



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

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| TO: | Chair and Members Planning Committee |
| COMMITTEE DATE: | May 31, 2016 |
| SUBJECT/REPORT NO: | Urban Hamilton Official Plan Housekeeping Amendment (PED16060) (City Wide) |
| WARD(S) AFFECTED: | City Wide |
| PREPARED BY: | Sarah Cellini Planner (905) 546-2424 Ext. 2634 Steve Robichaud Director of Planning and Chief Planner |
| SUBMITTED BY: | Jason Thorne General Manager Planning and Economic Development Department |
| SIGNATURE: | |

RECOMMENDATION

That approval be given to Official Plan Amendment No. XX to the Urban Hamilton Official Plan (UHOP) (CI-16-A) to amend policies, schedules and maps, to implement revised mapping and policies for the Parent Plan contained in Volume 1, Secondary Plans contained in Volume 2 and Area and Site Specifics of Volume 3 of the UHOP, on the following basis:

- (a) That the draft Official Plan Amendment (OPA), attached as Appendix “A” to Report PED16060, be adopted by Council;
- (b) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (PPS) 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe.

EXECUTIVE SUMMARY

The purpose of this Urban Hamilton Official Plan (UHOP) amendment is to undertake policy and map changes required to ensure clear implementation and maintain policy intent.

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The UHOP was adopted in July 2009 and approved by the Ontario Municipal Board (OMB) in August 2013. The application of the UHOP through the development review process and in the preparation of secondary plans has resulted in the identification of areas where revisions to the existing policies are required to provide clarity with respect to intent. It is necessary to ensure the UHOP's policy intent is clear, correct and the policies remain easy to read and apply. Furthermore, changes are also proposed where policy and mapping are in conflict and / or are inconsistent, which has caused implementation issues.

The Official Plan Amendment, attached as Appendix "A" to Report PED16060, contains proposed policy and mapping changes to correct the issues identified in Appendices "B" – "B4", inclusive, of Report PED16060. Five summary tables, attached as Appendix "B", "B1", "B2", "B3" and "B4" to Report PED16060, include the background and rationale for the proposed amendments identified in Appendix "A" to Report PED16060.

Alternatives for Consideration – See Page 5

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold at least one Public Meeting to consider an Official Plan Amendment. Notice of this Amendment has been posted in the Hamilton Spectator, as required by the *Planning Act*.

HISTORICAL BACKGROUND

1.0 Background

The UHOP was adopted by Council on June 9, 2009, received Ministerial Approval on March 16, 2011, and was approved by the OMB on August 16, 2013. The application of the UHOP through the development review process and in the preparation of secondary plans has resulted in the identification of areas where revisions to the existing policies are required to provide clarity with respect to intent. It is necessary to ensure the UHOP's policy intent is clear, correct and the policies remain easy to read and apply. Changes to the UHOP are required to correct policy and mapping inconsistencies and errors and typographical errors.

The UHOP policies provide direction for updating the Plan:

1. Policy F.1.1.4 of Volume 1, the City of Hamilton may undertake amendments to update and streamline administration of municipal planning policies that modify land use designations and policies.

Amendments to this Plan shall be undertaken by the City:

- a) *to update this Plan to reflect new provincial or municipal planning policies at the time of Official Plan Five Year review or other appropriate time through a City initiative; or,*
- b) *to update and streamline administration of municipal planning policies.*

2. Policy F.1.17.7 states:

“Public meetings under the Planning Act shall not be required for minor administrative amendments to this Plan such as format changes, typographical errors, grammatical errors and policy number changes.”

The UHOP updates are being undertaken in two parts: 1) Housekeeping Amendment (Report PED16060) requires a public meeting to add policies, a definition, correct consistencies between policies and mapping, and to delete redundant policies / wording; 2) Administrative Amendment (Report PED16060(a)), in accordance with UHOP Policy F.1.17.7 above, is required to correct minor format changes, typographical and grammatical errors, policy number changes and minor revisions to update UHOP mapping.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) sets the policy foundation for regulating the development and use of land in Ontario. Although there are no direct policies that deal with Housekeeping Amendments, none of the changes proposed in this Amendment are in conflict with the PPS.

Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe sets the policy foundation for regulating development within urbanized areas of the Greater Golden Horseshoe Area. Although there are no direct policies that deal with Housekeeping Amendments, none of the changes proposed in this Amendment are in conflict with the Growth Plan.

RELEVANT CONSULTATION

Staff from many departments were consulted to identify issues and determine solutions for any implementation issues arising from the day-to-day use of the UHOP pertaining to the proposed amendments:

Planning and Economic Development Department

- Development Planning, Heritage and Design Section, Planning Division;
- Community Planning Section, Planning Division;
- Infrastructure Planning Section, Growth Management Division;
- Development Engineering Section, Growth Management Division;
- Building Construction Section, Building Division; and,
- Real Estate Section, Economic Development Division.

City Manager's Office

- Legal Services.

Public Works

- Transportation Planning Services Section, Transportation Division.

Development Industry Liaison Group

- The OPA was reviewed by the group and they had concerns with proposed changes to the language regarding permitted uses. The change is from 'shall be permitted' to 'may be permitted' (see Appendix "B-3" to Report PED16060). Additional clauses have been added to the Chapter F.1.4 to clarify that the specific range of permitted land uses within the applicable official plan designation will be specified as part of the approved Secondary Plan, Neighbourhood Plan and / or Zoning By-law (see Appendix "B-2" to Report PED16060).

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The purpose of this amendment is to:

- Update applicable policies and definitions consistent with those contained within the approved OPA No. 5 to the RHOP;
- Add new policies and a definition and remove duplicate and/or redundant wording; and,
- Correct policy and mapping errors.

The effect of this amendment will be a current and accurate UHOP.

The proposed revisions in the amendment document (Appendix "A" to Report PED16060) do not change the original intent of the UHOP policies.

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Since adoption and subsequent use of the UHOP, staff identified a number of proposed revisions to make the Plan clearer and easier to read. In addition, there have been amendments to similar sections of the RHOP that required similar changes to the UHOP. The amendments fall into the following types of changes:

- Update applicable policies and definitions to the UHOP consistent with the policies updated in Official Plan Amendment No. 5 to the RHOP (Appendix “B” to Report PED16060);
- Remove duplicate, redundant and / or outdated policy references and / or text (Appendix “B1” to Report PED16060);
- Add new policies and definition to provide better direction for implementation of the UHOP (Appendix “B2” to Report PED16060);
- Clarification / correction of intent by adding, deleting and / or replacing wording (Appendix “B3” to Report PED16060); and,
- Consistency between policies and schedules and / or map (Appendix “B4” to Report PED16060).

ALTERNATIVES FOR CONSIDERATION

Should Committee decide to not approve the staff recommendation, the UHOP will have policy interpretation issues.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN

Strategic Priority #1

A Prosperous & Healthy Community

WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.

Strategic Objective

- 1.5 Support the development and implementation of neighbourhood and City wide strategies that will improve the health and well-being of residents.

Strategic Priority #2

Valued & Sustainable Services

WE deliver high quality services that meet citizen needs and expectations, in a cost effective and responsible manner.

Strategic Objective

- 2.1 Implement processes to improve services, leverage technology and validate cost effectiveness and efficiencies across the Corporation.

- 2.3 Enhance customer Service satisfaction.

APPENDICES AND SCHEDULES ATTACHED

- Appendix "A": Urban Hamilton Official Plan Amendment
- Appendix "B": Summary Table of Proposed Amendments to the Urban Hamilton Official Plan consistent with Rural Hamilton Official Plan policy and definition
- Appendix "B1": Summary Table of Proposed Amendments to remove duplicate, redundant and/or outdated policies and text
- Appendix "B2": Summary Table of Proposed Amendments to add new policies
- Appendix "B3": Summary Table of Proposed Amendments to add, delete and/or replace wording
- Appendix "B4": Summary Table of Proposed Amendments to correct inconsistencies between policies, schedules and/or mapping

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