

Secondary Planning Guidelines For Urban Expansion Areas

PURPOSE:

This document explains the guidelines for the preparation of a Secondary Plan for any area designated as “Urban Expansion Area” within the Urban Hamilton Official Plan. It is intended to illustrate the expectations and standards that the process of creating a Secondary Plan is intended to follow. This document applies to both Secondary Plans undertaken and/or led by the City of Hamilton or privately initiated Secondary Plans.

Where a Secondary Plan is privately initiated, failure to adhere to the guidelines may result in a final Secondary Plan report being considered unsatisfactory and an Official Plan Amendment application being deemed incomplete.

PREPARED BY:

The Secondary Planning process must include a project lead and a team of qualified professionals to complete the research, analysis and planning required to develop a Secondary Plan.

The final report for a Secondary Plan must be prepared by a Registered Professional Planner (RPP).

BACKGROUND:

A Secondary Plan is a land use plan for a particular geographic area of a municipality that is prepared as an amendment to an official plan. Secondary plans identify more detailed land uses, densities, design requirements, and infrastructure requirements and other implementing actions appropriate for a community. They are considered a second layer of the City-wide Official Plan and supplement Volume 1 policy directions and designations.

Secondary Planning is a specific tool, which:

- Helps understand opportunities and address issues related to land use in certain defined geographic areas;
- Provides community specific guidance for those areas of the City where more detailed direction is needed for matters beyond the general framework provided by the Official Plan;
- Directs how growth and change should occur;
- Provides an opportunity to promote consistency in new/developing areas and compatibility between land uses; and,
- Co-ordinates local development with City-wide planning and infrastructure strategies to ensure the efficient provision of infrastructure.

Within Urban Expansion Areas, the City’s Urban Hamilton Official Plan requires a Secondary Plan to be completed prior to any development occurring.

PRIOR TO COMMENCING SECONDARY PLAN:

Where the City is leading a Secondary Plan process, a detailed Terms of Reference specific to the area intended for the Secondary Plan will be prepared prior to the initiation of a Secondary Plan.

Any privately initiated Secondary Plans shall require City approval of a detailed Terms of Reference prior to the commencement of a Secondary Plan, in accordance with Policy F.1.2.3 of the Urban Hamilton Official Plan. The Terms of Reference shall be to the satisfaction of the Director of Planning and Chief Planner.

Detailed terms of references shall include all minimum standards outlined in these guidelines. The detailed terms of references should also identify all supporting/aligning studies that will provide input to the Secondary Plan process.

FOUNDATIONAL DIRECTIONS FOR SECONDARY PLANNING:

As part of the recent GRIDS 2 study, ten directions to guide development were endorsed by Council as a tool to guide and evaluate decisions related to growth, and are included in Policy A.2.1 of the City’s Urban Hamilton Official Plan. These core directions should be considered foundational directions to address as part of all planning processes, including planning for Urban Expansion Areas.

- Direction 1: Plan for climate change mitigation and adaptation, and reduce greenhouse gas emissions.
- Direction 2: Encourage a compatible mix of uses in neighbourhoods, including a range of housing types and affordabilities, that provide opportunities to live, work, learn, shop and play, promoting a healthy, safe and complete community.
- Direction 3: Concentrate new development and infrastructure within existing built-up areas and within the urban boundary through intensification and adaptive re-use.
- Direction 4: Protect rural areas for a viable rural economy, agricultural resources, environmentally sensitive recreation and the enjoyment of the rural landscape.
- Direction 5: Design neighbourhoods to improve access to community life for all, regardless of age, ethnicity, race, gender, ability, income and spirituality.

- Direction 6: Retain and intensify existing employment land, attract jobs in Hamilton’s strength areas and targeted new sectors, and support access to education and training for all residents.
- Direction 7: Expand transportation options through the development of complete streets that encourage travel by foot, bike and transit, and enhance efficient inter-regional transportation connections.
- Direction 8: Maximize the use of existing buildings, infrastructure, and vacant or abandoned land.
- Direction 9: Protect ecological systems and the natural environment, reduce waste, improve air, land and water quality, and encourage the use of green infrastructure.
- Direction 10: Maintain and create attractive public and private spaces and respect the unique character of existing buildings, neighbourhoods and communities, protect cultural heritage resources, and support arts and culture as an important part of community identity.

SECONDARY PLAN PHASES:

The process of creating a Secondary Plan shall include three general phases:

- Phase 1: Background work to collect data and identify existing conditions, opportunities, and constraints (E.g. airport noise levels). Identification of land use needs (e.g. employment, commercial, residential, parks, schools, recreational facilities and other community services and facilities). Completion of visioning exercises to establish high level principles, goals, and/or objectives for the Secondary Plan.
- Phase 2: Analysis of information and creation of land use options for consideration by stakeholders and the public, with input from aligning studies.
- Phase 3: Identification of a preferred land use plan and policy directions for the Secondary Plan area, and an implementation strategy.

Work may be further broken down into more detailed components or additional phases if appropriate. General timelines, work plans and required studies for each phase shall be outlined in the Secondary Plan Terms of Reference. Throughout all phases, the project lead will monitor any ongoing Provincial and City projects and initiatives as they pertain to a Secondary Plan study area, to ensure that the outcomes of other projects are understood and incorporated into the Secondary Plan as required.

REVIEW OF TECHNICAL STUDIES

Technical studies prepared as part of the secondary planning process shall 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.

COMPONENTS OF A SECONDARY PLAN:

All Secondary Plans shall include the following components:

- Description of the secondary plan area;
- Vision;
- Principles, Objectives and/or Goals;
- Land Use Policies for all land use designations;
- Urban Design Policies;
- Cultural Heritage Policies;
- Natural Heritage Policies;
- Transportation Policies;
- Infrastructure, Energy and Sustainability Policies;
- Implementation Policies, including specific direction for land owner groups where appropriate;
- Site Specific Policies; and,
- Maps illustrating permitted land uses, transportation network elements, natural heritage system features, cultural heritage resources, and other details as appropriate.

This is not an exhaustive list of all potential components that may form part of a Secondary Plan. Other components may be included where appropriate.

PUBLIC ENGAGEMENT:

Public Engagement is a critical part of a Secondary Plan process and must occur at each phase of the process. Feedback must be documented to be able to illustrate how it has been considered at each phase. Where a Secondary Plan is privately initiated, a Public Consultation Plan that meets or exceeds the consultation standards noted below shall be required as part of a detailed terms of reference.

Information about each consultation shall be collected and documented in a feedback report, which shall form part of the final Secondary Plan report. Information included in feedback reporting should be consistent with the Council approved Public Consultation Summary and Comment Response Guidelines for Planning Act applications.

Minimal consultation for **each phase** includes:

- For City-led Secondary Plan processes, one advance meeting with an internal Technical Advisory group comprised of City staff;
- For a privately initiated Secondary Plan, one advance meeting with a City staff review group;

- One meeting with a Community Liaison Group/Community Focus Group;
- One in-person Public Meeting or Workshop; and,
- One virtual Public Meeting or Workshop (virtual meetings may be combined with in-person meetings).

The standards above outline minimum requirements for public engagement. Nothing in this guideline is intended to restrict additional public engagement from taking place. Additional staff, stakeholder or public meetings may be beneficial as part of a Secondary Plan process. Additional methods of engagement to solicit feedback are encouraged and could include pop-up events, surveys, or other engagement methods. Social media postings and advertising are forms of communication but not considered engagement methods.

Community Liaison Group/Community Focus Group

The purpose of a Community Liaison Group/Community Focus Group is to act as a ‘sounding board’ and provide input to the project team completing a Secondary Plan at each phase prior to broader public consultation meetings. These groups are an important method of engagement because the knowledge and advice of local residents, stakeholders, and community leaders can lead to more informed and better decision making. A Community Liaison Group/Focus Group can assist in the identification of opportunities, issues and constraints, share knowledge of an area, review the project team’s work and provide input at key milestones throughout the study, provide feedback that reflects the needs and interests of the local community and/or their represented interest group, and assist with communicating the study’s progress to the larger community. A Community Liaison Group/Focus Group should be comprised of approximately 6-12 persons. Members should come from a wide range of backgrounds to represent the overall study area, and may include persons who are residents, part of the agricultural industry, business and land owners, workers, and/or representatives from local residents' associations and interest groups.

Project Email

A project contact email shall also be established at the commencement of the project, to receive questions and comments regarding the Secondary Plan. The project email shall be monitored on a regular basis and the project team must provide responses to inquiries in a timely manner. All comments submitted via email should be documented as part of the feedback report.

PUBLIC NOTICE REQUIREMENTS:

Throughout a Secondary Plan project, a list of persons who have requested to be notified about the project shall be maintained and updated on an ongoing basis. Every phase of the Secondary Plan process shall require notification to all persons on this list by email or mail.

The first phase of a Secondary Plan requires a higher level of notification to ensure that potential interested persons are made aware of the Secondary Plan from the beginning of the process. Notice of the first phase of public consultations must include:

- A mailed notice to all addresses within the study area for the Secondary Plan and to all addresses within 240 metres of the boundary of a study area.

Each Phase of the Secondary Plan process (Phases 1, 2 and 3) shall require the following additional notification measures:

- A mailed or emailed notice to all parties normally notified of an Official Plan Amendment application. These may include but are not limited to Utility Companies, Railways, School boards, Conservation Authorities, Canada Post, Transport Canada, Metrolinx and the Ministry of Transportation (contact information may be provided by the City);
- A mailed or emailed notice to the Hamilton International Airport;
- A mailed or emailed notice to the Mayor and all Councillors;
- A mailed or emailed notice to any Neighbourhood Associations located in surrounding areas;
- A mailed or emailed notice to the Ontario Federation of Agriculture and the Agriculture and Rural Affairs Advisory Committee Legislative Coordinator;
- A mailed or emailed notice to the Director of Planning and Chief Planner;
- A mailed or emailed notice to the Chief Fire Official;
- A newspaper notice in a newspaper with a City-wide distribution area; and,
- A newspaper notice in any local community newspaper whose distribution area includes all or part of the Secondary Plan study area.

Indigenous Consultation

Notification shall also be provided by mail or email prior to commencement of the first Phase of a Secondary Plan, to all indigenous nations which may have an interest in the project. Initial notification prior to commencement of the project shall include an offer to meet with each indigenous nation to discuss the project. Where no response to a project commencement notice is received, a follow-up email and phone call is needed to confirm whether there are any interests related to the project. Follow-ups shall be documented in the project records.

Website

A central website shall be created and made publicly available where information related to the project such as reports, studies, minutes of meetings, etc., contact information, and information about public consultation opportunities is available.

Newspaper Notice Content

A newspaper notice must include a brief description of the Secondary Plan study, a location map of the study area, information about planned consultation events, instructions for how the public can provide input, and project contact information.

FINAL REPORT:

Once the Secondary Plan process has been completed, a final Secondary Plan Report shall be prepared in support of the recommended/proposed Secondary Plan.

Where a Secondary Plan is privately initiated, this report shall be a requirement for a Complete Application for Official Plan Amendment, when the formal application is made for the proposed Secondary Plan.

In addition to any other requirements identified through the consultation process, the report must include the following components, prepared in accordance with City of Hamilton Terms of References:

- Basic background information about the Secondary Plan area;
- A summary of the process undertaken to create the Secondary Plan, including a review of supporting studies and how they were incorporated;
- A review of applicable planning policy and how the proposed plan conforms to those policies;
- A summary of all consultations undertaken throughout the process of creating the Secondary Plan;
- A summary of public feedback received, and copies of feedback in an appendix;
- Information about how public feedback was considered at each phase and incorporated into the Plan;
- A detailed analysis and rationale for the recommended Secondary Plan. This should include growth estimates for the plan, land use information for different types of land uses, transportation network information, infrastructure information, and information about other planning priorities such as housing, urban design, natural and cultural heritage conservation, sustainability and climate change adaptation; and,
- A final draft of the proposed Official Plan Amendment to establish the Secondary Plan, including all policies, maps and schedules.

Note:

A Secondary Plan Report is similar to a Planning Justification Report as it sets out the planning rationale for the Secondary Plan and how all of the planning considerations related to the Secondary Plan have been balanced appropriately based on good planning principles. Where a Secondary Plan is privately initiated and a Planning Justification Report is also a requirement for a complete application, a single report may be submitted to satisfy both requirements, provided it meets the guidelines for both reports.

OTHER INFORMATION

GRIDS 2 / MCR

<https://www.hamilton.ca/build-invest-grow/planning-development/grids/grids-2-and-municipal-comprehensive-review>

Land Needs Assessment (LNA)

<https://www.hamilton.ca/build-invest-grow/planning-development/grids/land-needs-assessment>

Official Plan Review

<https://www.hamilton.ca/build-invest-grow/planning-development/official-plan/official-plan-review>

Development Application Guidelines

<https://www.hamilton.ca/build-invest-grow/planning-development/planning-policies-guidelines>

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