

Proposed Text Amendments to the Urban and Rural Hamilton Official Plans (for Consultation Purposes)

The purpose of the proposed text amendment is to:

- Amend existing policies and add new policies to the Urban Hamilton Official Plan to respond to *Planning Act* legislation changes which implement Ontario’s *More Homes for Everyone Act, 2022* (“Bill 109”), and *Supporting People and Businesses Act, 2021* (“Bill 13”); and,
- The effect is to compel the timely processing of *Planning Act* applications to expedite the development approvals process to increase the supply of housing units in the local market.

Changes to 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
Insert new Policy F.1.5.8, as follows: A Minor Zoning By-law Amendment includes any or all of the following circumstances: <ul style="list-style-type: none"> i) To prohibit development of a single detached dwelling and a residential care facility on a retained agricultural parcel of land as a result of a surplus farm dwelling identified through a condition of Consent; ii) To recognize a reduced lot area as part of a surplus farm dwelling approved through a Consent application; iii) To amend an existing Holding Provision; iv) To establish a new Holding Provision; v) To add a use permitted by the Official Plans; and, vi) To remove an existing Site Specific Zoning By-law where the effect would be to revert to the parent zoning in force and effect. 	A Minor Zoning By-law Amendment includes any or all of the following circumstances: <ul style="list-style-type: none"> i) To prohibit development of a single detached dwelling and a residential care facility on a retained agricultural parcel of land as a result of a surplus farm dwelling identified through a condition of Consent; ii) To recognize a reduced lot area as part of a surplus farm dwelling approved through a Consent application; iii) To amend an existing Holding Provision; iv) To establish a new Holding Provision; v) To add a use permitted by the Official Plans; and, vi) To remove an existing Site Specific Zoning By-law where the effect would be to revert to the parent zoning in force and effect.

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<p>Insert new Policy F.1.5.9, as follows: F.1.5.9 Council may, by By-law, delegate to the Chief Planner or other designated staff the authorization to pass a Minor Zoning By-law Amendment in accordance with policy F.1.5.8.</p>	<p>F.1.5.9 Council may, by By-law, delegate to the Chief Planner or other designated staff the authorization to pass a Minor Zoning By-law Amendment in accordance with policy F.1.5.8.</p>
<p>Insert new Policy F.1.8.5, as follows: F.1.8.5 Council may, by By-law, delegate to the Chief Planner or other designated staff, the authorization to pass a by-law, in accordance with policy F.1.8.4, provided: a) the Holding Provision was applied by the City as part of an applicant-initiated site specific zoning by-law amendment; or, b) the Holding Provision applies to lands within a Council-approved Secondary Plan.</p>	<p>F.1.8.5 Council may, by By-law, delegate to the Chief Planner or other designated staff, the authorization to pass a by-law, in accordance with policy F.1.8.4, provided: a) the Holding Provision was applied by the City as part of an applicant-initiated site specific zoning by-law amendment; or, b) the Holding Provision applies to lands within a Council-approved Secondary Plan.</p>
<p>1.11.1 Council may adopt temporary use by-laws provided the use complies with the permitted uses in Section E – Urban Systems and Designations, to permit the temporary use of land, buildings or structures for a purpose that is prohibited by the Zoning By-law. Council may, by By-law, delegate to the Chief Planner or other designated staff, the authorization to adopt temporary use by-laws.</p>	<p>1.11.1 Council may adopt temporary use by-laws provided the use complies with the permitted uses in Section E – Urban Systems and Designations, to permit the temporary use of land, buildings or structures for a purpose that is prohibited by the Zoning By-law. Council may, by By-law, delegate to the Chief Planner or other designated staff, the authorization to adopt temporary use by-laws.</p>
<p>F.1.11.4 A temporary use by-law may be permitted for a period of time which shall not exceed three years, except for garden suites which shall not exceed ten years. However, Council may, by By-law, delegate to the Chief Planner or other designated staff, the authorization to pass a By-law to extend such period of time for further periods of time not exceeding three years each, during which the temporary use is authorized, in accordance with policy F.1.11.3.</p>	<p>F.1.11.4 A temporary use by-law may be permitted for a period of time which shall not exceed three years, except for garden suites which shall not exceed ten years. However, Council may, by By-law, delegate to the Chief Planner or other designated staff, the authorization to pass a By-law to extend such period of time for further periods of time not exceeding three years each, during which the temporary use is authorized, in accordance with policy F.1.11.3.</p>
<p>Insert new Policy F.1.11.6, as follows: F.1.11.6 The Chief Planner or other designated staff may, by By-law, adopt a Temporary Use By-law or grant an extension to a Temporary Use By-law in accordance with policies F.1.11.2, F.1.11.3 and F.1.11.4.</p>	<p>F.1.11.6 The Chief Planner or other designated staff may, by By-law, adopt a Temporary Use By-law or grant an extension to a Temporary Use By-law in accordance with policies F.1.11.2, F.1.11.3 and F.1.11.4.</p>

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<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 <u>Planning Act</u>, and Community Improvement Plans shall be given to the public at least 17 7 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. (OPA 155)</p>	<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 <u>Planning Act</u>, and Community Improvement Plans shall be given to the public at least 7 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. (OPA 155)</p>
<p>F.1.17.3 Council decisions shall take place no sooner than a minimum of 17 7 days from the time the first notification is given, for <u>Planning Act, R.S.O., 1990 c. P.13</u> applications/procedures identified in Section F.1.17.2.</p>	<p>F.1.17.3 Council decisions shall take place no sooner than a minimum of 7 days from the time the first notification is given, for <u>Planning Act, R.S.O., 1990 c. P.13</u> applications/procedures identified in Section F.1.17.2.</p>
<p>F.1.17.7 Public meetings under the <u>Planning Act</u> shall not be required for minor amendments to this Plan or the Zoning By-law, such as format changes, typographical errors, grammatical errors, mapping errors and policy or regulation number changes.</p>	<p>F.1.17.7 Public meetings under the <u>Planning Act</u> shall not be required for minor amendments to this Plan or the Zoning By-law, such as format changes, typographical errors, grammatical errors, mapping errors and policy or regulation number changes.</p>
<p>*F.1.19.3 Notwithstanding Policy F.1.19.1, the City may waive the requirement for formal consultation, where the City has identified that, due to the nature of the proposal, the need for and scope of required <i>other information and materials</i> can be determined without a formal consultation. If the requirement for formal consultation is waived, the City shall provide the applicant with a form waiver letter from the formal consultation process that identifies the any any necessary other information and materials to be submitted with the application(s) to deem it complete.</p> <p><i>(*note: in the Rural Hamilton Official Plan, this policy is F.1.9.3 and the same text change will be made)</i></p>	<p>F.1.19.3 Notwithstanding Policy F.1.19.1, the City may waive the requirement for formal consultation, where the City has identified that, due to the nature of the proposal, the need for and scope of required <i>other information and materials</i> can be determined without a formal consultation. If the requirement for formal consultation is waived, the City shall provide the applicant with a waiver letter from the formal consultation process that identifies any necessary other information and materials to be submitted with the application(s) to deem it complete.</p>
<p>*F.1.19.5 A <u>Planning Act, R.S.O., 1990 c. P.13</u> application(s) shall be deemed complete provided that:</p> <p>a) it satisfies all applicable provincial requirements;</p> <p>b) it satisfies all requirements set out in this Plan;</p> <p>and,</p>	<p>F.1.19.5 A <u>Planning Act, R.S.O., 1990 c. P.13</u> application(s) shall be deemed complete provided that:</p> <p>a) it satisfies all applicable provincial requirements;</p> <p>b) it satisfies all requirements set out in this Plan;</p> <p>and,</p>

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<p>c) it shall be accompanied by all the other information and materials listed in Table 1.19.1 as determined by the procedures of Policy F.1.19.1 or F.1.19.3.</p> <p><i>(*note: in the Rural Hamilton Official Plan, this policy is F.1.9.5 and the same text change will be made)</i></p>	<p>c) it shall be accompanied by all the <i>other information and materials</i> listed in Table 1.19.1 as determined by the procedures of Policy F.1.19.1 or F.1.19.3.</p>
<p>*F.1.19.6 Table F.1.19.1 identifies the <i>other information and materials</i> which may be required to deem <u>Planning Act, R.S.O., 1990 c. P.13</u> applications for official plan amendment, Zoning By-law amendment, draft plan of subdivision, and site plan complete:</p> <p><i>(*note: in the Rural Hamilton Official Plan, this policy is F.1.9.7 and the Other Information and Materials is Table F.1.9.1. The same changes as noted above will be made to the RHOP)</i></p>	<p>F.1.19.6 Table F.1.19.1 identifies the <i>other information and materials</i> which may be required to deem <u>Planning Act, R.S.O., 1990 c. P.13</u> applications for official plan amendment, Zoning By-law amendment, draft plan of subdivision, and site plan complete:</p>
<p>*Repeal and replace Table F.1.19.1 (as part of Policy F.1.19.6) with the table contained at the end of Appendix “A” to the Amendment</p> <p><i>(*note: in the Rural Hamilton Official Plan, Other Information and Materials are listed in Table F.1.9.1, as part of Policy F.1.9.7. The same changes as noted above will be made to the RHOP)</i></p>	<p>See new table at the end of Appendix “A”</p>
<p>*F.1.19.7 Other information and materials submitted in accordance with Policy F.1.19.5 shall be subject to the following requirements to be deemed complete:</p> <p>a) The other information and materials submitted shall be prepared by a qualified professional, in accordance with applicable legislation, in accordance with Council endorsed Terms of Reference or Guideline material as amended, and/or to the satisfaction of the City, retained by and at the expense of the applicant.</p> <p>b) The City may request or conduct a peer review of any <i>other information and materials</i> submitted where the City lacks the appropriate expertise to review such <i>other information and materials</i>. Such peer review shall be completed by an appropriate agency or professional consultant retained by the</p>	<p>F.1.19.7 <i>Other information and materials</i> submitted in accordance with Policy F.1.19.5 shall be subject to the following requirements to be deemed complete:</p> <p>a) The other information and materials submitted shall be prepared by a qualified professional, in accordance with applicable legislation, in accordance with Council endorsed Terms of Reference or Guideline material as amended, and/or to the satisfaction of the City, retained by and at the expense of the applicant.</p> <p>b) The City may request or conduct a peer review of any <i>other information and materials</i> submitted where the City lacks the appropriate expertise to review such <i>other information and materials</i>. Such peer review shall be completed by an appropriate agency or professional consultant retained by the</p>

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<p>City, at the applicant’s expense.</p> <p>c) The City may refuse any other information and materials submitted as part of a complete application(s) if it considers the quality of the submission unsatisfactory and is not considered to be in accordance with the applicable Terms of Reference or Guideline.</p> <p>...</p> <p><i>(*note: in the Rural Hamilton Official Plan, this policy is F.1.9.8 and the same text change will be made, where applicable)</i></p>	<p>City, at the applicant’s expense.</p> <p>c) The City may refuse any <i>other information and materials</i> submitted as part of a complete application(s) if it considers the quality of the submission unsatisfactory and is not considered to be in accordance with the applicable Terms of Reference or Guideline.</p> <p>...</p>
<p>*F.3.2.10 Public Consultation Strategy (OPA 49)</p> <p><i>(*note: in the Rural Hamilton Official Plan, this policy is F.3.2.11 and the same text change will be made)</i></p>	<p>F.3.2.10 Public Consultation</p>
<p>*F.3.2.10.1 Council has adopted Public Consultation Strategy Guidelines which shall be used by proponents when preparing conducting public consultation and producing a summary and response to comments received, as a strategy that is may be required as part of a complete application. The City may revise the Public Consultation Strategy Guidelines from time to time.</p> <p><i>(*note: in the Rural Hamilton Official Plan, this policy is F.3.2.11.1 and the same text change will be made)</i></p>	<p>F.3.2.10.1 Council has adopted Public Consultation Guidelines which shall be used by proponents when conducting public consultation and producing a summary and response to comments received, as may be required as part of a complete application. The City may revise the Public Consultation Guidelines from time to time.</p>

Volume 1: Chapter F – Implementation
Table F.1.19.1 (UHOP) and Table F.1.9.1 (RHOP)

Repeal and replace existing tables in both the UHOP and RHOP with the following:

Other Information and Materials

Study/Material Name		Planning Application			
		Official Plan Amendment	Zoning By-law Amendment	Draft Plan of Subdivision	Site Plan Control
1	Affordable Housing Report/Rental Conversion Assessment	√	√		√
2	Aggregate Resource Assessment	√			
3	Aggregate/Mineral Resource Analysis	√			
4	Agricultural Impact Assessment	√	√	√	√
5	Air Quality Study	√	√	√	
6	Archaeological Assessment	√	√	√	√
7	Channel Design and Geofluvial Assessment	√	√	√	
8	Chloride Impact Study	√	√	√	
9	Concept Plan	√	√	√	√
10	Construction Management Plan			√	√
11	Contaminant Management Plan	√	√	√	√
12	Cost Recovery Agreement	√	√	√	√
13	Cultural Heritage Assessment - Documentation and Salvage Plan	√	√	√	√
14	Cultural Heritage Impact Assessment (for Heritage Resources and/or Cultural Heritage Landscapes)	√	√	√	√
15	Cut and Fill Analysis	√	√	√	√
16	Cycling Route Analysis	√	√	√	

17	Draft OPA/ Draft ZBLA	√	√		
18	Dust Impact Analysis	√	√	√	√
19	Energy and Environmental Assessment Report	√	√	√	√
20	Environmental Impact Statement (EIS)	√	√	√	√
21	Environmental Site Assessment and/or Record of Site Condition	√	√	√	√
22	Erosion and Sediment Control Plan	√	√	√	√
23	Erosion Hazard Assessment	√	√	√	√
24	External Works Agreement			√	√
25	Financial Impact Analysis	√	√		
26	Fish Habitat Assessment	√	√	√	√
27	Floodline Delineation Study/ Hydraulic Analysis	√	√	√	√
28	Functional Servicing Feasibility Report	√	√	√	
29	General Vegetation Inventory	√	√	√	√
30	Grading Plan	√	√	√	√
31	Hydrogeological Study	√	√	√	√
32	Impact Assessment for new Private Waste Disposal Sites	√	√		√
33	Karst Assessment/Karst Contingency Plan	√	√	√	√
34	Land Use Compatibility Study	√	√		√
35	Land Use in the Vicinity of Existing Pipelines Study	√	√	√	√
36	Land Use/ Commercial Needs Assessment	√			
37	Landfill Impact Study	√	√	√	
38	Landscape Plan			√	√
39	Demarcation of top of bank, limit of wetland, limit of natural hazard, Limit of Environmentally Significant Area, or Limit of Conservation Authority Regulated Area	√	√	√	√
40	Linkage Assessment	√	√	√	√
41	Market Impact Study	√	√		
42	Master Drainage Plan	√	√	√	√
43	Materials Palette or Imagery			√	√
44	Meander Belt Assessment	√	√	√	√
45	Minimum Distance Separation Calculation	√	√		√
46	Ministry of the Environment Conservation and Parks - Environmental Compliance Approval	√	√	√	√

47	Modern Roundabout and Neighbourhood Roundabout Analysis	√	√	√	
48	Neighbourhood Traffic Calming Options Report	√	√	√	
49	Noise Impact Studies (Noise Feasibility and/or Detailed Noise Study)	√	√	√	√
50	Nutrient Management Study	√	√	√	√
51	Odour Impact Assessment	√	√	√	√
52	Odour, Dust and/or Light Assessment	√	√	√	√
53	Parking Analysis/Study	√	√	√	√
54	Pedestrian Route and Sidewalk Analysis	√	√	√	
55	Planning Justification Report	√	√	√	
56	Pre-Technical Conservation Authority Review	√	√	√	√
57	Public Consultation Summary and Comment Response Report	√	√	√	
58	Recreation Feasibility Study	√	√		
59	Recreation Needs Assessment	√	√	√	
60	Restoration Plan	√	√	√	√
61	Right of Way Impact Assessment (OPA-49)	√	√	√	√
62	Roadway/Development Safety Audit	√	√	√	
63	School Accommodation Issues Assessment	√	√		
64	School and City Recreation Facility and Outdoor Recreation/Parks Issues Assessment	√	√	√	
65	Servicing Options Report	√	√	√	
66	Shoreline Assessment Study/Coastal Engineers Study	√	√	√	√
67	Site Lighting Plan			√	√
68	Site Plan and Building Elevations	√	√	√	√
69	Slope Stability Study and Report	√	√	√	√
70	Soil Management Plan			√	√
71	Soils/Geotechnical Study			√	√
72	Species Habitat Assessment	√	√	√	√
73	Storm Water Management Report/Plan and/or update to an existing Storm Water Management Plan	√	√	√	√
74	Sub-watershed Plan and/or update to an existing Sub-watershed Plan			√	√
75	Summary Response to Formal Consultation Comments	√	√	√	√
76	Sun/Shadow Study	√	√	√	√
77	Survey Plan	√	√	√	√

78	Tie-Back and Shoring Agreement			√	√
79	Traffic Impact Study	√	√	√	√
80	Transit Assessment	√	√	√	
81	Transportation Demand Management Options Report	√	√	√	√
82	Transportation Impact Study	√	√	√	
83	Tree Management Plan/Study	√	√	√	√
84	Tree Protection Plan	√	√	√	√
85	Urban Design and Architectural Guidelines			√	
86	Urban Design Report and Design Review Panel Summary of Advice and Response (where applicable)	√	√	√	√
87	Vibration Study	√	√	√	√
88	Visual Impact Assessment	√	√	√	√
89	Water and Wastewater Servicing Study	√	√	√	
90	Watermain Hydraulic Analysis			√	√
91	Wind Study	√	√	√	√
92	Zoning Compliance Review		√	√	√
93	3D Model	√	√	√	√

(Bolded text = New study/material being added, or revised title of existing study/material)

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