

What We Heard

Key Themes from the Online Public Information Sessions June 23, 2021

Niagara Escarpment Commission

Clarification of the implication of the March 2021 Niagara Escarpment Commission resolution.

- Niagara Escarpment Commission (NEC) passed a resolution providing direction to the Minister to include the Pleasantview lands in the Area of Development Control.
- This change would make the NEC the approval authority for development in Pleasantview.

Why do we need this discussion?

- An Interim Control By-law was passed by the City of Hamilton. The City is going through an exercise to bring the local land use planning policy framework and zoning into conformity with Niagara Escarpment Plan (NEP) policies and all other applicable Provincial Plans.

Will there be stricter controls on planning and design or an easing of control?

- Not necessarily either. It will simply change who is the approval authority for those controls.
- The City has begun the process of updating planning instruments to be in conformity with the Niagara Escarpment Plan. The local policy framework will conform to and be similar to the Niagara Escarpment Plan.
- With introduction of NEC Development Control. The NEC is the development approval authority.

Growth Plan

Growth Plan map what are the white areas?

- These are lands predominantly not governed by the Growth Plan policies. They are within the Plan area, but not intended to accommodate additional development.

Development

Concern expressed over a road/easement being constructed at a specific municipal address.

- This study is reviewing land use policy and zoning and will not be reviewing existing easements. City Staff provided their contact information to have a follow up discussion.

Interest in establishing new uses, specifically new residential uses.

- New single detached residential uses require a minimum lot area of 10 hectares.
- Secondary dwelling units are not permitted based on NEP Policy. City Staff advised they would confirm with NEC Staff on their interpretation of the permission of secondary dwelling units in Pleasantview.

Clarification of urban vs. rural and servicing in Pleasantview.

- Pleasantview is not in a settlement area and has some municipal water but no municipal sewer. Urban services are only permitted to be expanded into the Rural Area under very limited circumstances, including a public health emergency.
- Since the 1970's, Provincial policy has been clear that urban forms of development are not appropriate.
- A lot must be at least 10 hectares in order to establish a new single detached dwelling.
- Pleasantview is in the Rural Area and is not within a Rural Settlement Area. It is not considered urban lands.

How long will it take for the transition before the Niagara Escarpment Commission has Development Control and is approval authority?

- Timing is undetermined, letters to the Province or local MPPs could help demonstrate support.
- NEC will be posting information to their webpage. The City will forward information to their contact list.
- The Province will post a Notice on the Environmental Registry of Ontario webpage when commenting is available. City Staff will forward information on how to comment. The timing for Development Control is uncertain and based on Provincial timelines.

Interest in collaboration around infrastructure projects.

- The NEC provides comments on infrastructure projects within the NEC Plan area. City Staff consider these comments and NEP policies.

Interest in controls on lot sizes and secondary suites, in opportunity to allow aging in place, in creation of secondary suites to share with children.

- Secondary suites are not permitted in Pleasantview under NEP policy.
- Land use study must conform to NEP policy direction with respect the secondary suites.

Concern expressed that existing zoning permissions makes it difficult to sell some properties.

- City extended an invitation to have a conversation following the information session should the owner or his agent wish to discuss zoning permissions on a specific property.

Concern that some new uses being considered are important changes, not minor variances. This is in reference to the Columbia College property.

- The Columbia College scenario is not a Minor Variance application, it's a Niagara Escarpment Plan Amendment (NEPA) application before the NEC.
- This process will require many studies to support the application including studies of natural heritage impacts, servicing, traffic, etc.
- No decision has been made regarding Columbia College by the NEC.
- If the NEPA was approved, it would require further amendments to the City's Official Plan and zoning to permit the use.

Need clarification on who to connect with regarding help with understanding new development regulations.

- City Staff provided direction on where contact information could be found on the City's website. Staff also offered their contact information for a follow-up discussion on the new regulatory/policy framework.

Clarification on approval authority for minor additions/renovations once/if lands are placed under NEC Development Control.

- Should the lands be placed in NEC Development Control, development will be controlled by the Niagara Escarpment Commission issuing a Development Permit. The Development Permit process through the NEC is not necessarily more complicated, but rather just a different approval authority and process.
- NEC undergoes a policy review every 10 years, but a request for a change (amendment) can be made at any time, in accordance with the policies of the Plan.

Concern regarding the protection of wildlife corridors.

- The Land Use Study is incorporating the natural heritage features and systems of both Provincial policy and the Rural Hamilton Official Plan and implementing it through the proposed zoning regulations.