




Hamilton

INFORMATION REPORT

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	August 13, 2024
SUBJECT/REPORT NO:	Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED24126) (City Wide)
WARD(S) AFFECTED:	City Wide
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SUBMITTED BY:	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

COUNCIL DIRECTION

In accordance with the June 16, 2015, Planning Committee direction, this Report provides a status of all active Zoning By-law Amendment, Official Plan Amendment and Plan of Subdivision Applications relative to the statutory timeframe provisions of the *Planning Act* for non-decision appeals. In addition, this Report also includes a list and status of all Applications appealed to the Ontario Land Tribunal for non-decision.

INFORMATION

Staff were directed to report back to Planning Committee with a reporting tool that seeks to monitor Applications where the applicable statutory timeframes apply. This reporting tool would be used to track the status of all active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision applications.

For the purposes of this Report, the status of active Zoning By-law Amendment, Official Plan Amendment and Plan of Subdivision applications have been divided, relative to the statutory timeframe provisions of the *Planning Act*, that were in effect pursuant to statutory timeframes prescribed in *Bill 73*, *Bill 139*, and *Bill 108*.

OUR Vision: To be the best place to raise a child and age successfully.

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

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

Applications Deemed Complete Prior to Royal Assent of Bill 139 (December 12, 2017)

Attached as Appendix “A” to Report PED24126 is a table outlining the active applications received prior to December 12, 2017, sorted by Ward, from oldest application to newest. As of July 9, 2024, there were:

- 3 active Official Plan Amendment applications, all of which were submitted after July 1, 2016, and therefore subject to the 90 day extension to the statutory timeframe from 180 days to 270 days;
- 6 active Zoning By-law Amendment applications; and,
- 3 active Plan of Subdivision applications.

Within 60 to 90 days of July 9, 2024, all six development proposals have passed the applicable 120, 180 and 270 day statutory timeframes.

Applications Deemed Complete After Royal Assent of Bill 139 (December 12, 2017)

Attached as Appendix “B” to Report PED24126 is a table outlining the active applications received after December 12, 2017, but before Royal Assent of Bill 108, sorted by Ward, from oldest application to newest. As of July 9, 2024, there were:

- 2 active Official Plan Amendment applications, all of which are subject to the 90 day extension to the statutory timeframe from 210 days to 300 days;
- 5 active Zoning By-law Amendment applications; and,
- 2 active Plan of Subdivision applications.

Within 60 to 90 days of July 9, 2024, all five development proposals have passed the applicable 150, 180 or 300 day statutory timeframes.

Applications Deemed Complete After Royal Assent of Bill 108 (September 3, 2019)

Attached as Appendix “C” to Report PED24126 is a table outlining the active applications received after September 3, 2019, and subject to the new statutory timeframes, sorted by Ward, from oldest application to newest. As of July 9, 2024, there were:

- 13 active Official Plan Amendment applications;
- 32 active Zoning By-law Amendment applications; and,

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- 18 active Plan of Subdivision applications.

As of July 9, 2024, seven development proposals are approaching the 90 or 120 day statutory timeframe and will be eligible for appeal. 32 development proposals have passed the 90 or 120 day statutory timeframe.

Planning Division Active Files

Combined to reflect property addresses, there are 50 active development proposals. eight proposals are 2024 files (16%), 11 proposals are 2023 files (22%), 11 proposals are 2022 files (22%), and 20 proposals are pre-2022 files (40%).

Current Non-Decision Appeals to the Ontario Land Tribunal

At the February 2, 2021, Planning Committee meeting, Planning Committee requested that information be reported relating to development applications that have been appealed for non-decision to the Ontario Land Tribunal. Attached as Appendix “D” to Report PED24126 is a table outlining development applications, along with the applicant/agent, which have been appealed for non-decision to the Ontario Land Tribunal. There are currently 19 active appeals for non-decision of which three are Zoning By-law Amendment applications, two are Plan of Subdivision applications, 10 are combined Official Plan Amendment and Zoning By-law Amendment applications, and four are combined Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision applications. Third party appeals are not included in this information as Council has made a decision on the application.

APPENDICES AND SCHEDULES ATTACHED

- Appendix “A” to Report PED24126 - List of Active Development Applications (prior to December 12, 2017)
- Appendix “B” to Report PED24126 - List of Active Development Applications (after December 12, 2017, but before September 3, 2019)
- Appendix “C” to Report PED24126 - List of Active Development Applications (after September 3, 2019)
- Appendix “D” to Report PED24126 - *Planning Act* Applications Currently Appealed for Non-Decision to the Ontario Land Tribunal

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