



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	July 11, 2023
SUBJECT/REPORT NO:	Urban Expansion Areas Secondary Planning Policy Framework and Guidelines (PED23144) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Mark Kehler (905) 546-2424 Ext. 4148 Melanie Pham (905) 546-2424 Ext. 6685
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That the Urban Hamilton Official Plan Amendment, attached as Appendix “A” to Report PED23144, to establish a policy framework to guide the preparation of Secondary Plans for the Urban Expansion Areas, be approved on the following basis:
 - i) That the draft Official Plan Amendment, attached as Appendix “A” to Report PED23144, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended;
- (b) That the Secondary Planning Guidelines for Urban Expansion Areas, attached as Appendix “B” to Report PED23144, be approved.

EXECUTIVE SUMMARY

The purpose of this report is to recommend approval of a Policy Framework and Guidelines to guide the preparation of Secondary Plans for Urban Expansion Areas. The recommendations are in response to the Provincial decision on Official Plan No. 167 (Municipal Comprehensive Review) that added approximately 2,200 hectares of rural land to the Hamilton Urban Area within six new Urban Expansion Areas (see Appendix “C” attached to Report PED23144). The lands added to the Urban Area through the Provincial amendments to Official Plan Amendment No. 167 do not include the lands that were removed by the Province from the Greenbelt Plan (2017). The Province’s decision included policy direction that no development can proceed within the Urban Expansion Areas until Secondary Planning has been completed.

On March 29, 2023, Council approved the recommendations of Report PED21067(d), including direction that Planning and Economic Development staff:

- Prepare a City initiated Official Plan Amendment to establish a Policy framework outlining requirements for Secondary Plans in Urban Expansion Areas;
- Bring forward a final Secondary Plan Guideline document for approval at a future Planning Committee meeting;
- Lead the development of comprehensive Secondary Plans for all Urban Expansion Areas; and,
- Determine an appropriate fee for Official Plan Amendment applications related to privately initiated Secondary Plans in the Urban Expansion Areas.

Council endorsed an interim draft version of the Secondary Planning Guidelines to guide secondary planning processes and confirm minimum secondary plan requirements as part of complete *Planning Act* applications. Further to Council’s direction, Planning staff have consulted with the public and stakeholders on both the Policy Framework and Secondary Planning Guidelines using a variety of consultation methods (detailed in Appendix “D” attached to Report PED23144 and in the Relevant Consultation section of this Report).

The proposed Policy Framework and Secondary Planning Guidelines will guide the City’s approach to Secondary Planning for the Urban Expansion Areas and reflect the City’s planning priorities identified in the Urban Hamilton Official Plan and through consultation with stakeholders and the public. Should a privately initiated Secondary Plan be submitted to the City, the Policy Framework and Secondary Planning Guidelines will help to ensure a consistent approach to secondary planning.

Staff are also completing an assessment to determine an appropriate fee for Official Plan Amendment applications related to privately initiated Secondary Plans in the Urban Expansion Areas and the preferred approach to recover costs associated with staff

involvement in the Secondary Plan process prior to the submission of a formal application. Staff's preferred approach is detailed in the Analysis and Rationale section of Report PED23144. Detailed fee recommendations will be included in a subsequent staff report. In addition to the proposed application fee, applicants will be required to pay for any required peer reviews of report, studies, and materials submitted in support of an application, as well as the City's peer review administration fee.

Alternatives for Consideration – See Page 23

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Where secondary planning is being undertaken through a privately initiated process, substantial staff time to process and review applications will be needed. Based on the principle of full cost recovery, an increase in the fee for an Official Plan Amendment related to Urban Expansion Area Secondary Plans is required, plus any peer review costs to be paid by the applicant. Detailed fee recommendations for privately initiated secondary plans will be addressed in a subsequent staff report.

Staffing: The future fee for an Official Plan Amendment related to Urban Expansion Area Secondary Plans will be based on the estimated staffing resources required to process and review a privately initiated secondary plan applications.

Staffing needs arising from City-led Secondary Planning of the Urban Expansion Areas will need to be referred to the annual budgeting process. Further details regarding future staffing needs related to Secondary Planning of the Urban Expansion Areas will be presented in a subsequent staff report.

Legal: As required by the *Planning Act*, Council shall hold at least one public meeting to consider an application for an amendment to the Official Plan.

HISTORICAL BACKGROUND

GRIDS 2 / MCR

In 2017, the City of Hamilton initiated a Municipal Comprehensive Review, which is a requirement of the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) and the Provincial Policy Statement at the time of an Official Plan review to bring the City's Official Plans into conformity with Provincial plans. The review process was undertaken in conjunction with an update to the City's 2006 Growth Related Integrated Development Strategy since many of the studies associated with a Municipal Comprehensive Review are also part of a growth strategy. The update to the

growth strategy was known as Growth Related Integrated Development Strategy 2 (GRIDS 2).

In November 2021, Council approved a No Urban Boundary Expansion growth option to accommodate the City's forecasted population and job growth within the existing urban area to 2051 and directed staff to prepare an Official Plan Amendment that implements this direction, as well as conformity related amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan.

Official Plan Amendment No. 167

In May 2022, Urban Hamilton Official Plan Amendment No. 167 (Urban) and Rural Hamilton Official Plan Amendment No. 34 (Rural) were adopted by City Council. The Council-adopted amendments were provided to the Ministry of Municipal Affairs and Housing for review and approval in June 2022.

In November 2022, Ministry of Municipal Affairs and Housing provided the City with its decision with respect to Urban Hamilton Official Plan Amendment No. 167 and Rural Hamilton Official Plan Amendment No. 34. The Ministry of Municipal Affairs and Housing decision included 77 modifications to Urban Hamilton Official Plan Amendment No. 167, and 25 modifications to Rural Hamilton Official Plan Amendment No. 34. The details of the Ministry of Municipal Affairs and Housing modifications were provided in Report PED21067(c). The Ministry of Municipal Affairs and Housing decision, amongst other policy and designation changes, included direction to amend mapping in both Official Plans to identify 2,200 gross hectares of land as "Urban Expansion Area – Neighbourhoods" and "Urban Expansion Area – Employment". The Urban Expansion Area lands are located in the vicinity of Twenty Road West / Garner Road, Twenty Road East, White Church Road, and the Elfrida area. The Province's decision included policy direction that no development can proceed within the Urban Expansion Areas until Secondary Planning has been completed.

Secondary Planning Strategy for Urban Expansion Areas

In March 2023, Report PED21067(d) was presented to Planning Committee. The Report outlined various potential approaches to Secondary Planning and recommended that the City lead all Secondary Planning processes for Urban Expansion Areas. Council endorsed the recommendations of Report PED21067(d), which also directed staff to:

- Prepare an Official Plan Amendment which establishes a policy framework for Secondary Plans in Urban Expansion Areas;
- Consult with the public and stakeholders on both the Official Plan Amendment and draft Secondary Planning Guidelines;

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- Review staff resources needed for privately initiated Secondary Plan applications and report back to Planning Committee on a proposed fee;
- Report back on sequencing and scheduling for City-led Secondary Plans, including budget and staff implications; and,
- Prepare capital budget submissions for consideration as part of the 2024 budget process to facilitate City-led Secondary Planning.

This Report implements the direction to establish a Policy Framework and consult with the public and stakeholders on the Policy Framework and Secondary Planning Guidelines. The fee for privately initiated Secondary Plan applications, sequencing and scheduling for City-led Secondary Plans, and capital budget submissions will be covered in future staff reports.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Framework

The Provincial Planning Policy framework is established through the *Planning Act* (Section 3), the Provincial Policy Statement (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (Growth Plan). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Policy Statement. The *Places to Grow Act* requires that all municipal land use decisions made under the *Planning Act* conform to the Growth Plan.

Policy 1.1.2 of the Provincial Policy Statement requires that sufficient land be made available within settlement areas to accommodate projected land use needs through intensification, redevelopment and if necessary, designated growth areas. In its decision on Official Plan Amendment No. 167, the Province indicated that the expansion of the urban boundary is to accommodate the population and employment growth targets of the Growth Plan to 2051. The Urban Expansion Areas are designated growth areas, defined in the Provincial Policy Statement as lands designated for growth in the Official Plan which have not yet been fully developed.

The following policies of the PPS, amongst others, apply to designated growth areas:

- “1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.
- 1.1.3.7 Planning authorities should establish and implement phasing policies to ensure:

- a) That specified targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas; and,
- b) The orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs.”

The proposed Policy Framework includes policy goals and implementation measures intended to achieve a compact form, mix of uses and densities, and the efficient use of land, infrastructure, and public service facilities within the Urban Expansion Areas (Policy 1.1.3.6). Policy 1.1.3.7 a) clarifies that phasing policies should ensure intensification targets are achieved prior to, or concurrent with, new development in designated growth areas. Phasing strategies and residential intensification targets are being established as part of the Municipal Comprehensive Review and will become key inputs for the Secondary Planning processes. The proposed Official Plan Amendment includes policies designed to ensure the orderly progression of development by requiring a comprehensive approach to secondary planning and coordination among landowners to achieve the timely provision of infrastructure and public service facilities (Policy 1.1.3.7 b).

Urban Hamilton Official Plan (UHOP)

The Urban Expansion Areas are identified as “Urban Expansion Area – Neighbourhoods” and “Urban Expansion Area – Employment Areas” on all Schedules of the Urban Hamilton Official Plan. The following policies, amongst others, apply to Secondary Planning for Urban Expansion Areas:

“A.2.4 Growth Management – Hamilton

The *urban boundary* is expanded to accommodate growth to 2051 by adding Urban Expansion Area – Neighbourhoods and Urban Expansion Area – Employment Areas as shown on all Schedules to this Plan. Development of Urban Expansion Areas shall not proceed until detailed secondary planning has been completed and incorporated through future Amendments to this Plan. Secondary planning will be based on detailed assessment and consideration of applicable provincial policies.”

Policy A.2.4 was added by the Province through its decision on Official Plan Amendment No. 167 to implement the expansion of the urban boundary to accommodate growth to the year 2051. The Policy establishes that development of Urban Expansion Areas shall not proceed until secondary planning is completed based on consideration of applicable provincial policies.

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The proposed Official Plan Amendment included as Appendix “A” attached to Report PED23144 further clarifies the role of the Urban Expansion Areas as part of a broader strategy for accommodating growth to 2051 that includes a focus on intensification within existing built up areas. In addition, the Official Plan Amendment establishes a set of City planning priorities and objectives for the Urban Expansion Areas, including:

- The creation of complete communities that have a strong sense of place and enable residents to meet most of their daily needs within a short distance of their home;
- Provision for a range of housing types, forms, and tenures, including affordable housing and housing with supports;
- Development of an integrated transportation network providing modal choice and a balanced approach to street design that accommodates the needs of transit, active transportation, cars, goods movement, parking and emerging transportation modes and technologies (complete streets);
- Protection and enhancement of the Natural Heritage System, including preserving ecological functions and the natural beauty and distinctive character of the landscape;
- Adaptation to climate change, including innovative approaches to storm water management and protection of communities and infrastructure from risks associated with natural hazards;
- Implementation of strategies to reduce greenhouse gas emissions through growth of the tree canopy, energy efficiency, and electricity generation; and,
- Development of options to recover the full life cycle costs of infrastructure and community facilities.

The intent of the Official Plan Amendment is to establish an approach to secondary planning for the Urban Expansion Areas that is more sustainable and inclusive than the approach used for greenfield areas in the past.

Chapter F of the Urban Hamilton Official Plan contains additional policies with direction for Secondary Planning. The following policies are noted:

“F.1.2 Secondary Plans and Neighbourhood Plans

Secondary plans are used to provide detailed and community specific guidance to growth and change in smaller geographic areas of the City. Secondary plans identify more detailed land uses, densities, design requirements, and infrastructure requirements and other implementing actions appropriate for the community. These plans are not intended to repeat the policies in Volume 1, but to supplement Volume 1 policy directions and land use designations. Once secondary plans are completed, they are adopted as amendments to this Plan.

- F.1.2.1 Secondary plans may be prepared as needed for planning districts, neighbourhoods, nodes, corridors or any other area of the City, and in particular:
- a) Large tracts of vacant or underutilized land to ensure the appropriate and orderly use of land, co-ordinate local development with City-wide planning infrastructure strategies and ensure the efficient provision of infrastructure;
- F.1.2.3 Prior to commencing the preparation of a secondary plan, the City shall prepare a terms of reference which shall set out the need for the Secondary Plan, the intended scope, the process of plan preparation and the opportunities for public participation and involvement. Any privately initiated secondary plans shall require a term of reference that is approved by the City prior to the commencement of the Plan.”

Policies F.1.2 and F.1.2.1 outline the role of Secondary Plans, including ensuring the orderly use of land and the co-ordination of local development with City-wide infrastructure strategies. Policy F.1.2.3 requires that a term of reference identifying the secondary planning scope, process and consultation strategy be completed prior to commencing the preparation of any City or privately initiated secondary plan. To provide for greater clarity should privately initiated secondary plans be submitted, staff are recommending that Policy F.1.2.3 be amended to require a terms of reference prior to initiating studies, consultation or any other work related to the preparation of a secondary plan. Staff are proposing that the content of the terms of reference for a privately initiated secondary plan be to the satisfaction of the Director of Planning and Chief Planner.

- “F.1.2.4 Secondary plans shall generally include the following:
- a) A statement of the basis or rationale for the preparation of the secondary plan and rationale for varying or supplementing the Volume 1 policies and designations;
 - b) A description of the secondary plan area, including a reference map, the role and relationship of the planning district and/or area under study to the City as a whole;
 - c) A statement of the desired land use of the area along with relevant and related environmental, social and economic goals;
 - d) The goals and objectives appropriate for the area including a statement demonstrating how they are in keeping with the strategic

directions and general goals of this Plan and provincial legislation, policies and appropriate guidelines;

- e) New designations and policies for the secondary plan area that amend or detail those policies and designations found in Volume 1; and,
- f) Cultural heritage resources shall be identified, evaluated and conserved. This identification and protection of cultural heritage resources may be accomplished through the preparation and inclusion of a cultural heritage conservation plan statement within the secondary planning or neighbourhood planning process.”

Policy F.1.2.4 identifies the standard components that are included in a Secondary Plan, including land use goals, land use designations and the identification of cultural heritage resources. The proposed Official Plan Amendment builds upon these policies by providing implementation policies that are specific to the Urban Expansion Areas. The implementation measures included in the Official Plan Amendment include:

- A requirement that no application for Zoning By-law Amendment, Plan of Subdivision or Land Severance be approved until a secondary plan is in effect;
- Identification of the six Urban Expansion Areas (as shown on Appendix A to the Draft Official Plan Amendment attached as Appendix “A” to Report PED23144), including:
 - Elfrida Area;
 - Garner Road Area;
 - Twenty Road East Area;
 - Twenty Road West Area (divided into two sub-areas: Area 1 and Area 2); and,
 - White Church Road Area;
- Direction that the City shall undertake detailed secondary planning for all Urban Expansion Areas;
- A requirement that separate secondary plans be completed for the entirety of each Urban Expansion Area. Due to sizes of growth areas, the Elfrida Area may be separated into multiple Secondary Plans, and Area 1 and Area 2 of the Twenty Road West Area may be combined into one secondary plan;
- Direction that secondary planning for each Urban Expansion Area consider opportunities to coordinate the provision of infrastructure and community facilities

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

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with other Urban Expansion Areas and adjacent areas within the urban boundary;

- Direction that secondary planning for Urban Expansion Areas shall address the Ten Directions to Guide Development adopted by Council during the GRIDS 2 / MCR process;
- A list of studies required to support the preparation of secondary plans, which includes a financial impact assessment to inform financial strategies for recovering infrastructure costs. Where a secondary plan is privately initiated, the final list of studies will be identified by the City through the Formal Consultation process;
- A requirement for a public consultation strategy which recognizes the critical role of engagement with the public at all phases of the Secondary Plan process;
- A requirement that a Servicing Strategy be completed concurrently with the Secondary Plan, with servicing planned to a local street level where possible;
- A requirement for appropriate phasing and staging of development aligning with the provision of community and servicing infrastructure;
- A requirement that all City-led and privately initiated Secondary Plan processes be completed in accordance with the Secondary Planning Guidelines for Urban Expansion Areas;
- A requirement that the Terms of Reference for a Secondary Plan establish the structure, role, and operational details of landowner groups that represent multiple landowners within an Urban Expansion Area; and,
- A requirement that no development occur within an Urban Expansion Area with a completed secondary plan until a landowner's group has been established to coordinate the phasing and staging of development and a cost sharing agreement between landowners has been established to equitably allocate development costs associated with community and infrastructure facilities.

The implementation policies are intended to ensure that Urban Expansion Area secondary planning and future development proceed in a consistent and coordinated manner. The policies identify how secondary planning should occur, including the geographic extent of the secondary planning areas, required studies, and a requirement that the Secondary Planning Guidelines for Urban Expansion Areas (attached as Appendix "B" to Report PED23144) be followed. The implementation policies apply to

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both City-led and privately initiated secondary planning processes, ensuring a consistent approach.

To promote coordination among landowners within each Urban Expansion Area, the policy framework requires that the structure, role and operational details of landowner groups be established as part of the Secondary Plan Terms of Reference. The requirements for local street level service planning and cost sharing agreements among landowners are intended to promote the efficient and orderly implementation of Secondary Plans by ensuring there are plans in place to construct and pay for required infrastructure to support development.

RELEVANT CONSULTATION

To implement Council’s direction to consult with the public and stakeholders on the draft Policy Framework and Guidelines, Planning and Economic Development Department staff with the assistance of an independent facilitator (Dillon Consulting) have completed the following public consultation:

Consultation Method	Date(s)	Description
Technical Advisory Committee (TAC) Meeting	April 11, 2023	<ul style="list-style-type: none">• The Policy Framework and Guidelines were presented to a Technical Advisory Committee (TAC) consisting of staff from City Departments with a role in the Secondary Planning process; and,• Comments from TAC members were requested regarding policy goals, study requirements and workload considerations.
Virtual Public Information Centre (PIC)	May 15, 2023	<ul style="list-style-type: none">• A Virtual Public Information Centre consisting of a staff presentation and a question and answer session was held via WebEx; and,• A total of 189 individuals attended the Virtual PIC.
In Person Open Houses – Hamilton Central Library	May 17, 2023	<ul style="list-style-type: none">• An in person open house was held at Hamilton Central Library in Downtown Hamilton.

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Consultation Method	Date(s)	Description
In Person Open Houses – Hamilton Central Library Continued	May 17, 2023	<ul style="list-style-type: none"> • The format of the open house consisted of information panels, maps and documents outlining the Secondary Planning process for the Urban Expansion Areas and the role of the proposed Policy Framework and Guidelines. Planning and Economic Development staff were available to answer questions and listen to concerns; • Opportunities for the public to give feedback were provided, including comment sheets, comment panels and opinion polls; and, • A total of 35 residents attended the Open House.
In Person Open House – Mount Hope Community Centre	May 24, 2023	<ul style="list-style-type: none"> • A second in person open house with the same format was held at Mount Hope Community Centre; and, • A total of 123 residents attended the Open House.
Engage Hamilton Survey and Document Commenting Tool	May 5 to May 26, 2023	<ul style="list-style-type: none"> • An Engage Hamilton Webpage was established providing information on Secondary Planning for Urban Expansion Areas and an online survey; • A commenting tool was also included allowing website visitors to add comments to the proposed Policy Framework and Guideline documents; • There were 2,700 visitors to the Engage Hamilton Webpage between May 5 and May 26, including 280 who participated in the online survey; and, • A total of 97 comments were provided using the document commenting tool.

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Consultation Method	Date(s)	Description
Project Email	Ongoing	<ul style="list-style-type: none">• A project email has been maintained allowing residents to email comments to staff directly; and,• To date, staff have received a total of 31 comments by email.

Further details of the consultation approach are summarized in the Consultation Feedback Report attached as Appendix “D” to Report PED23144.

Notification of the public consultation was provided in the May 6 and May 13, 2023 editions of the Hamilton Spectator, in the May 11, 2023 editions of all local community newspapers, and on the City’s website and social media accounts. Email notifications were also sent to residents requesting to be notified of planning developments in the Urban Expansion Areas, as well as the existing mailing lists for the GRIDS 2 / MCR project and the Elfrida Growth Area Study, and a mailing list of stakeholders and agencies. A circulation was also sent by email to all indigenous rights holder groups.

Notice of the Statutory Public Meeting / Planning Committee Meeting was provided in the Hamilton Spectator on July 3, 2023 and by email to the Urban Expansion Areas mailing list.

The results of the consultation are summarized in the Feedback Report attached as Appendix “D” to Report PED23144. The following comments were received in response to the consultation:

Departments, Agencies and Stakeholders

Through the TAC and subsequent communications, Planning staff have consulted with the following internal departments and external agencies:

- Healthy and Safe Communities Department, Housing Services Division, Public Health Division, and Hamilton Fire Department;
- Planning and Economic Development Department, Growth Management Division, Planning Division, Transportation Planning and Park Division and Office of Climate Change Initiatives;
- City Manager’s Office, Government and Community Relations Division;
- Public Works Department, Transit Planning and Infrastructure Division and Waste Policy and Planning Division; and,
- Hamilton Conservation Authority.

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In addition, staff received the following comments from stakeholders in response to the public consultation notification:

	Comment	Staff Response
Niagara Peninsula Conservation Authority	<p>Noted that there is no specific reference to natural hazards in the Policy Framework and recommend that such a reference be included.</p> <p>NPCA staff anticipate that either the sub watershed plan or servicing master plan would consider and address downstream impacts on flooding and erosion resulting from development. NPCA has no objection to the requirement for a cost sharing agreement among landowners but recommend the City continue to ensure that the installation of public infrastructure is completed in conformity with the approved design.</p>	<p>Staff have added reference to the protection of communities and infrastructure from risks associated with natural hazards to the planning priorities in the Policy Framework.</p> <p>NPCA will be consulted on the terms of reference for future sub watershed studies to ensure their requirements related to flooding and erosion are addressed.</p> <p>The City will have oversight over the installation of infrastructure through future Site Plan and Plan of Subdivision processes.</p>
TransCanada Pipelines	<p>TransCanada Pipelines (TCPL) advised that they have a series of high-pressure natural gas pipelines crossing the Elfrida, Twenty Road East and Garner Road Urban Expansion Areas. TCPL encourages early consultation regarding development plans to ensure they are in conformity with their guidelines.</p>	<p>TransCanada Pipelines will continue to be consulted with through the Secondary Plan process.</p>

Public Consultation

Issue	Comment	Staff Response
Environment and Climate Change	Environmental protection and climate change were common concerns raised during consultation. Participants were concerned about the protection of natural features including wildlife, wetlands, waterways, and mature trees. It was noted that climate change reduction and mitigation strategies should be included as priorities for the Secondary Plans.	The proposed Policy Framework identifies the protection of the natural heritage system, adaptation to climate change and the reduction of greenhouse gas emissions as key planning principles guiding Secondary Planning for the Urban Expansion Areas. Natural heritage and water resource studies will be required as part of the Secondary Planning process to inform policies and designations that protect the environment from negative impacts related to development. An Energy and Environmental Assessment Report will be required to identify measures to address greenhouse gas emissions. Tree protection is enforced through the City's Tree Protection By-laws and through the Site Plan Control process.
Agricultural Lands	There were concerns from participants over the loss of prime agricultural lands that are critical to local food production.	The Province's decision on OPA No. 167 removed the Urban Expansion Areas from the Rural Area allowing for the development of agricultural lands once Secondary Planning has been completed. There may be opportunities to prioritize planning for areas with lower quality agricultural lands so that they are developed earlier than those with higher quality agricultural lands. The prioritization of secondary planning will be part of the next phase of the implementation process for Urban Expansion Area Secondary Planning.

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Issue	Comment	Staff Response
Agricultural Lands Continued		An Agricultural Impact Assessment will be required to determine any impacts to agricultural operations adjacent to the Urban Expansion Areas so that appropriate buffers and mitigation measures can be applied. Development phasing and staging plans can also be used to keep agricultural land in production for as long as possible.
Water and Sewer Infrastructure	Stormwater management and availability of water and sewer infrastructure were raised as concerns by participants. It was suggested that servicing costs required for the Urban Expansion Areas should be paid by developers.	Stormwater management measures will be identified at a high level through the Secondary Planning process with details determined at Plan of Subdivision and Site Plan stage. Master Planning for water and sewer infrastructure is occurring as part of the Municipal Comprehensive Review. Recovery of the life cycle costs of infrastructure is included as a planning priority in the Policy Framework, and a Financial Impact Assessment will be required to identify the estimated growth-related costs of development on the finances of the City.
Existing Urban Area	Participants expressed that development should occur within existing urban areas before developing the Urban Expansion Areas. Barton Street was identified as one area where there is available vacant land.	The proposed Policy Framework identifies that the Urban Expansion Areas form one component of the City's growth strategy that also includes intensification and redevelopment within the existing built-up area. Residential intensification targets will be determined as part of the Municipal Comprehensive Review. There are existing planning initiatives to promote development within the built-up area, including parts of Barton Street, such as grants for environmental remediation and Zoning that permits higher densities and a mix of uses.

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Issue	Comment	Staff Response
Conformity with the Guidelines	There were concerns that the Secondary Planning Guidelines would not be followed and that development would not occur in conformity with the Secondary Plans.	The proposed Policy Framework requires that the Secondary Planning Guidelines be followed for any City led or privately initiated Secondary Plan process. The Policy Framework will also apply to any future amendments to the Urban Expansion Area Secondary Plans, requiring that they be reviewed against the planning priorities identified by the City.
Affordable Housing	Affordable housing, including affordable rental and housing for people with disabilities was identified as a key priority for planning for Urban Expansion Areas.	The provision of a range of housing options, including affordable housing and housing with supports, is a planning priority identified in the Policy Framework. Staff will investigate tools available to facilitate affordable housing development, which may include utilizing a Community Planning Permit System to secure affordable housing as a community benefit.
Transportation	Concerns were raised regarding the impact of new development on existing transportation infrastructure, including roads, highways, and public transit. Twenty Road was noted as an area with significant traffic concerns.	The development of an integrated transportation system is a planning priority identified in the Policy Framework. A Transportation Management Plan (TMP) will be required to develop a transportation network for each Secondary Plan and identify any improvements required to existing transportation infrastructure. Any required improvements to Twenty Road will be identified through the TMP process.
Diversity of Housing	Participants identified diversity of housing as a priority, including adding apartments, townhouses, and “missing middle” mid-rise housing.	The provision of a range of housing types, forms and tenures is a planning priority in the Policy Framework. A Housing Report will be required to identify the mix of housing achieved for each Secondary Plan area.

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Issue	Comment	Staff Response
Complete Communities	The development of complete communities that include amenities such as schools, parks and services was identified as a priority. Participants also commented that employment and residential areas should coexist to contribute to complete communities and the local economy.	The creation of complete communities is a planning priority in the Policy Framework. Secondary Planning will seek to enable residents to meet most of their daily needs within a short distance of their homes.
Information and Engagement	Preferred methods to be informed of future engagement include email and mail updates. Preferred consultation methods include in-person meetings, followed by focus groups, virtual meetings, and pop-up events. Residents want to be informed at every step of the process.	The variety of notification and engagement methods preferred by participants are reflected in the Public Engagement and Public Notice sections of the Secondary Planning Guidelines. The Guidelines require that consultation occur at each of the three phases of the Secondary Planning process.
Decision Making	Participants expressed frustration with the Province for expanding the Urban Boundary and want their decision to be reversed.	The City does not have the authority to appeal the Province's decision to expand the Urban Boundary to the Ontario Land Tribunal.
Urban Design	There was a comment that quality of urban design should be a priority.	Urban Design Guidelines will be required as part of the Secondary Plan process to inform the future design of new neighbourhoods in the Urban Expansion Areas.
Indigenous Involvement in Planning Process	There was a comment that indigenous people should be included in planning discussions.	The Secondary Planning Guidelines include specific requirements related to communication with Indigenous rights holders to request and encourage their involvement in the Secondary Planning process.
Cultural Heritage Resources	There was a comment that cultural heritage homes in Mount Hope should be identified.	The UHOP requires that cultural heritage resources be identified, evaluated, and conserved through the Secondary Planning process.

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Issue	Comment	Staff Response
Impact on policing, fire, and EMS	A concern was raised regarding the impact of development on policing, fire department and EMS.	The Secondary Planning Guidelines include the requirement that a Technical Advisory Committee be established, which will include emergency service providers. This will allow them to provide input and stay informed of developments in the Urban Expansion Areas and plan accordingly to provide necessary service levels.
Structure of Secondary Plans	A participant commented that Secondary Plans should be structured as high-level frameworks to allow development to occur faster.	The level of detail included in each of the Secondary Plan processes will be determined as part of the work plan and terms of references that will form a later stage of the implementation process for Urban Expansion Area Secondary Planning.
Use of the Community Planning Permit System (CPPS)	A participant suggested that planning tools like the CPPS could be used to avoid building suburban communities. Concerns were also raised that CPPS could result in developers bypassing essential studies / permits.	Staff are investigating the option of utilizing a CPPS as a planning tool for the Urban Expansion Areas. A CPPS may provide for a more streamlined and flexible approach to planning approvals that allows for housing to be brought to the market more quickly.

Indigenous Engagement

Indigenous rights holders were contacted by email inviting them to comment and to meet with staff if desired. Prior to finalizing the staff report, Planning staff followed up with those indigenous groups that had not yet responded.

To date, staff have received comments from the Six Nations of the Grand River who commented that:

- The 1701 Nanfan Treaty guarantees our right to harvest and hunt on this property for perpetuity, but this proposal undermines those rights. The Six Nations of the Grand River must be accommodated to mitigate and harm to these treaty rights;
- The urban expansion areas in Hamilton are proposed on lands which have high ecological and agricultural value. The province wants to build more homes faster, but the natural environment should not be compromised to facilitate this;

- Request that all trees removed for development be replaced at a 10:1 ratio to enhance wildlife habitat, ensuring the use of site appropriate native species. The Kayanase is a greenhouse on the Six Nations reserve that can help with the replanting process. Six Nations also has members in Hamilton that would be able to collect seed of native plant species;
- A very robust landscaping and monitoring plan is an effective way to promote the natural environment and add visual aesthetics to development; and,
- Sustenance species such as turtles and deer should be considered in all environmental assessments, as they play a key role in our culture.

The comments received from the Six Nation of the Grand River align with the 10 Directions to Guide Development and will be referred through to any future Secondary Planning processes to address the concerns raised and proposed actions. The Secondary Planning Guidelines include requirements for future engagement with indigenous rights holders at each phase of the Secondary Planning process to request their involvement early and at each stage of the planning process.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. Policy Framework

Planning staff recommend that the proposed Official Plan Amendment attached as Appendix “A” to Report PED23144 and summarized in the Policy Implications and Legislated Requirements section of this Report be approved for the following reasons:

- The amendment establishes a set of planning priorities intended to ensure a sustainable and inclusive approach to secondary planning for new neighbourhoods in the Urban Expansion Areas;
- The amendment guides the process for the preparation of secondary plans for the Urban Expansion Areas, ensuring a consistent and coordinated approach for both City-led and privately initiated Secondary Plan processes; and,
- The amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

2. Secondary Planning Guidelines

An interim draft version of the Secondary Planning Guidelines for Urban Expansion Areas was endorsed by Council on March 29, 2023 (Report No. PED21067(d)) to guide future Secondary Planning processes and confirm requirements as part of a complete *Planning Act* application. Staff were directed

to consult with the public and stakeholders on the interim draft Guidelines and bring forward a final version with any amendments resulting from consultation to Planning Committee for approval.

In response to feedback received through consultation, staff have made the following changes to the Guidelines:

- Added a statement that failure to adhere to the guidelines for a final Secondary Report may result in an Official Plan Amendment for a privately initiated Secondary Plan being deemed incomplete;
- Amended the “Prepared By” section to require that the Secondary Planning process include a project lead and a team of qualified professionals to complete the research and analysis required to develop a Secondary Plan. The final report for a Secondary Plan must be prepared by a Registered Professional Planner;
- Added a statement that the Terms of Reference for a privately initiated Secondary Plan shall be to the satisfaction of the Director of Planning and Chief Planner;
- Added direction in the “Secondary Plan Phases” section that the general timelines, work plans and required studies for each phase shall be outlined in the Secondary Plan Terms of Reference;
- Added a “Review of Technical Studies” section requiring that technical studies prepared as part of the secondary planning process be peer reviewed by City Departments and Agencies with expertise in the topic area of each study. Where the City does not have the in-house expertise to peer review a study, a third-party consultant shall be engaged to complete the peer review. For privately initiated Secondary Plans, the proponent shall cover the costs of any third-party peer reviews;
- Increased the notification area for mailed notices that the first phase of a Secondary Plan has commenced from 120 metres to 240 metres of the boundary of a study area; and,
- Added the Chief Fire Official as a party requiring notification of each Phase of the Secondary Plan process.

Staff recommend that the final Secondary Planning Guidelines for Urban Expansion Areas attached as Appendix “B” to Report PED23144 be approved.

3. Fee for Urban Expansion Area Secondary Plan

In accordance with previous direction from the Planning Committee through Report PED21067(d) to determine an appropriate fee which would capture the review costs associated with a Secondary Plan process, work is in progress to determine an

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appropriate fee framework. Detailed recommendations will be included in a subsequent staff report in Fall 2023.

The approach being considered is intended to ensure cost recovery for:

- Staff input and collaboration with a privately led process while supporting studies and the Secondary Plan development are in progress;
- Staff resources associated with a formal application review once a Secondary Plan has been completed; and,
- Administration of peer reviews and recovery of consultant fees for peer reviews.

The approach to reviewing and providing input to privately led Secondary Plan processes, if these occur, is intended to be similar to the special process established for review of the Lafarge Dundas Quarry expansion application in Flamborough which was reviewed by the City from 2013 to 2017. In this previous example, a special staff review team was established to provide greater coordination throughout the review process, and a private agreement with the applicant was created for cost recoveries associated with multiple peer reviews. The applicant provided funds to the City to complete review work, which was drawn on by the City in accordance with actual costs incurred.

Staff are investigating the use of this approach and how it could be adapted to address staff input and collaboration with a privately led process while supporting studies and the Secondary Plan development are in progress, and for costs associated with peer reviews of studies required to support the creation of a Secondary Plan.

Staff note that the ability to recover costs associated with work occurring during the process is critical, since these costs are expected to be very substantial. For example, the City's Growth Management Division will lead and be responsible for the facilitation and review of Stormwater Management Reports and Subwatershed Studies, Servicing Master Plans, and Class Environmental Assessments, as well as preliminary assistance on detailed terms of references for these major studies before initiation. Growth Management staff estimate that staff resources required for these tasks as part of a privately led process would be approximately:

- \$30,000 for Terms of References (staff time across all disciplines);
- \$150,000 for Stormwater Management reports and Subwatershed Study Review;
- \$60,000 for Servicing Strategies; and,
- \$100,000 for Class Environmental Assessments.

The application fee required to review a formal application for Official Plan Amendment once a Secondary Plan has been completed is also expected to be greater than the current Official Plan Amendment fee. The recommended fee will reflect an estimate of the number of hours associated with specific review tasks and the staff positions which

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would be completing the work, for all staff groups who would be involved in reviews. Resulting costs will be based on average hourly rates provided by Finance staff.

4. Urban Expansion Area Secondary Planning – Next Steps

Following adoption of the Policy Framework and Guidelines, Planning staff will proceed with the next steps required to initiate Secondary Planning for the Urban Expansion Areas. The anticipated next steps and timeline include:

Fall 2023	Determine private application fees, timing and sequencing of City-led Secondary Plan processes for Urban Expansion Areas and required budget.
Beginning Fall 2023 / Winter 2024	Create detailed work plan and terms of references for Secondary Planning for Urban Expansion Areas.
Beginning Spring/Summer 2024	Hire consultants and begin Secondary Plan work.

To assist with determining the sequencing of secondary planning work, the current phase of consultation included a request for feedback on the priorities that should be used to determine the order in which Urban Expansion Areas should be planned. The results of this additional consultation will be included in a future Staff Report to Planning Committee.

ALTERNATIVES FOR CONSIDERATION

Council may decide to modify the Policy Framework and Secondary Planning Guidelines. This is not recommended because staff are of the opinion that the proposed Policy Framework and Guidelines reflect the City’s priorities identified in the Urban Hamilton Official Plan and the feedback received through consultation.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure

Hamilton is supported by state-of-the-art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED23144 - Urban Hamilton Official Plan Amendment (Policy Framework for Urban Expansion Areas)

Appendix “B” to Report PED23144 - Secondary Planning Guidelines for Urban Expansion Areas

Appendix “C” to Report PED23144 - Urban Expansion Areas Map

Appendix “D” to Report PED23144 - Consultation Feedback Report

MK/MP:sd