indwell Housing Program</u> <ul style="list-style-type: none"> <li>• Form of tenancy and affordability</li> <li>• Tenant demographics</li> <li>• Tenant selection process</li> <li>• Housing model</li> <li>• Community partnerships</li> </ul>	<p>Indwell has a strong track record of working with communities across Southwestern Ontario to create well-designed, long-term affordable housing buildings. Indwell has been in operation for 50 years and manages 1,200 units across 28 properties spanning seven regions. Indwell operates 14 buildings in Hamilton, including a group home on Wentworth Street South that has been in operation since 2002.</p> <p>Indwell is rooted in the Hamilton community and committed to operating buildings for the long-term. Units are provided as long-term rental apartments, with a dedicated kitchen and bathroom for each unit. The housing program at 120 Wentworth Street North is geared towards single-person households, in particular low-income seniors and people with disabilities, with rents set in accordance with shelter allowance rates under the Ontario Disability Support Program. Indwell tailors supports to meet the needs of individual tenants, however typical supports include: furnished apartment, daily meal, medication support, recreation programming, and on-site staff (e.g., housing support worker, food security worker, social worker, nurse, occupational therapist, etc.). Indwell works with partners such as the City of Hamilton and St. Joseph’s Healthcare for tenant referrals.</p>

Community feedback regarding height, traffic and parking, heritage preservation, construction management, housing model and tenant selection have been received and considered in the design. The most significant change to the proposed development since the earlier community engagement activities in 2022 and 2023 is a 2-storey decrease in the building height. The proposed uses have not changed. The proposed design is careful to mitigate impacts of overlook and shadowing, promote compatibility with existing neighbourhood character, honour the heritage features of the existing buildings, mitigate the impact of construction disruptions, and contribute to housing mix and affordability in the neighbourhood, providing 50 units of deeply affordable, supportive housing for people in need. Community feedback will be continuously considered in future iterations of the proposal and throughout the detailed Site Plan Control stage.

## Appendices

### Appendix A: August 2024 Meeting Outreach

#### Copy of Meeting Invitation



Conceptual rendering, subject to change.

Indwell flourish

## Community Meeting

Please join us for a community meeting to learn about the proposed redevelopment plans for the Wentworth Baptist Church site, into a renovated hall for the congregation and a new apartment building. Indwell and Flourish are hosting this meeting to provide information on the proposed development concept and housing program. We are seeking feedback and input from the community before submitting our development application to the City of Hamilton this fall.

**DEVELOPMENT VISION:** The concept plan for this site is for a 4-storey residential rental apartment building containing 50 studio units. The hall on the western side of the site will be renovated for continued use by the church congregation and Indwell tenants. Bicycle parking and an underground parking garage are envisioned on the site. Indwell's housing program will prioritize older adults and people with disabilities, with rents set at rates affordable to those receiving ODSP and supports provided by a multi-disciplinary staff team.

**MEETING DATE:** Wednesday, August 28, 2024 from 6:30 PM to 8:00 PM

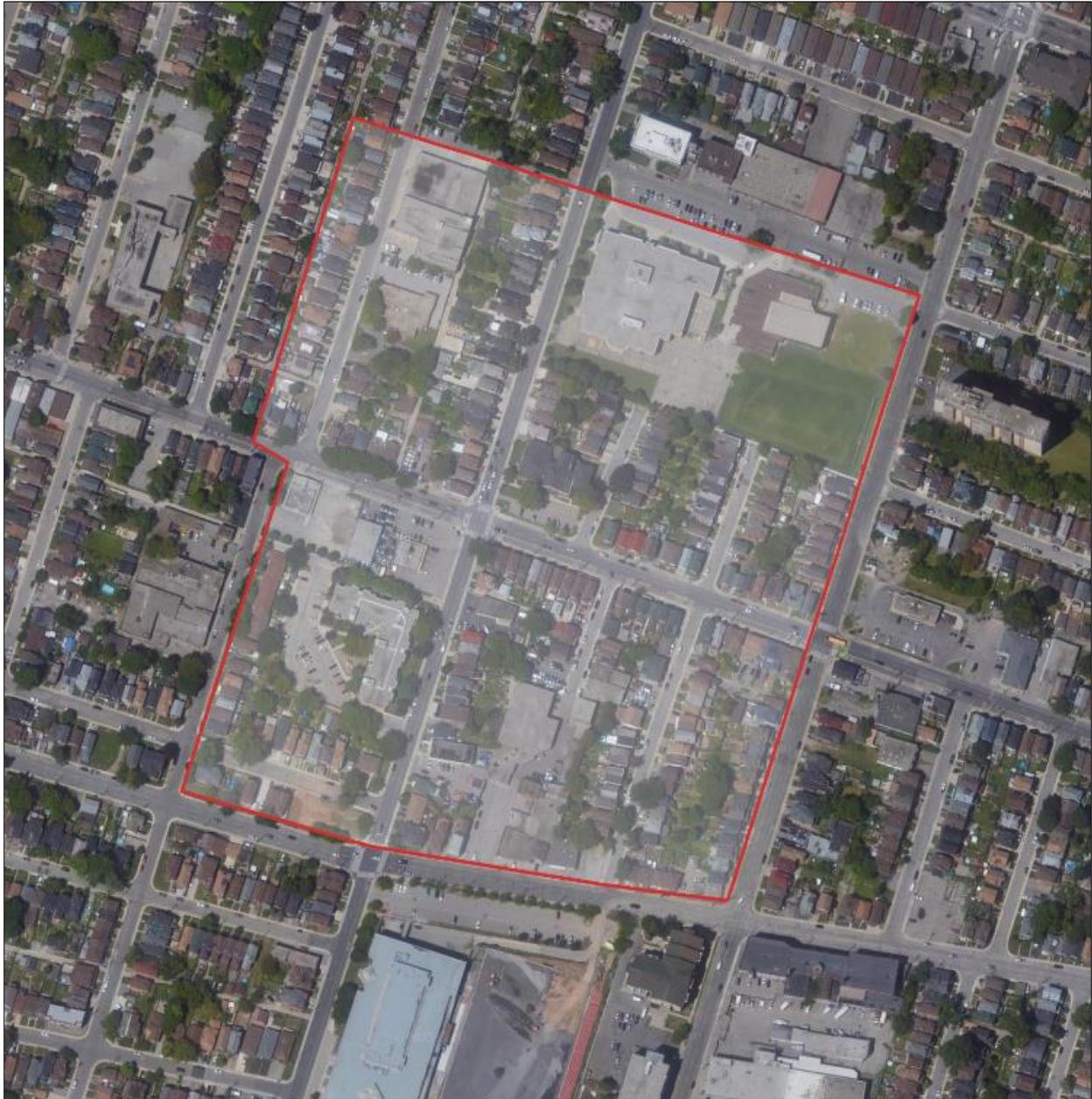
**MEETING LOCATION:** Wentworth Baptist Church, 120 Wentworth Street North, Hamilton

**FORMAT:** Starting at 7pm, the project team will provide a presentation describing the proposed development and housing program. Before and after the presentation, there will be an opportunity to provide feedback and ask questions of the project team.

**FOR MORE INFORMATION, PLEASE CONTACT:**

Emily Power, Project Coordinator | Flourish  
Phone: 289-941-4938  
Email: [ebpower@flourish.ca](mailto:ebpower@flourish.ca)  
111-1429 Main Street East, Hamilton ON L8K 1C2

### Meeting Invitation Circulation Area



## Copy of GALA Herald Ad

Conceptual rendering, subject to change.



# Community Meeting

New development at  
Wentworth Baptist Church site

WEDNESDAY, AUGUST 28, 2024  
6:30 PM  
Wentworth Baptist Church  
120 Wentworth St N, Hamilton



You are invited to a community meeting to meet the Indwell team and learn about the proposed redevelopment plans for supportive, affordable housing.



## Record of Notification to Ward 3 Councillor

### Emily Power

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**From:** Emily Power  
**Sent:** August 21, 2024 4:43 PM  
**To:** Weinberger, Alex; Nann, Nrinder; Office of Ward 3 City Councillor Nrinder Nann  
**Cc:** Graham Cubitt  
**Subject:** RE: Meeting regarding Indwell's development at 120 Wentworth St N  
**Attachments:** 120WentworthStN-CommunityMeetingNotice.pdf; GALAHeraldAugust2024Ad-10inWx8inH-Colour.pdf; 120WentworthStN-CommunityMeeting-01.png; 120WentworthStN-CommunityMeeting-02.png

Hi Nrinder and Alex,

Thanks for making time to meet with us a few weeks ago regarding this project. I wanted to follow up to share the materials we have been using to promote the community meeting scheduled for Wednesday, August 28, 6:30-8pm at Wentworth Baptist.

Please see attached for a flyer that we circulated to the households within a few blocks of the site. We also purchased an ad in the GALA Herald earlier in August. I have attached some Instagram-sized graphics in case you'd be willing to share the event through our own social media or newsletter.

Councillor Nann, would you be available to join for the meeting? If so, it would be great if you'd like to give a short speech at the beginning welcoming people to the event, if you'd be comfortable with that.

Thanks,  
Emily

**Emily Power** (she/her) MScPI  
Project Coordinator  
e: [ebpowers@flourish.ca](mailto:ebpowers@flourish.ca) | c: 289-941-4938 | w: [flourish.ca](http://flourish.ca)  
111-1429 Main St E, Hamilton, ON L8K 1C2



A social purpose real estate development services company founded by Indwell



## Record of Correspondence Received

### Emily Power

---

**From:** [REDACTED]  
**Sent:** August 15, 2024 3:07 PM  
**To:** Emily Power  
**Subject:** Request for Information and Concerns Regarding Development at 120 Wentworth Street North

Dear Emily Power,

I hope this email finds you well. My name is [REDACTED], and I am a resident of Huntley Street, which is directly across from the proposed development at 120 Wentworth Street North. I'm writing to request more information about the project, as well as to express some concerns shared by myself and several of my neighbors.

Given that Huntley Street is a small, quiet, and close-knit community, we are naturally concerned about the potential impact that a development of this scale may have on our neighborhood. Specifically, we would appreciate it if you could provide:

1. **Detailed Project Information:** An overview of the project timeline, including key milestones and expected completion dates.
2. **Layout Plans and Aerial Views:** Any available architectural or site plans, including aerial views of the proposed development. This will help us better understand the scope and scale of the project in relation to our homes and street.
3. **Impact Assessment:** Information on how the development is expected to affect local traffic, parking, and overall neighborhood dynamics, particularly for small streets like Huntley.
4. **Community Input and Its Impact:** We understand there is an upcoming meeting in two weeks. Could you please clarify how community input will be used in shaping the development? Specifically, what actions will be taken based on the feedback provided by residents?

Our goal is to better understand the project and its implications so that we can work together to ensure that the character and tranquility of our neighborhood are preserved. We hope the development can proceed in a way that addresses these concerns while also achieving its important goals.

Thank you for your attention to these matters. I look forward to your response and the opportunity to discuss this further.

Best,  
[REDACTED]

## Appendix C: August 2024 Community Meeting Sign In Sheets



### 120 Wentworth Street North Community Meeting

Wednesday, August 28, 2024 - Attendance List

FIRST NAME	LAST NAME	HOME ADDRESS & CONTACT INFORMATION (Email / Phone) <i>Please include your contact info if you wish to receive updates on the project</i>
Ann	Hutcheon	
Doug	PETERS	
Dave	Stasz	
Sam	Lahie	
BRENDA	DUKE	
PETER	Giorio	
Melanie	Lawton	

Please note: A copy of this form will be shared with City of Hamilton Planning staff for their records, but your address will not be shared in any public documentation related to the development application.



## 120 Wentworth Street North Community Meeting

Wednesday, August 28, 2024 - Attendance List

FIRST NAME	LAST NAME	HOME ADDRESS & CONTACT INFORMATION (Email / Phone) <i>Please include your contact info if you wish to receive updates on the project</i>
Craig	Culver	
Steph	Climie	
Tom	climie	
Helen	Cazzarin	
Ruth <del>Dennis</del>	Dennis	
Emma	Dennis	
Vera	Upham	

Please note: A copy of this form will be shared with City of Hamilton Planning staff for their records, but your address will not be shared in any public documentation related to the development application.



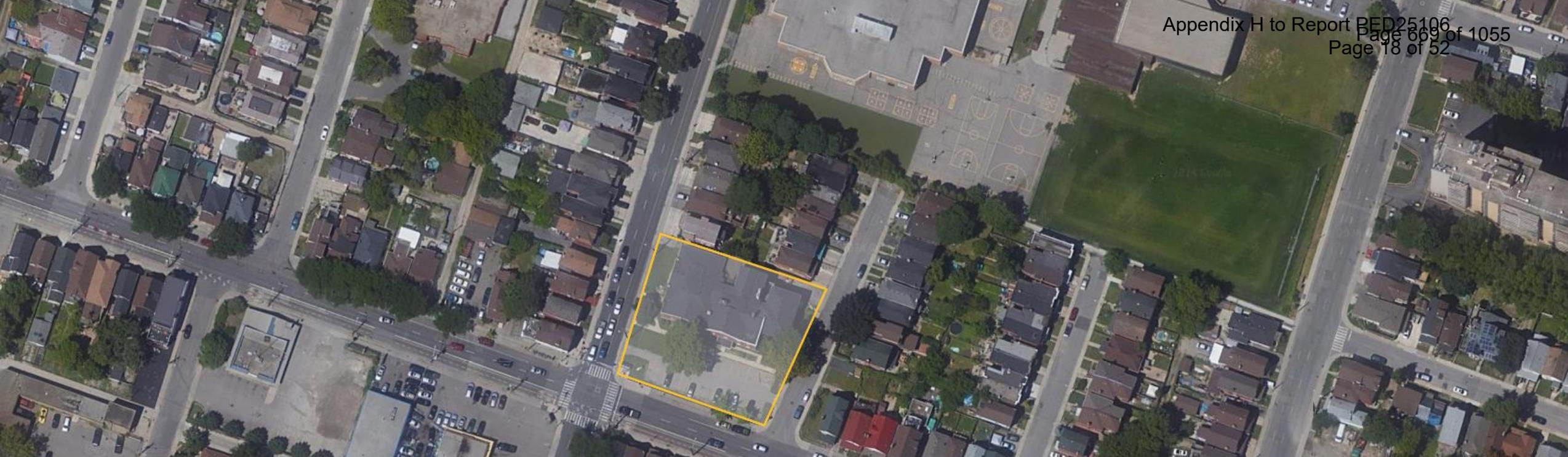
### 120 Wentworth Street North Community Meeting

Wednesday, August 28, 2024 - Attendance List

FIRST NAME	LAST NAME	HOME ADDRESS & CONTACT INFORMATION (Email / Phone) <i>Please include your contact info if you wish to receive updates on the project</i>
Dustin; Sarah	Blais	
Tracy	Upham	
Kelvin & Jan	Mutter	

Please note: A copy of this form will be shared with City of Hamilton Planning staff for their records, but your address will not be shared in any public documentation related to the development application.

## Appendix D: August 2024 Community Meeting Slides



# Community Meeting 120 Wentworth Street North

Wednesday, August 28, 2024 | 6:30pm – 8:00pm  
Wentworth Baptist Church



# Land Acknowledgement

*The City of Hamilton is situated on land that has been inhabited by Indigenous people for thousands of years. We acknowledge that this community is located upon the traditional territories of the Haudenosaunee and Anishnaabeg. This territory is covered by the Upper Canada Treaties, and is within the lands covered by the “Dish With One Spoon” Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabek to share and care for the resources around the Great Lakes. This land is adjacent to the Haldimand Treaty Territory.*

*Today, the City of Hamilton is home to many Indigenous people from across Turtle Island (North America). We recognize 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.*

# Project Team



Owner/Operator



Planning Consultant



Civil Engineer



Development Manager



Heritage Consultant



Mechanical Engineer



Architect



Landscape Architect

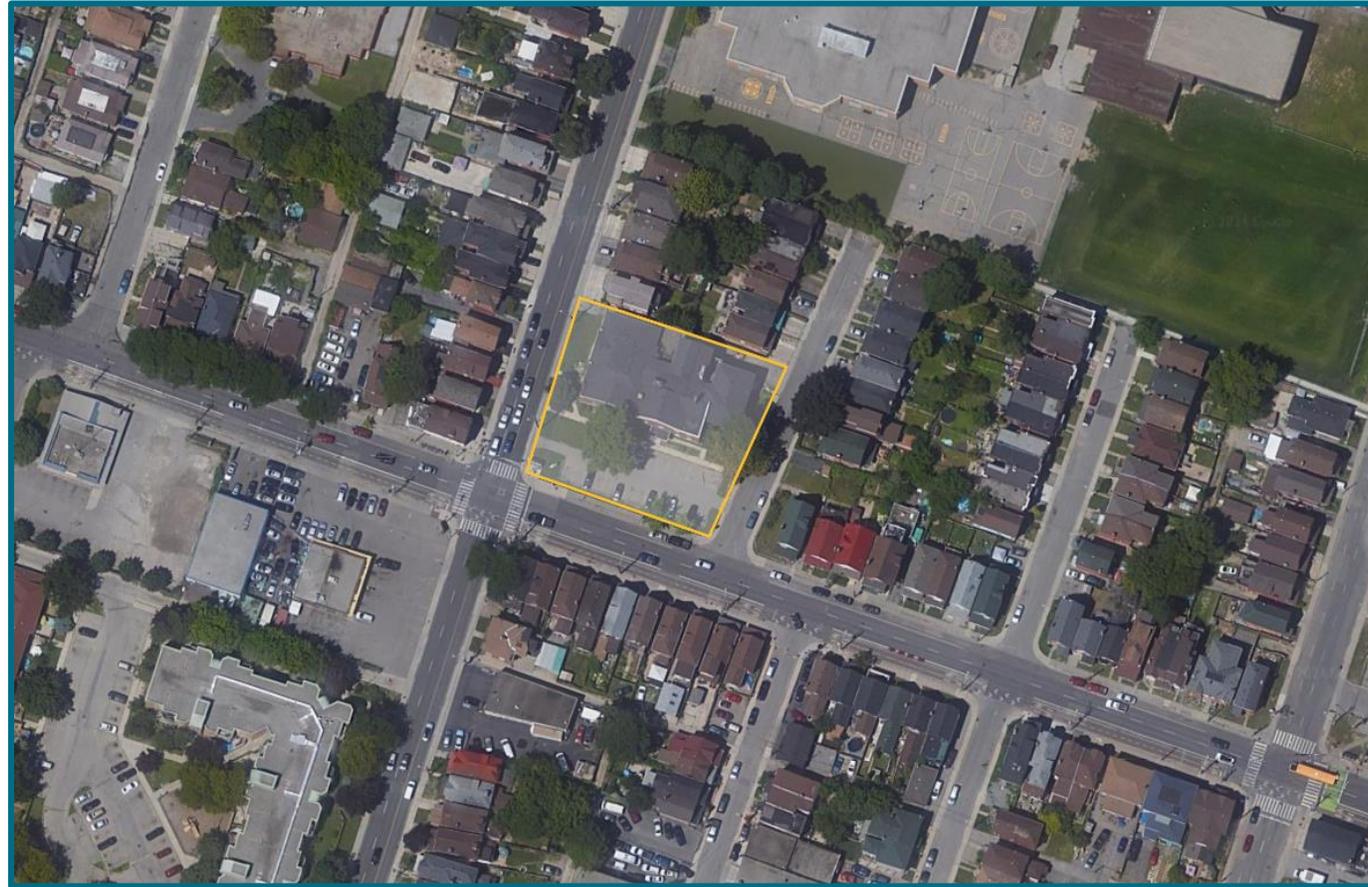


Structural Engineer

# Why We're Here

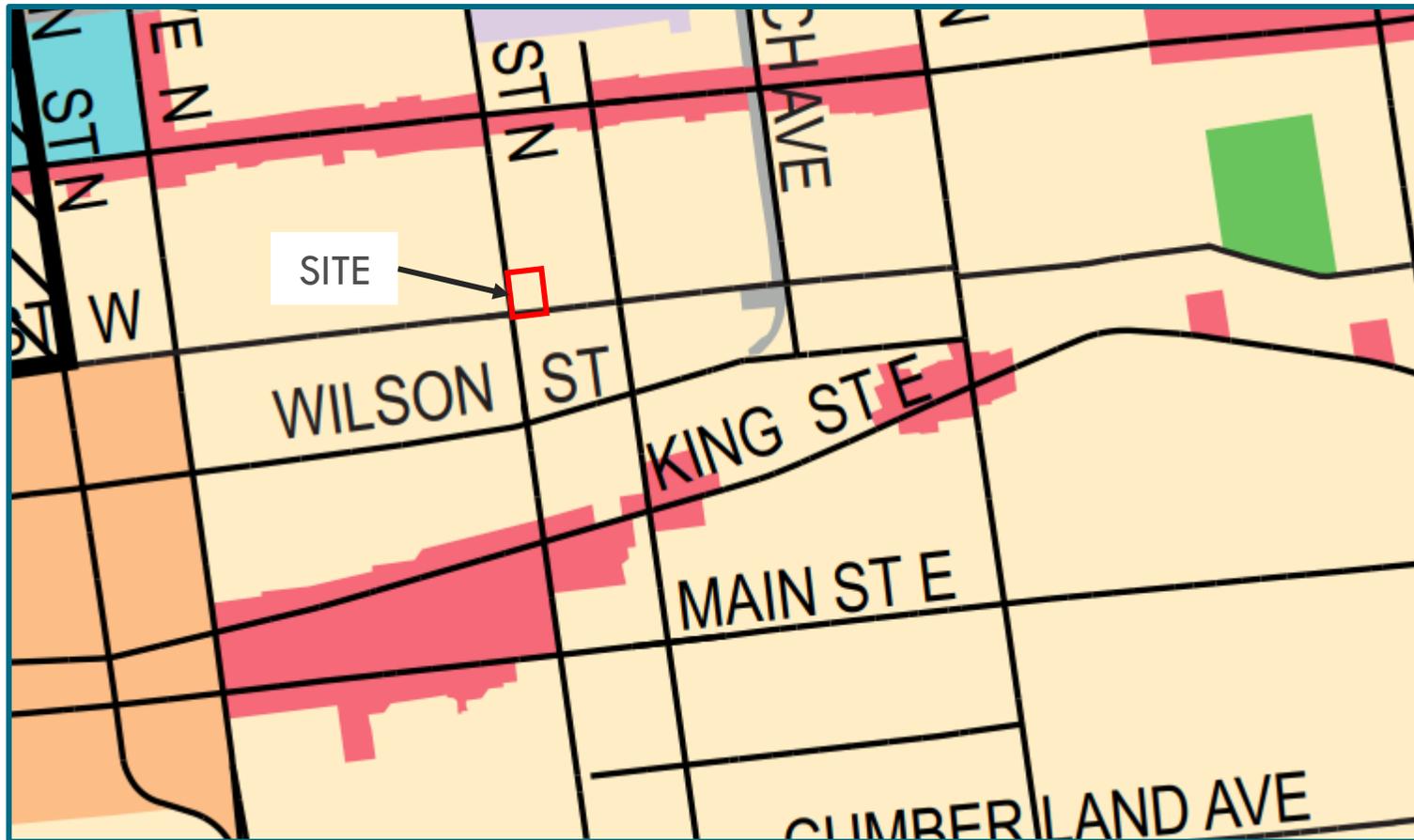
1. Site description and context
2. Planning policies
3. Development vision
4. Housing program vision
5. Timelines and opportunities for community input
6. Discussion and Q&A

# The Site – Existing Conditions



Community Meeting – 120 Wentworth St N  
Wednesday, August 28, 2024

# The Site – Current Planning Policies



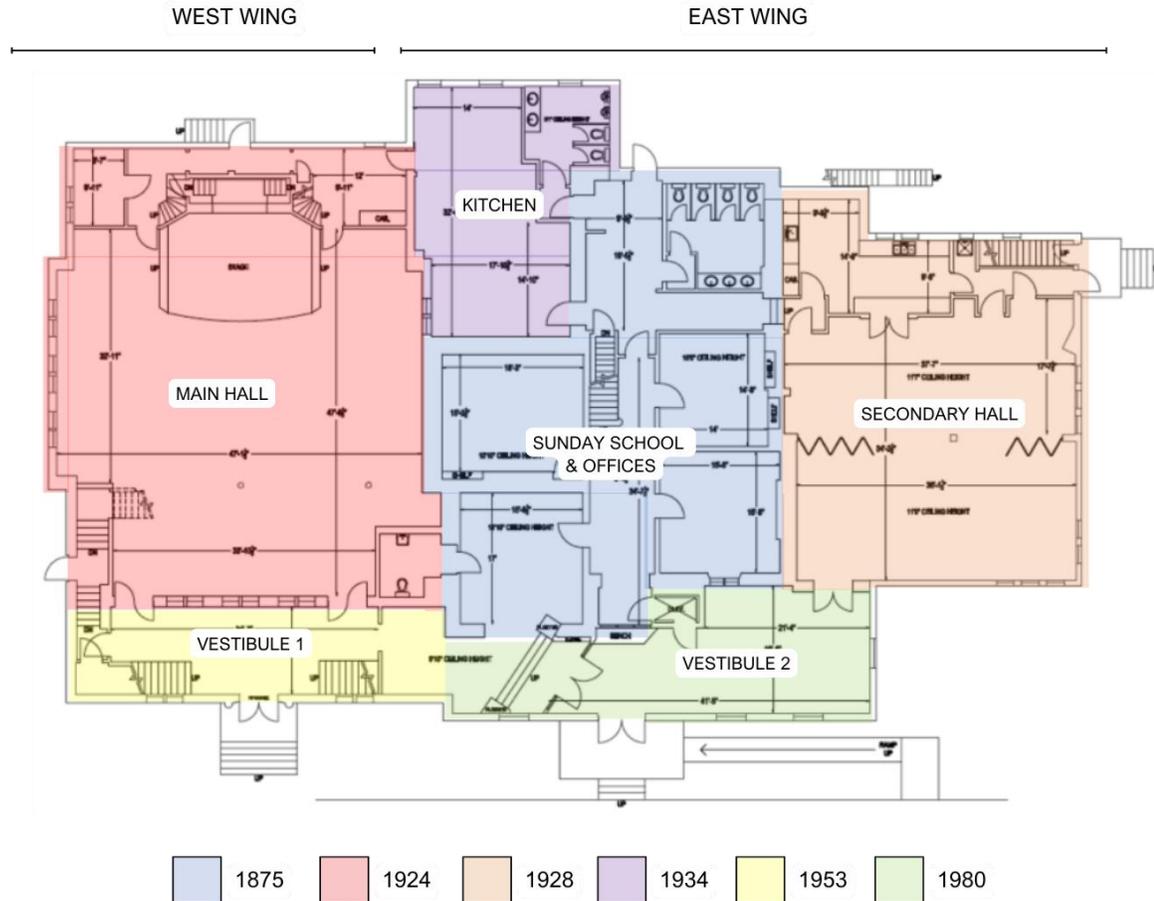
- Designated “Neighbourhoods” under *Urban Hamilton Official Plan*
- Designation provides for residential uses and complementary facilities and services
- Designation provides for a full range of housing options (forms, types, tenure)

# The Site – Current Planning Policies



- Zoned “Neighbourhood Institutional – I1” under *City of Hamilton Zoning By-law 05-200*
- Examples of permitted uses: Single or semi-detached dwelling, duplex, residential care facility, emergency shelter, place of worship, museum, etc.
- Current use under this zone: Place of Worship (Wentworth Baptist Church)
- Zoning By-law Amendment Application will be required for the following modifications: multiple dwelling use; streetline setback from Cannon St; residential parking reduction

# The Site – Heritage Context



- Not designated under the *Ontario Heritage Act*
- Included in City of Hamilton *Inventory of Places of Worship*, identified as place of historical and architectural interest
- Heritage Impact Assessment and Conservation & Salvage Plan to be completed by Hobson Heritage Consulting
- West Wing (main hall, gymnasium) to be retained for use by church congregation, Indwell residents, community groups
- East Wing to be demolished, with salvaged items incorporated into new building



# DEVELOPMENT VISION

# Proposal Summary



Invizij, August 2024. Conceptual rendering. Looking north from Cannon St E.

- Renovation of hall on western portion of site (basement gymnasium, ground floor sanctuary, mezzanine)
- Construction of 4-storey apartment building with 50 studio units, including 10 barrier-free accessible units
- Construction of 1-storey building between, containing kitchen and office space
- 15 sub-grade parking spaces
- Bicycle parking





## **DRAFT FLOOR PLAN** ***Second Level***

Invizij, August 2024.

### **COLOUR LEGEND**

	STUDIO BF UNITS
	STUDIO UNITS
	SERVICES
	OFFICE
	STORAGE SPACE
	MULTIPURPOSE SPACE
	AMENITY SPACE



## DRAFT ELEVATIONS



Invizij, February 2024. Building elevations from Cannon St E, looking north.

## DRAFT ELEVATIONS



Invizij, February 2024. Building elevations from Wentworth St N, looking east.



Invizij, March 2024. Detail: tenant amenity space on second floor.

# Development Timeline

**2021-  
2024**



- 2021: Indwell purchases property from Wentworth Baptist Church
- Community meetings held June 2021, February 2023
- Regular updates to church board & congregation

**Summer  
2024**



- Stakeholder engagement with with Wentworth Baptist Church, Ward 3 Councillor Nrinder Nann, Barton Village BIA, Gibson & Landsdale Neighbourhood Planning Team
- Community meeting

**Fall  
2024**



- Formal consultation with City of Hamilton staff
- Finalize building designs
- Submit rezoning application
- Submit site plan application

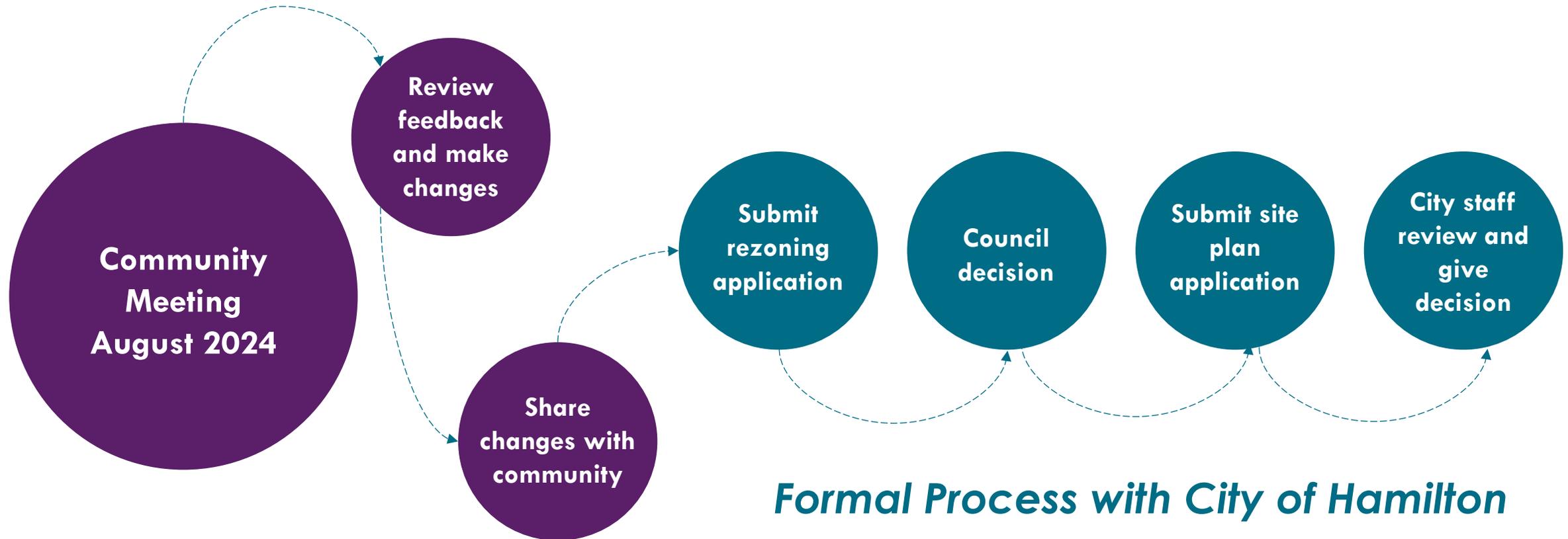
**Fall  
2026**



- Target for end of construction
- Occupancy

Community Meeting – 120 Wentworth St N  
Wednesday, August 28, 2024

# What are the next steps?





# HOUSING PROGRAM VISION

**Ashlynn Hill**

COMMUNITY MEETING • AUGUST 28, 2024

# About Us

- For 50 years, Indwell has been providing **supportive housing** that transforms lives.
- Every door we open together becomes a **solution to homelessness.**



HOPE & HOMES FOR ALL

# About Us

- Support **over 1,250 tenants** in **seven regions** across Southern and Southwestern Ontario—with several projects currently under construction or pre-development.
- Empower tenants to achieve **health and wellness** goals, and to constructively **engage with their communities**.



# Our Mission

Indwell is a Christian charity that creates affordable housing communities that support people seeking **health, wellness and belonging.**

*HOPE AND  
HOMES  
FOR ALL*

Our Vision



HOPE & HOMES FOR ALL

# Core Values



We value the inherent **dignity** of all people as image bearers of God.



We live out our Christian calling to **love** our neighbours as ourselves.



**Hope** is the foundation of all our actions.

*HOPE AND  
HOMES  
FOR ALL*

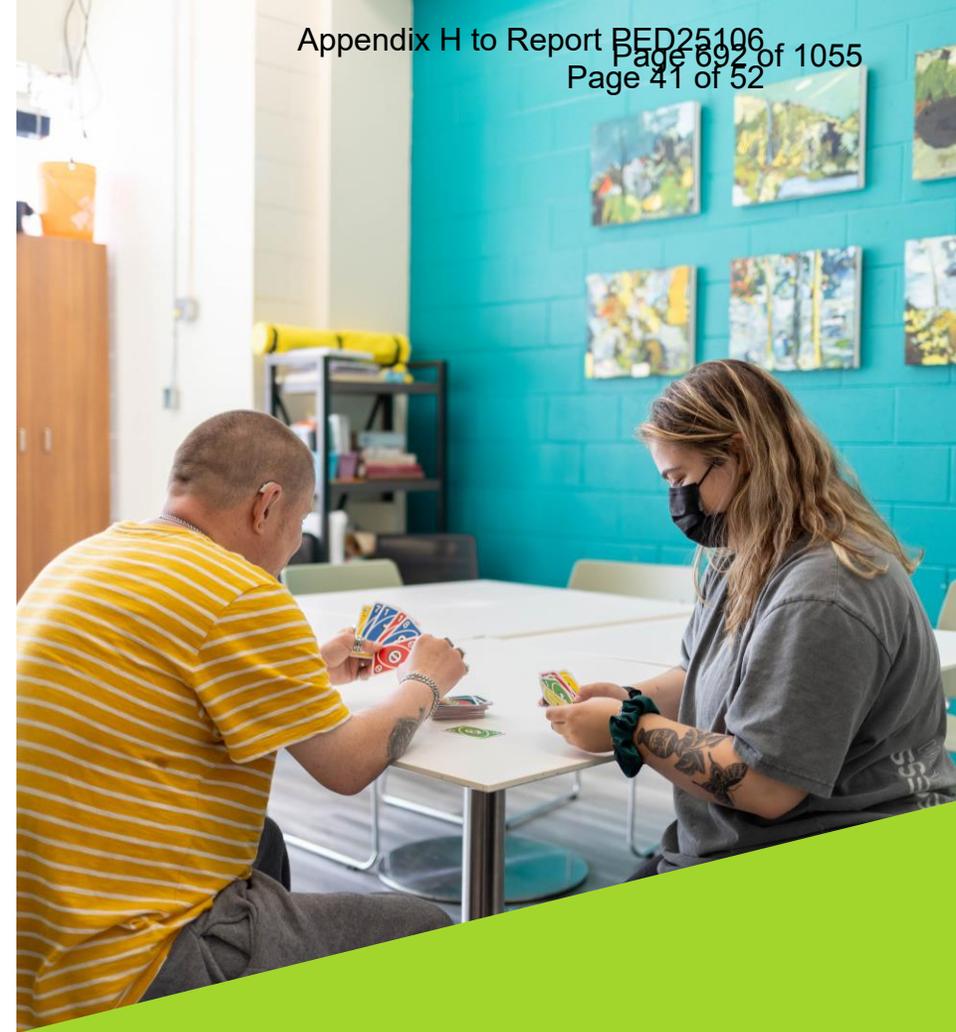
Our Vision



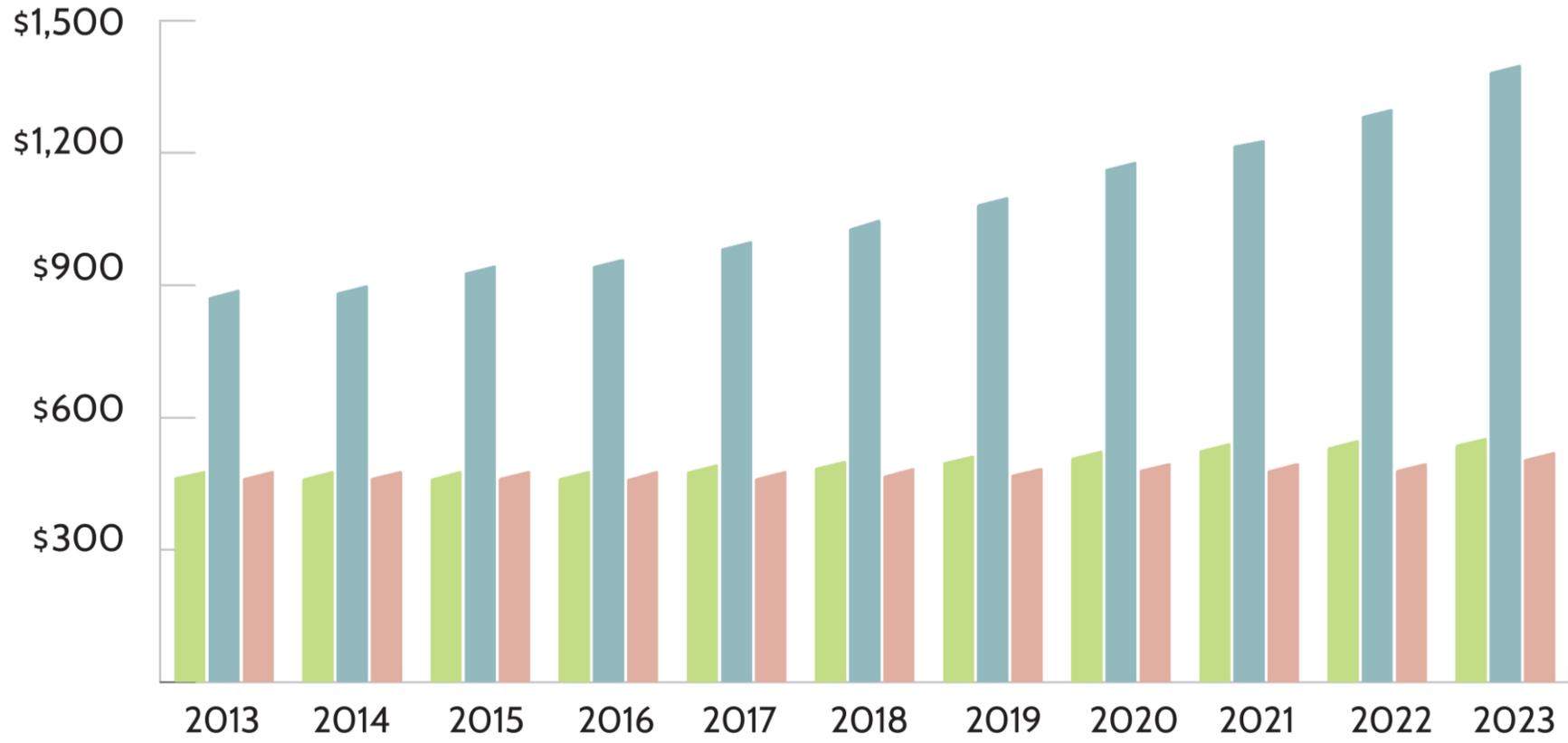
# Our Solution

## REAL AFFORDABILITY

- Rent reflects income
- Long term stability
- Low utility costs



# INDWELL VS. MARKET RENT



- INDWELL RENT
- MARKET RENT\*
- ODSP\*\*

\* Ontario median for a one-bedroom apartment (source: CMHC Rental Market Data Tables, 2022) – 2023 is estimated

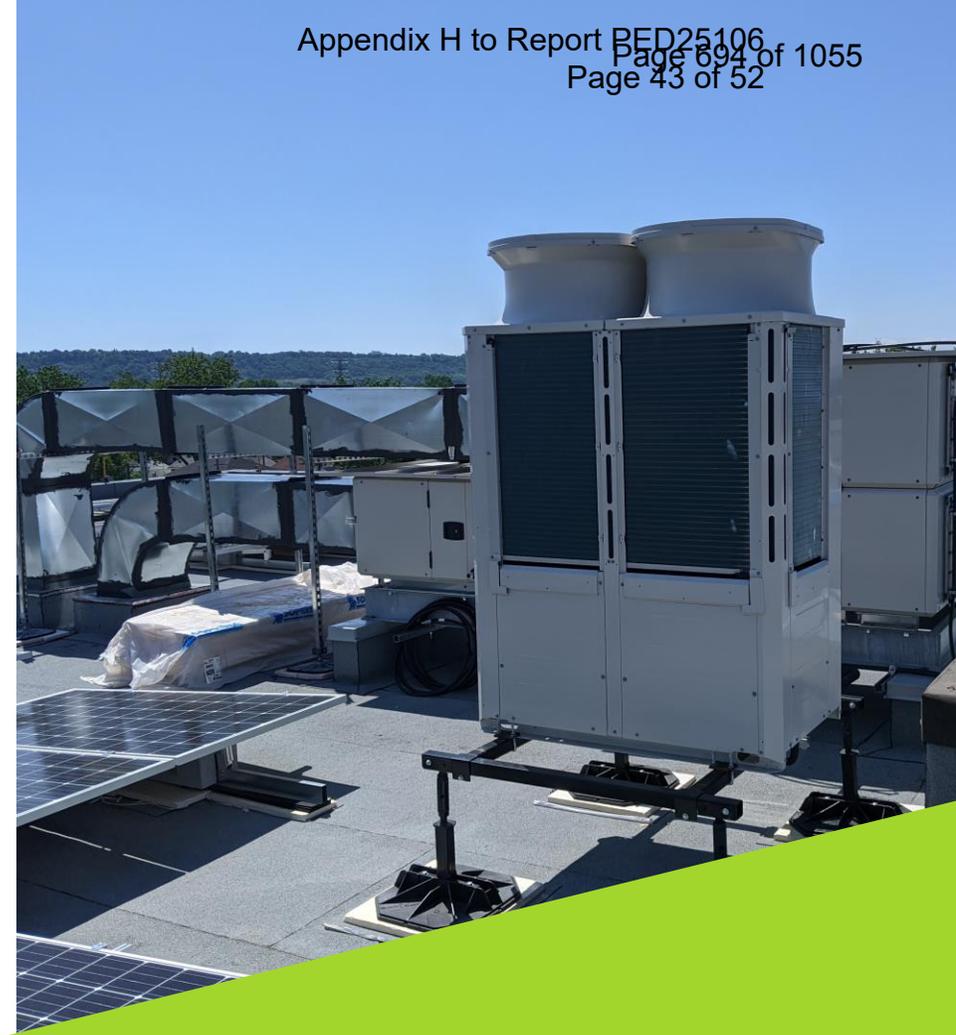
\*\* OSDP shelter allowance



# Our Solution

## *INNOVATING FOR THE FUTURE*

- Leader in Passive House development
- Lowering our carbon emissions
- Empowered conservation



# Our Solution

## HOUSING WITH SUPPORTS

- Nursing
- Food security
- Life skills training
- Recreation
- Addictions support
- “Knowable” communities

Community Meeting – 120 Wentworth St N  
Wednesday, August 28, 2024



HOPE & HOMES FOR ALL

# Our Solution

## PROPERTY MANAGEMENT *EXCELLENCE*

- Relational landlords
- Proactive maintenance
- Safe and secure buildings

Community Meeting – 120 Wentworth St N  
Wednesday, August 28, 2024





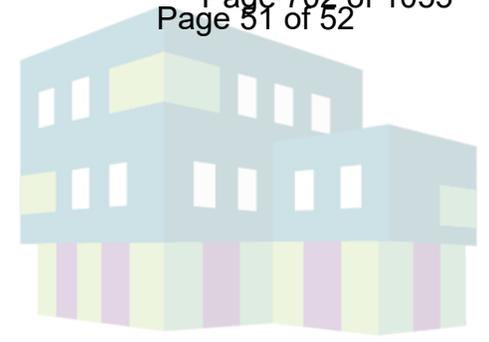
Indwell











# Q & A



### Summary of Public Comments Received

Comment Received	Staff Response
<p>A concern was expressed about the number of units proposed and the lack of green space.</p>	<p>The proposed number of units is considered appropriate for this site given its location to community amenities and transit. The development is an efficient use of land and resources, which will utilize existing municipal services and infrastructure, and provide increased housing options. The proposal includes landscape areas along the frontage and a large central courtyard with green space, landscaping, and tree plantings. In addition, there are no impacts related to shadow or overlook anticipated.</p>
<p>A concern was expressed about the adequacy of parking and potential disruption caused by construction activities during site works.</p>	<p>The proposal does not seek any reductions to the parking space requirements set out in Zoning By-law No. 05-200. Further, as part of the future Site Plan Control application, a Construction Management Plan will be required to ensure that construction activities on the development site do not negatively impact public health, safety, amenity, traffic, or environment in the surrounding area.</p>
<p>Support was expressed for the proposal including the adaptive reuse of the property, highlighting its role in addressing the critical need for affordable housing while preserving a valuable community space.</p>	<p>Noted.</p>

**Amir, Amna**

---

**From:** [REDACTED]  
**Sent:** Tuesday, February 25, 2025 3:19 PM  
**To:** clerk@hamilton.ca; Amir, Amna  
**Subject:** 120 Wentworth Street North

**External Email:** Use caution with links and attachments

Hello,

I am requesting to be notified of the outcome of the proposal to convert the church at 120 Wentworth street north to a 50-unit affordable housing complex.

I want to flag that I just received the notice in the mail today (February 25th). The notice says comments were due to the planner February 24th, however I want to note that, although I very much support creative affordable housing, as a homeowner on Huntley street I am deeply concerned about the number of units being proposed and the lack of green space in the proposed plan. Huntley is a very small street and will become absolutely overwhelmed with cars given the parking entrance on Huntley street. I also notice that the building is proposed to expand closer to the street than the church is now and we will lose greenery from the church's lawn, which is concerning given the lack of green space in the downtown core already. Please consider requiring more green space and limiting the number of units. This space could realistically accommodate 10-20 units.

Thank you,

[REDACTED]

**Amir, Amna**

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**From:** [REDACTED]  
**Sent:** Sunday, March 2, 2025 3:03 PM  
**To:** Amir, Amna  
**Cc:** clerk@hamilton.ca  
**Subject:** ZAC-25-010

**External Email: Use caution with links and attachments**

Hello Amna,

I am writing to you in regards to the property development at 120 Wentworth Street North. I am a resident on Huntley Street [REDACTED] and would like to voice some thoughts and concerns I have regarding this project.

Firstly, the notice sent out to residents of the neighbourhood indicating any input from the public for your staff report was to be received by February 24th, 2025. This notice did not arrive by post until February 26th, 2025.

The Wentworth property backs onto Huntley, a dead-end small residential street with limited parking. We do not agree with the zoning change, as it will seriously impact the current families on Huntley.

Should the zoning change go through we have two additional concerns about the project.

1. The new property will have sufficient parking to handle all apartment units and their visitors. As well as stipulating the parking is free to the residents and visitors of the new unit so as to discourage parking on the street.
2. That parking and street access will be closely monitored and enforced during the construction period.

We wish to be notified by the City of Hamilton on the proposed zoning by-law amendment in a timely manner.

On behalf of [REDACTED]

[REDACTED]

March 26, 2025

**Re: Indwell's Zoning By-law Amendment Application for 120 Wentworth St N**

Dear Chair and Members of the Planning Committee,

I am writing in support of Indwell's application for a zoning by-law amendment to develop new affordable housing at 120 Wentworth Street North, known as Wentworth Baptist church. I write to you as a resident of the Gibson neighbourhood living on Fullerton Avenue. I have been involved in community engagement for more than a decade, founding and leading volunteer groups including GALA Community Planning Team and Beautiful Alleys and I have followed and anticipated this project from the start.

Indwell's adaptive reuse plan for the property, developed in partnership with the Wentworth Baptist Church congregation, responds to the needs of the Gibson and Landsdale neighbourhoods. The development will provide 50 units of affordable, supportive housing in addition to renovating the church hall and gymnasium for Indwell, church, and community groups to use. There is a great need for affordable housing in our community, in the context of rising rents and growing homelessness. There is also a shortage of spaces for community groups to hold meetings and events. Prior to the sale of the Church, our community planning team, GALA, hosted their meetings at the church.

Recently, I faced the possibility of being houseless. After 14 years, my landlord was selling the home I lived in, in a community that I was heavily invested in. It was important to find a place nearby so I could continue my work. I was able to find a house on the same street but at 3 times the rent I could afford. That necessitated making life changes and sharing my space. This project will provide much needed affordable, supportive housing and a community space.

Indwell is a reputable charity that provides high-quality, supportive, affordable housing in several locations across Hamilton. Indwell excels in this work and contributes positively to our community.

I believe the requested rezoning application to a Mixed Use Medium Density Zone and requested site-specific provisions for building setback, built form, minimum rear yard and side yard, and landscaped areas are reasonable and should be supported.

Thank you for noting my support as you consider Indwell's application.

Sincerely,



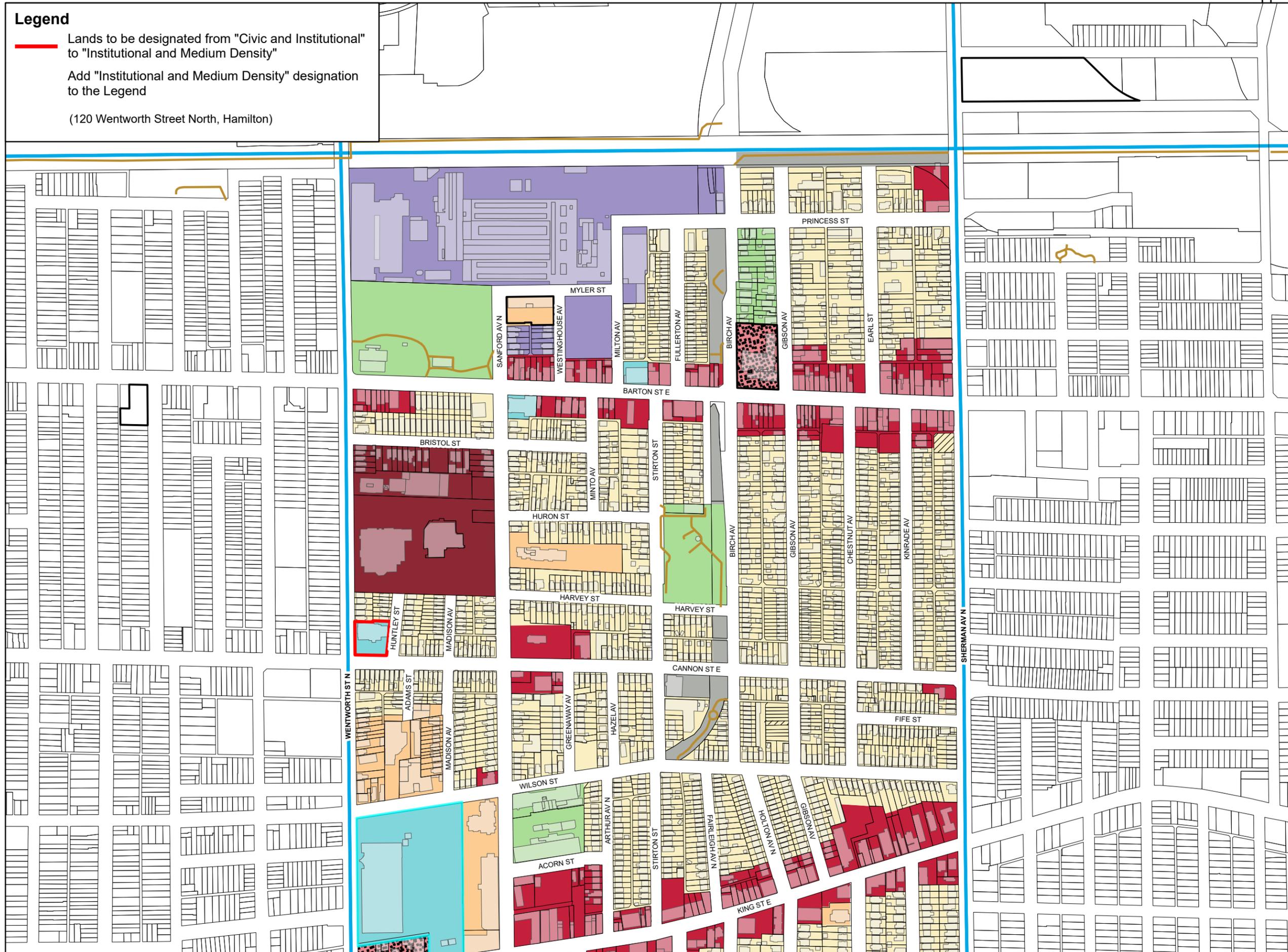
Hamilton

**Legend**

 Lands to be designated from "Civic and Institutional" to "Institutional and Medium Density"  
 Add "Institutional and Medium Density" designation to the Legend  
 (120 Wentworth Street North, Hamilton)

6201	6202	6203
6608	6607	6606
6601	6602	6603

**Gibson**  
 Approved Plan  
 Council Approved: May 8, 1973  
 Population: 8110 (2001)  
 7430 (2006)



- Legend**
-  Neighbourhood Boundary
  -  Heritage District
  -  Trails
  -  Single and Double
  -  Attached Housing
  -  Medium Density Apartments
  -  Commercial
  -  Commercial and Apartments
  -  Multicentre
  -  Civic and Institutional
  -  Industrial
  -  Park and Recreational
  -  Utilities

**MAP 6607**  
 (Map 1 of 2)

Date:  
 February 2025



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
 © Teranel Land Information Services Inc. and its licensors.  
 [2025] May not be reproduced without permission.  
 THIS IS NOT A PLAN OF SURVEY.

March 26, 2025

**Re: Indwell's Zoning By-law Amendment Application for 120 Wentworth St N**

Dear Chair and Members of the Planning Committee,

I am writing in support of Indwell's application for a zoning by-law amendment to develop new affordable housing at 120 Wentworth Street North, known as Wentworth Baptist church. I write to you as a resident of the Gibson neighbourhood living on [REDACTED]. I have been involved in community engagement for more than a decade, founding and leading volunteer groups including GALA Community Planning Team and Beautiful Alleys and I have followed and anticipated this project from the start.

Indwell's adaptive reuse plan for the property, developed in partnership with the Wentworth Baptist Church congregation, responds to the needs of the Gibson and Landsdale neighbourhoods. The development will provide 50 units of affordable, supportive housing in addition to renovating the church hall and gymnasium for Indwell, church, and community groups to use. There is a great need for affordable housing in our community, in the context of rising rents and growing homelessness. There is also a shortage of spaces for community groups to hold meetings and events. Prior to the sale of the Church, our community planning team, GALA, hosted their meetings at the church.

Recently, I faced the possibility of being houseless. After 14 years, my landlord was selling the home I lived in, in a community that I was heavily invested in. It was important to find a place nearby so I could continue my work. I was able to find a house on the same street but at 3 times the rent I could afford. That necessitated making life changes and sharing my space. This project will provide much needed affordable, supportive housing and a community space.

Indwell is a reputable charity that provides high-quality, supportive, affordable housing in several locations across Hamilton. Indwell excels in this work and contributes positively to our community.

I believe the requested rezoning application to a Mixed Use Medium Density Zone and requested site-specific provisions for building setback, built form, minimum rear yard and side yard, and landscaped areas are reasonable and should be supported.

Thank you for noting my support as you consider Indwell's application.

Sincerely,

[REDACTED]

Brenda Duke

[REDACTED]  
[REDACTED]



**HAMILTON URBAN CORE COMMUNITY HEALTH CENTRE**  
Strong Core Healthier Lives

---

March 26, 2025

**Re: Indwell's Zoning By-law Amendment Application for 120 Wentworth St N**

Dear Chair and Members of the Planning Committee,

I am writing in support of Indwell's application for a zoning by-law amendment to develop new affordable housing for our community. I write to you as the Executive Director of Hamilton Urban Core Community Health Centre at 430 Cannon Street East, located in Ward 3, Hamilton Centre.

Hamilton Urban Core is a thriving inner city health centre and a leader in the provision of high-quality primary health services and health promotion programs. Our comprehensive health services are delivered through a dynamic team of multidisciplinary, inter-professional health providers. As an inner-city health centre our client populations include individuals and families with chronic and complex health and social conditions, many of whom are living in poverty.

The project at 120 Wentworth Street North is critically needed in the context of rising rents, housing insecurity, and growing homelessness. The application deserves your full support based on the merits of the project.

I believe the requested rezoning application to a Mixed-Use Medium Density Zone and requested site-specific provisions for building setback, built form, minimum rear yard and side yard, and landscaped areas are reasonable and should be supported.

Indwell's adaptive reuse plan for the property, developed in partnership with the Wentworth Baptist Church congregation, responds to the needs of the Gibson and Landsdale community. The historic sanctuary will be renovated for continued use by the congregation, as well as Indwell program use and community group bookings. The Sunday school and office buildings, no longer needed by the congregation, will be demolished to make way for a new apartment building addition, which will provide 50 units of quality affordable housing for current and future generations. The project is being designed according to CMHC's highest standards for affordability, accessibility, and energy efficiency.

Indwell has a strong track record of working with communities across Southern Ontario to create well-designed, long-term affordable housing buildings. Indwell has been in operation for 50 years and manages 1,200 units across 28 properties spanning seven regions, including Hamilton, Kitchener,



## HAMILTON URBAN CORE COMMUNITY HEALTH CENTRE

Strong Core Healthier Lives

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London, St. Thomas, Woodstock, Simcoe, and Mississauga. Indwell operates 14 buildings in Hamilton, including 44 units at the Wentworth Program (118 Wentworth St S) and 108 units at The Oaks (219-247 East Ave N) in Ward 3.

Recent reports illustrate the scale of the affordable housing crisis in our community. The most recent point-in-time count, conducted by the City of Hamilton in 2024, reported [1,216 people](#) experiencing homelessness in our community. According to the City, there are [6,110 households](#) on the waiting list for affordable housing. Average market rents far exceed what those earning minimum wage or relying on social assistance can afford. In the context of the overwhelming need for affordable housing, I ask you to support Indwell's rezoning application and to allow the development to proceed without delay.

Thank you for noting my support as you consider Indwell's application.

Sincerely,

*Sandy Adarze*

Dr. Sandy Ezepue, (Pronouns: She/Her)  
Executive Director  
Hamilton Urban Core Community Health Centre  
430 Cannon Street East  
Hamilton, Ontario  
L8L 2C8

**From:** Anna Buhrmann

**Sent:** March 31, 2025 8:53 AM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca); Amir, Amna <[Amna.Amir@hamilton.ca](mailto:Amna.Amir@hamilton.ca)>

**Subject:** Written submission in support of File ZAC-25-010 – For Apr 8 2025 Planning Committee

Re: Indwell's Zoning By-Law Amendment Application for 120 Wentworth St N

Dear Chair and Members of the Planning Committee,

We are writing in support of Indwell's application for a zoning by-law amendment to develop new affordable housing at 120 Wentworth Street North. We have been residents of the surrounding neighbourhood since 2022, living on Sanford Avenue North.

Indwell's adaptive reuse plan for the property, developed in partnership with the Wentworth Baptist Church congregation, responds to the needs of our neighbourhood. As rents rise and the rate of homelessness rises, our neighbours increasingly struggle to pay rent and find safe, affordable housing. As frontline healthcare workers, we see the impact that these stressors have on their health, safety, and wellbeing. Additionally, during the long months of winter, kids in the neighbourhood don't have many places to go to let out energy. Spaces where we can gather with our neighbours or hold meetings are limited; last year, we struggled to find an indoor space that could accommodate a camp for newcomer children in our neighbourhood. This proposed development would provide 50 units of affordable, supportive housing in addition to renovating the church hall and gymnasium for Indwell, church, and community groups to use — meeting many of the needs in our neighbourhood. These rental spaces and meeting spaces would be full almost as soon as they are opened!

We have followed Indwell's work closely for many years and have interacted with several tenants who speak highly of the impact Indwell has had on their lives through giving them safe spaces to call home and flourish. The housing that Indwell provides is supportive, dignifying, and affordable. Indwell does its work with excellence.

We believe the requested rezoning application to a Mixed Use Density Zone and requested site-specific provisions for building setback, built form, minimum rear yard and side yard, and landscaped areas are reasonable and should be supported.

Thank you for noting our support as you consider Indwell's application.

Sincerely,

Anna Buhrmann and Abigail Morton



April 2, 2025

**Re: Indwell's Zoning By-law Amendment Application for 120 Wentworth St N**

Dear Chair and Members of the Planning Committee,

I am writing in support of Indwell's application for a zoning by-law amendment to develop new affordable housing for our community. I write to you as Executive Director of Helping Hands Street Mission.

The project at 120 Wentworth Street North is critically needed in the context of rising rents, housing insecurity, and growing homelessness. The application deserves your full support based on the merits of the project.

I believe the requested rezoning application to a Mixed Use Medium Density Zone and requested site-specific provisions for building setback, built form, minimum rear yard and side yard, and landscaped areas are reasonable and should be supported.

Indwell's adaptive reuse plan for the property, developed in partnership with the Wentworth Baptist Church congregation, responds to the needs of the Gibson and Landsdale community. The historic sanctuary will be renovated for continued use by the congregation, as well as Indwell program use and community group bookings. The Sunday school and office buildings, no longer needed by the congregation, will be demolished to make way for a new apartment building addition, which will provide 50 units of quality affordable housing for current and future generations. The project is being designed according to CMHC's highest standards for affordability, accessibility, and energy efficiency.

Indwell has a strong track record of working with communities across Southern Ontario to create well-designed, long-term affordable housing buildings. Indwell has been in operation for 50 years and manages 1,200 units across 28 properties spanning seven regions, including Hamilton, Kitchener, London, St. Thomas, Woodstock, Simcoe, and Mississauga. Indwell operates 14 buildings in Hamilton, including 44 units at the Wentworth Program (118 Wentworth St S) and 108 units at The Oaks (219-247 East Ave N) in Ward 3.

Recent reports illustrate the scale of the affordable housing crisis in our community. The most recent point-in-time count, conducted by the City of Hamilton in 2024, reported [1,216 people](#) experiencing homelessness in our community. According to the City, there are [6,110 households](#) on the waiting list for affordable housing. Average market rents far exceed what those earning minimum wage or relying on social assistance can afford. In the context of the overwhelming need for affordable housing, I ask you to support Indwell's rezoning application and to allow the development to proceed without delay.



Thank you for noting my support as you consider Indwell's application.

Sincerely,

A handwritten signature in black ink that reads "Alice Plug-Buist". The signature is written in a cursive style with a long horizontal line extending to the right.

Alice Plug-Buist  
Executive Director  
Helping Hands Street Mission



541 Barton St. East  
Hamilton, ON, L8L 2Z2  
289-389-0541  
hello@fivefortyone.ca

**April 2, 2025**

**Re: Indwell's Zoning By-law Amendment Application for 120 Wentworth St N**

Dear Chair and Members of the Planning Committee,

I am writing on behalf of 541 Eatery & Exchange in strong support of Indwell's application for a zoning by-law amendment to develop affordable housing at 120 Wentworth Street North.

As Executive Director of 541 Eatery & Exchange, a community-based non-profit café and gathering place located just a few blocks from the proposed site, I witness daily the impacts of housing insecurity and poverty in our neighbourhood. We serve many community members who are struggling to make ends meet or are experiencing homelessness. We believe deeply in the right of every person to have safe, affordable housing—and in the strength of communities that care for their neighbours.

Indwell's proposed development reflects the kind of compassionate, thoughtful, and community-rooted solution we need in the Gibson and Landsdale neighbourhood. The adaptive reuse of Wentworth Baptist Church for both faith-based and community purposes, alongside the construction of 50 deeply affordable housing units, is an example of what it looks like to "make room"—a value we share at 541. It's not just a housing project—it's a vision for inclusion, dignity, and hope.

We also believe the requested rezoning and site-specific provisions are both reasonable and necessary to make this project viable. Indwell's track record across Hamilton and beyond demonstrates their commitment to excellent design, accessibility, and long-term stewardship. Their programs prioritize wellness, inclusion, and stability, all of which align closely with our mission to cultivate belonging and reduce social isolation.

In a time of escalating housing need—with over 6,000 households on the affordable housing waitlist and more than 1,200 people unhoused in Hamilton—this development is not only appropriate, it is urgent. We encourage the Planning Committee to support this application without delay.

Thank you for considering our perspective as neighbours, partners, and fellow builders of a more inclusive community.

All Together at the Table

Hospitality | Community | Belonging | Advocacy



541 Barton St. East  
Hamilton, ON, L8L 2Z2  
289-389-0541  
hello@fivefortyone.ca

Warmly,

*Justin Eisinga*

Justin Eisinga  
Executive Director  
541 Eatery & Exchange  
541 Barton Street East, Hamilton, ON  
[www.fivefortyone.ca](http://www.fivefortyone.ca)

All Together at the Table

Hospitality | Community | Belonging | Advocacy



120 Wentworth Street North  
Hamilton, Ontario.  
L8L 5V7

[www.wentworthbaptist.ca](http://www.wentworthbaptist.ca)

April 4, 2025

Re: Indwell's Zoning By-law Amendment Application for 120 Wentworth St N

Dear Chair and Members of the Planning Committee,

We are writing on behalf of the members of Wentworth Baptist Church in support of Indwell's application for a zoning by-law amendment to develop new affordable housing. The project at 120 Wentworth Street North is critically needed in the context of rising rents, housing insecurity, and growing homelessness. The application, including the requested rezoning to a Mixed-Use Medium Density Zone and site-specific provisions, deserves your full support based on the project's merits.

Indwell's adaptive reuse plan for the property, developed in partnership with our congregation, responds to the needs of the city, particularly the Gibson and Lansdale neighbourhood. Faced with an aging building, our congregation discerned several potential avenues forward that could serve the public good, in line with Scripture's command to "seek the peace and prosperity of the city" (Jeremiah 29:7). The need for more affordable housing has been a topic of conversation amongst our church and neighbours for some time. This need has only increased since we began discerning what to do with our property in 2018. With this significant need in mind, we started working with Indwell. Knowing their strong track record of creating holistically well-designed long-term affordable housing, in terms of both architecture and supportive programming, left us confident that, with their help, the property could find new life and purpose, continuing to be used as a house of worship and gathering place for the community while also providing hope and homes for those in need.

As part of Indwell's plan, the current sanctuary will be renovated to become a more multi-functional space, facilitating Indwell program use and community group bookings while allowing continued use by our church. The current "Sunday School Hall" and program/office building will be demolished to make way for a new apartment building addition, which will provide 50 units of quality affordable housing for current and future generations. We are proud that Indwell is designing the project according to CMHC's highest standards for affordability, accessibility, and energy efficiency.

Thank you for noting our congregation's support as you consider Indwell's application.

Sincerely,

the Rev. Dr. Seán McGuire  
Lead Pastor

Stephanie Climie  
Chair, Board of Directors



## City of Hamilton Report for Consideration

**To:** Chair and Members  
Planning Committee

**Date:** April 8, 2025

**Report No:** PED25038

**Subject/Title:** Strategic and Technical Amendments to the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200 to Implement the Residential Zones, and Strategic Amendments to Former City of Hamilton Zoning By-law No. 6593 (CI 25-A)

**Ward(s) Affected:** City Wide

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### Recommendations

- 1) That City Initiative CI 25-A, respecting amendments to the Urban Hamilton Official Plan to amend the definition of a Multiple Dwelling to contemplate all built forms intended to be captured in the definition, and to provide a clear distinction between Street Townhouse Dwelling and Multiple Dwelling built forms, **BE APPROVED** on the following basis:
  - a) That the Urban Hamilton Official Plan Amendment, attached as Appendix A to Report PED25038, be adopted by Council;
  - b) That the proposed amendments to the Urban Hamilton Official Plan are consistent with the Provincial Planning Statement, 2024.
- 2) That City Initiative CI 25-A, respecting strategic and technical amendments to Low Density Residential permissions, dwelling definitions, Residential Care Facility regulations, and other strategic amendments to various sections in Zoning By-law No. 05-200, **BE APPROVED** on the following basis:
  - a) That the Draft By-law to amend Zoning By-law No. 05-200, attached as Appendix B to Report PED25038, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,

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- b) That the proposed changes in zoning are consistent with the Provincial Planning Statement, 2024, comply with the Rural Hamilton Official Plan, and will comply with the Urban Hamilton Official Plan upon approval of the Draft Urban Hamilton Official Plan Amendment, attached as Appendix A to Report PED25038;
- 3) That City Initiative CI 25-A, respecting strategic amendments to Residential Care Facility regulations in Former City of Hamilton Zoning By-law No. 6593, **BE APPROVED** on the following basis:
- a) That the Draft By-law to amend Former City of Hamilton Zoning By-law No. 6593, attached as Appendix C to Report PED25038, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
- b) That the proposed changes in zoning are consistent with the Provincial Planning Statement, 2024 and comply with the Urban Hamilton Official Plan.

## Key Facts

- The purpose of this report is to bring forward amendments to the Urban Hamilton Official Plan and Zoning By-law No. 05-200 to provide clarity on the permissions which relate to all forms of townhouse dwellings, to extend the applicable zoning standards of the Low Density Residential Zones to certain Downtown, Institutional and Commercial and Mixed Use Zones with residential permissions, and to make other technical changes which further implement the Residential Zones in Zoning By-law No. 05-200.
- The proposed amendments to the Urban Hamilton Official Plan, attached as Appendix A to Report PED25038, ensure the clear implementation and interpretation of the existing Official Plan policies which relate to different residential built forms, specifically townhouse typologies. Additionally, the proposed amendments to Zoning By-law No. 05-200, attached as Appendix B to Report PED25038, better differentiate between Street Townhouse Dwellings, which are considered Low Density Residential uses in the Urban Hamilton Official Plan, and other townhouse built forms that are considered multiple dwellings, to improve the application of the Zoning By-law and its alignment with the Urban Hamilton Official Plan.
- The proposed amendments to Zoning By-law No. 05-200 introduce a regulatory framework for the Mid Rise Residential Zones, which are to be introduced through the next phase of the Residential Zones Project.
- The proposed amendments to Residential Care Facility regulations in Zoning By-law No. 05-200 and Former City of Hamilton Zoning By-law No. 6593 implement the latest standards developed through the Residential Zones Project, as well as recommendations from Report PED19091(a) - "Public Engagement Results

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Residential Care Facilities and Group Homes (Urban Area) - Human Rights and the Zoning By-law Discussion Paper”.

## **Financial Considerations**

There are no financial impacts associated with the recommendations of this report.

## **Background**

### **1.0 Residential Zones Implementation in Zoning By-law No. 05-200**

On June 8, 2022, Council approved Urban Hamilton Official Plan Amendment No. 167 which implemented the City’s “No Urban Boundary Expansion” growth option and included various amendments to permit an increased range of housing options within the built boundary. Amendments allowed for a greater range of uses in Low Density Residential areas by expanding the permitted uses to include Fourplexes and Multiple Dwellings containing a maximum of six units, subject to locational criteria.

The Residential Zones Project has been completed in phases to introduce Residential Zones to Zoning By-law No. 05-200, and to implement Official Plan Amendment No. 167. Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 05-200 in 2022 (PED22154) and 2024 (PED22154(a)) have:

- Amended Volume 2 of the Urban Hamilton Official Plan to apply policies of the Low Density Residential areas within the “Neighbourhoods” Designation of Volume 1 to numerous Secondary Plan Low Density Residential designations;
- Introduced three Low Density Residential Zones to Zoning By-law No. 05-200;
- Expanded permissions in the City’s neighbourhoods to permit a greater range of built forms: Single Detached and Semi-Detached Dwellings, Duplex dwellings, Street Townhouse Dwellings, and Triplex and Fourplex Dwellings; and,
- Established and updated performance standards for uses in the Low Density Residential Zones.

Since the introduction of the City’s comprehensive Zoning By-law No. 05-200 in 2005, the Zoning By-law has contained two definitions which apply to townhouse forms: Street Townhouse Dwelling and Multiple Dwelling.

On June 13, 2023, Planning Division staff presented Report PED23069 which introduced draft Mid Rise Residential Zones. These zones are intended to permit and regulate a range of different townhouse forms in Zoning By-law No. 05-200.

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## **2.0 Residential Care Facility Regulations in Zoning By-law No. 05-200**

In 2019, Planning staff presented the “Residential Care Facilities and Group Homes - Human Rights and the Zoning By-Laws within the Urban Area – March 2019” Discussion Paper to Planning Committee (PED19091). The Discussion Paper included preliminary recommendations for Zoning By-law changes including:

- Modifying the definition of Residential Care Facility;
- Modifying capacity limitations;
- Deletion of the radial separation distance requirement and moratorium area; and,
- Permitting counselling services in conjunction with a Residential Care Facility in specific zones.

Planning Committee approved recommendations to engage the public on the zoning changes and to include this with other housing issues as part of the Residential Zones Project.

Alongside the first phase of the Low Density Residential Zones Project (PED22154), approved by Council in 2022, amendments were made to modify the definition of Residential Care Facility and to omit any minimum radial separation distance requirements for Residential Care Facilities in the new Low Density Residential Zones. Through the second phase of the Low Density Residential Zones Project in 2024 (PED22154(a)), further amendments were made to permit Residential Care Facilities without maximum capacity restrictions in the Low Density Residential Zones, which provided additional flexibility for supportive housing.

## **3.0 Bill 185 and Strategic Amendments to Zoning By-law No. 05-200**

On June 6, 2024, Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* received Royal Assent. Bill 185 contained various amendments to the *Planning Act*, which included exemption for post-secondary institutions from the requirements of the *Planning Act*. Report PED24097 outlined the City of Hamilton's response to the proposed *Planning Act* and *Municipal Act* changes in Bill 185. Subsequent reports have been brought forward to implement the changes within Bill 185, including amendments to the Urban Hamilton Official Plan and the Site Plan Control By-law.

## **Analysis**

### **1.0 Policy Implications and Legislated Requirements**

#### **1.1 Provincial Policy Framework**

The Provincial Planning Statement, 2024 continues to focus on building more homes and supports intensification in general, requiring planning authorities to establish and

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maintain minimum targets for intensification and redevelopment within built-up areas, based on local conditions.

The proposed Official Plan and Zoning By-law Amendments implement the following policies of the Provincial Planning Statement, 2024:

- Permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities (Policy 2.2.1 b) 1.);
- Permitting and facilitating all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development, and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3 (Policy 2.2.1 b) 2.); and,
- Promoting densities for new housing which efficiently use land, resources, infrastructure, and public service facilities, and support the use of active transportation (Policy 2.2.1 c)).

Based on an assessment of the proposed amendments to the Urban Hamilton Official Plan, Zoning By-law No. 05-200, and Former City of Hamilton Zoning By-law No. 6593, it is staff's opinion that the amendments are:

- Consistent with Section 3 of the *Planning Act*; and,
- Consistent with the Provincial Planning Statement, 2024.

## **1.2 Urban Hamilton Official Plan**

The Urban Hamilton Official Plan includes policies that encourage increasing the range of residential uses throughout the City's Urban Area and promote a full range of tenure, affordability, and support services. The proposed Official Plan Amendments address existing interpretation challenges and unintended implementation issues respecting the permissions for certain townhouse uses and for Multiple Dwellings containing up to a maximum of six units. The proposed amendments provide clarification while maintaining the general intent of the Official Plan.

The proposed zoning amendments respecting the Low Density Residential permissions and regulations, and the regulations for Residential Care Facilities comply with the policies of the Urban Hamilton Official Plan.

The strategic updates and technical amendments comply with the Urban Hamilton Official Plan.

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## **2.0 Rationale for Recommendation**

### **2.1 Official Plan Amendment**

The proposed Official Plan Amendment (attached as Appendix A to Report PED25038) is required to provide clarification on the built forms intended to be considered a Multiple Dwelling in the Urban Hamilton Official Plan by:

- amending the definition of Multiple Dwelling in the Urban Hamilton Official Plan to include multiple separate buildings which form part of a comprehensive development to address an existing policy gap. The existing definition of Multiple Dwelling refers to the number of units within a building but does not contemplate multiple buildings forming part of one comprehensive development. This creates an unintentional policy gap for situations where a block of townhouse dwellings comprises less than five dwelling units, but the entire development exceeds five dwelling units;
- adding clarification to the definition of Multiple Dwelling to ensure that Street Townhouse Dwellings are not considered a Multiple Dwelling; and,
- amending Volume 1 policies to provide clear distinction between Street Townhouse Dwellings and Multiple Dwellings.

The proposed amendments will facilitate clear interpretation of the residential policies of the Urban Hamilton Official Plan. The proposed amendments are technical in nature and do not change the intent or purpose of the amended policies.

### **2.2 Zoning By-law Amendment**

#### **2.2.1 Residential Zones Implementation in Zoning By-law No. 05-200**

With the three Low Density Residential Zones in place in Zoning By-law No. 05-200, and to ensure that Low Density Residential permissions and regulations are consistent and current throughout the Zoning By-law, it is recommended that the Low Density Residential Zone standards be applied to existing zones with residential permissions, namely, the Neighbourhood Institutional (I1) Zone and the Community Institutional (I2) Zone. Aligning Low Density Residential standards in these two zones with those of the existing Low Density Residential Zones is appropriate since each implements the Low Density Residential policies of the Urban Hamilton Official Plan.

Additionally, the proposed zoning amendments add permissions and regulations for a Triplex Dwelling and Fourplex Dwelling to the Downtown Residential (D5) Zone. The Downtown Residential (D5) Zone permits a full range of residential uses, including Low Density Residential uses and Multiple Dwellings. The performance standards applicable to Single Detached Dwellings and Duplex Dwellings are proposed to be extended to Triplex Dwellings and Fourplex Dwellings, which would establish consistent standards

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for detached Low Density Residential buildings in the Downtown, where built form is intended to be more compact in comparison to the Low Density Residential areas outside of the Downtown. Similarly, it is proposed to add permissions for Triplex Dwellings in the Residential Character Commercial (C1) Zone, subject to the standards which currently apply to Single Detached Dwellings and Duplex Dwellings in the Zone. The Residential Character Commercial (C1) Zone currently permits detached residential buildings capable of conversion to and from commercial uses.

Details of the Low Density use permissions and standards to be applied to these four Zones are set out in Appendix D to Report PED25038.

The proposed zoning amendments also improve consistency among regulations for legal non-conforming Low Density Residential uses. Section 1.11 of Zoning By-law No. 05-200 currently provides recognition and limited permissions for alterations to Single Detached Dwellings and Duplex Dwellings where such uses are legal non-conforming. These regulations remove barriers to altering, repairing, or adding accessory buildings to such uses. The proposed amendments add Semi-Detached Dwellings, Street Townhouse Dwellings, Triplex Dwellings and Fourplex Dwellings to the uses subject to legal recognition and permissions.

Lastly, technical amendments are proposed which provide greater clarification respecting permissions and restrictions for Additional Dwelling Units, which do not change the intent or purpose of these regulations. Further details on all proposed zoning amendments are included in Appendix D to Report PED25038.

## **2.2.2 Townhouse Form Differentiation in Zoning By-law No. 05-200**

The proposed zoning amendments implement the Urban Hamilton Official Plan by amending the definition of Street Townhouse Dwelling and establishing a new Multiple Dwelling Townhouse definition in Zoning By-law No. 05-200. The proposed Multiple Dwelling Townhouse definition is intended to capture all townhouse forms included under the definition of Multiple Dwelling in the Urban Hamilton Official Plan. The amended Street Townhouse Dwelling definition is intended to capture townhouses which are not deemed Multiple Dwellings in the Urban Hamilton Official Plan, specifically, townhouse units located on their own lot with individual frontage onto a public street only. These amendments intend to improve alignment between Zoning By-law No. 05-200 and the Urban Hamilton Official Plan, thereby improving the efficacy of the Zoning By-law in giving effect to Official Plan policies and improving the ability to interpret and implement the Zoning By-law as intended.

Staff have previously identified that the Zoning By-law definition of Street Townhouse Dwelling, which currently includes townhouses fronting onto a condominium road, has the effect of permitting block townhouse dwellings where only street townhouse dwellings were intended (Report PED17089). The proposed amendments clarify that a

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Street Townhouse Dwelling is a townhouse unit with direct, individual access on a street only, with any townhouse unit without direct public street frontage constituting a Multiple Dwelling Townhouse. This change resolves the concern previously noted by staff with respect to unintended permission for block townhouse dwellings.

The amended Street Townhouse Dwelling definition also removes townhouse units fronting onto laneways from its scope of inclusion. Subsequent to the initial establishment of the Street Townhouse Dwelling definition, the specific laneways which are deemed to be streets have been more fulsomely set out in Section 4.14 of Zoning By-law No. 05-200. Removing laneways as an eligible frontage for Street Townhouse Dwellings ensures that infill development comprising Street Townhouse Dwellings within established neighbourhoods have adequate access to servicing and are compatible with their surrounding context.

The proposed Multiple Dwelling Townhouse definition is intended to capture a broad range of townhouse forms which all constitute a Multiple Dwelling as defined in the Urban Hamilton Official Plan. Townhouse forms which are intended to be captured include block townhouse dwellings, townhouse developments comprising units on parcels of tied land fronting a common element condominium road, stacked townhouses, maisonettes, back-to-back townhouses, and combinations of these forms. As a reflection of this intent, the definition describes the use through features of built form instead of tenure or ownership. Ensuring that all townhouse forms are consistently regulated, regardless of land ownership or tenure details, requires amendments to the definition of "Lot" and to requirements for frontage on a street in Section 4.3 of the Zoning By-law. These technical changes, as well as others, are explained in greater detail in Appendix D to Report PED25038.

To implement this change, permission and performance standards have been introduced for a Multiple Dwelling Townhouse in the Downtown Residential (D5) Zone, where a full range of residential uses are permitted, including Street Townhouse Dwellings and Multiple Dwellings. The proposed performance standards for a Multiple Dwelling Townhouse in the Downtown Residential (D5) Zone generally reflect a harmonization of the existing regulations for Street Townhouse Dwellings and Multiple Dwellings, as well as additional and updated form-specific regulations, which implement the objectives of the Downtown Secondary Plan.

The introduction of Mid Rise Residential Zones to Zoning By-law No. 05-200 through the next phase of the Residential Zones Project will introduce updated, consistent performance standards for townhouses captured under the Multiple Dwellings definition.

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### **2.2.3 Residential Care Facility Regulations in Zoning By-law No. 05-200 and Zoning By-law No. 6593**

In 2021, Planning staff presented Information Report “Public Engagement Results Residential Care Facilities and Group Homes (Urban Area) - Human Rights and the Zoning By-law Discussion Paper” (PED19091(a)). The report summarized the results of consultation on preliminary recommendations for Zoning By-law changes to certain regulations (e.g. radial separation distance, capacity) and the definition of Residential Care Facility.

Building on the amendments that have already occurred, the proposed zoning amendments include three key changes to the standards for Residential Care Facilities in the urban area:

- Deletion of the radial separation distance requirement and moratorium area;
- Modifying capacity limitations; and,
- Permitting counselling services in conjunction with a Residential Care Facility in specific zones.

#### **2.2.3.1 Radial Separation Distance and Moratorium Areas**

With respect to required radial separation distance requirements and the moratorium area applying to Residential Care Facilities, it is recommended that these be removed from Zoning By-law No. 05-200, as had been preliminarily recommended in Report PED19091. As described in Report PED19091 and the accompanying Discussion Paper attached as Appendix A to Report PED19091, removing these restrictions will address the concerns identified by the Ontario Human Rights Commission and follow practices of other municipalities where such restrictions have been removed. Eliminating both restrictions removes barriers for housing options and increases opportunities for residents requiring supports to choose the community they prefer to live in. Former City of Hamilton Zoning By-law No. 6593 will also be amended to delete the moratorium area for Residential Care Facilities (see Appendix C to Report PED25038).

#### **2.2.3.2 Capacity Restrictions**

Respecting capacity limitations, the proposed amendments will maintain the approach taken for Low Density Residential Zones and apply it to other Zones in Zoning By-law No. 05-200 by removing capacity restrictions for Residential Care Facilities. The density, size and capacity of a Residential Care Facility will be regulated through built form restrictions such as minimum building setbacks and height restrictions, rather than the number of residents. Removing the capacity restriction increases availability of options for residents requiring supports throughout the urban area.

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### **2.2.3.3 Co-location of Residential Care Facility and Social Services Establishment in the Same Building**

Report PED19091 and the Discussion Paper attached as Appendix A to Report PED19091 evaluated permitting counselling services in conjunction with a Residential Care Facility in response to evolving Residential Care Facility operations. Some operators have interest in providing counselling and other services to the broader public instead of solely to residents, and this constitutes a Social Services Establishment use under Zoning By-law No. 05-200. Since the associated definitions preclude co-location of these uses within a single building, a change to the Zoning By-law is necessary to permit their co-location.

It is recommended that a Residential Care Facility and a Social Services Establishment be permitted to co-locate in the same building in three Zones: Major Institutional (I3) Zone, Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone and Mixed Use Medium Density (C5) Zone. These Zones all permit both a Social Services Establishment and Residential Care Facility, are generally located on or near arterial roads and public transit and are intended to include uses which provide services to the community. As such, it is appropriate for these Zones to permit co-location of a Social Services Establishment and Residential Care Facility within the same building.

Regulations and restrictions for Residential Care Facilities outside of the urban area are not impacted by the proposed zoning amendments.

### **2.2.4 Strategic Updates**

A number of strategic updates are proposed to Zoning By-law No. 05-200 to implement Official Plan policy, update regulations to reflect updated standards, and address other matters of implementation and interpretation. The strategic updates addressed by Report PED25038 include:

- **Section 4 (General Provisions)**
  - To add a new regulation addressing the application of the Zoning By-law in the context of undertakings of a post-secondary institution for objects of the institution. Through Bill 185, the *Planning Act* was amended to exempt undertakings of a post-secondary institution for objects of the institution except if located within the Greenbelt Area. To reflect this change to the *Planning Act*, a new regulation is proposed stating that, in the case of such undertakings, zoning has no effect and is provided for informational purposes only. The implementation of required changes to the City's regulatory framework in response to Bill 185 has occurred in stages, and this amendment is proposed in addition to the commensurate changes to

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the City's Site Plan Control By-law, which were approved as amended by Planning Committee on October 18, 2024, through Report PED24175.

- **Section 5 (Parking)**
  - Since the enactment of the new Section 5 – Parking, approved in 2024 alongside the second phase of the Low Density Residential Zones Project, two inaccuracies in parking rates have been identified and are proposed to be corrected through this amendment to Zoning By-law No. 05-200. They are:
    - To raise the threshold at which visitor parking is required for Multiple Dwellings in Downtown Zones from five (5) to thirteen (13), which is consistent with the pre-existing parking exemption for the first twelve (12) dwelling units otherwise maintained in the Downtown Zones; and,
    - To modify the minimum parking requirements for Multiple Dwellings in Parking Rate Area 3 as they apply to the Mixed Use Medium Density (C5) Zone, Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, and Transit Oriented Corridor Zones. Multiple Dwellings in these Zones are proposed to be subject to the lower minimum parking requirements for Multiple Dwellings in Parking Rate Area 2. Prior to enactment of By-law No. 24-052, Multiple Dwellings in these Zones were subject to lower parking requirements compared to when located in other Zones. With the establishment of Parking Rate Areas through By-law No. 24-052, the minimum parking requirement may have been increased for these uses in these Zones within Parking Rate Area 3 in certain circumstances. This change applies a lower minimum parking requirement for such uses.
- **Section 6 (Downtown Zones), Section 10 (Commercial and Mixed Use Zones), and Section 11 (Transit Oriented Corridor Zones)**
  - To replace every instance of the words “Dwelling Unit(s)” with “Dwelling Unit, Mixed Use” to clarify that the intent is to permit and regulate a Dwelling Unit co-located in a building with a non-residential use in all instances. The term “Dwelling Unit(s)” is not intended to function as a standalone use. Rather, the number and configuration of Dwelling Units inform the type of dwelling, as defined in Section 3 – Definitions. Stand-alone residential buildings, including Multiple Dwellings, are each specifically listed in Zones where such use is intended, and such

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permissions are to remain unaltered, except in the case of a Multiple Dwelling use in the Downtown Mixed Use – Pedestrian Focus (D2) Zone, as described below.

- **Section 6** (Downtown Zones)
  - To delete “Multiple Dwelling” from the permitted uses and restricted uses sections of the Downtown Mixed Use – Pedestrian Focus (D2) Zone. This Zone implements Pedestrian Focus Street policies of the Urban Hamilton Official Plan which restrict ground floor uses to commercial uses only. Consequently, any Dwelling Unit must be located in the same building as a non-residential use and thereby constitutes a “Dwelling Unit, Mixed Use”.
  
- **Section 10** (Commercial and Mixed Use Zones)
  - To add a use restriction for “Dwelling Unit, Mixed Use” in the Residential Character Commercial (C1) Zone limiting the number of Dwelling Units to a maximum of four. The C1 Zone is generally located abutting or within the interior of a residential neighbourhood and the intended residential uses are low density in nature. Restricting the maximum number of units to four aligns with the permission for up to four dwelling units per lot in Low Density Residential Zones.

## **Alternatives**

Council could choose to not approve the Draft Official Plan Amendment and Zoning By-law Amendments and instead require proponents to make either an application for a site-specific Zoning By-law Amendment or for a Minor Variance to permit the additional residential uses or modified standards for residential uses identified in the proposed zoning amendments. This may result in increased cost, timelines and uncertainty for proponents attempting to advance residential intensification projects.

If the Zoning By-law amendments respecting Residential Care Facilities are not approved, the previous approvals by Council will not be fully implemented and inconsistencies in the regulations for Residential Care Facilities will exist in the Zoning By-law between different zones.

Council could choose to modify any part of the recommended changes or direct staff to conduct further consultation regarding the proposed amendments. This alternative would delay implementation of the Residential Zones.

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## **Relationship to Council Strategic Priorities**

1. Sustainable Economic & Ecological Development
  - 1.3 Accelerate our response to climate change
  - 1.4 Protect green space and waterways
  
2. Safe & Thriving Neighbourhoods
  - 2.1 Increase the supply of affordable and supportive housing and reduce chronic homelessness

## **Previous Reports Submitted**

- [PED19091](#) - Residential Care Facilities and Group Homes (Urban Area) - Human Rights and the Zoning By-law Discussion Paper
- [PED19091\(a\)](#) - Public Engagement Results Residential Care Facilities and Group Homes (Urban Area) - Human Rights and the Zoning By-law Discussion Paper
- [PED21067\(b\)](#) - Municipal Comprehensive Review / Official Plan Review – Phase 1 Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan
- [PED22154](#) - Amendments to Expand the Permitted Uses in the Low Density Residential Zones of the Former Community Zoning By-laws of the Town of Ancaster, Town of Dundas, Town of Flamborough, Township of Glanbrook, City of Hamilton, and City of Stoney Creek and Create Two New Low Density Residential Zones in Zoning By-law No. 05-200
- [PED22154\(a\)](#) - Updates and Amendments to the Low Density Residential (R1) and Low Density Residential (R1a) Zones, and Creation of a New Low Density Residential – Large Lot (R2) Zone, Creation of a New Section 5: Parking, and Technical Amendments to Zoning By-law No. 05-200 as Phase 2 of the Residential Zones Project
- [PED23069](#) - Mid Rise Residential Zones and Expanded Transit Oriented Corridor Zones in Zoning By-law No. 05-200 Public Consultation
- [PED24097](#) - City of Hamilton's Response to the proposed *Planning Act* and *Municipal Act* changes in Provincial Bill 185, Cutting Red Tape to *Build More Homes Act, 2024*
- [PED24175](#) - Implementation of Changes to Section 41 of the *Planning Act* - Site Plan Approval, in Response to Provincial Bill 185

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## **Consultation**

Consultation has been undertaken with staff in Building Division, Development Planning Section and Zoning and Committee of Adjustment Section to discuss the proposed amendments respecting townhouse differentiation.

A summary of the proposed Zoning By-law amendments respecting townhouse form differentiation was presented to the Development Industry Liaison Group on February 12, 2025.

Notice of the proposed amendments was posted in the Hamilton Spectator on March 27, 2025.

## **Appendices and Schedules Attached**

Appendix A: Draft Urban Hamilton Official Plan Amendment

Appendix B: Draft Zoning By-law No. 05-200 Amendment

Appendix C: Draft Zoning By-law No. 6593 Amendment

Appendix D: Summary of Modifications to Zoning By-law No. 05-200

### **Prepared by:**

Sebastian Cuming, Planner II – Zoning By-law Reform  
Planning and Economic Development, Planning Division

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Planning and Economic Development, Planning Division

### **Submitted and recommended by:**

Anita Fabac, Acting Director of Planning and Chief Planner  
Planning and Economic Development, Planning Division

**Schedule “1”**

**DRAFT Urban Hamilton Official Plan  
 Amendment No. X**

The following text, together with:

Appendix “A”	Volume 1: Chapter B – Communities
Appendix “B”	Volume 1: Chapter C – City Wide Systems and Designations
Appendix “C”	Volume 1: Chapter E – Urban Systems and Designations
Appendix “D”	Volume 1: Chapter G – Glossary

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:

- amend the policies of the Urban Hamilton Official Plan to provide a clear distinction between the permissions for street townhouses and multiple dwellings, as well as between apartments and other forms of townhouse dwellings captured under the definition of Multiple Dwelling; and,
- amend the definition of Multiple Dwelling to include multiple separate buildings which form part of a comprehensive development, to address existing gaps respecting certain townhouse typologies captured under the definition.

**2.0 Location:**

The lands affected by this Amendment are located within the Urban Area of the City of Hamilton.

**3.0 Basis:**

The basis for permitting this Amendment is:

- The Amendment provides clarity on the permissions for street townhouses and the other townhouse typologies captured under the definition of Multiple Dwelling;

- The Amendment implements the policies of the Urban Hamilton Official Plan by addressing interpretation challenges and unintended implementation issues; and,
- The Amendment is consistent with the Provincial Planning Statement, 2024.

#### **4.0 Actual Changes:**

#### **4.1 Volume 1 – Parent Plan**

##### **Text**

##### **4.1.1 Chapter B – Communities**

- a. That Policy B.3.2.4.1 and B.3.2.4.4 of Volume 1: Chapter B – Communities be amended, as outlined in Appendix “A”, attached to this Amendment.

##### **4.1.2 Chapter C – City Wide Systems and Designations**

- a. That Policy C.3.2.2 of Volume 1: Chapter C – City Wide Systems and Designations be amended, as outlined in Appendix “B”, attached to this Amendment.

##### **4.1.2 Chapter E – Urban Systems and Designations**

- a. That Policy E.3.6.2 of Volume 1: Chapter E – Urban Systems and Designations be amended, as outlined in Appendix “C”, attached to this Amendment.

##### **4.1.3 Chapter G – Glossary**

- a. That the definition of Multiple Dwelling in Volume 1: Chapter G – Glossary be amended, as outlined in Appendix “D”, attached to this Amendment.

#### **5.0 Implementation:**

An implementing Zoning By-law Amendment will give effect to the amendments to the Urban Hamilton Official Plan.

This Official Plan Amendment is Schedule “1” to By-law No. \_\_\_\_\_ passed on the \_\_\_<sup>th</sup> day of \_\_\_, 2025.

**The  
City of Hamilton**

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A. Horwath  
MAYOR

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M. Trennum  
CITY CLERK

Appendix “A” – Volume 1: Chapter B – Communities

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del></p>	<p><b>Bolded text = text to be added</b></p>
<p>B.3.2.4.1 The City shall plan for the full continuum of housing to ensure that an appropriate range and mix of housing forms, types, and densities to meet market-based and affordable housing needs of current and future residents through <i>residential intensification, new development, and redevelopment</i> is available. The full continuum of housing includes built form, tenure and affordability including single detached dwellings, semi-detached dwellings, duplexes, <b>triplexes, fourplexes, street</b> townhouses, <del>all of various types (street, block, stacked), apartments and other forms of multiple dwellings,</del> and lodging houses, built at a range of densities and ownership and rental tenures. (OPA 167)</p>	<p>B.3.2.4.1 The City shall plan for the full continuum of housing to ensure that an appropriate range and mix of housing forms, types, and densities to meet market-based and affordable housing needs of current and future residents through <i>residential intensification, new development, and redevelopment</i> is available. The full continuum of housing includes built form, tenure and affordability including single detached dwellings, semi-detached dwellings, duplexes, triplexes, fourplexes, street townhouses, all forms of <i>multiple dwellings</i>, and lodging houses, built at a range of densities and ownership and rental tenures. (OPA 167)</p>
<p>B.3.2.4.4 A <i>secondary dwelling unit</i> shall be permitted on a single, semi-detached or <b>street</b> townhouse lot in all Institutional, Neighbourhoods, Commercial and Mixed Use designations, as shown on Schedule E-1 – Urban Land Use Designations, provided it complies with all applicable policies and Zoning By-law regulations. (OPA 142)</p>	<p>B.3.2.4.4 A <i>secondary dwelling unit</i> shall be permitted on a single, semi-detached or street townhouse lot in all Institutional, Neighbourhoods, Commercial and Mixed Use designations, as shown on Schedule E-1 – Urban Land Use Designations, provided it complies with all applicable policies and Zoning By-law regulations. (OPA 142)</p>

Appendix "B" – Volume 1: Chapter C – City Wide Systems and Designations

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del></p>	<p><b>Bolded text = text to be added</b></p>
<p>C.3.2.2 The following uses shall be permitted in the Neighbourhoods, Commercial and Mixed Use, and Institutional designations:</p> <p>...</p> <p>d) A secondary dwelling unit shall be permitted on a single, semi-detached or <b>street</b> townhouse lot, provided it complies with all applicable policies and the Zoning By-law. (OPA 142)</p>	<p>C.3.2.2 The following uses shall be permitted in the Neighbourhoods, Commercial and Mixed Use, and Institutional designations:</p> <p>...</p> <p>d) A secondary dwelling unit shall be permitted on a single, semi-detached or street townhouse lot, provided it complies with all applicable policies and the Zoning By-law. (OPA 142)</p>

Appendix "C" – Volume 1: Chapter E – Urban Systems and Designations

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
Grey highlighted strikethrough text = text to be deleted	<b>Bolded text</b> = text to be added
E.3.6.2 Uses permitted in high density residential areas include <del>multiple dwellings, except street townhouses.</del>	E.3.6.2 Uses permitted in high density residential areas include <b>multiple dwellings.</b>

Appendix "D" – Volume 1: Chapter G – Glossary

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del></p>	<p><b>Bolded text = text to be added</b></p>
<p>Multiple Dwelling: means:  <del>a) a building or part thereof containing five or more dwelling units;</del> <b>and,</b>  <b>b) two or more separate buildings, each containing three or more dwelling units, which form one comprehensive development containing a total of five or more dwelling units.</b></p> <p>Examples of such dwellings include block townhouse dwellings, stacked townhouse dwellings, <del>back-to-back townhouse dwellings,</del> <b>back-to-back townhouse dwellings,</b> <del>street</del> townhouse dwellings fronting onto a condominium road, and apartment dwellings. <b>Street townhouse dwellings, which are located on a separate lot with direct access to a public street or laneway, are not examples of such dwellings.</b> (OPA 167)</p>	<p>Multiple Dwelling: means:            a) a building or part thereof containing five or more dwelling units; and,            b) two or more separate buildings, each containing three or more dwelling units, which form one comprehensive development containing a total of five or more dwelling units.</p> <p>Examples of such dwellings include block townhouse dwellings, stacked townhouse dwellings, back-to-back townhouse dwellings, townhouse dwellings fronting onto a condominium road, and apartment dwellings. Street townhouse dwellings, which are located on a separate lot with direct access to a public street or laneway, are not examples of such dwellings. (OPA 167)</p>

**Authority:** Item  
Report (PED25038) CM:  
Ward: City-wide

**Bill No.**

**CITY OF HAMILTON**

**BY-LAW No. \_\_\_\_\_**

**To Amend City of Hamilton Zoning By-law No. 05-200, Respecting Strategic and Technical Amendments to Low Density Residential Permissions, Dwelling Definitions, Residential Care Facility Regulations, and other Strategic Amendments to Various Sections**

**WHEREAS** Council approved Item \_\_\_\_\_ of Report \_\_\_\_\_ of the Planning Committee, at its meeting held on the \_\_\_ of \_\_\_\_\_, 2025;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan.

**NOW THEREFORE** the Council of the City of Hamilton amends Zoning By-law No. 05-200 as follows:

1. That Section 1: Administration, Section 3: Definitions, Section 4: General Provisions, Section 5: Parking, Section 6: Downtown Zones, Section 7: Open Space and Park Zones, Section 8: Institutional Zones, Section 10: Commercial and Mixed Use Zones, and Section 11: Transit Oriented Corridor Zones be amended in accordance with Schedule "A" attached to this By-law.
2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.
3. That this By-law comes into force in accordance with Section 34 of the *Planning Act*.

**PASSED** this \_\_\_\_\_, 2025

\_\_\_\_\_  
A. Horwath  
Mayor

\_\_\_\_\_  
M. Trennum  
City Clerk

**Appendix B to Report PED25038**

**Page 2 of 2**

**To Amend City of Hamilton Zoning By-law No. 05-200, Respecting  
Strategic and Technical Amendments to Low Density Residential Permissions, Dwelling  
Definitions, Residential Care Facility Regulations, and other Strategic Amendments to  
Various Sections**

*For Office Use Only, this doesn't appear in the by-law - Clerk's will use this information in the  
Authority Section of the by-law*

Is this by-law derived from the approval of a Committee Report? Yes

Committee: Planning Committee      Report No.: PED25038      Date: 03/18/2025

Ward: City-wide      (MM/DD/YYYY)

Prepared by: Sebastian Cuming      Phone No: ext. 3904

*For Office Use Only, this doesn't appear in the by-law*

**Schedule A to Appendix B to Report PED25038  
Page 1 of 53**

<b>Section 1 - Administration</b>		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
<p><b>Grey highlighted strikethrough text = text to be deleted                      <b>bolded text</b> = text to be added</b></p>		
<p>Legal Non-Conforming Uses</p> <p>Section 1.11</p>	<p>c) The repair or restoration of any existing building, or part thereof, to a safe condition provided that such repair or restoration will not increase the height, area or volume, or site coverage of such building and that the building continues to be used for the same purpose and in the same manner as it was used on the effective date of this By-law;</p> <p>i) In addition to Section 1.11 c), the repair, restoration, or replacement of an existing porch, deck, balcony, unenclosed fire escape, or open stair of an existing Single Detached, Semi-Detached, <del>or Duplex</del>, <b>Street Townhouse, Triplex or Fourplex</b> Dwelling shall be permitted, provided that such repair, restoration, or replacement will not increase the height, area or volume, or site coverage of such structure.</p> <p>d) Swimming pools, hot tubs, and accessory buildings, including but not limited to sheds, garages and gazebos on a lot containing a <del>Single Detached dwelling, Semi-Detached, or Duplex</del>, <b>Street Townhouse, Triplex or Fourplex</b> Dwelling which is prohibited by the applicable zoning by-law, but which was lawfully used <del>as a single detached or duplex dwelling</del> <b>for such purpose</b> on the date of the passing of this By-law shall be permitted as follows:</p> <p>i) the location and height complies with the applicable provisions of this By-law; and,</p> <p>ii) this exemption shall not apply to the Open Space and</p>	<p>c) The repair or restoration of any existing building, or part thereof, to a safe condition provided that such repair or restoration will not increase the height, area or volume, or site coverage of such building and that the building continues to be used for the same purpose and in the same manner as it was used on the effective date of this By-law;</p> <p>i) In addition to Section 1.11 c), the repair, restoration, or replacement of an existing porch, deck, balcony, unenclosed fire escape, or open stair of an existing Single Detached, Semi-Detached, Duplex, Street Townhouse, Triplex or Fourplex Dwelling shall be permitted, provided that such repair, restoration, or replacement will not increase the height, area or volume, or site coverage of such structure.</p> <p>d) Swimming pools, hot tubs, and accessory buildings, including but not limited to sheds, garages and gazebos on a lot containing a Single Detached, Semi-Detached, Duplex, Street Townhouse, Triplex or Fourplex Dwelling which is prohibited by the applicable zoning by-law, but which was lawfully used for such purpose on the date of the passing of this By-law shall be permitted as follows:</p> <p>i) the location and height complies with the applicable provisions of this By-law; and,</p> <p>ii) this exemption shall not apply to the Open Space and Parks Classification Zones; or,</p>

**Schedule A to Appendix B to Report PED25038**  
**Page 2 of 53**

<b>Section 1 - Administration</b>		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>		
	<p>Parks Classification Zones; or,</p> <p>e) In accordance with Subsection 34(10) of the Planning Act, R.S.O., 1990 c.P. 13, as amended, the addition of any porch, deck, balcony, unclosed fire escape or open stair to a <del>Single Detached, Semi-Detached, or Duplex, Street Townhouse, Triplex or Fourplex Dwelling</del> <b>Single Detached, Semi-Detached, or Duplex, Street Townhouse, Triplex or Fourplex Dwelling</b> which is prohibited by this By-law, but which was lawfully used <del>as a single detached or duplex dwelling</del> <b>for such purpose</b> on the date of the passing of the By-law, shall <del>be</del> <b>be</b> permitted as follows:</p>	<p>e) In accordance with Subsection 34(10) of the Planning Act, R.S.O., 1990 c.P. 13, as amended, the addition of any porch, deck, balcony, unclosed fire escape or open stair to a Single Detached, Semi-Detached, Duplex, Street Townhouse, Triplex or Fourplex Dwelling which is prohibited by this By-law, but which was lawfully used for such purpose on the date of the passing of the By-law, shall be permitted as follows:</p>
<p>Transition Provisions</p> <p>Section 1.12.1</p>	<ol style="list-style-type: none"> <li>1. Commercial and Mixed Use Zoning By-law 17-240, November 8, 2017</li> <li>2. Downtown Zoning By-law 18-114, May 9, 2018</li> <li>3. Residential Zones <ol style="list-style-type: none"> <li>a. Low Density Residential By-law 22-197, August 12, 2022</li> <li>b. Low Density Residential By-law 24-051</li> <li>c. <b>Low Density Residential By-law 25-XXX</b></li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>1. Commercial and Mixed Use Zoning By-law 17-240, November 8, 2017</li> <li>2. Downtown Zoning By-law 18-114, May 9, 2018</li> <li>3. Residential Zones <ol style="list-style-type: none"> <li>a. Low Density Residential By-law 22-197, August 12, 2022</li> <li>b. Low Density Residential By-law 24-051</li> <li>c. Low Density Residential By-law 25-XXX</li> </ol> </li> </ol>

**Schedule A to Appendix B to Report PED25038**  
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<b>Section 3 - Definitions</b>		
<b>Definition</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>		
<p>Multiple Dwelling Townhouse <b>[New]</b></p>	<p><b>shall mean:</b></p> <p>i) <b>one separate building containing five or more dwelling units; or,</b></p> <p>ii) <b>two or more separate buildings containing three or more dwelling units each which form one comprehensive development containing a total of five or more dwelling units;</b></p> <p><b>And,</b></p> <p>i) <b>Dwelling units are divided by common walls preventing internal access between units;</b></p> <p>ii) <b>Each dwelling unit has at least one exclusive exterior pedestrian access;</b></p> <p>iii) <b>Dwelling Units within a Multiple Dwelling Townhouse may have shared amenity area(s), parking area(s) and common vehicular access to a street, such as a condominium road.</b></p> <p>iv) <b>A Multiple Dwelling Townhouse shall include a block townhouse, a stacked townhouse, a back-to-back townhouse, a stacked back-to-back townhouse, a maisonette, and a townhouse development comprising townhouse units on parcels of tied land, except as restricted in this By-law.</b></p>	<p>shall mean:</p> <p>i) one separate building containing five or more dwelling units; or,</p> <p>ii) two or more separate buildings containing three or more dwelling units each which form one comprehensive development containing a total of five or more dwelling units;</p> <p>And,</p> <p>i) Dwelling units are divided by common walls preventing internal access between units;</p> <p>ii) Each dwelling unit has at least one exclusive exterior pedestrian access;</p> <p>iii) Dwelling Units within a Multiple Dwelling Townhouse may have shared amenity area(s), parking area(s) and common vehicular access to a street, such as a condominium road.</p> <p>iv) A Multiple Dwelling Townhouse shall include a block townhouse, a stacked townhouse, a back-to-back townhouse, a stacked back-to-back townhouse, a maisonette, and a townhouse development comprising townhouse units on parcels of tied land, except as restricted in this By-law.</p>
<p>Lot</p>	<p>Shall mean a parcel of land which can be legally conveyed pursuant to the provisions of the Planning Act, <b>except in relation to a Multiple</b></p>	<p>Shall mean a parcel of land which can be legally conveyed pursuant to the provisions of the Planning Act, except in relation to a Multiple Dwelling</p>

## Schedule A to Appendix B to Report PED25038

Section 3 - Definitions		
Definition	Proposed Change	Proposed Revised Zone Regulation
	<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>	
	<p><b>Dwelling Townhouse comprising townhouse units on parcels of tied land, where, in such case, lot shall mean the cumulative parcels of land comprising the parcels of tied land and common element condominium lands tied thereto.</b></p>	<p>Townhouse comprising townhouse units on parcels of tied land, where, in such case, lot shall mean the cumulative parcels of land comprising the parcels of tied land and common element condominium lands tied thereto.</p>
Street Townhouse Dwelling	<p>shall mean a building divided vertically into three or more dwelling units, by common walls which prevent internal access between units and extend from the base of the foundation to the roof line and for a horizontal distance of not less than 35 percent of the horizontal depth of the building but shall not include a <del>maisonette</del> <b>Multiple Dwelling Townhouse</b>. Each townhouse shall be designed to be on a separate lot having <b>direct</b> access to and frontage on a street, <del>laneway or common condominium driveway.</del></p>	<p>shall mean a building divided vertically into three or more dwelling units, by common walls which prevent internal access between units and extend from the base of the foundation to the roof line and for a horizontal distance of not less than 35 percent of the horizontal depth of the building but shall not include a Multiple Dwelling Townhouse. Each townhouse shall be designed to be on a separate lot having direct access to and frontage on a street.</p>
Unit Width [New]	<p><b>shall mean the horizontal distance between the common side wall of a building unit measured to the common side wall or exterior side wall opposite.</b></p>	<p>shall mean the horizontal distance between the common side wall of a building unit measured to the common side wall or exterior side wall opposite.</p>

**Schedule A to Appendix B to Report PED25038**  
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<b>Section 4 – General Provisions</b>		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
	<del>Grey highlighted strikethrough text</del> = text to be deleted <b>bolded text</b> = text to be added	
Frontage on a Street Section 4.3 b)	Where a building or lot is legally tied to a common element condominium which has frontage on a common element road that provides direct access to a street and is registered under the Condominium Act, such driveway shall be deemed to also be a street for purposes of applying the provisions of this By-law.  i) <b>Section 4.3 b) above shall not apply to a Street Townhouse Dwelling where, in such case, any townhouse unit must have individual frontage on a public street, pursuant to the definition of Street Townhouse Dwelling in Section 3 of this By-law; and,</b>  ii) <b>Section 4.3 b) above shall not apply to a Multiple Dwelling Townhouse comprising townhouse units on parcels of tied land where, in such case, any common element condominium road or driveway upon which townhouse units front shall be deemed to be a part of the lot, rather than a public street, pursuant to the definition of Lot in Section 3 of this By-law.</b>	Where a building or lot is legally tied to a common element condominium which has frontage on a common element road that provides direct access to a street and is registered under the Condominium Act, such driveway shall be deemed to also be a street for purposes of applying the provisions of this By-law.  i)      Section 4.3 b) above shall not apply to a Street Townhouse Dwelling where, in such case, any townhouse unit must have individual frontage on a public street, pursuant to the definition of Street Townhouse Dwelling in Section 3 of this By-law; and,  ii)      Section 4.3 b) above shall not apply to a Multiple Dwelling Townhouse comprising townhouse units on parcels of tied land where in such case, any common element condominium road or driveway upon which townhouse units front shall be deemed to be a part of the lot, rather than a public street, pursuant to the definition of Lot in Section 3 of this By-law.
Number of Dwellings per Lot Section 4.5 a)	Unless otherwise provided for in this By-law, in any zone where a <del>Ssingle Ddetached Ddwelling, Ssemi-Ddetached Ddwelling, or Dduplex Ddwelling</del> , <b>Triplex Dwelling or Fourplex Dwelling</b> is permitted, no more than one such dwelling shall be erected on a lot.	Unless otherwise provided for in this By-law, in any zone where a Single Detached Dwelling, Semi-Detached Dwelling, Duplex Dwelling, Triplex Dwelling or Fourplex Dwelling is permitted, no more than one such dwelling shall be erected on a lot.
Buildings Accessory to Residential Uses Section 4.8.1.3	<del>BUILDINGS ACCESSORY TO MULTIPLE DWELLINGS, DWELLING UNITS</del> <b>MULTIPLE DWELLING TOWNHOUSES</b> , RETIREMENT HOMES, LODGING HOUSES, AND RESIDENTIAL CARE FACILITIES IN ALL ZONES	<del>BUILDINGS ACCESSORY TO MULTIPLE DWELLINGS, DWELLING UNITS</del> <b>MULTIPLE DWELLING TOWNHOUSES, RETIREMENT HOMES, LODGING HOUSES, AND RESIDENTIAL CARE FACILITIES IN ALL ZONES</b>
Home Business Section 4.21 c)	Home Businesses permitted in Duplex Dwellings, <del>Dwelling Unit(s)</del> , <b>Triplex Dwellings, Fourplex Dwellings</b> , Multiple Dwellings, <b>Multiple Dwelling Townhouses</b> and Street Townhouses <b>Dwellings</b> :	Home Businesses permitted in Duplex Dwellings, Triplex Dwellings, Fourplex Dwellings, Multiple Dwellings, Multiple Dwelling Townhouses and Street Townhouse Dwellings:

## Schedule A to Appendix B to Report PED25038

Section 4 – General Provisions		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>		
Home Business Section 4.21 d)	Regulations for Home Businesses in Duplex Dwellings, Dwelling Unit(s), Triplex Dwellings, Fourplex Dwellings, Multiple Dwellings, <b>Multiple Dwelling Townhouses</b> and Street Townhouse Dwellings:	Regulations for Home Businesses in Duplex Dwellings, Triplex Dwellings, Fourplex Dwellings, Multiple Dwellings, Multiple Dwelling Townhouses and Street Townhouse Dwellings:
Additional Dwelling Unit and Additional Dwelling Unit – Detached Section 4.33 b)	A Single Detached Dwelling, Duplex Dwelling, or Triplex Dwelling built in conformity with this By-law, may be converted to contain a fourth Additional Dwelling Unit, <b>provided that the principal residential building is not located within any Rural Zone or Open Space and Park Zone.</b>	A Single Detached Dwelling, Duplex Dwelling, or Triplex Dwelling built in conformity with this By-law, may be converted to contain a fourth Additional Dwelling Unit, provided that the principal residential building is not located within any Rural Zone or Open Space and Park Zone.
Additional Dwelling Unit Section 4.33.1 a)	<b>Excluding any Rural Zone or Open Space and Park Zone,</b> Additional Dwelling Units shall be permitted in accordance with the following:	Excluding any Rural Zone or Open Space and Park Zone, Additional Dwelling Units shall be permitted in accordance with the following:
Additional Dwelling Unit – Detached Section 4.33.2 a)	<b>Excluding any Rural Zone or Open Space and Park Zone, a</b> maximum of one Additional Dwelling Unit – Detached shall be permitted on a lot containing a Single Detached Dwelling, Duplex Dwelling, Semi-Detached Dwelling, Street Townhouse Dwelling, or a Triplex Dwelling.	Excluding any Rural Zone or Open Space and Park Zone, a maximum of one Additional Dwelling Unit – Detached shall be permitted on a lot containing a Single Detached Dwelling, Duplex Dwelling, Semi-Detached Dwelling, Street Townhouse Dwelling, or a Triplex Dwelling.
Section 4.33.3 a)	ADDITIONAL DWELLING UNITS IN AGRICULTURE (A1), RURAL (A2), <del>AND SETTLEMENT RESIDENTIAL (S1),</del> <b>AND CONSERVATION LAND RURAL (P6) ZONES</b>  <b>For lands within an A1, A2, S1, or P6 Zone, a</b> maximum of one Additional Dwelling Unit shall <del>only be permitted on lands within a Agriculture (A1), Rural (A2) or Settlement Residential (S1) Zone</del> and shall only be permitted on a lot that is greater than 0.6 ha in size.	ADDITIONAL DWELLING UNITS IN AGRICULTURE (A1), RURAL (A2), SETTLEMENT RESIDENTIAL (S1), AND CONSERVATION LAND RURAL (P6) ZONES  For lands within an A1, A2, S1, or P6 Zone, a maximum of one Additional Dwelling Unit shall be permitted and shall only be permitted on a lot that is greater than 0.6 ha in size.

**Schedule A to Appendix B to Report PED25038**  
**Page 7 of 53**

<b>Section 4 – General Provisions</b>		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>		
Section 4.36 <b>[New]</b>	<p><b>UNDERTAKINGS OF POST-SECONDARY INSTITUTIONS</b></p> <p>Pursuant to Section 62.0.2 of the Planning Act, on any lands outside of the Greenbelt Area, as defined in the Greenbelt Act, as amended, any undertaking of a post-secondary institution for the objects of the institution is not subject to the Planning Act. Accordingly, on any lands outside of the Greenbelt Area, zoning shall have no effect on an undertaking that has satisfied the requirement that it is for the objects of the institution, in accordance with the Panning Act, in which case, zoning is provided for information purposes only.</p>	<p>UNDERTAKINGS OF POST-SECONDARY INSTITUTIONS</p> <p>Pursuant to Section 62.0.2 of the Planning Act, on any lands outside of the Greenbelt Area, as defined in the Greenbelt Act, as amended, any undertaking of a post-secondary institution for the objects of the institution is not subject to the Planning Act. Accordingly, on any lands outside of the Greenbelt Area, zoning shall have no effect on an undertaking that has satisfied the requirement that it is for the objects of the institution, in accordance with the Panning Act, in which case, zoning is provided for information purposes only.</p>

## Schedule A to Appendix B to Report PED25038

Section 5 – Parking		
Section	Proposed Change	Proposed Revised Zone Regulation
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>		
<p>Minimum Required Parking Rate Schedule</p> <p>Section 5.7.1 a) i)</p>	<p>Multiple Dwelling;  <b>Multiple Dwelling Townhouse;</b>            Dwelling Unit, Mixed Use, where the total number of such units is 5 or greater</p> <p>a) In PRA 1, no parking spaces are required for residents, and,</p> <p style="padding-left: 40px;"><b>i) within a Downtown Zone, where there are more than 12 dwelling units, 2 visitor parking spaces, plus 0.05 visitor parking spaces are required per unit; or,</b></p> <p style="padding-left: 40px;"><b>ii) within any other Zone, 2 visitor parking spaces, plus 0.05 visitor parking spaces are required per unit.</b></p> <p>b) In PRA 2, 0.5 spaces per unit for residents, plus 0.15 visitor parking spaces per unit.</p> <p>c) In PRA 3, <b>and,</b></p> <p style="padding-left: 40px;"><b>i) within a C5, C5a or TOC Zone, 0.5 spaces per unit for residents, plus 0.15 visitor parking spaces per unit, or,</b></p> <p style="padding-left: 40px;"><b>ii) within any other Zone, 0.85 spaces per unit for residents, plus 0.25 visitor parking spaces per unit.</b></p> <p>d) In all other areas, 1 space per unit for residents, plus 0.3 visitor parking spaces per unit.</p>	<p>Multiple Dwelling;            Multiple Dwelling Townhouse;            Dwelling Unit, Mixed Use, where the total number of such units is 5 or greater</p> <p>a) In PRA 1, no parking spaces are required for residents, and,</p> <p style="padding-left: 40px;">i) within a Downtown Zone, where there are more than 12 dwelling units, 2 visitor parking spaces, plus 0.05 visitor parking spaces are required per unit; or,</p> <p style="padding-left: 40px;">ii) within any other Zone, 2 visitor parking spaces, plus 0.05 visitor parking spaces are required per unit.</p> <p>b) In PRA 2, 0.5 spaces per unit for residents, plus 0.15 visitor parking spaces per unit.</p> <p>c) In PRA 3, and,</p> <p style="padding-left: 40px;">i) within a C5, C5a or TOC Zone, 0.5 spaces per unit for residents, plus 0.15 visitor parking spaces per unit, or,</p> <p style="padding-left: 40px;">ii) within any other Zone, 0.85 spaces per unit for residents, plus 0.25 visitor parking spaces per unit.</p> <p>d) In all other areas, 1 space per unit for residents, plus 0.3 visitor parking spaces per unit.</p>
<p>Minimum Accessible Parking Rate Schedule</p>	<p>Dwelling Unit, Mixed Use;            Multiple Dwelling;</p>	<p>Dwelling Unit, Mixed Use;            Multiple Dwelling;</p>

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<b>Section 5 – Parking</b>		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
Section 5.7.3 c) ii) i)	<b>Multiple Dwelling Townhouse</b>	Multiple Dwelling Townhouse

Schedule A to Appendix B to Report PED25038

Section 6 – Downtown Zones		
6.1 – Downtown Central Business District (D1) Zone		
6.2 – Downtown Mixed Use – Pedestrian Focus (D2) Zone		
6.3 – Downtown Mixed Use (D3) Zone		
6.5 – Downtown Residential (D5) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
6.1 – Downtown Central Business District (D1) Zone		
Permitted Uses  Section 6.1.1  [Note: Unmodified portions of permitted use list have been omitted for clarity.]	[...] Day Nursery <del>Duplex Dwelling</del> Dwelling Unit(s), <b>Mixed Use</b> Educational Establishment Exhibition Facility [...]	[...] Day Nursery Dwelling Unit, Mixed Use Educational Establishment Exhibition Facility [...]
Restricted Uses  Section 6.1.1.1.4	<del>Duplex Dwelling</del>  A Duplex Dwelling shall only be permitted as a result of the conversion of an existing Single Detached Dwelling.	
6.2 – Downtown Mixed Use – Pedestrian Focus (D2) Zone		
Permitted Uses  Section 6.2.1  [Note: Unmodified portions of permitted use list have been omitted for clarity.]	[...] Day Nursery Dwelling Unit(s), <b>Mixed Use</b> Educational Establishment Financial Establishment Hotel Laboratory Lodging House Medical Clinic Microbrewery <del>Multiple Dwelling</del> Office [...]	[...] Day Nursery Dwelling Unit, Mixed Use Educational Establishment Financial Establishment Hotel Laboratory Lodging House Medical Clinic Microbrewery Office [...]

## Schedule A to Appendix B to Report PED25038

Section 6 – Downtown Zones		
6.1 – Downtown Central Business District (D1) Zone		
6.2 – Downtown Mixed Use – Pedestrian Focus (D2) Zone		
6.3 – Downtown Mixed Use (D3) Zone		
6.5 – Downtown Residential (D5) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>		
Restricted Uses  Section 6.2.1.1	i) In addition to Section 6.2.1, the following uses shall only be permitted in accordance with Section 6.2.3 and the following additional restrictions:  1. Day Nursery Dwelling Unit(s), <b>Mixed Use</b> <del>Multiple Dwelling</del> Place of Worship  A. Shall not be permitted within the ground floor, except for access, accessory office and utility areas.	i) In addition to Section 6.2.1, the following uses shall only be permitted in accordance with Section 6.2.3 and the following additional restrictions:  1. Day Nursery Dwelling Unit, Mixed Use Place of Worship  A. Shall not be permitted within the ground floor, except for access, accessory office and utility areas.
6.3 – Downtown Mixed Use (D3) Zone		
Permitted Uses  Section 6.3.1  <b>[Note: Unmodified portions of permitted use list have been omitted for clarity.]</b>	[...] Day Nursery Dwelling Unit(s), <b>Mixed Use</b> Educational Establishment Emergency Shelter Financial Establishment [...]	[...] Day Nursery Dwelling Unit, Mixed Use Educational Establishment Emergency Shelter Financial Establishment [...]
Location of Emergency Shelter and Residential Care Facility  Section 6.3.3 h)	h) Location of Emergency Shelter <del>and Residential Care Facility</del>  i) Except as provided for in Subsection ii), herein, every Emergency Shelter <del>and Residential Care Facility</del> shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an <del>Residential Care Facility</del> ,	h) Location of Emergency Shelter  i) Except as provided for in Subsection ii), herein, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Emergency Shelter, Corrections Residence or Correctional Facility.

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<b>Section 6 – Downtown Zones</b>		
<b>6.1 – Downtown Central Business District (D1) Zone</b>		
<b>6.2 – Downtown Mixed Use – Pedestrian Focus (D2) Zone</b>		
<b>6.3 – Downtown Mixed Use (D3) Zone</b>		
<b>6.5 – Downtown Residential (D5) Zone</b>		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>		
	<p>Emergency Shelter, Corrections Residence or Correctional Facility.</p> <p>ii) Where the radial separation distance from the lot line of an Emergency Shelter <del>or Residential Care Facility</del> existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or Correctional Facility, <del>either of the existing Residential Care Facility or Emergency Shelter</del> may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p> <p>iii) Notwithstanding Subsection 6.3.1, within the lands bounded by Queen Street, Hunter Street, James Street and Main Street, no new <del>Residential Care Facility or</del> Emergency Shelter shall be permitted.</p>	<p>ii) Where the radial separation distance from the lot line of an Emergency Shelter existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p> <p>iii) Notwithstanding Subsection 6.3.1, within the lands bounded by Queen Street, Hunter Street, James Street and Main Street, no new Emergency Shelter shall be permitted.</p>
Maximum Capacity for Residential Care Facility	<p><del>j) Maximum Capacity for Residential Care Facility</del></p> <p><del>Shall not exceed 20 residents.</del></p>	
Section 6.3.3 j)		
Home Business Regulations	<p><del>k) Home Business Regulations</del></p> <p><del>In accordance with the requirements of Section 4.21 of this By-law.</del></p>	
Section 6.3.3 k)		

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6.1 – Downtown Central Business District (D1) Zone		
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6.3 – Downtown Mixed Use (D3) Zone		
6.5 – Downtown Residential (D5) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
Accessory Buildings	<del>l) Accessory Buildings</del>	
Section 6.3.3 l)	<del>In accordance with the requirements of Section 4.8.1 of this By-law.</del>	
Sections 6.3.3 m) and n) are to be renumbered Sections 6.3.3 j) and k) respectively.		
6.5 – Downtown Residential (D5) Zone		
Permitted Uses	Artist Studio	Artist Studio
	Community Garden	Community Garden
Section 6.5.1	Commercial School	Commercial School
	Day Nursery	Day Nursery
[Note: Unmodified portions of permitted use list have been omitted for clarity.]	Duplex Dwelling	Duplex Dwelling
	Dwelling Unit, <b>Mixed Use</b>	Dwelling Unit, Mixed Use
	Educational Establishment	Educational Establishment
	Emergency Shelter	Emergency Shelter
	<b>Fourplex Dwelling</b>	Fourplex Dwelling
	Lodging House	Lodging House
	Long Term Care Facility	Long Term Care Facility
	Multiple Dwelling	Multiple Dwelling
	<b>Multiple Dwelling Townhouse</b>	Multiple Dwelling Townhouse
	Office	Office
	Personal Service	Personal Service
	Place of Worship	Place of Worship
	Repair Service	Repair Service
	Residential Care Facility	Residential Care Facility
	Restaurant	Restaurant
	Retail	Retail
	Retirement Home	Retirement Home

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6.1 – Downtown Central Business District (D1) Zone		
6.2 – Downtown Mixed Use – Pedestrian Focus (D2) Zone		
6.3 – Downtown Mixed Use (D3) Zone		
6.5 – Downtown Residential (D5) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
	Semi-Detached Dwelling Single Detached Dwelling Social Services Establishment Street Townhouse Dwelling Tradesperson Shop <b>Triplex Dwelling</b>	Semi-Detached Dwelling Single Detached Dwelling Social Services Establishment Street Townhouse Dwelling Tradesperson Shop Triplex Dwelling
Single Detached Dwelling and Duplex Dwelling Regulations  Section 6.5.3.1	SINGLE DETACHED DWELLING, <del>AND DUPLEX DWELLING,</del> <b>TRIPLEX DWELLING AND FOURPLEX DWELLING</b> REGULATIONS	SINGLE DETACHED DWELLING, DUPLEX DWELLING, TRIPLEX DWELLING AND FOURPLEX DWELLING REGULATIONS
Multiple Dwelling Townhouse Regulations  Section 6.5.3.4 <b>[New]</b>  <b>[Note:</b> The existing Section 6.5.3.4 is to be renumbered to 6.5.3.5 per below]	<b>6.5.3.4 MULTIPLE DWELLING TOWNHOUSE REGULATIONS</b>  <b>a) Minimum Lot Area</b>  <b>300.0 square metres;</b>  <b>b) Minimum Lot Width</b>  <b>12.0 metres;</b>  <b>c) Minimum Unit Width</b>  <b>5.5 metres;</b>  <b>d) Maximum Front Yard</b>	6.5.3.4 MULTIPLE DWELLING TOWNHOUSE REGULATIONS  a) Minimum Lot Area  300.0 square metres;  b) Minimum Lot Width  12.0 metres;  c) Minimum Unit Width  5.5 metres;  d) Maximum Front Yard

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<b>Section 6 – Downtown Zones</b>		
<b>6.1 – Downtown Central Business District (D1) Zone</b> <b>6.2 – Downtown Mixed Use – Pedestrian Focus (D2) Zone</b> <b>6.3 – Downtown Mixed Use (D3) Zone</b> <b>6.5 – Downtown Residential (D5) Zone</b>		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
	3.0 metres;  e) Minimum Side Yard  1.2 metres;  f) Flankage Yard  i) Minimum 3.0 metres; and,  ii) Maximum 4.5 metres;  g) Minimum Rear Yard  7.5 metres  h) 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 at least one of which contain windows to a habitable room, a minimum of 12.0 metres;  i) Building Height	3.0 metres;  e) Minimum Side Yard  1.2 metres;  f) Flankage Yard  i) Minimum 3.0 metres; and,  ii) Maximum 4.5 metres;  g) Minimum Rear Yard  7.5 metres  h) 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 at least one of which contain windows to a habitable room, a minimum of 12.0 metres;  i) Building Height

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<b>Section 6 – Downtown Zones</b>		
<b>6.1 – Downtown Central Business District (D1) Zone</b> <b>6.2 – Downtown Mixed Use – Pedestrian Focus (D2) Zone</b> <b>6.3 – Downtown Mixed Use (D3) Zone</b> <b>6.5 – Downtown Residential (D5) Zone</b>		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>		
	<p>i) <b>Minimum 7.5 metres; and,</b></p> <p>ii) <b>Maximum Building Height shall be in accordance with Figure 1 of Schedule “F” – Special Figures;</b></p> <p><b>j) Minimum Amenity Area</b></p> <p><b>On a lot containing more than 10 dwelling units, the following Minimum Amenity Area requirements shall be provided:</b></p> <p><b>i) An area of 4.0 square metres for each dwelling unit; and,</b></p> <p><b>ii) In addition to the definition of Amenity Area in Section 3: Definitions, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air;</b></p> <p><b>k) Minimum Landscaped Area</b></p> <p><b>Not less than 10% of the lot area shall be landscaped area;</b></p> <p><b>l) Location of Parking</b></p>	<p>i) Minimum 7.5 metres; and,</p> <p>ii) Maximum Building Height shall be in accordance with Figure 1 of Schedule “F” – Special Figures;</p> <p>j) Minimum Amenity Area</p> <p>On a lot containing more than 10 dwelling units, the following Minimum Amenity Area requirements shall be provided:</p> <p>i) An area of 4.0 square metres for each dwelling unit; and,</p> <p>ii) In addition to the definition of Amenity Area in Section 3: Definitions, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air;</p> <p>k) Minimum Landscaped Area</p> <p>Not less than 10% of the lot area shall be landscaped area;</p> <p>l) Location of Parking</p> <p>Notwithstanding Section 5.3.1 a), parking spaces and associated drive aisles, excluding driveways extending directly from the street, shall not be located between any building façade and any lot line abutting a street;</p>

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<b>Section 6 – Downtown Zones</b>		
6.1 – Downtown Central Business District (D1) Zone 6.2 – Downtown Mixed Use – Pedestrian Focus (D2) Zone 6.3 – Downtown Mixed Use (D3) Zone 6.5 – Downtown Residential (D5) Zone		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
	<p><b>Notwithstanding Section 5.3.1 a), parking spaces and associated drive aisles, excluding driveways extending directly from the street, shall not be located between any building façade and any lot line abutting a street;</b></p> <p><b>m) Location of Pedestrian Entrances</b></p> <p><b>Any dwelling unit adjacent to a yard abutting a street must have a minimum of one pedestrian entrance which is:</b></p> <p><b>i) located in a façade facing a street; and,</b></p> <p><b>ii) directly accessible from the public sidewalk;</b></p> <p><b>n) Vehicular Accesses</b></p> <p><b>i) A maximum of two access driveways are permitted from each street abutting the lot; and,</b></p> <p><b>ii) Garage entrances must not be located in any façade facing a street;</b></p> <p><b>o) Visual Barrier</b></p> <p><b>A visual barrier shall be required along any side or rear lot line abutting a Downtown D1 or D2 Zone in accordance</b></p>	<p>m) Location of Pedestrian Entrances</p> <p>Any dwelling unit adjacent to a yard abutting a street must have a minimum of one pedestrian entrance which is:</p> <p>i) located in a façade facing a street; and,</p> <p>ii) directly accessible from the public sidewalk;</p> <p>n) Vehicular Accesses</p> <p>i) A maximum of two access driveways are permitted from each street abutting the lot; and,</p> <p>ii) Garage entrances must not be located in any façade facing a street;</p> <p>o) Visual Barrier</p> <p>A visual barrier shall be required along any side or rear lot line abutting a Downtown D1 or D2 Zone in accordance with the requirements of Section 4.19 of this By-law.</p>

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Section 6 – Downtown Zones		
6.1 – Downtown Central Business District (D1) Zone		
6.2 – Downtown Mixed Use – Pedestrian Focus (D2) Zone		
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6.5 – Downtown Residential (D5) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p> <p><b>with the requirements of Section 4.19 of this By-law.</b></p>		
Existing Section 6.5.3.4 - EDUCATIONAL ESTABLISHMENT, EMERGENCY SHELTER, LODGING HOUSE, LONG TERM CARE FACILITY, MULTIPLE DWELLING, PLACE OF WORSHIP, RESIDENTIAL CARE FACILITY, RETIREMENT HOME, AND SOCIAL SERVICES ESTABLISHMENT REGULATIONS is to be renumbered to Section 6.5.3.5		
<p>Maximum Capacity for Emergency Shelter, Long Term Care Facility and Residential Care Facility</p> <p>Section 6.5.3.4 k)</p>	<p>6.5.3.4 <del>5</del> k) Maximum Capacity for Emergency Shelter, <del>and Long Term Care Facility and Residential Care Facility</del></p>	<p>6.5.3.5 k) Maximum Capacity for Emergency Shelter and Long Term Care Facility</p>
<p>Location of Emergency Shelter, Long term Care Facility and Residential Care Facility</p> <p>Section 6.5.3.4 l)</p>	<p>6.5.3.4 <del>5</del> l) Location of Emergency Shelter, <del>Long term Care Facility and Residential Care Facility</del></p> <p>i) Except as provided for in Subsection ii), herein, every Emergency Shelter <del>and Residential Care Facility</del> shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or Correctional Facility.</p> <p>ii) Where the radial separation distance from the lot line of an Emergency Shelter <del>or Residential Care Facility</del> existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing <del>Residential Care Facility</del>, Emergency Shelter,</p>	<p>6.5.3.5 l) Location of Emergency Shelter</p> <p>i) Except as provided for in Subsection ii), herein, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Emergency Shelter, Corrections Residence or Correctional Facility.</p> <p>ii) Where the radial separation distance from the lot line of an Emergency Shelter existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the</p>

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<b>Section 6 – Downtown Zones</b>		
<b>6.1 – Downtown Central Business District (D1) Zone</b>		
<b>6.2 – Downtown Mixed Use – Pedestrian Focus (D2) Zone</b>		
<b>6.3 – Downtown Mixed Use (D3) Zone</b>		
<b>6.5 – Downtown Residential (D5) Zone</b>		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text</b> = text to be added</p>		
	<p>Corrections Residence or Correctional Facility, either of the existing <del>Residential Care Facility</del> or Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	<p>Zone in which it is located.</p>
<p>Prohibition of Residential Care Facility and Emergency Shelter  Section 6.5.3.4 m)</p>	<p><del>6.5.3.4 5 m) Prohibition of Residential Care Facility and Emergency Shelter</del></p> <p>Notwithstanding Section 6.5.1 within the lands bounded by Queen Street, Hunter Street, James Street and Main Street, no new <del>Residential Care Facility</del> or Emergency Shelter shall be permitted.</p>	<p>6.5.3.5 m) Prohibition of Emergency Shelter</p> <p>Notwithstanding Section 6.5.1 within the lands bounded by Queen Street, Hunter Street, James Street and Main Street, no new Emergency Shelter shall be permitted.</p>
<p>Existing Section 6.5.3.7 – COMMUNITY GARDEN REGULATIONS is to be renumbered to Section 6.5.3.6</p>		
<p>Additional Dwelling Unit Regulations  Section 6.5.3.8</p>	<p><del>ADDITIONAL DWELLING UNIT REGULATIONS</del></p> <p><del>In accordance with the requirements of Section 4.33. of this By-law.</del></p>	

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Section 7.6 – Conservation/Hazard Land Rural (P6) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
Single Detached Dwelling Regulations – New Buildings and Structures  Section 7.6.2.3 a)	New Buildings and Structures <b>Including Additional Dwelling Units</b>  i) Shall not be permitted on a vacant lot  ii) Shall be in accordance with the requirements of Sections 12.1.3.3, <del>and 4.8,</del> <b>and 4.33.</b>	New Buildings and Structures Including Additional Dwelling Units  i) Shall not be permitted on a vacant lot  ii) Shall be in accordance with the requirements of Sections 12.1.3.3, 4.8, and 4.33.
Single Detached Dwelling Regulations – Expansions to Existing Buildings and Structures  Section 7.6.2.3 b)	Expansions to Existing Buildings and Structures <b>Including Additional Dwelling Units</b>  Shall be in accordance with Sections 12.1.3.3 (c), (d), (e), and (f), <del>and 4.8</del> <b>and 4.33.</b>	Expansions to Existing Buildings and Structures Including Additional Dwelling Units  Shall be in accordance with Sections 12.1.3.3 (c), (d), (e), and (f), 4.8 and 4.33.

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Section 8 – Institutional Zones		
8.1 – Neighbourhood Institutional (I1) Zone		
8.2 – Community Institutional (I2) Zone		
8.3 – Major Institutional (I3) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
8.1 – Neighbourhood Institutional (I1) Zone		
Permitted Uses Section 8.1.1	Community Garden Day Nursery Duplex Dwelling Educational Establishment Emergency Shelter <b>Fourplex Dwelling</b> Museum Place of Worship Residential Care Facility Retirement Home Semi-Detached Dwelling Single Detached Dwelling <b>Street Townhouse Dwelling</b> <b>Triplex Dwelling</b> Urban Farm Urban Farmers Market	Community Garden Day Nursery Duplex Dwelling Educational Establishment Emergency Shelter Fourplex Dwelling Museum Place of Worship Residential Care Facility Retirement Home Semi-Detached Dwelling Single Detached Dwelling Street Townhouse Dwelling Triplex Dwelling Urban Farm Urban Farmers Market
Maximum Capacity for Residential Care Facility and Retirement Home Section 8.1.3.1 i)	Maximum Capacity for <del>Residential Care Facility and</del> Retirement Home	Maximum Capacity for Retirement Home
Location of Emergency Shelter and Residential Care Facility	Location of Emergency Shelter <del>and Residential Care Facility</del>  i) Except as provided for in Subsection ii), herein, every Emergency Shelter <del>or Residential Care Facility</del> shall be situated on a lot having a minimum radial separation	Location of Emergency Shelter  i) Except as provided for in Subsection ii), herein, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such

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Section 8 – Institutional Zones		
8.1 – Neighbourhood Institutional (I1) Zone		
8.2 – Community Institutional (I2) Zone		
8.3 – Major Institutional (I3) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
Section 8.1.3.1 j)	<p>distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or Correctional Facility.</p> <p>ii) Where the radial separation distance from the lot line of an Emergency Shelter or <del>Residential Care Facility</del> existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or Correctional Facility, the existing <del>Residential Care Facility</del> <b>Emergency Shelter</b> may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	<p>lot measured to the lot line of any other lot occupied by an Emergency Shelter, Corrections Residence or Correctional Facility.</p> <p>ii) Where the radial separation distance from the lot line of an Emergency Shelter existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>
<p>SINGLE DETACHED DWELLING, DUPLEX DWELLING AND DAY NURSERY REGULATIONS</p> <p>Section 8.1.3.3</p>	<p>SINGLE DETACHED DWELLING, DUPLEX DWELLING, <b>TRIPLEX DWELLING</b> AND DAY NURSERY REGULATIONS</p> <p>a) Minimum Lot Area</p> <p><del>i) 330.0</del> <b>360.0</b> square metres;</p> <p><del>ii) Notwithstanding i) above, 360.0 square metres shall be required for a corner lot.</del></p> <p>b) Minimum Lot Width</p> <p><del>i) 12.0 metres</del></p>	<p>SINGLE DETACHED DWELLING, DUPLEX DWELLING, TRIPLEX DWELLING AND DAY NURSERY REGULATIONS</p> <p>a) Minimum Lot Area</p> <p>360.0 square metres;</p> <p>b) Minimum Lot Width</p> <p>12.0 metres</p> <p>c) Minimum Front Yard</p> <p>i) 4.0 metres; and,</p>

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<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>		
	<p><del>ii) 15.0 metres for a corner lot</del></p> <p>c) Minimum Front Yard</p> <p>i) <del>4.5</del> <b>4.0</b> metres; and,</p> <p>ii) <del>5.8 metres for an attached garage.</del> <b>Notwithstanding Section 8.1.3.3 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following:</b></p> <ol style="list-style-type: none"> <li><b>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</b></li> <li><b>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</b></li> <li><b>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</b></li> </ol> <p>d) Minimum Side Yard</p> <p>1.2 metres</p>	<p>ii) Notwithstanding Section 8.1.3.3 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following:</p> <ol style="list-style-type: none"> <li>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</li> <li>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</li> <li>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</li> </ol> <p>d) Minimum Side Yard</p> <p>1.2 metres</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p> <p>7.5 metres</p>

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<b>8.3 – Major Institutional (I3) Zone</b>		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
<p><del>Grey highlighted strikethrough text</del> = text to be deleted      <b>bolded text</b> = text to be added</p>		
	<p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p> <p>7.5 metres</p> <p>g) Maximum Building Height</p> <p>10.5 metres</p> <p><b>h) Minimum Landscaped Area</b></p> <p><b>i) 30%</b></p> <p><b>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</b></p> <p><del>h) Parking</del></p> <p><del>In accordance with the requirements of Section 5 of this By-law.</del></p> <p><del>i) Accessory Building</del></p> <p><del>In accordance with the requirements of Section 4.8 of this By-law.</del></p>	<p>g) Maximum Building Height</p> <p>10.5 metres</p> <p>h) Minimum Landscaped Area</p> <p>i) 30%</p> <p>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</p>

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Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
	<p><del>j) Home Business</del></p> <p><del>In accordance with the requirements of Section 4.21 of this By-law.</del></p>	
SEMI-DETACHED DWELLING REGULATIONS  Section 8.1.3.4	<p>SEMI-DETACHED DWELLING REGULATIONS</p> <p>a) Minimum Lot Area</p> <p><del>i) 210.0</del> <b>270.0</b> square metres for each semi-detached dwelling unit.</p> <p><del>ii) Notwithstanding i) above, 240.0 square metres shall be required for a corner lot.</del></p> <p>b) Minimum Lot Width for Unit</p> <p><del>i) 7.5</del> <b>9.0</b> metres for each dwelling unit in each semi-detached dwelling.</p> <p><del>ii) Notwithstanding i) above, 9.3 metres shall be required for a corner unit.</del></p> <p>c) Minimum Front Yard</p> <p>i) <del>4.5</del> <b>4.0</b> metres; and,</p> <p>ii) <del>5.8 metres for an attached garage. i) 4.0 metre; and,</del> <b>Notwithstanding Section 8.1.3.4 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law,</b></p>	<p>SEMI-DETACHED DWELLING REGULATIONS</p> <p>a) Minimum Lot Area</p> <p>270.0 square metres for each semi-detached dwelling unit.</p> <p>b) Minimum Lot Width for Unit</p> <p>9.0 metres for each dwelling unit in each semi-detached dwelling.</p> <p>c) Minimum Front Yard</p> <p>i) 4.0 metres; and,</p> <p>ii) Notwithstanding Section 8.1.3.4 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front line in accordance with the following:</p> <ol style="list-style-type: none"> <li>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</li> <li>2. Where one adjacent lot has a front lot line on the same</li> </ol>

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Section	Proposed Change	Proposed Revised Zone Regulation
<p><del>Grey highlighted strikethrough text</del> = text to be deleted      <b>bolded text</b> = text to be added</p>		
	<p><b>a building may be erected closer to the front line in accordance with the following:</b></p> <ol style="list-style-type: none"> <li><b>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</b></li> <li><b>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</b></li> <li><b>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</b></li> </ol> <p>d) Minimum Side Yard</p> <p>1.2 metres, except for the side yard related to the common wall of the semi-detached dwelling unit, in which case a minimum 0 metre side yard shall be permitted.</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p> <p>7.5 metres</p>	<p>street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</p> <p>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</p> <p>d) Minimum Side Yard</p> <p>1.2 metres, except for the side yard related to the common wall of the semi-detached dwelling unit, in which case a minimum 0 metre side yard shall be permitted.</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p> <p>7.5 metres</p> <p>g) Maximum Building Height</p> <p>10.5 metres</p> <p>h) Minimum Landscaped Area</p> <p>i) 30%</p> <p>ii) Within the landscaped area, the requirements of Section 4.35 of</p>

Section 8 – Institutional Zones		
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Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
	<p>g) Maximum Building Height</p> <p>10.5 metres</p> <p><b>h) Minimum Landscaped Area</b></p> <p><b>i) 30%</b></p> <p><b>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</b></p> <p><del>h) Parking</del></p> <p><del>In accordance with the requirements of Section 5 of this By-law.</del></p> <p><del>i) Accessory Building</del></p> <p><del>In accordance with the requirements of Section 4.8 of this By-law.</del></p>	<p>this By-law shall apply.</p>
Existing Section 8.1.3.5 – URBAN FARM REGULATIONS is to be renumbered to Section 8.1.3.7		
Existing Section 8.1.3.6 – COMMUNITY GARDEN REGULATIONS is to be renumbered to Section 8.1.3.8		
Existing Section 8.1.3.7 – URBAN FARMERS MARKET REGULATIONS is to be renumbered to Section 8.1.3.9		
STREET TOWNHOUSE REGULATIONS <b>[New]</b>	<b>STREET TOWNHOUSE DWELLING REGULATIONS</b>	STREET TOWNHOUSE DWELLING REGULATIONS
	<b>a) Minimum Lot Area for each Dwelling Unit</b>	a) Minimum Lot Area for each Dwelling Unit

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Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
Section 8.1.3.5  [Note: The existing Section 8.1.3.5 is to be renumbered to 8.1.3.7 per above]	<p><del>180.0 square metres for each dwelling unit;</del></p> <p><b>b) Minimum Unit Width for each Dwelling Unit</b></p> <p><b>6.0 metres;</b></p> <p><b>c) Minimum Setback from the Front Lot Line</b></p> <p><b>4.0 metres;</b></p> <p><b>d) Minimum Setback from a Side Lot Line</b></p> <p><b>1.2 metres except for the side yard related to the common wall of the street townhouse dwelling unit, in which case a minimum 0 metre side yard shall be permitted;</b></p> <p><b>e) Minimum Setback from a Flankage Lot Line</b></p> <p><b>3.0 metres;</b></p> <p><b>f) Minimum Setback from the Rear Lot Line</b></p> <p><b>7.5 metres;</b></p> <p><b>g) Maximum Building Height</b></p> <p><b>10.5 metres;</b></p> <p><b>h) Landscaped Area</b></p>	<p>180.0 square metres for each dwelling unit;</p> <p>b) Minimum Unit Width for each Dwelling Unit</p> <p>6.0 metres;</p> <p>c) Minimum Setback from the Front Lot Line</p> <p>4.0 metres;</p> <p>d) Minimum Setback from a Side Lot Line</p> <p>1.2 metres except for the side yard related to the common wall of the street townhouse dwelling unit, in which case a minimum 0 metre side yard shall be permitted;</p> <p>e) Minimum Setback from a Flankage Lot Line</p> <p>3.0 metres;</p> <p>f) Minimum Setback from the Rear Lot Line</p> <p>7.5 metres;</p> <p>g) Maximum Building Height</p> <p>10.5 metres;</p> <p>h) Landscaped Area</p>

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Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
	In accordance with the requirements of Section 4.35 a) and b) of this By-law.	In accordance with the requirements of Section 4.35 a) and b) of this By-law.
<p>FOURPLEX DWELLING REGULATIONS [New]</p> <p>Section 8.1.3.6</p> <p>[Note: The existing Section 8.1.3.6 is to be renumbered to 8.1.3.8 per above]</p>	<p><b>FOURPLEX DWELLING REGULATIONS</b></p> <p><b>a) Minimum Lot Area</b></p> <p><b>360.0 square metres;</b></p> <p><b>b) Minimum Lot Width</b></p> <p><b>12.0 metres;</b></p> <p><b>c) Minimum Setback from the Front Lot Line</b></p> <p><b>i) 4.0 metres;</b></p> <p><b>ii) Notwithstanding Section 8.1.3.6 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following:</b></p> <p><b>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</b></p> <p><b>2. Where one adjacent lot has a front lot line on the</b></p>	<p>FOURPLEX DWELLING REGULATIONS</p> <p>a) Minimum Lot Area</p> <p>360.0 square metres;</p> <p>b) Minimum Lot Width</p> <p>12.0 metres;</p> <p>c) Minimum Setback from the Front Lot Line</p> <p>i) 4.0 metres;</p> <p>ii) Notwithstanding Section 8.1.3.6 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following:</p> <p>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</p> <p>2. Where one adjacent lot has a front lot line on the same</p>

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<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
	<p><b>same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</b></p> <p><b>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</b></p> <p><b>d) Minimum Setback from a Side Lot Line</b></p> <p><b>1.2 metres, and a minimum aggregate of 3.5 metres;</b></p> <p><b>e) Minimum Setback from a Flankage Lot Line</b></p> <p><b>3.0 metres;</b></p> <p><b>f) Minimum Setback from the Rear Lot Line</b></p> <p><b>7.5 metres;</b></p> <p><b>g) Maximum Building Height</b></p> <p><b>10.5 metres;</b></p> <p><b>h) Maximum Lot Coverage</b></p> <p><b>40%;</b></p> <p><b>i) Minimum Landscaped Area</b></p> <p><b>i) 30%</b></p>	<p>street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</p> <p>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</p> <p>d) Minimum Setback from a Side Lot Line</p> <p>1.2 metres, and a minimum aggregate of 3.5 metres;</p> <p>e) Minimum Setback from a Flankage Lot Line</p> <p>3.0 metres;</p> <p>f) Minimum Setback from the Rear Lot Line</p> <p>7.5 metres;</p> <p>g) Maximum Building Height</p> <p>10.5 metres;</p> <p>h) Maximum Lot Coverage</p> <p>40%;</p> <p>i) Minimum Landscaped Area</p> <p>i) 30%</p>

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<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
<p><del>Grey highlighted strikethrough text</del> = text to be deleted      <b>bolded text</b> = text to be added</p>		
	<p><b>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</b></p> <p><b>j) Visual Barrier</b></p> <p><b>i) A visual barrier shall be required along side lot lines and the rear lot line in accordance with the requirements of Section 4.19 of this by-law.</b></p> <p><b>ii) Notwithstanding Section 8.1.3.6 j) i), rear yard parking shall comply with the requirements of Section 4.35 d).</b></p> <p><b>k) Amenity Area</b></p> <p><b>Amenity areas shall not be permitted in the side yard or on the rooftop of the dwelling.</b></p> <p><b>l) Waste Storage</b></p> <p><b>Outdoor waste storage shall be fully enclosed and shall not be located in the front yard.</b></p>	<p>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</p> <p>j) Visual Barrier</p> <p>i) A visual barrier shall be required along side lot lines and the rear lot line in accordance with the requirements of Section 4.19 of this by-law.</p> <p>ii) Notwithstanding Section 8.1.3.6 j) i), rear yard parking shall comply with the requirements of Section 4.35 d).</p> <p>k) Amenity Area</p> <p>Amenity areas shall not be permitted in the side yard or on the rooftop of the dwelling.</p> <p>l) Waste Storage</p> <p>Outdoor waste storage shall be fully enclosed and shall not be located in the front yard.</p>
<p>ADDITIONAL DWELLING UNIT REGULATIONS</p> <p>Section 8.1.3.8</p>	<p><del>ADDITIONAL DWELLING UNIT REGULATIONS</del></p> <p><del>In accordance with the requirements of Section 4.33 of this By-law</del></p>	

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Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
<b>8.2 – Community Institutional (I2) Zone</b>		
Permitted Uses Section 8.2.1	Community Garden Day Nursery Duplex Dwelling Educational Establishment Emergency Shelter <b>Fourplex Dwelling</b> Museum Recreation Place of Worship Residential Care Facility Retirement Home Semi-Detached Dwelling Single Detached Dwelling Social Services Establishment Street Townhouse Dwelling <b>Triplex Dwelling</b> Urban Farm Urban Farmers Market	Community Garden Day Nursery Duplex Dwelling Educational Establishment Emergency Shelter Fourplex Dwelling Museum Recreation Place of Worship Residential Care Facility Retirement Home Semi-Detached Dwelling Single Detached Dwelling Social Services Establishment Street Townhouse Dwelling Triplex Dwelling Urban Farm Urban Farmers Market
Maximum Capacity for Emergency Shelter, Residential Care Facility and Retirement Home Section 8.2.3.1 g)	Maximum Capacity for Emergency Shelter, <del>Residential Care Facility</del> and Retirement Home	Maximum Capacity for Emergency Shelter and Retirement Home
Location of Emergency Shelter	Location of Emergency Shelter and <del>Residential Care Facility</del>	Location of Emergency Shelter

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Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>		
<p>and Residential Care Facility</p> <p>Section 8.2.3.1 h)</p>	<p>i) Except as provided for in Subsection ii), herein, every Emergency Shelter <del>or Residential Care Facility</del> shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or Correctional Facility.</p> <p>ii) Where the radial separation distance from the lot line of an Emergency Shelter, <del>or Residential Care Facility</del> existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or Correctional Facility, the existing <del>Residential Care Facility</del> <b>Emergency Shelter</b> may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	<p>i) Except as provided for in Subsection ii), herein, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Emergency Shelter, Corrections Residence or Correctional Facility.</p> <p>ii) Where the radial separation distance from the lot line of an Emergency Shelter existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>
<p>SINGLE DETACHED DWELLING, DUPLEX DWELLING AND DAY NURSERY REGULATIONS</p> <p>Section 8.2.3.3</p>	<p>SINGLE DETACHED DWELLING, DUPLEX DWELLING, <b>TRIPLEX DWELLING</b> AND DAY NURSERY REGULATIONS</p> <p>a) Minimum Lot Area</p> <p><del>i) 330.0</del> <b>360.0</b> square metres;</p> <p><del>ii) Notwithstanding i) above, 360.0 square metres shall be required for a corner lot.</del></p> <p>b) Minimum Lot Width</p> <p><del>i) 12.0 metres;</del></p>	<p>SINGLE DETACHED DWELLING, DUPLEX DWELLING, TRIPLEX DWELLING AND DAY NURSERY REGULATIONS</p> <p>a) Minimum Lot Area</p> <p>360.0 square metres;</p> <p>b) Minimum Lot Width</p> <p>12.0 metres;</p> <p>c) Minimum Front Yard</p>

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8.3 – Major Institutional (I3) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
	<p><del>ii) Notwithstanding i) above, 15.0 metres shall be required for a corner lot.</del></p> <p>c) Minimum Front Yard</p> <p>i) <del>4.5</del> <b>4.0</b> metres; and,</p> <p>ii) <del>5.8 metres for an attached garage.</del> <b>Notwithstanding Section 8.2.3.3 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front line in accordance with the following:</b></p> <ol style="list-style-type: none"> <li><b>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</b></li> <li><b>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</b></li> <li><b>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</b></li> </ol> <p>d) Minimum Side Yard</p>	<p>i) 4.0 metres; and,</p> <p>ii) Notwithstanding Section 8.2.3.3 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front line in accordance with the following:</p> <ol style="list-style-type: none"> <li>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</li> <li>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</li> <li>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</li> </ol> <p>d) Minimum Side Yard</p> <p>1.2 metres</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p> <p>7.5 metres</p>

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<b>8.1 – Neighbourhood Institutional (I1) Zone</b>		
<b>8.2 – Community Institutional (I2) Zone</b>		
<b>8.3 – Major Institutional (I3) Zone</b>		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
<p><del>Grey highlighted strikethrough text</del> = text to be deleted      <b>bolded text</b> = text to be added</p>		
	<p>1.2 metres</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p> <p>7.5 metres</p> <p>g) Maximum Building Height</p> <p>10.5 metres</p> <p><b>h) Minimum Landscaped Area</b></p> <p><b>i) 30%</b></p> <p><b>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</b></p> <p><del>h) Parking</del></p> <p><del>In accordance with the requirements of Section 5 of this By-law.</del></p> <p><del>i) Accessory Building</del></p> <p><del>In accordance with the requirements of Section 4.8 of this By-</del></p>	<p>g) Maximum Building Height</p> <p>10.5 metres</p> <p>h) Minimum Landscaped Area</p> <p>i) 30%</p> <p>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</p>

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<b>Section 8 – Institutional Zones</b>		
<b>8.1 – Neighbourhood Institutional (I1) Zone</b>		
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<b>8.3 – Major Institutional (I3) Zone</b>		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
	<p><del>law.</del></p> <p><del>j) Home Business</del></p> <p><del>In accordance with the requirements of Section 4.21 of this By-law.</del></p>	
<p>SEMI-DETACHED DWELLING REGULATIONS</p> <p>Section 8.2.3.4</p>	<p>SEMI-DETACHED DWELLING REGULATIONS</p> <p>a) Minimum Lot Area for Unit</p> <p>i) <del>240.0</del> <b>270.0</b> square metres for each semi-detached dwelling unit.</p> <p>ii) <del>Notwithstanding i) above, 240.0 square metres shall be required for a corner lot.</del></p> <p>b) Minimum Lot Width for Unit</p> <p>i) <del>7.5</del> <b>9.0</b> metres for each dwelling unit in a semi-detached dwelling.</p> <p>ii) <del>Notwithstanding i) above, 9.3 metres shall be required for a corner unit.</del></p> <p>c) Minimum Front Yard</p> <p>i) <del>4.5</del> <b>4.0</b> metres; and,</p>	<p>SEMI-DETACHED DWELLING REGULATIONS</p> <p>a) Minimum Lot Area for Unit</p> <p>270.0 square metres for each semi-detached dwelling unit.</p> <p>b) Minimum Lot Width for Unit</p> <p>9.0 metres for each dwelling unit in a semi-detached dwelling.</p> <p>c) Minimum Front Yard</p> <p>i) 4.0 metres; and,</p> <p>ii) Notwithstanding Section 8.2.3.4 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front line in accordance with the following:</p> <p>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</p>

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Section 8 – Institutional Zones		
8.1 – Neighbourhood Institutional (I1) Zone		
8.2 – Community Institutional (I2) Zone		
8.3 – Major Institutional (I3) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>		
	<p><del>ii) 5.8 metres for an attached garage.</del> Notwithstanding Section 8.2.3.4 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front line in accordance with the following:</p> <ol style="list-style-type: none"> <li>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</li> <li>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</li> <li>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</li> </ol> <p>d) Minimum Side Yard</p> <p>1.2 metres, except for the side yard related to the common wall of the semi-detached dwelling unit, in which case a minimum 0 metre side yard shall be permitted.</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p>	<ol style="list-style-type: none"> <li>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</li> <li>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</li> </ol> <p>d) Minimum Side Yard</p> <p>1.2 metres, except for the side yard related to the common wall of the semi-detached dwelling unit, in which case a minimum 0 metre side yard shall be permitted.</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p> <p>7.5 metres</p> <p>g) Maximum Building Height</p> <p>10.5 metres</p> <p>h) Minimum Landscaped Area</p> <p>i) 30%</p>

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<b>Section 8 – Institutional Zones</b>		
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<b>8.3 – Major Institutional (I3) Zone</b>		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
<p><del>Grey highlighted strikethrough text</del> = text to be deleted      <b>bolded text</b> = text to be added</p>		
	<p>7.5 metres</p> <p>g) Maximum Building Height</p> <p>10.5 metres</p> <p><b>h) Minimum Landscaped Area</b></p> <p><b>i) 30%</b></p> <p><b>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</b></p> <p><del>h) Parking</del></p> <p><del>In accordance with the requirements of Section 5 of this By-law.</del></p> <p><del>i) Accessory Building</del></p> <p><del>In accordance with the requirements of Section 4.8 of this By-law.</del></p> <p><del>j) Home Business</del></p> <p><del>In accordance with the requirements of Section 4.21 of this By-law.</del></p>	<p>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</p>
STREET	STREET TOWNHOUSE DWELLING REGULATIONS	STREET TOWNHOUSE DWELLING REGULATIONS

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Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
TOWNHOUSE DWELLING REGULATIONS  Section 8.2.3.5	<p>a) Minimum Lot Area for Unit</p> <p><del>i) 165.0</del> <b>180.0</b> square metres for each dwelling unit.</p> <p><del>ii) Notwithstanding i) above, 195.0 square metres shall be required for a corner lot.</del></p> <p>b) Minimum Unit Width</p> <p>6.0 metres</p> <p>c) Minimum Front Yard</p> <p><del>i) 4.5</del> <b>4.0</b> metres; and,</p> <p><del>ii) 5.8 metres for an attached garage.</del></p> <p>d) Minimum Side Yard</p> <p>1.2 metres except for the side yard related to the common wall of the street townhouse dwelling unit, in which case a minimum 0 metre side yard shall be permitted.</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p>	<p>a) Minimum Lot Area for Unit</p> <p>180.0 square metres for each dwelling unit.</p> <p>b) Minimum Unit Width</p> <p>6.0 metres</p> <p>c) Minimum Front Yard</p> <p>4.0 metres; and,</p> <p>d) Minimum Side Yard</p> <p>1.2 metres except for the side yard related to the common wall of the street townhouse dwelling unit, in which case a minimum 0 metre side yard shall be permitted.</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p> <p>7.5 metres</p> <p>g) Maximum Building Height</p>

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<b>Section 8 – Institutional Zones</b>		
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<b>8.2 – Community Institutional (I2) Zone</b>		
<b>8.3 – Major Institutional (I3) Zone</b>		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
	<p>7.5 metres</p> <p>g) Maximum Building Height</p> <p>10.5 metres</p> <p><b>h) Landscaped Area</b></p> <p><b>In accordance with the requirements of Section 4.35 a) and b) of this By-law.</b></p> <p><del>h) Parking</del></p> <p><del>In accordance with the requirements of Section 5 of this By-law.</del></p> <p><del>i) Accessory Building</del></p> <p><del>In accordance with the requirements of Section 4.8 of this By-law.</del></p> <p><del>j) Home Business</del></p> <p><del>In accordance with the requirements of Section 4.21 of this By-law.</del></p>	<p>10.5 metres</p> <p>h) Landscaped Area</p> <p>In accordance with the requirements of Section 4.35 a) and b) of this By-law.</p>
Existing Section 8.2.3.6 – URBAN FARM REGULATIONS is to be renumbered to Section 8.2.3.7		
Existing Section 8.2.3.7 – COMMUNITY GARDEN REGULATIONS is to be renumbered to Section 8.2.3.8		

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Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
Existing Section 8.2.3.8 – URBAN FARMERS MARKET REGULATIONS is to be renumbered to Section 8.2.3.9		
<p>FOURPLEX DWELLING REGULATIONS [New]</p> <p>Section 8.2.3.6</p> <p>[Note: The existing Section 8.2.3.6 is to be renumbered to 8.2.3.7 per above]</p>	<p><b>FOURPLEX DWELLING REGULATIONS</b></p> <p><b>a) Minimum Lot Area</b></p> <p><b>360.0 square metres;</b></p> <p><b>b) Minimum Lot Width</b></p> <p><b>12.0 metres;</b></p> <p><b>c) Minimum Setback from the Front Lot Line</b></p> <p><b>i) 4.0 metres;</b></p> <p><b>ii) Notwithstanding Section 8.2.3.6 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following:</b></p> <p><b>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</b></p> <p><b>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</b></p>	<p>FOURPLEX DWELLING REGULATIONS</p> <p>a) Minimum Lot Area</p> <p>360.0 square metres;</p> <p>b) Minimum Lot Width</p> <p>12.0 metres;</p> <p>c) Minimum Setback from the Front Lot Line</p> <p>i) 4.0 metres;</p> <p>ii) Notwithstanding Section 8.2.3.6 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following:</p> <p>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</p> <p>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</p>

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Section	Proposed Change	Proposed Revised Zone Regulation
<p><del>Grey highlighted strikethrough text</del> = text to be deleted      <b>bolded text</b> = text to be added</p>		
	<p><b>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</b></p> <p><b>d) Minimum Setback from a Side Lot Line</b></p> <p><b>1.2 metres, and a minimum aggregate of 3.5 metres;</b></p> <p><b>e) Minimum Setback from a Flankage Lot Line</b></p> <p><b>3.0 metres;</b></p> <p><b>f) Minimum Setback from the Rear Lot Line</b></p> <p><b>7.5 metres;</b></p> <p><b>g) Maximum Building Height</b></p> <p><b>10.5 metres;</b></p> <p><b>h) Maximum Lot Coverage</b></p> <p><b>40%;</b></p> <p><b>i) Minimum Landscaped Area</b></p> <p><b>i) 30%</b></p> <p><b>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</b></p>	<p>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</p> <p>d) Minimum Setback from a Side Lot Line</p> <p>1.2 metres, and a minimum aggregate of 3.5 metres;</p> <p>e) Minimum Setback from a Flankage Lot Line</p> <p>3.0 metres;</p> <p>f) Minimum Setback from the Rear Lot Line</p> <p>7.5 metres;</p> <p>g) Maximum Building Height</p> <p>10.5 metres;</p> <p>h) Maximum Lot Coverage</p> <p>40%;</p> <p>i) Minimum Landscaped Area</p> <p>i) 30%</p> <p>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</p>

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Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
	<p><b>j) Visual Barrier</b></p> <p><b>i) A visual barrier shall be required along side lot lines and the rear lot line in accordance with the requirements of Section 4.19 of this by-law.</b></p> <p><b>ii) Notwithstanding Section 8.2.3.6 j) i), rear yard parking shall comply with the requirements of Section 4.35 d).</b></p> <p><b>k) Amenity Area</b></p> <p><b>Amenity areas shall not be permitted in the side yard or on the rooftop of the dwelling.</b></p> <p><b>l) Waste Storage</b></p> <p><b>Outdoor waste storage shall be fully enclosed and shall not be located in the front yard.</b></p>	<p>j) Visual Barrier</p> <p>i) A visual barrier shall be required along side lot lines and the rear lot line in accordance with the requirements of Section 4.19 of this by-law.</p> <p>ii) Notwithstanding Section 8.2.3.6 j) i), rear yard parking shall comply with the requirements of Section 4.35 d).</p> <p>k) Amenity Area</p> <p>Amenity areas shall not be permitted in the side yard or on the rooftop of the dwelling.</p> <p>l) Waste Storage</p> <p>Outdoor waste storage shall be fully enclosed and shall not be located in the front yard.</p>
ADDITIONAL DWELLING UNIT REGULATIONS  Section 8.2.3.9	<p><del>ADDITIONAL DWELLING UNIT REGULATIONS</del></p> <p><del>In accordance with the requirements of Section 4.33 of this By-law.</del></p>	
8.3 – Major Institutional (I3) Zone		
Maximum Capacity for Residential Care Facility	<p><del>Maximum Capacity for Residential Care Facility</del></p> <p><del>Shall not exceed 50 residents</del></p>	

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8.3 – Major Institutional (I3) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
Section 8.3.2.1 f)		
Co-Location of Residential Care Facility and Social Services Establishment in the Same Building  Section 8.3.2.1 f) <b>[New]</b>	<b>Co-Location of Residential Care Facility and Social Services Establishment in the Same Building</b>  <b>Notwithstanding any requirement in the definition of Residential Care Facility in Section 3 of this By-law that such use must be in a fully detached residential building, in the I3 Zone, a Social Services Establishment and Residential Care Facility are permitted to be located in the same building.</b>	Co-Location of Residential Care Facility and Social Services Establishment in the Same Building  Notwithstanding any requirement in the definition of Residential Care Facility in Section 3 of this By-law that such use must be in a fully detached residential building, in the I3 Zone, a Social Services Establishment and Residential Care Facility are permitted to be located in the same building.
Location of Emergency Shelter and Residential Care Facility  Section 8.3.2.1 g)	Location of Emergency Shelter <del>and Residential Care Facility</del>  i) Except as provided for in Subsection ii), herein, every Emergency Shelter <del>or Residential Care Facility</del> shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an <del>Residential Care Facility</del> , Emergency Shelter, Corrections Residence or Correctional Facility.  ii) Where the radial separation distance from the lot line of an Emergency Shelter, <del>or Residential Care Facility</del> existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing <del>Residential Care Facility</del> , Emergency Shelter, Corrections Residence or Correctional Facility, the existing <del>Residential Care Facility</del> <b>Emergency Shelter</b> may be expanded or redeveloped to	Location of Emergency Shelter  i) Except as provided for in Subsection ii), herein, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Emergency Shelter, Corrections Residence or Correctional Facility.  ii) Where the radial separation distance from the lot line of an Emergency Shelter existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.

<b>Section 8 – Institutional Zones</b>		
8.1 – Neighbourhood Institutional (I1) Zone		
8.2 – Community Institutional (I2) Zone		
8.3 – Major Institutional (I3) Zone		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
<del>Grey highlighted strikethrough text</del> = text to be deleted <b>bolded text</b> = text to be added		
	accommodate not more than the permitted number of residents permitted by the Zone in which it is located.	

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Section 10 – Commercial and Mixed Use Zones		
<b>10.1 – Residential Character Commercial (C1) Zone</b> <b>10.4 – Mixed Use High Density (C4) Zone</b> <b>10.5 – Mixed Use Medium Density (C5) Zone</b> <b>10.7 – Arterial Commercial (C7) Zone</b>		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
10.1 – Residential Character Commercial (C1) Zone		
Permitted Uses  Section 10.1.1  [Note: Unmodified portions of permitted use list have been omitted for clarity.]	Artist Studio Day Nursery Duplex Dwelling Dwelling Unit(s), <b>Mixed Use</b> Emergency Shelter [...] Retail Single Detached Dwelling <b>Triplex Dwelling</b>	Artist Studio Day Nursery Duplex Dwelling Dwelling Unit, Mixed Use Emergency Shelter [...] Retail Single Detached Dwelling Triplex Dwelling
Restricted Uses  Section 10.1.1.1	<del>1. The Maximum Capacity for Residential Care Facility shall be 6 residents.</del>	
Restricted Uses  Section 10.1.1.1	<b>i) Dwelling Unit, Mixed Use: Maximum of 4 permitted on a lot.</b>  <del>2. ii) Maximum Capacity for Emergency Shelter shall be 6 residents.</del>	i) Dwelling Unit, Mixed Use: Maximum of 4 permitted on a lot.  ii) Maximum Capacity for Emergency Shelter shall be 6 residents.
Restricted Uses  Section 10.1.1.1	<del>3. iii) Except as provided for in Section 4., herein, every Emergency Shelter or Residential Care Facility shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Residential Care Facility, Emergency Shelter, Corrections Residence or Correctional Facility.</del>  <b>4. iv) Where the radial separation distance from the lot line of an Emergency Shelter, or Residential Care Facility existing as of the effective date of this By-law, is less than 300 metres to the lot line of</b>	iii) Except as provided for in Section 4., herein, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Emergency Shelter, Corrections Residence or Correctional Facility.  iv) Where the radial separation distance from the lot line of an Emergency Shelter existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence or Correctional Facility, the existing

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<b>Section 10 – Commercial and Mixed Use Zones</b>		
<b>10.1 – Residential Character Commercial (C1) Zone</b>		
<b>10.4 – Mixed Use High Density (C4) Zone</b>		
<b>10.5 – Mixed Use Medium Density (C5) Zone</b>		
<b>10.7 – Arterial Commercial (C7) Zone</b>		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
	any other lot occupied by an existing <del>Residential Care Facility,</del> Emergency Shelter, Corrections Residence or Correctional Facility, the existing <del>Residential Care Facility</del> <b>Emergency Shelter</b> may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.	Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.
SINGLE DETACHED DWELLING AND DUPLEX REGULATIONS  Section 10.1.4	SINGLE DETACHED DWELLING, <del>AND DUPLEX</del> <b>DWELLING AND TRIPLEX DWELLING</b> REGULATIONS	SINGLE DETACHED DWELLING, DUPLEX DWELLING AND TRIPLEX DWELLING REGULATIONS
<b>10.4 – Mixed Use High Density (C4) Zone</b>		
Permitted Uses  Section 10.4.1  [Note: Unmodified portions of permitted use list have been omitted for clarity.]	[...] Craftsperson Shop Day Nursery Dwelling Unit(s), <b>Mixed Use</b> Emergency Shelter Financial Establishment [...]	[...] Craftsperson Shop Day Nursery Dwelling Unit, Mixed Use Emergency Shelter Financial Establishment [...]
Restricted Uses  Section 10.4.1.1 i)	i) Emergency Shelter, <del>Lodging House, Place of Worship, Residential Care Facility, Retirement, and Social Services Establishment:</del>  1. <del>Maximum Capacity for Residential Care Facility shall be 50 residents;</del>	i) Emergency Shelter:  1. Except as provided for in Subsection 2. herein, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Emergency Shelter,

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Section 10 – Commercial and Mixed Use Zones		
10.1 – Residential Character Commercial (C1) Zone		
10.4 – Mixed Use High Density (C4) Zone		
10.5 – Mixed Use Medium Density (C5) Zone		
10.7 – Arterial Commercial (C7) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>		
	<p><del>2.</del> 1. Except as provided for in Subsection <del>3.</del> <b>2.</b> herein, every Emergency Shelter <del>or Residential Care Facility</del> shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or Correctional Facility; and,</p> <p><del>3.</del> <b>2.</b> Where the radial separation distance from the lot line of an Emergency Shelter <del>or Residential Care Facility</del> existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or Correctional Facility, the existing <del>Residential Care Facility</del> <b>Emergency Shelter</b> may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	<p>Corrections Residence or Correctional Facility; and,</p> <p>2. Where the radial separation distance from the lot line of an Emergency Shelter existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>
10.5 – Mixed Use Medium Density (C5) Zone		
Permitted Uses	[...]	[...]
Section 10.5.1	Craftsperson Shop	Craftsperson Shop
	Day Nursery	Day Nursery
	Dwelling Unit(s), <b>Mixed Use</b>	Dwelling Unit, Mixed Use
	Educational Establishment	Educational Establishment
	Emergency Shelter	Emergency Shelter
	Financial Establishment	Financial Establishment
[Note: Unmodified portions of permitted use list have been omitted for clarity.]	[...]	[...]

Section 10 – Commercial and Mixed Use Zones		
10.1 – Residential Character Commercial (C1) Zone 10.4 – Mixed Use High Density (C4) Zone 10.5 – Mixed Use Medium Density (C5) Zone 10.7 – Arterial Commercial (C7) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
Restricted Uses	i) <del>Residential Care Facility and Retirement Home:</del>	i) Emergency Shelter:
Section 10.5.1.1	1. <del>Maximum Capacity for Residential Care Facility is 50 residents.</del>  ii) Emergency Shelter <del>and Residential Care Facility:</del>  1. Except as provided for in Section 2., herein, every Emergency Shelter <del>or Residential Care Facility</del> shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by a <del>Residential Care Facility,</del> Emergency Shelter, Corrections Residence or Correctional Facility; and,  2. Where the radial separation distance from the lot line of an Emergency Shelter, <del>or Residential Care Facility</del> existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing <del>Residential Care Facility,</del> Emergency Shelter, Corrections Residence or Correctional Facility, the existing <del>Residential Care Facility</del> <b>Emergency Shelter</b> may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.	1. Except as provided for in Section 2., herein, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by a Emergency Shelter, Corrections Residence or Correctional Facility; and,  2. Where the radial separation distance from the lot line of an Emergency Shelter existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.
Co-Location of Residential Care Facility and Social	<b>d) Co-Location of Residential Care Facility and Social Services Establishment in the Same Building</b>	d) Co-Location of Residential Care Facility and Social Services Establishment in the Same Building

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<b>Section 10 – Commercial and Mixed Use Zones</b>		
<b>10.1 – Residential Character Commercial (C1) Zone</b> <b>10.4 – Mixed Use High Density (C4) Zone</b> <b>10.5 – Mixed Use Medium Density (C5) Zone</b> <b>10.7 – Arterial Commercial (C7) Zone</b>		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
Services Establishment in the Same Building  Section 10.5.4 d) <b>[New]</b>	<b>Notwithstanding any requirement in the definition of Residential Care Facility in Section 3 of this By-law that such use must be in a fully detached residential building, in the C5 Zone, a Social Services Establishment and Residential Care Facility are permitted to be located in the same building.</b>	Notwithstanding any requirement in the definition of Residential Care Facility in Section 3 of this By-law that such use must be in a fully detached residential building, in the C5 Zone, a Social Services Establishment and Residential Care Facility are permitted to be located in the same building.
<b>10.7 – Arterial Commercial (C7) Zone</b>		
Prohibited Uses  Section 10.7.2	Notwithstanding Section 10.7.1, the following uses are prohibited even as an accessory use:  Dwelling Unit <del>(s)</del> Performing Arts Theatre Cinema	Notwithstanding Section 10.7.1, the following uses are prohibited even as an accessory use:  Dwelling Unit Performing Arts Theatre Cinema

Section 11 – Transit Oriented Corridor Zones		
11.1 – Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone		
11.3 – Transit Oriented Corridor Multiple Residential (TOC3) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
11.1 – Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone		
Permitted Uses  Section 11.1.1  [Note: Unmodified portions of permitted use list have been omitted for clarity.]	[...] Craftsperson Shop Day Nursery Dwelling Unit(s), <b>Mixed Use</b> Educational Establishment Emergency Shelter Financial Establishment [...]	[...] Craftsperson Shop Day Nursery Dwelling Unit, Mixed Use Educational Establishment Emergency Shelter Financial Establishment [...]
Restricted Uses  Section 11.1.1.1	<del>ii) Residential Care Facility:</del>  <del>1. Maximum Capacity for Residential Care Facility is 20 residents.</del>  iii) Emergency Shelter:  1. Maximum Capacity for Emergency Shelter is 50 residents.  <del>iii) Emergency Shelter and Residential Care Facility</del>  1. Except as provided for in Subsection 2, every Emergency Shelter <del>and Residential Care Facility</del> shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an <del>Residential Care Facility</del> , Emergency Shelter, Corrections Residence or Correctional Facility.	ii) Emergency Shelter:  1. Maximum Capacity for Emergency Shelter is 50 residents.  iii) Emergency Shelter  1. Except as provided for in Subsection 2, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Emergency Shelter, Corrections Residence or Correctional Facility.  2. Where the radial separation distance from the lot line of an Emergency Shelter existing on the date of passing of this By-law is less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence, or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number

## Schedule A to Appendix B to Report PED25038

Section 11 – Transit Oriented Corridor Zones		
11.1 – Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone		
11.3 – Transit Oriented Corridor Multiple Residential (TOC3) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added		
	<p>2. Where the radial separation distance from the lot line of an Emergency Shelter <del>or Residential Care Facility</del> existing on the date of passing of this By-law is less than 300 metres to the lot line of any other lot occupied by an existing <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence, or Correctional Facility, <del>either of the existing Residential Care Facility or Emergency Shelter</del> may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	of residents permitted by the Zone in which it is located.
<p>Co-Location of Residential Care Facility and Social Services Establishment in the Same Building</p> <p>Section 11.1.3 k) <b>[New]</b></p>	<p><b>k) Co-Location of Residential Care Facility and Social Services Establishment in the Same Building</b></p> <p><b>Notwithstanding any requirement in the definition of Residential Care Facility in Section 3 of this By-law that such use must be in a fully detached residential building, in the TOC1 Zone, a Social Services Establishment and Residential Care Facility are permitted to be located in the same building.</b></p>	<p>k) Co-Location of Residential Care Facility and Social Services Establishment in the Same Building</p> <p>Notwithstanding any requirement in the definition of Residential Care Facility in Section 3 of this By-law that such use must be in a fully detached residential building, in the TOC1 Zone, a Social Services Establishment and Residential Care Facility are permitted to be located in the same building.</p>
11.3 – Transit Oriented Corridor Multiple Residential (TOC3) Zone		
<p>Restricted Uses</p> <p>Section 11.3.1.1</p>	<p><del>iii) Residential Care Facility and Emergency Shelter:</del></p> <p><del>1. Maximum Capacity for Residential Care Facility is 20 residents.</del></p> <p><del>iii) Emergency Shelter and Residential Care Facility</del></p> <p>1. Except as provided for in Subsection 2, every Emergency Shelter <del>and Residential Care Facility</del> shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot</p>	<p>iii) Emergency Shelter</p> <p>1. Except as provided for in Subsection 2, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Emergency Shelter, Corrections Residence, or Correctional Facility.</p> <p>2. Where the radial separation distance from the lot line of an Emergency Shelter existing on the date of passing of this By-law is</p>

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<b>Section 11 – Transit Oriented Corridor Zones</b>		
<b>11.1 – Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone</b>		
<b>11.3 – Transit Oriented Corridor Multiple Residential (TOC3) Zone</b>		
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>		
	<p>occupied by an <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence, or Correctional Facility.</p> <p>2. Where the radial separation distance from the lot line of an Emergency Shelter <del>or Residential Care Facility</del> existing on the date of passing of this By-law is less than 300 metres to the lot line of any other lot occupied by an existing <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence, or Correctional Facility, <del>either of the existing Residential Care Facility or</del> Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	<p>less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence, or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>

**Authority:** Item  
Report (PED25038) CM:  
Ward: City-wide

**Bill No.**

**CITY OF HAMILTON**

**BY-LAW NO. \_\_\_\_\_**

**To Amend Former City of Hamilton Zoning By-law No. 6593,  
Respecting Modifications to Residential Care Facility Regulations**

**WHEREAS** the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule 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 City of Hamilton” 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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951 (File No. P.F.C. 3821);

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item \_\_\_\_\_ of Report \_\_\_\_\_ of the Planning Committee at its meeting held on the \_\_\_ day of \_\_\_\_\_ 2025, which recommended that Zoning By-law No. 6593, be amended as hereinafter provided;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan, Hamilton-Wentworth Regional Official Plan and City of Hamilton Official Plan;

**To Amend Former City of Hamilton Zoning By-law No. 6593,  
Respecting Modifications to Residential Care Facility Regulations**

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

1. That SECTION 4: PROHIBITED USES be amended as follows:
  - i) By modifying Section 4.(8) by deleting all instances of the words “residential care facilities,” so that it reads:
    - (8) No additional retirement homes, emergency shelters, corrections residence and correctional facilities or expansions of existing retirement homes, emergency shelters, corrections residence or correctional facilities shall be permitted in the areas identified on Schedule “O” of Zoning By-Law No. 6593 – Moratorium Areas for Retirement Homes, Emergency Shelters, Corrections Residence and Correctional Facilities.
2. That SECTION 19B – SPECIAL REQUIREMENTS be amended by deleting all instances of the words “Residential Care Facilities” in Schedule “O” – Moratorium Areas for Residential Care Facilities, Emergency Shelters, Retirement Homes, Correctional Residences and Correctional Facilities.
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*.
4. That this By-law comes into force in accordance with Section 34 of the *Planning Act*.

**PASSED and ENACTED** this \_\_\_ day of \_\_\_\_\_, 2025.

---

A. Horwath  
Mayor

---

M. Trennum  
City Clerk

CI 25-A

**To Amend Former City of Hamilton Zoning By-law No. 6593,  
Respecting Modifications to Residential Care Facility Regulations**

*For Office Use Only, this doesn't appear in the by-law - Clerk's will use this information in the Authority Section of the by-law*

Is this by-law derived from the approval of a Committee Report? Yes

Committee: Planning Committee      Report No.: PED25038      Date: 03/18/2025

Ward: City-wide      (MM/DD/YYYY)

Prepared by: Sebastian Cuming      Phone No: ext. 3904

*For Office Use Only, this doesn't appear in the by-law*

## Summary of Modifications to Zoning By-law No. 05-200

Section 1 - Administration			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
	<del>Grey highlighted strikethrough text = text to be deleted</del>	<b>bolded text = text to be added</b>	
Legal Non-Conforming Uses  Section 1.11	<p>c) The repair or restoration of any existing building, or part thereof, to a safe condition provided that such repair or restoration will not increase the height, area or volume, or site coverage of such building and that the building continues to be used for the same purpose and in the same manner as it was used on the effective date of this By-law;</p> <p>i) In addition to Section 1.11 c), the repair, restoration, or replacement of an existing porch, deck, balcony, unenclosed fire escape, or open stair of an existing Single Detached, Semi-Detached, <del>or Duplex</del>, <b>Street Townhouse, Triplex or Fourplex</b> Dwelling shall be permitted, provided that such repair, restoration, or replacement will not increase the height, area or volume, or site coverage of such structure.</p> <p>d) Swimming pools, hot tubs, and accessory buildings, including but not limited to sheds, garages and gazebos on a lot containing a <del>Single Detached dwelling, Semi-Detached, or Duplex</del>, <b>Street Townhouse, Triplex or Fourplex</b> Dwelling which is prohibited by the</p>	<p>c) The repair or restoration of any existing building, or part thereof, to a safe condition provided that such repair or restoration will not increase the height, area or volume, or site coverage of such building and that the building continues to be used for the same purpose and in the same manner as it was used on the effective date of this By-law;</p> <p>i) In addition to Section 1.11 c), the repair, restoration, or replacement of an existing porch, deck, balcony, unenclosed fire escape, or open stair of an existing Single Detached, Semi-Detached, Duplex, Street Townhouse, Triplex or Fourplex Dwelling shall be permitted, provided that such repair, restoration, or replacement will not increase the height, area or volume, or site coverage of such structure.</p> <p>d) Swimming pools, hot tubs, and accessory buildings, including but not limited to sheds, garages and gazebos on a lot containing a Single Detached, Semi-Detached, Duplex, Street Townhouse, Triplex or Fourplex Dwelling which is prohibited by the</p>	<p>This change extends the legal non-conforming permissions currently applicable to Single Detached Dwellings and Duplex Dwellings to include the full range of Low Density Residential uses, namely Semi-Detached Dwellings, Street Townhouse Dwellings, Triplex Dwellings and Fourplex Dwellings.</p> <p>This change removes barriers to the maintenance and safe use of all Low Density Residential uses until their legal non-conforming status eventually ceases.</p>

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<b>Section 1 - Administration</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>			
	<p>applicable zoning by-law, but which was lawfully used <del>as a single detached or duplex dwelling</del> <b>for such purpose</b> on the date of the passing of this By-law shall be permitted as follows:</p> <p>i) the location and height complies with the applicable provisions of this By-law; and,</p> <p>ii) this exemption shall not apply to the Open Space and Parks Classification Zones; or,</p> <p>e) In accordance with Subsection 34(10) of the Planning Act, R.S.O., 1990 c.P. 13, as amended, the addition of any porch, deck, balcony, unclosed fire escape or open stair to a <del>Single Detached, Semi-Detached, or Duplex, Street Townhouse, Triplex or Fourplex Dwelling</del> <b>which is prohibited by this By-law, but which was lawfully used as single detached or duplex dwelling for such purpose</b> on the date of the passing of the By-law, shall <b>be</b> permitted as follows:</p>	<p>applicable zoning by-law, but which was lawfully used for such purpose on the date of the passing of this By-law shall be permitted as follows:</p> <p>i) the location and height complies with the applicable provisions of this By-law; and,</p> <p>ii) this exemption shall not apply to the Open Space and Parks Classification Zones; or,</p> <p>e) In accordance with Subsection 34(10) of the Planning Act, R.S.O., 1990 c.P. 13, as amended, the addition of any porch, deck, balcony, unclosed fire escape or open stair to a Single Detached, Semi-Detached, Duplex, Street Townhouse, Triplex or Fourplex Dwelling which is prohibited by this By-law, but which was lawfully used for such purpose on the date of the passing of the By-law, shall be permitted as follows:</p>	
<p>Transition Provisions</p> <p>Section 1.12.1</p>	<ol style="list-style-type: none"> <li>1. Commercial and Mixed Use Zoning By-law 17-240, November 8, 2017</li> <li>2. Downtown Zoning By-law 18-114, May 9, 2018</li> <li>3. Residential Zones               <ol style="list-style-type: none"> <li>a. Low Density Residential By-law 22-</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>1. Commercial and Mixed Use Zoning By-law 17-240, November 8, 2017</li> <li>2. Downtown Zoning By-law 18-114, May 9, 2018</li> <li>3. Residential Zones</li> </ol>	<p>This amendment is proposed to be added to the list of By-laws subject to the transition provision providing benefit to developments where a complete application for a building</p>

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<b>Section 1 - Administration</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
	<del>197, August 12, 2022</del> b. Low Density Residential By-law 24-051 c. <b>Low Density Residential By-law 25-XXX</b>	a. Low Density Residential By-law 22-197, August 12, 2022 b. Low Density Residential By-law 24-051 c. Low Density Residential By-law 25-XXX	permit has been received. This allows for the continuation of certain approvals obtained prior to the passing of the amending By-law to support the issuance of a building permit.

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<b>Section 3 - Definitions</b>			
<b>Definition</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>			
<p>Multiple Dwelling Townhouse <b>[New]</b></p>	<p><b>shall mean:</b></p> <p>i) <b>one separate building containing five or more dwelling units; or,</b></p> <p>ii) <b>two or more separate buildings containing three or more dwelling units each which form one comprehensive development containing a total of five or more dwelling units;</b></p> <p><b>And,</b></p> <p>i) <b>Dwelling units are divided by common walls preventing internal access between units;</b></p> <p>ii) <b>Each dwelling unit has at least one exclusive exterior pedestrian access;</b></p> <p>iii) <b>Dwelling Units within a Multiple Dwelling Townhouse may have shared amenity area(s), parking area(s) and common vehicular access to a street, such as a condominium road.</b></p> <p>iv) <b>A Multiple Dwelling Townhouse shall include a block townhouse, a stacked</b></p>	<p>shall mean:</p> <p>i) one separate building containing five or more dwelling units; or,</p> <p>ii) two or more separate buildings containing three or more dwelling units each which form one comprehensive development containing a total of five or more dwelling units;</p> <p>And,</p> <p>i) Dwelling units are divided by common walls preventing internal access between units;</p> <p>ii) Each dwelling unit has at least one exclusive exterior pedestrian access;</p> <p>iii) Dwelling Units within a Multiple Dwelling Townhouse may have shared amenity area(s), parking area(s) and common vehicular access to a street, such as a condominium road.</p> <p>iv) A Multiple Dwelling Townhouse shall include a block townhouse, a stacked townhouse, a back-to-back townhouse, a stacked back-to-back</p>	<p>The new Multiple Dwelling Townhouse definition is intended to be inclusive of all townhouse forms constituting a Multiple Dwelling as defined in the Urban Hamilton Official Plan. Specific townhouse forms would be required or restricted through regulations in the relevant zone and/or special exception as appropriate.</p> <p>The definition describes elements of form rather than elements of tenure or land ownership so that zoning regulations can be applied to townhouse developments more consistently and completely. For example, townhouse developments consisting of parcels of tied land fronting a common element condominium, townhouses forming a standard condominium, and rental townhouses all located on one lot would all be classified as the same use for zoning purposes and would all be regulated in the same way.</p> <p>The Multiple Dwelling Townhouse definition operates in conjunction with the proposed amendments to the definition of "Lot" and to Section 4.3 b) also proposed herein.</p>

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<b>Section 3 - Definitions</b>			
<b>Definition</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>			
	<p><b>townhouse, a back-to-back townhouse, a stacked back-to-back townhouse, a maisonette, and a townhouse development comprising townhouse units on parcels of tied land, except as restricted in this By-law.</b></p>	<p>townhouse, a maisonette, and a townhouse development comprising townhouse units on parcels of tied land, except as restricted in this By-law.</p>	
Lot	<p>Shall mean a parcel of land which can be legally conveyed pursuant to the provisions of the <u>Planning Act</u>, <b>except in relation to a Multiple Dwelling Townhouse comprising townhouse units on parcels of tied land, where, in such case, lot shall mean the cumulative parcels of land comprising the parcels of tied land and common element condominium lands tied thereto.</b></p>	<p>Shall mean a parcel of land which can be legally conveyed pursuant to the provisions of the <u>Planning Act</u>, except in relation to a Multiple Dwelling Townhouse comprising townhouse units on parcels of tied land, where, in such case, lot shall mean the cumulative parcels of land comprising the parcels of tied land and common element condominium lands tied thereto.</p>	<p>In conjunction with the proposed Multiple Dwelling Townhouse definition, this addition to the definition of lot results in townhouse developments comprising parcels of tied land and associated common elements being treated as one lot. Many zoning regulations operate using lot lines and lot area. Without this adjustment, each parcel of tied land would constitute its own lot, as it is a parcel of land which can be legally conveyed under the Planning Act, and this would prevent consistent application of zoning regulations to townhouse developments comprising parcels of tied land, compared to other townhouse developments.</p>
Street Townhouse Dwelling	<p>shall mean a building divided vertically into three or more dwelling units, by common walls which prevent internal access between units and extend from the base of the foundation to the roof line and for a horizontal distance of not less than 35 percent of the horizontal depth of the building but shall not include a <del>maisonette</del> <b>Multiple Dwelling Townhouse</b>. Each townhouse shall be designed</p>	<p>shall mean a building divided vertically into three or more dwelling units, by common walls which prevent internal access between units and extend from the base of the foundation to the roof line and for a horizontal distance of not less than 35 percent of the horizontal depth of the building but shall not include a Multiple Dwelling Townhouse. Each townhouse shall be</p>	<p>The amended definition of Street Townhouse Dwelling restricts the use to street frontage only. This aligns the use with Low Density Residential uses of the "Neighbourhoods" Designation in Volume 1 of the Urban Hamilton Official Plan, and clearly distinguishes the use from the newly proposed Multiple Dwelling Townhouse use, which is</p>

## Appendix D to Report PED25038

Section 3 - Definitions			
Definition	Proposed Change	Proposed Revised Zone Regulation	Rationale
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added			
	to be on a separate lot having <del>direct</del> access to and frontage on a street, <del>laneway or common condominium driveway.</del>	designed to be on a separate lot having direct access to and frontage on a street.	intended to capture townhouse forms constituting Multiple Dwellings under the Urban Hamilton Official Plan.
Unit Width [New]	<b>shall mean the horizontal distance between the common side wall of a building unit measured to the common side wall or exterior side wall opposite.</b>	shall mean the horizontal distance between the common side wall of a building unit measured to the common side wall or exterior side wall opposite.	This new definition is intended to aid in the regulation of townhouse uses by providing a consistent methodology for measuring the width of a unit.

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<b>Section 4 – General Provisions</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>			
Frontage on a Street  Section 4.3 b)	<p>Where a building or lot is legally tied to a common element condominium which has frontage on a common element road that provides direct access to a street and is registered under the Condominium Act, such driveway shall be deemed to also be a street for purposes of applying the provisions of this By-law.</p> <p>i)      <b>Section 4.3 b) above shall not apply to a Street Townhouse Dwelling where, in such case, any townhouse unit must have individual frontage on a public street, pursuant to the definition of Street Townhouse Dwelling in Section 3 of this By-law; and,</b></p> <p>ii)      <b>Section 4.3 b) above shall not apply to a Multiple Dwelling Townhouse comprising townhouse units on parcels of tied land where, in such case, any common element condominium road or driveway upon which townhouse units front shall be deemed to be a part of the lot, rather than a public street, pursuant to the definition of Lot in Section 3 of this By-law.</b></p>	<p>Where a building or lot is legally tied to a common element condominium which has frontage on a common element road that provides direct access to a street and is registered under the Condominium Act, such driveway shall be deemed to also be a street for purposes of applying the provisions of this By-law.</p> <p>i)      Section 4.3 b) above shall not apply to a Street Townhouse Dwelling where, in such case, any townhouse unit must have individual frontage on a public street, pursuant to the definition of Street Townhouse Dwelling in Section 3 of this By-law; and,</p> <p>ii)      Section 4.3 b) above shall not apply to a Multiple Dwelling Townhouse comprising townhouse units on parcels of tied land where in such case, any common element condominium road or driveway upon which townhouse units front shall be deemed to be a part of the lot, rather than a public street, pursuant to the definition of Lot in Section 3 of this By-law.</p>	<p>Section 4.3 a) of the By-law requires that any building be located on a lot abutting a street for a minimum of 4.5 metres. Section 4.3 b) allows for common element condominium roads to substitute as street frontage for parcels of tied land fronting onto such roads for all uses. This has had the effect that a “Street Townhouse Dwelling” use captures townhouses fronting onto public streets, which are not Multiple Dwellings under the Urban Hamilton Official Plan, and townhouses fronting onto condominium roads, which are Multiple Dwellings under the Urban Hamilton Official Plan. This new regulation operates in conjunction with the definition changes to differentiate townhouse uses between those which are and are not Multiple Dwellings under the Urban Hamilton Official Plan, and thereby improve the Zoning By-law’s alignment with and ability to clearly and consistently implement the Urban Hamilton Official Plan.</p>
Number of Dwellings per Lot	Unless otherwise provided for in this By-law, in any zone where a <del>Single Detached Dwelling,</del>	Unless otherwise provided for in this By-law, in any zone where a Single Detached Dwelling,	This change adds Triplex Dwellings and Fourplex Dwellings to the other Low

## Appendix D to Report PED25038

<b>Section 4 – General Provisions</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added			
Section 4.5 a)	<del>Semi-Detached Dwelling, or Duplex Dwelling, or Duplex Dwelling, or Duplex Dwelling</del> , <b>Triplex Dwelling or Fourplex Dwelling</b> is permitted, no more than one such dwelling shall be erected on a lot.	Semi-Detached Dwelling, Duplex Dwelling, Triplex Dwelling or Fourplex Dwelling is permitted, no more than one such dwelling shall be erected on a lot.	Density Residential uses which must be located on their own individual lot, which ensures appropriate development of these uses.
Buildings Accessory to Residential Uses  Section 4.8.1.3	BUILDINGS ACCESSORY TO MULTIPLE DWELLINGS, <del>DWELLING UNITS</del> <b>MULTIPLE DWELLING TOWNHOUSES</b> , RETIREMENT HOMES, LODGING HOUSES, AND RESIDENTIAL CARE FACILITIES IN ALL ZONES	BUILDINGS ACCESSORY TO MULTIPLE DWELLINGS, MULTIPLE DWELLING TOWNHOUSES, RETIREMENT HOMES, LODGING HOUSES, AND RESIDENTIAL CARE FACILITIES IN ALL ZONES	Introduced to align accessory building regulations for Multiple Dwelling Townhouses with those currently applying to Multiple Dwellings. "Dwelling Units" is to be removed as it is not intended to operate as a use within the By-law.
Home Business  Section 4.21 c)	Home Businesses permitted in Duplex Dwellings, <del>Dwelling Unit(s)</del> <b>Triplex Dwellings, Fourplex Dwellings, Multiple Dwellings, Multiple Dwelling Townhouses</b> and Street Townhouses <b>Dwellings</b> :	Home Businesses permitted in Duplex Dwellings, Triplex Dwellings, Fourplex Dwellings, Multiple Dwellings, Multiple Dwelling Townhouses and Street Townhouse Dwellings:	Triplex Dwellings and Fourplex Dwellings are added to clarify that the following uses are permitted therein. Multiple Dwelling Townhouses are added to align with Home Business permissions for Multiple Dwellings. "Dwelling Unit(s)" is removed to clarify that this is not intended as a use in the By-law.
Home Business  Section 4.21 d)	Regulations for Home Businesses in Duplex Dwellings, <del>Dwelling Unit(s)</del> , Triplex Dwellings, Fourplex Dwellings, Multiple Dwellings, <b>Multiple Dwelling Townhouses</b> and Street Townhouse Dwellings:	Regulations for Home Businesses in Duplex Dwellings, Triplex Dwellings, Fourplex Dwellings, Multiple Dwellings, Multiple Dwelling Townhouses and Street Townhouse Dwellings:	Multiple Dwelling Townhouses are added to align with Home Business regulations for Multiple Dwellings. "Dwelling Unit(s)" is removed to clarify that this is not intended as a use in the By-law.
Additional Dwelling Unit and Additional Dwelling Unit – Detached  Section 4.33 b)	A Single Detached Dwelling, Duplex Dwelling, or Triplex Dwelling built in conformity with this By-law, may be converted to contain a fourth Additional Dwelling Unit, <b>provided that the principal residential building is not located within any Rural Zone or Open Space and Park Zone.</b>	A Single Detached Dwelling, Duplex Dwelling, or Triplex Dwelling built in conformity with this By-law, may be converted to contain a fourth Additional Dwelling Unit, provided that the principal residential building is not located within any Rural Zone or Open Space and Park Zone.	This change clarifies that the principal use must be located in a Zone other than a Rural or Open Space and Park Zone. Permission for up to four dwelling units is intended for detached Low Density Residential uses on lots which are in the Urban Area.

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<b>Section 4 – General Provisions</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>			
Additional Dwelling Unit  Section 4.33.1 a)	<b>Excluding any Rural Zone or Open Space and Park Zone,</b> Additional Dwelling Units shall be permitted in accordance with the following:	Excluding any Rural Zone or Open Space and Park Zone, Additional Dwelling Units shall be permitted in accordance with the following:	This clarifies that the principal use must be located in a Zone other than a Rural or Open Space and Park Zone in order to have permission for Additional Dwelling Units. The exclusion of Rural and Open Space and Park Zones ensures these permissions only apply in the Urban Area.
Additional Dwelling Unit – Detached  Section 4.33.2 a)	<b>Excluding any Rural Zone or Open Space and Park Zone,</b> <del>a</del> maximum of one Additional Dwelling Unit – Detached shall be permitted on a lot containing a Single Detached Dwelling, Duplex Dwelling, Semi-Detached Dwelling, Street Townhouse Dwelling, or a Triplex Dwelling.	Excluding any Rural Zone or Open Space and Park Zone, a maximum of one Additional Dwelling Unit – Detached shall be permitted on a lot containing a Single Detached Dwelling, Duplex Dwelling, Semi-Detached Dwelling, Street Townhouse Dwelling, or a Triplex Dwelling.	This additional text clarifies that Section 4.33.2 provides permissions and regulations for detached additional dwelling units in the Urban Area.
Section 4.33.3 a)	ADDITIONAL DWELLING UNITS IN AGRICULTURE (A1), RURAL (A2), <del>AND SETTLEMENT RESIDENTIAL (S1),</del> <b>AND CONSERVATION LAND RURAL (P6) ZONES</b>  <b>For lands within an A1, A2, S1, or P6 Zone,</b> <del>a</del> maximum of one Additional Dwelling Unit shall <del>only be permitted on lands within a Agriculture (A1), Rural (A2) or Settlement Residential (S1) Zone</del> and shall only be permitted on a lot that is greater than 0.6 ha in size.	ADDITIONAL DWELLING UNITS IN AGRICULTURE (A1), RURAL (A2), SETTLEMENT RESIDENTIAL (S1), AND CONSERVATION LAND RURAL (P6) ZONES  For lands within an A1, A2, S1, or P6 Zone, a maximum of one Additional Dwelling Unit shall be permitted and shall only be permitted on a lot that is greater than 0.6 ha in size.	This change adds the Conservation Land Rural (P6) Zone to the section containing standards for Additional Dwelling Units in Rural Zones. The Conservation Land Rural (P6) Zone permits Single Detached Dwellings and accessory uses.

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<b>Section 4 – General Provisions</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>			
Section 4.36 <b>[New]</b>	<p><b>UNDERTAKINGS OF POST-SECONDARY INSTITUTIONS</b></p> <p>Pursuant to Section 62.0.2 of the <u>Planning Act</u>, on any lands outside of the Greenbelt Area, as defined in the <u>Greenbelt Act</u>, as amended, any undertaking of a post-secondary institution for the objects of the institution is not subject to the <u>Planning Act</u>. Accordingly, on any lands outside of the Greenbelt Area, zoning shall have no effect on an undertaking that has satisfied the requirement that it is for the objects of the institution, in accordance with the Panning Act, in which case, zoning is provided for information purposes only.</p>	<p>UNDERTAKINGS OF POST-SECONDARY INSTITUTIONS</p> <p>Pursuant to Section 62.0.2 of the <u>Planning Act</u>, on any lands outside of the Greenbelt Area, as defined in the <u>Greenbelt Act</u>, as amended, any undertaking of a post-secondary institution for the objects of the institution is not subject to the <u>Planning Act</u>. Accordingly, on any lands outside of the Greenbelt Area, zoning shall have no effect on an undertaking that has satisfied the requirement that it is for the objects of the institution, in accordance with the Panning Act, in which case, zoning is provided for information purposes only.</p>	<p>On June 6, 2024, Bill 185, <i>Cutting Red Tape to Build More Homes Act, 2024</i> received Royal Assent and included an amendment to the <i>Planning Act</i> which exempts undertakings of a post-secondary institution for objects of the institution from the <i>Planning Act</i>, except if located within the Greenbelt Area. To reflect this and provide clarity, a new regulation is proposed to be added to Zoning By-law No. 05-200 stating that, in the case of such undertakings, zoning has no effect and is provided for informational purposes only.</p>

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<b>Section 5 – Parking</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>			
<p>Minimum Required Parking Rate Schedule</p> <p>Section 5.7.1 a) i)</p>	<p>Multiple Dwelling; <b>Multiple Dwelling Townhouse;</b> Dwelling Unit, Mixed Use, where the total number of such units is 5 or greater</p> <p>a) In PRA 1, no parking spaces are required for residents, and,</p> <p style="padding-left: 40px;"><b>i) within a Downtown Zone, where there are more than 12 dwelling units, 2 visitor parking spaces, plus 0.05 visitor parking spaces are required per unit; or,</b></p> <p style="padding-left: 40px;"><b>ii) within any other Zone, 2 visitor parking spaces, plus 0.05 visitor parking spaces are required per unit.</b></p> <p>b) In PRA 2, 0.5 spaces per unit for residents, plus 0.15 visitor parking spaces per unit.</p> <p>c) In PRA 3, and,</p> <p style="padding-left: 40px;"><b>i) within a C5, C5a or TOC Zone, 0.5 spaces per unit for residents, plus 0.15 visitor parking spaces per unit, or,</b></p> <p style="padding-left: 40px;"><b>ii) within any other Zone, 0.85 spaces per unit for residents, plus 0.25 visitor</b></p>	<p>Multiple Dwelling; Multiple Dwelling Townhouse; Dwelling Unit, Mixed Use, where the total number of such units is 5 or greater</p> <p>a) In PRA 1, no parking spaces are required for residents, and,</p> <p style="padding-left: 40px;">i) within a Downtown Zone, where there are more than 12 dwelling units, 2 visitor parking spaces, plus 0.05 visitor parking spaces are required per unit; or,</p> <p style="padding-left: 40px;">ii) within any other Zone, 2 visitor parking spaces, plus 0.05 visitor parking spaces are required per unit.</p> <p>b) In PRA 2, 0.5 spaces per unit for residents, plus 0.15 visitor parking spaces per unit.</p> <p>c) In PRA 3, and,</p> <p style="padding-left: 40px;">i) within a C5, C5a or TOC Zone, 0.5 spaces per unit for residents, plus 0.15 visitor parking spaces per unit, or,</p> <p style="padding-left: 40px;">ii) within any other Zone, 0.85 spaces per unit for residents, plus 0.25 visitor parking spaces per unit.</p>	<p>Multiple Dwelling Townhouse, which captures all townhouse forms deemed Multiple Dwellings under the Urban Hamilton Official Plan, shall be subject to the same minimum parking rates as a Multiple Dwelling for consistency.</p> <p>The requirement for visitor parking applicable to Multiple Dwellings and equivalent uses in the Downtown Zones is proposed to be amended so that the requirement only applies where there are 13 or more dwelling units. Prior to the enactment of By-law 24-052 which replaced Section 5 of Zoning By-law No. 05-200, no parking spaces of any kind were required for uses containing 12 dwelling units or less in Downtown Zones. This change reinstates the former threshold and corrects the unintended increase in parking requirement.</p> <p>The parking requirement for residents and visitors is proposed to be reduced for Multiple Dwellings and equivalent uses located in Parking Rate Area 3 and within a C5, C5a, or Transit Oriented Corridor Zone. The proposed rate is the same which applies in</p>

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<b>Section 5 – Parking</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text</b> = text to be added</p>			
	<p>parking spaces per unit.</p> <p>d) In all other areas, 1 space per unit for residents, plus 0.3 visitor parking spaces per unit.</p>	<p>d) In all other areas, 1 space per unit for residents, plus 0.3 visitor parking spaces per unit.</p>	<p>Parking Rate Area 2. Prior to the enactment of By-law 24-052, replacing Section 5 of Zoning By-law No. 05-200, Multiple Dwelling and equivalent uses were subject to a lower parking rate when located in a C5, C5a, or Transit Oriented Corridor Zone. This proposed reduction in parking rate will make the parking requirement comparable to what was required prior to By-law 24-052, which is appropriate since these Zones are in proximity to transit and intended to accommodate residential intensification.</p>
<p>Minimum Accessible Parking Rate Schedule</p> <p>Section 5.7.3 c) ii) i)</p>	<p>Dwelling Unit, Mixed Use; Multiple Dwelling; <b>Multiple Dwelling Townhouse</b></p>	<p>Dwelling Unit, Mixed Use; Multiple Dwelling; Multiple Dwelling Townhouse</p>	<p>Multiple Dwelling Townhouse, which captures all townhouse forms deemed Multiple Dwellings under the Urban Hamilton Official Plan, shall be subject to the same minimum accessible parking rates as a Multiple Dwelling for consistency.</p>

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<b>Section 6 – Downtown Zones</b>			
<b>6.1 – Downtown Central Business District (D1) Zone</b>			
<b>6.2 – Downtown Mixed Use – Pedestrian Focus (D2) Zone</b>			
<b>6.3 – Downtown Mixed Use (D3) Zone</b>			
<b>6.5 – Downtown Residential (D5) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text</b> = text to be added</p>			
<b>6.1 – Downtown Central Business District (D1) Zone</b>			
Permitted Uses  Section 6.1.1  [Note: Unmodified portions of permitted use list have been omitted for clarity.]	[...] Day Nursery <del>Duplex Dwelling</del> Dwelling Unit(s), <b>Mixed Use</b> Educational Establishment Exhibition Facility [...]	[...] Day Nursery Dwelling Unit, Mixed Use Educational Establishment Exhibition Facility [...]	“Duplex Dwelling” is to be removed from the permitted uses since its inclusion only intends permission for conversion from a Single Detached Dwelling to a Duplex Dwelling. This is redundant since Additional Dwelling Unit permissions facilitate such conversion.  “Dwelling Unit(s)” is to be replaced with “Dwelling Unit, Mixed Use” to clarify the intended use of a Dwelling Unit in conjunction with a non-residential use.
Restricted Uses  Section 6.1.1.1.4	<del>Duplex Dwelling</del>  <del>A Duplex Dwelling shall only be permitted as a result of the conversion of an existing Single Detached Dwelling.</del>		Additional Dwelling Unit permissions in Section 4.33 permit Additional Dwelling Units within a Single Detached Dwelling which renders both the use permission and restriction for a Duplex Dwelling redundant.
<b>6.2 – Downtown Mixed Use – Pedestrian Focus (D2) Zone</b>			
Permitted Uses  Section 6.2.1  [Note: Unmodified portions of permitted use list have been omitted for clarity.]	[...] Day Nursery Dwelling Unit(s), <b>Mixed Use</b> Educational Establishment Financial Establishment Hotel Laboratory Lodging House Medical Clinic	[...] Day Nursery Dwelling Unit, Mixed Use Educational Establishment Financial Establishment Hotel Laboratory Lodging House Medical Clinic	“Dwelling Unit(s)” is to be replaced with “Dwelling Unit, Mixed Use” to clarify the intended use of a Dwelling Unit in conjunction with a non-residential use.  “Multiple Dwelling” is to be deleted to clarify that Dwelling Units are only permitted in conjunction with a non-residential use. The Pedestrian Focus Streets policies of the Urban Hamilton Official Plan,

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<b>Section 6 – Downtown Zones</b>			
<b>6.1 – Downtown Central Business District (D1) Zone</b>			
<b>6.2 – Downtown Mixed Use – Pedestrian Focus (D2) Zone</b>			
<b>6.3 – Downtown Mixed Use (D3) Zone</b>			
<b>6.5 – Downtown Residential (D5) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added	
	Microbrewery <del>Multiple Dwelling</del> Office [...]	Microbrewery Office [...]	which this Zone implements, restrict the use of the ground floor of a building to commercial uses only (See Volume 1, Policy E.4.3.3 d)). Consequently, any dwelling unit must be co-located in the same building as a non-residential use, and a stand-alone residential building is not permitted.
Restricted Uses  Section 6.2.1.1	i) In addition to Section 6.2.1, the following uses shall only be permitted in accordance with Section 6.2.3 and the following additional restrictions:  1. Day Nursery Dwelling Unit(s), <b>Mixed Use</b> <del>Multiple Dwelling</del> Place of Worship  A. Shall not be permitted within the ground floor, except for access, accessory office and utility areas.	i) In addition to Section 6.2.1, the following uses shall only be permitted in accordance with Section 6.2.3 and the following additional restrictions:  1. Day Nursery Dwelling Unit, Mixed Use Place of Worship  A. Shall not be permitted within the ground floor, except for access, accessory office and utility areas.	“Dwelling Unit(s)” is to be replaced with “Dwelling Unit, Mixed Use” to clarify the intended use of a Dwelling Unit in conjunction with a non-residential use.  “Multiple Dwelling” is to be deleted to clarify that Dwelling Units are only permitted in conjunction with a non-residential use.
<b>6.3 – Downtown Mixed Use (D3) Zone</b>			
Permitted Uses  Section 6.3.1  [Note: Unmodified portions of permitted	[...] Day Nursery Dwelling Unit(s), <b>Mixed Use</b> Educational Establishment Emergency Shelter Financial Establishment	[...] Day Nursery Dwelling Unit, Mixed Use Educational Establishment Emergency Shelter Financial Establishment	“Dwelling Unit(s)” is to be replaced with “Dwelling Unit, Mixed Use” to clarify the intended use of a Dwelling Unit in conjunction with a non-residential use.

Section 6 – Downtown Zones			
6.1 – Downtown Central Business District (D1) Zone			
6.2 – Downtown Mixed Use – Pedestrian Focus (D2) Zone			
6.3 – Downtown Mixed Use (D3) Zone			
6.5 – Downtown Residential (D5) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>			
use list have been omitted for clarity.]	[...]	[...]	
<p>Location of Emergency Shelter and Residential Care Facility</p> <p>Section 6.3.3 h)</p>	<p>h) Location of Emergency Shelter <del>and Residential Care Facility</del></p> <p>i) Except as provided for in Subsection ii), herein, every Emergency Shelter <del>and Residential Care Facility</del> shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or Correctional Facility.</p> <p>ii) Where the radial separation distance from the lot line of an Emergency Shelter <del>or Residential Care Facility</del> existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or Correctional Facility, <del>either of the existing Residential Care</del></p>	<p>h) Location of Emergency Shelter</p> <p>i) Except as provided for in Subsection ii), herein, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Emergency Shelter, Corrections Residence or Correctional Facility.</p> <p>ii) Where the radial separation distance from the lot line of an Emergency Shelter existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to accommodate not more than the</p>	<p>Eliminating the radial separation distance requirement and moratorium area applicable to Residential Care Facilities implements the recommendations of Reports PED19091 and PED19091(a) as well as the most recent standards established through the first two phases of Low Density Residential Zones (Report PED22154 in 2022 and Report PED22154(a) in 2024), and is consistent with Urban Hamilton Official Plan Policies which encourage a range of residential uses including housing with supports throughout the Urban Area.</p>

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<b>Section 6 – Downtown Zones</b>			
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<b>6.2 – Downtown Mixed Use – Pedestrian Focus (D2) Zone</b>			
<b>6.3 – Downtown Mixed Use (D3) Zone</b>			
<b>6.5 – Downtown Residential (D5) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>			
	<p>Facility or Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p> <p>iii) Notwithstanding Subsection 6.3.1, within the lands bounded by Queen Street, Hunter Street, James Street and Main Street, no new <del>Residential Care Facility</del> or Emergency Shelter shall be permitted.</p>	<p>permitted number of residents permitted by the Zone in which it is located.</p> <p>iii) Notwithstanding Subsection 6.3.1, within the lands bounded by Queen Street, Hunter Street, James Street and Main Street, no new Emergency Shelter shall be permitted.</p>	
<p>Maximum Capacity for Residential Care Facility</p> <p>Section 6.3.3 j)</p>	<p><del>j) Maximum Capacity for Residential Care Facility</del></p> <p><del>Shall not exceed 20 residents.</del></p>		<p>Eliminating the capacity restriction for Residential Care Facilities provides flexibility and increases availability of options for residents requiring supports throughout the Urban Area.</p>
<p>Home Business Regulations</p> <p>Section 6.3.3 k)</p>	<p><del>k) Home Business Regulations</del></p> <p><del>In accordance with the requirements of Section 4.21 of this By-law.</del></p>		<p>Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.</p>
<p>Accessory Buildings</p> <p>Section 6.3.3 l)</p>	<p><del>l) Accessory Buildings</del></p> <p><del>In accordance with the requirements of Section 4.8.1 of this By-law.</del></p>		<p>Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.</p>

Section 6 – Downtown Zones			
6.1 – Downtown Central Business District (D1) Zone			
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6.3 – Downtown Mixed Use (D3) Zone			
6.5 – Downtown Residential (D5) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
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Sections 6.3.3 m) and n) are to be renumbered Sections 6.3.3 j) and k) respectively.			
6.5 – Downtown Residential (D5) Zone			
Permitted Uses  Section 6.5.1  [Note: Unmodified portions of permitted use list have been omitted for clarity.]	Artist Studio Community Garden Commercial School Day Nursery Duplex Dwelling Dwelling Unit, <b>Mixed Use</b> Educational Establishment Emergency Shelter <b>Fourplex Dwelling</b> Lodging House Long Term Care Facility Multiple Dwelling <b>Multiple Dwelling Townhouse</b> Office Personal Service Place of Worship Repair Service Residential Care Facility Restaurant Retail Retirement Home Semi-Detached Dwelling Single Detached Dwelling Social Services Establishment	Artist Studio Community Garden Commercial School Day Nursery Duplex Dwelling Dwelling Unit, Mixed Use Educational Establishment Emergency Shelter Fourplex Dwelling Lodging House Long Term Care Facility Multiple Dwelling Multiple Dwelling Townhouse Office Personal Service Place of Worship Repair Service Residential Care Facility Restaurant Retail Retirement Home Semi-Detached Dwelling Single Detached Dwelling Social Services Establishment	The newly defined Multiple Dwelling Townhouse is to be added to the Downtown Residential (D5) Zone to implement the objective of the Downtown Secondary Plan to provide and promote a full range of housing forms in the Downtown (See Urban Hamilton Official Plan Volume 2, Policy B.6.1.4.10).  “Dwelling Unit” is to be replaced with “Dwelling Unit, Mixed Use” to clarify the intended use of a Dwelling Unit in conjunction with a non-residential use.  Triplex Dwelling and Fourplex Dwelling uses are both to be added to the permitted uses. This resolves a gap in use permissions which arose when a Multiple Dwelling use was redefined from containing three units or more to five units or more. This implements the objective of the Downtown Secondary Plan to provide and promote a full range of housing forms in the Downtown (See Urban Hamilton Official Plan Volume 2, Policy B.6.1.4.10).

<b>Section 6 – Downtown Zones</b>			
<b>6.1 – Downtown Central Business District (D1) Zone</b>			
<b>6.2 – Downtown Mixed Use – Pedestrian Focus (D2) Zone</b>			
<b>6.3 – Downtown Mixed Use (D3) Zone</b>			
<b>6.5 – Downtown Residential (D5) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>			
	Street Townhouse Dwelling Tradesperson Shop <b>Triplex Dwelling</b>	Street Townhouse Dwelling Tradesperson Shop Triplex Dwelling	
Single Detached Dwelling and Duplex Dwelling Regulations  Section 6.5.3.1	<del>SINGLE DETACHED DWELLING, AND</del> DUPLEX DWELLING, <b>TRIPLEX DWELLING AND FOURPLEX DWELLING</b> REGULATIONS	SINGLE DETACHED DWELLING, DUPLEX DWELLING, TRIPLEX DWELLING AND FOURPLEX DWELLING REGULATIONS	The regulations and performance standards currently applicable to Single Detached Dwellings and Duplex Dwellings are to be applied to Triplex and Fourplex Dwellings. These standards were developed specifically for detached Low Density Residential buildings in the Downtown Secondary Plan and remain appropriate.
Multiple Dwelling Townhouse Regulations  Section 6.5.3.4 <b>[New]</b>  <b>[Note: The existing Section 6.5.3.4 is to be renumbered to 6.5.3.5 per below]</b>	<b>6.5.3.4 MULTIPLE DWELLING TOWNHOUSE REGULATIONS</b>  <b>a) Minimum Lot Area</b>  <b>300.0 square metres;</b>  <b>b) Minimum Lot Width</b>  <b>12.0 metres;</b>  <b>c) Minimum Unit Width</b>  <b>5.5 metres;</b>  <b>d) Maximum Front Yard</b>	6.5.3.4 MULTIPLE DWELLING TOWNHOUSE REGULATIONS  a) Minimum Lot Area  300.0 square metres;  b) Minimum Lot Width  12.0 metres;  c) Minimum Unit Width  5.5 metres;  d) Maximum Front Yard	The performance standards proposed for Multiple Dwelling Townhouses are a combination of existing D5 Zone standards applicable to Street Townhouse Dwellings and Multiple Dwellings, supplemented by several new regulations specific to Multiple Dwelling Townhouses. The next phase of the Residential Zones Project, Mid Rise Residential Zones, will establish new Zones which permit townhouse forms and will establish more specific performance standards for such uses. The Multiple Dwelling Townhouse performance standards proposed for the Downtown Residential (D5) Zone are not intended to conflict with these performance standards and may be revisited. However, the standards in the Downtown Residential (D5) Zone may retain different

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<b>6.1 – Downtown Central Business District (D1) Zone</b>			
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<b>6.3 – Downtown Mixed Use (D3) Zone</b>			
<b>6.5 – Downtown Residential (D5) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<del>Grey highlighted strikethrough text = text to be deleted</del>		<b>bolded text = text to be added</b>	
	<p><b>3.0 metres;</b></p> <p><b>e) Minimum Side Yard</b></p> <p><b>1.2 metres;</b></p> <p><b>f) Flankage Yard</b></p> <p><b>i) Minimum 3.0 metres; and,</b></p> <p><b>ii) Maximum 4.5 metres;</b></p> <p><b>g) Minimum Rear Yard</b></p> <p><b>7.5 metres</b></p> <p><b>h) Minimum Separation Distance</b></p> <p><b>i) Between two exterior walls which contain no windows to a habitable room, a minimum of 3.0 metres; and</b></p> <p><b>ii) Between two exterior walls at least one of which contain windows to a habitable room, a minimum of 12.0 metres;</b></p>	<p>3.0 metres;</p> <p>e) Minimum Side Yard</p> <p>1.2 metres;</p> <p>f) Flankage Yard</p> <p>i) Minimum 3.0 metres; and,</p> <p>ii) Maximum 4.5 metres;</p> <p>g) Minimum Rear Yard</p> <p>7.5 metres</p> <p>h) Minimum Separation Distance</p> <p>i) Between two exterior walls which contain no windows to a habitable room, a minimum of 3.0 metres; and</p> <p>ii) Between two exterior walls at least one of which contain windows to a habitable room, a minimum of 12.0 metres;</p>	<p>standards from Mid Rise Residential Zones where appropriate, in order to implement objectives of the Downtown Secondary Plan and other policy directions unique to the Downtown.</p> <p>Multiple Dwelling standards of the D5 Zone which have been applied to Multiple Dwelling Townhouses include: minimum Lot Area, minimum Lot Width, minimum Amenity area, minimum Landscaped Area and Visual Barrier requirements. A maximum Flankage Yard of 4.5 metres has been applied, which allows more flexibility than the maximum 3.0 metres applicable to Multiple Dwellings.</p> <p>Street Townhouse Dwelling standards of the D5 Zone applied to Multiple Dwelling Townhouses include: minimum Unit Width, maximum Front Yard, minimum Side Yard, and minimum Flankage Yard.</p> <p>Building Height and minimum Rear Yard requirements reflect current standards of both Multiple Dwelling and Street Townhouse Dwelling uses in the D5 Zone.</p> <p>New regulations specific to Multiple Dwelling</p>

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<b>Section 6 – Downtown Zones</b>			
<b>6.1 – Downtown Central Business District (D1) Zone</b> <b>6.2 – Downtown Mixed Use – Pedestrian Focus (D2) Zone</b> <b>6.3 – Downtown Mixed Use (D3) Zone</b> <b>6.5 – Downtown Residential (D5) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<del>Grey highlighted strikethrough text = text to be deleted</del> <b>bolded text = text to be added</b>			
	<p><b>i) Building Height</b></p> <p><b>i) Minimum 7.5 metres; and,</b></p> <p><b>ii) Maximum Building Height shall be in accordance with Figure 1 of Schedule “F” – Special Figures;</b></p> <p><b>j) Minimum Amenity Area</b></p> <p><b>On a lot containing more than 10 dwelling units, the following Minimum Amenity Area requirements shall be provided:</b></p> <p><b>i) An area of 4.0 square metres for each dwelling unit; and,</b></p> <p><b>ii) In addition to the definition of Amenity Area in Section 3: Definitions, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air;</b></p> <p><b>k) Minimum Landscaped Area</b></p>	<p>i) Building Height</p> <p>i) Minimum 7.5 metres; and,</p> <p>ii) Maximum Building Height shall be in accordance with Figure 1 of Schedule “F” – Special Figures;</p> <p>j) Minimum Amenity Area</p> <p>On a lot containing more than 10 dwelling units, the following Minimum Amenity Area requirements shall be provided:</p> <p>i) An area of 4.0 square metres for each dwelling unit; and,</p> <p>ii) In addition to the definition of Amenity Area in Section 3: Definitions, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air;</p> <p>k) Minimum Landscaped Area</p>	<p>Townhouses regulate the minimum separation distance between buildings, the location of parking, the location of pedestrian entrances, and vehicular accesses. Each implement policies and objectives of the Downtown Secondary Plan.</p> <p>The required minimum separation distance between buildings ensures that buildings on the same lot are adequately separated to facilitate movement through the site and ensures that windows to dwelling units have access to sunlight and preserve privacy.</p> <p>With respect to the location of parking, parking spaces and associated drive aisles are not permitted between any building façade and any lot line abutting a street (see Urban Hamilton Official Plan Volume 2, Policy B.6.1.4.40).</p> <p>Respecting the location of pedestrian entrances, townhouse units adjacent to a yard abutting a street must have at least one entrance which faces the street and is directly accessible from the sidewalk. This requirement minimizes expanses of blank walls and ensures that new townhouse developments are street oriented with direct pedestrian accesses (see Urban Hamilton Official</p>

<b>Section 6 – Downtown Zones</b>			
6.1 – Downtown Central Business District (D1) Zone 6.2 – Downtown Mixed Use – Pedestrian Focus (D2) Zone 6.3 – Downtown Mixed Use (D3) Zone 6.5 – Downtown Residential (D5) Zone			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added			
	<p>Not less than 10% of the lot area shall be landscaped area;</p> <p><b>l) Location of Parking</b></p> <p><b>Notwithstanding Section 5.3.1 a), parking spaces and associated drive aisles, excluding driveways extending directly from the street, shall not be located between any building façade and any lot line abutting a street;</b></p> <p><b>m) Location of Pedestrian Entrances</b></p> <p><b>Any dwelling unit adjacent to a yard abutting a street must have a minimum of one pedestrian entrance which is:</b></p> <p><b>i) located in a façade facing a street; and,</b></p> <p><b>ii) directly accessible from the public sidewalk;</b></p>	<p>Not less than 10% of the lot area shall be landscaped area;</p> <p>l) Location of Parking</p> <p>Notwithstanding Section 5.3.1 a), parking spaces and associated drive aisles, excluding driveways extending directly from the street, shall not be located between any building façade and any lot line abutting a street;</p> <p>m) Location of Pedestrian Entrances</p> <p>Any dwelling unit adjacent to a yard abutting a street must have a minimum of one pedestrian entrance which is:</p> <p>i) located in a façade facing a street; and,</p> <p>ii) directly accessible from the public sidewalk;</p>	<p>Plan Volume 2, Policies B.6.1.4.25 a) and B.6.1.4.26)</p> <p>Vehicular accesses are limited to two driveway accesses per frontage and garage entrances must not face a street, in order to limit interactions between pedestrians and vehicles and facilitate an attractive pedestrian environment along the street. The permission for two driveway accesses along each frontage maintains functionality and flexibility for vehicular access and circulation by facilitating one-direction entrance and exit design or two-way driveway design.</p>

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Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>			
	<p><b>n) Vehicular Accesses</b></p> <p><b>i) A maximum of two access driveways are permitted from each street abutting the lot; and,</b></p> <p><b>ii) Garage entrances must not be located in any façade facing a street;</b></p> <p><b>o) Visual Barrier</b></p> <p><b>A visual barrier shall be required along any side or rear lot line abutting a Downtown D1 or D2 Zone in accordance with the requirements of Section 4.19 of this By-law.</b></p>	<p>n) Vehicular Accesses</p> <p>i) A maximum of two access driveways are permitted from each street abutting the lot; and,</p> <p>ii) Garage entrances must not be located in any façade facing a street;</p> <p>o) Visual Barrier</p> <p>A visual barrier shall be required along any side or rear lot line abutting a Downtown D1 or D2 Zone in accordance with the requirements of Section 4.19 of this By-law.</p>	
Existing Section 6.5.3.4 - EDUCATIONAL ESTABLISHMENT, EMERGENCY SHELTER, LODGING HOUSE, LONG TERM CARE FACILITY, MULTIPLE DWELLING, PLACE OF WORSHIP, RESIDENTIAL CARE FACILITY, RETIREMENT HOME, AND SOCIAL SERVICES ESTABLISHMENT REGULATIONS is to be renumbered to Section 6.5.3.5			
<p>Maximum Capacity for Emergency Shelter, Long Term Care Facility and Residential Care Facility</p> <p>Section 6.5.3.4 k)</p>	<p><del>6.5.3.4</del> <b>5 k)</b> Maximum Capacity for Emergency Shelter; <del>and Long Term Care Facility and Residential Care Facility</del></p>	<p>6.5.3.5 k) Maximum Capacity for Emergency Shelter and Long Term Care Facility</p>	<p>Eliminating the capacity restriction for Residential Care Facilities provides flexibility and increases availability of options for residents requiring supports throughout the Urban Area.</p>

Section 6 – Downtown Zones			
6.1 – Downtown Central Business District (D1) Zone			
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6.5 – Downtown Residential (D5) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>			
<p>Location of Emergency Shelter, Long term Care Facility and Residential Care Facility</p> <p>Section 6.5.3.4 I)</p>	<p><del>6.5.3.4 I) Location of Emergency Shelter, Long term Care Facility and Residential Care Facility</del></p> <p>i) Except as provided for in Subsection ii), herein, every Emergency Shelter <del>and Residential Care Facility</del> shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or Correctional Facility.</p> <p>ii) Where the radial separation distance from the lot line of an Emergency Shelter <del>or Residential Care Facility</del> existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or Correctional Facility,</p>	<p>6.5.3.5 I) Location of Emergency Shelter</p> <p>i) Except as provided for in Subsection ii), herein, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Emergency Shelter, Corrections Residence or Correctional Facility.</p> <p>ii) Where the radial separation distance from the lot line of an Emergency Shelter existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to</p>	<p>Eliminating the radial separation distance requirement applicable to Residential Care Facilities implements the recommendations of Reports PED19091 and PED19091(a) as well as the most recent standards established through the first two phases of Low Density Residential Zones (Report PED22154 in 2022 and Report PED22154(a) in 2024), and is consistent with Urban Hamilton Official Plan Policies which encourage a range of residential uses including housing with supports throughout the Urban Area.</p>

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<b>Section 6 – Downtown Zones</b>			
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<b>6.3 – Downtown Mixed Use (D3) Zone</b>			
<b>6.5 – Downtown Residential (D5) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>			
	<p><del>either of the existing Residential Care Facility or Emergency Shelter</del> may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	<p>accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	
<p>Prohibition of Residential Care Facility and Emergency Shelter</p> <p>Section 6.5.3.4 m)</p>	<p><del>6.5.3.4 5 m) Prohibition of Residential Care Facility and Emergency Shelter</del></p> <p>Notwithstanding Section 6.5.1 within the lands bounded by Queen Street, Hunter Street, James Street and Main Street, no new <del>Residential Care Facility or Emergency Shelter</del> shall be permitted.</p>	<p>6.5.3.5 m) Prohibition of Emergency Shelter</p> <p>Notwithstanding Section 6.5.1 within the lands bounded by Queen Street, Hunter Street, James Street and Main Street, no new Emergency Shelter shall be permitted.</p>	<p>Eliminating the moratorium area applicable to Residential Care Facilities implements the recommendations of Reports PED19091 and PED19091(a) as well as the most recent standards established through the first two phases of Low Density Residential Zones (Report PED22154 in 2022 and Report PED22154(a) in 2024), and is consistent with Urban Hamilton Official Plan Policies which encourage a range of residential uses including housing with supports throughout the Urban Area.</p>
<p>Existing Section 6.5.3.7 – COMMUNITY GARDEN REGULATIONS is to be renumbered to Section 6.5.3.6</p>			
<p>Additional Dwelling Unit Regulations</p> <p>Section 6.5.3.8</p>	<p><del>ADDITIONAL DWELLING UNIT REGULATIONS</del></p> <p><del>In accordance with the requirements of Section 4.33. of this By-law.</del></p>		<p>Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.</p>

<b>Section 7.6 – Conservation/Hazard Land Rural (P6) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added			
Single Detached Dwelling Regulations – New Buildings and Structures  Section 7.6.2.3 a)	New Buildings and Structures <b>Including Additional Dwelling Units</b>  i) Shall not be permitted on a vacant lot  ii) Shall be in accordance with the requirements of Sections 12.1.3.3, <del>and</del> <b>4.8, and 4.33.</b>	New Buildings and Structures Including Additional Dwelling Units  i) Shall not be permitted on a vacant lot  ii) Shall be in accordance with the requirements of Sections 12.1.3.3, 4.8, and 4.33.	This change clarifies that internal and detached Additional Dwelling Units are permitted as accessory uses to a Single Detached Dwelling in accordance with the regulations in Section 4.33.
Single Detached Dwelling Regulations – Expansions to Existing Buildings and Structures  Section 7.6.2.3 b)	Expansions to Existing Buildings and Structures <b>Including Additional Dwelling Units</b>  Shall be in accordance with Sections 12.1.3.3 (c), (d), (e), and (f), <del>and</del> <b>4.8 and 4.33.</b>	Expansions to Existing Buildings and Structures Including Additional Dwelling Units  Shall be in accordance with Sections 12.1.3.3 (c), (d), (e), and (f), 4.8 and 4.33.	This change clarifies that internal and detached Additional Dwelling Units are permitted as accessory uses to a Single Detached Dwelling in accordance with the regulations in Section 4.33.

<b>Section 8 – Institutional Zones</b>			
<b>8.1 – Neighbourhood Institutional (I1) Zone</b>			
<b>8.2 – Community Institutional (I2) Zone</b>			
<b>8.3 – Major Institutional (I3) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p><del>Grey highlighted strikethrough text</del> = text to be deleted      <b>bolded text</b> = text to be added</p>			
<b>8.1 – Neighbourhood Institutional (I1) Zone</b>			
Permitted Uses  Section 8.1.1	Community Garden Day Nursery Duplex Dwelling Educational Establishment Emergency Shelter <b>Fourplex Dwelling</b> Museum Place of Worship Residential Care Facility Retirement Home Semi-Detached Dwelling Single Detached Dwelling <b>Street Townhouse Dwelling</b> <b>Triplex Dwelling</b> Urban Farm Urban Farmers Market	Community Garden Day Nursery Duplex Dwelling Educational Establishment Emergency Shelter Fourplex Dwelling Museum Place of Worship Residential Care Facility Retirement Home Semi-Detached Dwelling Single Detached Dwelling Street Townhouse Dwelling Triplex Dwelling Urban Farm Urban Farmers Market	Adding permissions for Street Townhouse Dwellings, Triplex Dwellings and Fourplex Dwellings to the I1 Zone establishes use permissions which are more consistent with the Low Density Residential zones. This is appropriate because the intent of the I1 Zone includes permitting residential development in a form consistent with the surrounding area (Report PED06405(a)). I1 Zones are generally located in the interior or boundaries of residential neighbourhoods, which are predominantly zoned Low Density Residential.
Maximum Capacity for Residential Care Facility and Retirement Home  Section 8.1.3.1 i)	Maximum Capacity for <del>Residential Care Facility</del> and Retirement Home	Maximum Capacity for Retirement Home	Eliminating the capacity restriction for Residential Care Facilities provides flexibility and increases availability of options for residents requiring supports throughout the Urban Area.
Location of Emergency Shelter and Residential Care Facility	Location of Emergency Shelter <del>and Residential Care Facility</del>  i) Except as provided for in Subsection ii), herein, every Emergency Shelter <del>or</del>	Location of Emergency Shelter  i) Except as provided for in Subsection ii), herein, every Emergency Shelter shall be situated	Eliminating the radial separation distance requirement applicable to Residential Care Facilities implements the recommendations of Reports PED19091 and PED19091(a) as well as the most recent standards

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Section 8.1.3.1 j)	<p><del>Residential Care Facility</del> shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or Correctional Facility.</p> <p>ii) Where the radial separation distance from the lot line of an Emergency Shelter or <del>Residential Care Facility</del> existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or Correctional Facility, the existing <del>Residential Care Facility</del> <b>Emergency Shelter</b> may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	<p>on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Emergency Shelter, Corrections Residence or Correctional Facility.</p> <p>ii) Where the radial separation distance from the lot line of an Emergency Shelter existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	<p>established through the first two phases of Low Density Residential Zones (Report PED22154 in 2022 and Report PED22154(a) in 2024), and is consistent with Urban Hamilton Official Plan Policies which encourage a range of residential uses including housing with supports throughout the Urban Area.</p>
SINGLE DETACHED DWELLING, DUPLEX DWELLING AND DAY NURSERY REGULATIONS	SINGLE DETACHED DWELLING, DUPLEX DWELLING, <b>TRIPLEX DWELLING</b> AND DAY NURSERY REGULATIONS a) Minimum Lot Area	SINGLE DETACHED DWELLING, DUPLEX DWELLING, TRIPLEX DWELLING AND DAY NURSERY REGULATIONS a) Minimum Lot Area	This change amends the standards for various Low Density Residential uses in the I1 Zone, as well as a Day Nursery, to align with those of the Low Density Residential Zones, specifically the R1

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Section 8.1.3.3	<p><del>i) 330.0</del> <b>360.0</b> square metres;</p> <p><del>ii) Notwithstanding i) above, 360.0 square metres shall be required for a corner lot.</del></p> <p>b) Minimum Lot Width</p> <p><del>i) 12.0 metres</del></p> <p><del>ii) 15.0 metres for a corner lot</del></p> <p>c) Minimum Front Yard</p> <p>i) <del>4.5</del> <b>4.0</b> metres; and,</p> <p>ii) <del>5.8 metres for an attached garage.</del> <b>Notwithstanding Section 8.1.3.3 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following:</b></p> <p style="padding-left: 40px;"><b>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage</b></p>	<p>360.0 square metres;</p> <p>b) Minimum Lot Width</p> <p>12.0 metres</p> <p>c) Minimum Front Yard</p> <p>i) 4.0 metres; and,</p> <p>ii) Notwithstanding Section 8.1.3.3 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following:</p> <p style="padding-left: 40px;">1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</p> <p style="padding-left: 40px;">2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the</p>	<p>Zone. This results in Low Density Residential standards which are consistent and reflective of the latest policy direction among the Zones which implement the Low Density Residential policies of the “Neighbourhoods” Designation of Volume 1 of the Urban Hamilton Official Plan. The increased minimum Lot Area reflects consistency with the Low Density Residential Zones which applies minimum lot area following a typical 30.0 metre lot depth for lots in Low Density Residential Zones.</p> <p>References to Sections 4 and 5 not required. Sections 4 and 5 are intended to be read in their entirety, in conjunction with the parent zones.</p>

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<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p><del>Grey highlighted strikethrough text</del> = text to be deleted      <b>bolded text</b> = text to be added</p>			
	<p><b>lot line of the two adjacent dwellings;</b></p> <p><b>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</b></p> <p><b>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</b></p> <p>d) Minimum Side Yard</p> <p>1.2 metres</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p> <p>7.5 metres</p> <p>g) Maximum Building Height</p> <p>10.5 metres</p>	<p>setback from the front lot line of the one adjacent dwelling;</p> <p>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</p> <p>d) Minimum Side Yard</p> <p>1.2 metres</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p> <p>7.5 metres</p> <p>g) Maximum Building Height</p> <p>10.5 metres</p> <p>h) Minimum Landscaped Area</p> <p>i) 30%</p> <p>ii) Within the landscaped area, the requirements of Section 4.35 of this By-</p>	

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	<p><b>h) Minimum Landscaped Area</b></p> <p>i) 30%</p> <p>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</p> <p><del>h) Parking</del></p> <p><del>In accordance with the requirements of Section 5 of this By-law.</del></p> <p><del>i) Accessory Building</del></p> <p><del>In accordance with the requirements of Section 4.8 of this By-law.</del></p> <p><del>j) Home Business</del></p> <p><del>In accordance with the requirements of Section 4.21 of this By-law.</del></p>	<p>law shall apply.</p>	
SEMI-DETACHED DWELLING REGULATIONS  Section 8.1.3.4	SEMI-DETACHED DWELLING REGULATIONS  a) Minimum Lot Area  i) <del>210.0</del> <b>270.0</b> square metres for each semi-detached dwelling unit.	SEMI-DETACHED DWELLING REGULATIONS  a) Minimum Lot Area  270.0 square metres for each semi-	This change amends the standards for Semi-Detached Dwellings in the I1 Zone to align with those of the Low Density Residential Zones, specifically the R1 Zone. This results in Low Density Residential standards which are consistent

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Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>			
	<p><del>ii) Notwithstanding i) above, 240.0 square metres shall be required for a corner lot.</del></p> <p>b) Minimum Lot Width for Unit</p> <p><del>i) 7.5</del> <b>9.0</b> metres for each dwelling unit in each semi-detached dwelling.</p> <p><del>ii) Notwithstanding i) above, 9.3 metres shall be required for a corner unit.</del></p> <p>c) Minimum Front Yard</p> <p>i) <del>4.5</del> <b>4.0</b> metres; and,</p> <p>ii) <del>5.8 metres for an attached garage. i) 4.0 metre; and,</del> <b>Notwithstanding Section 8.1.3.4 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front line in accordance with the following:</b></p> <p style="padding-left: 40px;"><b>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage</b></p>	<p>detached dwelling unit.</p> <p>b) Minimum Lot Width for Unit</p> <p>9.0 metres for each dwelling unit in each semi-detached dwelling.</p> <p>c) Minimum Front Yard</p> <p>i) 4.0 metres; and,</p> <p>ii) Notwithstanding Section 8.1.3.4 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front line in accordance with the following:</p> <p style="padding-left: 40px;">1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</p> <p style="padding-left: 40px;">2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback</p>	<p>and reflective of the latest policy direction among the Zones which implement the Low Density Residential policies of the “Neighbourhoods” Designation of Volume 1 of the Urban Hamilton Official Plan.</p> <p>References to Sections 4 and 5 not required. Sections 4 and 5 are intended to be read in their entirety, in conjunction with the parent zones.</p>

Section 8 – Institutional Zones			
8.1 – Neighbourhood Institutional (I1) Zone			
8.2 – Community Institutional (I2) Zone			
8.3 – Major Institutional (I3) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p><del>Grey highlighted strikethrough text</del> = text to be deleted      <b>bolded text</b> = text to be added</p>			
	<p><b>lot line of the two adjacent dwellings;</b></p> <p><b>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</b></p> <p><b>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</b></p> <p>d) Minimum Side Yard</p> <p>1.2 metres, except for the side yard related to the common wall of the semi-detached dwelling unit, in which case a minimum 0 metre side yard shall be permitted.</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p> <p>7.5 metres</p> <p>g) Maximum Building Height</p>	<p>from the front lot line of the one adjacent dwelling;</p> <p>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</p> <p>d) Minimum Side Yard</p> <p>1.2 metres, except for the side yard related to the common wall of the semi-detached dwelling unit, in which case a minimum 0 metre side yard shall be permitted.</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p> <p>7.5 metres</p> <p>g) Maximum Building Height</p> <p>10.5 metres</p> <p>h) Minimum Landscaped Area</p>	

Section 8 – Institutional Zones			
8.1 – Neighbourhood Institutional (I1) Zone			
8.2 – Community Institutional (I2) Zone			
8.3 – Major Institutional (I3) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p><del>Grey highlighted strikethrough text</del> = text to be deleted      <b>bolded text</b> = text to be added</p>			
	<p>10.5 metres</p> <p><b>h) Minimum Landscaped Area</b></p> <p><b>i) 30%</b></p> <p><b>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</b></p> <p><del>h) Parking</del></p> <p><del>In accordance with the requirements of Section 5 of this By-law.</del></p> <p><del>i) Accessory Building</del></p> <p><del>In accordance with the requirements of Section 4.8 of this By-law.</del></p>	<p>i) 30%</p> <p>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</p>	
<p>Existing Section 8.1.3.5 – URBAN FARM REGULATIONS is to be renumbered to Section 8.1.3.7</p> <p>Existing Section 8.1.3.6 – COMMUNITY GARDEN REGULATIONS is to be renumbered to Section 8.1.3.8</p> <p>Existing Section 8.1.3.7 – URBAN FARMERS MARKET REGULATIONS is to be renumbered to Section 8.1.3.9</p>			
<p>STREET TOWNHOUSE REGULATIONS [New]</p>	<p><b>STREET TOWNHOUSE DWELLING REGULATIONS</b></p> <p><b>a) Minimum Lot Area for each Dwelling Unit</b></p>	<p>STREET TOWNHOUSE DWELLING REGULATIONS</p> <p>a) Minimum Lot Area for each Dwelling Unit</p>	<p>This change adds standards for Street Townhouse Dwellings to the I1 Zone which align with those of the Low Density Residential Zones (R1 and R1a Zones). This results in Low Density Residential</p>

<b>Section 8 – Institutional Zones</b>			
<b>8.1 – Neighbourhood Institutional (I1) Zone</b>			
<b>8.2 – Community Institutional (I2) Zone</b>			
<b>8.3 – Major Institutional (I3) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p><del>Grey highlighted strikethrough text</del> = text to be deleted      <b>bolded text</b> = text to be added</p>			
Section 8.1.3.5  [Note: The existing Section 8.1.3.5 is to be renumbered to 8.1.3.7 per above]	<p><b>180.0 square metres for each dwelling unit;</b></p> <p><b>b) Minimum Unit Width for each Dwelling Unit</b></p> <p><b>6.0 metres;</b></p> <p><b>c) Minimum Setback from the Front Lot Line</b></p> <p><b>4.0 metres;</b></p> <p><b>d) Minimum Setback from a Side Lot Line</b></p> <p><b>1.2 metres except for the side yard related to the common wall of the street townhouse dwelling unit, in which case a minimum 0 metre side yard shall be permitted;</b></p> <p><b>e) Minimum Setback from a Flankage Lot Line</b></p> <p><b>3.0 metres;</b></p> <p><b>f) Minimum Setback from the Rear Lot Line</b></p> <p><b>7.5 metres;</b></p> <p><b>g) Maximum Building Height</b></p>	<p>180.0 square metres for each dwelling unit;</p> <p>b) Minimum Unit Width for each Dwelling Unit</p> <p>6.0 metres;</p> <p>c) Minimum Setback from the Front Lot Line</p> <p>4.0 metres;</p> <p>d) Minimum Setback from a Side Lot Line</p> <p>1.2 metres except for the side yard related to the common wall of the street townhouse dwelling unit, in which case a minimum 0 metre side yard shall be permitted;</p> <p>e) Minimum Setback from a Flankage Lot Line</p> <p>3.0 metres;</p> <p>f) Minimum Setback from the Rear Lot Line</p> <p>7.5 metres;</p> <p>g) Maximum Building Height</p> <p>10.5 metres;</p>	<p>standards which are consistent and reflective of the latest policy direction among the Zones which implement the Low Density Residential policies of the “Neighbourhoods” Designation of Volume 1 of the Urban Hamilton Official Plan.</p>

<b>Section 8 – Institutional Zones</b>			
<b>8.1 – Neighbourhood Institutional (I1) Zone</b>			
<b>8.2 – Community Institutional (I2) Zone</b>			
<b>8.3 – Major Institutional (I3) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<del>Grey highlighted strikethrough text</del> = text to be deleted <b>bolded text</b> = text to be added			
	<p><b>10.5 metres;</b></p> <p><b>h) Landscaped Area</b></p> <p><b>In accordance with the requirements of Section 4.35 a) and b) of this By-law.</b></p>	<p>h) Landscaped Area</p> <p>In accordance with the requirements of Section 4.35 a) and b) of this By-law.</p>	
<p>FOURPLEX DWELLING REGULATIONS [New]</p> <p>Section 8.1.3.6</p> <p>[Note: The existing Section 8.1.3.6 is to be renumbered to 8.1.3.8 per above]</p>	<p><b>FOURPLEX DWELLING REGULATIONS</b></p> <p><b>a) Minimum Lot Area</b></p> <p><b>360.0 square metres;</b></p> <p><b>b) Minimum Lot Width</b></p> <p><b>12.0 metres;</b></p> <p><b>c) Minimum Setback from the Front Lot Line</b></p> <p><b>i) 4.0 metres;</b></p> <p><b>ii) Notwithstanding Section 8.1.3.6 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following:</b></p> <p><b>1. Where two adjacent lots have a</b></p>	<p>FOURPLEX DWELLING REGULATIONS</p> <p>a) Minimum Lot Area</p> <p>360.0 square metres;</p> <p>b) Minimum Lot Width</p> <p>12.0 metres;</p> <p>c) Minimum Setback from the Front Lot Line</p> <p>i) 4.0 metres;</p> <p>ii) Notwithstanding Section 8.1.3.6 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following:</p> <p>1. Where two adjacent lots have</p>	<p>This change adds standards for Fourplex Dwellings to the I1 Zone which align with those of the Low Density Residential Zones, specifically the R1 Zone. This results in Low Density Residential standards which are consistent and reflective of the latest policy direction among the Zones which implement the Low Density Residential policies of the “Neighbourhoods” Designation of Volume 1 of the Urban Hamilton Official Plan.</p>

Section 8 – Institutional Zones			
8.1 – Neighbourhood Institutional (I1) Zone			
8.2 – Community Institutional (I2) Zone			
8.3 – Major Institutional (I3) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p><del>Grey highlighted strikethrough text</del> = text to be deleted      <b>bolded text</b> = text to be added</p>			
	<p><b>front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</b></p> <p><b>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</b></p> <p><b>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</b></p> <p><b>d) Minimum Setback from a Side Lot Line</b></p> <p><b>1.2 metres, and a minimum aggregate of 3.5 metres;</b></p> <p><b>e) Minimum Setback from a Flankage Lot Line</b></p> <p><b>3.0 metres;</b></p> <p><b>f) Minimum Setback from the Rear Lot Line</b></p> <p><b>7.5 metres;</b></p>	<p>a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</p> <p>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</p> <p>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</p> <p>d) Minimum Setback from a Side Lot Line</p> <p>1.2 metres, and a minimum aggregate of 3.5 metres;</p> <p>e) Minimum Setback from a Flankage Lot Line</p> <p>3.0 metres;</p> <p>f) Minimum Setback from the Rear Lot Line</p> <p>7.5 metres;</p>	

Section 8 – Institutional Zones			
8.1 – Neighbourhood Institutional (I1) Zone			
8.2 – Community Institutional (I2) Zone			
8.3 – Major Institutional (I3) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>			
	<p><b>g) Maximum Building Height</b></p> <p><b>10.5 metres;</b></p> <p><b>h) Maximum Lot Coverage</b></p> <p><b>40%;</b></p> <p><b>i) Minimum Landscaped Area</b></p> <p><b>i) 30%</b></p> <p><b>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</b></p> <p><b>j) Visual Barrier</b></p> <p><b>i) A visual barrier shall be required along side lot lines and the rear lot line in accordance with the requirements of Section 4.19 of this by-law.</b></p> <p><b>ii) Notwithstanding Section 8.1.3.6 j) i), rear yard parking shall comply with the requirements of Section 4.35 d).</b></p> <p><b>k) Amenity Area</b></p>	<p>g) Maximum Building Height</p> <p>10.5 metres;</p> <p>h) Maximum Lot Coverage</p> <p>40%;</p> <p>i) Minimum Landscaped Area</p> <p>i) 30%</p> <p>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</p> <p>j) Visual Barrier</p> <p>i) A visual barrier shall be required along side lot lines and the rear lot line in accordance with the requirements of Section 4.19 of this by-law.</p> <p>ii) Notwithstanding Section 8.1.3.6 j) i), rear yard parking shall comply with the requirements of Section 4.35 d).</p> <p>k) Amenity Area</p>	

<b>Section 8 – Institutional Zones</b>			
<b>8.1 – Neighbourhood Institutional (I1) Zone</b>			
<b>8.2 – Community Institutional (I2) Zone</b>			
<b>8.3 – Major Institutional (I3) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>			
	<p><b>Amenity areas shall not be permitted in the side yard or on the rooftop of the dwelling.</b></p> <p><b>I) Waste Storage</b></p> <p><b>Outdoor waste storage shall be fully enclosed and shall not be located in the front yard.</b></p>	<p>Amenity areas shall not be permitted in the side yard or on the rooftop of the dwelling.</p> <p>I) Waste Storage</p> <p>Outdoor waste storage shall be fully enclosed and shall not be located in the front yard.</p>	
<p>ADDITIONAL DWELLING UNIT REGULATIONS</p> <p>Section 8.1.3.8</p>	<p><del>ADDITIONAL DWELLING UNIT REGULATIONS</del></p> <p><del>In accordance with the requirements of Section 4.33 of this By-law</del></p>		<p>Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.</p>
<b>8.2 – Community Institutional (I2) Zone</b>			
<p>Permitted Uses</p> <p>Section 8.2.1</p>	<p>Community Garden</p> <p>Day Nursery</p> <p>Duplex Dwelling</p> <p>Educational Establishment</p> <p>Emergency Shelter</p> <p><b>Fourplex Dwelling</b></p> <p>Museum</p> <p>Recreation</p> <p>Place of Worship</p> <p>Residential Care Facility</p> <p>Retirement Home</p> <p>Semi-Detached Dwelling</p>	<p>Community Garden</p> <p>Day Nursery</p> <p>Duplex Dwelling</p> <p>Educational Establishment</p> <p>Emergency Shelter</p> <p>Fourplex Dwelling</p> <p>Museum</p> <p>Recreation</p> <p>Place of Worship</p> <p>Residential Care Facility</p> <p>Retirement Home</p> <p>Semi-Detached Dwelling</p>	<p>Adding permissions for Triplex Dwellings and Fourplex Dwellings to the I2 Zone establishes use permissions which are more consistent with the Low Density Residential zones. The I2 Zone is intended to permit a wide range of residential uses, including Low Density Residential uses.</p>

<b>Section 8 – Institutional Zones</b>			
<b>8.1 – Neighbourhood Institutional (I1) Zone</b>			
<b>8.2 – Community Institutional (I2) Zone</b>			
<b>8.3 – Major Institutional (I3) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>			
	Single Detached Dwelling Social Services Establishment Street Townhouse Dwelling <b>Triplex Dwelling</b> Urban Farm Urban Farmers Market	Single Detached Dwelling Social Services Establishment Street Townhouse Dwelling Triplex Dwelling Urban Farm Urban Farmers Market	
Maximum Capacity for Emergency Shelter, Residential Care Facility and Retirement Home  Section 8.2.3.1 g)	Maximum Capacity for Emergency Shelter, <del>Residential Care Facility</del> and Retirement Home	Maximum Capacity for Emergency Shelter and Retirement Home	Eliminating the capacity restriction for Residential Care Facilities provides flexibility and increases availability of options for residents requiring supports throughout the Urban Area.
Location of Emergency Shelter and Residential Care Facility  Section 8.2.3.1 h)	Location of Emergency Shelter <del>and Residential Care Facility</del>  i) Except as provided for in Subsection ii), herein, every Emergency Shelter <del>or Residential Care Facility</del> shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an <del>Residential Care Facility</del> , Emergency Shelter, Corrections Residence or Correctional Facility.  ii) Where the radial separation distance from the lot line of an Emergency Shelter, <del>or</del>	Location of Emergency Shelter  i) Except as provided for in Subsection ii), herein, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Emergency Shelter, Corrections Residence or Correctional Facility.  ii) Where the radial separation distance from the lot line of an Emergency Shelter existing as of the effective date	Eliminating the radial separation distance requirement applicable to Residential Care Facilities implements the recommendations of Reports PED19091 and PED19091(a) as well as the most recent standards established through the first two phases of Low Density Residential Zones (Report PED22154 in 2022 and Report PED22154(a) in 2024), and is consistent with Urban Hamilton Official Plan Policies which encourage a range of residential uses including housing with supports throughout the Urban Area.

Section 8 – Institutional Zones			
8.1 – Neighbourhood Institutional (I1) Zone			
8.2 – Community Institutional (I2) Zone			
8.3 – Major Institutional (I3) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>			
	<p><del>Residential Care Facility</del> existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or Correctional Facility, the existing <del>Residential Care Facility</del> <b>Emergency Shelter</b> may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	<p>of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	
<p>SINGLE DETACHED DWELLING, DUPLEX DWELLING AND DAY NURSERY REGULATIONS</p> <p>Section 8.2.3.3</p>	<p>SINGLE DETACHED DWELLING, DUPLEX DWELLING, <b>TRIPLEX DWELLING</b> AND DAY NURSERY REGULATIONS</p> <p>a) Minimum Lot Area</p> <p>i) <del>330.0</del> <b>360.0</b> square metres;</p> <p>ii) <del>Notwithstanding i) above, 360.0 square metres shall be required for a corner lot.</del></p> <p>b) Minimum Lot Width</p> <p>i) <del>12.0</del> metres;</p> <p>ii) <del>Notwithstanding i) above, 15.0 metres shall be required for a corner lot.</del></p> <p>c) Minimum Front Yard</p>	<p>SINGLE DETACHED DWELLING, DUPLEX DWELLING, TRIPLEX DWELLING AND DAY NURSERY REGULATIONS</p> <p>a) Minimum Lot Area</p> <p>360.0 square metres;</p> <p>b) Minimum Lot Width</p> <p>12.0 metres;</p> <p>c) Minimum Front Yard</p> <p>i) 4.0 metres; and,</p> <p>ii) Notwithstanding Section 8.2.3.3 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this</p>	<p>This change amends the standards for various low density residential uses in the I2 Zone, as well as a Day Nursery, to align with those of the Low Density Residential Zones, specifically the R1 Zone. This results in Low Density Residential standards which are consistent and reflective of the latest policy direction among the Zones which implement the Low Density Residential policies of the “Neighbourhoods” Designation of Volume 1 of the Urban Hamilton Official Plan.</p> <p>References to Sections 4 and 5 not required. Sections 4 and 5 are intended to be read in their entirety, in conjunction with the parent zones.</p>

Section 8 – Institutional Zones			
8.1 – Neighbourhood Institutional (I1) Zone			
8.2 – Community Institutional (I2) Zone			
8.3 – Major Institutional (I3) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>			
	<p>i) <del>4.5</del><b>4.0</b> metres; and,</p> <p>ii) <del>5.8 metres for an attached garage.</del>  <b>Notwithstanding Section 8.2.3.3 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front line in accordance with the following:</b></p> <p><b>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</b></p> <p><b>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</b></p> <p><b>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</b></p>	<p>By-law, a building may be erected closer to the front line in accordance with the following:</p> <p>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</p> <p>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</p> <p>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</p> <p>d) Minimum Side Yard</p> <p>1.2 metres</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p>	

Section 8 – Institutional Zones			
8.1 – Neighbourhood Institutional (I1) Zone			
8.2 – Community Institutional (I2) Zone			
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Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<del>Grey highlighted strikethrough text = text to be deleted</del>		<b>bolded text = text to be added</b>	
	<p>d) Minimum Side Yard</p> <p>1.2 metres</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p> <p>7.5 metres</p> <p>g) Maximum Building Height</p> <p>10.5 metres</p> <p><b>h) Minimum Landscaped Area</b></p> <p><b>i) 30%</b></p> <p><b>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</b></p> <p><del>h) Parking</del></p> <p><del>In accordance with the requirements of Section 5 of this By-law.</del></p>	<p>f) Minimum Rear Yard</p> <p>7.5 metres</p> <p>g) Maximum Building Height</p> <p>10.5 metres</p> <p>h) Minimum Landscaped Area</p> <p>i) 30%</p> <p>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</p>	

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<b>Section 8 – Institutional Zones</b>			
<b>8.1 – Neighbourhood Institutional (I1) Zone</b>			
<b>8.2 – Community Institutional (I2) Zone</b>			
<b>8.3 – Major Institutional (I3) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<b>Grey highlighted strikethrough text = text to be deleted</b>		<b>bolded text = text to be added</b>	
	<p><del>i) Accessory Building</del></p> <p><del>In accordance with the requirements of Section 4.8 of this By-law.</del></p> <p><del>j) Home Business</del></p> <p><del>In accordance with the requirements of Section 4.21 of this By-law.</del></p>		
<p>SEMI-DETACHED DWELLING REGULATIONS</p> <p>Section 8.2.3.4</p>	<p>SEMI-DETACHED DWELLING REGULATIONS</p> <p>a) Minimum Lot Area for Unit</p> <p><del>i) 240.0</del> <b>270.0</b> square metres for each semi-detached dwelling unit.</p> <p><del>ii) Notwithstanding i) above, 240.0 square metres shall be required for a corner lot.</del></p> <p>b) Minimum Lot Width for Unit</p> <p><del>i) 7.5</del> <b>9.0</b> metres for each dwelling unit in a semi-detached dwelling.</p> <p><del>ii) Notwithstanding i) above, 9.3 metres shall be required for a corner unit.</del></p> <p>c) Minimum Front Yard</p>	<p>SEMI-DETACHED DWELLING REGULATIONS</p> <p>a) Minimum Lot Area for Unit</p> <p>270.0 square metres for each semi-detached dwelling unit.</p> <p>b) Minimum Lot Width for Unit</p> <p>9.0 metres for each dwelling unit in a semi-detached dwelling.</p> <p>c) Minimum Front Yard</p> <p>i) 4.0 metres; and,</p> <p>ii) Notwithstanding Section 8.2.3.4 c) i), for lots identified on Figure 36 of</p>	<p>This change amends the standards for Semi-Detached Dwellings in the I2 Zone to align with those of the Low Density Residential Zones, specifically the R1 Zone. This results in Low Density Residential standards which are consistent and reflective of the latest policy direction among the Zones which implement the Low Density Residential policies of the “Neighbourhoods” Designation of Volume 1 of the Urban Hamilton Official Plan.</p>

Section 8 – Institutional Zones			
8.1 – Neighbourhood Institutional (I1) Zone			
8.2 – Community Institutional (I2) Zone			
8.3 – Major Institutional (I3) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added	
	<p>i) <del>4.5</del> <b>4.0</b> metres; and,</p> <p>ii) <del>5.8 metres for an attached garage.</del>            Notwithstanding Section 8.2.3.4 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front line in accordance with the following:</p> <ol style="list-style-type: none"> <li>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</li> <li>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</li> <li>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</li> </ol> <p>d) Minimum Side Yard</p>	<p>Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front line in accordance with the following:</p> <ol style="list-style-type: none"> <li>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</li> <li>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</li> <li>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</li> </ol> <p>d) Minimum Side Yard</p> <p>1.2 metres, except for the side yard related to the common wall of the semi-detached dwelling unit, in which case a minimum 0 metre side yard shall be</p>	

Section 8 – Institutional Zones			
8.1 – Neighbourhood Institutional (I1) Zone			
8.2 – Community Institutional (I2) Zone			
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Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p><del>Grey highlighted strikethrough text</del> = text to be deleted      <b>bolded text</b> = text to be added</p>			
	<p>1.2 metres, except for the side yard related to the common wall of the semi-detached dwelling unit, in which case a minimum 0 metre side yard shall be permitted.</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p> <p>7.5 metres</p> <p>g) Maximum Building Height</p> <p>10.5 metres</p> <p><b>h) Minimum Landscaped Area</b></p> <p><b>i) 30%</b></p> <p><b>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</b></p> <p><del>h) Parking</del></p> <p><del>In accordance with the requirements of Section 5 of this By-law.</del></p>	<p>permitted.</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p> <p>7.5 metres</p> <p>g) Maximum Building Height</p> <p>10.5 metres</p> <p>h) Minimum Landscaped Area</p> <p>i) 30%</p> <p>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</p>	

Section 8 – Institutional Zones			
8.1 – Neighbourhood Institutional (I1) Zone			
8.2 – Community Institutional (I2) Zone			
8.3 – Major Institutional (I3) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added	
	<p><del>i) Accessory Building</del></p> <p><del>In accordance with the requirements of Section 4.8 of this By-law.</del></p> <p><del>j) Home Business</del></p> <p><del>In accordance with the requirements of Section 4.21 of this By-law.</del></p>		
<p>STREET TOWNHOUSE DWELLING REGULATIONS</p> <p>Section 8.2.3.5</p>	<p>STREET TOWNHOUSE DWELLING REGULATIONS</p> <p>a) Minimum Lot Area for Unit</p> <p><del>i) 165.0</del> <b>180.0</b> square metres for each dwelling unit.</p> <p><del>ii) Notwithstanding i) above, 195.0 square metres shall be required for a corner lot.</del></p> <p>b) Minimum Unit Width</p> <p>6.0 metres</p> <p>c) Minimum Front Yard</p> <p><del>i) 4.5</del> <b>4.0</b> metres; and,</p>	<p>STREET TOWNHOUSE DWELLING REGULATIONS</p> <p>a) Minimum Lot Area for Unit</p> <p>180.0 square metres for each dwelling unit.</p> <p>b) Minimum Unit Width</p> <p>6.0 metres</p> <p>c) Minimum Front Yard</p> <p>4.0 metres; and,</p> <p>d) Minimum Side Yard</p>	<p>This change amends the standards for Street Townhouse Dwellings in the I2 Zone to align with those of the Low Density Residential Zones, specifically the R1 Zone. This results in Low Density Residential standards which are consistent and reflective of the latest policy direction among the Zones which implement the “Neighbourhoods” Designation of Volume 1 of the Urban Hamilton Official Plan.</p>

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<b>Section 8 – Institutional Zones</b>			
<b>8.1 – Neighbourhood Institutional (I1) Zone</b>			
<b>8.2 – Community Institutional (I2) Zone</b>			
<b>8.3 – Major Institutional (I3) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<del>Grey highlighted strikethrough text = text to be deleted</del>		<b>bolded text = text to be added</b>	
	<p><del>ii) 5.8 metres for an attached garage.</del></p> <p>d) Minimum Side Yard</p> <p>1.2 metres except for the side yard related to the common wall of the street townhouse dwelling unit, in which case a minimum 0 metre side yard shall be permitted.</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p> <p>7.5 metres</p> <p>g) Maximum Building Height</p> <p>10.5 metres</p> <p><b>h) Landscaped Area</b></p> <p><b>In accordance with the requirements of Section 4.35 a) and b) of this By-law.</b></p> <p><del>h) Parking</del></p>	<p>1.2 metres except for the side yard related to the common wall of the street townhouse dwelling unit, in which case a minimum 0 metre side yard shall be permitted.</p> <p>e) Minimum Flankage Yard</p> <p>3.0 metres</p> <p>f) Minimum Rear Yard</p> <p>7.5 metres</p> <p>g) Maximum Building Height</p> <p>10.5 metres</p> <p>h) Landscaped Area</p> <p>In accordance with the requirements of Section 4.35 a) and b) of this By-law.</p>	

Section 8 – Institutional Zones			
8.1 – Neighbourhood Institutional (I1) Zone			
8.2 – Community Institutional (I2) Zone			
8.3 – Major Institutional (I3) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>			
	<p>In accordance with the requirements of Section 5 of this By-law.</p> <p><del>i) Accessory Building</del></p> <p>In accordance with the requirements of Section 4.8 of this By-law.</p> <p><del>j) Home Business</del></p> <p>In accordance with the requirements of Section 4.21 of this By-law.</p>		
<p>Existing Section 8.2.3.6 – URBAN FARM REGULATIONS is to be renumbered to Section 8.2.3.7  Existing Section 8.2.3.7 – COMMUNITY GARDEN REGULATIONS is to be renumbered to Section 8.2.3.8  Existing Section 8.2.3.8 – URBAN FARMERS MARKET REGULATIONS is to be renumbered to Section 8.2.3.9</p>			
<p>FOURPLEX DWELLING REGULATIONS  <b>[New]</b></p> <p>Section 8.2.3.6</p> <p><b>[Note:</b> The existing Section 8.2.3.6 is to be renumbered to 8.2.3.7 per above]</p>	<p><b>FOURPLEX DWELLING REGULATIONS</b></p> <p><b>a) Minimum Lot Area</b></p> <p><b>360.0 square metres;</b></p> <p><b>b) Minimum Lot Width</b></p> <p><b>12.0 metres;</b></p> <p><b>c) Minimum Setback from the Front Lot Line</b></p>	<p>FOURPLEX DWELLING REGULATIONS</p> <p>a) Minimum Lot Area</p> <p>360.0 square metres;</p> <p>b) Minimum Lot Width</p> <p>12.0 metres;</p> <p>c) Minimum Setback from the Front Lot Line</p>	<p>This change adds standards for Fourplex Dwellings to the I2 Zone which align with those of the Low Density Residential Zones, specifically the R1 Zone. This results in Low Density Residential standards which are consistent and reflective of the latest policy direction among the Zones which implement the Low Density Residential policies of the “Neighbourhoods” Designation of Volume 1 of the Urban Hamilton Official Plan.</p>

Section 8 – Institutional Zones			
8.1 – Neighbourhood Institutional (I1) Zone			
8.2 – Community Institutional (I2) Zone			
8.3 – Major Institutional (I3) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p><del>Grey highlighted strikethrough text</del> = text to be deleted      <b>bolded text</b> = text to be added</p>			
	<p><b>i) 4.0 metres;</b></p> <p><b>ii) Notwithstanding Section 8.2.3.6 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following:</b></p> <p><b>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</b></p> <p><b>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</b></p> <p><b>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</b></p> <p><b>d) Minimum Setback from a Side Lot Line</b></p> <p><b>1.2 metres, and a minimum aggregate of</b></p>	<p>i) 4.0 metres;</p> <p>ii) Notwithstanding Section 8.2.3.6 c) i), for lots identified on Figure 36 of Schedule “F” – Special Figures of this By-law, a building may be erected closer to the front lot line in accordance with the following:</p> <p>1. Where two adjacent lots have a front lot line or flankage lot line on the same street, within 10 percent of the average setback from the front lot line or flankage lot line of the two adjacent dwellings;</p> <p>2. Where one adjacent lot has a front lot line on the same street, within 10 percent of the setback from the front lot line of the one adjacent dwelling;</p> <p>3. In no cases shall the setback from the front lot line be less than 0.5 metres.</p> <p>d) Minimum Setback from a Side Lot Line</p>	

Section 8 – Institutional Zones			
8.1 – Neighbourhood Institutional (I1) Zone			
8.2 – Community Institutional (I2) Zone			
8.3 – Major Institutional (I3) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>			
	<p><b>3.5 metres;</b></p> <p><b>e) Minimum Setback from a Flankage Lot Line</b></p> <p><b>3.0 metres;</b></p> <p><b>f) Minimum Setback from the Rear Lot Line</b></p> <p><b>7.5 metres;</b></p> <p><b>g) Maximum Building Height</b></p> <p><b>10.5 metres;</b></p> <p><b>h) Maximum Lot Coverage</b></p> <p><b>40%;</b></p> <p><b>i) Minimum Landscaped Area</b></p> <p><b>i) 30%</b></p> <p><b>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</b></p> <p><b>j) Visual Barrier</b></p> <p><b>i) A visual barrier shall be required along</b></p>	<p>1.2 metres, and a minimum aggregate of 3.5 metres;</p> <p>e) Minimum Setback from a Flankage Lot Line</p> <p>3.0 metres;</p> <p>f) Minimum Setback from the Rear Lot Line</p> <p>7.5 metres;</p> <p>g) Maximum Building Height</p> <p>10.5 metres;</p> <p>h) Maximum Lot Coverage</p> <p>40%;</p> <p>i) Minimum Landscaped Area</p> <p>i) 30%</p> <p>ii) Within the landscaped area, the requirements of Section 4.35 of this By-law shall apply.</p> <p>j) Visual Barrier</p>	

<b>Section 8 – Institutional Zones</b>			
<b>8.1 – Neighbourhood Institutional (I1) Zone</b>			
<b>8.2 – Community Institutional (I2) Zone</b>			
<b>8.3 – Major Institutional (I3) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p><del>Grey highlighted strikethrough text</del> = text to be deleted      <b>bolded text</b> = text to be added</p>			
	<p><b>side lot lines and the rear lot line in accordance with the requirements of Section 4.19 of this by-law.</b></p> <p>ii) <b>Notwithstanding Section 8.2.3.6 j) i), rear yard parking shall comply with the requirements of Section 4.35 d).</b></p> <p><b>k) Amenity Area</b></p> <p><b>Amenity areas shall not be permitted in the side yard or on the rooftop of the dwelling.</b></p> <p><b>l) Waste Storage</b></p> <p><b>Outdoor waste storage shall be fully enclosed and shall not be located in the front yard.</b></p>	<p>i) A visual barrier shall be required along side lot lines and the rear lot line in accordance with the requirements of Section 4.19 of this by-law.</p> <p>ii) Notwithstanding Section 8.2.3.6 j) i), rear yard parking shall comply with the requirements of Section 4.35 d).</p> <p>k) Amenity Area</p> <p>Amenity areas shall not be permitted in the side yard or on the rooftop of the dwelling.</p> <p>l) Waste Storage</p> <p>Outdoor waste storage shall be fully enclosed and shall not be located in the front yard.</p>	
<p>ADDITIONAL DWELLING UNIT REGULATIONS</p> <p>Section 8.2.3.9</p>	<p><del>ADDITIONAL DWELLING UNIT REGULATIONS</del></p> <p><del>In accordance with the requirements of Section 4.33 of this By-law.</del></p>		<p>Reference to Section 4 not required. Section 4 intended to be read in its entirety, in conjunction with the parent zones.</p>
<b>8.3 – Major Institutional (I3) Zone</b>			
<p>Maximum Capacity for Residential Care Facility</p>	<p><del>Maximum Capacity for Residential Care Facility</del></p> <p><del>Shall not exceed 50 residents</del></p>		<p>Eliminating the capacity restriction for Residential Care Facilities provides flexibility and increases availability of</p>

<b>Section 8 – Institutional Zones</b>			
<b>8.1 – Neighbourhood Institutional (I1) Zone</b>			
<b>8.2 – Community Institutional (I2) Zone</b>			
<b>8.3 – Major Institutional (I3) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added			
Section 8.3.2.1 f)			options for residents requiring supports throughout the Urban Area.
Co-Location of Residential Care Facility and Social Services Establishment in the Same Building  Section 8.3.2.1 f) <b>[New]</b>	<b>Co-Location of Residential Care Facility and Social Services Establishment in the Same Building</b>  <b>Notwithstanding any requirement in the definition of Residential Care Facility in Section 3 of this By-law that such use must be in a fully detached residential building, in the I3 Zone, a Social Services Establishment and Residential Care Facility are permitted to be located in the same building.</b>	Co-Location of Residential Care Facility and Social Services Establishment in the Same Building  Notwithstanding any requirement in the definition of Residential Care Facility in Section 3 of this By-law that such use must be in a fully detached residential building, in the I3 Zone, a Social Services Establishment and Residential Care Facility are permitted to be located in the same building.	Co-location of a Social Services Establishment use with a Residential Care Facility within the same building allows for more integrated service delivery to community members availing of counselling and other services offered. Co-location of a Social Services Establishment with a Residential Care Facility is suitable for the I3 Zone since the Zone permits both uses, is generally located on or in close proximity to arterial roads and public transit and is intended to include uses which provide services to the community.
Location of Emergency Shelter and Residential Care Facility  Section 8.3.2.1 g)	Location of Emergency Shelter <del>and Residential Care Facility</del>  i) Except as provided for in Subsection ii), herein, every Emergency Shelter <del>or Residential Care Facility</del> shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an <del>Residential Care Facility</del> , Emergency Shelter, Corrections Residence or Correctional Facility.	Location of Emergency Shelter  i) Except as provided for in Subsection ii), herein, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Emergency Shelter, Corrections Residence or Correctional Facility.  ii) Where the radial separation distance	Eliminating the radial separation distance requirement applicable to Residential Care Facilities implements the recommendations of Reports PED19091 and PED19091(a) as well as the most recent standards established through the first two phases of Low Density Residential Zones (Report PED22154 in 2022 and Report PED22154(a) in 2024), and is consistent with Urban Hamilton Official Plan Policies which encourage a range of residential uses including housing with supports throughout the Urban Area.

Section 8 – Institutional Zones			
8.1 – Neighbourhood Institutional (I1) Zone			
8.2 – Community Institutional (I2) Zone			
8.3 – Major Institutional (I3) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added			
	ii) Where the radial separation distance from the lot line of an Emergency Shelter, <del>or Residential Care Facility</del> existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing <del>Residential Care Facility</del> , Emergency Shelter, Corrections Residence or Correctional Facility, the existing <del>Residential Care Facility</del> <b>Emergency Shelter</b> may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.	from the lot line of an Emergency Shelter existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.	

<b>Section 10 – Commercial and Mixed Use Zones</b>			
<b>10.1 – Residential Character Commercial (C1) Zone</b>			
<b>10.4 – Mixed Use High Density (C4) Zone</b>			
<b>10.5 – Mixed Use Medium Density (C5) Zone</b>			
<b>10.7 – Arterial Commercial (C7) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added			
<b>10.1 – Residential Character Commercial (C1) Zone</b>			
Permitted Uses  Section 10.1.1  [Note: Unmodified portions of permitted use list have been omitted for clarity.]	Artist Studio Day Nursery Duplex Dwelling Dwelling Unit(s), <b>Mixed Use</b> Emergency Shelter [...] Retail Single Detached Dwelling <b>Triplex Dwelling</b>	Artist Studio Day Nursery Duplex Dwelling Dwelling Unit, Mixed Use Emergency Shelter [...] Retail Single Detached Dwelling Triplex Dwelling	“Dwelling Unit(s)” is to be replaced with “Dwelling Unit, Mixed Use” to clarify the intended use of a Dwelling Unit in conjunction with a non-residential use.  A Triplex Dwelling is proposed to be added to the permitted residential uses since the Residential Character Commercial (C1) Zone permits detached residential buildings capable of conversion to and from commercial uses.
Restricted Uses  Section 10.1.1.1	<del>1. The Maximum Capacity for Residential Care Facility shall be 6 residents.</del>		Eliminating the capacity restriction for Residential Care Facilities provides flexibility and increases availability of options for residents requiring supports throughout the Urban Area.
Restricted Uses  Section 10.1.1.1	<b>i) Dwelling Unit, Mixed Use: Maximum of 4 permitted on a lot.</b>  <del>2. ii) Maximum Capacity for Emergency Shelter shall be 6 residents.</del>	i) Dwelling Unit, Mixed Use: Maximum of 4 permitted on a lot.  ii) Maximum Capacity for Emergency Shelter shall be 6 residents.	Restricting the maximum number of mixed use dwelling units to four aligns with the Low Density Residential Zones, which is the context of the Residential Character Commercial (C1) Zone.
Restricted Uses  Section 10.1.1.1	<del>3. iii) Except as provided for in Section 4., herein, every Emergency Shelter or Residential Care Facility shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to</del>	iii) Except as provided for in Section 4., herein, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any	Eliminating the radial separation distance requirement applicable to Residential Care Facilities implements the recommendations of Reports PED19091 and PED19091(a) as well as the most recent standards established

Section 10 – Commercial and Mixed Use Zones			
10.1 – Residential Character Commercial (C1) Zone			
10.4 – Mixed Use High Density (C4) Zone			
10.5 – Mixed Use Medium Density (C5) Zone			
10.7 – Arterial Commercial (C7) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>			
	<p>the lot line of any other lot occupied by an <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or Correctional Facility.</p> <p><del>4. iv) Where the radial separation distance from the lot line of an Emergency Shelter, or Residential Care Facility existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Residential Care Facility, Emergency Shelter, Corrections Residence or Correctional Facility, the existing Residential Care Facility</del> <b>Emergency Shelter</b> may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	<p>other lot occupied by an Emergency Shelter, Corrections Residence or Correctional Facility.</p> <p>iv) Where the radial separation distance from the lot line of an Emergency Shelter existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	<p>through the first two phases of Low Density Residential Zones (Report PED22154 in 2022 and Report PED22154(a) in 2024), and is consistent with Urban Hamilton Official Plan Policies which encourage a range of residential uses including housing with supports throughout the Urban Area.</p>
<p>SINGLE DETACHED DWELLING AND DUPLEX REGULATIONS</p> <p>Section 10.1.4</p>	<p>SINGLE DETACHED DWELLING, <del>AND</del> <b>DUPLEX DWELLING AND TRIPLEX DWELLING</b> REGULATIONS</p>	<p>SINGLE DETACHED DWELLING, DUPLEX DWELLING AND TRIPLEX DWELLING REGULATIONS</p>	<p>This change adds Triplex Dwellings to the C1 Zone standards currently applicable to Single Detached Dwellings and Duplex Dwellings, as regulations for these uses are also harmonized in the Low Density Residential Zones. The performance standards in the C1 Zone are not proposed to be modified since these have the intended purpose of regulating standalone residential buildings suitable for conversion to and from commercial or mixed use buildings, which is</p>

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<b>Section 10 – Commercial and Mixed Use Zones</b>			
<b>10.1 – Residential Character Commercial (C1) Zone</b> <b>10.4 – Mixed Use High Density (C4) Zone</b> <b>10.5 – Mixed Use Medium Density (C5) Zone</b> <b>10.7 – Arterial Commercial (C7) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
Grey highlighted strikethrough text = text to be deleted		<b>bolded text</b> = text to be added	
			distinct from the purpose of the regulations in the Low Density Residential Zones for these uses.
<b>10.4 – Mixed Use High Density (C4) Zone</b>			
Permitted Uses Section 10.4.1  [Note: Unmodified portions of permitted use list have been omitted for clarity.]	[...] Craftsperson Shop Day Nursery Dwelling Unit(s), <b>Mixed Use</b> Emergency Shelter Financial Establishment [...]	[...] Craftsperson Shop Day Nursery Dwelling Unit, Mixed Use Emergency Shelter Financial Establishment [...]	“Dwelling Unit(s)” is to be replaced with “Dwelling Unit, Mixed Use” to clarify the intended use of a Dwelling Unit in conjunction with a non-residential use.
Restricted Uses Section 10.4.1.1 i)	<del>i) Emergency Shelter, Lodging House, Place of Worship, Residential Care Facility, Retirement, and Social Services Establishment:</del>  <del>1. Maximum Capacity for Residential Care Facility shall be 50 residents;</del>  2. 1. Except as provided for in Subsection 3- 2. herein, every Emergency Shelter or Residential Care Facility shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Residential Care Facility, Emergency	i) Emergency Shelter:  1. Except as provided for in Subsection 2. herein, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Emergency Shelter, Corrections Residence or Correctional Facility; and,  2. Where the radial separation distance from the lot line of an Emergency Shelter existing as of the effective date of this By-law, is less than 300 metres to the lot	Eliminating the capacity restriction for Residential Care Facilities provides flexibility and increases availability of options for residents requiring supports throughout the Urban Area.  Eliminating the radial separation distance requirement applicable to Residential Care Facilities implements the recommendations of Reports PED19091 and PED19091(a) as well as the most recent standards established through the first two phases of Low Density Residential Zones (Report PED22154 in 2022 and Report PED22154(a) in 2024), and is consistent with Urban Hamilton Official

<b>Section 10 – Commercial and Mixed Use Zones</b>			
<b>10.1 – Residential Character Commercial (C1) Zone</b>			
<b>10.4 – Mixed Use High Density (C4) Zone</b>			
<b>10.5 – Mixed Use Medium Density (C5) Zone</b>			
<b>10.7 – Arterial Commercial (C7) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added			
	<p>Shelter, Corrections Residence or Correctional Facility; and,</p> <p><del>3.</del> <b>2.</b> Where the radial separation distance from the lot line of an Emergency Shelter, <del>or Residential Care Facility</del> existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing <del>Residential Care Facility, Emergency Shelter, Corrections Residence or Correctional Facility,</del> the existing <del>Residential Care Facility</del> <b>Emergency Shelter</b> may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	<p>line of any other lot occupied by an existing Emergency Shelter, Corrections Residence or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	<p>Plan Policies which encourage a range of residential uses including housing with supports throughout the Urban Area.</p> <p>References to uses other than Emergency Shelter are to be removed for clarity, since they are unaffected by the regulations.</p>
<b>10.5 – Mixed Use Medium Density (C5) Zone</b>			
Permitted Uses	[...]	[...]	“Dwelling Unit(s)” is to be replaced with “Dwelling Unit, Mixed Use” to clarify the intended use of a Dwelling Unit in conjunction with a non-residential use.
Section 10.5.1	<p>Craftsperson Shop</p> <p>Day Nursery</p> <p>Dwelling Unit(s), <b>Mixed Use</b></p> <p>Educational Establishment</p> <p>Emergency Shelter</p> <p>Financial Establishment</p> <p>[...]</p>	<p>Craftsperson Shop</p> <p>Day Nursery</p> <p>Dwelling Unit, Mixed Use</p> <p>Educational Establishment</p> <p>Emergency Shelter</p> <p>Financial Establishment</p> <p>[...]</p>	
[Note: Unmodified portions of permitted use list have been omitted for clarity.]			
Restricted Uses	<del>i) Residential Care Facility and Retirement</del>	i) Emergency Shelter:	Eliminating the capacity restriction for

Section 10 – Commercial and Mixed Use Zones			
10.1 – Residential Character Commercial (C1) Zone			
10.4 – Mixed Use High Density (C4) Zone			
10.5 – Mixed Use Medium Density (C5) Zone			
10.7 – Arterial Commercial (C7) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted      <b>bolded text</b> = text to be added</p>			
Section 10.5.1.1	<p><del>Home:</del></p> <p><del>1. Maximum Capacity for Residential Care Facility is 50 residents.</del></p> <p><del>ii) Emergency Shelter and Residential Care Facility:</del></p> <p>1.Except as provided for in Section 2., herein, every Emergency Shelter <del>or Residential Care Facility</del> shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by a <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or Correctional Facility; and,</p> <p>2. Where the radial separation distance from the lot line of an Emergency Shelter, <del>or Residential Care Facility</del> existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or</p>	<p>1.Except as provided for in Section 2., herein, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by a Emergency Shelter, Corrections Residence or Correctional Facility; and,</p> <p>2. Where the radial separation distance from the lot line of an Emergency Shelter existing as of the effective date of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	<p>Residential Care Facilities provides flexibility and increases availability of options for residents requiring supports throughout the Urban Area.</p> <p>Eliminating the radial separation distance requirement applicable to Residential Care Facilities implements the recommendations of Reports PED19091 and PED19091(a) as well as the most recent standards established through the first two phases of Low Density Residential Zones (Report PED22154 in 2022 and Report PED22154(a) in 2024), and is consistent with Urban Hamilton Official Plan Policies which encourage a range of residential uses including housing with supports throughout the Urban Area.</p>

<b>Section 10 – Commercial and Mixed Use Zones</b>			
<b>10.1 – Residential Character Commercial (C1) Zone</b>			
<b>10.4 – Mixed Use High Density (C4) Zone</b>			
<b>10.5 – Mixed Use Medium Density (C5) Zone</b>			
<b>10.7 – Arterial Commercial (C7) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>			
	<p>Correctional Facility, the existing <del>Residential Care Facility</del> <b>Emergency Shelter</b> may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>		
<p>Co-Location of Residential Care Facility and Social Services Establishment in the Same Building</p> <p>Section 10.5.4 d) <b>[New]</b></p>	<p><b>d) Co-Location of Residential Care Facility and Social Services Establishment in the Same Building</b></p> <p><b>Notwithstanding any requirement in the definition of Residential Care Facility in Section 3 of this By-law that such use must be in a fully detached residential building, in the C5 Zone, a Social Services Establishment and Residential Care Facility are permitted to be located in the same building.</b></p>	<p>d) Co-Location of Residential Care Facility and Social Services Establishment in the Same Building</p> <p>Notwithstanding any requirement in the definition of Residential Care Facility in Section 3 of this By-law that such use must be in a fully detached residential building, in the C5 Zone, a Social Services Establishment and Residential Care Facility are permitted to be located in the same building.</p>	<p>Co-location of a Social Services Establishment use with a Residential Care Facility within the same building allows for more integrated service delivery to community members availing of counselling and other services offered. Co-location of a Social Services Establishment with a Residential Care Facility is suitable for the C5 Zone since the Zone permits both uses, is generally located on or in close proximity to arterial roads and public transit and is intended to include uses which provide services to the community.</p>
<b>10.7 – Arterial Commercial (C7) Zone</b>			
<p>Prohibited Uses</p> <p>Section 10.7.2</p>	<p>Notwithstanding Section 10.7.1, the following uses are prohibited even as an accessory use:</p> <p><del>Dwelling Unit(s)</del> Performing Arts Theatre Cinema</p>	<p>Notwithstanding Section 10.7.1, the following uses are prohibited even as an accessory use:</p> <p>Dwelling Unit Performing Arts Theatre Cinema</p>	<p>The change from “Dwelling Unit(s)” to “Dwelling Unit” makes the use prohibition more consistent with how Dwelling Units are prohibited elsewhere in the By-law, such as the Industrial Zones. This change will assist in clarifying that the words “Dwelling Unit(s)” are not intended to construe a distinct use.</p>

Section 11 – Transit Oriented Corridor Zones			
11.1 – Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone			
11.3 – Transit Oriented Corridor Multiple Residential (TOC3) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added			
11.1 – Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone			
Permitted Uses  Section 11.1.1  [Note: Unmodified portions of permitted use list have been omitted for clarity.]	[...] Craftsperson Shop Day Nursery Dwelling Unit(s), <b>Mixed Use</b> Educational Establishment Emergency Shelter Financial Establishment [...]	[...] Craftsperson Shop Day Nursery Dwelling Unit, Mixed Use Educational Establishment Emergency Shelter Financial Establishment [...]	“Dwelling Unit(s)” is to be replaced with “Dwelling Unit, Mixed Use” to clarify the intended use of a Dwelling Unit in conjunction with a non-residential use.
Restricted Uses  Section 11.1.1.1	<del>ii) Residential Care Facility:</del>  <del>1. Maximum Capacity for Residential Care Facility is 20 residents.</del>  iii) Emergency Shelter:  1. Maximum Capacity for Emergency Shelter is 50 residents.  <del>iiiv) Emergency Shelter and Residential Care Facility</del>  1. Except as provided for in Subsection 2, every Emergency Shelter <del>and Residential Care Facility</del> shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of	ii) Emergency Shelter:  1. Maximum Capacity for Emergency Shelter is 50 residents.  iii) Emergency Shelter  1. Except as provided for in Subsection 2, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Emergency Shelter, Corrections Residence or Correctional Facility.  2. Where the radial separation distance from the lot line of an Emergency Shelter	Eliminating the capacity restriction for Residential Care Facilities provides flexibility and increases availability of options for residents requiring supports throughout the Urban Area.  Eliminating the radial separation distance requirement applicable to Residential Care Facilities implements the recommendations of Reports PED19091 and PED19091(a) as well as the most recent standards established through the first two phases of Low Density Residential Zones (Report PED22154 in 2022 and Report PED22154(a) in 2024), and is consistent with Urban Hamilton Official Plan Policies which encourage a range of residential uses including housing with supports throughout the Urban Area.

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<b>Section 11 – Transit Oriented Corridor Zones</b>			
<b>11.1 – Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone</b>			
<b>11.3 – Transit Oriented Corridor Multiple Residential (TOC3) Zone</b>			
<b>Section</b>	<b>Proposed Change</b>	<b>Proposed Revised Zone Regulation</b>	<b>Rationale</b>
<p><del>Grey highlighted strikethrough text = text to be deleted</del>      <b>bolded text = text to be added</b></p>			
	<p>such lot measured to the lot line of any other lot occupied by an <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence or Correctional Facility.</p> <p>2. Where the radial separation distance from the lot line of an <del>Emergency Shelter or Residential Care Facility</del> existing on the date of passing of this By-law is less than 300 metres to the lot line of any other lot occupied by an existing <del>Residential Care Facility</del>, Emergency Shelter, Corrections Residence, or Correctional Facility, <del>either of the existing Residential Care Facility or</del> Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	<p>existing on the date of passing of this By-law is less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence, or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.</p>	
<p>Co-Location of Residential Care Facility and Social Services Establishment in the Same Building</p> <p>Section 11.1.3 k) <b>[New]</b></p>	<p><b>k) Co-Location of Residential Care Facility and Social Services Establishment in the Same Building</b></p> <p><b>Notwithstanding any requirement in the definition of Residential Care Facility in Section 3 of this By-law that such use must be in a fully detached residential building, in the TOC1 Zone, a Social Services Establishment and Residential Care Facility are permitted to be located in the same</b></p>	<p>k) Co-Location of Residential Care Facility and Social Services Establishment in the Same Building</p> <p>Notwithstanding any requirement in the definition of Residential Care Facility in Section 3 of this By-law that such use must be in a fully detached residential building, in the TOC1 Zone, a Social Services Establishment and Residential Care Facility are permitted to be located in the same building.</p>	<p>Co-location of a Social Services Establishment use with a Residential Care Facility within the same building allows for more integrated service delivery to community members availing of counselling and other services offered. Co-location of a Social Services Establishment with a Residential Care Facility is suitable for the TOC1 Zone since the Zone permits both uses, is generally located on or in close proximity to arterial roads and public transit and is intended to include uses which</p>

Section 11 – Transit Oriented Corridor Zones			
11.1 – Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone			
11.3 – Transit Oriented Corridor Multiple Residential (TOC3) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added	
	building.		provide services to the community.
11.3 – Transit Oriented Corridor Multiple Residential (TOC3) Zone			
Restricted Uses	<del>iii) Residential Care Facility and Emergency Shelter:</del>  <del>1. Maximum Capacity for Residential Care Facility is 20 residents.</del>  iiiv) Emergency Shelter and Residential Care Facility  1. Except as provided for in Subsection 2, every Emergency Shelter and Residential Care Facility shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Residential Care Facility, Emergency Shelter, Corrections Residence, or Correctional Facility.  2. Where the radial separation distance from the lot line of an Emergency Shelter or Residential Care Facility existing on the date of passing of this By-law is less than 300 metres to the lot line of any other lot occupied by an existing Residential Care Facility, Emergency Shelter, Corrections Residence, or Correctional Facility, either of	iii) Emergency Shelter  1. Except as provided for in Subsection 2, every Emergency Shelter shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by an Emergency Shelter, Corrections Residence, or Correctional Facility.  2. Where the radial separation distance from the lot line of an Emergency Shelter existing on the date of passing of this By-law is less than 300 metres to the lot line of any other lot occupied by an existing Emergency Shelter, Corrections Residence, or Correctional Facility, the existing Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.	Eliminating the capacity restriction for Residential Care Facilities provides flexibility and increases availability of options for residents requiring supports throughout the Urban Area.  Eliminating the radial separation distance requirement applicable to Residential Care Facilities implements the recommendations of Reports PED19091 and PED19091(a) as well as the most recent standards established through the first two phases of Low Density Residential Zones (Report PED22154 in 2022 and Report PED22154(a) in 2024), and is consistent with Urban Hamilton Official Plan Policies which encourage a range of residential uses including housing with supports throughout the Urban Area.
Section 11.3.1.1			

Section 11 – Transit Oriented Corridor Zones			
11.1 – Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone			
11.3 – Transit Oriented Corridor Multiple Residential (TOC3) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
Grey highlighted strikethrough text = text to be deleted <b>bolded text</b> = text to be added			
	the existing <del>Residential Care Facility</del> or Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.		



WELCOME TO THE CITY OF HAMILTON

# PLANNING COMMITTEE

April 8, 2025

# **PED25038 – Strategic and Technical Amendments to the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200 to Implement the Residential Zones, and Strategic Amendments to Former City of Hamilton Zoning By-law No. 6593.**

Presented by: Sebastian Cuming and Jennifer Allen

# Purpose

- This report contains amendments to the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200 which further implement the Residential Zones and improve implementation of residential policies of the Official Plan.
- Amendments to the Urban Hamilton Official Plan and Zoning By-law No. 05-200 better differentiate between Street Townhouse Dwellings, which are considered Low Density Residential uses, and other townhouse built forms which are considered Multiple Dwellings in the Official Plan.
- Amendments to Zoning By-law No. 05-200 improve consistency in permissions and regulations for low density residential uses in certain Downtown, Institutional and Commercial and Mixed Use Zones with residential permissions.
- Amendments to Residential Care Facility regulations in Zoning By-law No. 05-200 and Former City of Hamilton Zoning By-law No. 6593 implement the latest standards developed through the Residential Zones Project, as well as recommendations from Report PED19091(a).
- Strategic Updates to Zoning By-law No. 05-200 correct errors, clarify terminology and add a regulation to address changes to the provincial planning framework.

# Background

## **Official Plan Amendment No. 167 and the Residential Zones Project**

- On June 8, 2022, Council approved Urban Hamilton Official Plan Amendment No. 167 which implemented the City’s “No Urban Boundary Expansion” growth option and included various amendments to permit an increased range of housing options within the built boundary.
- The Residential Zones Project has been completed in phases to introduce Residential Zones to Zoning By-law No. 05-200, and to implement Official Plan Amendment No. 167.
- Amendments to Zoning By-law No. 05-200 in 2022 (PED22154) and 2024 (PED22154(a)) have introduced three Low Density Residential Zones to Zoning By-law No. 05-200 with updated permissions and performances standards.

# Background

## **Reports PED19091 and PED19091(a) - Residential Care Facility Regulations**

- In 2019, Planning staff presented the “Residential Care Facilities and Group Homes - Human Rights and the Zoning By-Laws within the Urban Area – March 2019” Discussion Paper to Planning Committee (PED19091). The Discussion Paper included preliminary recommendations for Zoning By-law changes.
- The first and second phase of the Low Density Residential Zones implemented those and other changes to Residential Care Facilities within the Low Density Residential Zones.

## **Bill 185 – *Cutting Red Tape to Build More Homes Act, 2024***

- Amends the *Planning Act* to exempt certain undertakings of post-secondary institutions from the requirements of the *Planning Act*.

## UHOP Amendments:

- The proposed Official Plan Amendment is required to provide clarification on the built forms intended to be considered a Multiple Dwelling in the Urban Hamilton Official Plan by:
  - amending the definition of Multiple Dwelling to include multiple separate buildings which form part of a comprehensive development to address an existing policy gap and to add language to clarify Street Townhouse Dwellings are not considered a Multiple Dwelling; and,
  - amending Volume 1 policies to provide clear distinction between Street Townhouse Dwellings and Multiple Dwellings, where necessary.

# Townhouse Form Differentiation in Zoning By-law No. 05-200

## **Definitions (Section 3)**

- Add new definitions of Multiple Dwelling Townhouse and Unit Width
- Modify the definitions of Street Townhouse Dwelling and Lot

## **New Multiple Dwelling Townhouse Definition**

- The proposed Multiple Dwelling Townhouse definition is intended to capture a broad range of townhouse forms which all constitute a Multiple Dwelling as defined in the Urban Hamilton Official Plan
- Amendments to the definition of Lot and Section 4.3 – Frontage on a Street are intended to achieve consistency in how Zoning By-law No. 05-200 regulates Multiple Dwelling Townhouse developments

## **Modification to Street Townhouse Dwelling**

- The amended definition of Street Townhouse Dwelling will only capture townhouse units with direct frontage on a street

# Residential Zones Implementation in Zoning By-law 05-200

## **Neighbourhood Institutional (I1) Zone and the Community Institutional (I2) Zone**

- Add Street Townhouse Dwelling, Triplex Dwelling and Fourplex Dwelling to permitted uses
- Align standards for Low Density Residential uses with those in the Low Density Residential Zones

## **Downtown Residential (D5) Zone**

- Add Triplex Dwelling, Fourplex Dwelling and Multiple Dwelling Townhouse to permitted uses

## **Residential Character Commercial (C1) Zone**

- Add Triplex Dwelling to permitted uses

## **Legal Non-Conforming Uses (Section 1.11)**

- Add Semi-Detached Dwelling, Street Townhouse Dwelling, Triplex Dwelling and Fourplex Dwelling to the uses eligible for recognition and limited permissions in cases where such uses are legal non-conforming

## **Additional Dwelling Units (Section 4.33)**

- Clarify permissions and restrictions for Additional Dwelling Units

# Residential Care Facilities in Zoning By-law No. 05-200

## **Radial Separation Distance and Moratorium Areas**

- Eliminate Radial Separation Distance Requirements and the Moratorium Area applicable to Residential Care Facilities
- Eliminate the Moratorium Area under Former City of Hamilton Zoning By-law No. 6593 applicable to Residential Care Facilities

## **Capacity Restrictions**

- Remove capacity restrictions for Residential Care Facilities in zones which permit the use and apply to the urban area

## **Co-location of Residential Care Facility and Social Services Establishment in the Same Building**

- Permit a Residential Care Facility and Social Services Establishment to co-locate within the same building in three Zones: the Major Institutional (I3) Zone, the Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone and the Mixed Use Medium Density (C5) Zone

# Strategic Updates to Zoning By-law No. 05-200

## **Section 4 (General Provisions)**

- Add a new regulation addressing how zoning applies to undertakings of post-secondary institutions, following amendments made to the *Planning Act* through Bill 185

# Consultation

- Staff from the Development Planning and Zoning and Committee of Adjustment Sections, Planning Division and staff from Building Division provided input on proposed amendments respecting townhouse differentiation;
- A summary of the proposed Zoning By-law amendments respecting townhouse form differentiation was presented to the Development Industry Liaison Group on February 12, 2025.
- The Notice of Public Meeting was posted in Hamilton Spectator and individual mail outs were sent.



THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE



## City of Hamilton Report for Consideration

**To:** Chair and Members  
Planning Committee

**Date:** April 8, 2025

**Report No:** PED25097

**Subject/Title:** Application for a Draft Plan of Subdivision for Lands Located at 238, 240 and 242 Highland Road West, Stoney Creek

**Ward(s) Affected:** Ward 9

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### Recommendations

- 1) That **Draft Plan of Subdivision Application 25T-202405, by MHBC Planning Ltd. (c/o Stephanie Mirtitsch), on behalf of Losani Homes (1998) Ltd. (c/o Dianne Ramos), Margaret and Eric Sundin, and Imre and Eva Sarkozi, Owners**, on lands located at 238, 240 and 242 Highland Road West shown as on Appendix A attached to Report PED25097, be **APPROVED** in accordance with By-law No. 07-323 being the delegation of the City of Hamilton's Assigned Authority Under the *Planning Act* for the Approval of Subdivisions and Condominiums, on the following basis:
  - a) That this approval apply to the Draft Plan of Subdivision 25T-202405, certified by R.S. Querubin, O.L.S., dated October 25, 2024, consisting of four residential blocks to facilitate the development of five lots for single detached dwellings and two lots for one semi detached dwelling fronting onto Carlson Street (Block 1), and to retain the existing single detached dwellings along Highland Road West (Blocks 2 to 4), as shown on Appendix B attached to Report PED25097;
  - b) That the Owner enter into a Standard Form Subdivision Agreement as approved by City Council and with the Special Conditions as shown on Appendix C attached to Report PED25097;

**Application for a Draft Plan of Subdivision for Lands Located at 238, 240 and 242  
Highland Road West, Stoney Creek (Ward 9)**

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- c) That the Special Conditions of Draft Plan of Subdivision Approval 25T-202405, as shown on Appendix C attached to Report PED25097, be received and endorsed by City Council;
- d) 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; and,
- e) 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.

### **Key Facts**

- The proposed Draft Plan of Subdivision is to facilitate the development of five lots for single detached dwellings and two lots for one semi-detached dwelling fronting onto Carlson Street (Block 1), and to retain the existing single detached dwellings along Highland Road West (Blocks 2 to 4).
- The subject lands are designated "Neighbourhoods" on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan, designated "Low Density Residential 2b" in the West Mountain Area (Heritage Green) Secondary Plan, and zoned Low Density Residential (R1) Zone in Hamilton Zoning By-law No. 05-200.
- The proposal was circulated to 85 property owners within 120 metres of the subject lands as per the requirements of the *Planning Act* and no comments were received.
- Staff recommends approval of the application for Draft Plan of Subdivision with conditions be approved as shown in Appendix B and C attached to Report PED25097.

### **Financial Considerations**

Not applicable.

### **Analysis**

The subject lands are municipality known as 238, 240 and 242 Highland Road West, Stoney Creek, as shown on Appendix A attached to Report PED25097. The subject lands are located north of Highland Road West between Second Road West and Gateson Drive and immediately south of Maplewood Park in upper Stoney Creek within the West Mountain Area (Heritage Green) Secondary Plan area. The applicant has submitted a Draft Plan of Subdivision application consisting of four residential blocks to

**Application for a Draft Plan of Subdivision for Lands Located at 238, 240 and 242  
Highland Road West, Stoney Creek (Ward 9)  
Page 3 of 7**

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facilitate the development of five lots for single detached dwellings and two lots for one semi-detached dwelling fronting onto Carlson Street (Block 1), and to retain the existing single detached dwellings along Highland Road West (Blocks 2 to 4).

A full review of the applicable Provincial Policy Statement (2024), Urban Hamilton Official Plan Amendment, and West Mountain Area (Heritage Green) Secondary Plan is provided in Appendix E attached to Report PED25097.

### **Provincial Planning Statement (2024)**

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the Provincial Planning Statement (2024). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Planning Statement (2024).

The proposal supports the development of healthy, liveable, and complete communities and implementing the targets for housing by intensifying underutilized lands. The proposal has been reviewed against the Provincial Planning Statement (2024), including policies 2.3.1.3 and 2.3.1.4, among others. The proposed development is within a settlement area and efficiently use land and resources, optimizes existing and planned infrastructure and public service facilities. The proposal is compatible with the surrounding area which is characterized by low density residential dwellings and continues to be built out and makes efficient use of existing municipal infrastructure. Maplewood Neighbourhood Park and Splash Pad and Mount Albion Elementary School are located north of the subject lands and Saltfleet District High School are to the east of the subject lands. The development will support the use of existing and planned transit and commercial uses and it will also support active transportation.

Based on the foregoing, the proposal is consistent with the Provincial Planning Statement (2024).

### **Urban Hamilton Official Plan and West Mountain Area (Heritage Green) Secondary Plan**

The subject lands are identified as “Neighbourhoods” on Schedule E – Urban Structure and designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations. The subject lands are designated “Low Density Residential 2b” on Map B.7.6-1 – West Mountain Area (Heritage Green) Secondary Plan – Land Use Plan. A full policy analysis of the applicable Urban Hamilton Official Plan policies is provided in Appendix E attached to Report PED25097.

The Draft Plan of Subdivision application will facilitate the development of five lots for single detached dwellings and two lots for one semi-detached dwelling fronting onto Carlson Street (Block 1), and to retain the existing single detached dwelling along Highland Road West (Blocks 2 to 4), as shown in Appendix B attached to Report

**Application for a Draft Plan of Subdivision for Lands Located at 238, 240 and 242  
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PED25097. The creation of Block 1 will permit the further subdividing of the lands through a future Part Lot Control application.

The proposed development is to facilitate five lots for single detached dwellings and one semi-detached dwelling which meets the intent of the policies of the Urban Hamilton Official Plan and more specifically the “Low Density Residential 2b” designation of the on West Mountain Area (Heritage Green) Secondary Plan. The proposed built form is considered appropriate as it is compatible with and respects the adjacent approved subdivision to the east as well as the existing surrounding built form which includes two storey and two and a half storey single detached dwellings, and two and half storey semi-detached dwellings. The proposed dwellings are a continuation of the approved subdivision to the east as well as the existing single and semi-detached dwellings developed to the east and west, which have similar height and setbacks and will represent a form, orientation and massing similar to existing residential along Carlson Street which enhances the streetscape.

Based on the foregoing, the proposal complies with the Urban Hamilton Official Plan and West Mountain Area (Heritage Green) Secondary Plan.

#### **City of Hamilton Zoning By-law No. 05-200**

The subject lands are zoned Low Density Residential (R1) Zone, which permits various forms of grade oriented residential uses including single and semi-detached dwellings. The proposed blocks conform to the Low Density Residential (R1) Zone requirements. Block 1, as shown in Appendix B attached to Report PED25097, will be further subdivided into individual lots for five lots for single detached dwellings and two lots for one semi-detached dwelling through a future Part Lot Control application. Any deviation from the current zoning regulations would be subject to a Minor Variance application to address non-conformity to facilitate the future Part Lot Control application. The applicant has since submitted a Minor Variance application to address deficiencies to lot frontage, lot area, minimum required rear yard, and minimum required side yards. At the time of writing this report the Minor Variance application has not been assigned a file number.

#### **Rationale For Recommendation**

1. The proposal has merit and can be supported for the following reasons:
  - (i) It is consistent with the Provincial Planning Statement (2024);
  - (ii) It complies with the policies of the Urban Hamilton Official Plan and the West Mountain Area (Heritage Green) Secondary Plan; and,
  - (iii) It is compatible with existing land uses in the immediate area and represents good planning by, among other things, increasing the supply of housing units, enhances the pedestrian environment along Carlson Street,

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makes efficient use of existing infrastructure within the urban boundary, and supports public transit.

2. Draft Plan of Subdivision

In review of Sub-section 51(24) of the *Planning Act*, to assess the appropriateness of the proposed subdivision, staff advise that:

- (a) It is consistent with the Provincial Planning Statement (2024);
- (b) The proposal represents a logical and timely use of existing development and services and is in the public interest;
- (c) It conforms with the applicable policies of the Urban Hamilton Official Plan and West Mountain Area (Heritage Green) Secondary Plan and the adjacent Registered Plans of Subdivision 62M-1134 and 62M-1302;
- (d) The subject lands are suitable for the purposes for which it is to be subdivided;
- (e) The proposed subdivision will be adequately serviced and can connect with the current road system;
- (f) The dimensions and shape of the lots and blocks are appropriate;
- (g) Restrictions and regulations for the development of the subdivision are included in the conditions of draft plan approval and Subdivision Agreement;
- (h) The subject lands can be appropriately used for the purposes for which it is to be subdivided and will not negatively impact natural heritage features, and flood control will be addressed through stormwater management plans that will be required as standard conditions of draft plan approval;
- (i) Adequate utility and municipal services are available, the particulars of which will be determined as part of the conditions of draft plan approval and Subdivision Agreement;
- (j) Adequate school sites are available, the particulars of which were determined as part of the preparation and consultation through the development of the West Mountain Area (Heritage Green) Secondary Plan;

**Application for a Draft Plan of Subdivision for Lands Located at 238, 240 and 242  
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- (k) Public land has been conveyed to create road rights-of-way, the particulars of which determined as part of the Standard Subdivision Agreement and final registration of the Plan of Subdivision; and,
- (l) The proposed development of the subject lands is interrelated with site plan control matters that include further review of landscaping, lighting, waste collection and urban design.

Based on the above, staff are supportive of the Draft Plan of Subdivision and recommend its approval.

### **Alternatives**

Should the application be denied, the subject properties can be used in accordance with the Low Density Residential (R1) Zone in City of Hamilton Zoning By-law No. 05-200.

### **Relationship to Council Strategic Priorities**

Priority 1: Sustainable Economic & Ecological Development

- 1.2: Facilitate the growth of key sectors.

Priority 2: Safe & Thriving Neighbourhoods

- Increase the supply of affordable and supportive housing and reduce chronic homelessness.

### **Consultation**

The applicant sent letters dated September 13, 2024, to residents within 120 metres of the subject lands with information of the proposed additional blocks. No comments were received by the applicant at the time of this report being written. In addition to the requirements of the *Planning Act*, the applicants held a Community Information Meeting relating to a previous Zoning By-law Amendment application ZAC-22-064 and Draft Plan of Subdivision application 25T-202209 for lands located at 82 Carlson Street, immediately east of the subject lands.

As the application implements the Low Density Residential (R1) Zone approved by City Council on April 10, 2024, further public consultation beyond the letter provided by the applicant and giving notice of complete application of the Draft Plan of Subdivision application was not deemed necessary.

### **Appendices and Schedules Attached**

- Appendix A: Location Map
- Appendix A1: Existing Land Use, Surrounding Lands and Zoning Chart
- Appendix B: Proposed Concept Plan and Draft Plan of Subdivision

**Application for a Draft Plan of Subdivision for Lands Located at 238, 240 and 242  
Highland Road West, Stoney Creek (Ward 9)**

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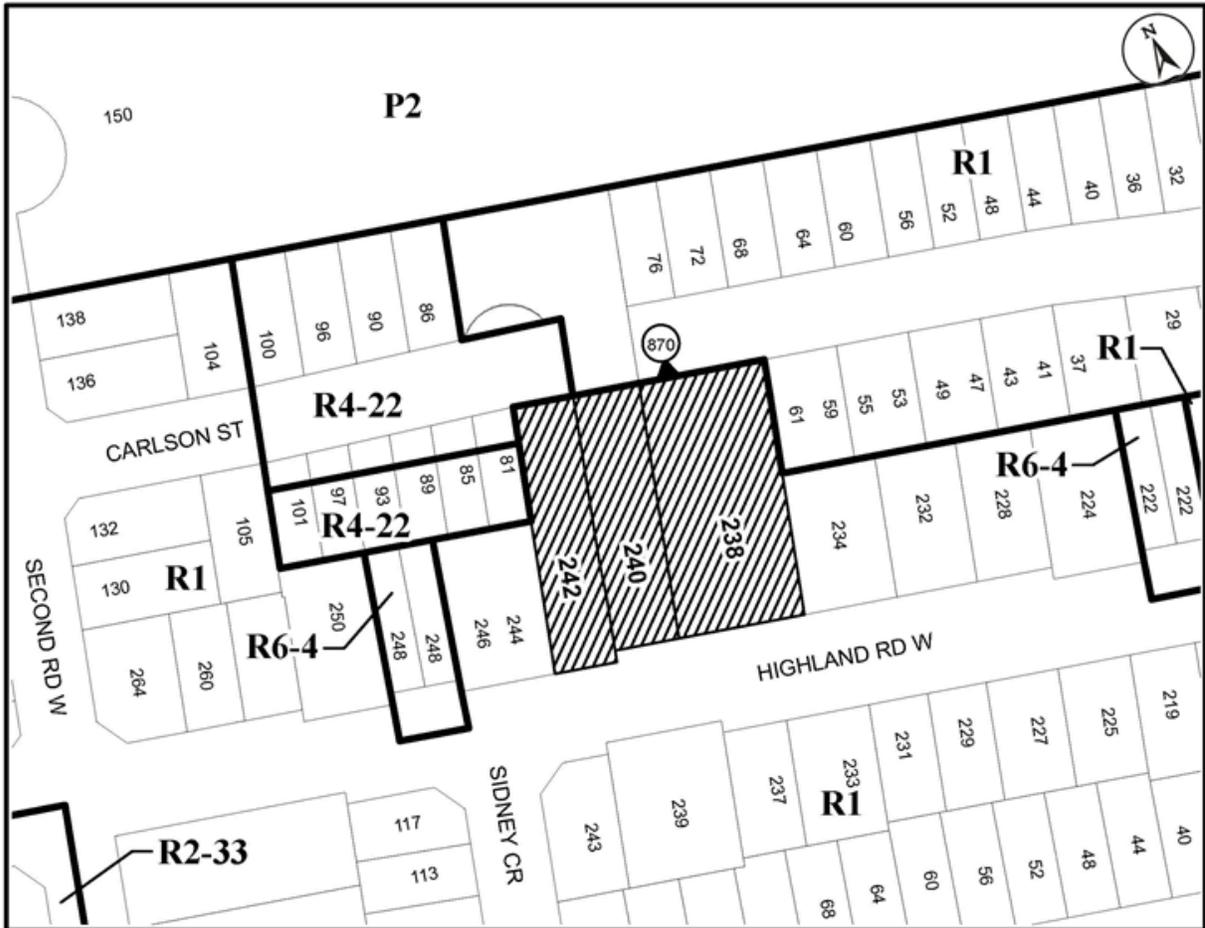
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Appendix C: Draft Plan of Subdivision Special Conditions  
Appendix D: Historical Background Report Fact Sheet  
Appendix E: Policy Review  
Appendix F: Staff and Agency Comments  
Appendix G: Public Consultation Letter

**Prepared by:** Michael Fiorino, Planner II  
Planning and Economic Development Department,  
Development Planning East

**Submitted and  
recommended by:** Anita Fabac, Acting Director of Planning and Chief Planner  
Planning and Economic Development Department

Appendix A to Report PED25097  
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● Site Location



Key Map - Ward 9

# Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
25T-202405

Date:  
February 25, 2025

Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
MF/AL

### Subject Property

 238, 240 and 242 Highland Road West

**Appendix A1 to Report PED25097**  
**Page 1 of 1**

**Existing Land Use and Zoning**

	<b>Existing Land Use</b>	<b>Existing Zoning</b>
<b>Subject Lands:</b>	Single Detached Dwellings.	Low Density Residential (R1) Zone.
<b>Surrounding Lands:</b>		
North	Single Detached Dwellings (under construction).	Low Density Residential (R1, 870) Zone and Single Residential "R4-22" Zone, Modified.
South	Single Detached Dwellings.	Low Density Residential (R1) Zone.
East	Single Detached Dwellings and Semi-Detached Dwellings (under construction).	Low Density Residential (R1) Zone, and Low Density Residential (R1, 870) Zone.
West	Single Detached Dwellings.	Low Density Residential (R1) Zone and Single Residential "R4-22" Zone, Modified.



**Appendix C to Report PED25097**  
**Page 1 of 4****Special Conditions for Draft Plan of Subdivision Approval for 25T-202405**

That this approval apply to the Draft Plan of Subdivision “Part of Lot 28 Concession 7 (Geographic Township of Saltfleet) City of Hamilton” 25T-202405, certified by R.S. Querubin, O.L.S., dated October 25, 2024, consisting of four residential blocks to facilitate the development of five lots for single detached dwellings and two lots for one semi detached dwelling fronting onto Carlson Street (Block 1), and to retain the existing single detached dwellings along Highland Road West (Blocks 2 to 4), be received and endorsed by City Council with the following special conditions:

**Development Engineering:**

1. That, **prior to preliminary grading**, the owner shall submit a technical memo to demonstrate adequate sanitary, stormwater and water servicing for the lots within the proposed Block 1, to the satisfaction of the Director, Growth Management and Chief Development Engineer.
2. That, **prior to preliminary grading**, the owner shall agree in writing to provide an Excess Soil Management Plan to demonstrate how the development will comply with O. Reg. 406/19, addressing registration, assessment, sampling and analysis, characterization, source/destination reporting and tracking requirements, to the satisfaction of the Director, Growth Management and Chief Development Engineer.
3. That, **prior to servicing**, the owner shall submit Grading and Servicing Drawings to confirm that the sewer and water services installed through the construction of the Carlson Street extension are in conformance with City standards for the proposed seven lots within Block 1, to the satisfaction of the Director, Growth Management and Chief Development Engineer.
4. That, **prior to servicing**, the owner shall include in the engineering design and cost estimate schedules, all grading and servicing works at 100% owner’s cost, to the satisfaction of the Director, Growth Management and Chief Development Engineer.
5. That, **prior to registration of the final plan of subdivision**, the owner shall agree in writing, at their expense, to remove, relocate, as may be required, all affected utility poles, hydrants, pedestals, hydro vaults, etc. on Carlson Street, to the satisfaction of the Director, Growth Management and Chief Development Engineer.
6. That, **prior to registration of the final plan of subdivision**, the owner shall agree in writing that the removal of all existing septic beds, garages, playground equipment, wells, fencing, and or any structures will be at the sole cost to the

**Appendix C to Report PED25097**  
**Page 2 of 4**

Owner to the satisfaction of the Director, Growth Management and Chief Development Engineer.

7. That, **prior to registration of the final plan of subdivision**, the owner shall dedicate to the City, an adequately sized right-of-way (road) widening on Highland Road from Block 2, to the satisfaction of the City's Director, Growth Management and Chief Development Engineer.
8. That, **prior to registration of the final plan of subdivision**, the owner shall lift the following 0.3 metre reserves:
  - a. Block 23, Plan 62M-1302; and,
  - b. Block 16, Plan 62M-1134;

all to the satisfaction of the Director, Growth Management and Chief Development Engineer.

### **Development Planning**

9. That, **prior to preliminary grading or servicing**, the owner shall provide a Verification of Tree Protection Letter to the satisfaction of the Director of Planning and Chief Planner, to ensure that the tree protection measures identified within the Tree Management Plan, prepared by Jackson Arboriculture Inc. dated December 9, 2024, are implemented.
10. That, **prior to registration of the final plan of subdivision**, the owner shall prepare a Landscape Plan by a certified Landscape Architect showing the placement of one to one compensation for any tree removals, completed in accordance with the Tree Management Plan prepared by Davey Resource Group dated December 9, 2024, to the satisfaction of the Director of Planning and Chief Planner.
11. That, **prior to registration of the final plan of subdivision**, the owner shall submit Urban Design Guidelines, to the satisfaction of the Director of Planning and Chief Planner.
12. That, **prior to registration of the final plan of subdivision**, the owner's agree that a "Control Architect", independent of the "Design Architect" firm or individual, shall be retained to the satisfaction of the Director of Planning and Chief Planner, and whose function shall be to ensure, amongst other matters, the appropriate development of each lot with respect to siting, built form, materials, colours and landscaping in compliance with the approved Urban Design Guidelines; and, to certify, through stamping and signing, all drawings for the development of each

**Appendix C to Report PED25097**  
**Page 3 of 4**

lot and or block subject to the architectural guidelines prior to the issuance of any building permit(s).

13. That, **prior to registration of the plan of subdivision**, the owner shall provide the letter acceptance form from the Ministry of Citizenship and Multiculturalism to the City of Hamilton, to the satisfaction of the Director of Planning and Chief Planner.

**Bell Canada**

14. That, **prior to registration of the plan of subdivision**, the owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
15. That, **prior to registration of the plan of subdivision**, the owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the owner shall be responsible for the relocation of any such facilities or easements at their own cost.

**Union Gas**

16. That, **prior to registration of the final plan of subdivision**, the owner/developer shall provide to Enbridge Gas Inc.'s operating as Union Gas ("Union") the necessary easements and / or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Union.

**Growth Planning:**

17. That, **prior to registration of the plan of subdivision**, the owner shall work with Legislative Approvals staff to finalize municipal addressing, to the satisfaction of the Director, Growth Management and Chief Development Engineer.

**NOTES TO DRAFT PLAN APPROVAL**

1. Pursuant to Section 51 (32) of the *Planning Act*, draft approval shall lapse if the plan is not given final approval within 3 years. However, extensions will be considered if a written request is received two months before the draft approval lapses.

**Recycling and Waste Disposal:**

2. This property is eligible for municipal waste collection service subject to meeting the City's requirements indicated by the Public Works Department and subject to

compliance with the City's Solid Waste Management By-law No. 20-221, as amended.

**Appendix D to Report PED25097**  
**Page 1 of 2**

## Historical Background

<b>Application Details</b>	
Owners:	Losani Homes (1998) Ltd. (c/o Dianne Ramos), Margaret and Eric Sundin, and Imre and Eva Sarkozi.
Applicant/Agent:	MHBC Planning Ltd. (c/o Stephanie Mirtitsch).
File Number:	25T-202405.
Type of Application:	Draft Plan of Subdivision.
Proposal:	The proposed Draft Plan of Subdivision consists of four residential blocks to facilitate the development of five lots for single detached dwellings and two lots for one semi detached dwelling fronting onto Carlson Street (Block 1), and to retain the existing single detached dwellings along Highland Road West (Blocks 2 to 4), as shown on the Draft Plan of Subdivision in Appendix B attached to Report PED25097.
<b>Property Details</b>	
Municipal Address:	238, 240 and 242 Highland Road West, Stoney Creek.
Lot Area:	± 0.45 ha (irregular).
<b>Property Details</b>	
Servicing:	Existing municipal services.
Existing Use:	Single Detached Dwellings.
<b>Documents</b>	
Provincial Planning Statement:	The proposal is consistent with the Provincial Planning Statement (2024).
Official Plan Existing:	"Neighbourhoods" on Schedule E-1 – Urban Land Use Designations.
Secondary Plan Existing:	"Low Density Residential 2b" on Map B.7.6-1 in the West Mountain Area (Heritage Green) Secondary Plan.
Zoning Existing:	Low Density Residential (R1) Zone.
<b>Processing Details</b>	
Received:	September 18, 2024.
Deemed Complete:	September 24, 2024.
Notice of Complete Application:	Sent to 85 property owners within 120 metres of the subject property on October 7, 2024.

**Appendix D to Report PED25097**  
**Page 2 of 2**

Public Notice Sign:	Posted on October 10, 2024, and updated on March 19, 2025, with the Public Meeting date.
Notice of Public Meeting:	Sent to 85 property owners within 120 metres of the subject property on March 28, 2025.
Staff and Agency Comments:	Staff and agency comments have been summarized in Appendix F attached to Report PED25097.
Public Consultation:	<p>The applicant sent letters dated September 13, 2024, to residents within 120 metres of the subject lands with information of the proposed additional blocks (as shown in Appendix G to Report PED25097). No comments were received by the applicant at the time of this report being written.</p> <p>As the application implements the Low Density Residential (R1) Zone approved by City Council on April 10, 2024, further public consultation beyond the letter provided by the applicant and giving notice of complete application of the Draft Plan of Subdivision application was not deemed necessary.</p>
Public Comments:	No comments were received from the public at the time of this report being written.
Processing Time:	203 days.

**Appendix E to Report PED25097**  
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## SUMMARY OF POLICY REVIEW

The following policies, amongst others, apply to the proposal.

Theme and Official Plan Policy	Summary of Issue	Staff Response
<b>Provincial Planning Statement (2024)</b>		
<p><b>Management of Land Use, Settlement Area, Housing, Transportation Systems, Long-Term Economic Prosperity</b></p> <p>Policies: 2.3.1.3, 2.3.1.4 and 2.4.1.3</p>	<p>Settlement Areas are intended to be the focus of growth and development. Within Settlement Areas, land use patterns shall efficiently use land, infrastructure, and public service facilities, and be transit supportive. Healthy, liveable, and safe communities are, in part, sustained by accommodating a range and mix of residential types and promoting the integration of land use planning, transit supportive development, and by encouraging sense of place through promoting well designed built form.</p>	<p>The proposed development supports the development of healthy, liveable, and safe communities and implement targets for housing by intensifying underutilized lands. There is a mix of single and semi-detached dwellings which allows for compact development to occur within designated growth areas compatible with the surrounding area characterized by low density residential uses. The mix of densities promotes the efficient use of land, which utilizes infrastructure and public service facilities. The development will support the use of existing and planned transit and commercial uses and it will also support active transportation.</p> <p>The proposal is consistent with these policies.</p>
<b>Urban Hamilton Official Plan</b>		
<p><b>Cultural Heritage</b></p> <p>Policy B.3.4.2.1 a)</p>	<p>In areas of archaeological potential identified on Appendix F-4 – Archaeological Potential, an archaeological assessment shall be required and submitted prior to or at the time of application submission for planning matters under the <i>Planning Act</i>.</p>	<p>As part of the Carlson Extension Draft Plan of Subdivision, a Stage 1-2 Archaeological Assessment (P038-1492-2024) was submitted to the City of Hamilton and the Ministry of Citizenship and Multiculturalism. While the Provincial interest has yet to be signed off by the Ministry, staff concur with the recommendations made in the report, and the archaeology condition for the subject application has been met to the satisfaction of municipal heritage planning staff.</p>

**Appendix E to Report PED25097**  
**Page 2 of 4**

Theme and Official Plan Policy	Summary of Issue	Staff Response
<b>Cultural Heritage</b> Policy B.3.4.2.1 a) <b>(continued)</b>		Condition No. 13 in Appendix C attached to Report PED25097 has been included to ensure that the letter be provided to the City of Hamilton.
<b>Trees</b>  Policy 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.	<p>A revised Tree Preservation and Management Plan, prepared by Jackson Arboriculture Inc. dated December 9, 2024, was submitted. A total of 18 trees were inventoried including two public trees and 10 of those trees is proposed to be removed. Staff's previous comments from October 28, 2024, have been addressed; however, a tree verification letter has not been provided and therefore the Tree Protection Plan has not been approved. To ensure compensation for trees removed, the applicant is required to provide one for one compensation for any private 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. Condition Nos. 9 and 10 in Appendix C attached to Report PED25097 has been included to ensure that a tree protection letter is provided and implemented prior to pre-grading of the subject lands, and a landscape plan is submitted prior to final registration.</p> <p>The proposal complies with this policy.</p>
<b>Infrastructure</b> Policies C.5.3.11:	All development within the urban area shall be connected to the City's water and wastewater system.	The proposed development has municipal water and wastewater infrastructure available. Staff acknowledge the current development proposal is an extension to a previously approved Draft Plan of Subdivision 25T-202209. Development Engineering staff require that all grading and servicing drawings confirm that the sewer and water services installed through the construction of the Carlson Street extension are in conformance with City standards for the proposed seven lots within Block 1. The owner will be required to lift the 0.3 metre reserve blocks Block 23, Plan 62M-1302 and Block 16, Plan 62M-1134.

**Appendix E to Report PED25097****Page 3 of 4**

<b>Theme and Official Plan Policy</b>	<b>Summary of Issue</b>	<b>Staff Response</b>
<b>Infrastructure</b> Policies C.5.3.11: <b>(continued)</b>		<p>These matters have been addressed as Condition Nos. 1 to 8 of Appendix C attached to Report PED25097.</p> <p>The proposal complies with this policy.</p>
<b>Division of Land</b>  Policy F.1.14.1.2:	<p>Subdivisions shall meet a number of criteria ensuring the development of blocks and lots in conjunction with the road network can support the intent of the land use designations, implements the City's staging of development program, can be supplied with adequate services and community facilities, not adversely impact the transportation system and natural environment, and will not adversely impact municipal finances.</p>	<p>The proposed Draft Plan of Subdivision is to facilitate the development of five lots for single detached dwellings and two lots for one semi-detached dwelling fronting onto Carlson Street (Block 1), and to retain the existing single detached dwellings along Highland Road West (Blocks 2 to 4). Block 1 will be further subdivided through a future Part Lot Control application. The proposed blocks will implement the proposed development as established through the Low Density Residential (R1) Zone and supports the intent of the "Low Density Residential 2b" designation in the West Mountain Area (Heritage Green) Secondary Plan. The proposal has adequate services and has been integrated with the adjacent subdivisions to the east and west. As a condition of approval, the applicant will be required to lift the 0.3 metre reserve along Block 1 prior to registration.</p> <p>The proposal complies with this policy.</p>
<b>Urban Design</b>  Policies: F.3.2.5.1 and F3.2.5.2	<p>The City may develop urban design guidelines to address contextual or use specific design issues, or other matters where the City identifies a need for specific design guidance in order to implement the policies of this Plan.</p> <p>The City in considering applications for plans of subdivision and condominiums may require an</p>	<p>The applicant is required to submit Urban Design Guidelines to the satisfaction of the City and that individual dwellings be subject to review by a Control Architect to ensure conformity with the approved Guidelines, which are addressed as Condition Nos. 11 and 12 of Appendix C to Report PED25097.</p> <p>The proposal complies with these polices.</p>

## Appendix E to Report PED25097

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Theme and Official Plan Policy	Summary of Issue	Staff Response
<b>Urban Design</b>  Policies: F.3.2.5.1 and F3.2.5.2  <b>(continued)</b>	applicant to prepare urban design and/or architectural design guidelines to the City's satisfaction. The City may undertake Architectural Control to ensure compliance with the approved Urban Design/Architectural Guidelines applicable to a specific development or redevelopment.	
<b>West Mountain Area (Heritage Green) Secondary Plan</b>		
<b>General Policies</b>  Policy B.1.5:	The permitted density ranges, built form, and height of Section E.3.4 – Low Density Residential Uses of Volume 1 shall apply for all lands designated Low Density Residential 2b.	The density and built form comply with policies E.3.4.3, E.3.4.4, and E.3.4.5 of Volume 1, which permits single-detached, semi-detached dwellings and the proposed units will not exceed the maximum three storey height requirement.  The proposal complies with this policy.

**Appendix F to Report PED25097**  
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**CONSULTATION – DEPARTMENTS AND AGENCIES**

<b>Department/Agency</b>	<b>Comment</b>	<b>Staff Response</b>
Hydro One Networks Inc, Real Estate Division.	No comment.	Noted.
Development Engineering Section, Growth Management Division, Planning and Economic Development Department	<p>A Functional Servicing and Stormwater Management Report, prepared by S. Llewellyn Limited, dated August 15, 2024, was submitted.</p> <p>Development Engineering staff supports the application as the applicant has demonstrated that proposal can be accommodated within the municipal infrastructure.</p> <p>Development Engineering advised that any blocks or easements required for servicing and/or utilities or drainage shall be in accordance with the City's comprehensive guidelines. The Owner will be required to pay any outstanding costs / best efforts assessed for the property.</p> <p>Development Engineering staff will also require the owner to agree that, at their expense, to remove or relocate, as may be required, all affected utility poles, hydrants, pedestals, hydro vaults, etc. and the removal of all existing septic beds, garages,</p>	<p>Condition Number 1 of Appendix C attached to Report PED25097 will ensure that demonstrate adequate sanitary, stormwater and water servicing for the lots within Block 1 as shown in Appendix B attached to Report PED25097.</p> <p>Condition Number 2 of Appendix C attached to Report PED25097 requires an Excess Soil Management Plan to demonstrate how the development will comply with Ontario Regulation 406/19.</p> <p>Condition Numbers 3 and 4 of Appendix C attached to Report PED25097 requires the submission of a Grading and Servicing Drawings to confirm that the sewer and water services installed through the construction of the Carlson Street extension are in conformance with City standards for the proposed seven lots within Block 1 and design and cost estimate schedules, all grading and servicing works at 100% Owner's cost.</p>

## Appendix F to Report PED25097

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Department/Agency	Comment	Staff Response
Development Engineering Section, Growth Management Division, Planning and Economic Development Department <b>(continued)</b>	playground equipment, wells, fencing, and/or any structures.	<p>Condition Numbers 5 and 6 of Appendix C attached to Report PED25097 requires to remove or relocate, as may be required, all affected utility poles, hydrants, pedestals, hydro vaults, etc. and the removal of all existing septic beds, garages, playground equipment, wells, fencing, and/or any structures.</p> <p>Condition Numbers 7 and 8 of Appendix C attached to Report PED25097 requires the road widening from Block 2 and the 0.3 metre reserve along Carlson Street be lifted.</p>
Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department	<p>Transportation Planning have reviewed the proposal and do not have concern with the additional lots along Carlson Street.</p> <p>Transportation Planning has confirmed the requirement for a right-of-way dedication has been provided.</p>	<p>Noted.</p> <p>Staff advise that the requirements regarding the extension of Carlson Street and the closure of the westerly temporary cul-de-sac have occurred through approval of Draft Plan of Subdivision approval 25T-202209.</p>
Waste Policy and Planning Section, Waste Management Division, Public Works Department	The residential dwellings are eligible for municipal waste collection and will be required to follow the requirements under the City of Hamilton Solid Waste Management By-law No. 20-221. All waste streams are to be set out for collection in front of the individual dwelling unit.	Note Number 2 of Appendix C attached to Report PED25097 has been included as the proposal is eligible for municipal collection.

## Appendix F to Report PED25097

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Department/Agency	Comment	Staff Response
Forestry and Horticulture Section, Environmental Services Division, Public Works Department	<p>The Tree Management Plan, prepared by Jackson Arboriculture Inc. and dated December 9, 2024, is approved. As there is no additional loss of canopy, no additional fees are required at this time. Loss of canopy fees for the removal of municipal tree numbers 1 and 2 (previously tree number 92 and 93) were previously paid on July 10, 2024, through Draft Plan of Subdivision application 25T-202209 and public tree permit # 267-2024 was issued.</p> <p>Forestry advises that the requirement for Landscape Plans for subdivisions are not required to show planting locations and designated species within the municipal road allowance. Forestry staff have clarified that the Landscape Plan has been combined with the previously approved plan for the adjacent registered Plan of Subdivision 62M-1302.</p>	Noted. The Standard Form Subdivision Agreement (Clause 2.8) addresses the Landscape Plan and any requirement for street tree plantings.
Legislative Approvals, Growth Management Plan, Planning and Economic Development Department	<p>The Owner and Agent should be made aware that the municipal address for the proposed development will be determined after Draft Plan approval is granted.</p> <p>Pursuant to Section 51(32) of the <i>Planning Act</i>, draft approval shall lapse if the plan is not given final approval within three years. However, extensions will be considered if a</p>	<p>Condition Number 17 of Appendix C attached to Report PED25097 has been included to ensure coordination between the owner and Growth Management staff occurs to finalize municipal addressing.</p> <p>Note Number 1 of Appendix C attached to Report PED25097 has been included to demonstrate the timeframe for approval</p>

## Appendix F to Report PED25097

Page 4 of 4

<b>Department/Agency</b>	<b>Comment</b>	<b>Staff Response</b>
Legislative Approvals, Growth Management Plan, Planning and Economic Development Department <b>(continued)</b>	written request is received two months before the draft approval lapses.	and registration of the Draft Plan of Subdivision.
Landscape Architectural Services, Environmental Services Division, Public Works Department	Cash-in-lieu of parkland dedication will be requested, as required, at a later stage in the planning process.	Noted. The owner will be required to make payment prior to the issuance of a building permit.
Budgets and Fiscal Policy Section, Financial Planning Administration and Policy Division, Corporate Services Department	Staff have advised that there are no outstanding municipal sewer or water charges.	Noted.
Bell Canada	Bell Canada has requested the appropriate easements be included to service the subject lands.	This requirement will be addressed through Condition Numbers 14 and 15 of Appendix C attached to Report PED25097 and the Standard Form Subdivision Agreement (Clauses 1.22 and 2.07).



September 13, 2024

Dear Resident,

**RE: Public Notice of Application**

**Subject Lands:** 238, 240 and 242 Highland Road West, 82 Carlson Street

**Application:** Major Revision to Draft Plan of Subdivision

**Applicant:** Losani Homes (1998) Ltd.

An application for Major Revision to a Draft Plan of Subdivision was submitted to the City of Hamilton in August 2024. The application proposes to add four (4) new blocks to the conditionally approved Draft Plan of Subdivision (City File No.: 25T-202209).

We request your input as part of the City's consideration of the application. A Public Meeting is not required for the application in accordance with the *Planning Act*.

Draft Plan of Subdivision 25T-202209 was conditionally approved on December 8, 2023 and consisted of the extension of Carlson Street and the facilitation of 30 new lots containing single and semi-detached uses. The revision to the Draft Plan of Subdivision proposes to sever the rear of the properties addressed 238, 240 and 242 Highland Road West, for future development consisting of single detached dwellings and semi-detached dwellings.

The Urban Hamilton Official Plan designates the lands as 'Neighbourhoods' which permits single detached and semi-detached uses. The subject lands are currently zoned Residential 6 ("R6") and Neighbourhood Development ("ND") in the Stoney Creek Zoning By-law 3692-92. Through the recently passed Bill No. 51 (currently under appeal), the lands are intended to be rezoned to Low Density Residential ("R1"). The proposed residential uses are permitted in the existing R6 zone of the Stoney Creek Zoning By-law and the R1 zone of the City of Hamilton By-law, and the blocks meet the standards of both zones.

A plan illustrating the proposed development is enclosed with this letter.

Should have any questions or comments, feel free to contact the City Planner or the undersigned via email at [kitchener@mhbcpplan.com](mailto:kitchener@mhbcpplan.com).

Yours truly,

**MHBC**

A handwritten signature in black ink, appearing to read 'DWA', followed by a long horizontal line extending to the right.

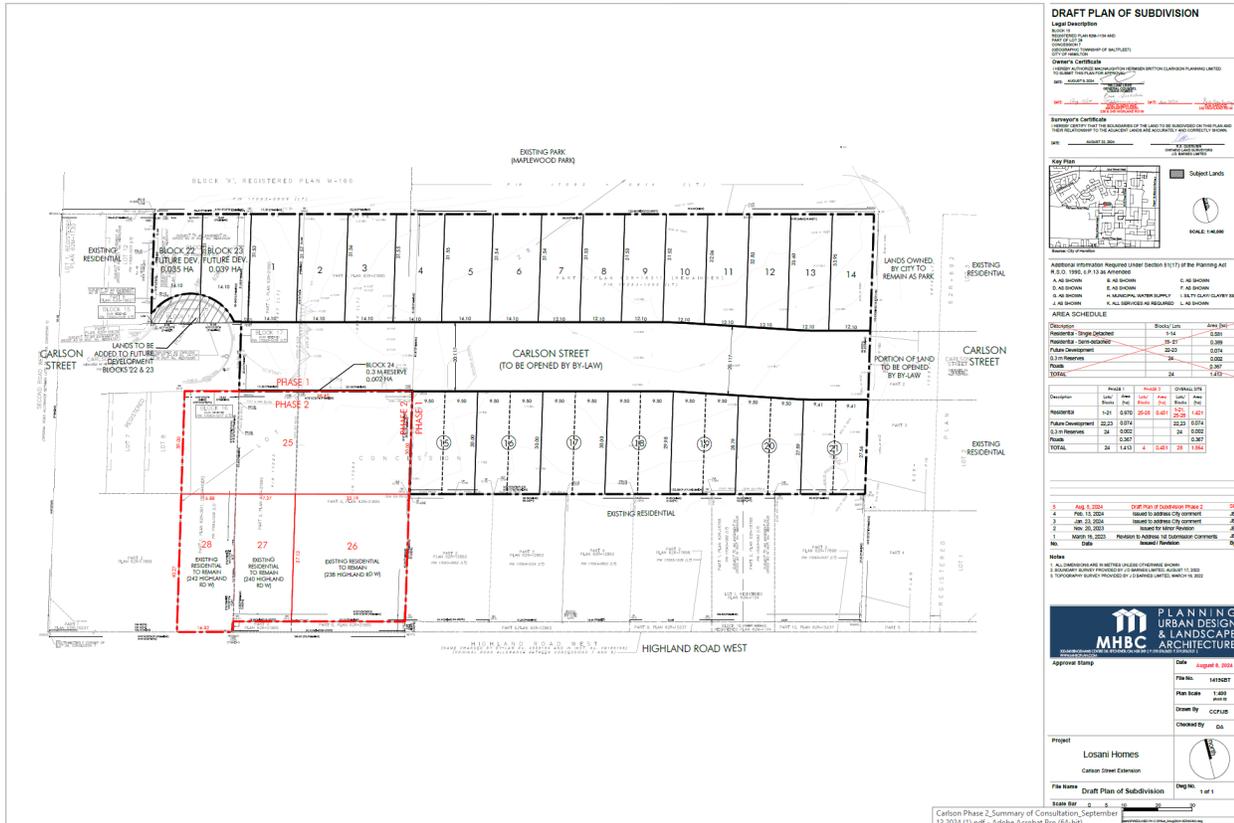
David W. Aston, MSc, MCIP, RPP  
Vice President, Partner

*cc. Dianne Ramos, Losani Homes (1998) Ltd.*

A handwritten signature in black ink, appearing to read 'Smirtitsch', written in a cursive style.

Stephanie Mirtitsch, BES, MCIP, RPP  
Associate

Appendix G to Report PED25097  
Page 3 of 4



Appendix G to Report PED25097  
Page 4 of 4





## City of Hamilton Report for Consideration

**To:** Chair and Members  
 Planning Committee  
**Date:** April 8, 2025  
**Report No:** PED25081  
**Subject/Title:** Application for a Zoning By-law Amendment for  
 Lands Located at 87 to 109 Ashley Street, Hamilton  
**Ward(s) Affected:** Ward 3

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### Recommendations

- 1) That **Amended Zoning By-law Amendment Application ZAC-25-007, by GSP Group Inc. (c/o Craig Rohe) on behalf of Tyros Development Ltd., Owner**, for a change in zoning from the Neighbourhood Commercial (C2) Zone to the Mixed Use Medium Density (C5, 929, H195) Zone to permit the development of a six storey multiple dwelling with 136 units, 89 parking spaces, and 68 long term and 16 short term bicycle spaces for lands located at 87 to 109 Ashley Street, as shown on Appendix A attached to Report PED25081, **BE APPROVED** on the following basis:
  - a) That the draft By-law, attached as Appendix B to Report PED25081, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - b) That the proposed changes in zoning are consistent with the Provincial Planning Statement (2024);
  - c) That the proposed changes in zoning comply with the Urban Hamilton Official Plan; and,
  - d) 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 including the Holding symbol 'H' to the proposed Mixed Use Medium Density (C5, 929, H195) Zone:

The Holding Provision 'H195', is to be removed conditional upon the following:

**Application for a Zoning By-law Amendment Application for Lands Located at 87 to 109 Ashley Street, Hamilton (Ward 3) Page 2 of 8**

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- i) That the owner submit and receive approval of a revised Functional Servicing Report to demonstrate sufficient fire flow is available to meet the development demands and that there is sufficient capacity to accommodate the proposed intensification, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
  - ii) A signed Record of Site Condition (RSC) has been submitted to the Ministry of the Environment (MOE), including an acknowledgement of receipt of the Record of Site Condition by the Ministry of the Environment;
  - iii) That the owner shall investigate the noise levels on the site 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 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 / applicant and shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner; and,
  - iv) That the owner enter into and register on title a maintenance agreement with the City of Hamilton in order to allow the proposed development to use the existing (assumed) alleyway for the proposed two way driveway for the proposed development to the satisfaction of the Manager of Transportation Planning.
- e) That upon finalization of the Zoning By-law Amendment Application ZAC-25-007, the Landsdale Neighbourhood Plan be amended by redesignating the subject lands from “Industrial” to “Medium Density Apartments” on legend of Map 6608 - Landsdale Neighbourhood Plan, on the lands municipally known as 87 to 109 Ashley Street, as shown in Appendix J attached to Report PED25106.

### **Key Facts**

- The application is for a proposed Zoning By-law Amendment to change the zoning from the Neighbourhood Commercial (C2) Zone to the Mixed Use Medium Density (C5, 929, H195) Zone on 87 to 109 Ashley Street.
- The proposed development consists of a six storey multiple dwelling with 136 units including four studio apartments, 83 one bedroom units and 49 two bedroom units, 89 parking spaces, 68 long term bicycle parking spaces and 16 short term bicycle parking spaces. The original application included developing lands at 124 Steven Street but based on discussions with staff the property has been removed from the application.

## **Application for a Zoning By-law Amendment Application for Lands Located at 87 to 109 Ashley Street, Hamilton (Ward 3) Page 3 of 8**

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- The subject lands are designated “Neighbourhoods” on Schedule E-1: Urban Land Use Designations in the Urban Hamilton Official Plan, identified as “Industrial” in the Landsdale Neighbourhood Plan and zoned Neighbourhood Commercial (C2) Zone in Zoning By-law No. 05-200.
- Staff amended the submitted application to remove the proposed reduction in the amount of bicycle parking on the site and reduce the amount of accessible parking spaces that are required in Zoning By-law No. 05-200.
- Staff recommends approval of the application for Zoning By-law Amendment as shown in Appendices B and C attached to Report PED25081.

### **Financial Considerations**

Not Applicable.

### **Analysis**

The subject lands are municipally known as 87 to 109 Ashley Street and are located on the west side of Ashley Street and are bounded by a municipal alleyway on the north, south and west sides of the property. The applicant has applied for an amendment to Zoning By-law No. 05-200 to facilitate the development of a six storey multiple dwelling with a maximum height of 19.8 metres, containing 136 dwelling units, including four studio apartments, 83 one bedroom units and 49 two bedroom units, 89 parking spaces, and 68 long term bicycle parking spaces and 16 short term bicycle spaces.

The proposed parking for 87 to 109 Ashley Street will be accessed through alleyways along the south, west and north property lines. As part of the proposal, the alleyways will be reconstructed, widened, and maintained through a maintenance agreement with the City to facilitate portions of the alleyway, that are adjacent to the subject lands, serve as a 6.0 metre wide drive aisle that accommodates two way traffic.

A full review of the applicable Provincial Planning Statement (2024) and Urban Hamilton Official Plan policies is provided in Appendix E attached to Report PED25081.

### **Provincial Planning Statement (2024)**

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the Provincial Planning Statement (2024). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Planning Statement (2024).

The proposal supports the development of healthy, liveable, and complete communities by redeveloping an underutilized industrial site for residential purposes within an existing residential neighbourhood through the development of a six storey multiple dwelling including four studio apartments, 83 one bedroom units and 49 two bedroom units with a total height of 19.8 metres.

## **Application for a Zoning By-law Amendment Application for Lands Located at 87 to 109 Ashley Street, Hamilton (Ward 3) Page 4 of 8**

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The proposal is compatible with the surrounding neighbourhood by providing appropriate setbacks to reduce the impact of privacy concerns in the surrounding area. The proposal will make efficient use of existing municipal infrastructure regarding water, wastewater, and stormwater infrastructure. The site located with access to many forms of transportation including being within 500 metres of a future Light Rail Transit stop, within 500 metres of bus stops including routes 3, 12, 10 and 1 and within 50 metres of a bike lane on Cannon Street East. As well, the site is located within 600 metres of William Connell Park, Cathy Weaver Elementary School, Cathedral High School, JC Beemer Park and Norman Pinky Lewis Recreation Centre.

Based on the foregoing, the proposal is consistent with the Provincial Planning Statement (2024).

### **Urban Hamilton Official Plan**

The subject lands are designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations. Areas designated “Neighbourhoods” are intended to function as complete communities which include a range of residential dwelling types, densities and supporting uses to serve local residents. The current proposal would be considered a medium density residential use. The Zoning By-law Amendment would facilitate the development of a six storey multiple dwelling with a total height of 19.8 metres and add a new built form within an existing residential neighbourhood. The multiple dwelling includes four studio apartments, 83 one bedroom units and 49 two bedroom units for a total of 136 units within the proposed multiple dwelling, 89 parking spaces, 68 long term bicycle parking spaces and 16 short term bicycle parking spaces.

The medium density residential category permits a multiple dwelling on the subject lands. As part of the proposed development, the applicant is providing a mix of unit types in the building including 3% studio apartments, 61% one bedroom apartments and 36% two bedroom units. To meet the green infrastructure policy, the proposal includes the use of permeable surfaces as part of parking areas, driveways, and the proposed courtyard. The site is well serviced by multiple alternative forms of transportation including bike lanes on Cannon Street East, existing bus stops including routes 3, 12, 10 and 1, and a future Light Rail Transit stop within 500 metres at Wentworth Street South and King Street East. The proposed development is located within 600 metres of institutional uses including Cathy Weaver Elementary School, Cathedral High School, JC Beemer Park and Norman Pinky Lewis Recreation Centre.

As per the Urban Hamilton Official Plan, any intensification in the built up boundary needs to make efficient use and not negatively impact the existing sewer, water, stormwater, and transportation networks within the urban area. Staff note that the applicant submitted supporting engineering and transportation documents to be reviewed as part of the submission of a complete application. Development Engineering and Transportation Planning are supportive of the proposed Zoning By-law Amendment subject to the addition of a required Holding ‘H’ Provision.

## **Application for a Zoning By-law Amendment Application for Lands Located at 87 to 109 Ashley Street, Hamilton (Ward 3) Page 5 of 8**

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Staff are satisfied that the proposed development is compatible with the surrounding residential neighbourhood based on the proposed setbacks, stepbacks and building height. As part of the application submission, a shadow study completed by GSP Group, dated February 2024, demonstrates that the public sidewalk along Ashley Street has a minimum three hours of sunlight coverage. The outdoor amenity areas for the existing low density residential along Steven Street would get four hours or more of sunlight. In terms of the existing low density residential uses on Cannon Street East, majority of the rear yard would get a minimum of three hours.

Based on the foregoing, the proposal complies with the applicable policies of the Urban Hamilton Official Plan. A full review of the Official Plan policies can be found in Appendix E attached to Report PED25081.

### **Landsdale Neighbourhood Plan**

The subject lands are located in the Landsdale Neighbourhood Plan and are identified as “Industrial” which does not permit the proposed development. Policy F.1.2.11 states that Neighbourhood Plans are policies adopted by Council resolution and do not form part of the Official Plan. Any proposal for development or redevelopment must conform to the designations, and policies in the Neighbourhood Plan. The subject lands are in the Landsdale Neighbourhood Plan which consists of mapping and no associated policies to provide further guidance to development.

The goals of the Landsdale Neighbourhood Plan are to facilitate the conversion of a previous industrial site and encourages multiple dwelling developments to achieve a variety and balance of dwelling types in appropriate locations that are compatible with the surrounding neighbourhood. A review of the goals of the Landsdale Neighbourhood Plan has been include in Appendix E.

An amendment to the Neighbourhood Plan from “Industrial” to “Medium Density Apartment” will be required to implement the proposal for a multiple dwelling. The Landsdale Neighbourhood Plan will be amended to change the designation to the subject lands to “Medium Density Apartments” and shall be added to the legend of Map 6608 – Landsdale Neighbourhood Plan.

The proposed amendment can be supported for the following reasons:

- It allows for the residential intensification of the subject lands, consistent with the Provincial Planning Statement and represents good planning; and,
- Updates the Landsdale Neighbourhood Plan to be in conformity with the Urban Hamilton Official Plan and aligns with the policy objectives.

The proposed mapping changes to the Landsdale Neighbourhood Plan is included as Appendix J attached to Report PED25081.

## **Application for a Zoning By-law Amendment Application for Lands Located at 87 to 109 Ashley Street, Hamilton (Ward 3) Page 6 of 8**

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### **City of Hamilton Zoning By-law No. 05-200**

The purpose of the Zoning By-law Amendment application is for a change in zoning from Neighbourhood Commercial (C2) Zone to Medium Density Residential (C5, 929, H195) Zone in Zoning By-law No. 05-200. The effect of the Zoning By-law Amendment will be to permit a six storey multiple dwelling with 136 units, including four studio apartments, 83 one bedroom units and 49 two bedroom units, 89 parking spaces, 68 long term bicycle parking spaces and 16 short term bicycle parking spaces. Modifications to the Mixed Use Medium Density (C5, 929, H195) Zone, are proposed to facilitate the proposed development, which are discussed in Appendix F attached to Report PED25081.

### **Rationale For Recommendation**

1. The proposal has merit and can be supported for the following reasons:
  - (i) It is consistent with the Provincial Planning Statement (2024);
  - (ii) It complies with the general intent and purpose of the Urban Hamilton Official Plan; and,
  - (iii) It is compatible with existing land uses in the immediate area and represents good planning by, among other things, increasing the supply of housing units contributing to a complete community through the establishment of housing forms that are compatible with the surrounding area, makes efficient use of existing infrastructure within the area, and supporting public transit.
2. Zoning By-law Amendment

The proposed Zoning By-law Amendment application is to change the zoning from Neighbourhood Commercial (C2) Zone to Mixed use Medium Density (C5, 929, H195) Zone to permit the development of a six storey multiple dwelling with a maximum height of 19.8 metres, containing 136 dwelling units, including four studio apartments, 83 one bedroom units and 49 two bedroom units, 89 parking spaces, and 68 long term bicycle parking spaces and 16 short term bicycle spaces. The proposed design requires the use of the public alleyways to provide vehicular access.

The proposed modifications requested to the zoning are discussed in Appendix F attached to Report PED25081. The proposed modifications to reduce the minimum rear yard setback, to remove the requirement to increase the size of a surface parking space where there is an obstruction abutting the space, to allow one principal entrance to be located 11.3 metres from the front lot line and to reduce the minimum width of a two way driveway subject to the applicant entering into a maintenance agreement with the City of Hamilton to make use of the public alleyway are needed to allow for flexibility for the proposed development. Staff are satisfied that the proposed Zoning By-law Amendment, as

**Application for a Zoning By-law Amendment Application for Lands Located at 87 to 109 Ashley Street, Hamilton (Ward 3) Page 7 of 8**

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amended, complies with the policies of the Urban Hamilton Official Plan, in particular with respect to the policies related to the “Neighbourhoods” designation and infrastructure policies.

Staff note that additional modifications were requested by the applicant that were not supported by staff. The first modification requests a reduction in the amount of barrier free parking spaces from eight spaces to four spaces. Staff are not supportive of this modification and requires that accessible parking spaces be provided in accordance with the requirements identified in the *Accessibility for Ontarians with Disabilities Act*. The second modification is for a reduction in the amount of long term bicycle parking spaces. The City recently reduced the amount of required parking within the city and as a result additional modes of transportation should be supported. As a result, a reduction in long term bicycle parking is not supported.

A Holding ‘H’ Provision is proposed to be added to the subject lands for the purposes of requiring a submission and approval of a revised Functional Servicing Report to demonstrate there is available fire flows to meet the development demands including sufficient capacity to accommodate the proposed intensification. A second holding provision has been added requiring proof that a Record of Site Condition has been completed and submission of acknowledgement regarding receipt of the Record of Site Condition by the Ministry of Environment, Conservation and Parks.

The third holding provision is related to the submission of a revised noise study in order to address the south façade of the proposed development and confirm that the proposed outdoor courtyard on the concept plan, attached as Appendix C attached to Report PED25081, meets the sound levels for outdoor living areas. In addition, the revised noise study is required to assess whether the mechanical equipment for the proposed multiple dwelling would have any impact on the surrounding neighbourhood.

A final holding provision requires the applicant to enter into, and register on title, a maintenance agreement with the City of Hamilton to use portions of the alleyway for vehicular access in accordance with the zoning regulation to provide a two way drive aisle with a minimum width 6.0 metres. As part of the future site plan application, the proposal will be required to enter into an external works agreement to upgrade the assumed alley to current city standards. The cost of upgrading the assumed city alley would be at the cost of the developer as part of the development process.

Therefore, staff support the proposed Zoning By-law Amendment, as amended subject to the addition of a Holding ‘H’ Provision.

## **Application for a Zoning By-law Amendment Application for Lands Located at 87 to 109 Ashley Street, Hamilton (Ward 3) Page 8 of 8**

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### **Alternatives**

Should the application be denied, the subject property can be used in accordance with the Neighbourhood Commercial (C2) Zone in Zoning By-law No. 05-200.

### **Relationship to Council Strategic Priorities**

- Priority 1: Sustainable Economic & Ecological Development
  - o 1.2: Facilitate the growth of key sectors.
- Priority 2: Safe & Thriving Neighbourhoods
  - o Increase the supply of affordable and supportive housing and reduce chronic homelessness.

### **Consultation**

The applications were circulated to internal departments and external agencies. Refer to the comments provided in Appendix G attached to Report PED25081.

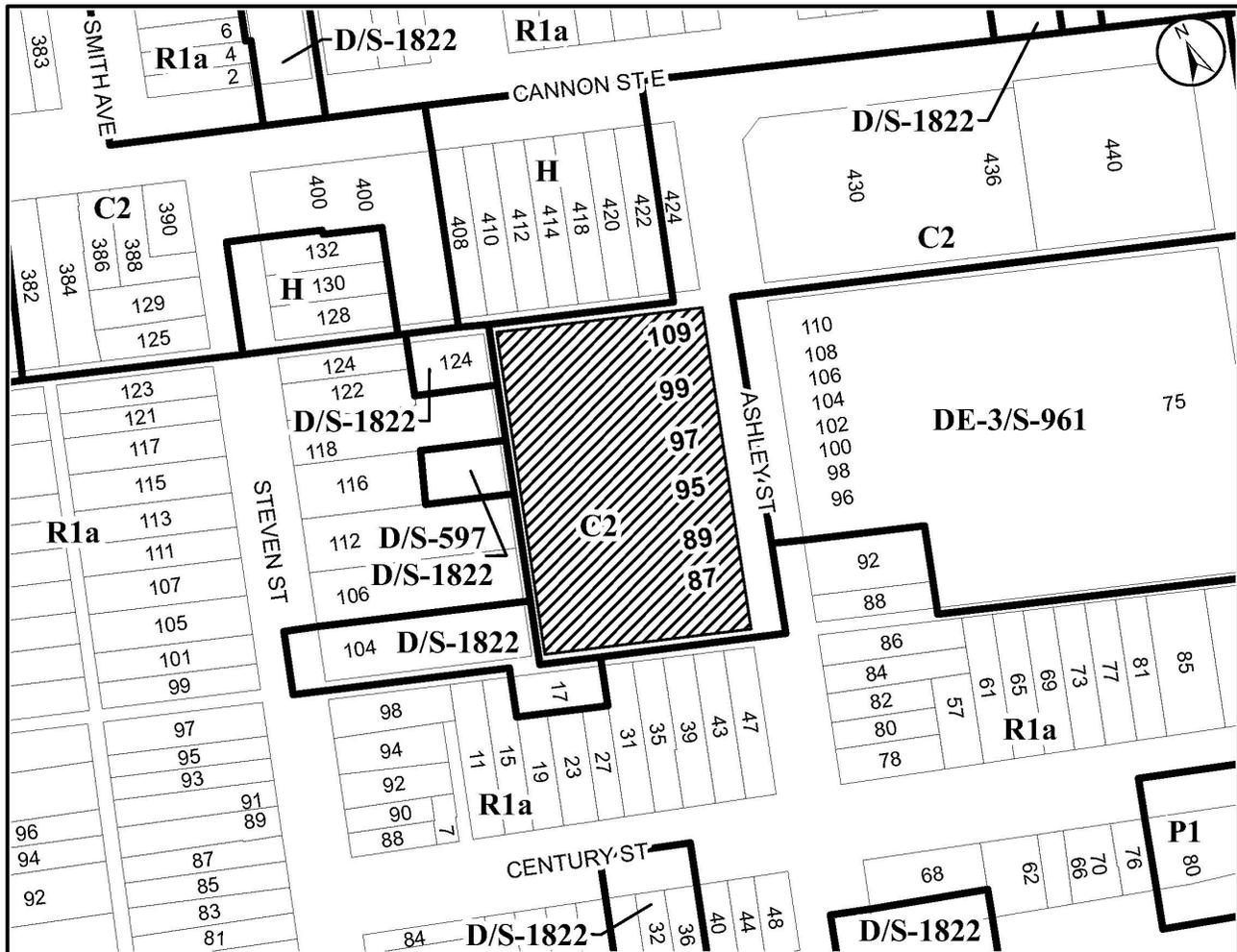
In addition to the requirements of the *Planning Act*, the applicants submitted a Public Consultation Strategy with the supporting materials which stated that a Neighbourhood Meeting was held on June 14, 2024 and a summary of the comments has been included in Appendix H attached to Report PED25081. To date, a total of four comments were received which have been included in Appendix I attached to Report PED25081.

### **Appendices and Schedules Attached**

- Appendix A: Location Map
- Appendix A-1: Existing and Surrounding Land Uses and Zoning Chart
- Appendix B: Amendment to Zoning By-law No. 05-200
- Appendix C: Proposed Site Plan and Elevations
- Appendix D: Historical Background Report Fact Sheet
- Appendix E: Policy Review
- Appendix F: Zoning Modification Table
- Appendix G: Staff and Agency Comments
- Appendix H: Summary of Consultants Public Consultation From June 14, 2024
- Appendix I: Public Comments Received
- Appendix J: Amendment to Landsdale Neighbourhood Plan

**Prepared by:** Alaina Baldassarra, Planner I  
Development Planning, Planning and Economic  
Development Department

**Submitted and recommended by:** Anita Fabac, Acting Director of Planning and Chief Planner  
Planning and Economic Development Department



● Site Location



Key Map - Ward 3

## Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
ZAC-25-007

Date:  
March 18, 2025

Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
AB/NB

### Subject Property

87-109 Ashley Street, Hamilton



Change in Zoning from Neighbourhood Commercial (C2) Zone to Mixed Use Medium Density (C5, 929, H195) Zone

## Existing and Surrounding Land Uses and Zoning Chart

	Existing Land Use	Existing Zoning
<b>Subject Lands:</b>	Existing one storey industrial building at 87 and 109 Ashley Street	Neighbourhood Commercial (C2) Zone
<b>North:</b>	Single detached dwellings.	"H" (Community Shopping and Commercial, etc.) District, and Neighbourhood Commercial (C2) Zone.
<b>South:</b>	Single detached dwellings.	Low Density Residential – Small Lot (R1a) Zone, and "D/S-1822" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified.
<b>East:</b>	Townhouse dwellings and single detached dwellings.	"DE-3/S-961" (Multiple Dwellings) District, Modified, and Low Density Residential – Small Lot (R1a) Zone.
<b>West:</b>	Single detached dwellings and Vacant Land.	"D/S-1822" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified, "D/S-597" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified, and Low Density Residential – Small Lot (R1a) Zone.

**Authority:** Item,  
Report (PED25XXX)  
CM:  
Ward: 8

**Bill No.**

## CITY OF HAMILTON

### BY-LAW NO.

**To amend Zoning By-law No. 05-200 with respect to lands located at 87 to 109 Ashley Street, Hamilton**

**WHEREAS** Council approved Item \_\_ of Report \_\_\_\_\_ of the Planning Committee, at its meeting held on April 8, 2025;

**AND WHEREAS** this By-law conforms with the Urban Hamilton Official Plan;

**NOW THEREFORE** Council amends Zoning By-law No. 05-200 as follows:

1. That Schedule “A” – Zoning Maps, Map No. 954 is amended by changing the zoning from Neighbourhood Commercial (C2) Zone to Mixed Use Medium Density (C5, 929, H195) Zone for the lands known as 87 to 109 Ashley Street, the extent and boundaries of which are shown on Schedule “A” to this By-law.

2. That Schedule “C”: Special Exceptions is amended by adding the following new Special Exception:

“929. Within the lands zoned Mixed Use Medium Density (C5, 929) Zone, identified on Map No. 954 of Schedule “A” – Zoning Maps and described as 87 to 109 Ashley Street, Hamilton, the following special provisions shall apply:

a) Notwithstanding Section 5.2.1 b) and 5.2.3 as it relates to a 90 degree parking angle, the following regulations shall apply:

- |    |   |  |
|----|---|--|
| i) | Required Increase in Width due to Obstruction | Where a wall, column, or any other obstruction is located abutting or within any parking space, the minimum width of a parking space shall be increased by 0.3 metres for each side which is obstructed by a wall, column, or other obstruction. |
|----|---|--|

In a situation where a wall, column, or any other obstruction is abutting a surface parking space on both sides, the minimum width of a parking space shall be increased by 0.3 metres.

ii) Minimum Drive Aisle Width

Parking Angle Degree	One-Way and Two-Way Aisle Width
0°	3.7 m
15°	3.7 m
30°	3.7 m
45°	4.5 m
60°	5.5 m
75°	6.0 m
90°	3.0 metres subject to the approval of a maintenance agreement registered on title with the City of Hamilton. If no agreement is registered, then a minimum driveway width of 6.0 metres shall be required.

b) Notwithstanding Section 10.5.3 b) and g) vii), the following regulation shall apply:

b) Minimum Rear Yard Setback 4.3 metres

g) vii) Built Form for New Development A principal entrance shall be located within 11.3 metres from the front lot line and shall be accessible from the street.

3. That Schedule “D” – Holding Provisions be amended by adding the additional Holding Provision as follows:

195. Notwithstanding Section 10.5 of this By-law, within the lands zoned Mixed Use Medium Density (C5, 929, H195) Zone, identified on Map No. 954 of

Schedule "A" – Zoning Maps and described as 87 to 109 Ashley Street, no development shall be permitted until such time as:

- a) That the owner submit and receive approval of a revised Functional Servicing Report to demonstrate sufficient fire flow is available to meet the development demands and that there is sufficient capacity to accommodate the proposed intensification, to the satisfaction of the Director of Growth Management and Chief Development Engineer; and,
  - b) A signed Record of Site Condition (RSC) has been submitted to the Ministry of the Environment (MOE), including an acknowledgement of receipt of the Record of Site Condition by the Ministry of the Environment;
  - c) That the owner shall investigate the noise levels on the site 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 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 / applicant and shall be submitted to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner; and,
  - d) That the owner enter into and register on title a maintenance agreement with the City of Hamilton in order to allow the proposed development to use the existing (assumed) alleyway for the proposed two way driveway for the proposed development to the Satisfaction of the Manager of Transportation Planning.
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 Mixed Use Medium Density (C5, 929, H195) Zone, subject to the special requirements referred to in Section Nos. 2 and 3 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 \_\_\_\_\_ , 2025

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A. Horwath  
Mayor

ZAC-25-007

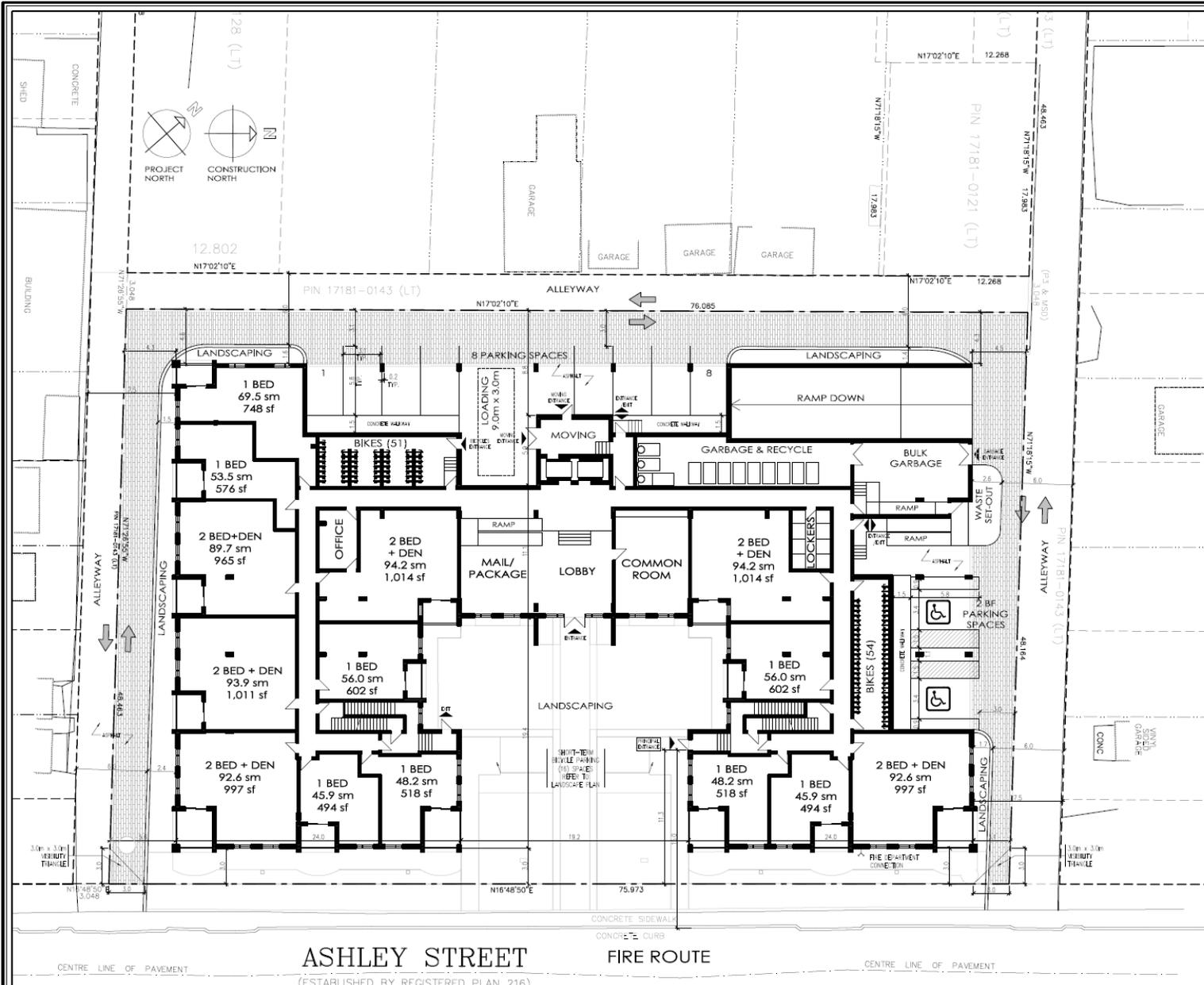
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M. Trennum  
City Clerk



<p>This is Schedule "A" to By-law No. 25- Passed the ..... day of ....., 2025</p>	<p>----- Mayor ----- Clerk</p>
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<p><b>Schedule "A"</b></p> <p>Map Forming Part of By-law No. 25-____</p> <p>to Amend By-law No. 05-200 Maps 954</p>		<p><b>Subject Property</b></p> <p>87-109 Ashley Street, Hamilton</p> <p> Change in Zoning from Neighbourhood Commercial (C2) Zone to Mixed Use Medium Density (C5, 929, H195) Zone</p>
<p><b>Scale:</b> N.T.S.</p>	<p><b>File Name/Number:</b> ZAC-25-007</p>	
<p><b>Date:</b> Feb. 4, 2025</p>	<p><b>Planner/Technician:</b> AB/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		



**BUILDING STATS**

NET			
LOT AREA	3,671 m <sup>2</sup>	39,518 ft <sup>2</sup>	
LOT FRONTAGE	76 m	249'2"	
LANDSCAPED AREA	(19.1%) 702 m <sup>2</sup>	7,547 ft <sup>2</sup>	
<b>BUILDING - 4 STOREYS</b>			
COVERARGE	(65.4%) 2,399 m <sup>2</sup>	25,874 ft <sup>2</sup>	
SEA	18,171 m <sup>2</sup>	195,294 ft <sup>2</sup>	
UNDERGROUND	2,972 m <sup>2</sup>	31,990 ft <sup>2</sup>	
GROUND FLOOR	1,945 m <sup>2</sup>	21,134 ft <sup>2</sup>	
SECOND FLOOR	2,343 m <sup>2</sup>	25,221 ft <sup>2</sup>	
THIRD FLOOR	2,334 m <sup>2</sup>	25,131 ft <sup>2</sup>	
FOURTH FLOOR	2,349 m <sup>2</sup>	25,282 ft <sup>2</sup>	
FIFTH FLOOR	1,781 m <sup>2</sup>	19,049 ft <sup>2</sup>	
SIXTH FLOOR	1,456 m <sup>2</sup>	15,675 ft <sup>2</sup>	
<b>BALCONY AREA</b>			
	1,407 m <sup>2</sup>	15,226 ft <sup>2</sup>	
<b>TOTAL UNITS</b>			
STUDIO	4		
1 BEDROOM	77		
1 BEDROOM + DEN	4		
2 BEDROOM	19		
2 BEDROOM + DEN	1		
<b>TOTAL DEVELOPMENT PARKING PROVIDED</b>			
SURFACE	10		
UNDERGROUND	75		
<b>TOTAL BICYCLE PARKING PROVIDED</b>			
LONGTERM	105		
SHORTTERM	18		

**LINTACK ARCHITECTS INCORPORATED**  
 34 JAMES STREET SOUTH, HAMILTON, ONTARIO, L8P 3K3  
 T: 905.522.6143 F: 905.522.6144  
 www.lintack.com



Professional Engineer  
 License # 4148

No.	Revision	Date
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Proposed:  
**Ashley Street Multi-Res.**  
 87-109 Ashley Street  
 Hamilton, ON

Job no. 21,004  
 dwg. file  
 dwn. by  
 scale AS SHOWN  
 date MAY 2023  
 dwg. title

SITE PLAN  
 dwg. A1.0

1 SITE PLAN  
 A1.0 SCALE 1:200

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**HISTORICAL BACKGROUND****Report Fact Sheet**

<b>Application Details</b>	
Owner:	Tyros Development Ltd.
Agent:	GSP Group Inc. c/o Craig Rohe.
File Number:	ZAC-25-007.
Type of Applications:	Zoning By-law Amendment.
Proposal:	<p>The purpose of the Zoning By-law Amendment application is for a change in zoning from the Neighbourhood Commercial (C2) Zone to the Mixed Use Medium Density (C5, 929) Zone.</p> <p>The effect of the application is to facilitate the development of a six storey (19.8 metre height) multiple dwelling with 136 units, 89 parking spaces, and 68 long term bicycle spaces and 16 short term bicycle spaces. The proposal includes four barrier free parking spaces.</p> <p>As part of the proposal, the alleyways adjacent to the north, south and west property lines of the subject lands are proposed to be reconstructed, widened, and maintained through a maintenance agreement to facilitate portions of the alleyway serving as a drive aisle to the subject lands.</p> <p>The original Zoning By-law Amendment application included a waste set out area and four parking spaces at 124 Steven Street. While processing the application, a revised concept plan was submitted by the applicant removing the proposed development at 124 Steven Street. As part of the mailout providing notice of the Statutory public meeting the lands at 124 Steven Street were removed.</p>
<b>Property Details</b>	
Municipal Address:	87 to 109 Ashley Street, Hamilton.
Lot Area:	0.38 ha.
Servicing:	Existing full municipal services.
Existing Use:	One storey existing industrial building.

<b>Documents</b>	
Provincial Planning Statement:	The proposal is consistent with the Provincial Planning Statement (2024).
Official Plan Existing:	“Neighbourhoods” on Schedule E-1 – Urban Land Use Designations.
Official Plan Proposed:	No amendment proposed.
Zoning Existing:	Neighbourhood Commercial (C2) Zone and “D/S-1822” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District, Modified.
Zoning Proposed:	Mixed Use Medium Density (C5, 929) Zone.
Modifications Proposed:	<p>The following modifications have been requested by the applicant and are supported by staff:</p> <ul style="list-style-type: none"> <li>• To reduce the minimum rear yard setback from 7.5 metres to 4.3 metres;</li> <li>• To add a requirement to state that in a situation where a wall, column, or any other obstruction is abutting a surface parking space on both sides, the minimum width of a parking space shall be increased by 0.3 metres, whereas the by-law requires any parking spaces to be increased by 0.3 metres for each side that is obstructed by a wall, column or other obstruction;</li> <li>• To require one principal entrance to be located within 11.3 metres of the front lot line whereas one principal entrance is to be provided within the ground floor façade that is setback closest to the street; and,</li> <li>• To permit a minimum two way drive aisle width to be 3.0 metres subject to the applicant entering into a maintenance agreement with the City of Hamilton to make use of portions of the public alleyway as part of the driveway, whereas the By-law requires that a minimum of 6.0 metres be provided.</li> </ul> <p>The following modifications have been requested by the applicant; however, they are not supported by staff and have not been included in the Draft By-law:</p> <ul style="list-style-type: none"> <li>• To reduce the required minimum accessible parking spaces from eight spaces to four spaces; and,</li> <li>• To reduce the minimum required long term bicycle parking from 0.7 spaces per unit to 0.5 spaces per unit.</li> </ul>

	A complete analysis of the proposed modifications which have been supported by staff is attached as Appendix F to Report PED25081.
<b>Processing Details</b>	
Received:	January 23, 2025.
Deemed Complete:	January 24, 2025.
Notice of Complete Application:	Sent to 205 property owners within 120 metres of the subject property on January 31, 2025.
Public Notice Sign:	Posted February 5, 2025, and updated with Public Meeting date March 19, 2025.
Notice of Public Meeting:	Sent to 205 property owners within 120 metres of the subject property on March 28, 2025.
Staff and Agency Comments:	Staff and agency comments have been summarized in Appendix G to Report PED25081.
Public Consultation:	In addition to the requirements of the <i>Planning Act</i> , a Neighbourhood Information Meeting was held on Wednesday August 14, 2024, by the applicants. A summary of the public comments from that meeting have been included on Appendix H attached to Report PED25081
Public Comments:	Four comments were received, and they have been attached as Appendix H to Report PED25081.
Processing Time:	75 days.

## SUMMARY OF POLICY REVIEW

The following policies, amongst others, apply to the proposal.

<b>Provincial Planning Statement (2024)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Housing</b>  Policies: 2.2, 2.3.1.1, 2.3.1.2 and 2.3.1.3	Healthy, liveable, and safe communities are, and an appropriate range and mix of housing options and densities to meet the projected needs of future and current residents of the regional Market Area by permitting and facilitating all housing options in order to meet the social, health, economic and well-being requirements. This also includes permitting and facilitating all types of residential intensification including the development and redevelopment of underutilized commercial and institutional sites. When promoting densities for new housing it should efficiently use land, resources, infrastructure, public service facilities and support the use of transit and active transportation.	<p>The proposed development consists of a six storey multiple dwelling with 136 units fronting onto a municipal road within an existing residential area located within the urban boundary. Staff are of the opinion that the multiple dwelling is compatible with the surrounding area in terms of use, scale and built form given the proposed stepbacks and setbacks. The site is mainly surrounded by single detached dwellings; however, staff are of the opinion that the proposed setbacks and stepbacks reduce the impacts of shadowing and overlook from the proposed multiple dwelling. In addition, the proposal promotes density in an area that has access to the existing transit network and makes efficient use of water, wastewater, and stormwater infrastructure. The property is within the residential property is located within 600 metres of Cathy Weaver Elementary School, Cathedral High School, JC Beemer Park and Norman Pinky Lewis Recreation Centre.</p> <p>Therefore, the proposal is consistent with this policy.</p>

<b>Urban Hamilton Official Plan</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<p><b>Noise</b></p> <p>Policies: B.3.6.3.1, B.3.6.3.2 and B.3.6.3.7</p>	<p>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. If it is determined that a noise study is required, a Noise and or Vibration study shall be prepared by a qualified professional in accordance with recognized noise and vibration measurement and prediction techniques, to the satisfaction of the City and in accordance with all other applicable guidelines.</p>	<p>An Environmental Noise and Vibration Study prepared by DBA Acoustical Consultants Inc., dated February 2024, was submitted for the proposed development. The purpose of the Noise Study is to determine impacts from Cannon Street East, Wilson Street, Wentworth Street North, and area stationary noise sources. Based on an assessment of the area, there does not appear to be any stationary noise sources that should be considered as part of the review. As part of the noise study mitigation measures are proposed including higher window, patio door, and exterior wall Sound Transmission Class rating for living areas and bedroom areas, centralized air conditioning and noise warning clauses which will need to be secured as part of a future site plan application and building permit application.</p> <p>Staff have reviewed the Noise Study and require an updated study to be submitted as part of the application. The revised noise study will need to include an assessment of the noise impacts on the south façade of the proposed building and confirm that the proposed outdoor courtyard meets the sound levels for outdoor living areas and an assessment of if the mechanical equipment for the proposed multiple dwelling would have any impact on the surrounding neighbourhood. A Holding 'H' Provision has been included in Appendix B to Report PED25081.</p> <p>Therefore, the proposal complies with this policy.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<b>Trees</b>  Policy: 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.	Staff note that a Tree Preservation Plan and Landscape Plan was submitted by Adesso Design, dated September 9, 2024. A total of eight trees were identified which included eight trees on neighbouring properties and the proposal is to maintain on the existing vegetation. Any compensation that will be required would need to be provided at a 1 to 1 ratio or by cash payment if it cannot be provided on-site. All compensation requirements would be addressed as part of a future Site Plan Control application.  Therefore, the proposed development complies with this policy.
<b>Record of Site Condition</b>  Policy: B.3.6.1.2	Where there is potential site contamination due to previous uses of a property and a more sensitive land use is proposed, a mandatory filing of a record of site condition is triggered as outlined in provincial guidelines. The record of Site Condition shall be submitted by the proponent to the City and the Province. The Record of Site Condition shall be to the satisfaction of the City.	A Phase I Environmental Assessment prepared by Andre Breberina, dated April 26, 2023, and Phase II Environmental Site Assessment prepared by Andre Breberina, dated February 20, 2024, were submitted for the proposed development. The report stated that there were no concentrations of metals, hydrides, EC or SAR, VOCs, PHCs or PAHs identified in the soils above the Site Condition Standards. As well, no concentrations of metals, hydrides, Na, Cl-, VOCs, PHCs or PAHs, in groundwater were identified above the Site Condition Standards. As part of the application, Staff did not receive confirmation that the Record of Site Condition was filed and accepted by the Ministry.  Therefore, the proposed development complies with this policy subject to the addition of a Holding provision.
<b>Transportation</b>  Policy: 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	A Transportation Impact Brief prepared by Paradigm Transportation Solutions Ltd. dated September 25, 2024, was submitted for the proposed development. Transportation Planning reviewed the submitted Transportation Impact

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Transportation (continued)</b></p> <p>Policy: C.4.5.12</p>	<p>requirements as part of a complete application for a Zoning By-law Amendment and Draft Plan of Subdivision application.</p>	<p>Study document. Transportation staff agree with the study findings that the proposed use and associated traffic generation can be supported by the existing surrounding road and transportation network. The Transportation Impact Study has been approved by Transportation staff.</p> <p>Therefore, the proposed development complies with this policy.</p>
<p><b>Infrastructure</b></p> <p>Policies: C.5.3.6, C.5.3.17 and C.5.4.3</p>	<p>All new development and redevelopment within the urban area shall be connected to the City's water and wastewater system. The City shall be satisfied that adequate infrastructure services can be provided prior to any development or intensification proceeding.</p> <p>A detailed stormwater management plan submitted prior to development is required to properly address on site drainage and to ensure that new development has no negative impact on offsite drainage.</p>	<p>A Functional Servicing Report and Civil Engineering Package by Lankhack, dated September 11, 2024, Geotechnical Investigation by Soil-Mat Engineers and Consultants, dated February 23, 2024 and Watermain Hydraulic Analysis prepared by CIMA+, dated February 5, 2024, were submitted in support of the proposed residential development. Based on the submitted studies and drawings, Development Engineering supports the proposal, subject to a Holding Provision to address staff comments (refer to Appendix B attached to PED25081) and the submission of a revised Functional Servicing Report to identify all site servicing requirements and upgrades to municipal infrastructure. A Holding 'H' Provision has been included in Appendix B attached to Report PED25081.</p> <p>Therefore, the proposed development complies with this policy.</p>
<p><b>Medium Density Residential</b></p> <p>Policies: E.3.5.2, E.3.5.5</p>	<p>The medium density area permits multiple dwellings. Medium density residential uses shall be located within safe and convenient walking distance of existing or planned community facilities, public</p>	<p>The proposal consists of a medium density multiple dwelling that is located within 600 metres of William Connell Park, Cathy Weaver Elementary School, Cathedral High School, JC Beemer Park and Norman Pinky Lewis Recreation Centre, future Light Rail Transit stop, bike lanes along</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Medium Density Residential (continued)</b></p> <p>Policies: E.3.5.2, E.3.5.5 and E.3.5.8</p>	<p>transit, schools, active or passive recreational facilities, and local or District Commercial uses.</p> <p>In the medium density residential areas, a maximum height of six storeys shall be permitted but the height may be increased to 12 storeys if the applicant demonstrates that compliance with providing a range of unit sizes on the property, incorporates sustainable building design, does not unduly overshadow or block light on adjacent sensitive land uses and includes setbacks along the street and adjacent neighbourhood designations.</p>	<p>Cannon Street and four bus stops including for routes 3, 12, 10 and 1.</p> <p>The proposed development consists of a six storey building on the subject lands.</p> <p>Therefore, the proposal complies with this policy.</p>
<p><b>Medium Density Residential</b></p> <p>Policy: E.3.5.9</p>	<p>Developments should have direct access to collectors or arterial roads. If direct access is not possible, the development may gain access to the collector or arterial roads from a local road only if a small number of low density residential dwellings are located on a portion of the local road.</p> <p>Development shall be integrated with other lands in the Neighbourhoods designation with respect to density, design, and physical and functional considerations.</p>	<p>The proposed development is not located on an arterial or collector road but is located within 100 metres of a minor arterial road, Cannon Street West. As well, the vehicles using the parking area would not have to drive through a low density neighbourhood before entering Cannon Street West. The proposed design makes use of existing alleyways for vehicular traffic which is separate from the proposed locations of the pedestrian entrances.</p> <p>A shadow study completed by GSP Group, dated February 2024, Elevation drawings by Lintack Architects Inc., dated October 17, 2024, and Site Plan drawing by Lintack Architects Inc., dated December 17, 2024, was submitted as part of a complete application. The information provided</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Medium Density Residential</b></p> <p>Policy: E.3.5.9</p> <p><b>(continued)</b></p>	<p>Development shall be comprised of sites of suitable size and provide adequate landscaping, amenity features, on-site parking, and buffering if required. The height, massing, and arrangement of buildings and structures shall be compatible with existing and future uses in the surrounding area.</p> <p>Access to the property shall be designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets.</p> <p>The City may require studies, in accordance with Chapter F – Implementation Policies, completed to the satisfaction of the City, to demonstrate that the height, orientation, design, and massing of a building or structure shall not unduly overshadow, block light, or result in the loss of privacy for adjacent residential uses.</p> <p>The orientation, design and massing of a building or structure higher than six storeys shall consider the impact on public view corridors and general public views in the area through the submission of a Visual Impact Assessment.</p>	<p>shows setbacks proposed at the fourth and fifth floors of the proposed multiple dwelling which will reduce the impact of privacy and shadow on the adjacent properties.</p> <p>Based on the shadow study, the sidewalk along Ashley Street will have a minimum of three hours of sunlight and the proposed development will not unduly shadow the rear yards of the adjacent low density residential uses. As a result, staff are of the opinion that the proposed multiple dwelling is compatible with the existing residential neighbourhood surrounding the site.</p> <p>No visual impact assessment was required since the proposed building is not taller than six stories in height.</p> <p>Therefore, the proposal complies with this policy.</p>

<b>Landsdale Neighbourhood Plan</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<p><b>Goals for the Future</b></p> <p>Item No. 1 and 3:</p>	<p>Landsdale Neighbourhood shall in essence be planned as a residential neighbourhood. No new industrial uses shall be permitted or condoned. Existing industrial zones shall be amended, and existing industrial uses shall be designated for alternative redevelopment except Stelco's Canada Works, which is relatively isolated in the extreme northwest corner of the neighbourhood.</p> <p>The nature of residential should remain largely in the present state of low density, and further conversions of existing structures to create more dwelling units shall be prohibited. However, apartment development shall be permitted and encouraged in certain appropriate locations, particularly in the southerly portions of the neighbourhood adjacent to major roads, or in such locations as may facilitate the redevelopment of industrial uses.</p>	<p>Staff note that the subject lands are identified as "Industrial" on Map 6608 in the Landsdale Neighbourhood Plan. The policy encourages the conversion of existing industrial uses for alternative redevelopment. The application is proposing to redevelop an existing property previously used for industrial purposes to a residential use. The policies of the Landsdale Neighbourhood Plan encourage apartment developments to achieve a variety and balance of dwelling types subject to the built form being compatible with the surrounding residential neighbourhood.</p> <p>Therefore, the proposed development implements the intent of the Landsdale Neighbourhood Plan.</p>
<p><b>Neighbourhood Plans</b></p> <p>Policies: F.1.2.11 and F.2.1.12</p>	<p>Neighbourhood plans are policies adopted by council resolution and do not form part of the Official Plan. Any proposal for development or redevelopment must conform to the designations, and policies in the</p>	<p>The policies of the Landsdale Neighbourhood Plan encourage apartment developments to achieve a variety and balance of dwelling types in appropriate locations adjacent to major roads and to facilitate the redevelopment of industrial uses. The proposed application would facilitate the redevelopment of a former industrial use to a residential use.</p>

<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Neighbourhood Plans</b> Policies: F.1.2.11 and F.2.1.12	Neighbourhood Plan. Any amendment to the Neighbourhood Plan will require a formal Council decision to enact the amendment and will need to be evaluated against applicable official plan policies.	Based on the foregoing, the proposal complies with the policies of the Landsdale Neighbourhood Plan, subject to the change in designation from “Industrial” to “Medium Density Apartments” as outlined in the Recommendations Section of Report PED25081 in order to obtain a formal Council decision should the application be approved.

### Site Specific Modifications to the Mixed Use Medium Density (C5, 929) Zone in Zoning By-law No. 05-200

Regulation	Required	Modification	Analysis																
Required Increase in Width due to Obstruction 5.2.1 b)	Where a wall, column, or any other obstruction is located abutting or within any parking space, the minimum width of a parking space shall be increased by 0.3 metres for each side which is obstructed by a wall, column, or other obstruction;	Where a wall, column, or any other obstruction is located abutting or within any parking space, the minimum width of a parking space shall be increased by 0.3 metres for each side which is obstructed by a wall, column, or other obstruction. In a situation where a wall, column, or any other obstruction is abutting a surface parking space on both sides, the minimum width of a parking space shall be increased by 0.3 metres.	<p>The requested modification is to permit two surface parking spaces at the rear of the property to be increased by 0.3 metres on one side instead of on both sides for a total increase of 0.6 metres. Given that the development is proposing to provide more parking than required some of these spaces are considered surplus spaces based on the Zoning By-law. The proposed modification would represent a minor change since it only applies to surface parking spaces and not underground spaces.</p> <p>Therefore, staff are supportive of the proposed modification.</p>																
Minimum Drive Aisle Width 5.2.3	<p>The drive aisle abutting any parking space shall be designed and provided in accordance with the following minimum width requirements for a One-Way and Two-Way Aisle:</p> <p>0° - 3.7 metres</p>	<table border="1"> <thead> <tr> <th>Parking Angle Degree</th> <th>One-Way and Two-Way Aisle Width</th> </tr> </thead> <tbody> <tr> <td>0°</td> <td>3.7 m</td> </tr> <tr> <td>15°</td> <td>3.7 m</td> </tr> <tr> <td>30°</td> <td>3.7 m</td> </tr> <tr> <td>45°</td> <td>4.5 m</td> </tr> <tr> <td>60°</td> <td>5.5 m</td> </tr> <tr> <td>75°</td> <td>6.0 m</td> </tr> <tr> <td>90°</td> <td>3.0 metres subject to the approval of a</td> </tr> </tbody> </table>	Parking Angle Degree	One-Way and Two-Way Aisle Width	0°	3.7 m	15°	3.7 m	30°	3.7 m	45°	4.5 m	60°	5.5 m	75°	6.0 m	90°	3.0 metres subject to the approval of a	<p>The intent of the proposed regulation is to allow an appropriate width for a two-way drive aisle for vehicles to properly access adjacent parking spaces. The applicant is requesting a reduction in drive aisle width, a total of 6.0 metres is provided for the proposed development. The applicant is proposing to use the 3.0 metre alleyway, in addition to providing 3.0 metres on the subject lands requiring the modification to establish a two-way drive aisle where a portion of the driveway is on public property.</p>
Parking Angle Degree	One-Way and Two-Way Aisle Width																		
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Regulation	Required	Modification		Analysis
Minimum Drive Aisle Width 5.2.3 <b>(continued)</b>	15° - 3.7 metres 30° - 3.7 metres 45° - 4.5 metres 60° - 5.5 metres 75° - 6.0 metres 90° - 6.0 metres		maintenance agreement registered on title with the City of Hamilton. If no agreement is registered, then a minimum driveway width of 6.0 metres shall be required.	<p>Transportation staff are supportive of the use of the alleyway and will require the owner to enter into a maintenance agreement as part of the use of the alleyway.</p> <p>Therefore, staff are supportive of the proposed modification.</p>
Minimum Rear Yard Setback 10.5.3 b)	7.5 metres.	4.3 metres.		<p>The intent of the minimum rear yard setback is to allow for appropriate separation between uses for the purposes of privacy and drainage. As identified in the Concept Plan in Appendix C attached to Report PED25081, there is a 3.0 metre alleyway adjacent to the rear lot line of the proposed development which maintains the existing separation between properties. As a result, staff do not have concerns with the proposed rear yard setback reduction in terms of negative impacts relating to privacy for the proposed single detached dwellings adjacent to the rear of the subject lands.</p> <p>Therefore, staff are supportive of the proposed modification.</p>

Regulation	Required	Modification	Analysis
<p>Location of Principal Entrance for New Development 10.5.3 g) vii)</p>	<p>A minimum of one principal entrance shall be provided:</p> <ol style="list-style-type: none"> <li>1. within the ground floor façade that is set back is closest to a street; and,</li> <li>2. shall be accessible from the building façade with direct access from the public sidewalk.</li> </ol>	<p>A principal entrance shall be located within 11.3 metres from the front lot line and be accessible from the street.</p>	<p>The intent of the mixed use medium density zone is to provide activity on the street and the regulation is in place to prohibit blank walls along the public corridor. The proposed development consists of a multiple dwelling with no commercial uses on the main floor. The location of the entrance is in a prominent location and would allow for pedestrian access from the public sidewalk. The applicant confirmed at the time of the proposal that the principal entrance would meet the requirements of the fire route as identified in the Ontario Building Code.</p> <p>Therefore, staff support the proposed modification.</p>

**CONSULTATION – DEPARTMENTS AND AGENCIES**

<b>Department or Agency</b>	<b>Comment</b>	<b>Staff Response</b>
Development Engineering Section, Growth Management Division, Planning and Economic Development Department	<p>Development Engineering has reviewed the following documents as part of the Zoning By-Law Amendment Application ZAC-25-007:</p> <ul style="list-style-type: none"> <li>• Preliminary Grading and ESC Plan – LANHACK Consultants Inc. (September 11, 2024)</li> <li>• Preliminary Servicing Plan – LANHACK Consultants Inc. (September 11, 2024)</li> <li>• Functional Servicing Report – LANHACK Consultants Inc. (September 11, 2024)</li> <li>• Stormwater Management Report – LANHACK Consultants Inc. (February 23, 2024)</li> <li>• Sanitary Sewer Capacity Assessment – CIMA+ (February 9, 2024)</li> <li>• Watermain Hydraulic Analysis – CIMA+ (February 5, 2024)</li> </ul> <p>As per the recommendations of the Sanitary Sewer Capacity Assessment prepared by CIMA+, the applicant is required to install a new and separate sanitary sewer on Ashley Street extending from the development site to Cannon Street East, to support the proposed development.</p> <p>The Watermain Hydraulic Analysis Report (WHAR) prepared by CIMA+ concludes that the existing watermain on Ashley Street from Cannon Street East to hydrant HA09H012 shall be upgraded to 200mm</p>	The recommended Zoning By-law includes a Holding 'H' Provision. See Appendix B attached to Report PED25081.

Department or Agency	Comment	Staff Response
<p>Development Engineering Section, Growth Management Division, Planning and Economic Development Department</p> <p><b>(continued)</b></p>	<p>and that the existing watermain on Cannon Street East from Wentworth Street North to Ashley Street shall be upgraded to 300mm, such that the target fire flow of 150 L/s can be achieved. The extents of the upgrades on Ashley Street shall be determined during the Site Plan Control application stage. The City has no concerns from a water servicing perspective at this time, <b>assuming that the watermains will be upgraded as indicated by the analysis.</b> Updated domestic water usage and RFF calculations, based on the final design of the proposed building, will be required at the time of detailed design and site plan approval application. A Form 1 submission will be required as part of the detailed design as well.</p> <p>Therefore, Development Engineering supports the proposed Zoning By-law amendments, subject to a Holding Provision to address staff comments and the submission of a revised Functional Servicing Report (FSR) to identify all required site servicing requirements and upgrades to municipal infrastructure, all to the satisfaction of the Director of Development Engineering:</p> <ul style="list-style-type: none"> <li>• Submit to the City's Director of Development Engineering for review and acceptance, prior to lifting the Hold Provision <ul style="list-style-type: none"> <li>○ A revised FSR to demonstrate sufficient flow is available to meet the development demands and that there is sufficient capacity to accommodate the proposed intensification.</li> </ul> </li> </ul>	

Department or Agency	Comment	Staff Response
<p>Development Engineering Section, Growth Management Division, Planning and Economic Development Department</p> <p><b>(continued)</b></p>	<ul style="list-style-type: none"> <li>○ Make satisfactory arrangements with the City's Growth Management Division and enter into and register on title of the lands, an External Works Agreement with the City for the design and construction of a new sanitary sewer installed on Ashley Street from the development site to the junction at Cannon Street East, upgraded watermain on Cannon Street East and upgraded watermain on Ashley Street, at the Owner's cost, in conformance with City standards and according to the FSR and WHAR accepted by the City's Director of Development Engineering.</li> </ul>	
<p>Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department</p>	<p>Transportation Planning has reviewed the application and have no objections to the proposed Zoning By-Law amendment to permit a six (6) storey multiple dwelling totaling 136 units, which is in part based on findings of the Transportation Assessment Report submitted with this application. Transportation Planning reviewed the submitted Transportation Impact Study document which is approved. Transportation Planning agree with the findings that the proposed use and associated traffic generation can be supported by the existing surrounding road and transportation network. However, with respect to the proposed parking being provided, we do not support the proposed long-term bicycle parking rate of 0.5 spaces per dwelling unit, which is less than the regularly prescribed rate of 0.7 minimum of Zoning By-Law 05-200.</p>	<p>The recommended Zoning By-law includes a Holding Provision requiring that the applicants enter into any required agreements in order to use the existing (assumed) alleyways flanking the subject site for access to the satisfaction of the Manager of transportation Planning included in Appendix B attached to Report PED25081.</p> <p>As part of the future site plan application, the proposal will</p>

<b>Department or Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<p>Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department</p> <p><b>(continued)</b></p>	<p>Transportation Planning reviewed the submitted Neighbourhood Traffic Calming Options Report which is approved. The relatively low vehicular traffic generated by the site does not trigger the need for traffic calming measures.</p> <p>The Applicant is proposing to provide an abundance of car parking given the context (0.67 spaces per dwelling unit to be exact), for which a relatively small proportion can be converted to bicycle spaces at a ratio of at least 4:1 (bicycle spaces to car spaces) to achieve the rate of 0.7.</p> <p>Transportation Planning does not object in principle to using the existing (assumed) alleyways flanking the subject site for access; or even widening the alleyways within the site's property limit to accommodate simultaneous two-way vehicular movements (as done in the past through an ad-hoc maintenance agreement). As such, use of the alleyways will require the implementation of improvements to achieve the minimum City built standard, pursuant to the Official Plan and the Municipal Act, all at the Applicant's cost.</p> <p>The existing right-of-way on Ashley Street at the subject property is approximately 15 metres. Approximately 2.559 metres are to be dedicated to the right-of-way on Ashley Street, as per the Council</p>	<p>be required to enter into an external works agreement to upgrade the assumed alley to current city standards. The cost of upgrading the assumed city alley would be at the cost of the developer as part of the development process.</p>

Department or Agency	Comment	Staff Response
<p>Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department</p> <p><b>(continued)</b></p>	<p>Approved Urban Hamilton Official Plan: Chapter C – City Wide Systems and Designations, 4.5 metre Road Network Functional Classification, 4.5.2 Local Roads are to be 20.117 metres.</p> <p>The submitted turning plan(s), demonstrating how large trucks will maneuver in and out of the site without any limitations, are to our satisfaction.</p> <p>Visibility triangles measuring 3.0 metres x 3.0 metres must be provided for each driveway access. This includes the below-grade parking access / ramp approaching the alleyway and any other driveway approaching the alleyway.</p>	
<p>Forestry and Horticulture Section, Environmental Services Division, Public Works Department</p>	<p>The Forestry &amp; Horticulture Section has reviewed the circulation for this site and provides the following opinion:</p> <p>Landscape Plan issue #5 dated 2024-09-09 is not approved. The condition is not met.</p> <ul style="list-style-type: none"> <li>• Proposed trees to be closer together; more streets trees required on Ashley St frontage.</li> <li>• Trees to be denoted on plans as “Proposed street trees to be selected and planted by City of Hamilton, Forestry Section”.</li> </ul> <p>A Tree Management Plan was not a requirement for this submission.</p>	<p>Noted. A Landscape Plan will be addressed at a future Site Plan Control application.</p>

<b>Department or Agency</b>	<b>Comment</b>	<b>Staff Response</b>
Legislative Approvals, Growth Management Plan, Planning and Economic Development Department	<p>Will the proposal be a condominium tenure? A PIN Abstract would be required with the submission of a future Draft Plan of Condominium application. If condominium, it should also be confirmed if the proposed parking and storage lockers will be unitized. If the intent is to phase the Condominium, Schedules "G" and "K" as per the Condominium Act, would be required for future phases.</p> <p>The Owner and Agent should be made aware that municipal addressing for the proposed development will be determined after conditional Site Plan approval is granted.</p>	Staff note that at, as of the date of writing Report PED25081, the applicant identifies the proposed building as a rental building.
Development Charges, Programs and Policies Team, Corporate Services	<p>For a six storey (19.8 metre) multiple dwelling with 136 units:</p> <ul style="list-style-type: none"> <li>• Development Charges will be levied on a per unit basis, according to current DC Rates which are highlighted in the city's development-charges-pamphlet.</li> <li>• Parking spaces in any capacity (car, bike, etc.) will not trigger Development Charges.</li> <li>• Any existing commercial square footage will receive a 'redevelopment credit' according to current commercial (i.e. 'non-residential') DC Rates.</li> </ul>	Noted.

<b>Department or Agency</b>	<b>Comment</b>	<b>Staff Response</b>
Waste Policy and Planning, Public Works Department	<p>The information provided is based on the "<u>City of Hamilton Waste Requirements for Design of New Developments and Collection</u>", dated 2021. The comments provided below do not impact the zoning by-law amendment application but must be addressed later in the development process.</p> <p>The development will require front-end bin service for the collection of garbage, recyclable containers, recyclable papers, and organic waste. As currently designed this development is not serviceable. Please review the information provided below to identify outstanding requirements.</p> <p>It is the responsibility of the owner to inform the City in all development applications if there is a desire to retain private waste collection services for the development. The City may allow for an eligible development to be designed in a manner that does not conform to the design requirements and retain private waste collection services but only if staff determine the site has constraints that make it impossible for all the applicable requirements in the Design Requirements to be met without having a significant negative impact on the development with respect to the City's objectives related to land use, urban design and density.</p>	Noted. Specific design details and changes will be address at a future Site Plan Control application.

Department or Agency	Comment	Staff Response
Urban Renewal, Economic Development Division, Planning and Economic Development	<ul style="list-style-type: none"> <li>• The applicant can be advised that programs providing financial assistance for the investigation and/or remediation of potential soil contamination on the site in support of a future Record of Site Condition, if applicable, may be available. For further information about the City's Environmental Remediation and Site Enhancement (ERASE) programs, please contact Phil Caldwell at <a href="mailto:phil.caldwell@hamilton.ca">phil.caldwell@hamilton.ca</a>. Information on these programs can also be found online at <a href="https://investinhamilton.ca/tools-data/financial-incentives/municipal-programs/">https://investinhamilton.ca/tools-data/financial-incentives/municipal-programs/</a></li> <li>• If the proposed development is intended to consist of rental or affordable units, additional financial incentives may be available through the City's Housing Accelerator Fund programs. For more information on the availability and eligibility under these programs, please contact the Housing Secretariat at <a href="mailto:housing.secretariat@hamilton.ca">housing.secretariat@hamilton.ca</a></li> </ul>	Noted.
Transit Strategy and Planning, Hamilton Street Railway, Public Works Department	<ul style="list-style-type: none"> <li>• Hamilton Street Railway (HSR) currently operates 2 routes in close proximity to the site (03 Cannon and 12 Wentworth), with service on Cannon Street East and the nearest stop ~200m away. The site is also ~450m away from the stop at King @ Wentworth which is served by Routes 01 King and 10 B-Line Express; across these 2 routes, buses will arrive approximately every 4 minutes at peak.</li> </ul>	Noted. The Transit Oriented Development Guidelines should be considered as part of a future Site Plan Control application.

Department or Agency	Comment	Staff Response
Transit Strategy and Planning, Hamilton Street Railway, Public Works Department  <b>(continued)</b>	<ul style="list-style-type: none"> <li>• As part of the future transit network, three routes are planned to operate within ~400m of the site, including the B Line LRT with the nearest stop at Wentworth LRT and service planned for every 6 minutes during peak.</li> <li>• The site falls within 800m of a priority route (10 B-Line Express/B Line LRT), within which the Canada Public Transit Fund requires eliminating mandatory minimum off-street parking requirements.</li> <li>• The site is very well connected to transit and is in the top 4% of sites by transit access across Hamilton.</li> <li>• Given this site's high access to transit, HSR staff would support a reduction in the parking but recommends providing additional bicycle parking (at least meeting the requirement) and strongly recommends Transit Oriented Development (TOD) be utilized. Please refer to the City of Hamilton's Transit Oriented Development Guidelines.</li> </ul>	
Landscape Architectural Services Environmental Services, Public Works Division, Public Works Department	Cash-in-lieu of parkland dedication is requested.	Cash-in-lieu of Parkland will be required as part of the Building Permit application.
Enbridge Gas Inc.	This site is currently serviced with gas. The existing gas service(s) will need to be abandoned prior to this site's redevelopment. The available capacity in our system will be evaluated when the loads of this new	Warning clauses required by Enbridge Gas will be addressed as part of a future Site Plan Control application.

Department or Agency	Comment	Staff Response
<p>Enbridge Gas Inc.</p> <p><b>(continued)</b></p>	<p>building are known. A gas main extension may be required. Sites such as this one, often present challenges for gas servicing and meter placement; I would suggest that the developer reach out to me directly to begin initial gas consultation.</p> <p><b>Gas Application(s)</b></p> <p>Please have the developer submit a request for gas at their earliest opportunity via our online GetConnected tool. <a href="http://enbridgegas.com/connect-to-gas/builders-hvacs">enbridgegas.com/connect-to-gas/builders-hvacs</a>. It is recommended that submissions for gas servicing be applied for a minimum of 10 months in advance of the gas need date. 12 months if a gas main extension is required.</p> <p>Gas requirements (both construction-heat and final) should be finalized prior to the site beginning construction.</p> <ul style="list-style-type: none"> <li>• This response does not constitute a pipe locate, clearance for construction or availability of gas.</li> <li>• The applicant shall use the Enbridge Gas Inc GetConnected tool to determine gas availability, service, and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping and/or asphalt paving.</li> </ul> <p>Confirmation of the location of any natural gas pipeline should be made through Ontario One Call 1-800-400-2255 for locates prior to any activity.</p>	

## Summary of Public Comments Received

Comment Received	Staff Response
Impacts on the existing assumed alleyway and negative impacts as a result of increased traffic	Transportation Planning are supportive of residential development on the subject lands based on the Transportation Assessment submitted, and the applicants are required to enter into a maintenance agreement with the City to be able to use a portion of the alleyway as part of the development. The requirement for a maintenance agreement has been included as part of the Draft Zoning By-law attached as Appendix B to Report PED25081.
Shadow Impacts on Neighbouring Properties	Staff received a Shadow Study as part of the proposed Zoning By-law Amendment application. Staff are satisfied that the proposed Shadow Study meets the required Terms of Reference by allowing a minimum of three hours of sunlight on public spaces and unduly overshadow the rear yards of the existing low density residential uses adjacent to the site.
Concerns about decreasing property values	Staff are not aware of any empirical evidence to suggest property values will decrease.
Increased Crime	Staff are not aware of any empirical data to support this.
Loss of Privacy	Staff have reviewed the proposed setback and stepbacks provided as part of the proposed development. Based on staff review, an appropriate transition has been provided in order to not create a privacy concern.
Negative Impacts to pets and wildlife	The City of Hamilton's Noise Control By-law No. 11-285 states that no person can make or permit an unreasonable noise or a noise that is likely to disturb their neighbours. As well, as part of a future Site Plan Control application a Construction Management Plan would be required as part of a future Site Plan Control application to address any construction impacts.

**From:**  
**To:** [Baldassarra, Alaina](#)  
**Cc:** [Office of Ward 3 City Councillor Nrinder Nann](#)  
**Subject:** 87 Ashley St - ZAC-25-007  
**Date:** Thursday, February 13, 2025 4:06:27 PM

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**External Email: Use caution with links and attachments**

Hello,

Our property is immediately West of the proposed building site and we have serious concerns about the building's height and the resulting impact on our available sunlight, the privacy of our backyard, the loss of our property value.

If the building were to be 4 storeys tall, we would be far less concerned. But at 6 storeys and 20m (65') in height, this building will absolutely tower over our property. We would lose morning sun during the already darkest months of the year. And we would completely lose privacy to enjoy our backyard during the warmer months, especially with balconies directly overlooking our space. A building of this height directly adjacent to us will completely decimate our property's resale value.

As a household, we support the construction of housing. But that housing needs to be affordable, geared-to-income, and blend with the existing community.

This 6-storey behemoth is proposed on a quiet, residential side-street, not a main road or intersection. It would be the tallest building for 1km in any direction. As far as we know, there are no plans to make the units "affordable" or "geared-to-income".

We strongly encourage the building height to be reduced to 4 storeys which will allow it to blend more seamlessly with the surrounding neighbourhood and lessen the impact on our family's privacy and day-to-day life.

Furthermore, since this will be a private, profit-driven development at the community's expense, the developers should be committed to community and neighbourhood improvements including, but not limited to:

- Paving the shared neighbourhood parking lot just South of 106 Steven St
- Winter snow clearing and maintenance of that parking lot and the alleys leading to and out of it

Thank you for considering our concerns.

**From:**  
**To:** [Baldassarra, Alaina](#)  
**Cc:** [Office of the Mayor; Office of Ward 3 City Councillor Nrinder Nann; matthew.green@parl.gc.ca](#)  
**Subject:** Application File Number ZAC-25-007  
**Date:** Tuesday, February 11, 2025 11:46:26 PM

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**External Email:** Use caution with links and attachments

February 11, 2025

To:  
Alaina Baldassarra, Planner 1, City of Hamilton  
Planning and Economic Development Department  
Development Planning – West Team  
71 Main Street West, 5<sup>th</sup> Floor, Hamilton, On, L8P 4Y5

Hello Ms Baldassarra:

re: Application file number: ZAC-25-007

Yesterday afternoon, February 10, I received a 'Notice' in the mail from your department, seeking comments on the above file. The notice is dated January 31, but only arrived in my mailbox yesterday. It advises that only responses received PRIOR to February 14, 2025 will be accepted for inclusion in your report. That translates effectively, to only 3 business days.

Is that the standard response time afforded by your department?

Regardless:

I wish to request some information/assurances from your department with respect to this zoning application.

I attended an online "Community Engagement Meeting",

hosted by GSP Group on August 14, 2024.

At the meeting, a rather rushed, and obviously rehearsed presentation, there were a couple of points that caused me concern.

1.

The mention that the laneways/alleys around the new building will be widened.

At the online meeting, I pointed out that the portion of the alley running east from Steven Street between 128 and 124 Steven can not be widened as both those houses abut the alley.

My voiced concern was not addressed.

In your notice there is again a statement that the alleys will be remediated and expanded to 6.0 meters (20 feet)

I measured the distance between the base of 124 and 128 Steven Street today. It is 3.7 meters (12 feet). If that section of alley is to be widened, it will necessitate the tearing down of one or both houses.

Is there any intention to acquire one or both houses? I am aware that 128 Steven Street is owned by McGivney Community Homes (Managed by Kiwanis), and their intention is to sell the property.

Is the acquisition of this address part of the plan for widening the alley?

My house has a 'right of way' for ingress and egress from my back yard to the alley, on the eastern end of the 128 Steven Street property. That will need to be respected and maintained, regardless of any changes in

planning for the new structure.

2.

In the August 14<sup>th</sup> presentation, there was a projection showing how the shadow cast by the building will affect houses south of 124 Steven Street.

There was only one specific date demonstrated. GSP chose a date in March (on or near the March equinox).

This appears to be at best, an unfortunate mistake... I hope not a cynical manipulation.

The owners of yards affected would benefit from illustrations of shadow projections at the June solstice, and September equinox. These would honestly illuminate (pardon the pun) the effect of shadow during their growing and seasonal entertainment enjoyment of their yards.

This issue does not affect my property, but I was offended for those owners.

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At this point, I need to thank you for your attention, and hope my comments are useful and helpful to both existing owners. and the new residents coming to our neighbourhood.

As a life-long-left-leaning person, the prospect of more secure housing being provided is uplifting and welcome.

**Subject:** Opposition to Proposed Apartment Construction (Steven Street and Ashley Street)  
**Date:** Tuesday, February 11, 2025 9:29:26 AM

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## Opposition to Proposed Apartment Building Behind My Home

Dear Alaina,

I am writing to formally express my strong opposition to the proposed apartment building behind my home . This project is not only unnecessary, considering the availability of existing vacant homes on James Street, but it also presents a host of serious concerns that will directly and negatively impact my household and the neighborhood as a whole.

### Destruction of a Local Business

The decision to tear down a functioning local business to make room for an apartment building is entirely unjustified when there are vacant homes available elsewhere. Rather than displacing an existing establishment, efforts should be made to revitalize and utilize these empty properties, preserving the integrity of our neighborhood while addressing housing needs in a responsible and sustainable way.

### Severe Invasion of Privacy

This apartment complex would place multiple stories of residents with direct sightlines into my home and yard, eliminating any sense of privacy my family currently has. It is unacceptable that we would be forced to endure constant surveillance from unknown individuals simply because of a poorly planned development.

### Construction Disruptions and Long-Term Harm

The inevitable noise, dust, and debris from construction will make it nearly impossible to enjoy my home. This level of disturbance directly interferes with my right to reasonable enjoyment of my property. Furthermore, this construction will actively violate my privacy, with workers and equipment stationed mere feet from my backyard for months—if not years

—on end.

#### Increased Traffic, Pollution, and Safety Risks

An influx of new residents means a drastic rise in vehicle traffic, congestion, and pollution in an already established neighborhood. With additional cars comes increased air and noise pollution, making the area less livable for current residents. More foot traffic near my property also raises concerns about crime, theft, and general safety, making my home and others around it more vulnerable to unwanted activity.

#### Harm to Pets and Local Wildlife

The heavy construction and the subsequent influx of residents will have detrimental effects on the animals living in our home and those in neighboring properties. Loud machinery, vibrations, and increased human activity will cause immense distress to pets and local wildlife, creating an environment of fear and instability.

#### Destruction of Natural Light and Vegetation

The height and placement of this building will permanently block sunlight from reaching my yard. The lack of sunlight will kill the grass and vegetation in my backyard, turning what was once a vibrant and livable space into a barren, unusable area. This drastic and irreversible effect is entirely unacceptable.

#### Conclusion

This proposal disregards the well-being of current residents, prioritizing profit over community. I urge the City of Hamilton to reconsider this ill-conceived project in favor of a solution that does not disrupt the lives of those who have already built their homes and livelihoods here. There are better locations and alternatives that would not cause such widespread harm.

I expect my concerns to be addressed and taken seriously, and I look forward to your prompt response.

**From:**  
**To:** [Baldassarra, Alaina](#)  
**Subject:** 87 to 109 Ashley Street - Re: 116 Steven St  
**Date:** Friday, February 14, 2025 11:01:45 PM

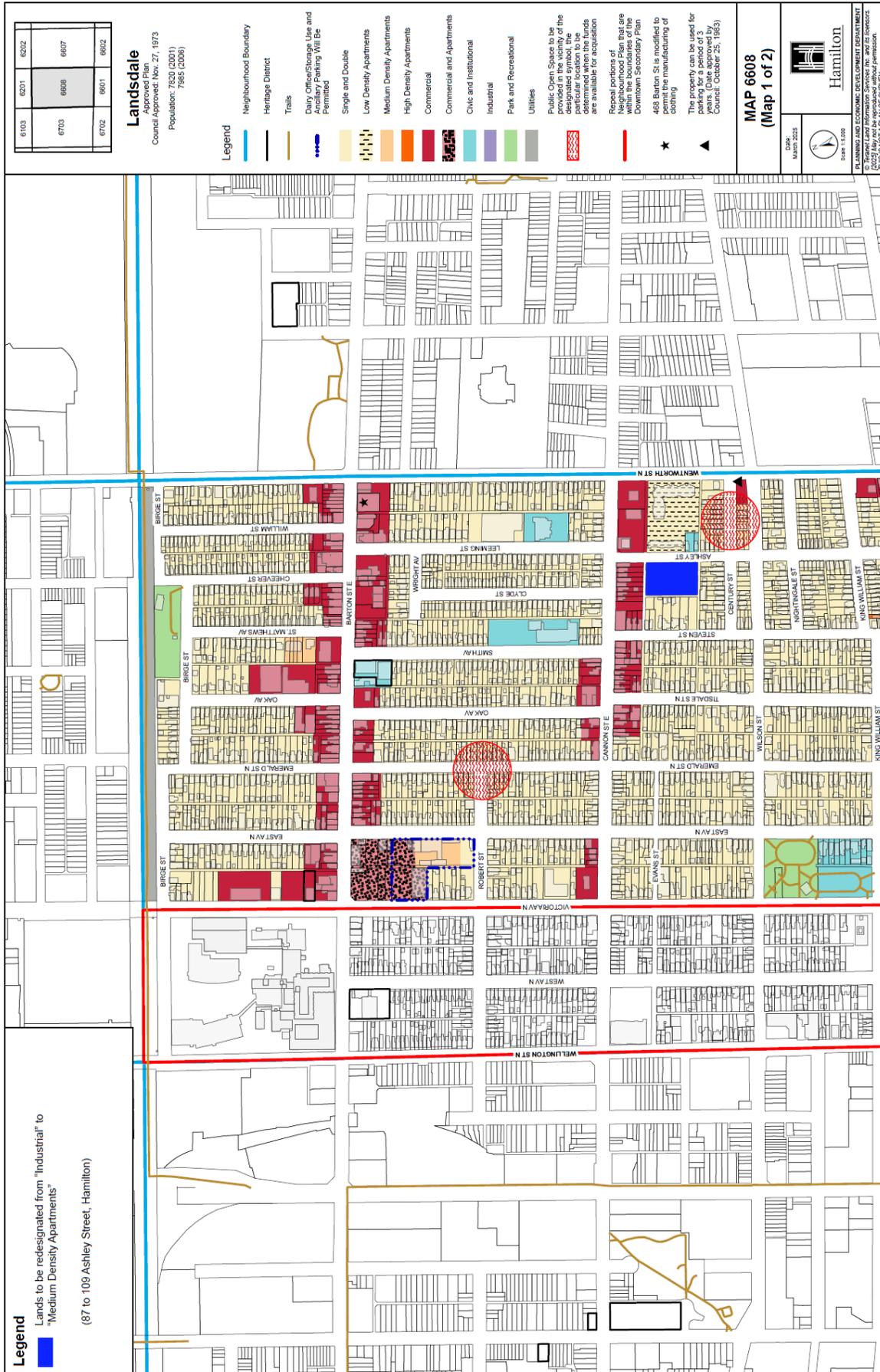
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**External Email: Use caution with links and attachments**

Hi Alaina,

Sorry for the late reply here. My wife Martha and I are the owners of 116 Steven St. Our neighbors recently filled us in on the proposed condos behind our house. We just purchased in May 2023, and to hear about our loss of privacy having a 6-story condo behind us, the loss of sunlight especially through the winter, and even the construction and what comes with it, we just want to be in tune with what's going on here. My neighbor shares plumbing with the building behind us. We have access to the public back alley, what will happen to my alley access? Just need to be filled in on what's going on, and what we can do to make this situation fair for all parties involved.

# Amendment to Landsdale Neighbourhood Plan





## City of Hamilton Report for Consideration

**To:** Chair and Members  
Planning Committee

**Date:** April 8, 2025

**Report No:** PED25063

**Subject/Title:** Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 1278 Old Highway 8, Flamborough

**Ward(s) Affected:** Ward 12

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### Recommendations

- 1) That **Amended Official Plan Amendment Application RHOPA-24-003**, by **A.J. Clarke & Associates Ltd. (c/o Franz Kloibhofer) on behalf of Matt Barnes Photography Inc., Owner**, to redesignate the subject lands from "Settlement Institutional" to "Settlement Residential" in the Rural Hamilton Official Plan to permit the adaptive reuse of an existing place of worship as a single detached dwelling with a Rural Site Specific Policy Area allowing the continued use of the existing private wastewater disposal holding tank, on the lands located at 1278 Old Highway 8, Flamborough, as shown in Appendix A attached to Report PED25063, **BE APPROVED** on the following basis:
  - (a) That the draft Official Plan Amendment, attached as Appendix B to Report PED25063, be adopted by City Council; and,
  - (b) That the proposed Official Plan Amendment is consistent with the Provincial Planning Statement (2024), conforms to the Greenbelt Plan (2017), and complies with the general intent of the Rural Hamilton Official Plan.
- 2) That **Amended Zoning By-law Amendment Application ZAC-24-009**, submitted by **A.J. Clarke & Associates Ltd. c/o Franz Kloibhofer, on behalf of Matt Barnes Photography Inc., Owner**, for a change in zoning from the Settlement Institutional (S3) Zone to the Settlement Residential (S1, 916) Zone, to permit the adaptive reuse of an existing place of worship as a single detached dwelling, on

**Application for an Official Plan Amendment and Zoning By-law Amendment for  
Lands Located at 1278 Old Highway 8 (Ward 12)**

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lands located at 1278 Old Highway 8, Flamborough, as shown in Appendix A attached to Report PED25063, **BE APPROVED** on the following basis:

- a) That the draft By-law, attached as Appendix C to Report PED25063, 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 including the Holding symbol 'H' to Settlement Residential (S1, 916, H187) Zone;

The Holding Provision 'H187', is to be removed conditional on the following:

- (i) The necessary Building Permits have been applied for to legalize the conversion of an existing place of worship to a single detached dwelling to the satisfaction of the City's Chief Building Official.
- c) That the proposal is consistent with the Provincial Planning Statement (2024), conforms to the Greenbelt Plan (2017), and complies with the general intent of the Rural Hamilton Official Plan.

## **Key Facts**

- The purpose of the Official Plan Amendment application is to redesignate the subject lands from "Settlement Institutional" to "Settlement Residential" in the Rural Hamilton Official Plan to permit the adaptive reuse of an existing place of worship as a single detached dwelling with a Site Specific Policy Area allowing the continued use of the existing private wastewater disposal holding tank.
- The purpose of the Zoning By-law Amendment application is for a change in zoning from the Settlement Institutional (S3) Zone to the Settlement Residential (S1, 916, H187) Zone, to permit the adaptive reuse of an existing place of worship as a single detached dwelling.
- The subject lands are designated "Rural Settlement Area" on Schedule D – Rural Land Use Designations and "Settlement Institutional" on Map 14 – Sheffield Rural Settlement Area Plan.
- Staff recommends approval of the proposed Official Plan Amendment and Zoning By-law Amendment as included in Appendix B and Appendix C attached to Report PED25063.

## **Financial Considerations**

Not Applicable.

**Application for an Official Plan Amendment and Zoning By-law Amendment for  
Lands Located at 1278 Old Highway 8 (Ward 12)**  
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## **Analysis**

The subject property is municipally known as 1278 Old Highway 8 and is situated on the north side of Old Highway 8, west of Sheffield Road in Flamborough. Currently, the subject lands contain an existing place of worship which is a two and a half storey brick building, formerly known as the Sheffield Presbyterian Church, that is included in the City's Inventory of Heritage Properties. The subject lands have a frontage of 26.98 metres along Old Highway No. 8, a depth of 61.83 metres, and a total area of approximately 0.17 hectares.

The owners are currently occupying the building and orders to comply have been issued by the City of Hamilton to address renovations to a non-permitted use.

To preserve the heritage structure, the applicant has proposed no alterations to the exterior of the existing place of worship and the existing access driveway is proposed to remain. Details on surrounding land uses are included in Appendix A1, the Historical Background Fact Sheet in Appendix D, and the Concept Plan in Appendix E, attached to Report PED25063.

A full review of applicable Provincial Planning Statement (2024), Greenbelt Plan (2017) and Rural Hamilton Official Plan policies is provided in Appendix F attached to Report PED25063.

## **Provincial Policy Framework**

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the Provincial Planning Statement (2024). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Planning Statement (2024).

The proposal for the adaptive reuse of an existing place of worship to a single detached dwelling supports healthy, integrated, and viable rural areas by respecting and building upon the rural character of the area and leveraging local amenities. The proposal involves utilizing the existing wastewater tank and a new well to service the property, with the old well decommissioned, thereby minimizing environmental impact and supporting long-term goals for creating integrated and sustainable rural communities.

Based on the foregoing, the proposal is consistent with the Provincial Planning Statement (2024).

## **Rural Hamilton Official Plan**

The subject lands are designated as a "Rural Settlement Area" on Schedule D – Rural Land Use Designations and as "Settlement Institutional" on Map 14 – Sheffield Rural Settlement Area Plan of the Rural Hamilton Official Plan. The existing two and a half storey brick building, formerly known as the Sheffield Presbyterian Church, built in 1891,

**Application for an Official Plan Amendment and Zoning By-law Amendment for  
Lands Located at 1278 Old Highway 8 (Ward 12)  
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is included in the City's Inventory of Heritage Properties for its cultural heritage. The Sheffield Settlement Area is a Cultural Heritage Landscape with several inventoried sites.

The applicant proposes to redesignate the lands to "Settlement Residential" with a Site Specific Policy Area. This will permit the adaptive reuse of the existing place of worship as a single detached dwelling, with no exterior changes or additional buildings planned. Development in Rural Settlement Areas requires City approval and adherence to sustainable private water and wastewater service standards. The proposed Zoning By-law Amendment, attached as Appendix C to Report PED25063 also requires the existing building to be retained.

A revised Hydrogeological Study, prepared in accordance with the City's Guidelines for Hydrological Studies and Technical Standards for Private Services, confirms compliance with the Rural Hamilton Official Plan. Coordination among staff in Planning, the Building Division, and Source Water Protection resulted in the continued use of the wastewater holding tank being approved under the Building Code as an alternative servicing solution, subject to additional requirements. The applicant has provided all clearances to date and satisfied the necessary requirements.

Recognizing the importance of balancing the sustainable private services requirements, tree preservation, maintaining the rural character and preserving a heritage building, and given the site's sensitive hydrogeological conditions, maintaining the wastewater holding tank has been deemed the most suitable wastewater solution for the adaptive reuse of the existing structure. A detailed analysis of the applicable Rural Hamilton Official Plan policies is attached in Appendix F to Report PED25063.

Based on the foregoing, the proposal complies with the Rural Hamilton Official Plan upon adoption of the proposed Official Plan Amendment.

### **City of Hamilton Zoning By-law No. 05-200**

The purpose of the Zoning By-law Amendment application is for a change in zoning from the Settlement Institutional (S3) Zone to the Settlement Residential (S1, 916) Zone. The applicant has requested site specific modifications to the Settlement Residential (S1) Zone to recognize the existing building, which are summarized in Appendix I attached to Report PED25063.

### **Rationale For Recommendation**

1. The proposal has merit and can be supported for the following reasons:
  - (i) It is consistent with the Provincial Planning Statement (2024), and conforms to the Greenbelt Plan (2017);

**Application for an Official Plan Amendment and Zoning By-law Amendment for  
Lands Located at 1278 Old Highway 8 (Ward 12)**  
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- (ii) It complies with the general intent of the Rural Hamilton Official Plan;
- (iii) It has been demonstrated that adequate sustainable private wastewater services can be provided by utilizing the existing holding tank, which will not have an environmental impact on the subject lands or adjacent properties. The alternative solution has been approved by the Building Division; and,
- (iv) The proposed adaptive reuse of the existing building achieves a balance between accommodating an additional dwelling unit in an area designated for residential uses, retains the character of an existing Rural Settlement Area, permits the conservation of mature trees, satisfies conditions related to providing sustainable private services, and ensures the protection of the building, which is listed in the City's inventory of heritage properties.

## 2. Official Plan Amendment

The purpose of the Official Plan Amendment application is to redesignate the subject lands from "Settlement Institutional" to "Settlement Residential" including a Site Specific Policy Area to permit the adaptive reuse of an existing place of worship as a single detached dwelling that is dependent on an existing wastewater holding tank for the provision of private services.

Through a detailed review of the proposed servicing solution for the single detached dwelling, the Building Division and Source Water Protection staff determined that the existing holding tank will not result in an increased risk to the environment, the subject lands, or adjacent properties. The applicant has met all the conditions required to ensure that the holding tank complies with the necessary requirements such as an updated Hydrogeological Report, a pumping test of the new water supply well, the well's location, and the decommissioning of the existing well. The continued use of the tank has been approved by the Building Division.

The proposal achieves many of the goals of the Rural Hamilton Official Plan such as preserving cultural heritage resources, maintaining the character in the Sheffield Rural Area, protecting mature trees and encouraging sustainable private servicing solutions.

Based on the foregoing and the analysis provided in Appendix F of Report PED25048, staff supports the proposed Official Plan Amendment.

## 3. Zoning By-law Amendment

The proposed Zoning By-law Amendment is for a change zoning to the Settlement Residential (S1, 916, H187) Zone. Staff are satisfied that the proposal meets the intent of the Rural Hamilton Official Plan as outlined in Appendix F attached to Report PED25063. Modifications are requested to recognize existing conditions of the lot and building that meet the general intent of the Zoning By-law and are

**Application for an Official Plan Amendment and Zoning By-law Amendment for  
Lands Located at 1278 Old Highway 8 (Ward 12)**  
**Page 6 of 7**

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discussed in Appendix I attached to Report PED25063.

A Holding Provision has been included to be removed conditional upon the following:

- (ii) The necessary Building Permits have been applied for to legalize the conversion of an existing place of worship to a single detached dwelling to the satisfaction of the City's Chief Building Official.

Staff are satisfied that the proposed Zoning By-law Amendment, as amended, complies with the policies of the Rural Hamilton Official Plan, in particular with respect to the policies of the "Settlement Residential" designation. Therefore, staff support the proposed Zoning By-law Amendment.

## **Alternatives**

Should the applications be denied, the subject property can be used in accordance with the Settlement Institutional (S3) Zone in City of Hamilton Zoning By-law No. 05-200.

## **Relationship to Council Strategic Priorities**

- Priority 1: Sustainable Economic & Ecological Development
  - 1.2: Facilitate the growth of key sectors.
- Priority 2: Safe & Thriving Neighbourhoods
  - Increase the supply of affordable and supportive housing and reduce chronic homelessness.

## **Consultation**

The applications were circulated to internal departments and external agencies. A comment summary is provided in Appendix G attached to Report PED25063.

The applicants submitted a Public Consultation Strategy with the supporting materials including notifying the Ward Councillor via email in April 2024 and circulating a mailer to 24 residents within 120 metres of the subject lands. The mailout, prepared by A.J. Clarke & Associates Ltd, detailed the proposal in accordance with the City's Public Consultation Strategy Guidelines, and invited feedback regarding the proposal. Nine letters/emails expressing support of the proposal were received (see Appendix H attached to Report PED25063). A.J. Clarke & Associates also circulated mailers to residents within 120 metres of the subject lands in May 2024 to obtain feedback regarding the proposal. No responses were received.

**Application for an Official Plan Amendment and Zoning By-law Amendment for  
Lands Located at 1278 Old Highway 8 (Ward 12)  
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**Appendices and Schedules Attached**

- Appendix A: Location Map
- Appendix A1: Existing and Surrounding Land Uses and Zoning
- Appendix B: Amendment to Rural Hamilton Official Plan
- Appendix C: Amendment to Zoning By-law No. 05-200
- Appendix D: Historical Background Report Fact Sheet
- Appendix E: Concept Plan
- Appendix F: Policy Review
- Appendix G: Staff and Agency Comments
- Appendix H: Public Comments and Summary of Public Consultation
- Appendix I: Zoning Modification Table

**Prepared by:** Rino Dal Bello, Acting Director of Development Planning  
Planning and Economic Development Department

**Submitted and recommended by:** Anita Fabac, Acting Director of Planning and Chief Planner  
Planning and Economic Development Department



● Site Location

## Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
ZAC-24-009/RHOPA-24-003

Date:  
January 16, 2025

Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
DM/NB



Key Map - Ward 12

### Subject Property

1278 Old Highway No. 8, Flamborough (Ward 12)

Change in Zoning from Settlement Institutional (S3) Zone to Settlement Residential (S1, 916, H187) Zone



## Existing and Surrounding Land Uses and Zoning

	<b>Existing Land Use</b>	<b>Existing Zoning</b>
<b>Subject Lands:</b>	Place of worship.	Settlement Institutional (S3) Zone.
<b>Surrounding Land Uses:</b>		
North	Single detached dwelling and place of worship.	Settlement Residential (S1, 61) Zone and Settlement Institutional (S3) Zone.
South	Single detached dwelling and place of worship.	Settlement Residential (S1) Zone.
East	Single detached dwelling.	Settlement Residential (S1) Zone.
West	Single detached dwelling.	Settlement Institutional (S3) Zone.

## **DRAFT Rural Hamilton Official Plan Amendment No. X**

The following text, together with Appendix "A" Volume 2: Map 14 – Sheffield Rural Settlement Area Plan attached hereto, constitutes Official Plan Amendment No. "X" to the Rural Hamilton Official Plan.

### **1.0 Purpose and Effect:**

The purpose of this Amendment is to redesignate the subject lands from "Settlement Institutional" to "Settlement Residential" and create a new Site Specific Policy in the Sheffield Rural Settlement Area to permit the continued use of a sewage disposal holding tank and permit the conversion of the existing Place of Worship to a residential use (single detached dwelling).

### **2.0 Location:**

The lands affected by this amendment are municipally known as 1278 Old Highway 8, in the former Township of Flamborough.

### **3.0 Basis:**

The basis for permitting this Amendment is:

- The proposal maintains the general intent of the policies of the Rural Hamilton Official Plan and Sheffield Rural Settlement Area Plan, as it makes efficient use of land and contributes to a range of housing options.
- The proposal to adaptively reuse the place of worship is compatible with the existing built environment of the Sheffield Rural Settlement Area.
- The Amendment is consistent with the Provincial Planning Statement, 2024 and conforms to the Greenbelt Plan, 2017.

### **4.0 Actual Changes:**

#### **4.1 Volume 2 – Secondary Plans and Rural Settlement Areas**

##### **4.1.1 Chapter A.3 – Rural Settlement Areas**

- a. That Volume 2, Chapter A.3 – Flamborough Rural Settlement Area Plans be amended by adding a new subsection, as follows:

### 3.11.4 Site Specific Area

3.11.4.X Notwithstanding Policy C.5.1.1.f) of Volume 1, a sewage disposal holding tank shall be permitted for a residential dwelling unit located within the former place of worship on the lands known as 1278 Old Highway 8, Flamborough, and identified as Site Specific Area X on Map 14 – Sheffield Rural Settlement Area Plan.

### Maps and Appendices

#### 4.1.2 Map

a. That Volume 2: Map 14 – Sheffield Rural Settlement Area Plan be amended by:

- i) redesignating lands from “Settlement Institutional” to “Settlement Residential”; and,
- ii) identifying the subject lands as Site Specific Area “X”,

as shown on Appendix “A”, attached to this Amendment.

### 5.0 Implementation:

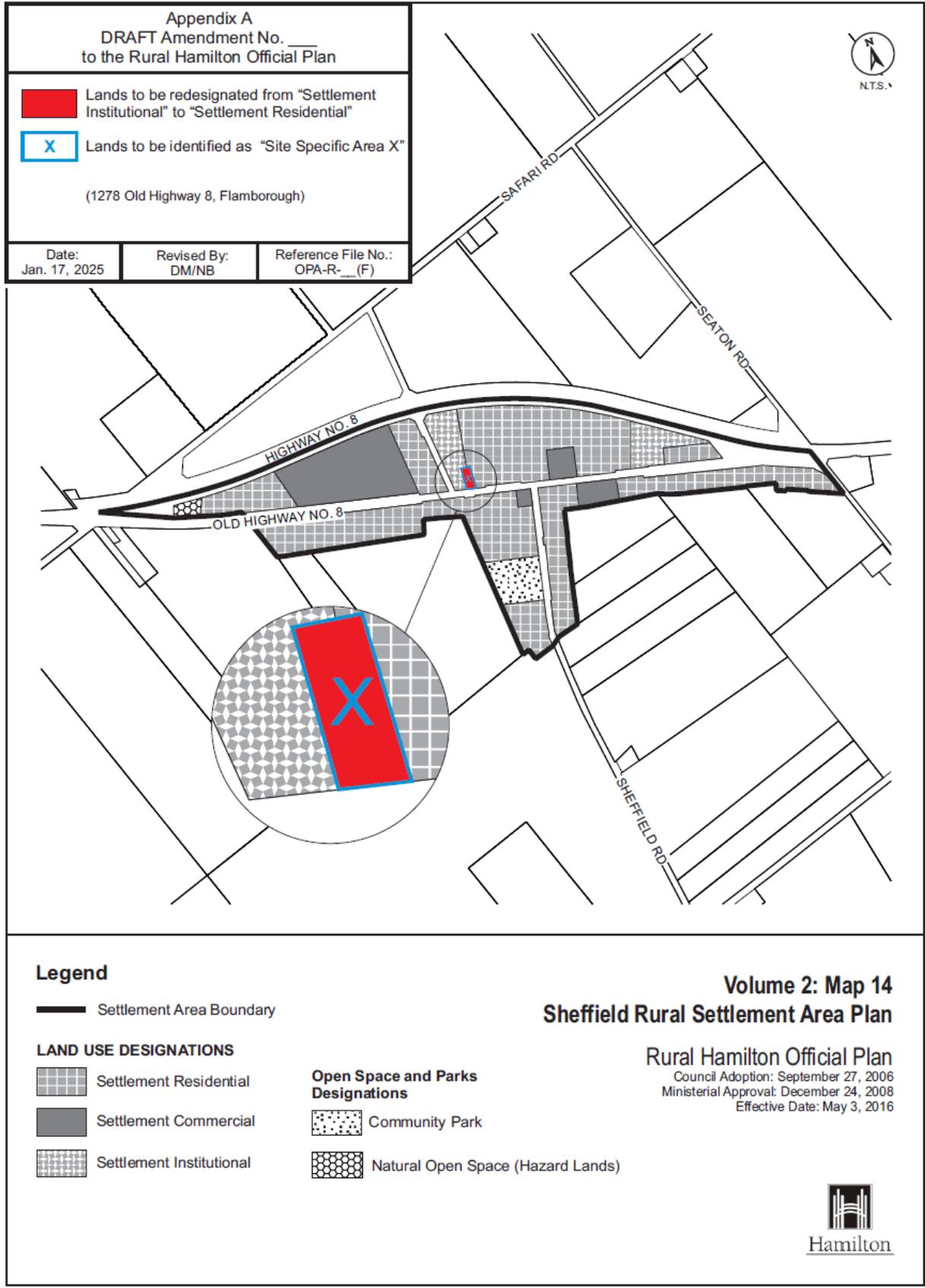
An implementing Zoning By-Law Amendment will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule “1” to By-law No. \_\_\_\_ passed on the \_\_\_\_<sup>th</sup> of \_\_\_\_\_, 2025.

### The City of Hamilton

\_\_\_\_\_  
A. Horwath  
MAYOR

\_\_\_\_\_  
M. Trennum  
CITY CLERK







			
<p style="text-align: center;">This is Schedule "A" to By-law No. 25-</p> <p style="text-align: center;">Passed the ..... day of ....., 2025</p>	<p style="text-align: center;">----- Mayor</p> <p style="text-align: center;">----- Clerk</p>		
<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 5px 0;">Map forming Part of By-law No. 25-_____</p> <p style="margin: 5px 0;">to Amend By-law No. 05-200 Map R65</p>	<p><b>Subject Property</b> 1278 Old Highway No. 8, Flamborough (Ward 12)</p> <p> Change in Zoning from Settlement Institutional (S3) Zone to Settlement Residential (S1, 916, H187) Zone</p>		
<p>Scale: N.T.S</p>	<p>File Name/Number: ZAC-24-009/RHOPA-24-003</p>	 <b>Hamilton</b>	
<p>Date: January 16, 2025</p>	<p>Planner/Technician: DM/NB</p>	<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>	

## Historical Background

<b>Application Details</b>	
Owner:	Matt Barnes Photography Inc.
Applicant:	A.J. Clarke & Associates Ltd. c/o Franz Kloibhofer.
File Number:	RHOPA-24-003 and ZAC-24-009.
Type of Applications:	Rural Hamilton Official Plan Amendment and Zoning By-law Amendment.
Proposal:	<p>The purpose of the Official Plan Amendment is to redesignate “Settlement Institutional” to “Settlement Residential” and add a Site Specific Policy in the Sheffield Rural Settlement Area.</p> <p>The purpose of the Zoning By-law Amendment is to change the zoning from the Settlement Institutional (S3) Zone to the Settlement Residential (S1, 916, H187) Zone.</p> <p>The effect of these applications is to permit the adaptive reuse of an existing place of worship as a single detached dwelling serviced by an existing wastewater holding tank and well on the subject lands. In addition, site specific zoning provisions are required to recognize the reduced minimum lot area, reduced minimum lot width and increased building height to recognize the existing lot configuration and place of worship.</p>
<b>Property Details</b>	
Municipal Address:	1278 Old Highway 8, Flamborough.
Lot Area:	0.179 hectares.
Existing Servicing:	Well and wastewater holding tank.
Proposed Servicing:	Well and wastewater holding tank.
Existing Use:	Vacant building (formerly Sheffield Presbyterian Church).
Proposed Use:	Single detached dwelling.
<b>Documents</b>	
Provincial Planning Statement:	The proposal is consistent with the Provincial Planning Statement (2024).
Greenbelt Plan:	Sheffield Hamlet Settlement Area within the “Protected Countryside” as per Appendix II of the Greenbelt Plan (2017).
Official Plan Existing:	“Rural Settlement Areas” on Schedule D – Rural Land Use Designations.
Sheffield Rural Settlement Area Plan Existing:	“Settlement Institutional” on Map 14 – Sheffield Rural Settlement Area Plan.

Sheffield Rural Settlement Area Plan Proposed:	“Settlement Residential” with a site specific policy area to permit an existing private wastewater disposal holding tank on Map 14 – Sheffield Rural Settlement Area Plan.
Zoning Existing:	Settlement Institutional (S3) Zone.
Zoning Proposed:	Settlement Residential (S1, 916, H187) Zone.
Modifications Proposed:	<p>The following modifications are requested to the Settlement Residential (S1) Zone to recognize and retain the existing building:</p> <ul style="list-style-type: none"> <li>• To increase the maximum building height to 15.5 metres whereas a maximum building height of 10.5 metres is permitted;</li> <li>• To decrease the minimum required lot area from 0.4 hectares to 0.17 hectares; and,</li> <li>• To decrease the minimum required lot width from 30 metres to 26.9 metres.</li> </ul>
<b>Processing Details</b>	
Received:	March 27, 2024.
Deemed Complete:	March 27, 2024.
Revised Proposal:	August 2, 2024.
Notice of Complete Application:	Sent to 24 property owners within 120 metres of the subject lands on April 24, 2024.
Public Notice Sign:	Posted on April 19, 2024, with the Public Meeting date updated on January 22, 2025, indicating that the Planning Committee meeting is scheduled for March 18, 2025.
Notice of Public Meeting:	Sent to 24 property owners within 120 metres of the subject property on March 6, 2025.
Staff and Agency Comments:	Staff and agency comments have been summarized in Appendix G attached to Report PED25063.
Public Consultation:	In April 2024, 24 residents within 120 metres of the subject lands received a mailout from the applicant detailing the proposal, including a site plan and an invitation to provide feedback to the applicant regarding the proposal.
Public Comments:	Nine letters/emails expressing support of the proposal were received and comments are summarized in Appendix H attached to Report PED25063.
Processing Time:	356 days, 123 days since receiving the latest hydrogeological and water test results.



## SUMMARY OF POLICY REVIEW

The following policies, amongst others, apply to the proposal.

<b>Provincial Planning Statement (2024)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<p><b>Planning for People and Homes</b></p> <p>Policies: 2.1.4 a), b) and 2.1.6. a), b), c)</p>	<p>To meet the housing needs of current and future residents, planning authorities must ensure that land designated for residential development can accommodate at least 15 years of growth, and maintain land with sufficient servicing capacity to provide a minimum three year supply of residential units through appropriately zoned areas, including draft approved or registered plans.</p> <p>Planning authorities should promote complete communities by accommodating a diverse mix of land uses, housing, transportation options, employment, and public services to meet long-term needs; enhancing accessibility for people of all ages and abilities by addressing land use barriers; as well as improving social equity and quality of life for all, including equity deserving groups.</p>	<p>The proposed development supports the objectives outlined for meeting current and future housing needs and promoting complete communities. By adapting an existing place of worship into a single detached dwelling, the proposed development contributes to the efficient use of land and aligns with the goal of accommodating diverse housing options within settlement areas.</p> <p>While the property relies on a holding tank for wastewater disposal, the proposal has been reviewed and approved with conditions to ensure compliance with environmental and servicing standards. The adaptive reuse not only preserves the character of the area, but it also enhances accessibility and housing diversity, addressing long-term community needs while supporting sustainability.</p> <p>The proposal is consistent with these policies.</p>
<p><b>Settlement Areas</b></p> <p>Policies: 2.3.1.1; 2.3.1.2 a), b), c), e) and 2.3.1.3</p>	<p>Settlement areas shall be the focus of growth and development. Land use patterns within settlement areas should efficiently use land and resources, appropriately utilize existing infrastructure and public services, be transit-supportive where transit exists or is planned, and support freight movement.</p>	<p>The proposed development, consisting of the adaptive reuse of an existing place of worship into a single detached dwelling, aligns with the directive that settlement areas should be the focus of growth and development. By repurposing an existing building within a settlement area, the proposal efficiently utilizes land and resources while maintaining compatibility with the surrounding rural character. The use of the existing wastewater holding tank, approved under specific conditions, ensures the development appropriately utilizes existing infrastructure. The applicant provided an updated Hydrogeological Report by Soil-Mat Engineers &amp; Consultants Ltd., dated November 15, 2024, which supports the use of the holding tank. Additionally, a pumping test of the new water supply well, the location of the new well, and the</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Settlement Areas</b></p> <p>Policies: 2.3.1.1; 2.3.1.2 a), b), c), e) and 2.3.1.3  <b>(continued)</b></p>		<p>decommissioning of the existing well have been considered to ensure that the development meets all necessary standards for private water and wastewater services. This approach supports the efficient use of land and infrastructure, contributing to sustainable land use patterns within the settlement area.</p> <p>The proposal is consistent with these policies.</p>
<p>Sewage and Water Services</p> <p>Policies: 3.6.1 and 3.6.4</p>	<p>Planning for sewage and water services should accommodate forecasted growth by optimizing the use of existing municipal and private communal systems where municipal services are unavailable or impractical. These systems must be sustainable, climate resilient, financially viable, and protective of human health, safety, and the natural environment.</p> <p>Where municipal or communal services are unavailable or unfeasible, individual on-site sewage and water services may be used if site conditions support their long term use without negative impacts.</p>	<p>The proposed development aligns with the policy directive by optimizing the use of existing on-site water and sewage systems in the Sheffield Rural Settlement area, where municipal services are unavailable. The revised Hydrogeological Assessment dated November 15, 2024, confirms that the existing well and wastewater holding tank are adequate to support the development without adverse impacts, meeting the standards of the City's guidelines for hydrogeological studies and private services. This ensures the system is sustainable, protective of human health and the environment, and consistent with the policy objectives.</p> <p>The proposal is consistent with this policy.</p>

<b>Greenbelt Plan (2017)</b>		
Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Settlement Areas</b></p> <p>Policy: 1.2.2.4</p>	<p>The policies support a robust rural economy by enabling necessary residential, institutional, and commercial/industrial uses for current and future populations within the Greenbelt, especially in settlement areas.</p> <p>They aim to preserve the character of the countryside and rural communities, foster complete communities that enhance human health and social well-being, and promote economic and environmental sustainability, with a long-term goal of achieving net-zero, low-carbon communities.</p>	<p>The proposed development, located within a rural settlement area designated as a Hamlet in the "Protected Countryside" of the Greenbelt Plan, involves the adaptive reuse of a vacant place of worship into a single detached dwelling. The conversion contributes to the local rural community by preserving the existing building's exterior and maintaining the area's rural character. The proposal relies on private servicing for water and wastewater.</p> <p>A Hydrogeological Report by Soil-Mat dated January 5, 2024, and a FlowSpec Class 4 Servicing Assessment dated August 2024, confirm that the existing holding tank is adequate for wastewater disposal without environmental impacts. Upgrading to</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Settlement Areas</b></p> <p>Policy: 1.2.2.4  <b>(continued)</b></p>		<p>a Level IV treatment unit (tertiary system) was deemed unnecessary due to the hydrogeological sensitive conditions and policy limitations for undersized, privately serviced lots. Following discussions with the City's Building Division and Source Water Protection staff, the holding tank's continued use was deemed satisfactory and approved as an alternative solution under the <i>Building Code Act</i>.</p> <p>The proposal conforms to this policy.</p>
<p><b>Climate Change</b></p> <p>Policy: 1.2.2.6 b)</p>	<p>Integrating climate change considerations into planning and managing growth that includes incorporating techniques to reduce greenhouse gas emissions and increasing the resilience of settlement areas and infrastructure within the Greenbelt.</p>	<p>The proposed development aligns with climate change considerations by preserving the existing building, reducing the need for new construction materials and minimizing waste. The adaptive reuse of a vacant place of worship into a single detached dwelling supports sustainable growth by maintaining the rural character of the area while ensuring minimal environmental impact. The use of the existing private servicing for water and wastewater avoids unnecessary infrastructure expansion. This approach contributes to resilience by reducing the environmental footprint and adhering to policy limitations for undersized, privately serviced lots within the Greenbelt.</p> <p>The proposal conforms to this policy.</p>

<b>Rural Hamilton Official Plan (Volume 1)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<p><b>Wise management and conservation of cultural heritage resources.</b></p> <p>Policies: B.3.4.2.1 a) to i), B.3.4.2.2, B.3.4.2.6, B.3.4.2.7, and B.3.4.6.1</p>	<p>These policies focus on the wise management and conservation of cultural heritage resources, establishing goals for preserving the heritage character of Hamilton’s diverse districts, communities, and neighborhoods. The City will consider these differences when evaluating development proposals to maintain the unique heritage character of each area. The policies aim to ensure the conservation and protection of cultural heritage resources through appropriate planning, design measures, or development conditions. The policy encourages land uses and development activities that protect, maintain, and enhance areas of cultural heritage significance and utilizes relevant provincial legislation to manage and safeguard these resources effectively.</p>	<p>The subject property is comprised of a two and a half storey brick building, formerly known as the Sheffield Presbyterian Church, and is included in the City’s Inventory of Heritage Properties. The application is proposing to adaptively reuse the existing building as a single detached dwelling with no alterations to the exterior of the building. The recommended Zoning By-Law in Appendix C attached to Report PED25063 applies site specific provisions that apply to the lot and building existing on the date of the passing of the by-law. The Zoning By-law also requires that the existing building be retained. As no exterior alterations are proposed, the building will continue to contribute to the diverse built form within the rural area of Sheffield.</p> <p>The proposal complies with these policies.</p>
<p><b>Tree and Woodland Protection</b></p> <p><b>Policy C.2.10.1</b></p>	<p>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, including significant woodlands, wooded areas, hedgerows, and tree cover within Urban and Rural Settlement Areas.</p>	<p>The proposed development aligns with the City’s commitment to sustainable forestry practices and the protection of trees and woodlands. The development includes a Tree Protection and Management Plan and Landscape Plan, which demonstrate efforts to retain all existing trees on the subject and adjacent lands. By preserving the existing tree cover, the project supports the City’s goal of protecting and restoring trees and forests, including significant woodlands, wooded areas, hedgerows, and tree cover within Rural Settlement Areas. This approach contributes to the overall health and quality of life in the community.</p> <p>The proposal complies with this policy.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Planning and Implementation of Road Network</b> Policy: C.4.5.2</p>	<p>Arterial roads in rural areas are primarily intended to carry high volumes of intra-municipal and inter-regional traffic. Land access is secondary to this function. The maximum right-of-way width is generally 36.567 metres but can be up to 45.720 metres in specific cases. These roads are typically organized in a grid pattern, and may include paved shoulders for farm vehicles, pedestrians, and cyclists. Separate facilities for pedestrians and cyclists may also be provided, and on-street parking may be prohibited.</p>	<p>Given that the proposed development involves the adaptive reuse of an existing building, it is staff's opinion that the proposal will not impact traffic or congestion on nearby arterial roads. It is anticipated that a single detached dwelling will generate less traffic when compared to its previous use as a place of worship.</p> <p>The proposal complies with this policy.</p>
<p><b>Access Management Policies</b> Policies: C.4.5.8.1, C.4.5.8.3, and C.4.5.8.4</p>	<p>The efficiency, safety, and traffic carrying capacity of arterial roads shall be protected by minimizing the number of intersecting streets and access points as well as providing sufficient spacing between them.</p>	<p>The proposal will utilize the existing driveway with access onto Old Highway 8. No new driveways are proposed.</p> <p>The proposal complies with these policies.</p>
<p><b>Infrastructure</b> Policy: C.5.1.1</p>	<p>No approvals for development in Rural Hamilton will be granted that could impact or involve private services without compliance with the following:</p> <ul style="list-style-type: none"> <li>• Applicants must submit detailed information on existing or proposed private water and wastewater services at the time of their application, to the satisfaction of the City;</li> <li>• where sufficient information is not available to enable a full assessment of on-site and off-site water supply and/or sewage disposal, a hydrogeological study completed in accordance with Section F.3.2.5 shall be submitted;</li> <li>• A hydrogeological study shall be completed in accordance with the Hydrogeological Study Guidelines, as may be amended from time to time;</li> </ul>	<p>The proposed development complies with the requirements for development in Rural Hamilton involving private services. Based on the FlowSpec Class 4 Servicing Assessment dated August 2024, and the Hydrogeological Report by Soil-Mat dated January 5, 2024, it has been determined that the existing holding tank is adequate for wastewater disposal without causing environmental impacts. The Hydrogeological Report recommended a Level IV treatment unit (tertiary system), but due to the hydrogeologically sensitive conditions of the area, including fractured bedrock and shallow overburden, the use of such a system was not deemed appropriate. Staff do not support the use of a Level IV treatment unit (tertiary system) when determining the appropriate size of a parcel to accommodate a new use, which is consistent with the recommendations of approved Staff Report PW20082(a)/PED23047.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Infrastructure</b></p> <p>Policy: C.5.1.1</p>	<ul style="list-style-type: none"> <li>Development of a new land use or a new replacement building on an existing lot that requires water and/or sewage servicing may only be permitted where it has been determined that the soils and size of the lot are sufficient to accommodate the water system and sewage disposal system within acceptable levels of on-site or off-site impacts, including nitrate impacts and shall include sufficient land for a reserve discharge site or leaching bed; and,</li> <li>The existing or proposed wastewater system shall not include a sewage disposal holding tank.</li> </ul>	<p>Building Division and Source Water Protection staff have no objection to the continued use of the holding tank as an alternative servicing solution under the <i>Building Code Act</i>, subject to additional requirements, with all necessary clearances provided by the applicant. The Building Division recognized the unique policy perspectives that apply in the rural area regarding private services, maintaining the rural character and preserving trees. Given the sensitive hydrogeological conditions of the site, maintaining the holding tank does not negatively impact the environment, therefore the holding tank is considered the favourable solution to address wastewater for the proposed adaptive reuse of the existing building. Planning staff are of the opinion that the existing servicing methods were satisfactory to achieve the overall servicing goals of the Rural Hamilton Official Plan, subject to the Rural Hamilton Official Plan Amendment.</p> <p>The proposal complies with this policy.</p>
<p><b>Infrastructure</b></p> <p>Policy: C.5.1.3</p>	<p>The landowner shall be responsible for the maintenance and repair of all private water supply and sewage disposal systems in accordance with all applicable legislation.</p>	<p>The landowner has demonstrated responsibility for the maintenance and repair of the private wastewater disposal system, as evidenced by servicing receipts in support of the proposal. The existing holding tank is equipped with an alarm system to ensure timely emptying, and inspections confirm it is in good operating condition, with no signs of erosion or damage. The landowner has maintained the tank regularly throughout their ownership, in compliance with applicable legislation.</p> <p>The proposal complies with this policy.</p>
<p><b>Rural Settlement Areas:</b></p> <p>Policies: D.5.0 and D.5.1.1</p>	<p>The Rural Settlement Area designation, as shown on Schedule D – Rural Land Use Designations, marks areas outside the Urban Area where a variety of small-scale land uses and developments have clustered, serving as residential and service centres for the immediate and surrounding rural community.</p>	<p>Sheffield is designated as a Rural Settlement Area. An assessment of the relevant policies within Section C.1.0 and the relevant policies of the Greenbelt Plan have been provided above.</p> <p>A Hydrogeological Report dated January 5, 2024, and a FlowSpec Class 4 Servicing Assessment dated August 2024, confirm that the existing holding tank is adequate to</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Rural Settlement Areas:</b></p> <p>Policies: D.5.0 and D.5.1.1</p> <p><b>(continued)</b></p>	<p>Any development within these areas must also comply with the provisions of Section C.1.0, which covers Provincial Plans, as detailed on Schedule A – Provincial Plans.</p>	<p>provide wastewater disposal without causing environmental impacts. Upgrading to a Level IV treatment unit (tertiary system) was deemed inappropriate due to the hydrogeological sensitive conditions of the subject lands and policy limitations for undersized, privately serviced lots. Following discussions with the City’s Building Division and Source Water Protection staff, the holding tank’s continued use was approved as an alternative solution, subject to additional requirements, with all necessary clearances provided by the applicant.</p> <p>The proposal complies with these policies.</p>
<p><b>Policy direction for the implementation of the planning policy and tools to enforce the Rural Hamilton Official Plan.</b></p> <p>Policies: F.3.2.5.1, F.3.2.5.2, F.3.2.5.3, and F.3.2.5.4 a) to e)</p>	<p>The City has prepared and adopted Guidelines for Hydrogeological Studies and Technical Standards for Private Services, directing the technical assumptions and methodologies for hydrogeological studies, to be used by proponents and professionals. Hydrogeological studies, conducted by qualified professionals such as engineers or hydrogeologists, are necessary to determine if a proposed site can sustainably support private water and wastewater systems as per city policies. If a site is deemed sustainable, the study must ascertain:</p> <ul style="list-style-type: none"> <li>- the appropriate lot size;</li> <li>- ensure adequate water supply;</li> <li>- verify no negative impact on neighbouring wells;</li> <li>- evaluate potential groundwater and surface water effects from sewage disposal; and,</li> <li>- recommend conditions to ensure long-term sustainability of services before any final development approval is granted.</li> </ul>	<p>The Hydrogeological Assessment and Onsite Wastewater Servicing Assessment does meet the general intent of the City’s Guidelines for Hydrological Studies and Technical Standards for Private Services requirements. The reports were prepared by qualified professionals to assess the feasibility of sustainably servicing the proposed use with private water and wastewater systems, in alignment with the policies of the Official Plan.</p> <p>While the proposed development does not aim to sever or create new parcels of land, the findings in the submitted reports ascertain that the existing lot of record is adequately sized to accommodate the existing holding tank while allowing ample space for the leaching bed as stipulated by the Ontario Building Code. The studies evaluate the availability of sufficient and suitable potable water supply that will not adversely affect neighboring wells. Furthermore, they analyze the potential impacts of the proposed wastewater disposal on both on-site and off-site groundwater and surface water resources. The report includes conditions of approval to ensure the sustained viability of the proposed services in the long term.</p> <p>A Hydrogeological Report dated January 5, 2024, and a FlowSpec Class 4 Servicing Assessment dated August 2024, confirm that the existing septic holding tank is adequate for</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Policy direction for the implementation of the planning policy and tools to enforce the Rural Hamilton Official Plan.</b></p> <p>Policies: F.3.2.5.1, F.3.2.5.2, F.3.2.5.3, and F.3.2.5.4 a) to e)</p> <p><b>(continued)</b></p>		<p>wastewater disposal without causing environmental impacts. Following discussions with the City’s Building Division and Source Water Protection staff, the holding tank’s continued use was approved as an alternative solution under the <i>Building Code Act</i>, subject to additional requirements, with all necessary clearances provided by the applicant.</p> <p>The proposal complies with these policies.</p>

<b>Rural Hamilton Official Plan Volume 2 - Rural Settlement Area Plans (Sheffield)</b>		
Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Rural Settlement Area</b></p> <p>Policies: A.1.1.2.3, A.1.1.2.4. a) to c), A.1.1.2.8, and A.1.1.2.9.</p>	<p>In Rural Settlement Areas, the primary use is low density residential generally in the form of single detached dwellings, along with small scale commercial activities, parks, and essential institutional facilities like schools and places of worship.</p> <p>Development must match the existing built environment in height, density, and character, obtain City approval for water and wastewater services with lots no smaller than one acre, and comply with Natural Heritage System policies. On Settlement Institutional lands, community serving facilities may be allowed, emphasizing the conservation and adaptive reuse of existing buildings, subject to plan and zoning by-law amendments.</p>	<p>The application proposes the redesignation and rezoning of the subject lands to permit the adaptive reuse of a former place of worship as a single detached dwelling. Given that the building currently exists and no modifications to the exterior are proposed, the built form is compatible with the existing character of the area.</p> <p>As noted above, when assessing the Policy C.5.1.1, an alternative servicing solution under the <i>Building Code Act</i> permits the continued use of the existing holding tank.</p> <p>The proposal complies with these policies.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Land Use Designations</b></p> <p>Policy: A.3.11.3  “Settlement Residential” designation</p> <p>Policy: A.1.3.1  “Settlement Institutional” designation</p> <p>Policy: A.1.5.1 b)</p>	<p>Map 14 establishes the land use pattern of future development and redevelopment of the Sheffield Rural Settlement Area. The policies pertaining to the four land use categories are detailed in the policies set out in Sections A.1.2 to A.1.7, Volume 2 of the Rural Hamilton Official Plan.</p> <p>Residential uses are limited to single detached dwellings, small scale residential care facilities and small scale institutional uses.</p> <p>On lands designated “Settlement Institutional”, places of worship, schools, community centres and similar uses that are related to the needs of the residents in the Rural Settlement Area are permitted. The City shall encourage the conservation of existing institutional buildings where appropriate, especially the adaptation of existing structures for new uses by amendment to the Rural Hamilton Official Plan and the Zoning By-law, if required.</p>	<p>The application proposes interior modifications to convert the building into a single detached dwelling, with no exterior changes. The Rural Hamilton Official Plan Amendment proposes to redesignate the property from "Settlement Institutional" to "Settlement Residential," and the Zoning By-law Amendment seeks to change the zoning from Settlement Institutional (S3) to a site specific Settlement Residential (S1) Zone. The applications meet the general intent of this policy and facilitate the adaptive reuse of the place of worship as a single detached dwelling.</p> <p>Therefore, the proposal complies with these policies.</p>
<p>Implementation</p> <p>Policies: A.1.8.1 and A.3.11.3.3</p>	<p>Secondary Plans including Rural Settlement Area Plans are subject to the policies of Section F, Implementation of Volume 1 of this Plan. In addition, any development or redevelopment within the Sheffield Rural Settlement Area Plan must conform to the relevant policies of Volume 1 of the Rural Hamilton Official Plan.</p>	<p>The subject lands are within a designated “Rural Settlement Area” and are zoned Settlement Institutional (S3) Zone. The property is located at the intersection of Sheffield Road and Old Highway 8 and is recognized as an "Inventoried Property" for its cultural heritage as it was historically the "Sheffield Presbyterian Church" built in 1891. No exterior changes or additions are proposed to accommodate the proposed single detached dwelling. The entire Sheffield Settlement Area is classified as a Cultural Heritage Landscape, with several properties inventoried as cultural heritage sites. There are no municipal water or wastewater services available in this area, and an alternative solution to accommodate private wastewater services was approved. It was determined that the existing servicing methods were satisfactory to achieve the overall servicing goals of the Rural Hamilton Official Plan.</p> <p>The proposal complies with these policies.</p>

**CONSULTATION – DEPARTMENTS AND AGENCIES**

<b>Department or Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<p>Development Engineering Section, Growth Management Division, Transportation, Planning and Economic Development Department</p>	<p><b>Sanitary and Minor Storm</b>  There are no municipal sanitary or storm sewers within the vicinity of the subject property. As such, Hamilton Water has no comments related to sanitary or minor storm servicing at this time.</p> <p>Transportation Planning has no objection to the proposed Official Plan and Zoning By-Law amendments to permit the conversion of the existing church to a single detached dwelling.</p> <p><b>Source Water Protection (Public Works – Hamilton Water)</b>  The existing place of worship relied on the use of a septic holding tank for wastewater effluent, and the current proposal involves a tertiary septic system. The use of a septic holding tank did not have any environmental impacts, and replacing it for a tertiary septic system would not be considered an improvement from a policy perspective. The Hydrogeological Report (prepared by Soil-Mat, dated January 5, 2024) applies the isolation criteria and the use of tertiary systems. The area is rather known to be hydrogeologically sensitive due to fractured bedrock and shallow overburden, so the isolation criteria is not applicable in this case. Also, the use of tertiary system to justify small lot creation is not supported by the City of Hamilton.</p>	<p>To accommodate the change in use, the construction of a new Level IV treatment unit (tertiary system) was considered by the applicant. However, creating a site specific policy area to permit an advanced Level IV treatment unit is not permitted under the Rural Hamilton Official Plan.</p> <p>On March 21, 2023, Report PW20082(a)/PED23047 was presented to Planning Committee and detailed the City’s position regarding Tertiary Septic Systems and rural development. The report acknowledged that development proposals in the rural area rely on private services and noted that if the systems are not appropriately sited, operated and maintained they have the potential to pose risks to human health and the environment. Nutrients, such as nitrates and phosphorus, are the most common contaminants in septic system effluent, which can degrade groundwater quality.</p> <p>Following discussions with the City’s Building Division and Source Water Protection staff, the continued use of the wastewater</p>

<b>Department or Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<p>Development Engineering Section, Growth Management Division, Transportation, Planning and Economic Development Department <b>(continued)</b></p>	<p>Based on the FlowSpec Class 4 Servicing Assessment report (August 2024), the existing place of worship relies on a septic holding tank for wastewater disposal. The Hydrogeological Report by Soil-Mat (January 5, 2024) recommended that the site could theoretically be serviced by a Level IV treatment unit (tertiary system) due to local soil conditions. However, the existing holding tank is not associated with any environmental impacts, and replacing it with a tertiary system would not yield policy-based improvements.</p> <p>Source Water Protection staff reviewed the comments and highlighted the need for water quality sampling results to be compared against the Ontario Drinking Water Standards (ODWS) rather than the Provincial Water Quality Objectives (PWQO), as noted in the certificate of analysis report and associated documentation. Following this feedback, the applicant submitted revised results comparing the water quality against the ODWS.</p>	<p>holding tank has been approved, subject to additional Source Water Protection requirements. The applicant has provided all necessary information and received clearance from Source Water Protection.</p>
<p>Waste Policy and Planning Section, Waste Management Division, Public Works Department</p>	<p>Drawings must demonstrate 2.5 square metres for waste storage to store waste between collection days. The storage area must be exclusive of living space, be fully enclosed, be large enough to accommodate two blue boxes, a green cart, a garbage container, and a yard waste container. the storage area must not be in the front yard of the property. An acceptable storage area is the garage of each dwelling unit.</p>	<p>Noted.</p>

<b>Department or Agency</b>	<b>Comment</b>	<b>Staff Response</b>
Waste Policy and Planning Section, Waste Management Division, Public Works Department <b>(continued)</b>	Sidewalks/walkways must remain clear for pedestrian accessibility and Waste Containers shall remain within the property line.	
Legislative Approvals, Planning and Economic Development Department	<p>1. It should be determined at a later date whether the subject lands are within / adjacent to a defined area of cost recoveries. Staff defer to Development Planning and / or Development Engineering Approvals for further comment, and,</p> <p>2. The Owner and Agent should be made aware that the existing municipal address of 1278 Old Highway No. 8 will be retained for the subject proposal.</p>	Noted.
Agencies that had no comments and/or no concerns:	<ul style="list-style-type: none"> <li>• Forestry &amp; Horticulture;</li> <li>• Transit;</li> <li>• Real Estate Section, Economic Development Division, Planning and Economic Development Department;</li> <li>• Hamilton Conservation Authority;</li> <li>• Canada Post;</li> <li>• Bell Canada;</li> <li>• Enbridge;</li> <li>• Trans-Northern Pipelines; and,</li> <li>• Alectra.</li> </ul>	Noted.

**Summary of Public Comments Received**

<b>Comment Received</b>	<b>Staff Response</b>
Nine letters of support were received from the neighbours of the proposed development. The general comments in these letters mentioned how the proposed development is an excellent way to preserve the existing building and is beneficial for the neighbourhood.	Noted.

**Heinbecker, Erik**

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**From:** Carol [REDACTED]  
**Sent:** Monday, April 29, 2024 10:39 PM  
**To:** Heinbecker, Erik  
**Subject:** 1278 Old Hwy 8 Sheffield

**External Email: Use caution with links and attachments**

Hi Erik

I'm writing as a staunch supporter of Matt [REDACTED] and his family in Sheffield.

I attended church service's at 1278 Old Hwy 8 back in the day. It was heartbreaking to see the old church start to crumble.

Matt and Nikki and their family have transformed this 150 year old structure into their home. It is amazingly beautiful! It is a credit to the village.

Matt and Nikki have been so supportive to the community with their time and fundraising. I am currently lion chief of Sheffield Lions Club and this family was very instrumental in raising funds for donation to training guide dogs at our annual silent auction. This is only one example of their generosity!

I am very grateful to call this family my friend and neighbour.

Please do all you can so they can remain a part of Sheffield..

Respectfully

Carol [REDACTED]

**Heinbecker, Erik**

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**From:** Dave F [REDACTED]  
**Sent:** Thursday, May 2, 2024 2:54 PM  
**To:** Heinbecker, Erik  
**Subject:** 1278 Old Hwy 8, Sheffield

**External Email:** Use caution with links and attachments

Good afternoon,

This email is to comment on the application of Matt [REDACTED] to convert his property at 1278 Old Highway 8 from institutional to residential.

I have sold real estate in the area for 27 years with Remax Twin City. I live across the street from Matt at 1287 Old Highway 8 and have been a lifelong resident of the Sheffield Community. I have been in my home my entire life.

I have sold this particular property on three (3) occasions the last being to Matt. Matt has been here approximately five (5) years. He has become apart of our community often using area homes and peoples' personal vehicles in his work. Matt wants to raise his two (2) young daughters here in Sheffield and I know it is a good place to do so as this is where I raised my family. He has been very transparent in his plans to convert the church to a home, and I know he has the full support of the residents and his neighbours in Sheffield. We have three (3) churches in the village and an institution of zoning will not affect our community at all. The improvements Matt has made to this property over the years have been all well done and conscious of the heritage in the village. He has certainly enhanced the look of the property and the look of our village.

Should you have any questions or would like to speak further on this please do not hesitate to contact me directly at [REDACTED]

Yours Truly,

**Heinbecker, Erik**

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**From:** John [REDACTED]  
**Sent:** Monday, April 29, 2024 8:25 PM  
**To:** Heinbecker, Erik  
**Subject:** 1278 Old Hwy 8 Sheffield

External Email: Use caution with links and attachments

Hello Erik

I am writing in regards to the property 1278 Old Hwy 8 in Sheffield changing zoning from church to residential.

I've lived in Sheffield for most of my life, and I have no problem with the proposed zoning change into a family home. I've gotten to know Matt and his family since he purchased the building a few years ago, and have found him to be a very positive figure here in the village. There are so many unused public buildings like old churches these days. I think it is great that someone can upgrade a building like this and convert it into a unique home for their family.

Thanks for your time

John [REDACTED]

**From:** [Heinbecker, Erik](#)  
**To:** [Mehta, Dhruv](#)  
**Subject:** FW: 1278 Old Hwy 8, Sheffield  
**Date:** Thursday, May 9, 2024 10:09:45 AM

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**From:** Julie [REDACTED]  
**Sent:** Wednesday, May 8, 2024 6:58 PM  
**To:** Heinbecker, Erik <Erik.Heinbecker@hamilton.ca>  
**Subject:** 1278 Old Hwy 8, Sheffield

**External Email:** Use caution with links and attachments

Hello Erik,

I wish to share support as a neighbour of 1278 Old Hwy 8. It is great to see the efforts to restore the church building and convert it to a home in our residential community. Currently the community already houses 3 other churches and a tiny population of residents. I hope that the process can be made smooth for the residents of this property who are wonderful community minded people.

Sincerely,

Julie [REDACTED]



**Heinbecker, Erik**

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**From:** Monica [REDACTED]  
**Sent:** Monday, April 29, 2024 11:14 PM  
**To:** Heinbecker, Erik  
**Subject:** 1278 Old Highway 8 Sheffield

**External Email:** Use caution with links and attachments

Good Evening Erik

My name is Monica Culham and I am writing to you on behalf of myself and my family. We are writing to you as a show of support for Matt Barnes and his Family at 1278 Old Highway 8 in Sheffield and the application to change this address from Place of Worship to Residential zoning.

Let me start by saying we live next door at 1276 Old Hwy 8, Sheffield, and have been neighbors with Matt and Family since he purchased the building 7 years ago. We would not oppose this application as we feel strongly about Matt's dedication to preserving this beautiful red brick building for now and future generations. He has put many hours as well as significant funds into restoring and caring for this building and keeping its integrity intact. Matt and his family are very active in the community and are always lending a hand when needed. His love and passion for the church building and community are rare and we hope to have him as our neighbour for many years to come. This church building will be an incredible home for this family.

If you have any questions or need to reach us for any reason please do not hesitate to reply to this email

Thank you and have a good evening

**Monica** [REDACTED]

"No act of kindness, no matter how small, is ever wasted." – Aesop

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**From:** Robert [REDACTED]  
**Sent:** Thursday, May 9, 2024 8:46 AM  
**To:** Heinbecker, Erik <Erik.Heinbecker@hamilton.ca>  
**Subject:** 1278 Old Highway 8---Sheffield Ontario

**External Email: Use caution with links and attachments**

Good morning Mr Heinbecker,

I fear that this letter might reach you somewhat late, and for that please excuse me, but I hope and trust you might consider this letter in any decisions or discussion that seem to be ongoing related to the property above ---1278 Old Highway 8---namely the old Presbyterian church located in the town of Sheffield.

I should first point out that my wife and I moved to Sheffield in 1991 when expecting our first born and we live down by the ballpark. We moved here due to the quaint little school ---Old Sheffield School ---the post office, the community center down at the far end as well as living beside the ballpark was certainly a bonus. It had everything we needed and to raise children and the community was open and gracious upon our arrival.

Over the years the school is now gone and Seaton school across the highway is also now closed, the old post office /general store has since left, but the true sense of community is still alive and well.

Progress moves forward as we now have the mutual insurance group at one end of the community-- HD mutual, as well as the other Zion church that is at the other end of the town. With regards to the above property, [REDACTED] and his fiance Nikki have transformed an old beaten church into a wonderful haven that this community really appreciates.

From a site planning perspective, the place has never looked better, at any time since my wife and I have lived here, again since 91.

More than that, they are a young family springing life into a small community where a number of younger families are coming to.

Yes, things in this town have changed over the years, due to progress, and changing the zoning of the Old Presbyterian church into a residential dwelling should be the next step.

As a long time resident of this community, and in speaking with neighbours, I have met no one opposed to the changing of this zoning application.

Many thanks for listening

**Robert** [REDACTED]  
[REDACTED]

Hello,

Re: 1278 Old Hwy 8,  
Flamborough

"Settlement Residential"

YES!

The building + property  
look absolutely terrific!

Welcome neighbours!

From:

Jen + [REDACTED]

[REDACTED]

[REDACTED]

**Heinbecker, Erik**

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**From:** Sheffield Minor Ba [REDACTED]  
**Sent:** Thursday, May 2, 2024 1:04 PM  
**To:** Heinbecker, Erik  
**Subject:** Zoning Application for 1278 Old Hwy 8 Sheffield

**External Email: Use caution with links and attachments**

Greetings,

I am the president of Sheffield Minor ball and have had the privilege of getting to know Matt and Nikki through their volunteering and contributions to our organization.

Sheffield is a small community and seeing all the love, time and care they have put into the church has been remarkable. We support each other here and watching what they've done to the church - turning it into the most beautiful home, through all their dedication and hard work has been a real honour. Not only have they contributed to our community through their efforts with baseball, but they've truly ensured our village remains exceptional.

I personally am I firm believer of 'it takes a village' and having two of the most caring, enthusiastic and genuine people living here and giving back so selflessly is what every village needs.

The world needs more people like Matt and Nikki and I'm just thankful they are choosing us here in Sheffield. Our village and community truly wouldn't be the same without them being here and living in their beautifully restored home.

Sheffield Minor Ball supports every endeavour being made to turn the church into a residential home. The zoning change is a necessity for our village and ensuring our community remains intact.

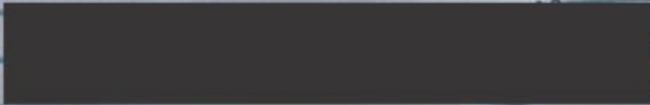
Regards  
Sheffield Minor Ball

To Whom it May Concern

Matt Barnes and his family have been a great addition to our community. They always support our local events. They also use local businesses when they are needed. They have painted at our ball park, donated their time and talents to Sheffield Lions fundraisers, helped with clean up around our town. They are great neighbours and their smiles and laughter make everyone happy when they walk through the village (or cycle or pass by in all their awesome vehicles.)

Their building has not been used for worship for many years and we have 3 churches in our village. I have lived in Sheffield for 51 years and my husband has lived here over 60 years.

We feel they are a part of our community and hope they will be supported in all their endeavours.



**Zoning By-law Site Specific Modifications - Settlement Residential (S1, 916, H187) Zone**

<b>Regulation</b>	<b>Required</b>	<b>Modification3</b>	<b>Analysis</b>
N/A	N/A	The building existing on the date of the passing of this By-law, not including accessory structures, shall be retained, and adaptively reused in accordance with Sections 12.3.1, 12.3.1.1, 12.3.2, and Section b) below.	The minimum lot area guideline is intended to ensure adequate space for private septic services. The submitted Hydrogeological Study and Onsite Wastewater Servicing Assessments confirm that the lot area of 0.17 hectares can provide sufficient potable water and support the existing wastewater holding tank.
Minimum Lot Area Section 12.3.3 (a)	0.4 hectares.	0.17 hectares.	The subject lands have a lot width of 26.98 metres, as compared to a minimum requirement of 30 metres. The lot has an irregular shape, narrowing towards the front while expanding to a maximum of 32.17 metres at the back, which results in the need for the modification.
Minimum Lot Width Section 12.3.3 (b)	30 metres.	26.9 metres.	
Maximum Building Height Section 11.1.3 (f)	10.5 metres.	Height existing on the date of the passing of the By-law.	<p>The site specific maximum building height of 15.5 metres is to accommodate the existing building height.</p> <p>Staff are of the opinion that the proposed modifications are required to recognize the existing lot and building, will not create an impact to the surrounding properties, and comply with the intent of the Rural Hamilton Official Plan.</p> <p>Therefore, staff supports these modifications.</p>



## City of Hamilton Report for Consideration

**To:** Chair and Members  
Planning Committee

**Date:** April 8, 2025

**Report No:** PED24175(a)

**Subject/Title:** Implementation of Changes to Section 41 of the *Planning Act* – Site Plan Approval, in Response to Provincial Bill 185

**Ward(s) Affected:** City Wide

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### Recommendations

1. That the Draft By-law attached as Appendix A to Report PED24175(a) to amend the Site Plan Control By-law to introduce the lapsing of Site Plan Approvals, which has been prepared in a form satisfactory to the City Solicitor, **BE ENACTED** by Council; and,
2. That the Phasing Condition attached as Appendix B to Report PED24175(a) to be added to the Standard Conditions of Approval for Site Plan applications within the Downtown Hamilton Community Improvement Project Area, **BE ENDORSED** by Council.

### Key Facts

- The purpose of this Report is to recommend amendments to the City of Hamilton Site Plan Control By-law to introduce lapsing provisions for site plan approvals as provided for in the changes to the *Planning Act* made through Provincial Bill 185. The Provincial legislative changes allow municipalities to lapse/expire site plan approvals as a tool to address “stalled” developments that can limit progress on meeting provincial housing targets.
- Currently, site plan approvals in the City of Hamilton do not lapse and this creates challenges related to forecasting infrastructure needs, addressing “stalled” developments, and implementing policy changes.

**Implementation of Changes to Section 41 of the *Planning Act* – Site Plan Approval, in Response to Provincial Bill 185 (City Wide)**  
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- For site plan applications submitted on or after January 1, 2020, the *Development Charges Act* requires that development charges be “locked-in” based on the development charge rates applicable on the date that a complete application was submitted. The introduction of site plan lapsing will provide for a reset of the lock-in date after a prescribed time period, reducing the financial risk to the City as currently development charges can be locked in indefinitely.
- As directed by Planning Committee on October 24, 2024, staff have consulted with the development industry and have made revisions to the lapsing provisions in response to feedback received.
- Further in response to feedback received from the development industry, staff are recommending that the Standard Conditions of Approval for Site Plan applications within the Downtown Hamilton Community Improvement Project Area be revised to allow for the phasing of site plan approvals.

## **Financial Considerations**

For developments subject to Site Plan Control and/or Zoning By-law Amendment and submitted on or after January 1, 2020, the *Development Charges Act, 1997* requires that development charges be “locked-in” based on the development charge rates applicable on the date that a complete Site Plan Control or Zoning By-law Amendment application is submitted (and if both apply, then the later of the two application dates applies). Bill 185 introduced a new “use it or lose it” tool for municipalities to use for site plan approvals. This tool ensures that the “locked-in” development charge rates expire if a building permit is not issued/construction does not occur in a reasonable amount of time. Previously, there was not any timeline for an owner to clear conditions and move the application to final approval (final and binding) which would then set the Development Charge lapsing clock to start.

The introduction of lapsing provisions to the Site Plan Control By-law will result in a new Site Plan Control application being required after a Conditional Site Plan Control approval lapses. This will reset the lock-in date for development charges which will then be determined based on the date that the new Site Plan Control application is submitted. The *Development Charges Act, 1997*, requires that a building permit be issued within 18 months of final site plan approval for the lock-in date to apply (24 months if final site plan approval is before June 1, 2024).

## **Background**

On October 18, 2024, Planning staff brought forward a Report to Planning Committee recommending approval of a new Site Plan Control By-law to implement changes made to Section 41 of the *Planning Act* in response to Provincial Bill 185 (Report No. PED24175). The new Site Plan Control By-law included mandatory changes such as exempting publicly funded colleges and universities from Site Plan Control and removing mandatory pre-consultation for site plan applications. Staff also recommended implementing a new “use-it-or-lose-it” tool by introducing the following lapsing provisions for site plan approvals:

**Implementation of Changes to Section 41 of the *Planning Act* – Site Plan Approval, in Response to Provincial Bill 185 (City Wide)**  
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- Three year lapsing of Conditional Site Plan Approval plus a one-time, one year extension subject to criteria.
- No lapsing of Final Site Plan Approval.
- Automatic one year extension for existing Conditional Site Plan Approvals that have passed or are nearing their lapsing date.

Planning Committee deferred consideration of the proposed lapsing provisions to allow for further consultation with the Development Industry. The remainder of the new Site Plan Control By-law was approved by Planning Committee and was enacted by Council on October 23, 2024.

Following Planning Committee, staff held a special Development Industry Liaison Group Meeting on November 8, 2024, at City Hall. The feedback received at the meeting was used by staff to draft revised lapsing and phasing provisions that were presented to the Development Industry Liaison Group on January 20, 2025, and incorporated into the Draft By-law attached as Appendix A to Report PED24175(a) and the proposed phasing condition attached as Appendix B to Report PED24175(a).

## **Analysis**

Section 41 of the *Planning Act* allows municipalities to require Site Plan Control approval within a Site Plan Control area and Bill 185 introduced new provisions that allow site plan approvals to lapse if a building permit is not issued within a specified time. The City of Hamilton has a two stage Site Plan Control approval process that includes:

- A “Conditional Approval” stage during which redlined plans are approved and conditions are imposed that must be addressed to the City’s satisfaction before a building permit is issued; and,
- A “Final Approval” stage that occurs after all the conditions required prior to issuance of a building permit are satisfied and final plans are approved to be implemented through construction and completion of on-site works.

Currently, site plan approvals in the City of Hamilton (Conditional Site Plan Approval and Final Site Plan Approval) never expire. The City had previously provided for the lapsing of site plan approvals (see Report FCS20028 / PED20105), but this was challenged at the Ontario Land Tribunal (OLT) on the basis that it resulted in higher Development Charges being collected upon submission of a new Site Plan Control application and was not provided for in the *Planning Act*. Bill 185 now allows municipalities to lapse / expire site plan approvals as a tool to address “stalled” developments that can limit progress on provincial housing targets.

The introduction of lapsing provisions will also address administrative challenges associated with the processing of site plan applications, including (see Appendix A to Report PED24175(a)):

- Developments that have received Conditional Site Plan approval are considered when forecasting and planning for infrastructure capacity. A site plan that remains active but is not moving forward has been allocated planned

**Implementation of Changes to Section 41 of the *Planning Act* – Site Plan Approval, in Response to Provincial Bill 185 (City Wide)**  
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infrastructure capacity that could be allocated to developments that are more likely to be built.

- For site plan applications that remain active for long periods of time, there is a risk that City policies and procedures change, and an approved development no longer aligns with the City's vision and planning framework for a site.

Consultation with the Development Industry identified concerns with the financial implications of introducing lapsing provisions. Some developers who submitted applications after January 1, 2020, expressed that the introduction of lapsing provisions is unfair because they had been making decisions based on the development charges being locked-in and are already experiencing development feasibility challenges due to current market conditions. It was also noted that delays addressing site plan conditions and obtaining final site plan approval are sometimes due to external factors that are outside of the developer's control (for example Provincial approval processes or City delays installing required infrastructure).

In response to consultation with the Development Industry, staff are recommending the following modifications to the lapsing provisions that were presented at the October 18, 2024, Planning Committee:

- Two one-year extensions to Conditional Site Plan Approval instead of one, subject to criteria;
- Extension criteria for cases where the applicant is unable to get clearance on a condition needed to be cleared by an outside agency;
- Extension criteria for cases where the applicant is unable to clear a condition due to delays in the completion of City infrastructure projects; and,
- For site plan applications submitted between January 1, 2020 and the date of the passing of the new Site Plan Control By-law, Conditional Site Plan Approval will lapse six years from the date of the issuance of the Conditional Approval Letter.

Some developers also requested that the City allow for the phasing of site plan conditions for multi-building developments in Downtown Hamilton. This would allow developers to clear conditions and obtain building permits for individual buildings / phases while maintaining one site plan approval and development charge lock-in date for the entire development. The ability to phase site plan conditions had been removed from the site plan process in the Downtown Hamilton Community Improvement Plan Area in 2020 in response to previous Provincial legislative changes (see Report FCS20028 / PED20105).

The ability to phase site plan conditions has continued for all other areas of the City outside of the Downtown Hamilton Community Improvement Area. Staff support re-introducing the phasing condition for Downtown site plan applications to help facilitate development and note that each phase would still need to proceed within the lapsing timelines for the development charge lock-in to apply (see Appendix B to Report PED24175(a)).

**Implementation of Changes to Section 41 of the *Planning Act* – Site Plan  
Approval, in Response to Provincial Bill 185 (City Wide)  
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## **Alternatives**

It is not mandatory that municipalities implement the “use it or lose it” lapsing provisions introduced by Bill 185. However, in the City’s submission to the Province on Bill 185, Council supported the “use it or lose it” concept. Should Council decide not to approve the recommended site plan lapsing provisions, Conditional Site Plan approvals in the City of Hamilton will continue to not expire. Council may also approve a longer time period before Conditional Site Plan Approval will lapse but cannot implement a time period that is shorter than three years. A longer time period is not recommended by staff because the recommended time periods have been developed to address the concerns of the Development Industry while providing an incentive to developers to implement their approvals in a timely manner and only lock in development charge rates for applications that have not lapsed.

## **Relationship to Council Strategic Priorities**

3. Responsiveness & Transparency
  - 3.1. Prioritize customer service and proactive communication
  - 3.2. Get more people involved in decision making and problem solving

## **Previous Reports Submitted**

- [Implementation of Changes to Section 41 of the Planning Act - Site Plan Approval, in Response to Provincial Bill 185 \(PED24175\) \(City Wide\)](#)
- [City of Hamilton’s Response to the proposed Planning Act and Municipal Act changes in Provincial Bill 185, Cutting Red Tape to Build More Homes Act, 2024 \(PED24097\) \(City Wide\)](#)
- [Bill 185, Cutting Red Tape to Build More Homes Act, 2024 as it Relates to the Development Charges Act, 1997 \(FCS24034\) \(City Wide\)](#)
- [Development Charges Interest Rate Recommendation Related to Bill 108 Changes and Related Site Plan Changes \(FCS20028 / PED20105\) \(City Wide\)](#)

## **Consultation**

- Patrick MacDonald, Deputy City Solicitor, Corporate Services
- Alexandra Di Domenico, Senior Financial Analyst, Corporate Services
- Binu Korah, Director – Development Engineering, Growth Management Division

## **Appendices and Schedules Attached**

Appendix A: Draft By-law to Amend Site Plan Control By-law No. 24-186

Appendix B: Phasing Condition to be Added to the Standard Conditions of Approval for Site Plans in the Downtown Community Improvement Area

**Implementation of Changes to Section 41 of the *Planning Act* – Site Plan  
Approval, in Response to Provincial Bill 185 (City Wide)**

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**Prepared by:** Mark Kehler, Program Lead – Site Planning  
Planning & Economic Development, Planning Division

Sean Kenney, Manager, Site Plan  
Planning & Economic Development, Planning Division

**Submitted and  
recommended by:** Anita Fabac, Acting Director of Planning and Chief Planner  
Planning & Economic Development, Planning Division

**Authority:** Item ,  
Report (PED24175(a))  
CM:  
Ward: City Wide

**Bill No.**

## CITY OF HAMILTON

### BY-LAW NO.

#### To Amend Site Plan Control By-law No. 24-186 Respecting Lapsing of Site Plan Approvals Under Section 41 of the *Planning Act*

**WHEREAS**, under the provisions of Section 41 of the *Planning Act*, a Council of a Municipality may by by-law designate the whole or any part of the Municipality as a Site Plan Control Area;

**AND WHEREAS** the Rural and Urban Hamilton Official Plans establish the entire area within the City of Hamilton Planning Area as a proposed Site Plan Control Area, and contain policies related to Site Plan Control;

**AND WHEREAS** the City of Hamilton passed Site Plan Control By-law No. 24-186 on October 23, 2024;

**AND WHEREAS** Subsection 41(7.2) of the *Planning Act*, as amended by Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* allows for the lapsing of site plan approvals;

**AND WHEREAS** the purpose of this by-law is to amend Site Plan Control By-law No. 24-186 to introduce provisions respecting the lapsing of site plan approvals;

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

1. That By-Law No. 24-186 be modified by adding a new Section 12.0 as follows:

“12.0 Conditional Site Plan Approval shall lapse if Final Site Plan Approval is not issued within three years of the date of the issuance of the Conditional Site Plan Approval.

12.1 The Owner may apply to the Chief Planner or designate for a one year extension of the Conditional Site Plan Approval. A maximum of two extensions will be granted. If an extension to the Conditional Site Plan Approval is granted, the period shall commence from the original expiry date and payment of the Site Plan Extension Fee shall be required.

12.2 Applications for an extension must be received prior to the expiry of the Conditional Site Plan Approval.

**Appendix A to Report PED24175(a)****Page 2 of 3**

- 12.3 Applications for extension of Conditional Site Plan Approval shall demonstrate that:
- 12.3.1 The Owner has demonstrated good faith intentions to clear conditions in the preceding 18 months;
- 12.3.2 An Interim Control By-law has not been enacted that impacts the proposed development;
- 12.3.3 The same Official Plan and Zoning By-law the application was approved under remains in effect; and,
- 12.3.4 The Owner has paid the required Site Plan Extension fee.
- 12.3.5 In addition to Sections 12.3.1 to 12.3.4 above, the following shall be considered when granting extensions of Conditional Site Plan Approval:
- 12.3.5.1 The applicant is unable to get clearance on a condition that requires infrastructure to be completed by the City and such infrastructure was in an approved Capital Budget that was to be completed and / or installed within the timeframe of the original conditional approval; or,
- 12.3.5.2 The applicant is unable to get clearance on a condition needed to be cleared by an outside agency.”
2. That By-Law No. 24-186 be modified by adding a new Section 13.0 as follows:
- “13.0 Notwithstanding Section 12.0 above, the following transition regulations shall be used for all existing Conditionally Approved site plans:
- 13.1 Conditional Site Plan Approvals issued prior to December 31, 2019, shall be granted a one time, one year extension commencing on the later of:
- 13.1.1 the date of the passing of this By-law; or,
- 13.1.2 three years from the date of the issuance of Conditional Site Plan Approval.
- 13.2 Conditional Site Plan Approvals issued between January 1, 2020, and the passing of this By-law, shall lapse six years from the date of the issuance of the Conditional Site Plan Approval.”

**Appendix A to Report PED24175(a)**

**PASSED** this \_\_\_\_\_ , \_\_\_\_\_

\_\_\_\_\_  
A. Horwath  
Mayor

\_\_\_\_\_  
M. Trennum  
City Clerk

*For Office Use Only, this doesn't appear in the by-law - Clerk's will use this information in the Authority Section of the by-law*

Is this by-law derived from the approval of a Committee Report? Yes  
Committee: Planning Committee      Report No.: PED24175(a) Date: 04/8/2025  
Ward: City-wide

Prepared by: Mark Kehler      Phone No: ext. 4148  
*For Office Use Only, this does not appear in the by-law*

**Phasing Condition to be Added to the Standard Conditions of Approval for  
Site Plans in the Downtown Community Improvement Area**

**1. SITE PLAN**

**Phasing**

1. (f) That the proposed development may be implemented in phases. Where conditions are required to be completed prior to building permit or occupancy, or within one year of occupancy, such timing shall relate to all site works within the boundary of the particular phase with specific details and extent of each phase to be approved by the City's Manager of Site Planning.



April 4, 2025

City of Hamilton Planning Committee  
Hamilton City Hall  
71 Main Street West  
Hamilton, ON, L8P 4Y5

Attention: Lisa Kelsey, Legislative Coordinator

**RE: Item 9.1 - Implementation of Changes to Section 41 of the of the *Planning Act* - Site Plan Approval, in Response to Provincial Bill 185**

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We are the planning consultants for 11096800 Canada Inc, the owners of the properties known municipally known as 166-190 Main Street West in the City of Hamilton (the "Subject Lands"). We are writing to express our client's general support for the draft Site Plan Control By-law and reintroduction of the Phasing Condition for Standard Conditions of Approval for Site Plan, which is the subject of the above-noted item.

An application for Site Plan Approval for 166-190 Main Street was filed July 3, 2020. Conditional approval was issued January 29 2024, but did not account for the phasing of the project, which we had been discussing with staff for several years prior.

In October 2024, we expressed significant concerns with the initial draft of the Site Plan Control By-law presented to Planning Committee. At that time we requested that the Committee refer the matter back to City staff for further consultation, specifically to address the recognition of existing Conditionally Approved Site Plan Applications and the phasing of Conditional Approvals.

Following additional consultation with City staff, we are pleased to see that the current draft Site Plan Control By-law includes special provisions for applications submitted between January 1, 2020 and the date of the passing of the By-law. These provisions grant a six-year window before Conditional Site Plan Approvals lapse. This approach acknowledges the unique circumstances which apply to many active Conditionally Approved Site Plan Applications across the City and helps ensure that well-intended policy updates do not jeopardize housing projects already in progress.

We are also pleased that City staff recommend reintroducing the Phasing Condition for Standard Conditions of Approval for Site Plans. This condition is essential for large development sites, as it allows for a comprehensive approach to Site Plan Approval and ensures that developments progress in line with market demand. Often, subsequent phases of a project follow 1 year or more from the completion of the first phase. For a 3-phase project, construction and occupancy of all phases could take 12 or more years.

While we appreciate the extended lapsing profile and the reintroduction of phasing to the Conditional Site Plan Approval process, we request that the lapsing provisions recommended in

the Draft Site Plan Control By-law only apply to the initial phase of phased Site Plan Approvals. Large, phased development projects are impacted by a variety of factors, including market demand, economic conditions, and construction schedules. While lapsing provisions can encourage timely development of the initial phase, applying them to subsequent phases creates significant time constraints, potentially jeopardizing the viability of large-scale developments. This could ultimately hinder the delivery of housing units across the City. We recommend the introduction of sequential lapsing provisions, which would only take effect after the final approval of the initial and each subsequent phase. This would allow subsequent phases the time to align with market conditions.

We appreciate the work that City staff have done in preparing the draft Site Plan Control By-law and the consultations that have taken place with industry stakeholders. Should you require any additional information, please do not hesitate to contact us. Thank you for your consideration.

Sincerely,  
**MHBC**



Dana Anderson, MA, RPP, FCIP  
Partner



Andrew Hannaford, BES, MCIP, RPP  
Associate

Cc: Ryan Moore, BGO



## City of Hamilton Report for Consideration

**To:** Chair and Members  
Planning Committee

**Date:** April 8, 2025

**Report No:** PED25078

**Subject/Title:** Accessible Parking Updates to Municipal By-laws

**Ward(s) Affected:** (City Wide)

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### Recommendations

- 1) That the amending draft By-law, which amends By-law 01-216, being a By-law Respecting the Construction, Maintenance, Operation, Management and Regulation of Municipal Parking Facilities, attached as Appendix "A" to Report PED25078, which has been prepared in a form satisfactory to the City Solicitor, **BE APPROVED;**
- 2) That the amending draft By-law, which amends By-law 01-218, being a By-law to Regulate On-Street Parking, attached as Appendix "B" to Report PED25078, which has been prepared in a form satisfactory to the City Solicitor, **BE APPROVED;**
- 3) That the amending draft By-law, which amends By-law 01-220, being a By-law to Regulate the Parking of Motor Vehicles On Private and Municipal Property, attached as Appendix "C" to Report PED25078 **BE APPROVED;**
- 4) That the Director of Transportation Planning and Parking, or designate **BE AUTHORIZED** and directed to work with Legal Services to obtain approval from the Ministry of the Attorney General of set fines for the additional offences created in the draft By-laws in Appendices "A", "B" and "C" attached to Report PED25078 when the By-laws have been approved;
- 5) That the amending draft By-law, which amends By-law 17-225, being a By-law to Establish a System of Administrative Penalties, attached as Appendix "D" to Report PED25078 **BE APPROVED.**

## Accessible Parking Updates to Municipal By-laws (City Wide)

### Page 2 of 4

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### Key Facts

- The purpose of this Report is to update various municipal parking by-laws to ensure consistency of infraction terminology pertaining to accessible parking.
- Updates pertain to **Access Aisles**, which are required under the *Accessibility for Ontarians with Disabilities Act (AODA), 2005*, **Designated Accessible Parking** spaces within road allowances which are not recognized in the On-Street Parking By-law No. 01-218 and **Time Limits for free parking** by accessible permit holders which are not defined for municipal parking lots.
- Inconsistencies in the various regulations for these accessible parking matters are a result of by-law being updated independently and over a long period of time.
- Updates will assist with enforcement of accessible parking with the goal of ensuring accessible parking spaces are available for accessible parking permit holders which includes individuals whose mobility is limited because of a permanent or temporary disability.

### Financial Considerations

There are no budgetary or financial implications to these recommendations.

### Background

By-law No. 01-216, respecting municipal parking facilities, By-law No. 01-218, which regulates on-street parking in the City of Hamilton, and By-law 01-220 which applies to parking on municipal and private properties not otherwise covered in other by-laws, were adopted in 2001 at the time of amalgamation.

By-law No. 17-225, respecting the establishment of an administrative penalties system, was adopted on May 13, 2015, as per Ontario Regulation 333/07 of the *Municipal Act, 2001, S.O. 2001, c. 25*. Execution of the implementation was done August 2015.

On-street Parking By-law 01-218 recognizes the use of Accessible Parking Permits but does not identify regulations controlling parking in designated accessible parking spaces. None of the by-laws discussed in this Report identify accessible access aisles which were standardized through the *Accessibility for Ontarians with Disabilities Act (AODA), 2005*.

### Analysis

Staff have reviewed the On-Street Parking By-law No. 01-216, Municipal Car Park By-law No. 01-218, Parking of Motor Vehicles on Private and Municipal Property By-Law No. 01-220, and Administrative Penalties By-law No. 17-225, with respect to accessible parking.

**Language** surrounding accessible parking is inconsistent across the three parking by-laws, and therefore, the infractions identified in the Administrative Penalties are also inconsistent. There is frequent use of the term “disabled” in instances where

## **Accessible Parking Updates to Municipal By-laws (City Wide)**

### **Page 3 of 4**

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contemporary best practice is to use person first language. These changes are reflected in Appendices A, B, C and D attached to Report PED25078.

**Access aisles** are the hatched walkways along designated accessible spaces. Access aisles were introduced to reduce the overall space required for accessible spaces by creating a shared area for vehicle occupants to fully open their doors and use side lifts for mobility devices. In most instances, an access aisle serves two spaces, and blocking the access aisle can make one or both of those spaces unusable. Unless recognized in the by-laws, the only infraction that can be issued is parking outside of a marked space which is not comparable to illegally occupying the designated space itself. It is recommended that access aisles be defined in the municipal parking by-laws and have an infraction with the same penalty as obstructing an accessible space. These proposed amendments are reflected in Appendices A, B, C and D attached to Report PED25078.

**Accessible spaces within the road allowance** exist in some locations, predominantly perpendicular parking in the boulevard along City parks. Some historic locations have also been removed because they were not enforceable under By-law No. 01-218. Adding the accessible space definition and infractions to the bylaw, as per Appendix B attached to Report PED25078, supports existing and future accessible spaces on or adjacent to the roadway within the road allowance.

**Free parking for accessible permit holders in Municipal Car Parks** is currently an exemption under By-law No. 01-216. In most municipal lots, there is no parking permitting between 2:00 a.m. and 7:00 a.m. daily, which prevents unlimited use of this exemption. In Municipal Car Park 82, paid parking is in operation 24-hours, 7-days a week, and additional 24-hour lots are planned for Pier 8. There have been some issues with vehicles parking in Municipal Car Park 82 continuously for periods greater than 12-hours and for multiple days at a time, with no ability for the City to remove these vehicles from our municipal car parks or issue infraction notices. It is recommended that the exemption be limited to a maximum parking duration of eight hours, as per Appendix A attached to Report PED25078, reflecting the intended use of long-term customer parking within municipal car parks.

### **Alternatives**

Not applicable.

### **Relationship to Council Strategic Priorities**

3. Responsiveness & Transparency
  - 3.1. Prioritize customer service and proactive communication
  - 3.2. Build a high performing public service
  - 3.3. Modernize City systems

### **Previous Reports Submitted**

Not applicable.

**Accessible Parking Updates to Municipal By-laws (City Wide)**  
**Page 4 of 4**

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## **Consultation**

- James Buffett, Manager Parking Enforcement and School Safety, Transportation Planning and Parking, Planning & Economic Development Department
- Patricia D'Souza, Solicitor, Legal and Risk Management Services, Corporate Services Department

## **Appendices and Schedules Attached**

Appendix A: Draft By-law which amends By-law 01-216, being a By-law Respecting the Construction, Maintenance, Operation, Management and Regulation of Municipal Parking Facilities

Appendix B: Draft By-law which amends By-law 01-218, being a By-law to Regulate On Street Parking,

Appendix C: Draft By-law which amends By-law 01-220, being a By-law to Regulate the Parking of Motor Vehicles On Private and Municipal Property

Appendix D: Draft By-law which amends By-law 17-225, being a By-law to Establish a System of Administrative Penalties,

**Prepared by:** Julianna Petrovich, Sr. Project Manager Parking Planning  
Planning and Economic Development, Transportation Planning  
and Parking

**Submitted and recommended by:** Brian Hollingworth, Director  
Planning and Economic Development, Transportation Planning  
and Parking

**Appendix A to Report PED25078  
Page 1 of 2**

**Authority:** Item ,  
Report (PED25078)  
CM:  
Ward: City Wide

**Bill No.**

**CITY OF HAMILTON  
BY-LAW NO. 25-**

**To Amend By-law No. 01-216, as amended,  
Being a By-law Respecting the Construction, Maintenance, Operation,  
Management And Regulation of Municipal Parking Facilities**

**WHEREAS** Council enacted a By-law Respecting the Construction, Maintenance, Operation, Management and Regulation of Municipal Parking Facilities within the limits of the City of Hamilton, being By-law 01-216;

**AND WHEREAS** it is necessary to amend By-law No. 01-216, as amended.

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

1. That subsection 8. (2) (d) of By-law No. 01- 216 be deleted and replaced with:
  - (d) where there is clearly displayed, in its entirety, in the driver's side front windshield of the vehicle, an Accessible Parking Permit issued by the Ministry of Transportation Ontario.
2. That subsection 9. (6) of By-law No. 01-216 be deleted and replaced with:
  - (6) Park or stop any vehicle in any parking space designated as a parking space reserved for vehicles displaying a valid Ministry of Transportation Ontario Accessible Parking Permit;
3. That subsection 9. (9) of By-law No. 01-216 be added immediately following subsection 9.(8) as follows:
  - (9) Park on or obstructing an access aisle as defined by *O. Reg. 191/11: Integrated Accessibility Standards*, including persons driving a vehicle displaying a valid Accessible Parking Permit;
4. In all other respects, By-law 01-216 is confirmed.
5. The provisions of this By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**Appendix A to Report PED25078**  
**Page 2 of 2**

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A. Horwath  
Mayor

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M. Theilhard  
City Clerk

**Appendix B to Report PED25078**  
**Page 1 of 3**

**Authority:** Item ,  
Report (PED25078)  
CM:  
Ward: City Wide

**Bill No.**

## CITY OF HAMILTON

### BY-LAW NO. 25-

#### To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking

**WHEREAS** Section 10 of the *Municipal Act, 2001, S.O. 2001, c. 25*, provides that a single-tier municipality may pass by-laws with respect to any public assets of the municipality acquired for the purpose of exercising its authority under this or any other act;

**AND WHEREAS** section 63 of the *Municipal Act, 2001*, provides that if a municipality passes a by-law for prohibiting or regulating the stopping, standing or parking of a vehicle on or near a highway, it may provide for the removal and impounding or restraining and immobilizing of any vehicle stopped, standing or parked on or near a highway in contravention of the by-law, and may at any reasonable time, enter upon land near a highway for that purpose and that subsection 170 (15) of the *Highway Traffic Act*, R.S.O. 1990, c.H.8 applies with necessary modifications;

**AND WHEREAS** on the 18th day of September 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

**AND WHEREAS** it is necessary to amend By-law No. 01-218, as amended.

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

1. That subsection 8. (5) (f) of By-law No. 01-218 be deleted and replaced with:
  - (f) No person shall park a vehicle displaying an accessible parking permit in a metered parking spaces for a period longer than three (3) hours, whether or not there is shown on the meter time which is paid for and unexpired.
2. That subsection 8. (6) of By-law No. 01-218 be deleted and replaced with:
  - (6) The provisions of Sections 8(5)(a), 8(5)(b) and 8(5)(c), shall not apply to vehicles which clearly display, in its entirety, an accessible parking permit in the driver's side front windshield.

**Appendix B to Report PED25078**  
**Page 2 of 3**

3. That section 25 of By-law No. 01-218 and the heading PARKING EXEMPTIONS FOR THE PHYSICALLY DISABLED be deleted and replaced with:
- ACCESSIBLE PARKING
25. (1) For the purpose of this section:
- (a) “accessible parking permit” means a valid accessible parking permit issued by the Ministry of Transportation under the provisions of the *Highway Traffic Act*;
  - (b) “accessible parking space” means a parking space identified by a sign displaying the International Symbol of Accessibility for the exclusive use of a vehicle displaying an accessible parking permit in compliance with the *Highway Traffic Act*;
  - (c) “access aisle” means an area marked with high tonal contrast diagonal lines adjacent to the side or rear of an accessible parking space, that allows persons with disabilities to get into and out of a vehicle parked in the accessible parking space.
- (2) No person shall be entitled to the benefit of an exemption under this by-law, unless a currently valid accessible parking permit has been issued to that person or to a passenger being picked up or transported in such vehicle, and such permit is displayed, in accordance with the *Highway Traffic Act*.
- (3) An accessible parking permit shall be deemed to be properly displayed when posted in the driver’s side windshield of a vehicle, readily visible from the exterior of the vehicle, with no portion of the permit obstructed.
- (4) No person shall park a vehicle in an accessible parking space, unless an accessible parking permit is properly displayed;
- (5) No person, including persons driving a vehicle displaying a valid accessible parking permit, shall park on or obstruct an access aisle;
- (6) Notwithstanding all other provisions of this By-law and notwithstanding the display of authorized signs to the contrary, a vehicle properly displaying an accessible parking permit, is exempt from the following provisions of said By-law:
- (a) Section 8(5)(a), and (c); and,
  - (b) Section 9(1);
4. In all other respects, By-law 01-218 is confirmed.
5. The provisions of this By-law shall come into force and take effect on the date of its passing and enactment.

**Appendix B to Report PED25078**  
**Page 3 of 3**

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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A. Horwath  
Mayor

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M. Theilard  
City Clerk

**Appendix C to Report PED25078**  
**Page 1 of 3**

**Authority:** Item ,  
Report (PED25078)  
CM:  
Ward: City Wide

**Bill No.**

**CITY OF HAMILTON**

**BY-LAW NO. 25-**

**To Amend By-law No. 01-220, as amended,  
Being a By-law to Regulate the Parking of Motor Vehicles  
On Private and Municipal Property**

**WHEREAS** By-law 01-220 regulates parking of motor vehicles on private property and municipal property;

**AND WHEREAS** staff recommend the language of By-law 01-220 be updated and access aisles be recognized in accordance with the *Accessibility for Ontarians with Disabilities Act*, 2005, S.O. 2005, c.11;

**AND WHEREAS** it is necessary to amend By-law No. 01-220, as amended;

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

1. That Section 1 of By-law 01-220 be amended by deleting the lettered bullets beside each defined term.
2. That Section 1 of By-law 01-220 be amended by adding the following definitions in alphabetical order:

“accessible parking space” means a parking space identified by a sign displaying the International Symbol of Accessibility for the exclusive use of a vehicle displaying an accessible parking permit in compliance with the *Highway Traffic Act*;

“access aisle” means an area marked with high tonal contrast diagonal lines adjacent to an accessible parking space, that allows persons with disabilities to get into and out of a vehicle parked in the accessible parking space.

3. That subsection 2. (2) of By-law 01-220 be deleted and replaced with:

(2) No person shall park a vehicle on class 1 or class 2 private property:

**Appendix C to Report PED25078**  
**Page 2 of 3**

- a) in an accessible parking space, unless a valid Ministry of Transportation Ontario Accessible Parking Permit is displayed in the driver's side windshield, readily visible from the exterior of the vehicle, with no portion of the permit obstructed; or,
  - b) on or obstructing an access aisle, including persons driving a vehicle displaying a valid accessible parking permit.
4. That subsection 3. (2) of By-law 01-220 be deleted and replaced with:
- (2) No person shall park a vehicle on class 3 private property:
    - a) in an accessible parking space, unless a valid Ministry of Transportation Ontario Accessible Parking Permit is displayed in the driver's side windshield, readily visible from the exterior of the vehicle, with no portion of the permit obstructed; or,
    - b) on or obstructing an access aisle, including persons driving a vehicle displaying a valid accessible parking permit.
5. That subsection 8.1 (2) of By-law 01-220 be deleted and replaced with:
- (2) No person shall park a vehicle in a Special Enforcement Area:
    - a) in an accessible parking space, unless a valid Ministry of Transportation Ontario Accessible Parking Permit is displayed in the driver's side windshield, readily visible from the exterior of the vehicle, with no portion of the permit obstructed; or,
    - b) on or obstructing an access aisle, including persons driving a vehicle displaying a valid accessible parking permit.
6. In all other respects, By-law 01-220 is confirmed.
7. The provisions of this By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_. 2025.

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**Appendix C to Report PED25078**  
**Page 3 of 3**

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A. Horwath  
Mayor

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M. Theoharides  
City Clerk

**Appendix D to Report PED25078**  
**Page 1 of 3**

**Authority:** Item ,  
Report (PED25078)  
CM:  
Ward: City Wide

**Bill No.**

**CITY OF HAMILTON**

**BY-LAW NO. 25-**

**To Amend By-law 17-225, as amended, being a  
By-law to Establish a System of Administrative Penalties**

**WHEREAS** Council enacted a By-law to Establish a System of Administrative Penalties, being By-law 17-225;

**AND WHEREAS** By-Laws 01-216, 01-218 and 01-220 have been amended with respect to accessible parking requiring amendment to 17-225;

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

1. That Schedule A, Table 1, Item 17 of By-law No. 17-225 be deleted and replaced with:

ITEM	COLUMN 1		COLUMN 2	COLUMN 3
17	01-216	9(6)	Park in a reserved Accessible Parking Space	\$350.00

2. That Schedule A, Table 1 of By-law No. 17-225 be amended by adding the following immediately after Item 17

ITEM	COLUMN 1		COLUMN 2	COLUMN 3
18	01-216	9(9)	Park obstructing accessible access aisle	\$350.00

3. That Schedule A, Table 3, Item 5 of By-law No. 17-225 be deleted and replaced with:

ITEM	COLUMN 1		COLUMN 2	COLUMN 3
5	01-218	8(5)(f)	Park exceeding 3 hours at parking meter, Accessible Parking Permit	\$25.00

**Appendix D to Report PED25078**  
**Page 2 of 3**

4. That Schedule A, Table 3 of By-law No. 17-225 be amended by adding the following immediately after Item 97:

ITEM	COLUMN 1		COLUMN 2	COLUMN 3
98	01-218	25(4)	Park in a reserved Accessible Parking Space	\$350.00
99	01-218	25(5)	Park obstructing accessible access aisle	\$350.00

5. That Schedule A of By-law No. 17-225 be amended by deleting Table 5 and replacing it with:

<b>TABLE 5: BY-LAW NO. 01-220 REGULATING PARKING ON PRIVATE AND MUNICIPAL PROPERTY</b>				
ITEM	COLUMN 1		COLUMN 2	COLUMN 3
	DESIGNATED BY-LAW * SECTION		SHORT FORM WORDING	SET PENALTY
1	01-220	2(1)	Unauthorized Parking – Private Property	\$55.00
2	01-220	3(1)	Unauthorized Parking – Municipal Property	\$55.00
3	01-220	2(2)(a), 3(2)(a), 8.1(2)(a)	Park in a reserved Accessible Parking Space	\$350.00
4	01-220	2(2)(a), 3(2)(a), 8.1(2)(b)	Park obstructing accessible access aisle	\$350.00
5	01-220	8.1(1)	Unauthorized Parking – Special Enforcement Area	\$250.00

6. In all other respects, By-law 17-225 is confirmed.
7. The provisions of this By-law shall come into force and take effect on the date of its passing and enactment.

**Appendix D to Report PED25078**  
**Page 3 of 3**

**PASSED** this \_\_ day of, \_\_\_\_\_, 2025.

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A. Horwath  
Mayor

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M. Theilard  
City Clerk



## HAMILTON MUNICIPAL HERITAGE COMMITTEE MINUTES HMHC 25-004

9:30 a.m.

April 4, 2025

Room 264, 2<sup>nd</sup> Floor (Hybrid)  
Hamilton City Hall  
71 Main Street West

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**Present:** Councillor C. Kroetsch  
A. Denham-Robinson (Chair), G. Carroll (Vice-Chair), A. Douglas  
(Virtual), L. Lunsted (Virtual) and S. Spolnik

**Absent with  
Regrets:** K. Burke and A. MacLaren

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### 1. CALL TO ORDER

Committee Chair Denham-Robinson called the meeting to order at 9:30 a.m.

### 2. CEREMONIAL ACTIVITIES

There were no Ceremonial Activities.

### 3. APPROVAL OF THE AGENDA

#### (Carroll/Lunsted)

That the agenda for the March 28, 2025, meeting of the Hamilton Municipal Heritage Committee be approved, as presented.

**CARRIED**

### 4. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

### 5. APPROVAL OF MINUTES OF PREVIOUS MEETING

#### 5.1 HMHC 25-003

Hamilton Municipal Heritage Committee Minutes from the meeting held on February 28, 2025.

**(Carroll/Kroetsch)**

That the Minutes of the January 24, 2025, meeting of the Hamilton Municipal Heritage Committee, be adopted, as presented.

**CARRIED**

**6. DELEGATIONS**

**6.1 Pete VandenArend, Park Eight Inc, respecting Item 8.3, Notice of Intention to Demolish the Buildings Located at 191 Melville Street, Dundas, being a Non-Designated Property Listed on the Municipal Heritage Register (Ward 13) (PED25112)**

Pete VandenArend, Park Eight Inc, addressed Committee respecting Item 8.3, Notice of Intention to Demolish the Buildings Located at 191 Melville Street, Dundas, being a Non-Designated Property Listed on the Municipal Heritage Register.

**(Carroll/Lunsted)**

That the delegation from Pete VandenArend, Park Eight Inc, respecting Item 8.3, Notice of Intention to Demolish the Buildings Located at 191 Melville Street, Dundas, being a Non-Designated Property Listed on the Municipal Heritage Register, be received.

**CARRIED**

**7. ITEMS FOR INFORMATION**

**(Spolnik/Douglas)**

That the following Items for Information, be received:

**7.1 PED25109**

**Delegated Approvals Respecting Heritage Permit Applications: HP2025-002, HP2025-004, HP2025-005, and HP2025-006 (Ward 2)**

**7.2 Delegated Approvals Respecting Heritage Permit Applications: HP2025-002, HP2025-004, HP2025-005, and HP2025-006 (Ward 2)**

**Notice of Intention to Designate 105 Erie Avenue, Hamilton (Ward 3)**

**7.3 Policy and Design Working Group Meeting Notes - February 10, 2025**

**7.4 Education & Communication Working Group Meeting Notes**

**(a) December 4, 2024**

**(b) February 5, 2025**

**7.5 HRPC 25-001**

**Heritage Permit Review Sub-Committee Minutes from the meeting held on January 21, 2025**

**CARRIED**

## 8. ITEMS FOR CONSIDERATION

### 8.1 PED25070

#### **Recommendation to Designate 200 Main Street East, Hamilton (First-Pilgrim United Church), under Part IV of the *Ontario Heritage Act* (Ward 2)**

Scott Dickinson, Cultural Heritage Planner, addressed Committee respecting Report PED25070, Recommendation to Designate 200 Main Street East, Hamilton (First-Pilgrim United Church), under Part IV of the *Ontario Heritage Act*, with the aid of a PowerPoint presentation.

#### **(Carroll/Spolnik)**

That report PED25070, dated March 28, 2025, respecting the Recommendation to Designate 200 Main Street East, Hamilton (First-Pilgrim United Church), under Part IV of the *Ontario Heritage Act*, and the accompanying presentation, be received, and the following recommendations be approved:

- (a) That the City Clerk BE DIRECTED to give notice of Council's intention to designate 200 Main Street East, Hamilton (First-Pilgrim United Church), shown in Appendix A attached to Report PED25070, 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 PED25070, 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; and
  - (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 Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

**CARRIED**

### 8.2 PED25092

#### **Heritage Permit Application HP2025-003, Under Part V of the *Ontario Heritage Act*, for the Demolition of Two Rear Detached Accessory Structures and the Construction of a new Rear Detached Accessory Structure at 155 Main Street North, Flamborough (Ward 15)**

**(Carroll/Lunsted)**

That report PED25092, dated March 28, 2025, respecting the Heritage Permit Application HP2025-003, Under Part V of the *Ontario Heritage Act*, for the Demolition of Two Rear Detached Accessory Structures and the Construction of a new Rear Detached Accessory Structure at 155 Main Street North, Flamborough, be received, and the following recommendations be approved:

- (a) That Heritage Permit Application HP2025-003, for the demolition of two rear detached accessory structures and the construction of a rear detached accessory structure on the designated property at 155 Main Street North, Flamborough (Mill Street Heritage Conservation District), as shown in Appendix A to Report PED25092, 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 of the new structure 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; and,
  - (iii) That demolition, construction, and site alterations, in accordance with this approval, shall be completed no later than April 30, 2027. If the construction and site alterations are not completed by April 30, 2027, then this approval expires as of that date, and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

**CARRIED**

**8.3 PED25112**

**Notice of Intention to Demolish the Buildings Located at 191 Melville Street, Dundas, being a Non-Designated Property Listed on the Municipal Heritage Register (Ward 13)**

**(Douglas/Spolnik)**

That Report PED25112, dated March 28, 2025, respecting a Notice of Intention to Demolish the Buildings Located at 191 Melville Street, Dundas, being a Non-Designated Property Listed on the Municipal Heritage Register, be received, and the following recommendations be approved:

- (a) That the Notice of Intention to Demolish the dwelling and detached garage structures located at 191 Melville Street, Dundas, attached as Appendix A to Report PED25112, BE RECEIVED; and
- (b) That the non-designated property located at 191 Melville Street, Dundas, BE REMOVED from the Municipal Heritage Register following its demolition.

**CARRIED**

## **9. MOTIONS**

Chair A. Denham-Robinson relinquished the Chair to Vice-Chair G. Carroll in order to introduce the following Motion:

### **9.1 Hamilton Municipal Heritage Committee's Heritage Recognition Awards (2024-2025)**

#### **(Denham-Robinson/Carroll)**

WHEREAS the mandate of the Hamilton Municipal Heritage Committee includes advising City staff and Council on programs and activities to increase public awareness and knowledge of heritage conservation issues, and to participate in heritage events and activities, such as the Annual Hamilton Municipal Heritage Committee Heritage Recognition Awards; and

WHEREAS the Education and Communication Working Group of the Hamilton Municipal Heritage Committee has reviewed the nominations for this year's Recognition Awards and have coordinated the proposed awards event date and location.

THEREFORE, BE IT RESOLVED:

That the Hamilton Municipal Heritage Committee's Heritage Recognition Awards be held on Thursday June 26th, 2025, at 7:00 p.m. at Bridgeworks, 200 Caroline Street, Hamilton, Ontario.

**CARRIED**

A. Denham-Robinson assumed the Chair.

## **10. NOTICE OF MOTIONS**

There were no Notice of Motions.

## **11. GENERAL INFORMATION / OTHER BUSINESS**

### **11.1 Winter 2025 McMaster Student Practicum Presentation**

Due to a lack of quorum, the presentation respecting the Winter 2025 McMaster Student Practicum was heard at the March 28, 2025 meeting, however, not received.

**(Carroll/Kroetsch)**

That the presentation respecting the Winter 2025 McMaster Student Practicum, be received.

**CARRIED**

**11.3 Heritage Buildings and Landscapes Watch List**

Committee members provided brief updates on properties of interest.

**(Carroll/Spolnik)**

That Cultural Heritage staff be directed to report back to the Hamilton Municipal Heritage Committee with a verbal update on the status of the property located at 86 Homewood Ave, Hamilton.

**CARRIED**

**(Carroll/Lunsted)**

That the following updates, be received:

- (a) Endangered Buildings and Landscapes (RED):  
(Red = Properties where there is a perceived immediate threat to heritage resources through: demolition; neglect; vacancy; alterations, and/or, redevelopment)

Ancaster

- (1) 372 Butter Road West, Andrew Sloss House (D) – S. Spolnik
- (2) 1021 Garner Road East, Lampman House (D) – S. Spolnik
- (3) 398 Wilson Street East, Marr House (D) – S. Spolnik

Dundas

- (4) 2 Hatt Street (R) – K. Burke
- (5) 216 Hatt Street (I) – K. Burke
- (6) 215 King Street West (R) – K. Burke
- (7) 219 King Street West (R) – K. Burke

Glanbrook

- (8) 2235 Upper James Street (R) – G. Carroll

Hamilton

- (9) 80-92 Barton Street East, Former Hanrahan Hotel (R) – S. Spolnik

- (10) 1155-1157 Beach Boulevard, Beach Canal Lighthouse and Cottage (D) – A. Denham-Robinson
- (11) 66-68 Charlton Avenue West (D) – C. Kroetsch
- (12) 71 Claremont Drive, Auchmar Gate House / Claremont Lodge (R) – G. Carroll
- (13) 711 Concession Street, Former Mount Hamilton Hospital, 1932 Wing (R) – G. Carroll
- (14) 127 Hughson Street North, Firth Brothers Building (D) – C. Kroetsch
- (15) 163 Jackson Street West, Pinehurst / Television City (D) – C. Kroetsch
- (16) 108 James Street North, Tivoli (D) – C. Kroetsch
- (17) 98 James Street South, Former James Street Baptist Church (D) – C. Kroetsch
- (18) 378 Main Street East, Cathedral Boys School (R) – S. Spolnik
- (19) 679 Main Street East / 85 Holton Street South, Former St. Giles Church (I) – G. Carroll
- (20) 120 Park Street North (R) – C. Kroetsch
- (21) 828 Sanatorium Road, Long and Bisby Building (D) – G. Carroll
- (22) 100 West 5th Street, Century Manor (D) – G. Carroll

- (b) Buildings and Landscapes of Interest (YELLOW):  
(Yellow = Properties that are undergoing some type of change, such as a change in ownership or use, but are not perceived as being immediately threatened)

#### Dundas

- (1) 64 Hatt Street, Former Valley City Manufacturing (D) – K. Burke
- (2) 24 King Street West, Former Majestic Theatre (I) – K. Burke
- (3) 3 Main Street, Former Masonic Lodge (D) – K. Burke
- (4) 23 Melville Street, Knox Presbyterian Church (D) – K. Burke
- (5) 574 Northcliffe Avenue, St. Joseph's Motherhouse (R) – L. Lunsted

#### Flamborough

- (6) 283 Brock Road, WF Township Hall (D) – L. Lunsted
- (7) 62 6th Concession East, Hewick House (I) – L. Lunsted

#### Hamilton

- (8) 1 Balfour Drive, Chedoke Estate / Balfour House, (R) – G. Carroll
- (9) 134 Cannon Street East, Cannon Knitting Mill (NOID) – C. Kroetsch

- (10) 52 Charlton Avenue West, Former Charlton Hall (D) – C. Kroetsch
- (11) 2 Dartnall Road, Rymal Road Station Silos (R) – G. Carroll
- (12) 54-56 Hess Street South (D) – C. Kroetsch
- (13) 1284 Main Street East, Delta High School (D) – G. Carroll
- (14) 311 Rymal Road East (R) – G. Carroll
- (15) St. Clair Boulevard Heritage Conservation District (D) – G. Carroll
- (16) 56 York Boulevard / 63-76 MacNab Street North, Copley Building (D) – G. Carroll
- (17) 84 York Boulevard, Philpott Church (NOID) – G. Carroll
- (18) 175 Lawrence Road, Hamilton Pressed / Century Brick (R) – G. Carroll
- (19) 65 Charlton Avenue East, Church of Ascension (D, NHS), Hamilton – G. Carroll
- (20) 4 Turner Avenue, Hamilton (R) – C. Kroetsch
- (21) 420 King St E, St. Patrick Roman Catholic Church (I) – S. Spolnik
- (22) 206-210 King Street East, Former Bremner Grocery (I) – G. Carroll
- (23) 1269 Mohawk Road, Ancaster (I) – G. Carroll
- (24) 657 King Street East, Hamilton (R) – G. Carroll
- (25) 665-667 King Street East, Hamilton (R) – G. Carroll
- (26) 90 Markland, Hamilton (D) – C. Kroetsch
- (27) 231 Bay St. N. (Gallery on the Bay/Hamilton Bridge Works Company Office) (I) – C. Kroetsch
- (28) 29 Harriet Street (Felton Brush Company) (I) – C. Kroetsch
- (29) 33 Bowen Street (Bradley Stable, Court House Hotel Stable) (R) – C. Kroetsch
- (30) 200 Main Street East, Hamilton (First-Prilgrim United Church) – C. Kroetsch

Stoney Creek

- (31) 2251 Rymal Road East, Former Elfrida Church (R) – G. Carroll

- (c) Heritage Properties Update (GREEN):  
(Green = Properties whose status is stable)

Dundas

- (1) 104 King Street West, Former Post Office (R) – K. Burke

Hamilton

- (2) 46 Forest Avenue, Rastrick House (D) – G. Carroll
- (3) 88 Fennell Avenue West, Auchmar (D) – A. Douglas

- (4) 125 King Street East, Norwich Apartments (R) – C. Kroetsch
- (5) 206 Main Street West, Arlo House (R) – C. Kroetsch
- (6) 50-54 Sanders Boulevard, Binkley Property (R) – K. Burke

- (d) Heritage Properties Update (BLACK):  
(Black = Properties that HMHC have no control over and may be demolished)

Ancaster

- (1) 442, 450 and 452 Wilson Street East (R) – S. Spolnik

Heritage Status: (I) Inventoried, (R) Registered, (D) Designated,  
(NOID) Notice of Intention to Designate, (NHS) National Historic  
Site

**CARRIED**

## 12. ADJOURNMENT

There being no further business, the Hamilton Municipal Heritage Committee meeting was adjourned, at 9:59 a.m.

Respectfully submitted,

Matt Gauthier  
Legislative Coordinator  
Office of the City Clerk

Alissa Denham-Robinson  
Chair, Hamilton Municipal Heritage  
Committee



## City of Hamilton Report for Consideration

**To:** Chair and Members  
 Planning Committee  
**Date:** April 8, 2025  
**Report No:** PED25091  
**Subject/Title:** Application for Ministry of the Environment,  
 Conservation and Parks Environmental Compliance  
 Approval for a Waste Processing Facility for Lands  
 Located at 1133 Industrial Drive  
**Ward(s) Affected:** Ward 3

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### Recommendation

That Waste Approvals, Environmental Permissions Branch of the Ontario Ministry of the Environment, Conservation and Parks be advised that should the Ministry consider approving **Application 0433-D4GP8R by 2388455 Ontario Inc. (c/o Alex Agius)**, applicant for a new Environmental Compliance Approval for a Waste Disposal Site Reference # 0433-D4GP8R to permit a waste processing and transfer station on the lands located at 1133 Industrial Drive (Hamilton) as shown on Appendix A attached to Report PED25091, that the City of Hamilton requests:

- (a) That, if approved, the Environmental Compliance Approval includes the Recommended Conditions as shown in Appendix B attached to Report PED25091;
- (b) That a copy of Report PED25091 be forwarded to the Waste Approvals, Environmental Permissions Branch of the Ontario Ministry of the Environment, Conservation and Parks for their consideration; and,
- (c) That the Waste Approvals, Environmental Permissions Branch of the Ontario Ministry of the Environment, Conservation and Parks be requested to forward a copy of its final decision respecting the Certificate of Approval to the Clerk, City of Hamilton.

**Application for Ministry of the Environment, Conservation and Parks  
Environmental Compliance Approval for a Waste Processing Facility for Lands  
Located at 1133 Industrial Drive (Ward 3)  
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## **Key Facts**

- The applicant has applied to the Ministry of the Environment, Conservation and Parks for a new Environmental Compliance Approval to permit a waste processing facility on the lands located at 1133 Industrial Drive within an existing vacant industrial building, as shown in Appendix C attached to Report PED25091.
- The subject lands are designated “Industrial Land” on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan, and zoned General Industrial (M5, 433) Zone in City of Hamilton Zoning By-law No. 05-200.
- The operation accepts liquid soil mixtures from hydro evacuation trucks and then separates it via a combination of settling, screening, heat evaporation, and filtration into dry soil and clean water.
- The facility’s operations include receiving, processing, and shipping activities which may occur 24 hours a day, seven days a week and 365 days a year.
- Staff recommends that the conditions included in Appendix B attached to Report PED25091 be included for the proposed waste processing facility, if approved by the Ministry of the Environment, Conservation and Parks.

## **Financial Considerations**

Not applicable.

## **Analysis**

The subject property is municipally known as 1133 Industrial Drive and is located north of Industrial Drive. The subject lands currently contain a vacant 19,000 square metre industrial building. The subject lands do not have frontage onto a municipal right-of-way and have an area of approximately 21 hectares. Details on the surrounding land uses are included in Appendix A1 attached to Report PED25091.

The proposal is to operate a liquid soil processing site to manage excess soils and liquid soil mixtures from hydro evacuation trucks which separates them via a combination of settling, screening, heat evaporation, and filtration into dry soil and clean water.

The subject site has a maximum daily receiving rate of 276 cubic metres of liquid soil and a maximum total storage capacity of 510 tonnes of dry soil at any one time. The facility will operate 24 hours a day, seven days a week and 365 days a year for receiving, processing, and shipping activities.

A full review of the applicable Provincial Policy Statement (2024) and Urban Hamilton Official Plan policies is provided in Appendix D attached to Report PED25091.

**Application for Ministry of the Environment, Conservation and Parks  
Environmental Compliance Approval for a Waste Processing Facility for Lands  
Located at 1133 Industrial Drive (Ward 3)  
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### **Provincial Planning Statement (2024)**

The proposal is for a waste processing facility on lands located within an employment area and is surrounded by existing industrial uses. The proposed development of a waste processing facility is considered a major facility that requires separation from sensitive land uses. Employment areas are an appropriate location for major facilities. The adjacent “Core Area” (Hamilton Harbour) is considered a sensitive land use, however, the operations for the proposed facility are located within an existing building and therefore impacts to sensitive land uses are not anticipated.

Based on the foregoing, the proposal is consistent with the Provincial Planning Statement (2024).

### **Urban Hamilton Official Plan**

The subject lands are designated “Industrial Land” on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan. Adjacent lands have been identified as “Core Areas” on Schedule B – Natural Heritage System.

The “Industrial Land” designation permits a wide range of employment activity, including waste processing facilities. The Urban Hamilton Official Plan provides criteria for evaluating new waste management facilities including, compatibility between existing sensitive land uses, protection of public health and safety, protection of the natural heritage system, service capacity, and appropriate site design. The subject lands are located within an employment area and the adjacent “Core Area” (Hamilton Harbour) is considered a sensitive land use. However, the proposed facility’s operations are located within an existing building and impacts to sensitive land uses, public health and safety, and the adjacent natural heritage features, are not anticipated. The facility will operate 24 hours a day, seven days a week and 365 days a year. Noise, odour, and dust impacts are not anticipated as the site is surrounded by industrial uses.

The following conditions are included in Appendix B attached to Report PED25091 to ensure that the site is designed appropriately:

- i. Condition (a) requires that the applicant demonstrate that an access easement is in place to provide access to a public right-of-way; and,
- ii. Condition (b) requires that a Site Plan Control application be approved, which will ensure issues such as traffic management, servicing, stormwater management, parking, outdoor storage, and visual barrier are addressed.

Based on the foregoing, the proposal complies with the Urban Hamilton Official Plan.

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### **City of Hamilton Zoning By-law No. 05-200**

The subject lands are zoned General Industrial (M5, 433) Zone in City of Hamilton Zoning By-law No. 05-200. The proposed development, which is considered a Waste Processing Facility, is a permitted use in the General Industrial (M5) Zone as per Section 9.5.1 of Zoning By-law No. 05-200. Waste Processing Facilities are not permitted to be located within 300 metres of a residentially or institutionally zoned property line. The subject lands are not located within 300 metres of either of these zones.

Based on the foregoing, the proposed use complies with City of Hamilton Zoning By-law No. 05-200.

### **Environmental Compliance Approval**

An “Environmental Compliance Approval” pursuant to Part V of the *Environmental Protection Act* is a legally binding document, through which an individual, company, or municipality is permitted, by Ontario’s Ministry of the Environment, Conservation and Parks, to undertake an activity related to the processing and management of waste.

Each Environmental Compliance Approval is drafted to address the site specific considerations relevant to the proposal and contains enforceable requirements that ensure environmental and health protection, compliance with legislation, and policy requirements. The Environmental Compliance Approval stipulates the types of wastes that can be processed and managed at the facility and contains “conditions” that describe the manner in which the facility is to be operated. Failure to comply with any of the Environmental Compliance Approval conditions constitutes a violation of the *Environmental Protection Act* and is grounds for enforcement through the *Provincial Offences Act*.

### **Site Operations**

The Liquid Soil Dewatering Facility Design, Operations, and Procedures Manual prepared by Environmental Business Consultants, dated April 2024, was submitted in support of the application. The manual indicated that 2388455 Ontario Inc. is proposing a waste processing facility located at 1133 Industrial Drive. The facility specializes in the dewatering of liquid soil from hydro excavating trucks. Hydro excavation is a process of removing soil with pressurized water. The facility accepts liquid soil mixtures from hydro evacuation trucks and then separates it via a combination of settling, screening, heat evaporation, and filtration into dry soil and clean water. Once separated, arrangements are made for the dry soil to be transported to clean fill sites and the water is stored in holding tanks inside the building and pumped into hydro evacuation trucks for reuse.

The proposed waste processing facility will operate within an existing building with a floor area of approximately 1,858 square metres. Receiving and processing of the liquid

**Application for Ministry of the Environment, Conservation and Parks  
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soil from the hydro evacuation trucks will occur inside the building. Dry soil will be stored in bins inside the building prior to being hauled away to a site that accepts clean fill.

The facility will receive and transfer soil 24 hours a day, seven days a week and 365 days a year. The facility will accept a total of 60 hydro evacuation trucks per day. The trucks carrying the hydro evacuation are expected to queue along the site access route, which is approximately 1,700 metres long which is accessed from Industrial Drive. The access route is located on an adjacent property and staff require that the applicant demonstrate that an access easement be in place to facilitate this connection or that an easement be established. Condition (a) in Appendix B attached to PED25091 requires that the applicant demonstrate that an access easement is in place to provide access to a public right-of-way.

### **Conditions of Approval**

Based on the circulation of this application to other City Departments, and the analysis undertaken by Planning staff, the Ministry of Environment, Conservation and Parks application for an Environmental Compliance Approval is considered acceptable, subject to conditions being addressed in the Environmental Compliance Approval. The recommended conditions have been included in Appendix B attached to Report PED25091. Staff have included standard conditions to ensure all typical areas of concern will be addressed.

#### **Site Access**

The City of Hamilton requires the applicant to demonstrate that an access easement for the 1,700 metre driveway access to Industrial Drive is in place to provide access to a public right-of-way as part of the Environmental Compliance Approval.

#### **Site Plan Control**

The City of Hamilton requires that a Site Plan Control application be approved as part of the Environmental Compliance Approval. Issues such as traffic management, services, and storm water management, parking, outdoor storage, and visual barrier will be addressed through the Site Plan Control process.

#### **Limitations of Amount of Waste**

The City of Hamilton requires that the Environmental Compliance Approval limit the maximum daily receipt of non-hazardous waste to a maximum rate of 276 tonnes per day, including aggregate and soil materials, as well as water. The City of Hamilton also requires that the Environmental Compliance Approval limit the maximum storage capacity to 510 tonnes of solids and 650 cubic metres of water.

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### Emergency Response Plan

The City of Hamilton requires that a current copy of the Emergency Response Plan, Spills Containment and Contingency Plan, daily product inventory list, including product quantities and exact location within all facilities, along with the applicable Material Safety Data Sheets, will be externally stored in a secure location (exterior lock box) on site in a manner such that all noted documents are readily available to Hamilton Emergency Services - Fire, 24 hours a day, seven days a week, and 365 days a year. The storage and housekeeping practices must be in place to allow ease of access by emergency personnel such as Hamilton Fire and/or other first responders.

### Spills Containment

The City of Hamilton requires that the proponent implement spills prevention on-site, and containment measures be included in the Environmental Compliance Approval. The City of Hamilton also requires that the Contingency Plans for spills on site and clean up procedures are covered under the Environmental Compliance Approval, and that the City's Spills phone number (905) 540-5188 is included in the company's on-site Contingency Plan. The Contingency Plan shall also deal with run-off water from any fire-fighting activity from the operation. Further, a copy of the Contingency Plan is to be forwarded to the Compliance and Regulations Section, Water and Wastewater Division, Public Works Department, City of Hamilton, and be submitted to the satisfaction of the Ministry of the Environment, Conservation and Parks.

## Alternatives

The City of Hamilton is not the approval authority for Environmental Compliance Approval applications; however, the City has been requested to submit comments on this application to the Ministry of Environmental, Conservation and Parks. The City could request that the Ministry of Environmental, Conservation and Parks deny the Environmental Compliance Approval application.

## Relationship to Council Strategic Priorities

- Priority 1: Sustainable Economic & Ecological Development
- 1.2: Facilitate the growth of key sectors.

## Consultation

Staff and agency comments received are provided in Appendix E attached to Report PED25091.

**Application for Ministry of the Environment, Conservation and Parks  
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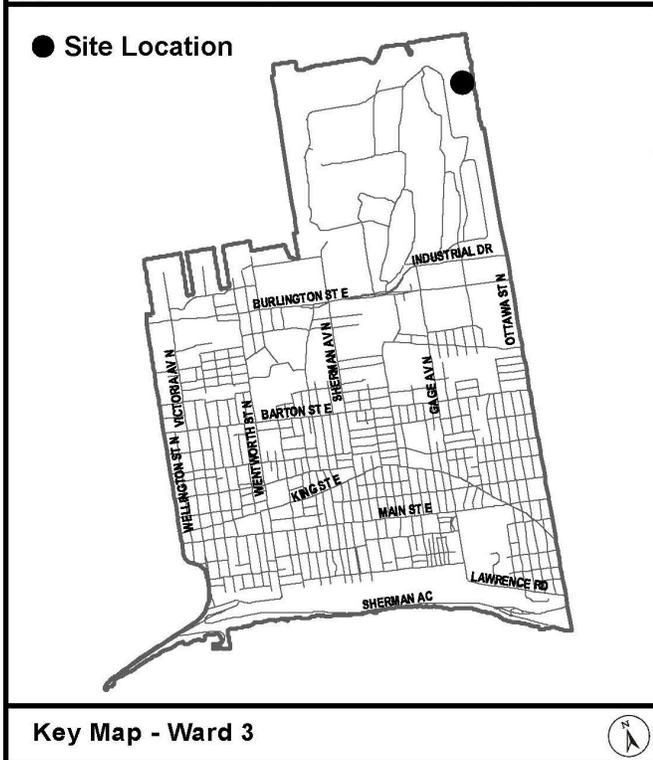
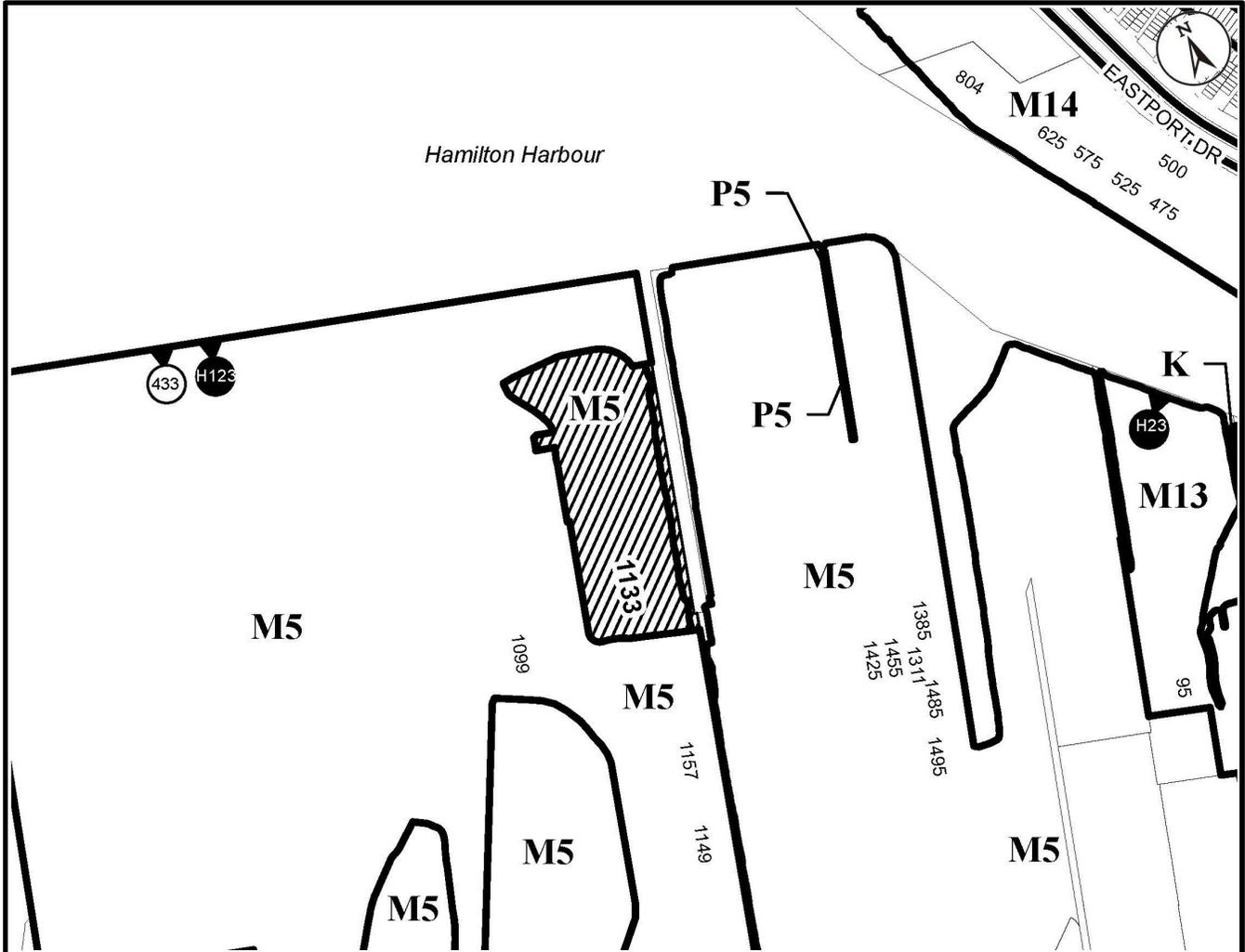
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**Appendices and Schedules Attached**

Appendix A: Location Map  
Appendix A1: Existing Land Use and Zoning chart  
Appendix B: Recommended Conditions of Approval  
Appendix C: Concept Plan  
Appendix D: Policy Review  
Appendix E: Department and Agency Comments

**Prepared by:** Mark Michniak, Senior Planner  
Planning and Economic Development Department,  
Development Planning East

**Submitted and  
recommended by:** Anita Fabac, Acting Director of Planning and Chief Planner  
Planning and Economic Development Department



## Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
MECP-24-03

Date:  
February 13, 2025

Appendix "A"	Scale: N.T.S.	Planner/Technician: MM/AL
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**Subject Property**

1133 Industrial Drive

## Existing and Surrounding Land Uses and Zoning

	<b>Existing Land Use</b>	<b>Existing Zoning</b>
<b>Subject Lands:</b>	Industrial.	General Industrial (M5, 433) Zone.

### Surrounding Land Uses:

North	Industrial.	General Industrial (M5, 433, H123) Zone.
South	Industrial.	General Industrial (M5, 433, H123) Zone.
East	Industrial.	General Industrial (M5) Zone.
West	Industrial.	General Industrial (M5, 433, H123) Zone.

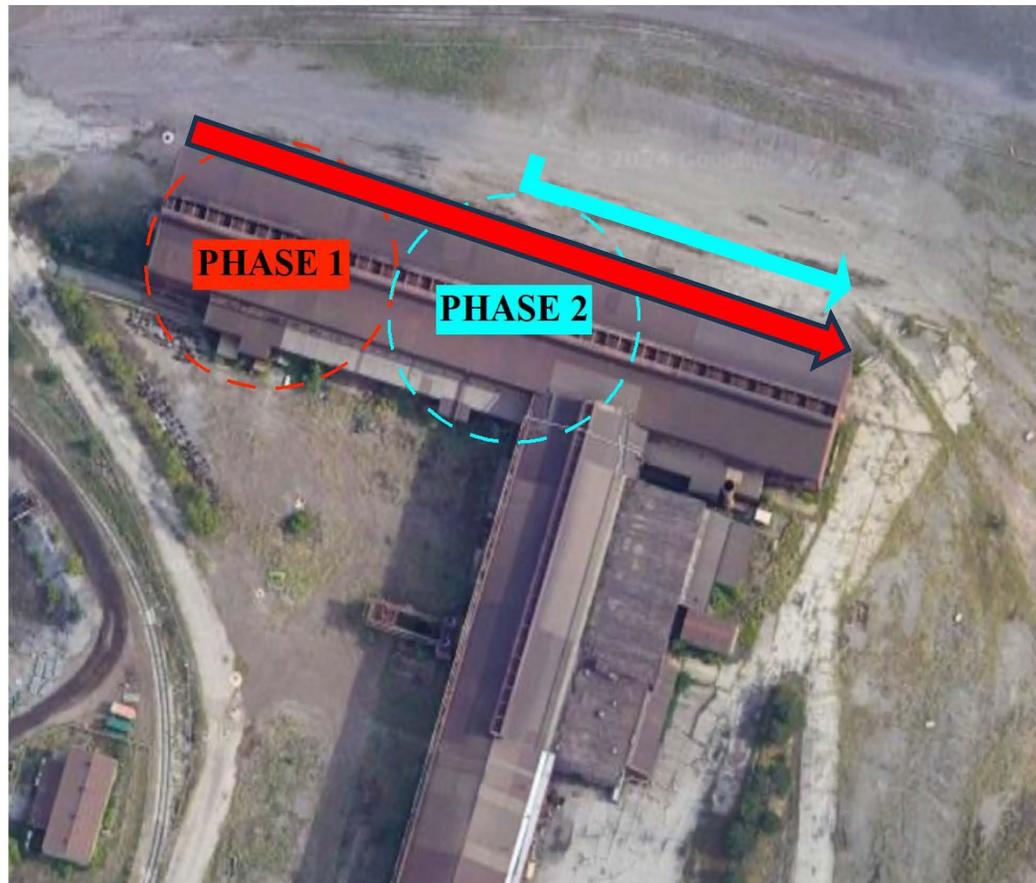
**RECOMMENDED CONDITIONS OF APPROVAL:**

- (a) That the applicant demonstrate or create an access easement granting access to 1133 Industrial Drive over 386 Wilcox Street to a municipal right-of-way, to the satisfaction of the Director of Development Planning.
- (b) That the applicant applies for and receives final approval of a Site Plan Control application from the City's Planning Division to the satisfaction of the Director of Heritage and Urban Design.
- (c) That a current copy of the Emergency Response Plan, Spills Containment and Contingency Plan, daily product inventory list, including product quantities and exact location within all facilities, along with the applicable Material Safety Data Sheets, be externally stored in a secure location (exterior lock box) on site in a manner such that all noted documents are readily available to Hamilton Emergency Services - Fire, 24 hours a day, seven days a week, 365 days a year.
- (d) That storage and housekeeping practices must be in place to allow ease of access by emergency personnel such as Hamilton Fire and/or other first responders.
- (e) That a final version of the Liquid Soil Dewatering Facility Design, Operations, and Procedures Manual prepared by Environmental Business Consultants, dated April 2024, be stamped by a professional engineer, and be provided to the City of Hamilton, Superintendent, Environmental Monitoring and Enforcement, Public Works Department.
- (f) That the owner apply for and obtain a City of Hamilton's Surcharge Discharge Permit and comply with the City of Hamilton's Sewer Use By-law No. 14-090.
- (g) That the Environmental Compliance Approval limit the maximum daily receipt of non-hazardous waste to a maximum rate of 276 cubic metres per day, including aggregate and soil materials, and water.
- (h) That the Environmental Compliance Approval limit the maximum storage capacity to 510 tonnes of solids and 650 cubic metres of water.
- (i) That the applicant implements spills prevention on-site, and containment measures be included in the Environmental Compliance Approval.
- (j) That the Contingency Plans for spills on-site and clean-up procedures are covered under the Environmental Compliance Approval, and that the City's Spills phone number (905) 546-2489 is included in the company's on-site Contingency Plan. The Contingency Plan shall also deal with run-off water and from any fire-fighting activity from the operation and consider efforts to mitigate or eliminate materials and spill runoff from vehicle activity on site. Secondary containment

measures must be explored to reduce spill runoff. Further, that a copy of the Contingency Plan be forwarded to the Compliance and Regulations Section, Water and Wastewater Division, Public Works Department, City of Hamilton, and be submitted to the satisfaction of the Ministry of the Environment, Conservation and Parks.

- (k) That in case of any spills, the General Manager of the Operations must immediately contact the City of Hamilton's Spills line at 905-546-2489.
- (l) That an effective odour / dust / noise mitigation control plan for day-to-day activities be implemented to the satisfaction of Public Health Services.
- (m) That the owner establish a Fire Response Box providing up to date data and details (such as contents, amounts, locations, etc.) of all waste materials transferred and stored on site, to the satisfaction of the Chief Fire Prevention Officer, Hamilton Fire Department.
- (n) That the owner contact the Hamilton Fire Department's Fire Prevention Division and schedule an inspection of the facility and that all violations identified as part of the inspection be resolved prior to approval, to the satisfaction of the Chief Fire Prevention Officer, Hamilton Fire Department.
- (o) That the owner establishes a fire access route, to the satisfaction of the Chief Fire Prevention Officer, Hamilton Fire Department.
- (p) That an inventory of waste types stored on-site shall be updated daily, and be provided to the Ministry of the Environment, Conservation and Parks.
- (q) That waste shall not be accepted from the United States of America and / or any other Province or Territories.
- (r) That the owner be required to provide financial assurance to the Ministry of the Environment, Conservation and Parks to cover final clean-up of the site, following the cessation of use.
- (s) That a Ministry of the Environment, Conservation and Parks staff person be identified to the City as the contact for all issues and complaints regarding the subject property.
- (t) That Contingency Plans for water that does not meet Ontario Provincial Water Quality Guidelines and is not suitable for re-use be covered under the Environmental Compliance Approval. Further, that a copy of the Contingency Plan be forwarded to the Compliance and Regulations Section, Water and Wastewater Division, Public Works Department, City of Hamilton, and be submitted to the satisfaction of the Ministry of the Environment, Conservation and Parks.

- (u) That the Liquid Soil Dewatering Facility Design, Operations, and Procedures Manual prepared by Environmental Business Consultants, dated April 2024, be updated and resubmitted to the City of Hamilton to include an alternative method for testing whether incoming material is free from contamination to the satisfaction of the Director of Growth Management and Chief Development Engineer.
- (v) That the owner prepare and submit an Environmental Emergency and Contingency Plan for review and signoff by the City of Hamilton Director of Growth Management and Chief Development Engineer prior to Environmental Compliance Approval.



Daily Dewatering  
Operations Phasing Plan

**PHASE 1**

- VOLUME OF APROX 30 LOADS PER DAY  
Liquid Soil Types 1 & 2

**PHASE 2**

- VOLUME OF APROX 30 LOADS PER DAY  
Liquid Soil Types 1 & 2 & 3

## SUMMARY OF POLICY REVIEW

The following policies, amongst others, apply to the proposal.

<b>Provincial Planning Statement (2024)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Settlement Areas</b>  Policy: 2.3.1.1	Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.	The subject lands are located within a settlement area.  The proposal is consistent with this policy.
<b>Employment Areas</b>  Policy: 2.8.2.1	Planning authorities shall plan for, protect, and preserve employment areas for current and future uses, and ensure that the necessary infrastructure is provided to support current and projected needs.	The subject lands are located within an employment area. The proposed development of a waste processing facility is considered a major facility. Employment areas are an appropriate location for major facilities.  The proposal is consistent with this policy.
<b>Land Use Compatibility</b>  Policy: 3.5.1	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 lands are located within an employment area. The adjacent “Core Area” is considered a sensitive land use. However, the proposed facility is located within an existing building, located approximately 147 metres from the “Core Area”, Soil and water generated by the facility will be stored within the building. Impacts to sensitive land uses are not anticipated.  The proposal is consistent with this policy.

Theme and Policy	Summary of Policy or Issue	Staff Response
<b>Waste Management</b>  Policy: 3.7.1	Waste management systems need to be planned for and provided that are of an appropriate size, type, and location to accommodate present and future requirements, and facilitate integrated waste management.	The subject lands are located within an employment area. The adjacent “Core Area” is considered a sensitive land use. However, the proposed facility is located within an existing building. Impacts to sensitive land uses are not anticipated. The proposed development is in an appropriate location.  The proposal is consistent with this policy.
<b>Urban Hamilton Official Plan</b>		
<b>Strong Economy</b>  Policy: B.3.1.1	The City shall strengthen its economy by directing business activity to suitable locations as identified on Schedules E-Urban Structure and E-1 – Urban Land Use Designations.	The subject lands are designated “Industrial Land” on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan. A review of the land use designations is provided below.  The proposal complies with this policy.
<b>Employment Area – Industrial Land Designation – Function and Permitted Uses</b>  Policies: E.5.3.1 and E.5.3.2	The range of permitted uses allow for a wide range of employment activity, including heavy industrial uses and transitional uses on lands traditionally used for industry. The Employment Area – Industrial Land designation applies to the Bayfront, East Hamilton, Dundas, and the Glen Road/Tope Crescent Employment Areas, identified on Schedule E-1 – Urban Land Use Designations.	The subject lands are designated “Industrial Land” on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan. The proposed development is a waste processing facility. The facility accepts liquid soil mixtures from hydro-evacuation trucks and then separates it via a combination of settling, screening, heat evaporation, and filtration into dry soil and clean water.  The proposed use of a waste processing facility is permitted within the General Industrial (M5, 433) Zone.  The proposal complies with these policies.

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Employment Area – Industrial Land Designation – Function and Permitted Uses</b></p> <p>Policies: E.5.3.1 and E.5.3.2</p> <p><b>(continued)</b></p>	<p>The following uses may be permitted on lands designated Employment Area – Industrial Land on Schedule E-1 – Urban Land Use Designations, in accordance with the Zoning By-law: waste processing facilities and waste transfer facilities.</p>	
<p><b>Employment Area – Industrial Land Designation – Waste Management Facilities – General Policies</b></p> <p>Policy: E.5.3.6</p>	<p>New waste management facilities shall be evaluated on the basis of the following criteria:</p> <ul style="list-style-type: none"> <li>• Compatibility between existing sensitive land uses and the proposed waste management facility;</li> <li>• Protection of public health and safety;</li> <li>• Protection of the natural heritage system and cultural heritage resources;</li> <li>• Capacity to effectively service prospective waste management facilities, including traffic management, adequate water and wastewater services and storm water management facilities; and,</li> <li>• Appropriate site design, including access, parking, building design and setbacks, outdoor storage, noise and odour abatement, and visual barrier requirements.</li> </ul>	<p>The subject lands are located within an employment area. The adjacent “Core Area” (Hamilton Harbour) is considered a sensitive land use. However, the proposed facility is located within an existing building. Impacts to sensitive land uses, public health and safety, and natural heritage features are not anticipated.</p> <p>Condition (b) of Appendix B attached to Report PED25091 requires that a Site Plan Control application be approved. Issues such as traffic management, services, and storm water management, parking, outdoor storage, and visual barrier will be addressed through the Site Plan Control process.</p> <p>Condition (a) of Appendix B attached to Report PED25091 requires that the applicant demonstrate that an access easement is in place to provide access to a public right-of-way.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Employment Area – Industrial Land Designation – Waste Management Facilities – General Policies</b></p> <p>Policy: E.5.3.6 (continued)</p>		<p>The facility will accept a total of 60 hydro evacuation trucks per day. Incoming hydro evacuation trucks are expected to queue along the site access route, which is approximately 1,700 metres long.</p> <p>The proposal complies with this policy.</p>
<p><b>Employment Area – Industrial Land Designation – Waste Management Facilities – General Policies</b></p> <p>Policy: E.5.3.6.2</p>	<p>The City shall provide comments to the Ontario Ministry of the Environment concerning applications for a Certificate of Approval for Waste Disposal site, as required under Part V of the <i>Environmental Protection Act</i> and/or any other applicable legislation for the approval of new waste management facilities or expansions or alterations to existing waste management facilities within the City of Hamilton.</p>	<p>Staff recommend that a copy of Report PED25091 be forwarded to Waste Approvals, Environmental Permissions Branch of the Ontario Ministry of the Environment, Conservation and Parks for their consideration of the proposed waste processing facility.</p> <p>The proposal complies with this policy.</p>
<p><b>Employment Area – Industrial Land Designation – Waste Management Facilities – General Policies</b></p> <p>Policy: E.5.3.6.5</p>	<p>Waste management facilities, including expansions, shall be subject to site plan control, in accordance with the policies in Section F.1.7 – Site Plan Control.</p>	<p>Condition (b) of Appendix B attached to Report PED25091 requires that a Site Plan Control application be approved.</p> <p>The proposal complies with this policy.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p data-bbox="142 267 451 527"><b>Employment Area – Industrial Land Designation – Waste Processing Facilities and Waste Transfer Facilities</b></p> <p data-bbox="142 576 352 613">Policy: E.5.3.7</p>	<p data-bbox="472 267 1121 487">Waste processing facilities and waste transfer facilities, including expansions, shall be located a minimum of 300 metres from a sensitive land use within the Neighbourhoods, Institutional or Commercial and Mixed Use designations.</p>	<p data-bbox="1142 267 1917 381">The subject lands are not located within 300 metres of lands designated “Neighbourhoods”, “Institutional”, or “Commercial” and “Mixed Use”.</p> <p data-bbox="1142 414 1696 451">The proposal complies with this policy.</p>

**CONSULTATION – DEPARTMENTS AND AGENCIES**

<b>Department/Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<p>Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department.</p>	<p>The applicant is required to provide a site servicing plan to confirm that there are no floor drains or roof drains directly connected to the private or municipal sewer system.</p> <p>The applicant is required to include a contingency plan for when the water does not meet Ontario Provincial Water Quality Guidelines and is not suitable for reuse.</p> <p>The applicant is required to isolate the work area to eliminate the potential for stormwater runoff to encounter the material; please provide a drainage plan for review and comment.</p> <p>The Liquid Soil Dewatering Facility Design, Operations, and Procedures Manual describes that visual and olfactory inspection will be completed during discharge. Considering the industrial nature of the subject site, which will have conflicting odours, the olfactory method will not be reliable. An alternative sampling/testing method to confirm the material is 'clean' is required.</p>	<p>Condition (b) of Appendix B attached to Report PED25091 requires that a Site Plan Control application be approved. A Servicing Plan will be required with this application.</p> <p>Condition (t) of Appendix B attached to Report PED25091 requires that Contingency Plans for water that does not meet Ontario Provincial Water Quality Guidelines and is not suitable for re-use are covered under the Environmental Compliance Approval.</p> <p>Condition (b) of Appendix B attached to Report PED25091 requires that a Site Plan Control application be approved. A Drainage Plan for stormwater runoff will be required with this application.</p> <p>Condition (u) of Appendix B attached to Report PED25091 requires that the Liquid Soil Dewatering Facility Design,</p>

<b>Department/Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<p>Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department.</p> <p><b>(continued)</b></p>	<p>The applicant is required to submit an Environmental Emergency and Contingency Plan for review and signoff by the City of Hamilton prior to Environmental Compliance Approval.</p>	<p>Operations, and Procedures Manual be updated to include an alternative testing method.</p> <p>Condition (v) of Appendix B attached to Report PED25091 requires that an Environmental Emergency and Contingency Plan be approved.</p>
<p>Zoning and Committee of Adjustment, Planning and Economic Development Department.</p>	<p>The applicant proposes to establish a hydrovac soil processing operation, located inside an existing 19,000 square metre building. The site receives slurry (referred to as liquid soil) from hydrovac vehicles from multiple sites in Southern Ontario and dry soil is generated by physical water separation. The site has a maximum daily receiving rate of 276 cubic metres of liquid soil and a maximum total storage capacity of 510 tonnes of dry soil at any one time. Dry soil is sent to clean fill sits in Ontario. Soil which does not meet reuse criteria is not accepted. Separated water is treated and then reused in the hydrovac trucks prior to exiting the Site. Receiving, processing, and shipping activities may take place 24 hours per day, 365 days per year.</p> <p>Building Division records indicate the property consists of multiple, existing</p>	<p>The proposed use of a Waste Processing Facility is permitted.</p> <p>The subject lands are located beyond 300.0 metres from a Residential or Institutional Zone.</p> <p>Additional details, such as outdoor storage, parking, accessory buildings, and Hamilton Conservation Authority permits will be addressed during the Site Plan Control stage.</p> <p>Additional details, such as signage, fencing, and conformity with the Ontario Building Code will be addressed during the Building Permit stage.</p>

Department/Agency	Comment	Staff Response
<p>Zoning and Committee of Adjustment, Planning and Economic Development Department.</p> <p><b>(continued)</b></p>	<p>industrial buildings associated with a Manufacture use. The proposed use of a Waste Processing Facility is permitted within the M5 Zone and is defined as follows:</p> <p>“Waste Processing Facility - Shall mean the use of land, building or structure, or part thereof, for the sorting and processing of waste and recyclable materials and for which an Environmental Compliance Approval for such purpose under Part V of the Environmental Protection Act is required. Waste Processing Facilities shall include but not be limited to thermal treatment, blue box recyclable recovery facilities, open-air or in vessel organics processing, wood waste recycling and/or a co-generation energy facility but shall not include a Motor Vehicle Wrecking Establishment or a Salvage Yard.”</p> <p>This is an interior lot. Based on “front lot line” as defined shall mean any lot line abutting a street. As such, the lot line adjacent to Industrial Drive is considered the front lot line for this property.</p> <p>Please note, insufficient information to determine Zoning compliance for Outdoor Storage and Gross Floor Area for Office use. The applicant shall ensure the proposed use</p>	

<b>Department/Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<p>Zoning and Committee of Adjustment, Planning and Economic Development Department.</p> <p><b>(continued)</b></p>	<p>and associated Outdoor Storage does not exceed the maximum permitted 85% lot coverage as required under Section 9.5.3 d) or the Maximum 3,000 square metres for Office use under Section 9.5.3 e). In addition minimum setbacks to a Residential or Institutional Zones for the proposed Waste Processing Facility have not been provided, however as per GIS mapping the proposed use appears to be well outside the required 300.0 metre setback from either Zone.</p> <p>Further to the above, it is noted that as per Special Exception 433, Section 5.6 c) shall not apply to the proposed use and requirements for the minimum number of Parking Spaces shall not be applied. Please note however that the applicant has indicated a Staff Parking Area to be provided however insufficient information has been provided to confirm if the proposed area, including Parking Space Size, Dimensions, access aisles or other requirements are in compliance with Section 5. Should parking be proposed, the applicant shall clearly indicate all proposed spaces on the Site Plan.</p>	

<b>Department/Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<p>Zoning and Committee of Adjustment, Planning and Economic Development Department.</p> <p><b>(continued)</b></p>	<p>The proposed use does not appear to alter existing site conditions as it relates to the existing building and as such, further review of Section 9.5 is not required beyond the Sections mentioned above. If expansion of the existing building is proposed to accommodate the proposed use, an additional Zoning compliance review may be required.</p> <p>Be advised, notwithstanding the above insufficient information has been provided to determine Accessory Building requirements for the proposed Office Trailer and Washroom. The applicant shall provide additional information to confirm compliance with Section 4.8 and 4.8.4. Furthermore, insufficient information has been provided as it relates to the "Quonset Hut (Storage)" building. Should this building be used as a storage building for equipment or other storage, other than for Soil or similar organic materials as part of the dewater/ waste processing process, this building shall also be subject to the requirements of Section 4.8 and 4.8.4 and additional information is required to confirm accessory building compliance.</p>	

<b>Department/Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<p>Zoning and Committee of Adjustment, Planning and Economic Development Department.</p> <p><b>(continued)</b></p>	<p>Please be advised that a portion of this property is within an area regulated by Hamilton Conservation Authority. Please contact (905) 525-2181 or nature@conservationhamilton.ca prior to any development.</p> <p>Conversion/ Alteration of the existing building to a Waste Processing Facility is subject to the issuance of a building permit. Be advised that Ontario Building Code regulations may require specific setback and construction types.</p> <p>All new signs proposed for this development must comply with the regulations contained within the Sign By-law 10-197.</p> <p>All new fences proposed for this development must comply with the regulations contained within the Fence By-law 10-142.</p> <p>The designer shall ensure that the fire access route conforms to the Ontario Building Code.</p>	

# CITY OF HAMILTON

## NOTICE OF MOTION

Planning Committee Meeting: March 18, 2025

**MOVED BY COUNCILLOR C. CASSAR.....**

### **Feasibility of Permitting Chickens and Roosters within the Settlement Residential (S1) Zones**

WHEREAS many farm animals, including chickens and roosters are already permitted in Hamilton's rural residential areas;

WHEREAS Zoning in Rural Settlement Areas (S1 Zone) prohibits the keeping of farm animals, including chickens and roosters;

WHEREAS in recent years, the cost of food has increased significantly making household budgeting difficult for many residents;

WHEREAS hens are relatively inexpensive and one hen can produce approximately 260-360 eggs per year depending on the breed;

WHEREAS free range eggs sold by local grocery stores are considerably more expensive at over \$8 per dozen;

WHEREAS hens are extremely efficient at breaking down household scraps and turning that into fertilizer and enriching the soil;

WHEREAS ticks and associated illnesses are a growing health concern that can be mitigated by hen keeping;

WHEREAS backyard hens help to reduce negative impacts on the climate by eliminating the need for eggs to be transported to market;

WHEREAS allowing chickens and roosters in Rural Settlement Areas (S1 Zone) would improve access to affordable and nutritious food close to home;

**THEREFORE BE IT RESOLVED:**

That Animal Services, Municipal Law Enforcement, and Planning staff be directed to explore the feasibility of permitting chickens and roosters as permitted Agricultural uses within the Settlement Residential (S1) Zone and report back to Planning Committee in Q4, 2025.

# CITY OF HAMILTON

## NOTICE OF MOTION

Planning Committee Date: March 18, 2025

**MOVED BY COUNCILLOR C. CASSAR.....**

### **Hamilton Heritage Property Grant Program Application Criteria Exception for the Property Municipally Addressed as 2295 Troy Road, Flamborough (Former Troy School)**

WHEREAS, the Hamilton Heritage Property Grant Program (the Program) is intended to provide financial assistance to commercial, institutional, industrial or multi-residential properties that are designated under the *Ontario Heritage Act*, in the form of a grant for the conservation and restoration of heritage features, including the structural and stability work, up to a maximum of \$150,000, and for an additional \$20,000 for any studies, reports or assessments related to said work;

WHEREAS, applicants must meet the Council approved Program eligibility and grant criteria, including being located within defined geographic areas across the city, including Community Improvement Project Areas, the Mount Hope/Airport Gateway or the lower city between Highway 403 and the Red Hill Valley Parkway;

WHEREAS, program applications are subject to a comprehensive review by the City of Hamilton's Economic Development Division and approval of all Program applications are at the absolute discretion of the General Manager, Planning and Economic Development, and subject to the availability of funds;

WHEREAS, the property located at 2295 Troy Road, Flamborough, known as the former Troy School, (the Property) is designated under Part IV of the *Ontario Heritage Act* by Former Town of Flamborough By-law No. 95-67;

WHEREAS, the Property's existing historic wood siding is in a state of disrepair, and the estimated cost to restore and/or replace the wood siding with appropriate wood or wood-composite materials is approximately \$80,000 to \$120,000, and the Property owner has requested that the designation by-law be repealed because they do not have the funds required to appropriately conserve and repair the siding;

WHEREAS, the Property is not located within the geographic eligibility area of the existing Hamilton Heritage Property Grant Program, and would currently only be eligible for a maximum matching grant of \$5,000 per year under the Hamilton Heritage Conservation Grant Program; and,

WHEREAS, the Property is one of several designated heritage properties that are not currently eligible for the Hamilton Heritage Property Grant Program due to their geographic location, but its owners wish to undertake conservation and restoration work that warrants substantially more funding than is currently available under the Hamilton Heritage Conservation Grant Program;

THEREFORE, BE IT RESOLVED:

- (a) That, on a one-time basis, staff be directed to accept a Hamilton Heritage Property Grant Program application for 2295 Troy Road, Flamborough (Former Troy School) (the Property), for Program eligible heritage conservation and restoration work;
- (b) That staff be directed to review, process and approve any such application, provided the application, applicant and Property meet all other applicable Council-approved Program terms; and
- (c) That staff be directed to investigate opportunities to improve the Hamilton Heritage Property Grant Program and Hamilton Heritage Conservation Grant Program, including the potential to expand the geographic eligibility and funding amounts of the programs and any related impacts on funding, staffing and resources, and bring forward a report to the Planning Committee with recommendations, including any potential 2026 budget requests which may be required to support any recommended changes, by the end of Q3 2025.

# CITY OF HAMILTON MOTION

Planning Committee: April 8<sup>th</sup>, 2025

**MOVED BY COUNCILLOR N. NANN.....**

**SECONDED BY COUNCILLOR C. KROETSCH.....**

## **Enhanced Parking Enforcement Services**

WHEREAS, there are currently no regularly scheduled enforcement services between 5:45 a.m. and 10:00 p.m on Sundays

WHEREAS, the absence of enforcement during this time has been a longstanding gap in service, and implementing changes would represent a significant improvement in customer service, public safety, and compliance with parking regulations;

WHEREAS, expanding enforcement to include Sundays could support local businesses by ensuring parking turnover as well as address concerns related to unauthorized or unsafe parking practices that may impact public safety, accessibility, traffic operations and neighborhood livability;

WHEREAS, the current staffing complement of 26 Full-Time Equivalent (FTE) Parking Control Officers is responsible for enforcement citywide, covering six working days across four designated shifts, often leaving only 2 to 8 officers available per shift to address enforcement requests (not including contracted enforcement);

WHEREAS, an evaluation of additional staffing and resources may be necessary to ensure service levels, maintain manageable workloads, and support the successful implementation of expanded enforcement hours;

**THEREFORE, BE IT RESOLVED THAT:**

City staff be directed to conduct a comprehensive review of enhanced parking enforcement service options to include regularly scheduled parking enforcement on Sundays and report back to Council in Q4 of 2025, in advance of the 2026 City of Hamilton Budget, with recommendations that assess operational and financial implications of expanding enforcement services, including budgetary requirements and potential revenue offsets.