



WELCOME TO THE CITY OF HAMILTON

# PLANNING COMMITTEE

February 14, 2023

# PED23043 –

Implementation of Changes to Section 41 of the *Planning Act* - Site Plan Approval, in Response to Provincial Bill 23, *More Homes Built Faster Act*, 2022

Presented by: Alana Fulford

# Bill 23 – More Homes Built Faster Act

- Bill 23 makes amendments to nine different statutes, including the **Planning Act**.
- Report PED22207 described the proposed legislative changes and staff's position, which were formally submitted to the Province on November 24, 2022 and subsequently adopted by Council on November 30, 2022.
- Bill 23 received Royal Assent on November 28, 2022 and is being proclaimed into law in phases.

# Planning Act, Section 41

## Site Plan Control

- **Site Plan Approval** is a legislated process under the Planning Act required for many types development which implements a coordinated review process to address matters of site design including site layout, site access and parking, grading and drainage, landscaping, and building design.
- The entire City of Hamilton is designated as a site plan control area, with the **Site Plan Control By-law** regulating the type of development subject to Site Plan Approval and the requirements of the approval process.

# Summary of Site Plan Control Changes

Site Plan Control no longer applies to:

- Residential development of ten units or less on a lot.
- Matters related to exterior design, including character, scale, appearance and design features of a building.
- Bill 23 was amended before final reading to allow municipalities to implement green standards at site plan, provided the standards are not more restrictive than the Ontario Building Code.

# Changes to the Site Plan Control By-law

## Submission Requirements for Plans and Drawings

- Removed:
  - Matters relating to exterior design, including character, scale, appearance, and design features of a building.
- Replaced by:
  - Matters relating to the appearance of elements, facilities, and works on the land to the extent that the appearance impacts matters of health, safety, accessibility, sustainable design, or the protection of adjoining lands.

# Changes to the Site Plan Control By-law

- Area-based requirements for Site Plan Control have been modified to remove residential development of ten units or less on a lot.
  - Beach Boulevard & Ancaster Existing Residential “ER Zone
  - Building or structure situated adjacent to or within a Core Area(s).

# Impact on In Process Applications

- 30 in process Site Plan Control applications for single detached dwellings have been canceled
- 10 in process Site plan Control applications for multi-unit developments with 3-10 units have been cancelled.
- These proposals can apply for Building Permit



# Bill 23 and Process Changes

- Process changes are being enacted in response to the legislative changes to Site Plan Control to address items no longer subject to Site Plan Control for residential development of ten units or less on a lot.
  - Servicing connections for water and wastewater
  - Site grading and stormwater management
  - Extensions or upgrades to existing City infrastructure
  - Tree protection
  - Excavation, trees, road cuts, and driveway locations in the road ROW
  - Road ROW dedications
- Process changes are discussed in Report PED23045 to follow.



Hamilton

# THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE