



INFORMATION REPORT

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	December 11, 2018
SUBJECT/REPORT NO:	Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED18231) (City Wide)
WARD(S) AFFECTED:	City Wide
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SIGNATURE:	

Council Direction:

At the June 16, 2015 Planning Committee, staff were “directed to report back to the Planning Committee with a reporting tool that seeks to monitor applications where the 120 or the 180 day statutory timeframe applies”.

This Report provides a status of all active Zoning By-law Amendment, Official Plan Amendment and Plan of Subdivision applications relative to the statutory timeframe provisions of the *Planning Act* for non-decision appeals.

Background:

On April 19, 2016, Information Report (PED16096) was forwarded to the Planning Committee, which provided a status of all active Zoning By-law Amendment, Official Plan Amendment and Plan of Subdivision applications relative to the 120 or the 180 statutory timeframe provisions of the *Planning Act* for non-decision appeals and outlined a process for future reporting to the Planning Committee. The Report included a table outlining the active applications, sorted by Ward, from oldest application to newest. In addition, the Report summarized OMB appeals over the previous five years.

Commencing February 28, 2017, similar Information Reports were forwarded to the Planning Committee on a monthly basis in accordance with the process outlined in Information Report (PED16096).

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Policy Implications and Legislative Requirements

In accordance with the *Planning Act*, an applicant may appeal an Official Plan Amendment application after 210 days (17 (40)), Zoning By-law Amendment application after 150 days (34 (11)) and a Plan of Subdivision after 180 days (51 (34)).

In accordance with subsection 17(40.1) of the *Planning Act*, the City of Hamilton extends the approval period of Official Plan Amendment applications from 180 days to 270 days for applications received after July 1, 2016 as prescribed in Bill 73 and from 210 to 300 days for applications received after December 12, 2017 as prescribed in Bill 139. It should be noted that either the City or the applicant can terminate the 90-day extension period if written notice to the other party is received prior to the expiration of the 180 day or 210 day statutory timeframes.

In addition, Zoning By-law Amendment applications that are submitted together with a required Official Plan Amendment application are also subject to the statutory timeframe of 210 days.

Information:

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

For the purposes of this Report, the status of all active Zoning By-law Amendment, Official Plan Amendment and Plan of Subdivision applications have been divided, relative to the statutory timeframe provisions of the *Planning Act*, prior to December 12, 2017 and after December 12, 2017.

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

Attached as Appendix “A” to Report PED18231 is a table outlining the active applications received prior to December 12, 2017 sorted by Ward, from oldest application to newest. As of October 15, 2018 there were:

- 18 active Official Plan Amendment Applications (including 17 applications submitted after July 1, 2016);
- 31 active Zoning By-law Amendment Applications; and,
- 10 active Plan of Subdivision Applications.

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Within 60 to 90 days of December 11, 2018, all 31 development proposals have passed the 120 or 180 day statutory timeframe, including 17 Official Plan Amendment Applications received after July 1, 2016 that are subject to the 270 statutory timeframe. These applications are marked with an asterisk on Appendix "A" to Report PED18231).

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

Attached as Appendix "B" to Report PED18231 is a table outlining the active applications received after December 12, 2017 sorted by Ward, from oldest application to newest. As of October 15, 2018 there were:

- 14 active Official Plan Amendment Applications, all of which were submitted after December 12, 2017, and therefore subject to the 90 extension to the statutory timeframe from 210 days to 300 days;
- 26 active Zoning By-law Amendment Applications; and,
- 3 active Plan of Subdivision Applications.

Within 60 to 90 days of December 11, 2018, 13 applications will be approaching the 150 or the 300 day statutory timeframe and will be eligible for appeal. Thirteen applications have passed the 150 or 300 day statutory timeframe.

Combined to reflect property addresses, this results in 57 active development proposals. Twenty-four proposals are 2018 files, while 24 proposals are 2017 files and nine proposals are pre-2017 files.

Attached as Appendix "C" are charts that illustrate a reduction in the number of pre-2017 active development proposals from 29 in January 2018 to nine in December 2018. In addition, the number of development proposals has decreased from 70 in January 2018 to 57 in December 2018. This is attributed to an increase in development proposals being brought forward to public meetings in 2018; specifically, an increase from an average of four public meetings per month in 2017 to an average of five in 2018.

It should be noted that Appendix "A" and "B" to Report PED18231 do not reflect the new ward boundaries, which will come into effect on December 1, 2018. The appendices in the next Report, which is scheduled for the January 15, 2019 Planning Committee meeting, will be revised to reflect the new ward boundaries.

Staff are currently working with the AMANDA Implementation Team to add enhancements that will allow for the creation of more detailed reporting. As a result,

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future tables will include a qualitative analysis of the status of active applications. It is anticipated that these enhancements will be available in 2019.

Appendices and Schedules Attached:

Appendix "A" - List of Active Development Applications (Prior to December 12, 2017)

Appendix "B" - List of Active Development Applications (After December 12, 2017)

Appendix "C" - Comparison of Active Development Proposals (January 2018 vs. December 2018)

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