

**Revised Greenbelt Plan – Comparison to City of Hamilton Comments from Report PED15078**

<b>Policy Reference</b>	<b>Issue Identified</b>	<b>Possible Solution</b>	<b>Response from MMAH</b>
3.1.4 Rural Area Policies	Policy is weak on what uses are permitted within the rural area and the function of these uses and the community they serve.	Reword this policy to be more explicit about uses serving the rural community.	<ul style="list-style-type: none"> <li>• <i>Policy 3.1.4.2 “Proposed agriculture-related uses and on-farm diversified uses should be compatible with and should not hinder surrounding agricultural operations. Criteria for these uses shall be based on provincial Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas.”</i></li> <li>• <i>Policy 3.1.4.4. “Where non-agricultural uses are proposed, the completion of an agricultural impact assessment should be considered.”</i></li> <li>• <i>Policy 3.1.4.7: “Land use compatibility shall be promoted to avoid, or if avoidance is not possible, minimize and mitigate adverse impacts on the Agricultural System, where agricultural uses and non-agricultural uses interface, based on provincial guidance.”</i></li> <li>• <i>Policy 3.1.4.9: “Where public service facilities exist on rural lands, consideration should be given to maintaining and adapting these as community hubs where feasible, to meet the needs of the community”</i></li> </ul>
	The recognition of existing uses only in certain circumstances is too narrow.  <i>(Recommendation 21 in the staff report)</i>	Allow the municipality to have flexibility in determining the range of permitted uses that could be retained, in cases where these lands have been historically used for uses not permitted by the Greenbelt Plan.	<ul style="list-style-type: none"> <li>• <b>No significant change in this regard.</b></li> </ul>
3.2 Natural System	Natural heritage policies not consistent with NEC policies	Harmonization of NHS between plans	<ul style="list-style-type: none"> <li>• <i>Some harmonization between plans has occurred.</i></li> </ul>

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3.2.4.2 Key Natural Heritage Features and Key Hydrologic Features Policies	<p>Emphasis on Key Hydrologic Features</p> <p>Within the Greenbelt Plan, there appears to be an emphasis on the protection of key hydrologic features within the Protected Countryside. For example, Policy 3.2.4.2 states “beyond the Natural Heritage System within the Protected Countryside (as shown of Schedule 4), key hydrologic features are defined by and subject to the natural features policies of section 3.2.4” while Policy 3.2.4.3 states “beyond the Natural Heritage System within the Protected Countryside (as shown on Schedule 4), key natural heritage features are not subject to the natural features policies of section 3.2.4 of this Plan but are to be defined pursuant to, and subject to the policies of, the PPS.</p>	<p>The policy framework for key natural heritage features and key hydrologic features outside the natural heritage system should be the same.</p>	<ul style="list-style-type: none"> <li>• <i>A new section has been added titled “Key Hydrologic Areas” (Section 3.2.4), so the emphasis on hydrologic features remains.</i></li> <li>• <i>The two policies identified (3.2.4.2 and 3.2.4.3) are now 3.2.5.2 and 3.2.5.3 but they remain identical (e.g. key natural heritage features are still pursuant to the policies of the PPS).</i></li> <li>• <i>Watershed planning has been added.</i></li> </ul>
3.2.4.4 Key Natural Heritage Features and Key Hydrologic Features Policies	<p>Vegetation Protection Zones (VPZ)</p> <p>Policy 3.2.4.4 states “in the case of wetlands, seepage areas and springs, fish habitat, permanent and intermittent streams, lakes and significant woodlands, the minimum vegetation protection zone shall be a minimum of 30 metres wide measured from the outside boundary of the key natural heritage feature or key hydrologic feature”.</p>	<p>VPZ’s could be varied once an Environmental Impact statement, or other scientific studies are undertaken to provide an alternative VPZ.</p>	<ul style="list-style-type: none"> <li>• <i>This policy has not been changed. In particular, the minimum of 30 metres remains and “shall be” also remains.</i></li> <li>• <i>This is now Policy 3.2.5.4</i></li> <li>• <i>Policy 3.2.5.9 has been added but only applies to Tender Fruit and Grape Area</i></li> </ul>

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	<i>(Recommendation 23 in the staff report)</i>		
3.4.3.2 Hamlet Policies	Rounding out of Rural settlement Area boundaries can only occur at the time of Greenbelt Plan conformity.	Allow for minor rounding out at the time of the five year OP review.	<ul style="list-style-type: none"> <li>• <i>Rather than becoming more lenient with the allowance of rounding out of boundaries at the time of conformity, they have removed the policy which allowed minor rounding out of boundaries at the time of municipal conformity (Page 34 &amp; 36)</i></li> </ul>
4.4 Cultural Heritage Resources	Weak cultural heritage policies	Strengthen cultural heritage policies	<ul style="list-style-type: none"> <li>• <i>Staff are satisfied</i></li> </ul>
	Significant cultural heritage resources shall be conserved	Consider as new section (possibly bullet 4 of Section 4.4) to be consistent with PPS	<ul style="list-style-type: none"> <li>• <i>This advice has been taken and it has become Policy 4.4.1 (see the next bullet point). Staff are satisfied.</i></li> </ul>
4.4.1 Cultural Heritage Resources	Existing Policy  Cultural heritage resources are defined as man-made or natural features, including structures, objects, neighbourhoods, landscapes and archaeological sites, that have been identified as <i>significant</i> by the local municipality or the province for being meaningful components of a community's cultural heritage or identity.	Definition (expressed as a policy in Section 4.4.1) should be consistent with definition in PPS, so that cultural heritage policies in all provincial legislation are applied to the same types of properties.	<ul style="list-style-type: none"> <li>• <i>This advice has been taken completely. The 2005 Greenbelt Plan definition has been removed and a definition for "cultural heritage resources" is added in the "Definitions" section. Specifically, it says that this term covers "Built heritage resources, cultural heritage landscapes and archaeological resources," and each of these terms have used the 2014 PPS definition within this section. None of these were present in the 2005 Greenbelt Plan. Policy 4.4.1 reflects this now:</i></li> <li>• <i>"Significant cultural heritage resources including built heritage resources, cultural heritage landscapes and archaeological resources shall be conserved in order to foster a sense of place and benefit communities."</i></li> </ul> <p><i>Staff are satisfied.</i></p>
4.4.2 Cultural Heritage	Existing Policy  Greenbelt municipalities should work with	Proposed Policy  Greenbelt municipalities <i>shall consider</i>	<ul style="list-style-type: none"> <li>• <i>This proposed policy, as written, has not been taken although the spirit of it has been. It has been changed to this:</i></li> <li>• <i>"Planning authorities shall work with stakeholders, and</i></li> </ul>

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Resources	aboriginal groups and other stakeholders to identify and protect cultural heritage resources and plan toward maintaining, developing and using these resources in a manner that will benefit the local community and be compatible with the Greenbelt’s vision and goals.	<i>the interests of Aboriginal communities</i> to identify and protect cultural heritage resources and plan toward maintaining, developing and using these resources in a manner that will benefit the local community and be compatible with the Greenbelt’s vision and goals.	<i>shall consider the interests of First Nations and Métis communities in conserving cultural heritage resources through official plan policies and strategies.” Staff are satisfied.</i>
4.4.3 Cultural Heritage Resources	Current policy:  Municipalities should build cultural components into their municipal plans and planning processes, including creating inventories of cultural heritage resources and planning for their ongoing protection and appropriate use. Municipal cultural plans should draw from and promote an integrated vision of local cultural development that emphasizes connections across the full range of arts, heritage, cultural industries, libraries, archives and other cultural activity.	Proposed Policy:  Municipalities should build cultural components into their municipal plans and planning processes, including creating <b>Register</b> of cultural heritage resources and planning for their ongoing protection and appropriate use. Municipal cultural plans should draw from and promote an integrated vision of local cultural development that emphasizes connections across the full range of arts, heritage, cultural industries, libraries, archives and other cultural activity.	<ul style="list-style-type: none"> <li><i>This proposed policy has not been taken. Instead, the focus is now on “considering the Greenbelt’s vision”; it has been changed to the following:</i></li> <li><i>“Municipalities are encouraged to consider the Greenbelt’s vision and goals in preparing archaeological management plans and municipal cultural plans in their decision-making.”</i></li> </ul> <p><i>Staff are satisfied.</i></p>
4.5 Existing Uses	Consider a policy in Section 4.5 – Existing Uses (bullet 6) that speaks to permitting the expansion of existing uses if it is demonstrated that significant cultural heritage resources will be conserved	Consistent with PPS 2.6.2 and 2.6.3	<ul style="list-style-type: none"> <li><i>No change in this regard</i></li> </ul>
	Bullet Point #3 b) policy is confusing and may prevent improvement of NHS areas.	Clarification required	<ul style="list-style-type: none"> <li><i>The existing policy (4.5.3 3b)) has not been edited; it re-appears, verbatim.</i></li> </ul>

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	Expansions can provide benefits to NHS through improvements in property (better plantings / buffers / septic requirements, etc.)		
4.6 Lot Creation	<p>Severance consideration for designated heritage properties/structures</p> <p>Severance permissions for designated heritage buildings should be considered in Plan.</p> <p><i>(Recommendation 25 in the staff report)</i></p>	consider adding a policy to section 4.6 (as bullet 4) allowing a designated heritage property to be eligible for severance similarly to a surplus farm dwelling; given it meets specific criteria.	<ul style="list-style-type: none"> <li><i>This is not included.</i></li> </ul>
4.6.3 a) Lot Creation	<p>Lots sizes for Prime Agricultural Areas too large in a near urban municipality. The Greenbelt Plan permits severances for agricultural uses provided the lot area is 40 ha (100 ac) in size. In near urban areas, such as Hamilton, there are few lots 40 ha in size. Most of these lands are used for cash cropping.</p> <p><i>(Recommendation 19 in the staff report)</i></p>	<p>The lot sizes for prime agricultural areas should be reduced to 20 ha in size, in line with the Specialty Crop policies of the Greenbelt Plan.</p> <p>In the alternative, allow the municipality to identify specific geographic areas where smaller lot sizes maybe permitted based on a series of criteria.</p>	<ul style="list-style-type: none"> <li><i>This advice has not been taken, minimum lot size in prime agricultural areas is still 100 acres.</i></li> <li><i>In the proposed 2016 Greenbelt Plan, this is now Policy 4.6.1 b) i)</i></li> <li><i>The alternative suggested provision is absent.</i></li> </ul>
5.5.2 Boundaries, Schedules and Appendices	<p>Natural Heritage System Boundary Delineation and Mapping</p> <p>Policy 5.5.2 indicates that “boundaries of the Natural Heritage System may be refined at the time of municipal conformity in</p>	To ensure that all features have been included within the mapping and that the mapping better reflects the boundaries of on-ground situations, greater flexibility should be provided to municipalities to make minor refinements to the Greenbelt	<ul style="list-style-type: none"> <li><i>This policy text remains almost identical: “Boundaries of the Natural Heritage System may be refined at the time of municipal conformity in accordance with the Natural Heritage System policies of section 3.2.2.5.”</i></li> <li></li> </ul>

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	<p>accordance with 3.2.2.6”.</p> <p><i>(Recommendation 22 in the staff report)</i></p>	<p>Natural Heritage System outside of the municipal conformity review. These refinements could be based on information from Watershed and Subwatershed Studies or other appropriate studies accepted by a municipality.</p> <p>For example, in Hamilton portions of the Upper Twenty Mile Creek Provincially Significant Wetland east of Upper James Street (north of Dickenson Road East) have been excluded from the Greenbelt Natural Heritage System (see map below). In addition, in some cases, the boundaries of the Greenbelt Natural Heritage System are un-natural (angular).</p>	
Definitions	<p>Intermittent Streams</p> <p>The Plan should provide more guidance to municipalities on how to identify intermittent streams. The current definition of intermittent streams is so broad that it can include non-vegetated ditches in cultivated agricultural fields.</p> <p><i>(Recommendation 24 in the staff report)</i></p>	<p>Staff recommends that the Province provide a clearer definition of intermittent streams, or technical guidance on how to interpret policy requirements for intermittent streams (such as the VPZ requirements discussed previously in the chart).</p>	<ul style="list-style-type: none"> <li>• <i>No changes in this regard.</i></li> </ul>

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	<p>Agriculture-related use</p> <p>The current definition is vague. The Plan should provide more guidance on what is considered agriculture-related uses.</p> <p><i>(Recommendation 20 in the staff report)</i></p>	Revise the definition to reflect the PPS definition of agriculture-related use.	<ul style="list-style-type: none"> <li>Definition has been revised.</li> </ul>
Schedules 1 and 2	Although it appears, there is sufficient Whitebelt land to accommodate future growth, the land is encumbered by noise contours from the John C. Munroe International Airport, natural heritage features as well as isolated pockets.	Refine the boundary to add lands that are appropriate for long agricultural and natural heritage protection (i.e. lands west of Fiddler's Green Road). Remove lands that are better suited to establish a more compact urban community (i.e. lands in Lower and Upper Stoney Creek, adjacent to the existing/future urban area)	<ul style="list-style-type: none"> <li>No mapping changes have been made.</li> </ul>
Schedule 4: Natural Heritage System	Area without a key natural heritage feature, hydrologic feature or are not part of the natural heritage system.	Revise natural heritage boundaries to add, delete and refine specific areas.	<ul style="list-style-type: none"> <li>No mapping changes have been made.</li> </ul>
General Comments			
Appeals	Unlike the Niagara escarpment plan there is no mechanism to change or alter the designations within the Plan, except at a 10 year review.	Establish a mechanism to allow for refinements to the designations and natural heritage system overlay. Could use the current system the Province identified for adding lands to the Plan or allow for appeals to the Plan.	<ul style="list-style-type: none"> <li>Section 5.7.1.4 (Municipal Requests) is a new section that says the following: “The Province shall also consider requests from municipalities to grow the Greenbelt with the Protected Countryside and/or Urban River Valley designations. In considering municipal requests, the province shall be</li> </ul>

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			<p><i>guided by criteria which were developed for municipalities through a public consultation process and released in 2008. These criteria include:</i></p> <ul style="list-style-type: none"> <li><i>-Providing supportive council resolutions;</i></li> <li><i>-Demonstrating how the proposed lands connect physically or functionally to the Greenbelt; and</i></li> <li><i>-Demonstrating that a proposal would complement the Growth Plan and support other related provincial initiatives such as the Great Lakes Strategy and Climate Change Strategy and Action Plan.</i></li> <li><i>• The Province shall consider requests from municipalities to add privately owned lands to areas designated as Urban River Valley where a municipality has endorsed by resolution the request of a property owner for their lands to be added to the Greenbelt and be subject to the policies of the Urban River Valley designation for publicly owned lands.</i></li> <li><i>• The Minister may initiate amendments to the Greenbelt boundary regulation and Greenbelt Plan to grow the Greenbelt based on a review of municipal submissions and the criteria.”</i></li> </ul>
Emerging Issues	It is important that the Greenbelt Plan Review consider new science and emerging issues in ecology.	Municipalities would appreciate guidance from the Province on how to identify important habitat for grassland species and pollinators. This should be considered through the Greenbelt (and Niagara Escarpment) Plan review.	<ul style="list-style-type: none"> <li><i>• No changes in this regard.</i></li> </ul>
Consistent with Other Plans	<p>Terminology</p> <p>Within the Greenbelt Plan, natural features have either been identified as key</p>	<p>Terminology</p> <p>To ensure that the intent of the Plans are being achieved, the defined terms within</p>	<ul style="list-style-type: none"> <li><i>• Some changes made to make definitions in Greenbelt same of more consistent with PPS 2014 (eg. mineral aggregate operation, wetlands). Other definitions are unchanged (eg. significant).</i></li> </ul>



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	<p>hydrological features and key natural heritage features; however this terminology is not explicitly used in other Plans (i.e. Niagara Escarpment Plan, Provincial Policy Statement). In addition, wording linked to other Plans has become outdated.</p> <p>Natural Heritage Feature Evaluation Criteria</p> <p>Additional guidance on technical definitions and criteria for Natural Heritage Features in the Greenbelt Natural Heritage System has been provided through a Technical Paper. Within this Technical Paper, guidance has been provided for criteria to identify a Significant Woodland. This appears to be different than guidance provided within the Natural Heritage Reference Manual, Second Edition (2010).</p>	<p>all provincial plans should be consistent.</p> <p>Natural Heritage Feature Evaluation Criteria</p> <p>A consistent approach in delineation should be undertaken.</p>	
Rural Community Vision	Rural community vision does not exist in the Plan	Provide a vision for rural communities	<ul style="list-style-type: none"> <li>• <i>A clear vision is absent but policies have been added that indicate more of a focus on rural communities.</i></li> <li>• <i>Page 3: “The settlement areas, identified as Towns/Villages and Hamlets, vary in size, diversity and intensity of uses and are found throughout the Protected Countryside. The policies for these settlement areas support the achievement of complete communities that are environmentally sound and are resilient to climate change with the long-term goal of becoming net-zero communities or low-carbon communities.”</i></li> <li>• <i>Section 1.2.2.4 d: “Serving as centres for the</i></li> </ul>

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			<i>development of community hubs where compatible services are co-located to address local needs in convenient locations that are accessible by active transportation and, where available, transit.”</i>