

Authority: Item 3, Planning Committee Report 24-015 (PED24134)
CM: October 23, 2024 Ward: City Wide
Written approval for this by-law was given by Mayoral Decision MDE-2024 21
Dated October 23, 2024

Bill No. 190

CITY OF HAMILTON

BY-LAW NO. 24-

To Adopt:

**Official Plan Amendment No. 47 to the
former Region of Hamilton-Wentworth Official Plan**

Respecting:

**Formal Consultation and Complete Application Requirements under Bill 185
(West Harbour (Setting Sail) Secondary Plan area)**

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 47 to the former Region of Hamilton-Wentworth Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 23rd day of October, 2024.

A. Horwath
Mayor

M. Trennum
City Clerk

Amendment No. 47 to the former Region of Hamilton- Wentworth Official Plan

The following text, together with:

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| Appendix “A” | Subsection D.7A – Complete Application Requirements and Formal Consultation |
| Appendix “B” | Subsection D.7B – Locational and Proposal Based Requirements |
| Appendix “C” | Volume 1: Schedule I – Other Information and Materials |

attached hereto, constitutes Official Plan Amendment No. 47 to the former Region of Hamilton-Wentworth Official Plan.

1.0 **Purpose and Effect:**

The purpose and effect of this Amendment is to amend the former Region of Hamilton - Wentworth Official Plan by amending existing policies and adding new policies to respond to Planning Act legislative changes which implement Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*.

2.0 **Location:**

The lands affected by this amendment are located within the West Harbour (Setting Sail) Secondary Plan area.

3.0 **Basis:**

The basis for permitting this Amendment is:

- The Amendment provides clarity on the requirements for a complete application in the absence of an applicant first going through the formal consultation process; and
- The Amendment is consistent with the Provincial Planning Statement, 2024.

4.0 **Changes:**

4.1 Text Changes

4.1.1 Subsection D.7A – Complete Application Requirements and Formal Consultation

- a. That the following policies of Subsection D.7A – Complete Application Requirements and Formal Consultation be amended, added or deleted, as outlined in Appendix “A”, attached to this Amendment:

1.0

- D.7A.1
- D.7A.3
- D.7A.5
- D.7A.6
- D.7A.7
- D.7A.8
- D.7A.9
- D.7A.10 (new)
- D.7A.11 (new)
- D.7A.12 (new)
- D.7A.13 (new)
- D.7A.14 (new)
- D.7A.15 (new)
-

4.1.2 Subsection D.7B – Locational and Proposal Based Application Requirements

- a. That Subsection D.7B – Locational and Proposal Based Application Requirements be added as outlined in Appendix “B”, attached to this Amendment:

- D.7B.1 (new)
- D.7B.2 (new)
- D.7B.3 (new)
- D.7B.4 (new)
- D.7B.5 (new)
- D.7B.6 (new)
- D.7B.6 (new)
- D.7B.7 (new)
- D.7B.8 (new)
- D.7B.9 (new)
- D.7B.10 (new)
- D.7B.11 (new)
- D.7B.12 (new)
- D.7B.13 (new)
- D.7B.14 (new)
- D.7B.15 (new)
- D.7B.16 (new)

4.2 Maps and Schedules

4.1.2 Schedule 1 – Other Information and Materials

- a. That Schedule 1 – Other Information and Materials be added to the Region of Wentworth-Hamilton Official Plan, as shown on Appendix “C”, attached to this Amendment.

5.0 Implementation:

An implementing amendment to the City's Formal Consultation By-law will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule "1" to By-law No. 24-190 passed on the 23rd day of October, 2024.

**The
City of Hamilton**

A. Horwath
Mayor

M. Trennum
City Clerk

Appendix “A” – Subsection D.7A – Complete Application Requirements and Formal Consultation

| Proposed Change | Proposed New / Revised Policy |
|---|---|
| <p>Grey highlighted strikethrough text = text to be deleted</p> | <p>Bolded text = text to be added</p> |
| <p>D.7A.1 Formal consultation with the City (formerly the Region of Hamilton-Wentworth) shall be encouraged required prior to the submission of a Planning Act application(s) for a Regional Official Plan Amendment, Area Municipal Official Plan Amendment, Zoning Bylaw Amendment, Draft Plan of Subdivision, or Site Plan.</p> | <p>D.7A.1 Formal consultation with the City (formerly the Region of Hamilton-Wentworth) shall be encouraged prior to the submission of a Planning Act application(s) for a Regional Official Plan Amendment, Area Municipal Official Plan Amendment, Zoning Bylaw Amendment, Draft Plan of Subdivision, or Site Plan.</p> |
| <p>D.7A.3 Notwithstanding Policy D.7A.1, the City may waive the requirement for formal consultation, where the City has identified that, due to the nature of the proposal, the need for and scope of required other information and materials can be determined without a formal consultation. A waiver for formal consultation shall only be considered where a formal consultation process had been completed for the same proposal. If the formal consultation is waived by the City, by the City, The City will provide the applicant with a form that identifies the necessary other information and materials to be submitted with the application(s) to deem it complete.</p> | <p>D.7A.3 A waiver for formal consultation shall only be considered where a formal consultation process had been completed for the same proposal. If the formal consultation is waived by the City, the City will provide the applicant with a form that identifies the necessary other information and materials to be submitted with the application(s) to deem it complete.</p> |
| <p>D.7A.5 A Planning Act application(s) shall be deemed complete provided that: a) it satisfies all applicable provincial requirements; b) it satisfies all requirements set out in the applicable Area Municipal Official Plans; and, c) it shall be accompanied by all the other information and materials listed in Schedule No. 1 Table 1 of Policy D.7A.6 or as determined by the procedures of Policy D.7A.1 or D.7A.3.</p> | <p>D.7A.5 A Planning Act application(s) shall be deemed complete provided that: a) it satisfies all applicable provincial requirements; b) it satisfies all requirements set out in the applicable Area Municipal Official Plans; and, c) it shall be accompanied by all the other information and materials listed in Schedule No. 1 or as determined by the procedures of Policy D.7A.1 or D.7A.3.</p> |
| <p>D.7A.6 Schedule No. 1 Table 1 identifies the other information and materials which are required to deem Planning Act applications for Regional Official Plan Amendment, Area Municipal Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, and Site Plan complete, unless otherwise determined through a formal consultation.</p> | <p>D.7A.6 Schedule No. 1 identifies the other information and materials which are required to deem Planning Act applications for Regional Official Plan Amendment, Area Municipal Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, and Site Plan complete, unless otherwise determined through a formal consultation.</p> |

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| <p>Repeal Table 1 (as part of Policy 7A.6) with the table contained at the end of Appendix "A" to the Amendment to be added as Schedule No. 1 to this Plan.</p> | <p>See new table at the end of Appendix "A"</p> |
| <p>D.7A.7 Other information and materials submitted in accordance with Policy D.7A.5 shall be subject to the following requirements to be deemed complete:</p> <p>...</p> <p>e) In addition to the other information and materials listed in Schedule No. 1 Table 1, the applicant may shall be required to submit any other supporting information and materials identified by the City during the formal consultation process with the applicant as being necessary for an application to be deemed complete.</p> | <p>D.7A.7 Other information and materials submitted in accordance with Policy D.7A.5 shall be subject to the following requirements to be deemed complete:</p> <p>...</p> <p>e) In addition to the other information and materials listed in Schedule No. 1, the applicant shall be required to submit any other supporting information and materials identified by the City during the formal consultation process with the applicant as being necessary for an application to be deemed complete.</p> |
| <p>D.7A.8 The requirement for other information and materials submitted in accordance with Policies D.7A.1, or D.7A.3, or Schedule No. 1 is not intended to preclude Council and its delegated authorities from requiring additional reports, studies, maps, plans, calculations, information or materials, which are identified during the review process for an application(s) which has been deemed complete as being necessary for Council and its delegated authorities to make informed decisions.</p> | <p>D.7A.8 The requirement for other information and materials submitted in accordance with Policies D.7A.1, D.7A.3, or Schedule No. 1 is not intended to preclude Council and its delegated authorities from requiring additional reports, studies, maps, plans, calculations, information or materials, which are identified during the review process for an application(s) which has been deemed complete as being necessary for Council and its delegated authorities to make informed decisions.</p> |
| <p>D.7A.9 The City shall establish guidelines for the other information and materials identified in Policy D.7A.5 Schedule No. 1, to provide direction regarding the intended content and scope of such other information and materials.</p> | <p>D.7A.9 The City shall establish guidelines for the other information and materials identified in Schedule No. 1, to provide direction regarding the intended content and scope of such other information and materials.</p> |
| <p>D.7A.10 Prior to the submission of a complete Planning Act application, where complete application requirements have been determined through formal consultation or a formal consultation waiver letter prior to January 1, 2023, the City may:</p> <p>a) amend the formal consultation or waiver letter; or</p> <p>b) require the complete application requirements to be determined through a new formal consultation or in accordance with Schedule No. 1.</p> | <p>D.7A.10 Prior to the submission of a complete Planning Act application, where complete application requirements have been determined through formal consultation or a formal consultation waiver letter prior to January 1, 2023, the City may:</p> <p>a) amend the formal consultation or waiver letter; or</p> <p>b) require the complete application requirements to be determined through a new formal consultation or in accordance with Schedule No. 1.</p> |
| <p>D.7A.11 Schedule No. 1 identifies four categories under which other information and materials shall be required for each Planning Act application. These categories are:</p> | <p>D.7A.11 Schedule No. 1 identifies four categories under which other information and materials shall be required for each Planning Act application. These categories</p> |

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| <p>a) minimum requirements for the submission of a complete application regardless of the context of the application;</p> <p>b) locational requirements for the submission of a complete application for all applications located within a specified area, as determined by the applicable policies of this Plan;</p> <p>c) proposal based requirements for the submission of a complete application for all applications of a specified use, form, character, or scale, as determined by the applicable policies of this Plan; and,</p> <p>d) discretionary requirements being all other information and materials that may be requested by the City through the formal consultation process and/or the processing of a Planning Act application.</p> | <p>are:</p> <p>a) minimum requirements for the submission of a complete application regardless of the context of the application;</p> <p>b) locational requirements for the submission of a complete application for all applications located within a specified area, as determined by the applicable policies of this Plan.</p> <p>c) proposal based requirements for the submission of a complete application for all applications of a specified use, form, character, or scale, as determined by the applicable policies of this Plan; and,</p> <p>d) discretionary requirements being all other information and materials that may be requested by the City through the formal consultation process and/or the processing of a Planning Act application.</p> |
| <p>D.7A.12 The City may establish application guidelines or update to provide guidance on the applicable policies of this Plan which apply to the locational and proposal based requirements as identified in Schedule No. 1.</p> | <p>D.7A.12 The City may establish application guidelines to provide guidance for the applicable policies of this Plan which apply to the locational and proposal based requirements as identified in Schedule No. 1.</p> |
| <p>D.7A.13 Where any policy of this Plan identifies a submission requirement the City may require as part of a complete application and where it is identified as a locational or proposal based requirement, it shall be deemed to be a submission requirement for a complete Planning Act application unless otherwise determined through the formal consultation process.</p> | <p>D.7A.13 Where any policy of this Plan identifies a submission requirement the City may require as part of a complete application and where it is identified as a locational or proposal based requirement, it shall be deemed to be a submission requirement for a complete Planning Act application unless otherwise determined through the formal consultation process.</p> |
| <p>D.7A.14 Where there is a discrepancy between submission requirements identified in this Plan and the policies of the former City of Hamilton Official Plan and the West Harbour Secondary Plan, the requirements identified in the former City of Hamilton Official Plan and the West Harbour Secondary Plan shall also apply.</p> | <p>D.7A.14 Where there is a discrepancy between submission requirements identified in this Plan and the policies of the former City of Hamilton Official Plan and the West Harbour Secondary Plan, the requirements identified in the former City of Hamilton Official Plan and the West Harbour Secondary Plan shall also apply.</p> |
| <p>D.7A.15 A Complete Application Compliance Summary shall be required where no formal consultation has been completed which shall identify how each requirement on Schedule No. 1 has been addressed.</p> | <p>D.7A.15 A Complete Application Compliance Summary shall be required where no formal consultation has been completed which shall identify how each requirement on Schedule No. 1 has been addressed.</p> |

Appendix “B” – Subsection D.7B – Locational and Proposal Based Requirements

| Proposed Change | Proposed New / Revised Policy |
|---|--|
| <p>Grey highlighted strikethrough text = text to be deleted</p> | <p>Bolded text = text to be added</p> |
| <p>7B Locational and Proposal Based Application Requirements The following policies identify the criteria for locational and proposal based requirements identified in Schedule No. 1.</p> | <p>7B Locational and Proposal Based Application Requirements The following policies identify the criteria for locational and proposal based requirements identified in Schedule No. 1.</p> |
| <p>D.7B.1 The City shall ensure that all development or redevelopment with the potential to create conflicts between sensitive land uses and point source or fugitive air emissions such as noise, vibration, odour, dust, and other emissions complies with all applicable provincial legislation, provincial and municipal standards, and provincial guidelines, and shall have regard to municipal guidelines. The City shall require proponents of such proposals to submit studies prior to or at the time of application submission, unless otherwise determined through the formal consultation process, including the following: noise feasibility study; detailed noise study; air quality study; odour impact assessment; dust impact analysis; light impact assessment; and any other information and materials identified in Section D.7A - Complete Application Requirements and Formal Consultation.</p> | <p>D.7B.1 The City shall ensure that all development or redevelopment with the potential to create conflicts between sensitive land uses and point source or fugitive air emissions such as noise, vibration, odour, dust, and other emissions complies with all applicable provincial legislation, provincial and municipal standards, and provincial guidelines, and shall have regard to municipal guidelines. The City shall require proponents of such proposals to submit studies prior to or at the time of application submission, unless otherwise determined through the formal consultation process, including the following: noise feasibility study; detailed noise study; air quality study; odour impact assessment; dust impact analysis; light impact assessment; and any other information and materials identified in Section D.7A - Complete Application Requirements and Formal Consultation.</p> |
| <p>D.7B.2 For any development or redevelopment on lands identified on Map No 3a – Provincial Plans as Niagara Escarpment Plan Natural Area; or regulated by a Conservation Authority; or located within 120 metres of Hazardous Lands, Key Hydrologic Features, or Earth Science Area of Natural and Scientific Interest (ANSI), the City shall require the following other information and materials to be submitted as part of a complete application unless otherwise determined through the formal consultation process: a) Channel Design and Geofluvial Assessment; b) Erosion Hazard Assessment; c) Floodline Delineation Study/ Hydraulic Analysis; d) Karst Assessment / Karst Contingency Plan; e) Limit of Core Areas or Limit of Conservation</p> | <p>D.7B.2 For any development or redevelopment on lands identified on Map No 3a – Provincial Plans as Niagara Escarpment Plan Natural Area; or regulated by a Conservation Authority; or located within 120 metres of Hazardous Lands, Key Hydrologic Features, or Earth Science Area of Natural and Scientific Interest (ANSI), the City shall require the following other information and materials to be submitted as part of a complete application unless otherwise determined through the formal consultation process: a) Channel Design and Geofluvial Assessment; b) Erosion Hazard Assessment; c) Floodline Delineation Study/ Hydraulic Analysis; d) Karst Assessment / Karst Contingency Plan; e) Limit of Core Areas or Limit of Conservation</p> |

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| <p>Authority Regulated Area; f) Meander Belt Assessment; g) Shoreline Assessment Study/ Coastal Engineers Study; and, h) Slope Stability Study and Report.</p> | <p>Authority Regulated Area; f) Meander Belt Assessment; g) Shoreline Assessment Study/ Coastal Engineers Study; and, h) Slope Stability Study and Report.</p> |
| <p>D.7B.3 A cultural heritage impact assessment: a) shall be required by the City and submitted prior to or at the time of any application submission pursuant to the Planning Act, where the proposed development, site alteration, or redevelopment of lands (both public and private) has the potential to adversely affect the following cultural heritage resources through displacement or disruption: i. Properties designated under any part of the Ontario Heritage Act or adjacent to properties designated under any part of the Ontario Heritage Act; ii. Properties that are included in the City's Register of Property of Cultural Heritage Value or Interest or adjacent to properties included in the City's Register of Property of Cultural Heritage Value or Interest; iii. A registered or known archaeological site or areas of archaeological potential; iv. Any area for which a cultural heritage conservation plan statement has been prepared; or, v. Properties that comprise or are contained within cultural heritage landscapes that are included in the Register of Property of Cultural Heritage Value or Interest. b) may be required by the City and submitted prior to or at the time of any application submission pursuant to the Planning Act, R.S.O., 1990 c. P.13 where the proposed development, site alteration, or redevelopment of lands (both public and private) has the potential to adversely affect cultural heritage resources included in the City's Inventory of Buildings of Architectural or Historical Interest through displacement or disruption.</p> | <p>D.7B.3 A cultural heritage impact assessment: a) shall be required by the City and submitted prior to or at the time of any application submission pursuant to the Planning Act, where the proposed development, site alteration, or redevelopment of lands (both public and private) has the potential to adversely affect the following cultural heritage resources through displacement or disruption: i. Properties designated under any part of the Ontario Heritage Act or adjacent to properties designated under any part of the Ontario Heritage Act; ii. Properties that are included in the City's Register of Property of Cultural Heritage Value or Interest or adjacent to properties included in the City's Register of Property of Cultural Heritage Value or Interest; iii. A registered or known archaeological site or areas of archaeological potential; iv. Any area for which a cultural heritage conservation plan statement has been prepared; or v. Properties that comprise or are contained within cultural heritage landscapes that are included in the Register of Property of Cultural Heritage Value or Interest. b) may be required by the City and submitted prior to or at the time of any application submission pursuant to the Planning Act, R.S.O., 1990 c. P.13 where the proposed development, site alteration, or redevelopment of lands (both public and private) has the potential to adversely affect cultural heritage resources included in the City's Inventory of Buildings of Architectural or Historical Interest through displacement or disruption.</p> |
| <p>D.7B.4 The City shall require proponents of development or redevelopment applications which include residential uses to prepare a Housing Report to indicate how the proposal will provide for a mix of unit sizes to accommodate a range of household sizes and income levels, unless otherwise</p> | <p>D.7B.4 The City shall require proponents of development or redevelopment applications which include residential uses to prepare a Housing Report to indicate how the proposal will provide for a mix of unit sizes to accommodate a range of household sizes and income levels, unless otherwise</p> |

| <p>determined through the formal consultation process.</p> | <p>determined through the formal consultation process.</p> | | | | | | | | | | | | | | | | | | | | | | | | |
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| <p>D.7B.5 For any development or redevelopment with a proposed height of more than six storeys, or any other development at the discretion of the Chief Planner, the City shall require the following studies as part of a complete application unless otherwise determined through the formal consultation process:</p> <p>a) Design Review Panel Summary of Advice Response; b) Housing Report; c) Energy and Environmental Assessment Report; d) Shadow Impact Study; e) Pedestrian Level Wind Study; f) Visual Impact Assessment; and, g) 3D Model.</p> | <p>D.7B.5 For any development or redevelopment with a proposed height of more than six storeys, or any other development at the discretion of the Chief Planner, the City shall require the following studies as part of a complete application unless otherwise determined through the formal consultation process:</p> <p>a) Design Review Panel Summary of Advice Response; b) Housing Report; c) Energy and Environmental Assessment Report; d) Shadow Impact Study; e) Pedestrian Level Wind Study; f) Visual Impact Assessment; and, g) 3D Model.</p> | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>D.7B.6 An EIS shall be required for development and site alteration proposed within or adjacent to a Core Area. Adjacent lands for features are defined in Table 1 below. The distances for adjacent lands provided in Table 1 are guidelines only and the City may require an EIS for development proposed outside of the adjacent area if it is anticipated that impacts may be far-reaching.</p> <p>Table 1: Adjacent Land Distances to Trigger an Environmental Impact Statement (For lands outside the Greenbelt Plan Area)</p> | <p>D.7B.6 An EIS shall be required for development and site alteration proposed within or adjacent to a Core Area. Adjacent lands for features are defined in Table 1 below. The distances for adjacent lands provided in Table 1 are guidelines only and the City may require an EIS for development proposed outside of the adjacent area if it is anticipated that impacts may be far-reaching.</p> <p>Table 1: Adjacent Land Distances to Trigger an Environmental Impact Statement (For lands outside the Greenbelt Plan Area)</p> | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"> <thead> <tr> <th>Natural Heritage Feature</th> <th>Boundary Definition</th> <th>Extent of Adjacent Lands- (outside of Greenbelt)</th> </tr> </thead> <tbody> <tr> <td>Fish Habitat</td> <td>Streams, rivers, lakes, ponds, and wetland.</td> <td>30 metres from bankfull channel</td> </tr> <tr> <td>Provincially Significant Wetlands</td> <td>Defined by the Province</td> <td>120 metres</td> </tr> <tr> <td>Significant Habitat of Threatened and Endangered</td> <td>Defined by the Province and City of Hamilton.</td> <td>50 metres</td> </tr> </tbody> </table> | Natural Heritage Feature | Boundary Definition | Extent of Adjacent Lands- (outside of Greenbelt) | Fish Habitat | Streams, rivers, lakes, ponds, and wetland. | 30 metres from bankfull channel | Provincially Significant Wetlands | Defined by the Province | 120 metres | Significant Habitat of Threatened and Endangered | Defined by the Province and City of Hamilton. | 50 metres | <table border="1"> <thead> <tr> <th>Natural Heritage Feature</th> <th>Boundary Definition</th> <th>Extent of Adjacent Lands- outside of Greenbelt</th> </tr> </thead> <tbody> <tr> <td>Fish Habitat</td> <td>Streams, rivers, lakes, ponds, and wetland.</td> <td>30 metres from bankfull channel</td> </tr> <tr> <td>Provincially Significant Wetlands</td> <td>Defined by the Province</td> <td>120 metres</td> </tr> <tr> <td>Significant Habitat of Threatened and</td> <td>Defined by the Province and City of Hamilton.</td> <td>50 metres</td> </tr> </tbody> </table> | Natural Heritage Feature | Boundary Definition | Extent of Adjacent Lands- outside of Greenbelt | Fish Habitat | Streams, rivers, lakes, ponds, and wetland. | 30 metres from bankfull channel | Provincially Significant Wetlands | Defined by the Province | 120 metres | Significant Habitat of Threatened and | Defined by the Province and City of Hamilton. | 50 metres |
| Natural Heritage Feature | Boundary Definition | Extent of Adjacent Lands- (outside of Greenbelt) | | | | | | | | | | | | | | | | | | | | | | | |
| Fish Habitat | Streams, rivers, lakes, ponds, and wetland. | 30 metres from bankfull channel | | | | | | | | | | | | | | | | | | | | | | | |
| Provincially Significant Wetlands | Defined by the Province | 120 metres | | | | | | | | | | | | | | | | | | | | | | | |
| Significant Habitat of Threatened and Endangered | Defined by the Province and City of Hamilton. | 50 metres | | | | | | | | | | | | | | | | | | | | | | | |
| Natural Heritage Feature | Boundary Definition | Extent of Adjacent Lands- outside of Greenbelt | | | | | | | | | | | | | | | | | | | | | | | |
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| Provincially Significant Wetlands | Defined by the Province | 120 metres | | | | | | | | | | | | | | | | | | | | | | | |
| Significant Habitat of Threatened and | Defined by the Province and City of Hamilton. | 50 metres | | | | | | | | | | | | | | | | | | | | | | | |

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| Species | | | Endangered Species | | |
| Non-Provincially Significant Wetlands | Defined by Conservation Authorities and the City of Hamilton | 50 metres | Non-Provincially Significant Wetlands | Defined by Conservation Authorities and the City of Hamilton | 50 metres |
| Significant Woodlands | Defined by the City of Hamilton | 50 metres, measured from the dripline | Significant Woodlands | Defined by the City of Hamilton | 50 metres, measured from the dripline |
| Streams and River Valleys | Conservation Authority regulatory lines, flood plain mapping. | 30 metres from stable top of bank | Streams and River Valleys | Conservation Authority regulatory lines, flood plain mapping. | 30 metres from stable top of bank |
| Areas of Natural and Scientific Interest (ANSIs) | As defined by the Province | 50 metres | Areas of Natural and Scientific Interest (ANSIs) | As defined by the Province | 50 metres |
| Significant Valley lands | As defined by the Province and City of Hamilton. | 50 metres | Significant Valley lands | As defined by the Province and City of Hamilton. | 50 metres |
| Significant Wildlife Habitat | As defined by the Province and City of Hamilton. | 50 metres | Significant Wildlife Habitat | As defined by the Province and City of Hamilton. | 50 metres |
| Environmentally Significant Areas (ESAs) | As defined by the City of Hamilton | 50 metres | Environmentally Significant Areas (ESAs) | As defined by the City of Hamilton | 50 metres |
| D.7B.7 Where there is potential for site contamination due to previous uses of a property and a more sensitive land use is proposed, a mandatory filing of a Record of Site Condition is triggered as outlined in provincial guidelines. The Record of Site Condition shall be submitted by the proponent to the City and the Province. The Record of Site Condition shall be to the satisfaction of the City. | | | D.7B.7 Where there is potential for site contamination due to previous uses of a property and a more sensitive land use is proposed, a mandatory filing of a Record of Site Condition is triggered as outlined in provincial guidelines. The Record of Site Condition shall be submitted by the proponent to the City and the Province. The Record of Site Condition shall be to the satisfaction of the City. | | |
| D.7B.8 The City shall require a Hydrogeological Study and Soils/Geotechnical Study as part of a | | | D.7B.8 The City shall require a Hydrogeological Study and Soils/Geotechnical Study to be submitted as | | |

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| <p>complete application for any site alteration below grade, unless otherwise determined through the formal consultation process.</p> | <p>part of a complete application for any site alteration below grade, unless otherwise determined through the formal consultation process.</p> |
| <p>D.7B.9 The City shall require proponents of development or redevelopment applications to prepare a Neighbourhood Traffic Calming Report as part of a complete application for lands located within 500 metres an educational establishment (i.e., elementary school), unless otherwise determined through the formal consultation process.</p> | <p>D.7B.9 The City shall require proponents of development or redevelopment applications to prepare a Neighbourhood Traffic Calming Report as part of a complete application for lands located within 500 metres to an educational establishment (i.e., elementary school), unless otherwise determined through the formal consultation process.</p> |
| <p>D.7B.10 A noise feasibility study, or detailed noise study, or both, shall be submitted as determined by the City prior to or at the time of application submission, for development of residential or other noise sensitive land uses on lands in the following locations: a) 100 metres of a minor arterial road; b) 400 metres of a major arterial road; c) 400 metres of a truck route; d) 400 metres of an existing or proposed parkway or provincial highway (controlled access); and, e) 400 metres of a railway line.</p> | <p>D.7B.10 A noise feasibility study, or detailed noise study, or both, shall be submitted as determined by the City prior to or at the time of application submission, for development of residential or other noise sensitive land uses on lands in the following locations: a) 100 metres of a minor arterial road; b) 400 metres of a major arterial road; c) 400 metres of a truck route; d) 400 metres of an existing or proposed parkway or provincial highway (controlled access); and, e) 400 metres of a railway line.</p> |
| <p>D.7B.11 Where a reduction in the minimum number of required parking spaces or an increase in the maximum number of permitted parking spaces is proposed, the City shall require a Parking Analysis / Study as part of a complete application, unless otherwise determined through the formal consultation process.</p> | <p>D.7B.11 Where a reduction in the minimum number of required parking spaces or an increase in the maximum number of permitted parking spaces is proposed, the City shall require a Parking Analysis / Study as part of a complete application, unless otherwise determined through the formal consultation process.</p> |
| <p>D.7B.12 Where a request is made by a proponent of a development application to reduce or waive requirements for conveyance of lands for right-of-way dedications, including daylight triangles , proponents shall be required to prepare a Right of Way Impact Assessment to review potential impacts and provide a rationale for the alternative requirement in accordance with the criteria outlined in Policy C.4.5.6.5 a).</p> | <p>D.7B.12 Where a request is made by a proponent of a development application to reduce or waive requirements for conveyance of lands for right-of-way dedications, including daylight triangles, proponents shall be required to prepare a Right of Way Impact Assessment to review potential impacts and provide a rationale for the alternative requirement in accordance with the criteria outlined in Policy C.4.5.6.5 a).</p> |
| <p>D.7B.13 The City shall require a Vibration Study to be submitted as part of a Construction Management Plan prior to or at the time of application submission.</p> | <p>D.7B.13 The City shall require a Vibration Study to be submitted as part of a Construction Management Plan prior to or at the time of application submission.</p> |
| <p>D.7B.14 The City shall require a Vibration Study to be submitted prior to or at the time of application submission for development on lands located within 75 metres of a railway</p> | <p>D.7B.14 The City shall require a Vibration Study to be submitted prior to or at the time of application submission for development on lands located within 75 metres of a railway</p> |

| | |
|---|--|
| <p>line or railway yard, unless otherwise determined through the formal consultation process.</p> | <p>line or railway yard, unless otherwise determined through the formal consultation process.</p> |
| <p>D.7B.15 The City shall require a Water Well Survey and Contingency Plan to be submitted prior to or at the time of application submission for development on lands within 500 metres of the urban boundary or any un-serviced lands within the urban area.</p> | <p>D.7B.15 The City shall require a Water Well Survey and Contingency Plan to be submitted prior to or at the time of application submission for development on lands within 500 metres of the urban boundary or any un-serviced lands within the urban area.</p> |
| <p>D.7B.16 A Zoning Compliance Review shall be submitted as part a complete application for Site Plan and Draft Plan of Subdivision which contains no non-compliances with respect to the use of the lands, unless otherwise determined through the formal consultation process.</p> | <p>D.7B.16 A Zoning Compliance Review shall be submitted as part a complete application for Site Plan and Draft Plan of Subdivision which contains no non-compliances with respect to the use of the lands, unless otherwise determined through the formal consultation process.</p> |
| <p>D.7B.17 A Zoning Compliance Review submitted as part of Site Plan shall be reviewed by City staff to confirm that the development conforms to the applicable height and density policies of Official Plan prior to the application being deemed complete.</p> | <p>D.7B.17 A Zoning Compliance Review submitted as part of Site Plan shall be reviewed by City staff to confirm that the development conforms to the applicable height and density policies of Official Plan prior to the application being deemed complete.</p> |

Appendix “C” – Schedule 1 – Other Information and Materials

| Study / Material Name | | Former Region and Former Hamilton Official Plan Amendment | | | | Zoning By-law Amendment | | | | Draft Plan of Subdivision | | | | Site Plan Control | | | |
|-----------------------|--|---|------------|----------------|---------------|-------------------------|------------|----------------|---------------|---------------------------|------------|----------------|---------------|-------------------|------------|----------------|---------------|
| | | Minimum | Locational | Proposal Based | Discretionary | Minimum | Locational | Proposal Based | Discretionary | Minimum | Locational | Proposal Based | Discretionary | Minimum | Locational | Proposal Based | Discretionary |
| 1 | Affordable Housing Report / Rental Conversion Assessment | | | ✓ | | | ✓ | | | | | | | | | | ✓ |
| 2 | Agricultural Impact Assessment | | ✓ | | | | ✓ | | | ✓ | | | | ✓ | | | |
| 3 | Air Quality Study | | ✓ | ✓ | | | ✓ | | | ✓ | ✓ | | | | | | ✓ |
| 4 | Archaeological Assessment | ✓ | | | | ✓ | | | | ✓ | | | ✓ | | | | |
| 5 | Channel Design and Geofluvial Assessment | | ✓ | | | | ✓ | | | | | ✓ | | | | | ✓ |
| 6 | Chloride Impact Study | | | | ✓ | | | ✓ | | | | ✓ | | | | | ✓ |
| 7 | Complete Application Compliance Summary / Summary Response to Formal Consultation Comments | ✓ | | | | ✓ | | | | ✓ | | | ✓ | | | | |
| 8 | Concept Plan | ✓ | | | | ✓ | | | | ✓ | | | | | | | |
| 9 | Construction Management Plan | | | | | | | | | | | ✓ | | | | | ✓ |
| 10 | Contaminant Management Plan | | | | ✓ | | | ✓ | | | | ✓ | | | | | ✓ |
| 11 | Cost Recovery Agreement | ✓ | | | | ✓ | | | | ✓ | | | | | | | ✓ |
| 12 | Cultural Heritage Assessment – Documentation and Salvage Plan | | | | ✓ | | | ✓ | | | | ✓ | | | | | ✓ |
| 13 | Cultural Heritage Impact Assessment | | ✓ | | | | ✓ | | | ✓ | | | ✓ | | | | |
| 14 | Cut and Fill Analysis | | | | ✓ | | | ✓ | | | | ✓ | | | | | ✓ |

| Study / Material Name | | Former Region and Former Hamilton Official Plan Amendment | | | | Zoning By-law Amendment | | | | Draft Plan of Subdivision | | | | Site Plan Control | | | |
|-----------------------|---|---|------------|----------------|---------------|-------------------------|------------|----------------|---------------|---------------------------|------------|----------------|---------------|-------------------|------------|----------------|---------------|
| | | Minimum | Locational | Proposal Based | Discretionary | Minimum | Locational | Proposal Based | Discretionary | Minimum | Locational | Proposal Based | Discretionary | Minimum | Locational | Proposal Based | Discretionary |
| 15 | Cycling Route Analysis | ✓ | | | | ✓ | | | | ✓ | | | | | | | |
| 16 | Design Review Panel Summary of Advice and Response | | ✓ | ✓ | | | ✓ | ✓ | | | ✓ | ✓ | | | ✓ | ✓ | |
| 17 | Draft Official Plan Amendment/ Draft Zoning By-law Amendment | ✓ | | | | ✓ | | | | | | | | | | | |
| 18 | Dust Impact Analysis | | | | ✓ | | | | ✓ | | | | ✓ | | | | ✓ |
| 19 | Elevations | | | | | | | | | | | | ✓ | | | | |
| 20 | Elevations (Conceptual) | ✓ | | | | ✓ | | | | ✓ | | | | | | | |
| 21 | Energy and Environmental Assessment Report | | | ✓ | | | | ✓ | | | | ✓ | | | | ✓ | |
| 22 | Environmental Impact Statement (EIS) and Summary of Environmentally significant Areas Impact Evaluation Group Comments (where applicable) | | ✓ | | | | ✓ | | | | ✓ | | | | ✓ | | |
| 23 | Environmental Site Assessment and/or Record of Site Condition | | ✓ | ✓ | | | ✓ | ✓ | | | ✓ | ✓ | | | ✓ | ✓ | |
| 24 | Erosion and Sediment Control Plan | | | | ✓ | | | | ✓ | ✓ | | | | | | | ✓ |
| 25 | Erosion Hazard Assessment | | ✓ | | | | ✓ | | | | ✓ | | | | ✓ | | |
| 26 | Financial Impact Analysis and Financial Strategy | | | | ✓ | | | | ✓ | | | | | | | | |
| 27 | Fish Habitat Assessment | | ✓ | | | | ✓ | | | | ✓ | | | | ✓ | | |
| 28 | Floodline Delineation Study/ Hydraulic Analysis | | ✓ | | | | ✓ | | | | ✓ | | | | ✓ | | |
| 29 | Full Disclosure Report | | | | ✓ | | | | ✓ | | | | | | | | |
| 30 | Functional Servicing Report | ✓ | | | | ✓ | | | | ✓ | | | | ✓ | | | |

| Study / Material Name | | Former Region and Former Hamilton Official Plan Amendment | | | | Zoning By-law Amendment | | | | Draft Plan of Subdivision | | | | Site Plan Control | | | |
|-----------------------|---|---|------------|----------------|---------------|-------------------------|------------|----------------|---------------|---------------------------|------------|----------------|---------------|-------------------|------------|----------------|---------------|
| | | Minimum | Locational | Proposal Based | Discretionary | Minimum | Locational | Proposal Based | Discretionary | Minimum | Locational | Proposal Based | Discretionary | Minimum | Locational | Proposal Based | Discretionary |
| 31 | General Vegetation Inventory | ✓ | | | | ✓ | | | | ✓ | | | | ✓ | | | |
| 32 | Grading Plan | ✓ | | | | ✓ | | | | ✓ | | | | ✓ | | | |
| 33 | Housing Report | | | ✓ | | | | ✓ | | | | ✓ | | | | | ✓ |
| 34 | Hydrogeological Study | | | ✓ | | | | ✓ | | ✓ | | | | ✓ | | | |
| 35 | Impact Assessment for new Private Waste Disposal Sites | | | ✓ | | | | ✓ | | | | | | | | ✓ | |
| 36 | Karst Assessment/Karst Contingency Plan | | ✓ | | | | ✓ | | | ✓ | | | | | ✓ | | |
| 37 | Land Use Compatibility Study | | | ✓ | | | | ✓ | | | | | | | ✓ | | |
| 38 | Land Use in the Vicinity of Existing Pipelines Study | | ✓ | | | | ✓ | | | ✓ | | | | | ✓ | | |
| 39 | Land Use/ Commercial Needs and Impact Assessment | | | ✓ | | | | ✓ | | | | | | | | | |
| 40 | Landfill Impact Assessment | | ✓ | ✓ | | | ✓ | ✓ | | ✓ | ✓ | | | ✓ | ✓ | | |
| 44 | Landscape Plan | | | | | | | | ✓ | | | | | ✓ | | | |
| 45 | Landscape Plan (Conceptual) | ✓ | | | | ✓ | | | | | | | | | | | |
| 46 | Light Impact Assessment | | | ✓ | | | | ✓ | | | | ✓ | | | | ✓ | |
| 47 | Limit of Core Areas or Limit of Conservation Authority Regulated Area | | ✓ | | | | ✓ | | | ✓ | | | | ✓ | | | |
| 48 | Linkage Assessment | | | | ✓ | | | ✓ | | | | ✓ | | | | | ✓ |
| 49 | Market Impact Study | | | | ✓ | | | ✓ | | | | ✓ | | | | | |
| 50 | Master Drainage Plan | | | | ✓ | | | ✓ | | | | ✓ | | | | | ✓ |
| 51 | Materials Palette or Imagery | | | | | | | | | | | ✓ | | | | | ✓ |

| Study / Material Name | | Former Region and Former Hamilton Official Plan Amendment | | | | Zoning By-law Amendment | | | | Draft Plan of Subdivision | | | | Site Plan Control | | | |
|-----------------------|---|---|------------|----------------|---------------|-------------------------|------------|----------------|---------------|---------------------------|------------|----------------|---------------|-------------------|------------|----------------|---------------|
| | | Minimum | Locational | Proposal Based | Discretionary | Minimum | Locational | Proposal Based | Discretionary | Minimum | Locational | Proposal Based | Discretionary | Minimum | Locational | Proposal Based | Discretionary |
| 67 | Recreation Needs Assessment | | | | ✓ | | | | ✓ | | | | ✓ | | | | |
| 68 | Restoration Plan | | | | ✓ | | | | ✓ | | | | ✓ | | | | ✓ |
| 69 | Right of Way Impact Assessment | | | ✓ | | | | ✓ | | | | ✓ | | | | ✓ | |
| 71 | Roadway/Development Safety Audit | | | | ✓ | | | | ✓ | | | | ✓ | | | | |
| 72 | School Accommodation Issues Assessment | | | | ✓ | | | | ✓ | | | | | | | | |
| 73 | School and City Recreation Facility and Outdoor Recreation/Parks Issues Assessment | | | | ✓ | | | | ✓ | | | | ✓ | | | | |
| 74 | Servicing Plan | | | | ✓ | | | | ✓ | ✓ | | | | ✓ | | | |
| 75 | Shoreline Assessment Study/Coastal Engineers Study | | ✓ | | | | ✓ | | | ✓ | | | | | ✓ | | |
| 76 | Site Lighting Plan | | | | | | | | | | | | ✓ | | | | ✓ |
| 77 | Site Plan and Floor Plans | | | | | | | | | | | | ✓ | | | | |
| 78 | Slope Stability Study and Report | | ✓ | | | | ✓ | | | ✓ | | | | ✓ | | | |
| 79 | Soil Management Plan | | | | | | | | | | | | ✓ | | | | ✓ |
| 81 | Soils/Geotechnical Study | | | ✓ | | | | ✓ | | ✓ | | | | ✓ | | | |
| 82 | Species Habitat Assessment | | ✓ | | | | ✓ | | | ✓ | | | | ✓ | | | |
| 83 | Storm Water Management Report/Plan and/or update to an existing Storm Water Management Plan | ✓ | | | | ✓ | | | | ✓ | | | | ✓ | | | |
| 84 | Sub-watershed Plan and/or update to an existing Sub-watershed Plan | | | | ✓ | | | | ✓ | | | | ✓ | | | | |

| Study / Material Name | | Former Region and Former Hamilton Official Plan Amendment | | | | Zoning By-law Amendment | | | | Draft Plan of Subdivision | | | | Site Plan Control | | | |
|-----------------------|---|---|------------|----------------|---------------|-------------------------|------------|----------------|---------------|---------------------------|------------|----------------|---------------|-------------------|------------|----------------|---------------|
| | | Minimum | Locational | Proposal Based | Discretionary | Minimum | Locational | Proposal Based | Discretionary | Minimum | Locational | Proposal Based | Discretionary | Minimum | Locational | Proposal Based | Discretionary |
| 85 | Sun/Shadow Study | | | ✓ | | | ✓ | | | | ✓ | | | | ✓ | | |
| 86 | Survey Plan (Real Property Report) | ✓ | | | | ✓ | | | ✓ | | | | ✓ | | | | |
| 87 | Transit Assessment | ✓ | | | | ✓ | | | ✓ | | | | | | | | |
| 88 | Transportation Demand Management Options Report | | | | ✓ | | ✓ | | | | ✓ | | | | ✓ | | |
| 89 | Transportation Impact Study | ✓ | | | | ✓ | | | | | | ✓ | | | | ✓ | |
| 90 | Tree Management Plan/Study (City-owned trees and / or within 3 metres of ROW) | ✓ | | | | ✓ | | | ✓ | | | | ✓ | | | | |
| 91 | Tree Protection Plan (Private trees) | ✓ | | | | ✓ | | | ✓ | | | | ✓ | | | | |
| 92 | Urban Design or Architectural Guidelines | | | | | | | | | | | ✓ | | | | | |
| 93 | Design Review Panel Summary of Advice and Response | | ✓ | ✓ | | | ✓ | ✓ | | | ✓ | ✓ | | | ✓ | ✓ | |
| 94 | Urban Design Report/ Brief | | ✓ | ✓ | | | ✓ | ✓ | | | | ✓ | | | ✓ | ✓ | |
| 95 | Vibration Study | | ✓ | | | | ✓ | | | ✓ | | | | | ✓ | | |
| 96 | Visual Impact Assessment | | ✓ | ✓ | | | ✓ | ✓ | | ✓ | ✓ | | | | ✓ | ✓ | |
| 97 | Water and Wastewater Servicing Study | ✓ | | | | ✓ | | | ✓ | | | | ✓ | | | | |
| 98 | Watermain Hydraulic Analysis | | | | | ✓ | | | ✓ | | | | ✓ | | | | |
| 99 | Water Well Survey and Contingency Plan | | ✓ | | | | ✓ | | | ✓ | | | | ✓ | | | |
| 100 | Wildland Fire Assessment | | | | | | | | | | | ✓ | | | | ✓ | |
| 101 | Wind Study | | | ✓ | | | | ✓ | | | ✓ | | | | ✓ | ✓ | |

| Study / Material Name | | Former Region and Former Hamilton Official Plan Amendment | | | | Zoning By-law Amendment | | | | Draft Plan of Subdivision | | | | Site Plan Control | | | |
|-----------------------|--------------------------|---|------------|----------------|---------------|-------------------------|------------|----------------|---------------|---------------------------|------------|----------------|---------------|-------------------|------------|----------------|---------------|
| | | Minimum | Locational | Proposal Based | Discretionary | Minimum | Locational | Proposal Based | Discretionary | Minimum | Locational | Proposal Based | Discretionary | Minimum | Locational | Proposal Based | Discretionary |
| 102 | Zoning Compliance Review | | | | | ✓ | | | | ✓ | | | | ✓ | | | |
| 103 | 3D Model | | | ✓ | | | | ✓ | | | | ✓ | | | | ✓ | |