




Hamilton

INFORMATION REPORT

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	October 18, 2024
SUBJECT/REPORT NO:	Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED24176) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Johanna Howard (905) 546-2424, Ext. 1324
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.

This report has been presented to Planning Committee on a monthly basis, however, in January 2025, reporting of all active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision applications will move to a quarterly schedule. Staff will provide reports in January, April, August, and December 2025. In this regard, this will be the last report for 2024.

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*, which were in

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effect pursuant to statutory timeframes prescribed in *Bill 73*, *Bill 139*, and *Bill 108*.

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

Attached as Appendix “A” to Report PED24176 is a table outlining the active applications received prior to December 12, 2017, sorted by Ward, from oldest application to newest. As of September 17, 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;
- 5 active Zoning By-law Amendment applications; and,
- 3 active Plan of Subdivision applications.

Within 60 to 90 days of September 17, 2024, all five 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 PED24176 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 September 17, 2024, there was:

- 1 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;
- 4 active Zoning By-law Amendment applications; and,
- 2 active Plan of Subdivision applications.

Within 60 to 90 days of September 17, 2024, all four 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 PED24176 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 September 17, 2024 there were:

- 12 active Official Plan Amendment applications;

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- 29 active Zoning By-law Amendment applications; and,
- 18 active Plan of Subdivision applications.

As of September 17, 2024, two development proposals are approaching the 90 or 120 day statutory timeframe and will be eligible for appeal. There are 33 development proposals that have passed the 90 or 120 day statutory timeframe.

Planning Division Active Files

Combined to reflect property addresses, there are 44 active development proposals. Seven proposals are 2024 files (16%), nine proposals are 2023 files (20.5%), nine proposals are 2022 files (20.5%), and 19 proposals are pre 2022 files (43%).

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 PED24176 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, three are Plan of Subdivision applications, 10 are combined Official Plan Amendment and Zoning By-law Amendment applications, and three 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 PED24176 - List of Active Development Applications (prior to December 12, 2017)

Appendix "B" to Report PED24176 - List of Active Development Applications (after December 12, 2017, but before September 3, 2019)

Appendix "C" to Report PED24176 - List of Active Development Applications (after September 3, 2019)

Appendix "D" to Report PED24176 - *Planning Act* Applications Currently Appealed for Non-Decision to the Ontario Land Tribunal

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