

### Chronology of Reports, Applications and Decisions Since 2020 related to Urban Boundary Expansions

- August 2020: The City receives three Official Plan Amendment applications to the Urban and Rural Official Plans (UHOPA-20-018, UHOPA-20-019, UHOPA-20, RHOPA-20-022, RHOPA-20-023, RHOPA-20-024), each seeking to expand Hamilton’s urban boundary by less than 40 hectares within the Twenty Road West whitebelt lands. The applications were submitted by an Upper West Side landowner group consisting of:
- Sullstar Twenty Limited (Starward Homes);
  - Spallacci & Sons Limited;
  - Oxford Road Developments (The Zahavy Group);
  - Lynmount Developments Inc.;
  - Twenty Road Developments Inc.;
  - Really Living;
  - Liv Communities; and,
  - Parente Group Holdings Ltd.
- The applications were submitted under Growth Plan policies which allows privately initiated urban boundary expansion less than 40 hectares outside of a Municipal Comprehensive Review. The applications were deemed complete by the City in September 2020.
- November 2021: Report PED17010(n) presented the final Land Needs Assessment, addendum report, and peer review. Using the Growth Plan’s methodology for Land Needs Assessments, the Report recommended the “Ambitious Density” growth option, based on an intensification target of 60% with approximately 1,310 hectares of land that needed to be added to the Urban Boundary to accommodate community-related growth to 2051. The location of where this growth would occur was not included in the staff report.
- November 2021: Council adopted a No Urban Boundary Expansion growth option to accommodate the City’s forecasted population and employment growth within the existing urban area to the year 2051. Council directed staff to prepare a draft Official Plan Amendment which implements the Council direction for No Urban Boundary Expansion.

June 2022: The No Urban Boundary Expansion growth scenario, based on an intensification target of 80%, was integrated into the final Urban Hamilton Official Plan and Rural Hamilton Official Plan policy amendments that were ultimately adopted by Council on June 8, 2022 through Urban Hamilton Official Plan Amendment No. 167 and Rural Hamilton Official Plan Amendment No. 34. The 80% intensification rate reflected the proportion of growth to be accommodated within the built boundary. The remaining 20% of growth was to be accommodated within designated greenfield areas already within the urban boundary. Planning Division staff submitted the Council adopted Official Plan Amendments and additional required materials to the Ministry of Municipal Affairs and Housing for their final review and approval on June 27, 2022.

November 4, 2022: The Ministry of Municipal Affairs and Housing issued decisions to the City of Hamilton in response to the Council-adopted Official Plan Amendments No.167 and No. 34 which represented the completion of Phase 1 of the City’s Official Plan Review and the GRIDS 2 / Municipal Comprehensive Review processes. The Province approved the Official Plans with 77 modifications to the Urban Hamilton Official Plan and 25 modifications to the Rural Hamilton Official Plan. A significant modification was the addition of approximately 2,200 gross ha of urban expansion area to the City’s urban boundary, as well as other significant changes as outlined in the Analysis and Rationale Section of Report PED23252.

November 4, 2022: The Province also posted the ERO posting for the removal of lands from the Greenbelt Plan area. Discussion of the Greenbelt removals is provided in Report PED23244.

November 29, 2022: Planning Division staff presented Report PED21067(c) to Planning Committee, outlining the details of the Provincial modifications to Official Plan Amendments No. 167 and No. 34.

As a result of the modification to add land to the Urban Boundary by the Province, Planning Division staff began receiving inquiries for meetings with landowner groups in the expansion area lands about moving forward with secondary planning and development.

February 14, 2023: Recommendations on the Municipal Housing Pledge were presented to Planning Committee through Report PED23056. The Housing Pledge requires a commitment from municipalities across the Province to do their part in meeting the Provincial goal of 1.5 million new homes by 2031. For Hamilton, a commitment to facilitate the construction of 47,000 new units by 2031 is requested by the Province, representing an 11,400 unit increase to the 2031 allocations assigned through the Growth Plan. City Council’s pledge included that caveat that these units would be accommodated through intensification opportunities within the urban boundary, prior to the Provincial urban boundary expansion areas added through Official Plan Amendment No. 167 modifications. The Mayor signed the Housing Pledge on March 17, 2023.

March 2023: Report PED21067(d) sought direction on how to move forward with secondary planning work for the Urban Expansion Areas. Planning staff were directed to prepare a draft policy framework to guide City-led Secondary Planning and privately initiated Secondary Plan applications in the Urban Expansion Areas. In May 2023, the City undertook consultation with the public and stakeholders on the draft policy framework and development guidelines.

While planning staff were in the process of preparing Official Plan Amendment No. 185, there were several landowner groups who made Formal Consultation submissions for a privately initiated Secondary Planning policy amendment.

April 6, 2023: A first draft of the proposed Provincial Planning Statement is posted on the Environmental Registry of Ontario website for comment. Major changes proposed through the Provincial Planning Statement included rescinding the Growth Plan and removing the requirement that municipalities must undertake a Municipal Comprehensive Review before expanding urban boundaries, opening the door for new privately initiated urban boundary expansions of any size that may be submitted at any time. City Council ratified the submissions made by staff to the Province on June 21, 2023 through Report PED23145 and subsequent Natural Heritage Systems Report PED23185 which identified several areas of concerns.

- July 11, 2023: Report PED23144 presented the findings of the engagement activities undertaken and recommended the approval of an Official Plan Amendment to implement the Urban Expansion Areas secondary planning policy framework, as well as the Secondary Planning Guidelines for Urban Expansion Areas. Urban Hamilton Official Plan Amendment No. 185 was adopted without appeals and came into effect on August 16, 2023.
- Since the approval of Official Plan Amendment No. 185 staff have been involved in reviewing a term of reference for one privately initiated Secondary Plan and discussions for one potential hybrid (joint private/city) Secondary Plan within the urban expansion area. A substantial amount of staff time was dedicated to meeting with landowner groups and review of materials.
- September 21, 2023: The Ontario Premier announced that all lands removed from the Greenbelt Plan in December 2022 would be reinstated. On October 16, 2023, the Government of Ontario introduced Bill 136, *Greenbelt Statute Law Amendment Act, 2023* on its Environment Registry of Ontario website which if passed would return these lands to the Greenbelt Area.
- October 23, 2023: The Minister of Municipal Affairs and Housing announced its intention to reverse Provincial changes to official plans and official plan amendments, except in circumstances where construction has begun or where doing so would contravene existing Provincial legislation and regulation.
- November 14, 2023: Report PED23252 was submitted to Planning Committee recommending, among other things, that Council reconfirm its position on Urban Hamilton Official Plan Amendment No. 167 and Rural Hamilton Official Plan Amendment No. 34 to implement a no urban boundary expansion growth strategy, as adopted by Council on June 8, 2022. Council approved these recommendations on November 22, 2023 and these comments were submitted to the Minister of Municipal Affairs and Housing.
- November 16, 2023: The Province introduced Bill 150, *Planning Statute Law Amendment Act, 2023* and *Official Plan Adjustment Act, 2023* which, with the exception of three modifications,

would reverse provincial decisions on Urban Hamilton Official Plan Amendment No. 167 and Rural Hamilton Official Plan Amendment No. 34 and approve municipally adopted official plans retroactive to the date of provincial approval, which for the City of Hamilton would be November 4, 2022.

- November 21, 2023: An Official Plan Amendment application is submitted by the Upper West Side landowner group to establish the Upper West Side Secondary Plan which includes lands located outside of the Hamilton urban boundary. The application was deemed incomplete by the City on December 19, 2023 and subsequently appealed to the Ontario Land Tribunal by the applicant on January 16, 2024.
- December 5, 2023: Report PED23261 was submitted to Planning Committee recommending Council adopt its submission to the Province on Bill 150 which reiterated the City’s position on Urban Hamilton Official Plan Amendment No. 167 and Rural Hamilton Official Plan Amendment No. 34 to implement a no urban boundary expansion growth strategy.
- December 6, 2023: Bill 150 received Royal Assent on December 6, 2023 resulting in all urban expansion areas previously approved by the Province being deemed to have never been made.
- March 21, 2024: The Upper West Side landowner group submitted another Official Plan Amendment application seeking to, among other things, re-establish the Provincial Minister’s original approval of Official Plan Amendment No. 167, prior to Bill 150 receiving Royal Assent which supported urban boundary expansions. This application was deemed incomplete by the City on April 9, 2024 and appealed by the applicant to the Ontario Land Tribunal on May 8, 2024.
- April 10, 2024: The Province introduces a second draft of the Provincial Planning Statement together with Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* and requests comments through Environmental Registry of Ontario postings. The revised Provincial Planning Statement still removes the requirement for a Municipal Comprehensive Review before a municipality or

landowner can expand the urban boundary more than 40 hectares. A significant new legislative change through Bill 185 would allow landowners to appeal urban boundary expansion applications to the Ontario Land Tribunal which could undermine and potentially reverse the City’s no urban boundary expansion growth strategy.

May 14, 2024: Reports PED23145(a) and PED24097 were submitted to Planning Committee recommending Council adopt its submission to the Province on the second draft of the Provincial Planning Statement and Bill 185. Council adopted the submissions on May 22, 2024. Report PED23145(a) also included the recommendation that:

“Council direct staff to assess the implications of existing or potential urban boundary expansion Official Plan Amendment applications and report back with recommendations on the processing and evaluation of these applications relative to requirements for a complete application, potential staffing and consultant resources for the processing of applications and potential Ontario Land Tribunal appeals, changes to existing application fees, and any necessary capital budget enhancements” .

June 6, 2024: Bill 185 receives Royal Assent.

As of the date of this report, the proposed Provincial Planning Statement has not been enacted.

June 27, 2024: The Upper West Side landowner group appeals the lack of decision on its 2020 urban boundary expansion applications (UHOPA-20-018, UHOPA-20-019, UHOPA-20, RHOPA-20-022, RHOPA-20-023, RHOPA-20-024) to the Ontario Land Tribunal. No hearing date has been set.

July 30, 2024: Official Plan Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan were received from the Elfridas Builders Group. The purpose of the proposed amendments are to identify the subject site as a Future Urban Growth District by special policy area to be a preferred location of a future transit oriented urban community to accommodate the City’s future growth. It is anticipated that when the new 2024 Provincial

Planning Statement comes into effect, the applications will be revised such that the proposed Official Plan Amendments will add the subject site to the urban boundary, with a policy framework that includes a requirement for a secondary plan prior to any development occurring.