



Hamilton

# Terms of References / Guidelines in Preparation for Bill 109 (PED22112(d))

November 29, 2022

# Bill 109 Recap

- ❑ March 30<sup>th</sup>, 2022 the Province announced the More Homes for Everyone Plan and introduced Bill 109, *More Homes for Everyone Act, 2022*
- ❑ April 14, 2022 Bill 109 received Royal Assent
  - Bill 109 contains legislative amendments to the *Planning Act* among others, to incentivize the timely processing of applications to increase housing supply.
  - The most significant change includes the refund of development application fees should municipalities not make decisions on complete *Planning Act* applications by legislative timelines. This change comes into effect January 1<sup>st</sup>, 2023.



# Bill 109 Refund Policy

## Legislative Timelines Before a Refund of Fees is Required:

- Decisions for Official Plan Amendments combined with Zoning By-law Amendment applications must be made 120 days upon receiving a complete application.
- Decisions for Zoning By-law Amendment applications must be made 90 days upon receiving a complete application.
- Approvals for Site Plan Control applications must be made by 60 days upon receiving a complete application.

	No Refund	50% Refund	75% refund	100% Refund
OPA/ZBLA	Decision made within 120 days	Decision made within 121 and 179 days	Decision made within 180 and 239 days	Decision made 240 days or later
ZBLA	Decision made within 90 days	Decision made within 91 and 149 days	Decision made within 150 and 209 days	Decision made 210 days or later
SP	Approval made within 60 days	Decision made within 61 and 89 days	Decision made within 90 and 119 days	Decision made 120 days or later

# Complete Application Material

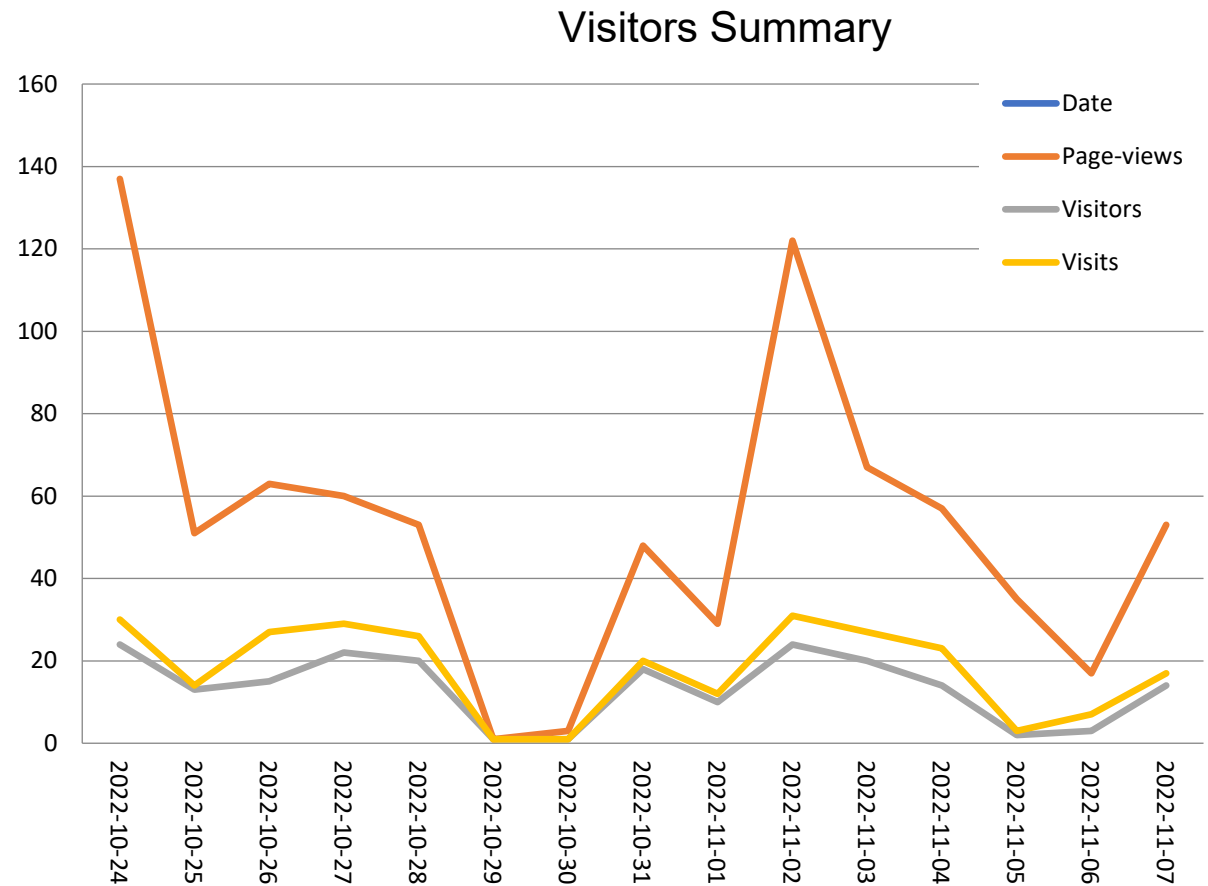
- Terms of References/Guidelines have been created corresponding with UHOP Table F.1.19.1 UHOP and RHOP Table F.1.9.1. “*other information and materials* which **may** be required” as part of complete *Planning Act* application.
- **96 potential studies or other information.** Some of the more common studies include:
  - Planning Justification Report;
  - Concept Plan;
  - Cultural Heritage Impact Assessment;
  - Site Plan and Building Elevations;
  - Functional Servicing Feasibility Report;
  - Traffic Impact Study;
  - Tree Protection Plan;
  - Sun/Shadow Study; etc.
- The exact list of required studies or other information is confirmed through the City’s **Formal Consultation** process (preliminary application stage).

# Terms of References/Guidelines – Phasing

- Terms of References/Guidelines corresponding with UHOP Table F.1.19.1 UHOP and RHOP Table F.1.9.1. “*other information and materials* which may be required” as part of complete *Planning Act* application.
  - **Phase 1 – Q4, 2022**
    - Existing documents that have not changed, only covering page summaries created
    - Existing documents that have been modified slightly or reformatted
    - Guidelines that are technically new but represent best practice and common information often shared through the Formal Consultation process
  - **Phase 2 – Q2, 2023**
    - Existing documents that have been revised in ways requiring more consultation or peer reviews
    - New guidelines that require peer review and consultation

# Terms of References/Guidelines – Phase 1 Consultation

- Meeting with the Conservation Authorities on Sept. 27<sup>th</sup>, 2022
- Presentation to the Development Industry Liaison Group (DILG) on Oct. 17<sup>th</sup>, 2022
- City’s engagement platform - [engage.hamilton.ca/bill109](https://engage.hamilton.ca/bill109) was used to distribute and collect comments on Phase 1 drafts (46 documents)
- Consultation Period – Oct. 24<sup>th</sup> - Nov. 7<sup>th</sup>, 2022
  - Total Visits – 268
  - Total Document Downloads – 132



# Terms of References/Guidelines – Phase 1 Feedback & Response

- Feedback Received - 3 letters
- Minor revisions and clarifications were made to the following draft documents:
  - Affordable Housing Report/Rental Conversion Assessment
  - Archaeological Assessment
  - Concept Plan
  - Cultural Heritage Impact Assessment – Documentation and Salvage Plan
  - Cultural Heritage Impact Assessment
  - Cycling Route Analysis
  - Housing Report
  - Landscape Plan
  - Modern Roundabout and Neighbourhood Roundabout Analysis
  - Neighbourhood Traffic Calming Options Report
  - Pedestrian Route and Sidewalk Analysis
  - Public Consultation Summary and Comment Response
  - Site Lighting Plan
  - Sun Shadow Study
  - Survey Plan
  - Transit Assessment
  - Urban Design Report and Design Review Panel Summary and Response
  - Visual Impact Assessment
  - Wildland Fire Assessment

# Terms of References/Guidelines – Next Steps

- Complete drafts of Phase 2 documents
- Conduct peer reviews (as necessary)
- Broad notification and consultation on all draft documents (Phase 1 & Phase 2) in Q1, 2023
- Report back to Planning Committee in Q2, 2023 with all final draft documents



# Questions