

## Proposed Text Amendments – Rural Hamilton Official Plan Housekeeping Amendment

Grey highlighted strikethrough text = text to be deleted  
**Bolded text** = text to be added

Policy Number	Proposed Change	Proposed New / Revised Policy	Why Change is Required
Volume 1, Chapter B – Communities			
B.3.6.3.4	B.3.6.3.4 Where feasible and in compliance with other policies, the City shall ensure that land use arrangements which minimize the impact of noise and vibration be considered in the formulation of plans of subdivision and condominium, official plan amendments, <del>consents</del> <b>severances</b> , and zoning by-law amendments.	B.3.6.3.4 Where feasible and in compliance with other policies, the City shall ensure that land use arrangements which minimize the impact of noise and vibration be considered in the formulation of plans of subdivision and condominium, official plan amendments, <del>consents</del> <b>severances</b> , and zoning by-law amendments.	To maintain consistent wording throughout the Official Plan respecting consent applications.
Volume 1, Chapter C – City Wide Systems and Designations			
C.1.1.6	C.1.1.6 To minimize the impact and further encroachments in the Escarpment environment, for those lands located within the Niagara Escarpment Plan Area identified on Schedule A - Provincial Plans, the following policies shall apply: a) The design of the development shall be compatible with the visual and natural environment; b) Setbacks and screening adequate to minimize the visual impact of development on the Escarpment landscape shall be required; c) No new lots shall be created in	C.1.1.6 To minimize the impact and further encroachments in the Escarpment environment, for those lands located within the Niagara Escarpment Plan Area identified on Schedule A - Provincial Plans, the following policies shall apply: a) The design of the development shall be compatible with the visual and natural environment; b) Setbacks and screening adequate to minimize the visual impact of development on the Escarpment landscape shall be required; c) No new lots shall be created in Escarpment Natural or Protection	To maintain consistent wording throughout the Official Plan respecting consent applications.

	<p>Escarpment Natural or Protection Areas unless such lot creation is for the purposes of correcting conveyances, enlarging existing lots or acquisition by a public body or authority, and to allow <b>consents for</b> surplus farm dwelling severances in the Escarpment Protection or Escarpment Rural Areas; and</p> <p>d) Within the Escarpment designations Natural Area, Protection Area and Rural Area, amendments shall not be permitted for urban uses or redesignations to Minor Urban Centre, Urban Area or Escarpment Recreation Area.</p>	<p>Areas unless such lot creation is for the purposes of correcting conveyances, enlarging existing lots or acquisition by a public body or authority, and to allow consents for surplus farm dwelling severances in the Escarpment Protection or Escarpment Rural Areas; and</p> <p>d) Within the Escarpment designations Natural Area, Protection Area and Rural Area, amendments shall not be permitted for urban uses or redesignations to Minor Urban Centre, Urban Area or Escarpment Recreation Area.</p>	
C.3.1.2	<p>C.3.1.2 The following uses shall be permitted in the Agriculture, Specialty Crop, Rural and Rural Settlement Area designations, provided the applicable conditions are met: (OPA 5)</p> <p>...</p> <p>d) <del>An <b>n-secondary</b></del><b>additional</b> dwelling unit may be permitted within a single or semidetached dwelling on a lot with a minimum size of 0.6 ha, provided it complies with all applicable policies and Zoning By-law regulations. (OPA 26)(OPA 30)</p> <p>e) <del>An <b>n-secondary</b></del><b>additional</b> dwelling unit - detached shall not be permitted in Rural Hamilton until such time as the City:</p> <p>i) has completed a study to address the adequacy of sustainable servicing policies of Section C.5 to</p>	<p>C.3.1.2 The following uses shall be permitted in the Agriculture, Specialty Crop, Rural and Rural Settlement Area designations, provided the applicable conditions are met: (OPA 5)</p> <p>...</p> <p>d) An <i>additional dwelling unit</i> may be permitted within a single or semidetached dwelling on a lot with a minimum size of 0.6 ha, provided it complies with all applicable policies and Zoning By-law regulations. (OPA 26)(OPA 30)</p> <p>e) An <i>additional dwelling unit - detached</i> shall not be permitted in Rural Hamilton until such time as the City:</p> <p>i) has completed a study to address the adequacy of sustainable servicing policies of Section C.5 to address <i>additional dwelling units - detached</i>;</p>	<p>To align defined term in Official Plan with Zoning By-law No. 05-200.</p>

	address <del>secondary</del> <b>additional</b> dwelling units - detached; and, i) has developed and implemented appropriate policies and regulations for these uses. (OPA 26) (OPA 30)	and, i) has developed and implemented appropriate policies and regulations for these uses. (OPA 26) (OPA 30)	
C.4.5.6	C.4.5.6 The City may reserve or obtain land for future right-of-way dedications for rights-of-way as described in Schedule C-1 – Future Right-of-Way Dedications (Rural). Where a future right-of-way dedication is not described in Schedule C-1 – Future Right-of-Way Dedications (Rural), the City may reserve or obtain land for right-of-way dedications for rights-of-way as described in Section C.4.5.2. The aforesaid right-of-way land conveyances may be reserved or obtained through subdivision approval, condominium approval, <del>land severance</del> consent, site plan approval or by gift, bequeathment, purchase or through expropriation where necessary and feasible.	C.4.5.6 The City may reserve or obtain land for future right-of-way dedications for rights-of-way as described in Schedule C-1 – Future Right-of-Way Dedications (Rural). Where a future right-of-way dedication is not described in Schedule C-1 – Future Right-of-Way Dedications (Rural), the City may reserve or obtain land for right-of-way dedications for rights-of-way as described in Section C.4.5.2. The aforesaid right-of-way land conveyances may be reserved or obtained through subdivision approval, condominium approval, consent, site plan approval or by gift, bequeathment, purchase or through expropriation where necessary and feasible.	To maintain consistent wording throughout the Official Plan respecting consent applications.
C.4.5.6.1	C.4.5.6.1 The City may require, as a condition of site plan approval, subdivision approval, condominium approval and <del>land severance</del> consent, sufficient lands to be conveyed to provide for a road right-of-way in accordance with the designated widths as set out in Section C.4.5.2 or Schedule C-1 – Future Right-of-Way Dedications (Rural).	C.4.5.6.1 The City may require, as a condition of site plan approval, subdivision approval, condominium approval and consent, sufficient lands to be conveyed to provide for a road right-of-way in accordance with the designated widths as set out in Section C.4.5.2 or Schedule C-1 – Future Right-of-Way Dedications (Rural).	To maintain consistent wording throughout the Official Plan respecting consent applications.

C.4.5.6.2	C.4.5.6.2 Land conveyances for future right-of-way dedications obtained through <del>land severance or</del> consent shall be taken from both the severed and retained parcels of land unless in the opinion of the City obtaining the land conveyance from both parcels would not be practicable or feasible.	C.4.5.6.2 Land conveyances for future right-of-way dedications obtained through consent shall be taken from both the severed and retained parcels of land unless in the opinion of the City obtaining the land conveyance from both parcels would not be practicable or feasible.	To maintain consistent wording throughout the Official Plan respecting consent applications.
C.5.1.1	C.5.1.1 No draft, conditional, or final approval of development proposals shall be granted by the City for any development in Rural Hamilton that could impact existing private services or involves proposed private services until the development proposal has complied with all of the following: (OPA 23)(OPA 26) ... c) The minimum size for a new lot proposed in an <b>consent</b> application for a severance, <b>or</b> lot addition, or draft plan of subdivision with an existing or proposed private water system and/or existing or proposed private sewage disposal system shall: ...	C.5.1.1 No draft, conditional, or final approval of development proposals shall be granted by the City for any development in Rural Hamilton that could impact existing private services or involves proposed private services until the development proposal has complied with all of the following: (OPA 23)(OPA 26) ... c) The minimum size for a new lot proposed in a consent application for a severance or lot addition, or draft plan of subdivision with an existing or proposed private water system and/or existing or proposed private sewage disposal system shall: ...	To maintain consistent wording throughout the Official Plan respecting consent applications.
C.5.2	C.5.2 Communal Water and Wastewater Systems (OPA 5) The Province requires municipalities to prohibit the extension or expansion of lake-based municipal services to all <i>rural areas</i> , except <b>where otherwise identified in this plan</b> . <del>in response to public health emergencies.</del> The extension of lake-	C.5.2 Communal Water and Wastewater Systems (OPA 5) The Province requires municipalities to prohibit the extension or expansion of lake-based municipal services to all <i>rural areas</i> , except where otherwise identified in this plan. The extension of lake-based municipal service systems may be necessary if private or	To better align with the Sewage and Water Infrastructure policies of the Greenbelt Plan, 2017.

	<p>based municipal service systems may be necessary if private or municipally-operated communal water or wastewater treatment systems experience serious operational constraints or failures in future. The City operates communal water supply systems in Freelon, Carlisle, Greenville and Lynden as a result of private water service failures, operator default and/or previous public health emergencies. A variety of private communal water and wastewater systems associated with specific developments have also been established in the past. Many existing communal systems operate in conjunction with privately maintained sewage disposal systems resulting in partly serviced rural development. Partly serviced rural development is subject to a higher risk of failure and the potential for future public health emergencies. Therefore, it is the objective of this Plan to restrict both the creation and expansion of communally serviced or partially serviced rural development.</p>	<p>municipally-operated communal water or wastewater treatment systems experience serious operational constraints or failures in future. The City operates communal water supply systems in Freelon, Carlisle, Greenville and Lynden as a result of private water service failures, operator default and/or previous public health emergencies. A variety of private communal water and wastewater systems associated with specific developments have also been established in the past. Many existing communal systems operate in conjunction with privately maintained sewage disposal systems resulting in partly serviced rural development. Partly serviced rural development is subject to a higher risk of failure and the potential for future public health emergencies. Therefore, it is the objective of this Plan to restrict both the creation and expansion of communally serviced or partially serviced rural development.</p>	
C.5.2.6	<p>C.5.2.6 No extension of municipal or communal water or wastewater services outside of Rural Settlement Area boundaries in the <i>rural</i> area shall be permitted by this Plan <b>except under the circumstances identified in Policy C.5.3.1. unless the</b></p>	<p>C.5.2.6 No extension of municipal or communal water or wastewater services outside of Rural Settlement Area boundaries in the <i>rural</i> area shall be permitted by this Plan except under the circumstances identified in Policy C.5.3.1.</p>	<p>To better align with the Sewage and Water Infrastructure policies of the Greenbelt Plan, 2017.</p>

	<p>Medical Officer of Health declares an urgent public health emergency and there are no viable alternatives to rectify the emergency except by the provision of communal water and/or wastewater services to the affected population.</p>		
C.5.3.1	<p>C.5.3.1 <del>The Province requires municipalities to prohibit the extension or expansion of lake-based municipal services outside of the urban area boundaries shall only be permitted in the following circumstances:</del>  <b>a) where health issues have been identified; or,</b>  <b>b) to service existing uses and the expansion of existing uses adjacent to the urban area.</b> <del>for properties within the City limits, except in response to public health emergencies. No extensions of the municipal lake-based water and wastewater systems shall be permitted into rural area lands detailed in this Plan unless the Medical Officer of Health declares an urgent public health emergency and there are no viable alternatives to rectify the emergency except by the provision of municipal water and/or wastewater systems to the affected population.</del>  <b>c) Notwithstanding C.5.3.1 a) and b), where municipal water services exist outside of the urban area, existing uses within the service area</b></p>	<p>C.5.3.1 The extension or expansion of lake-based municipal services outside of the <i>urban area</i> shall only be permitted in the following circumstances:  a) where health issues have been identified; or,  b) to service existing uses and the expansion of existing uses adjacent to the <i>urban area</i>.  c) Notwithstanding C.5.3.1 a) and b), where municipal water services exist outside of the <i>urban area</i>, existing uses within the service area boundary, as defined by the environmental assessment, may be connected to those services.</p>	<p>To better align with the Sewage and Water Infrastructure policies of the Greenbelt Plan, 2017.</p>

	<b>boundary, as defined by the environmental assessment, may be connected to those services.</b>		
<b>Volume 1, Chapter D – Rural Systems, Designations and Resources</b>			
D.2.1.1.7	D.2.1.1.7 The <del>severance</del> <b>consent</b> of a lot for a farm labour residence shall not be permitted.	D.2.1.1.7 The consent of a lot for a farm labour residence shall not be permitted.	To maintain consistent wording throughout the Official Plan respecting consent applications.
D.2.1.2.2	D.2.1.2.2 The <del>severance</del> <b>consent</b> of a lot for agricultural-related uses shall be in accordance with Section F.1.14.2, Lot Creation policies of this Plan. Where private services are required, the lot severed for the agricultural-related use shall be in accordance with Section C.5.1, Sustainable Private Water and Wastewater Services policies of this Plan. (OPA 5)	D.2.1.2.2 The consent of a lot for agricultural-related uses shall be in accordance with Section F.1.14.2, Lot Creation policies of this Plan. Where private services are required, the lot severed for the agricultural-related use shall be in accordance with Section C.5.1, Sustainable Private Water and Wastewater Services policies of this Plan. (OPA 5)	To maintain consistent wording throughout the Official Plan respecting consent applications.
D.4.1.1.1	D.4.1.1.1 The <del>severance</del> <b>consent</b> of a lot for existing resource-based commercial and existing resource-based industrial uses may be considered in accordance with Section F.1.14.2, Lot Creation policies of this Plan. (OPA 5)	D.4.1.1.1 The consent of a lot for existing resource-based commercial and existing resource-based industrial uses may be considered in accordance with Section F.1.14.2, Lot Creation policies of this Plan. (OPA 5)	To maintain consistent wording throughout the Official Plan respecting consent applications.
<b>Volume 1, Chapter F – Implementation</b>			
F.1.1.8	Insert new policy F.1.1.8 <b>F.1.1.8 If there is direction from Planning Committee to make changes to an Official Plan Amendment before it goes to Council, or if staff identify minor typographical, clerical or formatting changes required to an Official Plan Amendment following Planning</b>	F.1.1.8 If there is direction from Planning Committee to make changes to an Official Plan Amendment before it goes to Council, or if staff identify minor typographical, clerical or formatting changes required to an Official Plan Amendment following Planning Committee but prior to Council	To authorize staff to make changes to an Official Plan Amendment following Planning Committee but prior Council based on direction from Planning Committee or due to typographical, clerical or formatting errors.

	<b>Committee but prior to Council approval of the implementing By-law, Staff are authorized to make the required changes, provided the changes do not affect the implementation of the amendment, unless that is the intent of any changes directed by Planning Committee.</b>	approval of the implementing By-law, Staff are authorized to make the required changes, provided the changes do not affect the implementation of the amendment, unless that is the intent of any changes directed by Planning Committee.	
F.1.9.6	F.1.9.6 Notwithstanding Policies F.1.9.1 to F.1.9.3 inclusive, and F.1.9.5 c), for <b>severance consent</b> applications the City may determine the need and scope of required <i>other information and materials</i> without a <i>formal consultation</i> . The City shall provide the applicant with a written list of <i>information and materials</i> required to be submitted with the application(s). Alternatively, applicants may request a <i>formal consultation</i> in which case F.1.9.2 shall apply.	F.1.9.6 Notwithstanding Policies F.1.9.1 to F.1.9.3 inclusive, and F.1.9.5 c), for consent applications the City may determine the need and scope of required <i>other information and materials</i> without a <i>formal consultation</i> . The City shall provide the applicant with a written list of <i>information and materials</i> required to be submitted with the application(s). Alternatively, applicants may request a <i>formal consultation</i> in which case F.1.9.2 shall apply.	To maintain consistent wording throughout the Official Plan respecting consent applications.
F.1.12.6	F.1.12.6 A single detached dwelling may be permitted on an existing vacant legal lot of record subject to the following conditions: a) The proposed dwelling complies with Section C.2.0, Natural Heritage System and Section C.5.1, Sustainable Private Water and Wastewater Services; b) The existing vacant legal lot of record must have frontage on an open public street; and c) The lot is zoned to permit a single detached dwelling as of December	F.1.12.6 A single detached dwelling may be permitted on an existing vacant legal lot of record subject to the following conditions: a) The proposed dwelling complies with Section C.2.0, Natural Heritage System and Section C.5.1, Sustainable Private Water and Wastewater Services; b) The existing vacant legal lot of record must have frontage on an open public street; and c) The lot is zoned to permit a single detached dwelling as of December	To maintain consistent wording throughout the Official Plan respecting consent applications.



	16, 2004, or where an application for an amendment to a zoning by-law is required as a condition of <b>consent &amp; severance</b> granted prior to December 14, 2003 but which application did not proceed.	16, 2004, or where an application for an amendment to a zoning by-law is required as a condition of consent granted prior to December 14, 2003 but which application did not proceed.	
F.1.14.2.1	<p>F.1.14.2.1 The following policies shall apply to all <b>consents for</b> severances and lot additions, including minor lot line adjustments and boundary adjustments in the Agriculture, Rural, Specialty Crop, and Open Space designations, and designated Rural Settlement Areas, as shown on Schedule D – Rural Land Use Designations: (OPA 18)</p> <p>...</p> <p>e) All proposed <b>consents for</b> severances and lot additions shall meet all Minimum Distance Separation requirements in accordance with Section F.1.16, Minimum Distance Separation I and II and the Zoning By-law. Where the required Minimum Distance Separation distance, according to MDS I, is not met for a severance and lot addition, a decision regarding variation of the Minimum Distance Separation shall be made prior to a decision on the severance.</p> <p>f) The maximum lot size for all proposed <b>consents for</b> severances and lot additions outside of designated Rural Settlement Areas, except severances or lot additions for agricultural purposes where both</p>	<p>F.1.14.2.1 The following policies shall apply to all consents for severances and lot additions, including minor lot line adjustments and boundary adjustments in the Agriculture, Rural, Specialty Crop, and Open Space designations, and designated Rural Settlement Areas, as shown on Schedule D – Rural Land Use Designations: (OPA 18)</p> <p>...</p> <p>e) All proposed consents for severances and lot additions shall meet all Minimum Distance Separation requirements in accordance with Section F.1.16, Minimum Distance Separation I and II and the Zoning By-law. Where the required Minimum Distance Separation distance, according to MDS I, is not met for a severance and lot addition, a decision regarding variation of the Minimum Distance Separation shall be made prior to a decision on the severance.</p> <p>f) The maximum lot size for all proposed consents for severances and lot additions outside of designated Rural Settlement Areas, except severances or lot additions for agricultural purposes where both the</p>	To maintain consistent wording throughout the Official Plan respecting consent applications and to align defined term in Official Plan with Zoning By-law No. 05-200.

	<p>the severed and retained lots are proposed to contain agricultural uses, shall be restricted to the minimum size required for the use and to meet the land area requirements of Section C.5.1, with as little acreage as possible taken out of agricultural use.</p> <p>g) <del>Severances</del> <b>Consents</b> may be granted for the purposes of long-term lease agreements for petroleum resource works, mineral aggregate resource extraction, and infrastructure works provided a separate lot is not created for a dwelling or any non-farm use other than petroleum resource works, mineral aggregate resource extraction, and infrastructure works.</p> <p>h) <del>Severances</del> <b>Consents</b> that facilitate the conveyance of lands to a public authority or a private land trust approved by the City for the purposes of natural heritage conservation shall be permitted provided:</p> <p>i) a separate lot is not created for an additional dwelling or any other nonfarm use;</p> <p>ii) there is no increased fragmentation of a <i>key natural heritage feature</i> or <i>key hydrologic feature</i>; and,</p> <p>iii) a restrictive covenant or conservation easement is placed on title prohibiting <i>development</i> of the land for non-conservation or</p>	<p>severed and retained lots are proposed to contain agricultural uses, shall be restricted to the minimum size required for the use and to meet the land area requirements of Section C.5.1, with as little acreage as possible taken out of agricultural use.</p> <p>g) Consents may be granted for the purposes of long-term lease agreements for petroleum resource works, mineral aggregate resource extraction, and infrastructure works provided a separate lot is not created for a dwelling or any non-farm use other than petroleum resource works, mineral aggregate resource extraction, and infrastructure works.</p> <p>h) Consents that facilitate the conveyance of lands to a public authority or a private land trust approved by the City for the purposes of natural heritage conservation shall be permitted provided:</p> <p>i) a separate lot is not created for an additional dwelling or any other nonfarm use;</p> <p>ii) there is no increased fragmentation of a <i>key natural heritage feature</i> or <i>key hydrologic feature</i>; and,</p> <p>iii) a restrictive covenant or conservation easement is placed on title prohibiting <i>development</i> of the land for non-conservation or nonagricultural uses in perpetuity.</p> <p>i) Severances shall not be granted for dwellings created as <i>additional dwelling units – detached</i>. (OPA 30)</p>	
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	nonagricultural uses in perpetuity. i) Severances shall not be granted for dwellings created as <del>secondary</del> <b>additional</b> dwelling units – detached. (OPA 30)		
F.1.18.1	F.1.18.1 In accordance with the <u>Planning Act</u> , and in considering any development/redevelopment proposal, plan of subdivision or consent <del>to sever</del> , Council shall determine whether to require the dedication of parkland or require cash-in-lieu of such dedication.	F.1.18.1 In accordance with the <u>Planning Act</u> , and in considering any development/redevelopment proposal, plan of subdivision or consent, Council shall determine whether to require the dedication of parkland or require cash-in-lieu of such dedication.	To maintain consistent wording throughout the Official Plan respecting consent applications.
<b>Volume 1, Chapter G – Glossary</b>			
	<del>Additional</del> <b>Secondary</b> Dwelling Unit: means a separate and self-contained dwelling unit that is accessory to and located within the principal dwelling and shall not include a Farm Labour Residence. (OPA 26) (OPA 30)	Additional Dwelling Unit: means a separate and self-contained dwelling unit that is accessory to and located within the principal dwelling and shall not include a Farm Labour Residence. (OPA 26) (OPA 30)	To align defined term in Official Plan with Zoning By-law No. 05-200.
	<del>Additional</del> <b>Secondary</b> Dwelling Unit – Detached: means a separate and self-contained detached dwelling unit that is accessory to and located on the same lot as the principal dwelling but shall not include a Farm Labour Residence. (OPA 30)	Additional Dwelling Unit – Detached: means a separate and self-contained detached dwelling unit that is accessory to and located on the same lot as the principal dwelling but shall not include a Farm Labour Residence. (OPA 30)	To align defined term in Official Plan with Zoning By-law No. 05-200.
<b>Volume 2, Chapter A.3.0 Flamborough Rural Settlement Area Plans</b>			
C.3.5.14.1	C.3.5.14.1 In order to provide guidelines for the extent and density of residential development that can be sustained without unacceptable degradation of the ground and surface waters, development phasing is based on the need to proceed slowly and cautiously and	C.3.5.14.1 In order to provide guidelines for the extent and density of residential development that can be sustained without unacceptable degradation of the ground and surface waters, development phasing is based on the need to proceed slowly and cautiously and the need to	To correct error in reference to policy numbers.

	<p>the need to monitor the impact of new development on existing wells in accordance with Sections A.3.5.123.4, A.3.5.123.6, A.3.5.123.7, and A.3.5.123.8 of Volume 2 of this Plan. In this regard, a maximum of 12 lots in Plans of Subdivision shall be draft approved and registered in each of the Major Development Areas as shown on Map 8b.</p>	<p>monitor the impact of new development on existing wells in accordance with Sections A.3.5.13.4, A.3.5.13.6, A.3.5.13.7, and A.3.5.13.8 of Volume 2 of this Plan. In this regard, a maximum of 12 lots in Plans of Subdivision shall be draft approved and registered in each of the Major Development Areas as shown on Map 8b.</p>	
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