

Proposed Text Amendments – RHOP Volumes 1 & 2

Grey highlighted strikethrough text = text to be deleted

Bolded text = text to be added

Policy Number	Proposed Change	Proposed New Policy	Why Change is Required
Volume 1, Chapter D – Rural Systems, Designations and Resources			
D.2.1.3	D.2.1.3 To encourage on-farm economic diversification as a means of reinforcing the agricultural economy, limited <i>secondary uses</i> are permitted. On-farm <i>secondary uses</i> are secondary to the primary <i>agricultural use</i> and are limited to agri-tourism uses, <i>farm vacation homes, home industries, kennels, and</i> small scale retailing of agricultural products, and an agricultural alcohol production facility . On-farm <i>secondary uses</i> shall be permitted provided the following conditions are met in all cases:	D.2.1.3 To encourage on-farm economic diversification as a means of reinforcing the agricultural economy, limited <i>secondary uses</i> are permitted. On-farm <i>secondary uses</i> are secondary to the primary <i>agricultural use</i> and are limited to agri-tourism uses, <i>farm vacation homes, home industries, kennels, small scale</i> retailing of agricultural products, and an <i>agricultural alcohol production facility</i> . On-farm <i>secondary uses</i> shall be permitted provided the following conditions are met in all cases	Adds the use of Agricultural Alcohol Production Facility to the list of permitted on-farm secondary uses. The use was previously referred to as a ‘small scale winery, brewery or cidery’ which had been permitted as an on-farm secondary use, but had been inadvertently omitted from the list.
D.2.1.3.1 f)	D.2.1.3.1 In addition to the above policies, on-farm <i>secondary uses</i> shall be subject to the following conditions: f) A small scale winery, brewery, or cidery agricultural alcohol production facility may be permitted secondary to a permitted agricultural use in the Agriculture designation in accordance with the Zoning By-law and provided the following conditions are met: i) A small scale winery, brewery, or cidery agricultural alcohol production facility shall only be permitted as an accessory use to an agricultural use on lots 4 hectares (10 acres) or greater; ii) Site Plan approval shall be required to address appropriate setbacks,	D.2.1.3.1 In addition to the above policies, on-farm <i>secondary uses</i> shall be subject to the following conditions: f) A <i>small scale agricultural alcohol production facility</i> may be permitted secondary to a permitted agricultural use in the Agriculture designation in accordance with the Zoning By-law and provided the following conditions are met: i) A <i>small scale agricultural alcohol production facility</i> shall only be permitted as an accessory use to an agricultural use on lots 4 hectares (10 acres) or greater; ii) Site Plan approval shall be required to address appropriate setbacks, building	Provides clarity to include all types of alcohol production such as brewery, cidery, winery, and distillation. Amendment also adds “distillation” as a permitted production method for the production of gin, whisky, or other similar products that are not made in a brewery, cidery, or winery.

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	<p>building size and location, parking, lighting, drainage, buffering, screening and landscaping, and any other matters;</p> <p>iii) A minimum of 2 hectares (5 acres) of the agricultural use parcel shall be used for the production of grapes, fruits, hops or other produce directly associated with on-site beer, cider, or wine or spirit production;</p> <p>iv) A small scale winery, brewery, or cidery agricultural alcohol production facility shall be located where access is provided by an appropriate road capable of accommodating the traffic generated. A transportation impact study may be required;</p> <p>v) The maximum building area devoted to an winery, brewery, or cidery agricultural alcohol production facility is restricted to 500 square metres of gross floor area not including the basement or cellar;</p> <p>vi) The display, retail sale and/or tasting of wine, beer, or cider, spirits and related products produced on the farm parcel and accessory retail sale may be permitted, as provided for by the Zoning By-law; and</p> <p>vii) Restaurants, banquet halls, hotels, motels, hostels, schools, residences, and conference facilities shall not be permitted.</p>	<p>size and location, parking, lighting, drainage, buffering, screening and landscaping, and any other matters;</p> <p>iii) A minimum of 2 hectares (5 acres) of the agricultural use parcel shall be used for the production of grapes, fruits, hops or other produce directly associated with on-site beer, cider, wine or spirit production;</p> <p>iv) A <i>small scale agricultural alcohol production facility</i> shall be located where access is provided by an appropriate road capable of accommodating the traffic generated. A transportation impact study may be required;</p> <p>v) The maximum building area devoted to an <i>agricultural alcohol production facility</i> is restricted to 500 square metres of gross floor area not including the basement or cellar;</p> <p>vi) The display, retail sale and/or tasting of wine, beer, cider, spirits and related products produced on the farm parcel and accessory retail sale may be permitted, as provided for by the Zoning By-law; and</p> <p>vii) Restaurants, banquet halls, hotels, motels, hostels, schools, residences, and conference facilities shall not be permitted.</p>	

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Volume 1, Chapter G – Glossary			
Agricultural Alcohol Production Facility (New Definition)	Agricultural Alcohol Production Facility: means a Secondary Use to an Agricultural operation on the same lot, for the processing of grapes, fruit, honey, hops or other produce in the production of beer, wine, cider and / or spirits. Agricultural Alcohol Production Facility uses may include the crushing, fermentation, distillation, production, bottling, aging, storage and accessory sale of beers, ciders, wines, spirits and related products, a laboratory, an administrative office, and a tasting, hospitality and retail area, but shall not include a Restaurant, a Conference or Convention Centre, overnight accommodation or an Alcohol Production Facility.	Agricultural Alcohol Production Facility: means a Secondary Use to an Agricultural operation on the same lot, for the processing of grapes, fruit, honey, hops or other produce in the production of beer, wine, cider and / or spirits. Agricultural Alcohol Production Facility uses may include the crushing, fermentation, distillation, production, bottling, aging, storage and accessory sale of beers, ciders, wines, spirits and related products, a laboratory, an administrative office, and a tasting, hospitality and retail area, but shall not include a Restaurant, a Conference or Convention Centre, overnight accommodation or an Alcohol Production Facility.	New definition to provide clarity to include all types of alcohol production such as brewery, cidery, winery, and distillation. Amendment also adds “distillation” as a permitted production method for the production of gin, whisky, or other similar products that are not made in a brewery, cidery, or winery.
Volume 2, Chapter A – Rural Settlement Areas			
A.1.3.2 (Reinstate Policy)	Reinstate Policy A.1.3.2 in its entirety. A.1.3.2 Garden suites may be permitted on a temporary basis subject to a Temporary Use By-law provided the following conditions are met: a) The water and sewage disposal services available on the site are	A.1.3.2 <i>Garden suites</i> may be permitted on a temporary basis subject to a Temporary Use By-law provided the following conditions are met: a) The water and sewage disposal services available on the site are designed and have the capacity to sustain the uses;	Rural Hamilton Official Plan Housekeeping Amendment No. 26 deleted the policy under the premise that Volume 1 already permitted the use within Policy C.3.1.4, which was incorrect. Policy is being reinstated in its entirety.

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	<p>designed and have the capacity to sustain the uses;</p> <p>b) The temporary residence is designed for removal following the expiration of the Temporary Use By-law; and</p> <p>c) The owner enters into an agreement and posts financial securities with the municipality to ensure the removal of the temporary residence and its associated uses following the expiration of the Temporary Use By-law.</p>	<p>b) The temporary residence is designed for removal following the expiration of the Temporary Use By-law; and</p> <p>c) The owner enters into an agreement and posts financial securities with the municipality to ensure the removal of the temporary residence and its associated uses following the expiration of the Temporary Use By-law.</p>	<p>“Garden Suite” a defined term in the <i>Planning Act</i>. A “garden Suite” is a separate and distinct use from a detached Secondary Dwelling Unit based on the temporary nature of a “Garden Suite” and method of construction.</p>
A.1.3.3	<p>A.1.3.3 Notwithstanding Policies C.3.1.2 d) and C.3.1.4 c) of Volume 1, a <i>garden suite</i> or a <i>secondary dwelling unit – detached</i> shall not be permitted in the Rural Settlement Areas of Carlisle, Greensville, Freelton and Lynden until such time as the City:</p> <p>a) has completed a study to address the adequacy of sustainable servicing policies of Section C.5 to address these uses; and,</p> <p>b) has developed and implemented appropriate policies and regulations for these uses. (OPA 26) (OPA 30)</p>	<p>A.1.3.3 Notwithstanding Policies C.3.1.2 d) and C.3.1.4 c) of Volume 1, a <i>garden suite</i> or a <i>secondary dwelling unit</i> shall not be permitted in the Rural Settlement Areas of Carlisle, Greensville, Freelton and Lynden until such time as the City:</p> <p>a) has completed a study to address the adequacy of sustainable servicing policies of Section C.5 to address these uses; and,</p> <p>b) has developed and implemented appropriate policies and regulations for these uses. (OPA 26) (OPA 30)</p>	<p>The intent of Policy A.1.3.3 is to prohibit the establishment of <i>secondary dwelling units</i> (internal to the principal dwelling) within the RSAs of Carlisle, Greensville, Freelton and Lynden. The policy as written had been restricting <i>secondary dwelling units – detached</i>, which are already prohibited throughout Rural Hamilton.</p>

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A.3.13.3.1	A.3.13.3.1 Map 16 establishes the land use pattern of future <i>development</i> and redevelopment. There are three five land use categories: Settlement Residential, Settlement Commercial, Settlement Institutional, Neighbourhood Park and Natural Open Space (Hazard Lands).	A.3.13.3.1 Map 16 establishes the land use pattern of future <i>development</i> and redevelopment. There are five land use categories: Settlement Residential, Settlement Commercial, Settlement Institutional, Neighbourhood Park and Natural Open Space (Hazard Lands).	Previous Housekeeping OPA No. 26 redesignated lands from “Settlement Residential” to “Settlement Institutional”, but reference to the new designation within this policy was omitted in error. Additional omission was the Neighbourhood Park designation, which was added to Map 16, as part of OPA No. 9 (Rural Zoning), but not to the text.