

Authority: Item 9.3, Planning Committee
Report: 21-014 (PED21167)
CM: October 13, 2021
Ward: City Wide

Bill No. 173

CITY OF HAMILTON

BY-LAW NO. 21-

To Adopt:

**Official Plan Amendment No. 30 to the
Rural Hamilton Official Plan**

Respecting:

**Updates and Modifications to the Rural Hamilton Official Plan
(City-Wide)**

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 30 to the Rural Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 13th day of October, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

Rural Hamilton Official Plan Amendment No. 30

The following text, together with:

Volume 1

Appendix “A”	Chapter C – City-Wide Systems and Designations
Appendix “B”	Chapter F – Implementation
Appendix “C”	Chapter G – Glossary
Appendix “D”	Schedule B - Natural Heritage System
Appendix “E”	Schedule B-2 - Detailed Natural Heritage Features Key Natural Heritage Feature Significant Woodlands
Appendix “F”	Schedule B-6 - Detailed Natural Heritage Features Local Natural Area Environmentally Significant Areas

Volume 2

Appendix “G”	Chapter A – Rural Settlement Area Plans
Appendix “H”	Map 8a – Greensville Rural Settlement Area Plan
Appendix “I”	Map 13 – Rockton Rural Settlement Area Plan
Appendix “J”	Map 16 – Troy Rural Settlement Area Plan

attached hereto, constitutes Official Plan Amendment No. 30 to the Rural Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to:

- Clarify policies by correcting administrative errors (i.e. formatting, numbering, typographical and grammar);
- Add new policies and remove duplicate and/or redundant wording; and,
- Correct policy and mapping errors.

2.0 Location:

The lands affected by this Amendment are located within the City of Hamilton Rural Area.

3.0 Basis:

The basis for permitting this Amendment is:

- The proposed Amendment reflect existing land uses and approvals to more accurately guide future development; and,
- The proposed Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Greenbelt Plan, 2017.

4.0 Actual Changes:

4.1 Volume 1 – Parent Plan

Text

4.1.1 Chapter C – City Wide Systems and Designations

- a. That the following policies of Volume 1: Chapter C – City Wide Systems and Designations be revised, as outlined in Appendix “A”, attached to this Amendment:
- C.3.1.2 d)
 - C.3.1.2 e)

4.1.2 Chapter F – Implementation

- a. That the following policies of Volume 1: Chapter F – Implementation be added or revised, as outlined in Appendix “B”, attached to this Amendment:
- F.1.12.7
 - F.1.14.2.1 (i)
 - F.1.14.2.8 c) (ii)
 - F.1.17.1 d) and e)
 - F.1.17.2

4.1.3 Chapter G – Glossary

- a. That Volume 1: Chapter G – Glossary be amended by revising one definition and adding one definition, as outlined in Appendix “C”, attached to this Amendment.

Schedules and Appendices

4.1.4 Schedules

- a. That Volume 1: Schedule B – Natural Heritage System be amended, as shown on Appendix “D”, attached to this Amendment.
- b. That Volume 1: Schedule B-2 – Detailed Natural Heritage Features Key Natural Heritage Feature Significant Woodlands be amended, as shown on Appendix “E”, attached to this Amendment.
- c. That Volume 1: Schedule B-6 – Detailed Natural Heritage Features Local Natural Area Environmentally Significant Areas be amended, as shown on Appendix “F”, attached to this Amendment.

4.2 Volume 2 – Secondary Plans and Rural Settlement Areas

Text

4.2.1 Chapter A – Rural Settlement Area Plans

- a. That Volume 2: Chapter A – Rural Settlement Area Plans be amended to revise or add policies, as outlined in Appendix “G”, attached to this Amendment:
 - A.1.3.3
 - A.3.5.18.3

Maps and Appendices

4.2.2 Map

- a. That Volume 2: Map 8a – Greensville Rural Settlement Area Plan be amended as shown on Appendix “H”, attached to this Amendment.
- b. That Volume 2: Map 13 – Rockton Rural Settlement Area Plan be amended as shown on Appendix “I”, attached to this Amendment.
- c. That Volume 2: Map 16 – Troy Rural Settlement Area Plan be amended as shown on Appendix “J”, 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 ____th of _____, 2021.

**The
City of Hamilton**

F. Eisenberger
MAYOR

A. Holland
CITY CLERK

Appendix “A” – Volume 1, Chapter C – City Wide Systems and Designations

Proposed Change	Proposed New / Revised Policy
Grey highlighted strikethrough text = text to be deleted	Bolded text = text to be added
C.3.1.2 d) A secondary dwelling unit may be permitted within a single or semi-detached dwelling on a lot with a minimum size of 0.4 0.6 ha (one acre) , provided it complies with all applicable policies and Zoning By-law regulations.	C.3.1.2 d) A secondary dwelling unit may be permitted within a single or semi-detached dwelling on a lot with a minimum size of 0.6 ha, provided it complies with all applicable policies and Zoning By-law regulations.
C.3.1.2 e) A detached secondary dwelling unit - detached shall not be permitted in Rural Hamilton until such time as the City: i) has completed a study to address the adequacy of sustainable servicing policies of Section C.5 to address detached secondary dwelling units - detached ; and, ii) has developed and implemented appropriate policies and regulations for these uses.	C.3.1.2 e) A secondary dwelling unit - detached shall not be permitted in Rural Hamilton until such time as the City: i) has completed a study to address the adequacy of sustainable servicing policies of Section C.5 to address secondary dwelling units - detached ; and, ii) has developed and implemented appropriate policies and regulations for these uses.

Appendix "B" – Volume 1, Chapter F – Implementation

Proposed Change	Proposed New / Revised Policy
Grey highlighted strikethrough text = text to be deleted	Bolded text = text to be added
Add new policy F.1.12.7	F.1.12.7 Where the Province has passed a Minister's Zoning Order under the <u>Planning Act, R.S.O., 1990 c. P.13</u> , the use of the property shall be deemed to comply to the policies and land use designations of this Plan.
Add new policy F.1.14.2.1 (i)	F.1.14.2.1 (i) Severances shall not be granted for dwellings created as <i>secondary dwelling units – detached</i> .
F.1.14.2.8 c) In cases of a farm dwelling made surplus as a result of acquisition as part of a <i>farm operation</i> that does not result in the merging in title of parcels of land, applications for severance of the surplus dwelling shall comply with the following conditions: ii) The parcels of land comprising the consolidated <i>farm operation</i> shall generally be a minimum of 38.4 hectares (95 acres) in total in the Agriculture and Rural designations and 14.2 hectares (35 acres) in the Rural and Specialty Crop designations;	F.1.14.2.8 c) In cases of a farm dwelling made surplus as a result of acquisition as part of a <i>farm operation</i> that does not result in the merging in title of parcels of land, applications for severance of the surplus dwelling shall comply with the following conditions: ii) The parcels of land comprising the consolidated <i>farm operation</i> shall generally be a minimum of 38.4 hectares (95 acres) in total in the Agriculture and Rural designations and 14.2 hectares (35 acres) in the Specialty Crop designation;
F.1.17.1 The City may use a variety of communication methods to seek input on planning matters or to provide information to the general public. Depending on the issues and in accordance with the <u>Planning Act</u> , the City shall choose the most appropriate method of communication. Communication may be in the form of: a) Direct mail outs; b) Public notice signs; c) Surveys, electronic or mail out; d) Public information open houses held virtually or in person ; e) Public meetings held virtually or in person ; f) City web site; or g) Workshops.	F.1.17.1 The City may use a variety of communication methods to seek input on planning matters or to provide information to the general public. Depending on the issues and in accordance with the <u>Planning Act</u> , the City shall choose the most appropriate method of communication. Communication may be in the form of: a) Direct mail outs; b) Public notice signs; c) Surveys, electronic or mail out; d) Public information open houses held virtually or in person; e) Public meetings held virtually or in person; f) City web site; or g) Workshops.

Proposed Change	Proposed New / Revised Policy
Grey highlighted strikethrough text = text to be deleted	Bolded text = text to be added
<p>F.1.17.2 Notification of public meeting(s) for the adoption of the Official Plan and amendments, changes to the Zoning By-law, plans of subdivision, draft plan of condominium as required by the Planning Act, R.S.O., 1990 c. P.13, and Community Improvement Plans shall be given to the public at least 17 days prior to the date of the meeting(s) and the notice shall be given in accordance with the applicable requirements of the <u>Planning Act, R.S.O., 1990 c. P.13</u> regulations.</p>	<p>Notification of public meeting(s) for the adoption of the Official Plan and amendments, changes to the Zoning By-law, plans of subdivision, draft plan of condominium as required by the <u>Planning Act, R.S.O., 1990 c. P.13</u>, and Community Improvement Plans shall be given to the public at least 17 days prior to the date of the meeting(s) and the notice shall be given in accordance with the applicable requirements of the <u>Planning Act, R.S.O., 1990 c. P.13</u> regulations.</p>

Appendix "C" – Volume 1, Chapter G – Glossary

Proposed Change	Proposed New / Revised Policy
Grey highlighted strikethrough text = text to be deleted	Bolded text = text to be added
<p>Secondary Dwelling Unit: means a separate and self-contained dwelling unit that is accessory to and located on the same lot as within the principal dwelling and shall be physically located within the principal dwelling, or located within an accessory building to the principal dwelling. and shall not include a Farm Labour Residence.</p>	<p>Secondary Dwelling Unit: means a separate and self-contained dwelling unit that is accessory to and located within the principal dwelling and shall not include a <i>Farm Labour Residence</i>.</p>
<p>Add definition of Secondary Dwelling Unit – Detached to Chapter G – Glossary</p>	<p>Secondary Dwelling Unit – Detached: means a separate and self-contained detached dwelling unit that is accessory to and located on the same lot as the principal dwelling but shall not include a <i>Farm Labour Residence</i>.</p>

Appendix D
APPROVED Amendment No. 30
to the Rural Hamilton Official Plan

Remove "Core Area" identification and lands to remain identified as "Greenbelt Protected Countryside"

Remove "Core Area" identification and lands to remain identified as "Greenbelt Protected Countryside" and "Greenbelt Natural Heritage System"

(19 McDonald Street & 1571 Concession 5 West, Flamborough)

Date:
Sept. 21, 2021

Revised By:
LV/NB

Reference File No.:
OPA-R-30(F)

Key Map

Note: For Urban Natural Heritage Features refer to Schedule B of the Urban Hamilton Official Plan.

Deferral pending the resolution of the Official Plan Amendment application

Legend

Rural Settlement Areas

Natural Heritage Features

Core Areas

Linkages

Greenbelt Protected Countryside

Greenbelt Natural Heritage System

Niagara Escarpment Plan Area

Other Features

Urban Area

John C. Munro Hamilton International Airport

Niagara Escarpment

Urban Boundary

Municipal Boundary

Council Adoption: September 27, 2006
Ministerial Approval: December 24, 2008
Effective Date: June 28, 2011

Rural Hamilton Official Plan
Schedule B
Natural Heritage System

Not To Scale

Date: February 2021

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

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Appendix E
APPROVED Amendment No. 30
to the Rural Hamilton Official Plan

Remove "Key Natural Heritage Feature - Significant Woodlands" identification and lands to remain identified as "Greenbelt Protected Countryside"

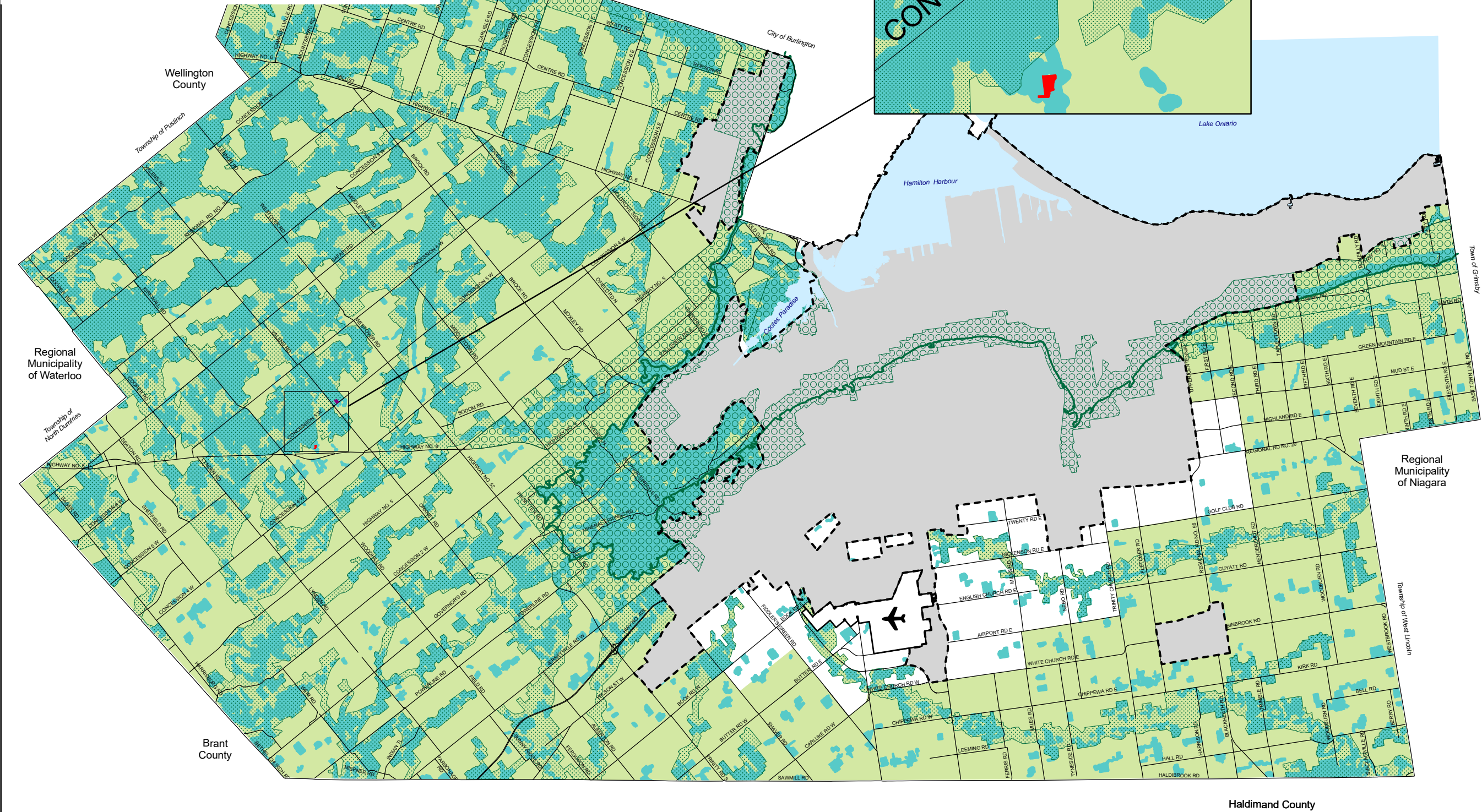
Remove "Key Natural Heritage Feature - Significant Woodlands" identification and lands to remain identified as "Greenbelt Protected Countryside" and "Greenbelt Natural Heritage System"

(19 McDonald Street and 1571 Concession 5 W, Flamborough)

Date:
Sept. 21, 2021

Revised By:
LV/NB

Reference File No.:
OPA-R-30(F)



Key Map

Note: For Urban Detailed Natural Heritage Features refer to Schedule B-2 of the Urban Hamilton Official Plan.

Deferral pending the resolution of the Official Plan Amendment application

Legend

Key Natural Heritage Feature Significant Woodlands *

Greenbelt Protected Countryside

Greenbelt Natural Heritage System

Niagara Escarpment Plan Area

Other Features

Urban Area

John C. Munro Hamilton International Airport

Niagara Escarpment

Urban Boundary

Municipal Boundary

* Note: Feature mapped with a 30m Vegetation Protection Zone.

Council Adoption: September 27, 2006
Ministerial Approval: December 24, 2008
Effective Date: March 7, 2012

Rural Hamilton Official Plan
Schedule B-2
Detailed Natural Heritage Features
Key Natural Heritage Feature
Significant Woodlands

Not To Scale

Hamilton

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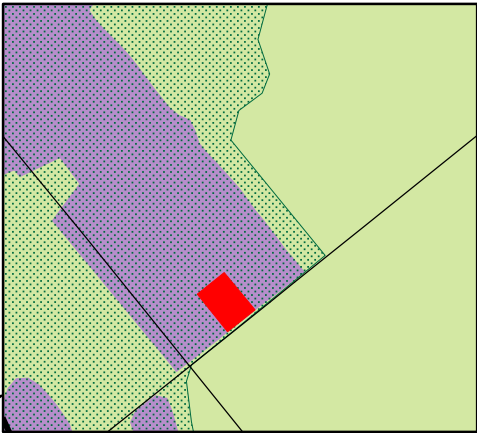
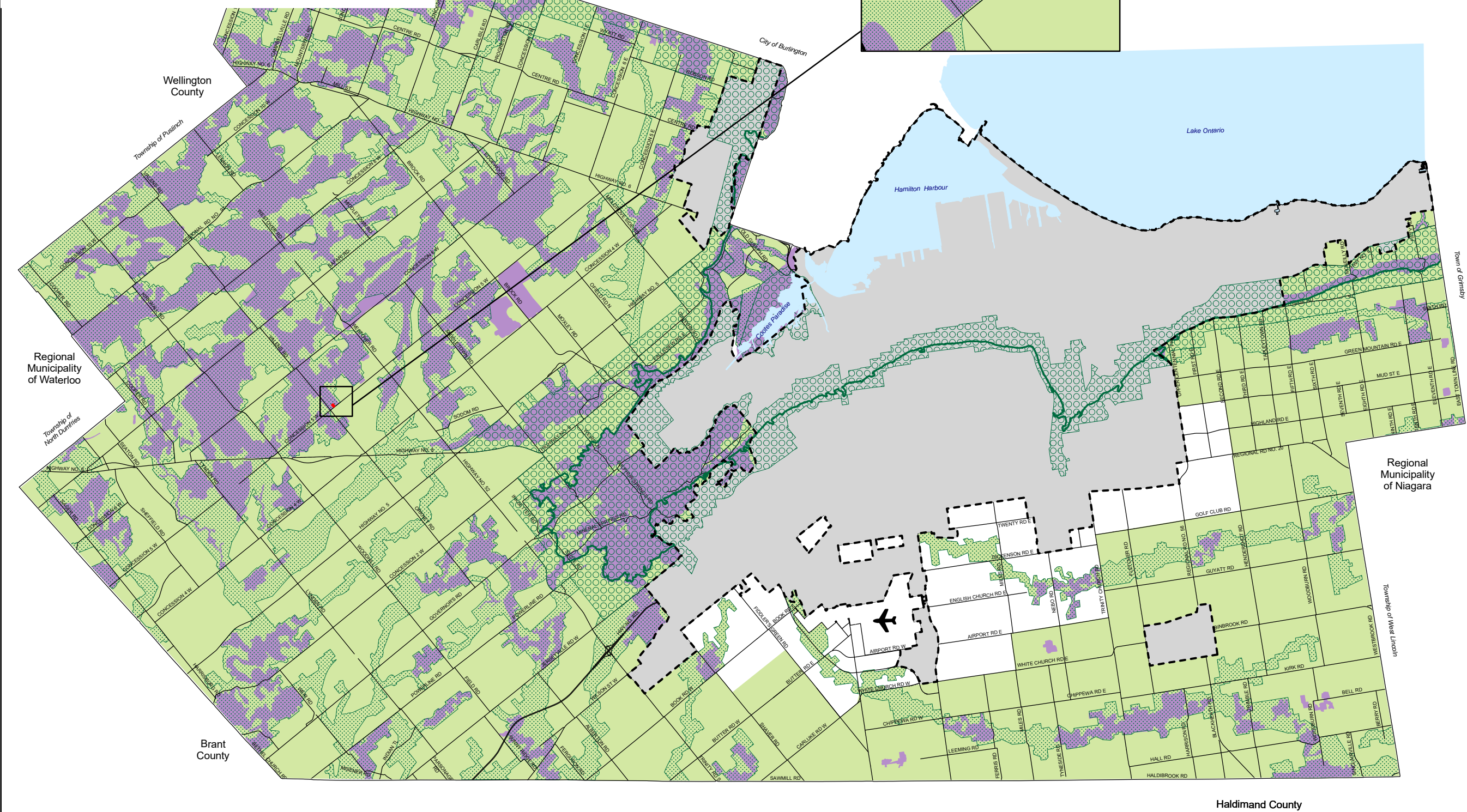
Appendix F
APPROVED Amendment No. 30
to the Rural Hamilton Official Plan

Remove "Local Natural Area Environmentally Significant Area" identification and lands to remain identified as "Greenbelt Protected Countryside" and "Greenbelt Natural Heritage System" (1571 Concession 5 W, Flamborough)

Date:
Sept. 21, 2021

Revised By:
LV/NB

Reference File No.:
OPA-R-30(F)



Key Map

Note: For Urban Detailed Natural Heritage Features refer to Schedule B-6 of the Urban Hamilton Official Plan.

Deferral pending the resolution of the Official Plan Amendment application

Legend

Local Natural Area Environmentally Significant Area

Greenbelt Protected Countryside

Greenbelt Natural Heritage System

Niagara Escarpment Plan Area

Other Features

Urban Area

John C. Munro Hamilton International Airport

Niagara Escarpment

Urban Boundary

Municipal Boundary

Council Adoption: September 27, 2006
Ministerial Approval: December 24, 2008
Effective Date: March 7, 2012

Rural Hamilton Official Plan
Schedule B-6
Detailed Natural Heritage Features
Local Natural Area
Environmentally Significant Areas

Not To Scale

Hamilton

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Appendix “G” – Volume 2, Chapter A – Rural Settlement Area Plans

Proposed Change	Proposed New / Revised Policy
Grey highlighted strikethrough text = text to be deleted	Bolded text = text to be added
A.1.3.3 Notwithstanding Policies C.3.1.2 d) and C.3.1.4 c) of Volume 1, a garden suite or a <i>secondary dwelling unit – detached</i> shall not be permitted in the Rural Settlement Areas of Carlisle, Greenville, Freelon and Lynden until such time as the City:	A.1.3.3 Notwithstanding Policies C.3.1.2 d) and C.3.1.4 c) of Volume 1, a garden suite or a <i>secondary dwelling unit – detached</i> shall not be permitted in the Rural Settlement Areas of Carlisle, Greenville, Freelon and Lynden until such time as the City:
Add new Site Specific Policy A.3.5.18.3 to Chapter A, Section A.3.5 – Greenville Rural Settlement Area Plan	A.3.5.18.3 In addition to the permitted uses of the Settlement Commercial policies of Section A.3.5.6 of the Greenville Rural Settlement Area Plan, for the lands located at the intersection of Highway 8 and Brock Road designated Settlement Commercial and identified as Site Specific Area X on Volume 2: Map 8a – Greenville Rural Settlement Area Plan, a maximum of two residential dwelling units shall be permitted within the building containing a commercial use.

Appendix H
APPROVED Amendment No. 30
to the Rural Hamilton Official Plan



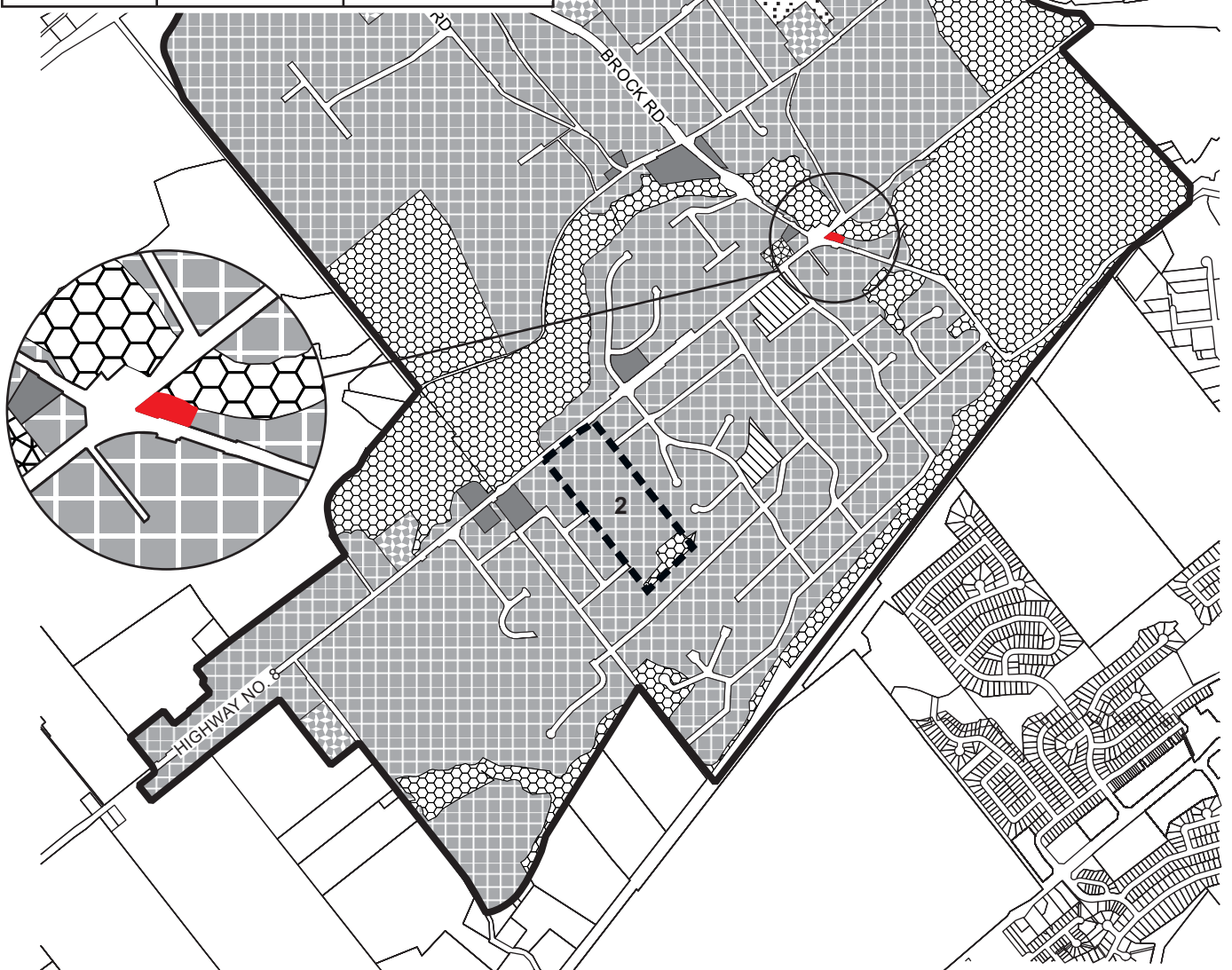
Lands to be identified as
Site Specific Area-3

(78 Highway No. 8, Flamborough)

Date:
Sept. 21, 2021

Revised By:
LV/NB

Reference File No.:
OPA-R-30(F)



Legend

— Settlement Area Boundary

- - - Site Specific Area

LAND USE DESIGNATIONS

Settlement Residential

Settlement Commercial

Settlement Institutional

Open Space and Parks Designations

Community Park

General Open Space

Natural Open Space (Hazard Lands)

Neighbourhood Park

Volume 2: Map 8a Greenville Rural Settlement Area Plan Rural Hamilton Official Plan

Council Adoption: September 27, 2006

Ministerial Approval: December 24, 2008

Effective Date: February 2021



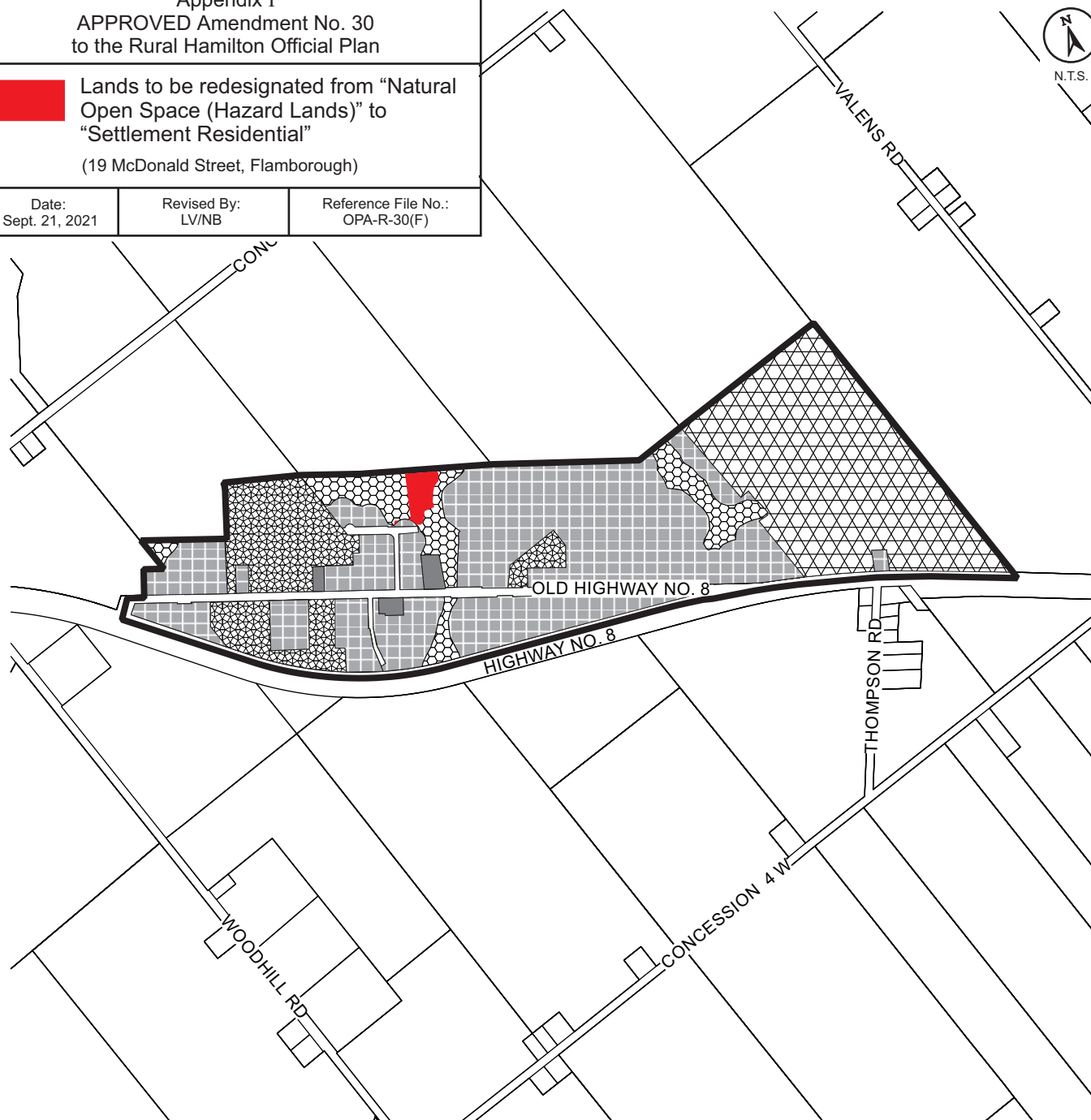
Appendix I
APPROVED Amendment No. 30
to the Rural Hamilton Official Plan

 Lands to be redesignated from "Natural Open Space (Hazard Lands)" to "Settlement Residential"
(19 McDonald Street, Flamborough)

Date:
Sept. 21, 2021

Revised By:
LV/NB


Reference File No.:
OPA-R-30(F)




Legend

 Settlement Area Boundary


LAND USE DESIGNATIONS

 Settlement Residential

 Settlement Commercial

Open Space and Parks Designations

 City Wide Park

 General Open Space

 Natural Open Space (Hazard Lands)

Volume 2: Map 13 Rockton Rural Settlement Area Plan

Rural Hamilton Official Plan

Council Adoption: September 27, 2006
Ministerial Approval: December 24, 2008
Effective Date: May 3, 2016



Hamilton

Appendix J
APPROVED Amendment No. 30
to the Rural Hamilton Official Plan



Lands to be redesignated from "Settlement Residential" to "Settlement Institutional"

(2299 Troy Road, Flamborough)

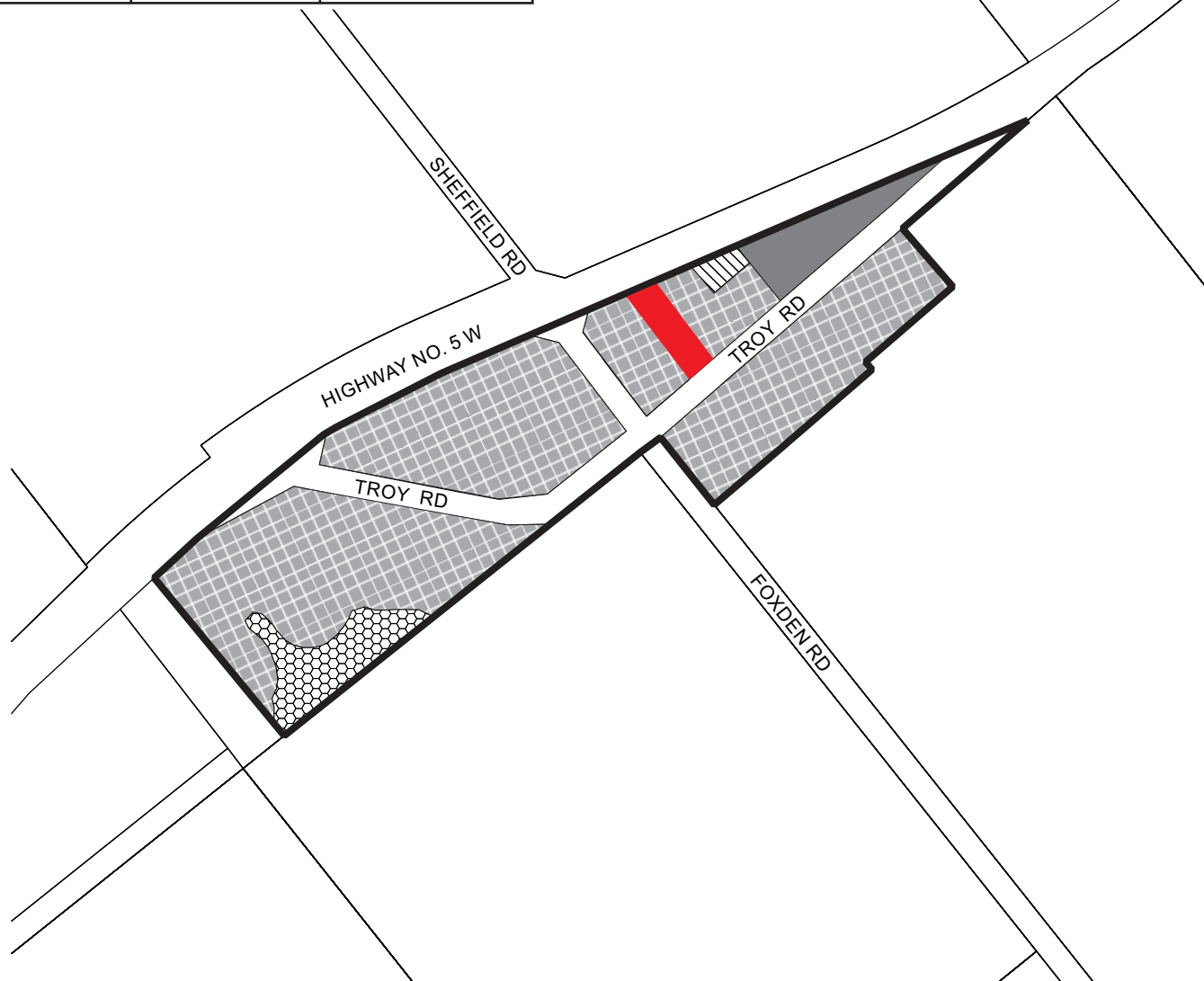
Date:
Sept. 21, 2021

Revised By:
LV/NB

Reference File No.:
OPA-R-30(F)



N.T.S.



Legend

Settlement Area Boundary

LAND USE DESIGNATIONS



Settlement Residential



Settlement Commercial



Settlement Institutional

Open Space and Parks Designations



Neighbourhood Park



Natural Open Space (Hazard Lands)

Volume 2: Map 16 Troy Rural Settlement Area Plan

Rural Hamilton Official Plan

Council Adoption: September 27, 2006

Ministerial Approval: December 24, 2008

Effective Date: May 3, 2016



Hamilton