

Modifications to the Urban Hamilton Official Plan implemented through OPA 167.

Volume 1: Text Modifications

Council Adopted	MMAH Modification	Comments	Acceptance of November 4, 2022 Provincial modification shown with a “Yes”
Chapter A Modifications			
<p>A.1.2 Hamilton's Future – A Time for Change Over the next 30 years By 2051, the City is expected to grow to achieve a population of 660,000820,000 and 300,000360,000 jobs. The shape, look and feel of the City will change - influenced not only by physical growth but by economic, and demographic and climate change, as well. An aging population, a declining number of people per household, the effects of the global economy on local companies, increasing pressures on community services, the impacts of a changing climate, and urban pressure on rural resources will result in change – physical, economic and social. The City will experience many changes over the lifetime of this Plan. Change brings energy and opportunities. To effect positive change the City must harness that energy, take advantage of the</p>	<p>A.1.2 Hamilton's Future – A Time for Change By 2051, the City is expected to grow to achieve a minimum population of at least 820,000 and at least 360,000 jobs. The shape, look and feel of the City will change - influenced not only by physical growth but by economic, demographic and climate change, as well. An aging population, a declining number of people per household, the effects of the global economy on local companies, increasing pressures on community services, <i>the impacts of a changing climate</i>, and urban pressure on rural resources will result in change – physical, economic and social. The City will experience many changes over the lifetime of this Plan. Change brings energy and opportunities. To effect positive change the City must harness that energy, take advantage of the opportunities, and manage any undesirable impacts.</p>	<p>Creates uncertainty in planning for future growth by not establishing a definitive growth forecast.</p> <p>The Growth Plan states in Policy 2.2.1 that the growth forecasts will be used for planning and managing growth to the horizon of the Plan.</p> <p>Policy 5.2.4.2 of the Growth Plan allows for municipalities to plan for growth beyond the growth forecasts but does not require it.</p>	

<p>opportunities, and manage any undesirable impacts.</p> <p>Responding to the impacts of a changing climate is an urgent challenge the City must face now and over the next 30 years. The City has declared a Climate Emergency and established a goal to achieve net zero carbon emissions by 2050. The implications of not responding to the Climate Emergency are dire. It is predicted that the number of very hot days per year (above 30 degree Celsius) will increase from an average of 16 between 1976 – 2005 to an average of 37 per year. In a high emissions scenario, the Province of Ontario would be anticipated to see an average annual temperature rise of 5.1 degrees Celsius, and Hamilton would be anticipated to see an average annual precipitation increase of 66.7 mm in the 2050s. These potentially severe consequences of climate change reinforce that actions to reduce and respond to the impacts of a changing climate will be required across all City departments and will include both corporate and community initiatives. A climate change lens must be applied to all planning decisions going forward as per the City’s Corporate Goals and Areas of Focus for Climate Change Mitigation and Adaptation,</p>	<p>Responding to the <i>impacts of a changing climate</i> is an urgent challenge the City must face now and over the next 30 years. The City has declared a Climate Emergency and established a goal to achieve net zero carbon emissions by 2050. The implications of not responding to the Climate Emergency are dire. It is predicted that the number of very hot days per year (above 30 degree Celsius) will increase from an average of 16 between 1976 – 2005 to an average of 37 per year. In a high emissions scenario, the Province of Ontario would be anticipated to see an average annual temperature rise of 5.1 degrees Celsius, and Hamilton would be anticipated to see an average annual precipitation increase of 66.7 mm in the 2050s. These potentially severe consequences of climate change reinforce that actions to reduce and respond to the <i>impacts of a changing climate</i> will be required across all City departments and will include both corporate and community initiatives. A climate change lens must be applied to all planning decisions going forward, as per the City's Corporate Goals and Areas of Focus for Climate Change Mitigation and Adaptation, to plan for a City that is resilient to the <i>impacts of a changing climate</i>.</p>		
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<p>to plan for a City that is resilient to the impacts of a changing climate.</p> <p>Our location in the Golden Horseshoe, as well as the City's strengthening relationship with the Greater Toronto Area (GTA) municipalities, provide both benefits and challenges. Hamilton has become an attractive place to live because of its the amenities and reasonable housing prices relative to other cities in the region. However, many of our residents are commuting commute to jobs outside Hamilton. One of the City's key priorities is to increase employment opportunities within our boundaries. Another challenge is that our strong social service network serves populations both within and outside the City who require assistance and reside both within and outside the City.</p>	<p>Our location in the Golden Horseshoe, as well as the City's strengthening relationship with the Greater Toronto Area (GTA) municipalities, provide both benefits and challenges. Hamilton has become an attractive place to live because of its amenities and reasonable housing prices relative to other cities in the region. However, many of our residents' commute to jobs outside Hamilton. One of the City's key priorities is to increase employment opportunities within our boundaries. Another challenge is that our strong social service network serves populations who require assistance and reside both within and outside the City.</p> <p>(MMAH Mod. 1)</p>		
<p>A.1.4 Principles of the Official Plan The Official Plan plays a major role in setting a framework of actions that will lead to the sustainable, healthy future envisioned by Vision 2020 Our Future Hamilton and the City's Strategic Plan. The framework of the Official Plan is centred on the following principles:</p> <ul style="list-style-type: none"> • compact and healthy urban communities that provide opportunities to live, work, play, and learn; 	<p>A.1.4 Principles of the Official Plan The Official Plan plays a major role in setting a framework of actions that will lead to the sustainable, healthy future envisioned by Our Future Hamilton and the City's Strategic Plan. The framework of the Official Plan is centred on the following principles:</p> <ul style="list-style-type: none"> • compact and healthy urban communities that provide opportunities to live, work, play, and learn; • a strong rural community protected by firm urban boundaries; 	<p>Text deletion reduces importance of the principle of a firm urban boundary.</p>	

<ul style="list-style-type: none"> • a strong rural community protected by firm urban boundaries; • environmental systems – land, air and water – that are protected and enhanced; • balanced transportation networks that offer choice so people can walk, cycle, take transit, or drive, and recognize the importance of goods movement to our local economy; • reducing Greenhouse Gas (GHG) emissions and adapting to the impacts of a changing climate; • a growing, strong, prosperous and diverse economy; • a wide range and healthy supply of housing options for current and future residents; • planning for a City that is equitable and inclusive, and which meets the evolving needs of Hamilton’s diverse population; • financial stability; and, • strategic and wise use of infrastructure services and existing built environment. 	<ul style="list-style-type: none"> • environmental systems – land, air and water – that are protected and enhanced; • balanced transportation networks that offer choice so people can walk, cycle, take transit, or drive, and recognize the importance of goods movement to our local economy; • reducing Greenhouse Gas (GHG) emissions and adapting to the <i>impacts of a changing climate</i>; • a growing, strong, prosperous and diverse economy; • a wide range and healthy supply of housing options for current and future residents; • planning for a City that is equitable and inclusive, and which meets the evolving needs of Hamilton’s diverse population; • financial stability; and, strategic and wise use of infrastructure services and existing built environment. <i>(MMAH Mod. 2)</i> 		
<p>A.1.6 Supporting Plans and Strategies This Official Plan relies on legislation, strategies, plans and guidelines as implementation tools to move the City’s communities forward to meet, not only City directions, but also provincial requirements. Examples include:</p>	<p>A.1.6 Supporting Plans and Strategies This Official Plan relies on legislation, strategies, plans and guidelines as implementation tools to move the City’s communities forward to meet, not only City directions, but also provincial requirements. Examples include:</p> <ul style="list-style-type: none"> • Growth Related Integrated Development Strategy (GRIDS 2) - The 	<p>Text deletion eliminates language about requiring sustainability and limits the referenced plans to incentivizing and encouraging. This reduces the policy support for stronger mandatory requirements for sustainability.</p>	

<ul style="list-style-type: none"> • Growth Related Integrated Development Strategy (GRIDS 2) - The purpose of GRIDS 2 is to integrate growth management for land use and community services to achieve the City's Vision through the long-term <i>development</i> of land uses and services based on environmental priorities, social issues, economic opportunities and population studies. • Other Initiatives – The City has developed a Corporate Energy and Sustainability Policy, a Community Climate Change Action Plan, and developed Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation to provide a comprehensive, coordinated and multidisciplinary approach to climate change mitigation and adaptation. These plans will require, where possible, incentivize and encourage environmental sustainability including reducing GHG emissions and improving climate resiliency. 	<p>purpose of GRIDS 2 is to integrate growth management for land use and community services to achieve the City's Vision through the long-term <i>development</i> of land uses and services based on environmental priorities, social issues, economic opportunities and population studies.</p> <p>...</p> <ul style="list-style-type: none"> • Other Initiatives – The City has developed a Corporate Energy and Sustainability Policy, a Community Climate Change Action Plan, and developed Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation to provide a comprehensive, coordinated and multidisciplinary approach to climate change mitigation and adaptation. These plans will require, where possible, incentivize and encourage environmental sustainability including reducing GHG emissions and improving climate resiliency. (MMAH Mod. 3) 		
<p>A.2.3 Growth Management – Provincial</p> <p>The Province of Ontario's A Places to Grow: Growth Plan for the Greater Golden Horseshoe (2006-2019) (Growth Plan), as amended, sets out a vision to 20312051 for how and how much growth should occur in the Greater</p>	<p>A.2.3 Growth Management – Provincial</p> <p>The Province of Ontario's <i>A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (Growth Plan)</i>, as amended, sets out a vision to 2051 for how and how much growth should occur in the Greater Golden Horseshoe (GGH). This area is</p>	<p>Creates uncertainty in planning for future growth by not establishing a definitive growth forecast.</p> <p>The Growth Plan states in Policy 2.2.1 that the growth forecasts will be used for planning and managing</p>	

<p>Golden Horseshoe (GGH). This area is expected to grow by 3.74.6 million people by 20312051 with Hamilton projecting to take a 1.75.1% share of the GGH growth.</p>	<p>expected to grow by a minimum of 4.6 million people by 2051 with Hamilton projecting to take a minimum 5.1% share of the GGH growth. (MMAH Mod 4)</p>	<p>growth to the horizon of the Plan.</p> <p>Policy 5.2.4.2 of the Growth Plan allows for municipalities to plan for growth beyond the growth forecasts but does not require it.</p>	
<p>Greenfield Density Target A.2.3.34.32 <i>Greenfield areas shall be planned to achieve an overall minimum density of 50 60 people and jobs per hectare. The greenfield density target shall be measured over the entirety of Hamilton's greenfield area, excluding natural heritage features designated in this Plan, right-of-way for electrical transmission lines, energy transmission pipelines, roads classified as freeways, as defined and mapped as part of the Ontario Road Network, as well as railways, employment areas, and cemeteries. The greenfield area includes designated employment areas. On employment lands, the City shall plan to meet a density target of 37 people and jobs per hectare. On non-employment lands, densities will need to achieve a minimum average density of 70 persons and jobs per hectare to meet the overall density target.</i></p>	<p>Greenfield Density Target A.2.3.4.2 The minimum density target for greenfield areas shall be established through a future Amendment to this Plan as part of this municipal comprehensive review. Greenfield areas shall be planned to achieve an overall minimum density of 60 people and jobs per hectare. The greenfield density target shall be measured over the entirety of Hamilton's greenfield area, excluding natural heritage features designated in this Plan, right-of-way for electrical transmission lines, energy transmission pipelines, roads classified as freeways, as defined and mapped as part of the Ontario Road Network, as well as railways, employment areas, and cemeteries. (MMAH Mod 5)</p>	<p>Text change required revisiting greenfield density target because of impacts from added Urban Boundary Expansion Areas.</p> <p>The target of 60 persons and jobs per hectare was intended to apply only to greenfield areas already within Hamilton's urban boundary prior to OPA 167 and reflected the planned density of the City's designated greenfield area lands as identified in the Vacant Land Inventory. This was reviewed and confirmed through GRIDS 2 / MCR and the Existing Designated Greenfield Area Density Analysis dated March 2021 which was received by Council without amendments.</p> <p>Modification does not align with Council approved growth strategy.</p>	

<p>A.2.3.34.4 Hamilton is required to The City shall plan to achieve a minimum of 4080% of all residential development occurring annually within its <i>built-up area</i> by 2015. A total of 26,50088,280 units are to be accommodated within the <i>built-up area</i> between 20012021 and 20312051. The <i>built-up area</i> for Hamilton is identified on Appendix G.</p>	<p>A.2.3.4.4 The residential intensification target shall be established through a future Amendment to this Plan as part of this municipal comprehensive review. The residential intensification target is a minimum percentage The City shall plan to achieve a minimum of 80% of all residential development occurring annually within its <i>built-up area</i>. A total of 88,280 units are to be accommodated within the built-up area between 2021 and 2051. The <i>built-up area</i> for Hamilton is identified on Appendix G. (MMAH Mod 6)</p>	<p>Revisiting of intensification target was required due to impacts from added Urban Boundary Expansion Areas.</p> <p>Original target reflects no urban boundary expansion.</p> <p>Modification does not align with Council approved growth strategy.</p>	
<p>A.2.4 Growth Management - Hamilton In May 2006, City Council adopted the City's first Growth Management Strategy. The Growth Related Integrated Development Strategy (GRIDS) identified the broad land use structure, associated infrastructure and major transportation networks to be in place for Hamilton by 2031. The recommended growth options were developed in accordance with the provincial growth forecasts. The land use recommendations from GRIDS form the basis of many policies within this Plan. In November 2021, through the update to GRIDS known as GRIDS 2, City Council endorsed a No Urban Boundary Expansion growth scenario to plan for the</p>	<p>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 a future Amendment to this Plan, Secondary planning will be based on detailed assessment and consideration of applicable provincial policies. In May 2006, City Council adopted the City's first Growth Management Strategy. The Growth Related Integrated Development Strategy (GRIDS) identified the broad land use structure, associated infrastructure</p>	<p>See comments in Analysis and Rationale Section of staff report.</p> <p>Added urban expansion areas significantly changed growth strategy and required additional work to create framework for future detailed Secondary Planning.</p> <p>Modification does not align with Council approved growth strategy and also exceeds the amount of land that had been recommended previously by staff through the How Should Hamilton Grow analysis.</p>	

<p>City's growth to 2051. The No Urban Boundary Expansion scenario accommodates the City's growth to 2051 within the existing Urban Area through intensification and development of existing designated greenfield lands, and a limited amount of infill development within <i>Rural Hamilton</i>. The City will be required to accommodate 109,880 new housing units within the existing Urban Area, of which 88,280 will be within the <i>built-up area</i> and 21,600 will be within the <i>greenfield area</i>. An additional 440 housing units will be developed through limited infill within <i>Rural Hamilton</i>.</p>	<p>and major transportation networks to be in place for Hamilton by 2031. In November 2021, through the update to GRIDS known as GRIDS 2, City Council endorsed a No Urban Boundary Expansion growth scenario to plan for the City's growth to 2051. The No Urban Boundary Expansion scenario accommodates the City's growth to 2051 within the existing Urban Area through intensification and development of existing designated greenfield lands, and a limited amount of infill development within <i>Rural Hamilton</i>. The City will be required to accommodate 109,880 new housing units within the existing Urban Area, of which 88,280 will be within the <i>built-up area</i> and 21,600 will be within the <i>greenfield area</i>. An additional 440 housing units will be developed through limited infill within <i>Rural Hamilton</i>. (MMAH Mod 7)</p>		
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Chapter B Modifications			
<p>B.2.1.1 The <i>urban boundary</i> defines the area where all urban <i>development</i> occurs. Lands within the <i>urban boundary</i> are already serviced or planned to be serviced with major roads, transit and full municipal services. The land within the <i>urban boundary</i> includes both the area within the <i>built-up area</i> and <i>greenfield area</i>. Lands within the existing <i>urban boundary</i> represent a 2030 year supply of designated urban land and are intended to accommodate the majority all of the City's projected urban growth.</p>	<p>B.2.1.1 The <i>urban boundary</i> defines the area where all urban <i>development</i> occurs. Lands within the urban boundary are already serviced or planned to be serviced with major roads, transit and full municipal services. The land within the <i>urban boundary</i> includes both the area within the <i>built-up area</i> and <i>greenfield area</i>. Lands within the existing urban boundary represent a 30-year supply of designated urban land and are intended to accommodate all of the City's projected urban growth. (MMAH Mod 8)</p>	<p>Changes do not align with Council approved growth strategy.</p>	
<p>Delete existing B.2.2.1 policy in its entirety and replace with new policy, as follows: B.2.2.1 Hamilton's Growth Strategy (GRIDS) identified the following two areas for future <i>urban boundary</i> expansion to accommodate the population and employment growth targets for 2031: a) Future Airport Employment Growth District, identified as Special Policy Area C in the Rural Hamilton Official Plan, is generally bounded by the existing <i>urban boundary</i> adjacent to Upper James Street to the east, White Church and Fiddler's Green Roads on the south, Garner Road on the west and Glanaster Road, and Twenty Road West on the north.</p>	<p>B.2.2.1 The City's urban boundary is firm and expansion to accommodate growth to the year 2051 is not required. All planned growth to 2051 shall be accommodated through development of the City's existing designated greenfield area and intensification throughout the <i>Urban Area</i>, development of the City's designated greenfield area, and a limited amount of infill development within <i>Rural Hamilton</i>. (MMAH Mod 9)</p>	<p>Changes do not align with Council approved growth strategy.</p>	

<p>b) Future Urban Growth District is generally bounded by Mud Street, Second Road and Hendershot Road on the east, Golf Club Road on the south, Trinity Church Road on the west, and the existing urban boundary (west side of Centennial Parkway) on the north. Future Urban Growth District in the vicinity of Elfrida, located generally in the area of Upper Centennial Parkway, Rymal Road East, Highway 20 and Highway 56.</p> <p>The City's urban boundary is firm and expansion to accommodate growth to the year 2051 is not required. All planned growth to 2051 shall be accommodated through development of the City's existing designated greenfield area and intensification throughout the Urban Area, and a limited amount of infill development within Rural Hamilton.</p>			
<p>Delete existing B.2.2.2 policy in its entirety and replace with new policy, as follows: B.2.2.2.2.1 The exact limits of the lands to be included as part of the urban boundary expansion shall be determined as part of a municipally initiated comprehensive review and secondary plan.</p> <p>B.2.2.2 Notwithstanding Policy B.2.2.1, adjustments to the urban boundary may be permitted</p>	<p>B.2.2.2 Notwithstanding Policy B.2.2.1, adjustments to the <i>urban boundary</i> may be permitted through a municipal comprehensive review provided:</p> <p>a) there is no net increase in land within the <i>urban area</i>;</p> <p>b) the adjustment would support the City's ability to meet <i>intensification</i> and <i>redevelopment</i> targets provided in Section A.2.3 – Growth Management – Provincial;</p> <p>c) <i>prime agricultural areas</i> are avoided where possible. Alternative</p>	<p>Modifications reflect existing policies in Section 2.2.8 Settlement Area Boundary Expansions of the Growth Plan.</p> <p>Changes add value but are not critical to conformity or administration of the plan.</p>	<p>Yes</p>

<p>through a municipal comprehensive review provided:</p> <p>a) there is no net increase in land within the <i>urban area</i>;</p> <p>b) the adjustment would support the City's ability to meet <i>intensification and redevelopment</i> targets provided in Section A.2.3 – Growth Management – Provincial;</p> <p>c) <i>prime agricultural areas</i> are avoided where possible. Alternative locations will be evaluated, prioritized and determined based on avoiding, minimizing and mitigating impacts on the Agricultural System;</p> <p>d) the lands are not located within the <i>Greenbelt Area</i>;</p> <p>e) for lands within the <i>Niagara Escarpment Plan</i> area, the lands are designated Urban Area in the <i>Niagara Escarpment Plan</i>; and,</p> <p>f) there is sufficient reserve <i>infrastructure</i> capacity to service the lands.</p>	<p>locations across the City will be evaluated, prioritized and determined based on avoiding, minimizing and mitigating impacts on the Agricultural System and in accordance with the following;</p> <p>i) an adjustment into speciality crop areas is prohibited;</p> <p>ii) reasonable alternatives that avoid prime agricultural areas are evaluated, and;</p> <p>iii) where prime agricultural areas cannot be avoided, lower priority agricultural lands are used;</p> <p>d) the lands are not located within the <i>Greenbelt Area</i>;</p> <p>e) for lands within the <i>Niagara Escarpment Plan</i> area, the lands are designated Urban Area in the <i>Niagara Escarpment Plan</i>; and,</p> <p>f) there is sufficient reserve <i>infrastructure</i> capacity to service the lands.</p> <p>g) the location of any lands added to the urban boundary will comply with the minimum distance separation formulae;</p> <p>h) any adverse impacts on the agri-food network, including agricultural operations, will be avoided, or if avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment; and,</p>		
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	<p>i) key hydrologic areas and natural heritage system should be avoided where possible. (MMAH Mod 10)</p>		
<p>Delete existing policy B.2.2.3 in its entirety and replace with new policy, as follows.</p> <p>B.2.2.3 2.2.2 No urban boundary expansion shall occur until a municipally initiated comprehensive review and secondary plan have been completed.</p> <p>B.2.2.3 Expansions of the Urban Area of 40 hectares or less in accordance with policy 2.2.8.5 and 2.2.8.6 of the A Place to Grow: Growth Plan shall not be permitted in advance of a municipal comprehensive review.</p>	<p>B.2.2.3 Expansions of the Urban Area of 40 hectares or less in accordance with policy 2.2.8.5 and 2.2.8.6 of the A Place to Grow: Growth Plan shall not be permitted in advance of a municipal comprehensive review. (MMAH Mod 11)</p>	<p>See comments in Analysis and Rationale Section of staff report.</p> <p>Urban boundary expansions should only take place through a municipal comprehensive review exercise and not through individual 40 ha expansions.</p> <p>Modification allowed applications for expansion of the urban boundary in advance of a Municipal Comprehensive Review, whereas the original Council-approved Official Plan Amendment was intended to be more restrictive than the Growth Plan. The reversal of the modification will support Council's direction for OPA 167, but applications to amend this policy in conjunction with applications for boundary expansion under 40 hectares may still be received on the basis that the Growth Plan permits it.</p>	

<p>B.2.4.1.3 The residential intensification target of 80% or 88,280 housing units, specified in Policy A.2.3.3.4 shall generally be distributed through the built-up area as follows:</p> <p>a) The Downtown Urban Growth Centre shall be planned to accommodate approximately 2630% of the intensification target.</p> <p>b) The Urban Nodes and Urban Corridors identified in Section E.2.0 - Urban Structure, excluding the Downtown Urban Growth Centre, shall be planned to accommodate approximately 40% of the residential intensification target.</p> <p>c) 4030% of the residential intensification target is anticipated to occur within the Neighbourhoods as illustrated on Schedule E – Urban Structure. The City will review and update its Zoning By-law to facilitate the planned 27,000 housing units to be developed within the Neighbourhoods through intensification.</p>	<p>B.2.4.1.3 The residential intensification target shall be established through a future Amendment to this Plan as part of this municipal comprehensive review. of 80% or 88,280The housing units, specified in Policy A.2.3.2-4 shall generally be distributed through the built-up area as follows:</p> <p>a) The Downtown Urban Growth Centre shall be planned to accommodate approximately 30% of the intensification target.</p> <p>b) The Urban Nodes and Urban Corridors identified in Section E.2.0 - Urban Structure, excluding the Downtown Urban Growth Centre, shall be planned to accommodate approximately 40% of the residential intensification target.</p> <p>c) 30% of the residential intensification target is anticipated to occur within the Neighbourhoods as illustrated on Schedule E – Urban Structure. The City will review and update its Zoning By-law to facilitate the planned 27,000 housing units to be developed within the Neighbourhoods through intensification. (MMAH Mod 12)</p>	<p>Changes do not align with Council approved growth strategy.</p>	
	<p>B.3.1.1 The City shall strengthen its economy by:</p> <p>a) directing business activity to suitable locations as identified on Schedules E Urban Structure and E-1 – Urban Land Use Designations;</p> <p>b) preparing a new comprehensive Zoning By-law to implement the policies of the Official Plan; and,</p>	<p>Added Policy d) reflects the same language of Policy 3.2.1(2)(c) in the Growth Plan.</p> <p>Added policy e) reflects similar language to Policy 2.2.5(10)(b) of the Growth Plan.</p>	<p>Yes, the modification could be maintained if part (e) is revised to clarify intent.</p>

	<p>c) encouraging improved urban design and quality architecture, as well as improving the urban design elements of the public realm;</p> <p>d) supporting growth through planning for infrastructure by considering the full life cycle costs of these assets and developing options to pay for these costs over the long-term; and,</p> <p>e) consider establishing development criteria, outside of Employment Areas, to ensure that the redevelopment of any employment lands will retain space for a similar number of jobs to remain accommodated on site.</p> <p>(MMAH Mod 13)</p>	<p>Added policy (d) is positive in accounting for lifecycle costs of infrastructure.</p> <p>Staff note that the intent of policy e) is unclear and could be difficult to implement. The establishment of development criteria to maintain a significant number of jobs is already required by the Growth Plan as part of the review of an application for conversion of employment lands outside of a Municipal Comprehensive Review. It is not an optional matter for consideration.</p>	
<p>3.1.2 The City shall:</p> <p>a) protect the supply of Employment Areas, as designated on Schedule E-1 – Urban Land Use Designations, for employment uses by minimizing the establishment of non-employment lands uses, in accordance with the policies of this Plan;</p> <p>b) increase the supply of market-ready ready employment sites through various initiatives;</p> <p>c) complete the Airport Employment Growth District Secondary Plan, associated Class Environmental Assessments, financial analysis and any other required studies; and,</p>	<p>3.1.2 The City shall:</p> <p>a) protect the supply of Employment Areas, as designated on Schedule E-1 – Urban Land Use Designations, for employment uses by minimizing the establishment of non-employment lands uses, in accordance with the policies of this Plan;</p> <p>b) increase the supply of market-ready ready employment sites through various initiatives;</p> <p>c) complete the Airport Employment Growth District Secondary Plan, associated Class Environmental Assessments, financial analysis and any other required studies; and,</p> <p>d) endeavour to provide for and plan for a range of lot sizes throughout the designated Employment Areas; and,</p>	<p>Added text reflects Policy 2.2.5(16) of Growth Plan.</p> <p>Changes add value but are not critical to conformity or administration of the plan.</p>	<p>Yes</p>

<p>d) endeavour to provide for and plan for a range of lot sizes throughout the designated Employment Areas</p>	<p>e) support existing office parks, including improving connectivity with transit and active transportation networks, in accordance with the Growth Plan for the Greater Golden Horseshoe and the policies of this Plan. (MMAH Mod. 14)</p>		
	<p>B.3.1.5 The City will support the retail sector by promoting compact urban form and intensification of retail and service uses and areas and encouraging the integration of those uses with other land uses to support the achievement of complete communities. (MMAH Mod. 15)</p>	<p>Added text reflects Policy 2.2.5(15) of Growth Plan. Changes add value but are not critical to conformity or administration of the plan.</p>	<p>Yes</p>
<p>Insert new Policy B.3.2.3.7, as follows: B.3.2.3.7 The City shall study the feasibility of implementing an inclusionary zoning framework to provide opportunities for affordable housing units within the City's identified Protected Major Transit Station Areas.</p>	<p>B.3.2.3.7—The City shall study the feasibility of implementing an inclusionary zoning framework to provide opportunities for affordable housing units within the City's identified Protected Major Transit Station Areas. (MMAH Mod. 16)</p>	<p>Deleted policy indicates a commitment by the City of Hamilton to study Inclusionary Zoning. This study is already ongoing.</p>	

	B.3.2.4.4 A secondary dwelling unit and a secondary dwelling unit-detached shall be permitted on a single, semi-detached or townhouse lot in all Institutional, Neighbourhoods, Commercial and Mixed Use designations, as shown on Schedule E-1 – Urban Land Use Designations, provided it complies with all applicable policies and Zoning By-law regulations. (MMAH Mod. 17)	Wording adds missing reference to detached secondary dwelling units, as permitted by the Planning Act.	Yes, modification should be maintained to ensure conformity with Planning Act. Reversal would create a non-conformity with Provincial standards.
B.3.4.4.10 11 Where a marked or unmarked cemetery or burial place is found, the nearest First Nation Indigenous community shall be notified.	B.3.4.4.11 Where a marked or unmarked cemetery or burial place is found, the nearest Indigenous community lies with a known interest in the area shall be notified. (MMAH Mod. 18)	Wording provides additional clarification and corrects policy to ensure that all indigenous communities with an interest are notified.	Yes, modification should be maintained to ensure conformity. Reversal would create a non-conformity with Provincial standards.
B.3.6.1.1 The City shall require proponents of development or redevelopment proposal to document previous uses of the property(s) affected by the proposal for lands currently or previously used for; a) employment (industrial), commercial, community, transportation, or utility purposes; b) activities involving the elimination or disposal of waste and other residues, including landfill sites or waste disposal facilities; c) any activities involving the storage or use of hazardous substances, including fuels, oils, chemicals, paints, or solvents; and,	B.3.6.1.1 The City shall require proponents of development or redevelopment proposal to document previous uses of the property(s) affected by the proposal for lands currently or previously used for; a) employment (industrial), commercial, community, transportation, or utility purposes; b) activities involving the elimination or disposal of waste and other residues, including landfill sites or waste disposal facilities; c) any activities involving the storage or use of hazardous substances, including fuels, oils, chemicals, paints, or solvents; and,	These policies provided the City with the ability to ensure site's with known potential for environmental contamination could be subject to the requirements for remediation and Record of Site Condition filing in circumstances where the Province's requirements for RSC filing were not otherwise triggered. Provincial RSC requirements are not triggered where a proposed development will not result in a change to a more sensitive use.	

<p>d) any use with the potential for site contamination, such as dry cleaning facilities, and gas stations.</p>	<p>d) any use with the potential for site contamination, such as dry cleaning facilities, and gas stations. (MMAH Mod. 19)</p>	<p>However, there are many instances where despite the provincial RSC requirement not being triggered, there is a known environmental impact on a site arising from a historical land</p>	
<p>B.3.6.1.3 The City shall continue to identify other circumstances pertaining to specific development or redevelopment proposals where the filing of a Record of Site Condition may be required beyond those circumstances contemplated in Policy B.6.1.2. These circumstances may include the age of a building proposed for redevelopment, historic land use, and potential off-site sources of contamination.</p>	<p>B.3.6.1.3 The City shall continue to identify other circumstances pertaining to specific development or redevelopment proposals where the filing of a Record of Site Condition may be required beyond those circumstances contemplated in Policy B.6.1.2. These circumstances may include the age of a building proposed for redevelopment, historic land use, and potential off-site sources of contamination. (MMAH Mod. 20)</p>	<p>use/development activity that should be corrected/mitigated as part of any new development for the safety of the community and the environment.</p> <p>These policies allowed the City to be better informed as to where there could be potential environmental impacts unbeknownst to the City of Hamilton (B.3.6.1.1),</p>	
<p>B.3.6.1.4 Where there is potential for site contamination due to a previous use or uses on lands subject to development or redevelopment proposals, and a mandatory filing of a Record of Site Condition is triggered, the City shall.</p>	<p>B.3.6.1.4 Where there is potential for site contamination due to a previous use or uses on lands subject to development or redevelopment proposals, and a mandatory filing of a Record of Site Condition is triggered, the City shall. (MMAH Mod. 21)</p>	<p>provided additional parameters for consideration of where an RSC may be required beyond the provinces' requirements (B3.6.1.3) and allowed for the City to exercise RSC requirements as a condition of a development to ensure issues are rectified (B.3.6.1.4)</p>	
<p>B.3.6.5 Hazard Lands <i>Hazard lands</i> are lands that have an inherent risk to life or property due to a variety of natural hazards such as flooding, fire, erosion, or unexpected collapse of land.</p>	<p>B.3.6.5 Hazard Lands <i>Hazard lands</i> are lands that have an inherent risk to life or property due to a variety of natural hazards such as flooding, fire, erosion, or unexpected collapse of land. <i>Hazard lands</i> are</p>	<p>Amendment removes specific title of Ministry that provides mapping for hazardous forest types.</p>	<p>Yes</p>

<p><i>Hazard lands</i> are areas particularly susceptible to the impacts of a changing climate, such as flooding, fire, erosion, slope failure, or other physical conditions which are severe enough to pose a risk to residents, loss of life, property damage, and social disruption either at a specific location or to upstream or downstream lands within the watershed, if these lands were to be developed. ...</p> <p>In the City of Hamilton, <i>hazard lands</i> are defined, mapped, and regulated by the Conservation Authorities in accordance with the <u>Conservation Authorities Act</u>. The Niagara Escarpment Commission regulates lands that also have inherent hazards through the <u>Niagara Escarpment Planning and Development Act</u>. The Ministry of Northern Development, Mines, Natural Resources and Forestry maintains mapping of hazardous forest types for wildland fire. Due to the dynamic nature of hazard lands and forested areas, the condition for hazard lands, including hazardous forest types for wildland fire, is not static and mapping must be updated on an ongoing basis.</p>	<p>areas particularly susceptible to the <i>impacts of a changing climate</i>, such as flooding, fire, erosion, slope failure, or other physical conditions which are severe enough to pose a risk to residents, loss of life, property damage, and social disruption either at a specific location or to upstream or downstream lands within the watershed, if these lands were to be developed. ...</p> <p>In the City of Hamilton, <i>hazard lands</i> are defined, mapped, and regulated by the Conservation Authorities in accordance with the <u>Conservation Authorities Act</u>. The Niagara Escarpment Commission regulates lands that also have inherent hazards through the <u>Niagara Escarpment Planning and Development Act</u>.</p> <p>Generalized fire mapping provided by the Province helps to identify potentially hazardous forest types. The Ministry of Northern Development, Mines, Natural Resources and Forestry maintains mapping of hazardous forest types for wildland fire. Due to the dynamic nature of <i>hazard lands</i> and forested areas, the condition for <i>hazard lands</i>, including <i>hazardous forest types for wildland fire</i>, is not static and mapping must be updated on an ongoing basis.</p> <p>(MMAH Mod. 22)</p>	<p>Change is minor and not critical to conformity and does not change the application of the Official Plan policy.</p>	
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<p>B.3.6.5.9 Notwithstanding Policy B.3.6.5.6, B.3.6.5.7, and B.3.6.5.8, <i>development and site alteration</i> may be permitted on <i>hazard lands</i>: a) in those exceptional situations where a Special Policy Area, under Section 3.1.4 a) of the Provincial Policy Statement has been approved by the Province. ...</p>	<p>B.3.6.5.9 Notwithstanding Policy B.3.6.5.6, B.3.6.5.7, and B.3.6.5.8, <i>development and site alteration</i> may be permitted on <i>hazard lands</i>: a) in those exceptional situations where a Special Policy Area, under Section 3.1.4 a) of the Provincial Policy Statement has been approved by the Province. Such special policy areas permitted development and site alteration on hazard lands shall be included as Area Specific Policies in Volume 3. The designation of a floodplain Special Policy Area, and any change or modification to the site specific official plan policies, land use designations or boundaries applying to a floodplain Special Policy Area, must be approved by the Province prior to the City approving such changes or modifications. (MMAH Mod. 23)</p>	<p>Change provides additional clarification. Change is minor and not critical to conformity and does not change the application of the Official Plan policy.</p>	<p>Yes</p>
<p>Insert new Policy B.3.6.5.16, as follows: B.3.6.5.16 Hazardous forest types for wildland fire are identified and mapped by the Ministry of Northern Development, Mines, Natural Resources and Forestry. The City shall maintain mapping of hazardous forest types for wildland fire to assist in the screening and assessment of development proposals.</p>	<p>B.3.6.5.16 Hazardous forest types for wildland fire are identified and mapped by the Ministry of Northern Development, Mines, Natural Resources and Forestry. The City shall maintain mapping of <i>hazardous forest types for wildland fire</i> to assist in the screening and assessment of development proposals. (MMAH Mod. 24)</p>	<p>Amendment removes specific title of Ministry that provides mapping for hazardous forest types. Change is minor and not critical to conformity and does not change the application of the Official Plan policy.</p>	<p>Yes</p>

Chapter C Modifications			
<p>C.1.0 The Official Plan must be consistent with the Provincial Policy Statement and conform to the Growth Plan, the Greenbelt Plan and the Niagara Escarpment Plan. However, in some areas of provincial policy, the municipality can be more restrictive than the provincial directions. Where land use designations exist, this section details the interrelationship between the various provincial documents and this Plan.</p>	<p>C.1.0 The Official Plan must be consistent with the Provincial Policy Statement and conform to the Growth Plan, the Greenbelt Plan and the Niagara Escarpment Plan. However, in some areas of provincial policy, the municipality can be more restrictive than the provincial directions unless doing so would conflict with any provincial policy. Where land use designations exist, this section details the interrelationship between the various provincial documents and this Plan. (MMAH Mod. 25)</p>	<p>Amendment provides additional clarification.</p> <p>Change is minor and not critical to conformity and does not change the application of the Official Plan policy.</p>	<p>Yes</p>
	<p>C.3.2.4 Land use compatibility between sensitive land uses, major facilities, major retail uses and major office uses in all land use designations shall be in accordance with policy E.5.2.7.1. (MMAH Mod. 26)</p>	<p>Policy E.5.2.7.1 language was designed to address employment uses and compatibility with other uses. Modification expands policies to require consideration of major facilities, major retail uses and major office uses.</p> <p>The intent of the policy aligns with Official Plan objectives of ensuring compatibility between sensitive land uses and other major facilities.</p> <p>Reflects Policy 2.2.5(8) of A Place to Grow: Growth Plan.</p> <p>Changes add value and ensures conformity with new terms and policies in the</p>	<p>Yes, modification should be maintained to ensure conformity. Reversal may create a non-conformity with Provincial standards.</p>

		Growth Plan for major facilities, major retail uses, and major office uses.	
	<p>C.4.2.11 Corridors along the entire BLAST Network shall be supported by transit-oriented communities and the City shall encourage higher density development on all frequent transit corridors.</p> <p>(MMAH Mod. 27)</p>	Change may have unanticipated impacts for growth planning as this is a departure from focusing higher density development on primary and secondary corridors within the City's urban structure plan. Some areas that have frequent transit service may not align with primary and secondary corridors.	
<p>C.4.2.16 18 Additional <i>transportation corridors</i> may be added to the integrated transportation network in Hamilton in the future. Recognizing the need to plan proactively for future infrastructure requirements and sustainable transportation solutions, the City supports active participation with provincial, inter-provincial and federal transportation planning studies such as the ongoing Niagara to Greater Toronto Area (NGTA) corridor planning Greater Golden Horseshoe Transportation Plan and Environmental Assessment study and the Ontario-Quebec Continental Gateway and Trade Corridor Study.</p> <p>a) The NGTA study will address congestion, economic growth, and better gauge a long term land use</p>	<p>C.4.2.18 Additional <i>transportation corridors</i> may be added to the integrated transportation network in Hamilton in the future. Recognizing the need to plan proactively for future infrastructure requirements and sustainable transportation solutions, the City supports active participation with provincial, inter-provincial and federal transportation planning studies such as the Greater Golden Horseshoe Transportation Plan and the Ontario-Quebec Continental Gateway and Trade Corridor Study. (MMAH Mod. 28)</p>	Change is minor and not critical to conformity or application of the Official Plan policy.	Yes

<p>and transportation framework extending from the Niagara Peninsula to the Greater Toronto Area.</p> <p>b) The Ontario-Quebec Continental Gateway and Trade Corridor Study will develop a multi-modal strategy to improve goods movement and trade.</p>			
<p>C.4.6 Goods Movement Network</p> <p>An important component of Hamilton's transportation network is an efficient system of goods and services movement, which helps attract and retain industries and business, thus contributing to the City's economy. The major goods movement network facilities and corridors in Hamilton consists of provincial highways, the road network, rail, the John C. Munro Hamilton International Airport and the Port of Hamilton. The local goods movement network links to the wider inter-regional, inter-provincial, and inter-national goods movement network as detailed in the Growth Plan for the Greater Golden Horseshoe. Hamilton has access to a wide range of major goods movement facilities and corridors. These facilities and corridors form a network which contributes to making the City an ideal location for a "goods movement gateway".</p>	<p>C.4.6 Goods Movement Network</p> <p>An important component of Hamilton's transportation network is an efficient system of goods and services movement, which helps attract and retain industries and business, thus contributing to the City's economy. The <i>major goods movement facilities and corridors</i> in Hamilton consists of provincial highways, the road network, rail, the John C. Munro Hamilton International Airport and the Port of Hamilton. The local goods movement network links to the wider inter-regional, inter-provincial, and inter-national goods movement network as detailed in the Growth Plan for the Greater Golden Horseshoe and further detailed in the GGH Transportation Plan's Strategic Goods Movement Network and associated policy directions. Hamilton has access to a wide range of <i>major goods movement facilities and corridors</i>. These facilities and corridors form a network which contributes to making the City an ideal location for a "goods movement gateway".</p> <p>(MMAH Mod. 29)</p>	<p>Change adds additional clarification.</p> <p>Change is minor and not critical to conformity and does not impact application of the Official Plan policy.</p>	<p>Yes</p>

<p>Insert new Policy C.5.3.11 and renumber subsequent policies accordingly.</p> <p>C.5.3.11 The City shall maintain and update a Water and Wastewater Master Plan which is supported by the policies of this Plan, providing direction for:</p> <p>a) planning and staging of improvements to the City’s water and sewer facilities;</p> <p>b) guidance on the operation of the City’s day-to-day water and sewer programs;</p> <p>c) ensuring that the City’s water and sewer systems are prepared for the <i>impacts of a changing climate</i> including increased flooding, extreme temperatures and weather events;</p> <p>d) demonstrates that the effluent discharges and water takings associated with the system will not negatively impact the quality and quantity of water; and,</p> <p>e) protection of human health and safety and the natural environment.</p>	<p>C.5.3.11 The City shall maintain and update a Water and Wastewater Master Plan, informed by watershed planning or equivalent, which is supported by the policies of this Plan, providing direction for:</p> <p>a) planning and staging of improvements to the City’s water and sewer facilities;</p> <p>b) guidance on the operation of the City’s day-to-day water and sewer programs;</p> <p>c) ensuring that the City’s water and sewer systems are prepared for the <i>impacts of a changing climate</i> including increased flooding, extreme temperatures and weather events;</p> <p>d) demonstrates that the effluent discharges and water takings associated with the system will not negatively impact the quality and quantity of water; and,</p> <p>e) protection of human health and safety and the natural environment.</p> <p>(MMAH Mod. 30)</p>	<p>Change provides additional clarification.</p> <p>Change is minor and not critical to conformity and does not change the application of the Official Plan policy.</p>	<p>Yes</p>
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Chapter E Modifications			
	<p>E.2.1 b) Major office and appropriate major institutional development will be directed to Urban Nodes, Urban Corridors and Delineated Major Transit Station Areas. (MMAH Mod. 31)</p>	<p>Reflects Policy 2.2.5(2) of the Growth Plan.</p> <p>This policy conflicts with OPA 167 amendments to Policy E.2.3.1.4 which states that major office uses shall be directed to the Downtown Urban Growth Centre Node specifically.</p>	
<p>E.2.3.3.12 Notwithstanding Policy E.2.3.3.7, some through the preparation of a Secondary plan, a lower density target for a Community Nodes may be established where the Secondary Plan process determines it is developed as lower intensity nodes appropriate to based on the character of their adjacent Neighbourhoods, other infrastructure, or transportation constraints as follows: a) For the Ancaster Community Node, a target density in the range of 50 persons and jobs per hectare shall apply, Due due to transportation constraints and the existing character of the adjacent neighbourhoods, a target density in the range 50 persons and jobs per hectare shall apply to the Ancaster Community Node. This target may be adjusted through the development of a secondary plan.</p>	<p>E.2.3.3.12 Notwithstanding any secondary plans, and notwithstanding policy B.1.2 of Volume 1, Chapter B of the Urban Hamilton Official Plan, lands designated Mixed Use Medium Density in Community Nodes shall contain a range of densities and buildings heights to a maximum of six storeys. Additional density above 150 units per hectare and additional height up to a total of eight storeys may be permitted without an amendment to this Plan, provided the applicant demonstrates: a) there are no adverse shadow impacts created on existing residential uses within adjacent lands designated Neighbourhoods; buildings are progressively stepped back from adjacent areas designated Neighbourhoods. The Zoning by-law may include an angular plane requirement to set out an appropriate transition and stepping back of heights; and,</p>	<p>See comments in Analysis and Rationale Section of staff report.</p> <p>Policy directly conflicts with other policies in the Official Plan and creates major problems for implementation. No justification is provided to override Secondary Plans.</p> <p>Policy conflicts with Mixed Use - Medium Density Policy E.4.6.8 which allows heights between 6 and 12 storeys to be permitted without an Official Plan Amendment, subject to a different set of criteria.</p> <p>The policy effectively caps heights in community nodes at 6-8 storeys, whereas other areas of the City within the Mixed Use – Medium Density</p>	

<p>b) Intensification shall not be permitted in the Waterdown Community Node until infrastructure and transportation constraints have been alleviated.</p>	<p>c) buildings are stepped back from the street to minimize the height appearance from the street, where necessary.</p> <p>Notwithstanding Policy E.2.3.3.7, through the preparation of a Secondary plan, a lower density target for a Community Node may be established where the Secondary Plan process determines it is appropriate based on to the character of the adjacent Neighbourhood, other infrastructure, or transportation constraints as follows:</p> <p>a) For the Ancaster Community Node, a target density in the range of 50 persons and jobs per hectare shall apply due to transportation constraints and the existing character of the adjacent neighbourhoods.</p> <p>(MMAH Mod. 32)</p>	<p>Designation can permit up to 12 storeys.</p> <p>The policy also overrides height caps in the Ancaster Wilson Street Secondary Plan and a portion of the Waterdown Community Node Secondary Plan which were developed through detailed planning processes and reflect the vision for these Secondary Plans.</p> <p>Since the policy overrides anything written in a Secondary Plan, all Site Specifics permitting heights above eight storeys within Secondary Plans that apply to Community Nodes become inoperable. New Site Specific Policies for heights above 8 storeys cannot be approved within Secondary Plans because they will be inoperable.</p> <p>The policy references a density maximum for the Mixed Use – Medium Density designations, which conflicts with the policies for this designation, as the Mixed Use – Medium Density designation is regulated through building heights and built form, not residential</p>	
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		<p>densities. As sites and buildings can contain a mix of uses, residential densities are not an accurate measure of the intensity of a use on a site within the Mixed Use – Medium Density Designation.</p> <p>In addition to issues with the amended text, the modification also deletes a specific target density of 50 persons and jobs per hectare for the Ancaster Community Node, which was based on transportation constraints and compatibility with the character of the lands around the Node. There may be implications for transportation infrastructure and other infrastructure as a result of the modification.</p>	
<p>Insert new Section E.2.5 and renumber subsequent Sections accordingly.</p> <p>E.2.5 Major Transit Station Areas A Major Transit Station Area is the area including and around any existing or planned higher order transit station or stop. Within the City, Major Transit Station Areas will include the Hamilton Centre and West Harbour GO Stations, the future Centennial GO Station and future</p>	<p>E.2.5 Major Transit Station Areas A Major Transit Station Area is the area including and around any existing or planned higher order transit station or stop. Within the City, Major Transit Station Areas will include the Hamilton Centre and West Harbour GO Stations, the future Confederation Centennial GO Station and future higher order transit station areas along the priority transit corridor. (MMAH Mod. 33)</p>	<p>Name correction.</p> <p>Change is minor and not critical to conformity and does not change the application of the Official Plan policy.</p>	<p>Yes</p>

<p>higher order transit station areas along the priority transit corridor.</p>			
<p>Insert new Policy E.3.6.7 and renumber subsequent policies. E.3.6.7 For high density residential uses, the maximum height shall be 30 storeys. For high density residential uses below the Niagara Escarpment, building height shall not exceed the height of the top of the Niagara Escarpment, nearest to the development site. Applicants shall demonstrate that the proposed development shall not exceed the height of the top of the Niagara Escarpment through the submission of a height elevation survey depicting the proposed building in profile to the height of the top of the escarpment located nearest to the development site, to the satisfaction of the City.</p>	<p>E.3.6.7 For high density residential uses, the maximum height shall be 30 storeys. For high density residential uses below the Niagara Escarpment, building height shall not exceed the height of the top of the Niagara Escarpment, nearest to the development site. Applicants shall demonstrate that the proposed development shall not exceed the height of the top of the Niagara Escarpment through the submission of a height elevation survey depicting the proposed building in profile to the height of the top of the escarpment located nearest to the development site, to the satisfaction of the City. (MMAH Mod. 34)</p>	<p>See comments in Analysis and Rationale Section of staff report.</p> <p>Policy reflects City's objective to mitigate visual impacts of buildings on the Niagara Escarpment and is also consistent with the height limit in the Downtown Hamilton Secondary Plan.</p>	
<p>E.5.2.7.1 b) <i>Sensitive land uses</i> within the Neighbourhoods, Institutional or Commercial and Mixed Use designations shall be protected from the potential adverse impacts of heavy industrial uses within the lands designated Employment Area, and industrial uses shall be protected from <i>sensitive land uses</i> as follows: i) The City shall have regard for provincial guidelines concerning land use compatibility between industrial facilities and <i>sensitive land</i></p>	<p>E.5.2.7.1 b) <i>Sensitive land uses</i> within the Neighbourhoods, Institutional or Commercial and Mixed Use designations shall be protected from the potential adverse impacts of heavy industrial uses major facilities within the lands designated Employment Area, and industrial uses major facilities shall be protected from <i>sensitive land uses</i> as follows: i) The City shall have regard for follow provincial guidelines concerning land use compatibility between industrial facilities and <i>sensitive land uses</i>. Major</p>	<p>Relates to modification 26.</p> <p>Changes add value and ensures conformity with new terms and policies in the Growth Plan for major facilities, major retail uses, and major office uses.</p>	<p>Yes, modification should be maintained to ensure conformity. Reversal may create a non-conformity with Provincial standards.</p>

<p>uses, and in mitigating the potential adverse impacts not addressed by the guidelines. Heavy industrial uses and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety, to ensure the long-term viability of heavy industrial uses in accordance with provincial guidelines, standards and procedures.</p> <p>ii) Where avoidance of impacts is not possible, in accordance with Policy E.5.2.7.1 b) i), the City shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the development proponent submits a Land Use Compatibility Study to the satisfaction of the City detailing that following are demonstrated in accordance with provincial guidelines, standards and procedures:</p> <ol style="list-style-type: none"> 1. there is an identified need for the proposed use; 2. alternative locations for the proposed use have been evaluated and there are no 	<p>facilities, Heavy industrial uses and sensitive land uses, major retail uses and major office uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety, to ensure the long-term viability of major facilities heavy industrial uses in accordance with provincial guidelines, standards and procedures.</p> <p>ii) Where avoidance of impacts is not possible, in accordance with Policy E.5.2.7.1 b) i), the City shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses, major retail uses and major office uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:</p> <ol style="list-style-type: none"> 1. there is an identified need for the proposed use; 2. alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations; 3. adverse effects to the proposed sensitive land use are minimized and mitigated; and, 		
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<p>reasonable alternative locations; 3. adverse effects to the proposed sensitive land use are minimized and mitigated; and, 4. potential impacts to industrial, manufacturing or other uses are minimized and mitigated.</p>	<p>4. potential impacts to industrial, manufacturing or other uses are minimized and mitigated. (MMAH Mod. 36)</p>		
<p>Insert new subsection g) to Policy E.5.2.7.1 and renumber subsequent subsections accordingly: E.5.2.7.1 The following provisions apply to all lands designated Employment Area – Industrial Land, Employment Area – Business Park, Employment Area – Airport Employment Growth District, and Employment Area – Shipping and Navigation on Schedule E-1 – Urban Land Use Designations: g) Freight-intensive land uses shall be located in areas well served by major highways, airports, rail facilities and marine facilities.</p>	<p>E.5.2.7.1 The following provisions apply to all land use designations, as specified: lands designated Employment Area – Industrial Land, Employment Area – Business Park, Employment Area – Airport Employment Growth District, and Employment Area – Shipping and Navigation on Schedule E-1 – Urban Land Use Designations: g) Freight-intensive land uses shall be located in areas well served by major highways, airports, rail facilities and marine facilities. (MMAH Mod. 35)</p>	<p>Related to Modifications 26 and 36. Working in conjunction with modifications 26 and 36, changes ensure conformity with new terms and policies in the Growth Plan for major facilities, major retail uses, and major office uses.</p>	<p>Yes, modification should be maintained to ensure conformity. Reversal may create a non-conformity with Provincial policy with regards to major facilities, major office and major retail.</p>
<p>Chapter F Modifications</p>			
	<p>F.1.2.7 Neighbourhood plans are were policies adopted by council resolution and do not form part of the Official Plan, Any proposal for development or redevelopment must conform to the designations, and policies in the Neighbourhood Plan, and no longer reflect either municipal or provincial policy. (MMAH Mod. 37)</p>	<p>See comments in Analysis and Rationale Section of staff report. Modification removes the requirement for development to conform to neighbourhood plans.</p>	

	<p>F.1.2.8 Any amendment to the Neighbourhood Plan must be evaluated using the provisions of Policies F.1.1.3 and F.1.1.4 and shall require a formal Council decision to enact the amendment. (MMAH Mod. 38)</p>	<p>See comments in Analysis and Rationale Section of staff report.</p> <p>Modification removes the requirement for development to conform to neighbourhood plans.</p>	
	<p>F.1.14.3.1 Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhood designations shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:</p> <p>a) The lots comply with the policies of this Plan, including secondary plans, where one exists;</p> <p>b) The lots comply with existing Neighbourhood Plans;</p> <p>e)b) The lots are in conformity with the Zoning By-law or a minor variance is approved;</p> <p>e)e) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;</p> <p>e)c) The lots are fully services by municipal water and wastewater systems; and,</p> <p>f)e) The lots have frontage on a public road.</p> <p>(MMAH Mod. 39)</p>	<p>See comments in Analysis and Rationale Section of staff report.</p> <p>Modification removes Neighbourhood Plan conformity from list of criteria to consider for consents to create new lots.</p>	

Chapter G Modifications			
	<p>Agricultural impact assessment: A study that evaluates the potential impacts of non-agricultural development on agricultural operations and the Agricultural System and recommends ways to avoid or, if avoidance is not possible, minimize and mitigate adverse impacts (Greenbelt Plan, 2017).</p> <p>(MMAH Mod. 40)</p>	<p>Definition is added as per definition in Greenbelt Plan.</p>	<p>Yes, to ensure conformity with language in Provincial Plans.</p>
	<p>Major facilities: Means facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.</p> <p>(MMAH Mod. 41)</p>	<p>Definition is added as per definition in the Provincial Policy Statement.</p>	<p>Yes, to ensure conformity with language in Provincial Plans.</p>
	<p>Office parks: Employment areas or areas where there are significant concentrations of offices with high employment densities.</p> <p>(MMAH Mod. 42)</p>	<p>Definition is added as per definition in the Growth Plan.</p>	<p>Yes, to ensure conformity with language in Provincial Plans.</p>

	<p>Prime agricultural areas: An area where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas are to be identified by the Ontario Ministry of Agriculture, Food and Rural Affairs using guidelines developed by the Province, as amended from time to time (Greenbelt Plan, 2017).</p> <p>(MMAH Mod. 43)</p>	Definition is added as per definition in Greenbelt Plan.	Yes, to ensure conformity with language in Provincial Plans.
	<p>Prime agricultural land: Speciality crop areas and/or Canada Land Inventory Class 1,2, and 3 lands, as amended from time to time, in this order of priority for protection (PPS, 2020).</p> <p>(MMAH Mod. 44)</p>	Definition is added as per definition in Provincial Policy Statement.	Yes, to ensure conformity with language in Provincial Plans.
	<p>Rail facilities: means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future rail facilities.</p> <p>(MMAH Mod. 45)</p>	Definition is added as per definition in the Provincial Policy Statement	Yes, to ensure conformity with language in Provincial Plans.
Significant Habitat of Threatened or Endangered Species: means that habitat, as approved by the	Significant Habitat of Threatened or Endangered Species: means that habitat, as approved by the Ministry of	Ministry reference is being corrected and reference to	Yes, to ensure correct Ministry references.

<p>Ministry of Northern Development, Mines, Natural Resources and Forestry, that is necessary for the maintenance survival and/or recovery of naturally occurring or reintroduced populations of species at risk and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle. To identify which species are threatened or endangered, the City will refer to the Species at Risk in Ontario list that is prepared and updated by the Ministry of Northern Development, Mines, Natural Resources and Forestry. The City may collaborate with the Province during the early stages of the planning process, to ensure that the significant habitat of threatened or endangered species on lands affected by or contiguous to any proposed <i>development</i> or <i>site alteration</i> is properly evaluated and identified.</p>	<p>Northern Development, Mines, Natural Resources and Forestry, the Environment, Conservation and Parks that is necessary for the maintenance survival and/or recovery of naturally occurring or reintroduced populations of species at risk and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle. To identify which species are threatened or endangered, the City will refer to the Species at Risk in Ontario list O. Reg 230/08: SPECIES AT RISK IN ONTARIO LIST that is prepared and updated by the Ministry of Northern Development, Mines, Natural Resources and Forestry Environment, Conservation and Parks. The City may collaborate with the Province during the early stages of the planning process, to ensure that the significant habitat of threatened or endangered species on lands affected by or contiguous to any proposed <i>development</i> or <i>site alteration</i> is properly evaluated and identified. (MMAH Mod. 46)</p>	<p>Ontario Regulation has been added for clarity.</p>	
	<p>Specialty crop areas: Specialty crop areas: Areas designated using guidelines developed by the Province, as amended from time to time. In these areas, speciality crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops</p>	<p>Definition is added as per definition in the Provincial Policy Statement.</p>	<p>Yes, to ensure conformity with language in Provincial Plans.</p>

	<p>from agriculturally developed organic soil usually resulting from:</p> <ul style="list-style-type: none">a) soils that have suitability to produce speciality crops, or lands that are subject to special climatic conditions, or a combination of both;b) farmers skilled in the production of speciality crops; andc) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store or process speciality crops (PPS, 2020). <p>(MMAH Mod. 47)</p>		
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Volume 1 – Modifications to Schedules and Appendices

Council Adopted	MMAH Modification	Comments	Acceptance of November 4, 2022 Provincial modification shown with a “Yes”
Volume 1: Schedule A to H and Appendix A to G	<p>Modify all Schedules and Appendices of Volume 1 of the Urban Hamilton Official Plan by adding the lands shown as Urban Expansion Area – Neighbourhoods and Urban Expansion Area – Employment Areas to the Urban Boundary, as shown on Appendix A attached.</p> <p>(MMAH Modifications 48 to 58, 61, 64 to 73)</p>	<p>See comments in Analysis and Rationale Section of staff report.</p> <p>Modification does not align with Council approved growth strategy.</p>	
Volume 1: Schedule E and Schedule E-1	<p>Volume 1: Schedule E – Urban Structure is modified by redesignating 128 Tope Crescent, as shown on Appendix B attached hereto, from “Employment Areas” to “Neighbourhoods” (MMAH Mod 59)</p> <p>Volume 1: Schedule E-1 – Urban Land Use designations is modified by redesignating 128 Tope Crescent, as shown on Appendix B attached hereto, from “Industrial Land” to “Neighbourhoods”</p>	<p>See comments in Analysis and Rationale Section of staff report.</p> <p>Conversion has not been evaluated by the Employment Land Review.</p>	

	(MMAH Mod 62)		
Volume 1: Schedule E and Schedule E-1	<p>Volume 1: Schedule E – Urban Structure is modified by redesignating 1400 South Service Road, as shown on Appendix C attached hereto, from “Employment Areas” to “Neighbourhoods” (MMAH Mod 60)</p> <p>Volume 1: Schedule E – Urban Structure is modified by redesignating 1400 South Service Road, as shown on Appendix C attached hereto, from “Business Park” to “Mixed Use – High Density”. (MMAH Mod 63)</p>	<p>See comments in Analysis and Rationale Section of staff report.</p> <p>Through the employment land review which took place as part of the Municipal Comprehensive Review (MCR), a conversion request was considered for 1400 South Service Road. The conversion request was not supported by staff and was deferred to a later phase of the MCR until a land use assessment for the south-east quadrant of the Queen Elizabeth Way (QEW) and Fifty Road area could be completed.</p> <p>There are significant concerns with these modifications as they have the potential to sterilize the ability of adjacent lands to be used for employment and could result in a shortage of employment land to meet needs to 2051.</p>	

Volume 2: Text Modifications

Council Adopted	MMAH Modification	Comments	Acceptance of November 4, 2022 Provincial modification shown with a “Yes”
<p>B.2.8.6.1 g) The overall density for the Ancaster Community Node shall be 50 people and jobs per hectare</p>	<p>B.2.8.6.1 g) The overall density for the Ancaster Community Node shall be 50 people and jobs per hectare (MMAH Mod. 74)</p>	<p>See comments in Analysis and Rationale Section of staff report.</p> <p>Density limitations reflect transportation and infrastructure constraints for the Ancaster Community Node. There is no justification for this removal.</p>	

Volume 2: Modifications to Schedules and Appendices

Council Adopted	MMAH Modification	Comments	Acceptance of November 4, 2022 Provincial modification shown with a “Yes”
Map B.2.8-1: Ancaster Street Secondary Plan Land Use Plan	Map B.2.8-1: Ancaster Street Secondary Plan Land Use Plan of the Urban Hamilton Official Plan, Volume 2 is modified by redesignating 15 Lorne Avenue, as shown on Appendix D attached hereto, from “Low Density Residential 1” to “Mixed-Use Medium Density” (MMAH Mod 75)	Change relates to a private development application appealed to the Ontario Land Tribunal. Change should not be made outside of development application process.	
Map B.6.2-1: Ainslie Wood Westdale Secondary Plan Land Use Plan	Map B.6.2-1: Ainslie Wood Westdale Secondary Plan Land Use Plan of the Urban Hamilton Official Plan, Volume 2 is modified by redesignating 128 Tope Crescent, as shown on Appendix B attached hereto, from “Employment Area – Industrial Lands” to “Low Density Residential 3”. (MMAH Mod 76)	Aligns with Schedule E and E-1 designation changes for the same property in Modifications 59 and 62. The Low Density Residential 3 designation implemented through the modification does not exist in the Secondary Plan.	

Volume 3: Text Modifications

Council Adopted	MMAH Modification	Comments	Acceptance of November 4, 2022 Provincial modification shown with a "Yes"
<p>Add new Flamborough Site Specific Policy, as follows: UFN-5 Lands Located on a portion of 329 and 345 Parkside Drive, Flamborough 1.0 Notwithstanding Policy E.3.2.3 of Volume 1, permitted uses shall be limited to the following: a) Multiple dwelling; b) Retirement home; and, c) Long term care facility. 2.0 A maximum of 50% of the area of the expansion lands shall be used for residential purposes limited to a multiple dwelling and / or retirement home. 3.0 Prior to any future development of the subject lands, the following studies shall be required to the satisfaction of the City to demonstrate appropriateness of the proposed development: a) Planning Justification Report; b) Functional Servicing Study; c) Environmental Impact Study; d) Karst / Geotechnical Study; e) Water Resources Assessment;</p>	<p>UFN-5 Lands Located on a portion of 329 and 345 Parkside Drive, Flamborough 1.0 Notwithstanding Policy E.3.2.3 of Volume 1, permitted uses shall be limited to the following: a) <i>Multiple dwelling</i>; b) Retirement home; and, c) Long term care facility. 2.0 A maximum of 50% of the area of the expansion lands shall be used for residential purposes limited to a <i>multiple dwelling</i> and / or retirement home. 3.0 Prior to any future development of the subject lands, the following studies shall be required to the satisfaction of the City to demonstrate appropriateness of the proposed development: a) Planning Justification Report; b) Functional Servicing Study; c) Environmental Impact Study; d) Karst / Geotechnical Study; e) Water Resources Assessment; f) Archaeological Assessment; g) Traffic Impact Study; and, h) Visual Impact Assessment.</p>	<p>Change adds value but does not impact the general effect of the policy.</p>	<p>Yes</p>

<p>f) Archaeological Assessment; g) Traffic Impact Study; and, h) Visual Impact Assessment. Other studies may be required and will be identified at the Formal Consultation stage.</p>	<p>Other studies may be required and will be identified at the Formal Consultation stage.</p> <p>4.0 Through future development of the subject lands, if potential adverse impacts on any nearby agricultural operations are identified and cannot be avoided, they will be minimized and mitigated to the extent feasible.</p> <p>(MMAH Mod. 77)</p>		
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