



## Framework for Processing and Evaluating Urban Boundary Expansion Applications

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### **PURPOSE:**

This document explains the framework in which the City of Hamilton will receive, process, and assess new Official Plan Amendment applications to expand Hamilton's urban boundary under a Provincial Planning Statement, 2024 policy regime. The City of Hamilton has adopted, and the Province of Ontario has approved, a no urban boundary expansion growth strategy to the year 2051 through its Municipal Comprehensive Review in 2022. While the City's Official Plan does not support any urban boundary expansions outside of a city initiated Municipal Comprehensive Review or Official Plan review, the city also recognizes that under the proposed Provincial Planning Statement, 2024 and recent legislative changes made to the *Planning Act* through Bill 185, new privately initiated urban boundary expansion applications would be able to be received and approved at any time.

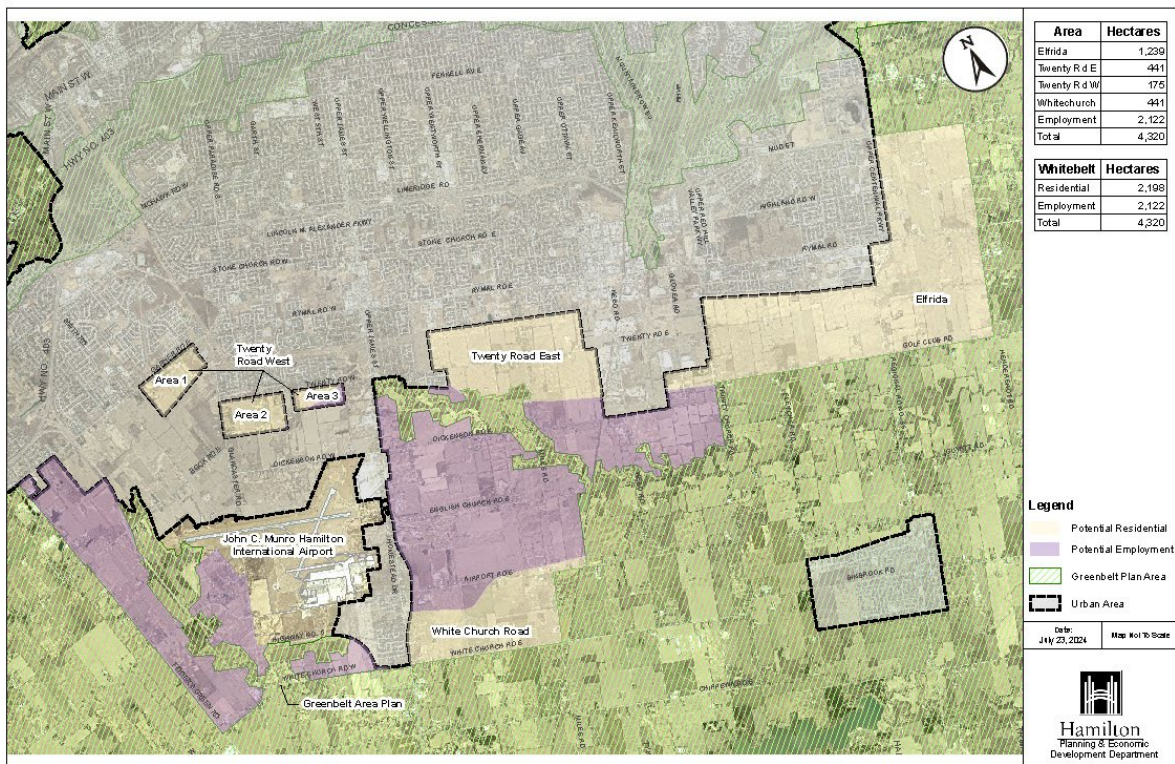
The purpose of this framework is to ensure that any urban boundary expansion applications submitted are complete and comprehensively assess the implications of the proposal against municipal land use priorities including accommodating growth through intensification, farmland preservation, infrastructure capacity and costs, planning for the impacts of climate change, protection of the natural environment, and supporting an active transportation network. This framework does not constitute a list of minimum submission requirements or criteria to determine whether an urban boundary expansion can receive municipal approval.

The framework is broken into three parts:

- Part A – Official Plan Amendment Submission Requirements
- Part B – Evaluation and Locational Consideration
- Part C – Application Submission & Review Process

### City of Hamilton Potential Urban Expansion Areas

Under the proposed Provincial Planning Statement, lands that are outside of an approved settlement area and outside of the Greenbelt Plan area may be considered for future urban boundary expansions. This area of land is sometimes referred to as the White Belt. Within the City of Hamilton’s Rural Hamilton Official Plan there is currently 4,320 hectares of these lands. This area is identified in the map below. Based on the City’s Official Plan policies which restrict sensitive land uses above 28 Noise Exposure Forecast (or NEF) contours, approximately 2,198 hectares could accommodate future community land uses and the other 2,122 hectares could accommodate employment uses.



**PART A – Urban Boundary Expansion Submission Requirements**  
**Minimum Submission Requirements**

Unless specifically removed as a submission requirement through the Formal Consultation process, the technical plans and studies below must be submitted with any Official Plan Amendment application to expand Hamilton’s urban boundary. Both the Urban and Rural Hamilton Official Plans include additional policies respecting the submission requirements for urban boundary expansion applications.

<b>Minimum Submission Requirement</b>	<b>City Division / Agency Responsible for Reviewing Terms of Reference and Assessing the Technical Submission</b>
Concept Plan	Planning Division
Planning Justification Report	Planning Division
Energy and Climate Change Assessment Report	Planning Division / Office of Climate Change Initiatives Division
Financial Impact Analysis and Financial Strategy	Planning Division / Growth Management Division / Asset Management Division / Municipal Finance Division
Phasing Plan	Growth Management Division
Noise Impact Study	Planning Division
Transportation Impact Study	Transportation Planning and Parking Division
Transit Assessment	Transit Services Division
Pedestrian Route and Sidewalk Analysis	Transportation Planning and Parking Division
Functional Servicing Report	Growth Management Division / Conservation Authority
Subwatershed Study (Phase 1)	Planning Division / Growth Management / Conservation Authority
Geotechnical Study	Growth Management Division / Conservation Authority
Karst Assessment	Planning Division / Conservation Authority
Community Facilities and Recreational Needs Assessment	Public Works Department
School Accommodation Issues Assessment	School Boards
Emergency Services Assessment (Policy / Fire / Ambulance)	Planning Division Emergency Service Providers

<b>Minimum Submission Requirement</b>	<b>City Division / Agency Responsible for Reviewing Terms of Reference and Assessing the Technical Submission</b>
Agricultural Impact Assessment	Planning Division
Cultural Heritage Impact Study	Planning Division
Archaeological Assessment	Planning Division
Public Consultation Summary and Comment Response Report	Planning Division
Indigenous Community Consultation Summary and Comment Response	Planning Division
Minimum Distance Separation (MDS) Formulae	Planning Division
Draft Official Plan Amendment	Planning Division

### **Mandatory Locational Submission Requirements**

The following submission requirements are required where, based on historic use of the lands or its proximity to other types of land uses, are required as minimum requirements. These additional submission requirements will be confirmed through a Formal Consultation process. In the absence of Formal Consultation, these are required to deem an application complete.

<b>Locational Submission Requirement</b>	<b>When Required</b>	<b>Department / Agency Responsible for Reviewing Terms of Reference and Assessing the Technical Submission</b>
Noise Impact Study	The urban expansion lands are within the Airport Influence Area identified within the 25+ Noise Exposure Forecast contours on Rural Hamilton Official Plan Appendix D.	Planning Division / Hamilton International Airport
Odour Impact Assessment	The proposed urban expansion area includes sensitive land uses in the vicinity of commercial, industrial, agricultural or any other uses with the potential to produce point source fugitive odour emissions.	Planning Division

Employment Assessment	The urban expansion area includes lands intended for Employment uses.	Planning Division
<b>Locational Submission Requirement</b>	<b>When Required</b>	<b>Department / Agency Responsible for Reviewing Terms of Reference and Assessing the Technical Submission</b>
Housing Assessment	The urban expansion area includes lands intended for Residential uses.	Planning Division

**Additional Submission Requirements**

Depending on the location and size of the urban boundary expansion application, the City may identify the following additional technical submission requirements through the Formal Consultation process or, where Formal Consultation is waived by an applicant, following the City’s review of the applicant’s submission.

**Terms of References**

The City has approved draft Terms of Reference which are available on the City’s website. Urban boundary expansion applications are unique, and the submission requirements may differ than what is submitted as part of a typical development application. The city strongly encourages that any proponent of an urban boundary expansion application consults with the municipality prior to undertaking any of these technical submissions.

City Council has approved the following Terms of Reference that are specifically related to Official Plan Amendment applications that seek to expand Hamilton’s urban boundary. They are:

- Concept Plan (Urban Boundary Expansion)
- Emergency Services Assessment (Urban Boundary Expansion)
- Energy and Climate Change Assessment Report (Urban Boundary Expansion)
- Fiscal Impact Analysis (Urban Boundary Expansion)
- Housing Assessment (Urban Boundary Expansion)
- School Accommodation Issues Assessment (Urban Boundary Expansion)
- Subwatershed Study (Phase 1) (Urban Boundary Expansion)

**Functional Servicing Report**

Building upon the City’s existing Terms of Reference and guidance on Functional Servicing Reports, new urban boundary expansion applications must submit a Functional Servicing Report that includes the components below. Prior to the submission of an urban boundary expansion application, the proponent shall meet with

Growth Management Division staff to confirm the specific Terms of Reference for the Functional Servicing Report.

Natural Hazards Components	Land Development Components
<ul style="list-style-type: none"><li>• Floodline Delineation Study/Hydraulic Analysis</li><li>• Erosion Hazard Assessment</li><li>• Downstream Floodplain Assessment</li><li>• Meander Belt Assessment</li><li>• Slope Stability Study &amp; Report</li><li>• Channel Design &amp; Geofluvial Assessment</li><li>• Cut-Fill Analysis</li><li>• Karst Assessment (or may be a stand-alone report)</li></ul>	<ul style="list-style-type: none"><li>• Grading Plan</li><li>• Survey Plan</li><li>• Erosion &amp; Sediment Control Plan</li><li>• Water Servicing Study (or may be stand-alone report)</li><li>• Wastewater Servicing Study (or may be stand-alone report)</li><li>• Hydrogeological Study (or may be stand-alone report)</li><li>• Geotechnical Study (or may be stand-alone report)</li><li>• Master Drainage Plan</li></ul>

**PART B**

**Urban Boundary Expansion Application - Draft Evaluation and Locational Considerations**

Built upon the Provincial policies and plans, the City’s Urban and Rural Official Plans as well as recent work undertaken through the City’s Growth Related Integrated Development Strategy (GRIDS 2) and Municipal Comprehensive Review as well as local strategies including the Biodiversity Action Plan and Hamilton Food Strategy, the City has identified thematic considerations for urban boundary expansion applications that will be used by the City to assess urban boundary expansion applications.

The considerations do not represent minimum criteria which if addressed will result in a positive recommendation from City staff. This framework also does not include a formal scoring process to assess each consideration. The information collected and considered in the following framework is intended to help City staff formulate recommendations for expansion applications.

<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
<b>Process and Transparency</b>	Has the applicant undertaken early consultation with Indigenous communities, the public and stakeholders?	Public Consultation Summary and Comment Response Report  Indigenous Community Consultation Summary and Comment Response
	How does the urban boundary expansion impact the City’s ability to meet its residential intensification and redevelopment targets in Section A.2.3 of the UHOP?	Housing Assessment
<b>Growth Allocation (Base Considerations)</b>	Is there a need to designate and plan for additional land to accommodate an appropriate range and mix of land uses within the Urban Hamilton Official Plan’s growth forecast? (PPS 2.3.2.1 a)	Concept Plan  Housing Assessment

Theme	Considerations	Submission Requirement
<p><b>Growth Allocation (Base Considerations) (continued)</b></p>	<p>Are the residential and/or employment uses within proposed urban boundary expansion area based on the approved population and employment forecasts and time horizon in the Urban Hamilton Official Plan, specifically A.2.3.1-2.3.3?</p> <p>If so, what time-frame? (e.g. 2031-2041)</p> <p>If not, what population and employment forecasts were used?</p>	<p>Housing Assessment</p> <p>Employment Needs Assessment</p>
	<p>The impact of the proposed expansion on the City’s vision for a sustainable community, as it relates to the objectives, policies and targets established in this Plan; and the impact of the proposed expansion on the City’s communities, environment and economy and the effective administration of the public service. (UHOP F.1.1.5)</p>	<p>Planning Justification Report</p> <p>Energy and Climate Change Assessment Report</p> <p>Financial Impact Analysis</p>
	<p>A comprehensive review and land budget analysis is required to determine the need for an urban boundary expansion, which includes an assessment of occupied and vacant urban land, brownfield availability, greenfield densities, and intensification targets to determine if sufficient opportunities to accommodate forecasted growth contained in the UHOP are not available.</p>	<p>Housing Assessment</p>
	<p>The timing of the urban boundary expansion and the phasing of development within the greenfield areas shall not adversely affect the achievement of the residential intensification target and Greenfield density targets.</p>	<p>Phasing Plan and Planning Justification Report</p> <p>Housing Assessment</p>



Theme	Considerations	Submission Requirement
<b>Growth Allocation (Base Considerations) (continued)</b>	Is there a landowner group established representing all landowners within the proposed urban boundary expansion Area? If so, do they have a formalized cost-sharing agreement? If not, what efforts have been undertaken prior to the submission of the application to inform all landowners of the proposed urban boundary expansion.	Application Form with all Ownership Information
	Would the proposed urban boundary expansion have a positive impact on housing affordability within the City?	Housing Assessment
<b>Growth Allocation (Locational Considerations)</b>	Are the expansion lands located within the Greenbelt Plan area?	Location Map
	Are the expansion lands contiguous with the current Hamilton Urban Boundary and Built-Up Area? Are there any physical (e.g. highways, hydro lines) or natural barriers (watercourses) separating the proposed expansion lands to Hamilton's current built up area? (New)	Location Map  Planning Justification Report
	Does the new or expanded settlement area provide for phased progression of urban development? (PPS 2.3.2.1 g)	Phasing Plan  Planning Justification Report
<b>Land Use Compatibility (Locational Considerations)</b>	Does the expansion area and proposed land uses protect the Hamilton International Airport from incompatible land uses and supports its long term operation? (PPS 3.4.1, 3.4.2)	Noise Impact Study  Concept Plan
	Does the expansion area and proposed land use avoid other Major Facilities from sensitive land uses and where avoidance is not possible, protect the long-term viability of existing or planned industrial, manufacturing, or other major facilities? (PPS 3.5)	Noise/Odour Impact Study  Planning Justification Report  Concept Plan

Theme	Considerations	Submission Requirement
<b>Land Use Compatibility (Locational Considerations) (continued)</b>	For employment area urban boundary expansions, does the proposed uses maintain land use compatibility between sensitive land uses and employment areas in accordance with policy 3.5.1 to maintain the long-term operational and economic viability of the planned uses and function of these areas? (PPS 2.8.2.4)	Planning Justification Report
	Does the proposed expansion area and proposed land uses maintain the UHOP and RHOP prohibition of new sensitive land uses within 28+ NEF? (UHOP Table C.4.8.1)	Noise Impact Study  Concept Plan
	Do the land uses within the proposed expansion area consider and not conflict with the Airport 2023-2043 Master Plan, including future NEF contours?	Noise Impact Study  Concept Plan
<b>Climate Change (Base Considerations)</b>	What mitigation measures are proposed to mitigate the impacts of a changing climate? (PPS 5.2.4)	Energy and Climate Change Assessment Report
	Does the growth scenario contribute to the City’s long-term goal of carbon neutrality by providing opportunities for reductions in greenhouse gas emissions?	Energy and Climate Change Assessment Report
	Does the expansion area present any significant opportunities to address risks and challenges associated with climate change?	Energy and Climate Change Assessment Report
	Does the expansion area present any significant risks associated with climate change?	Energy and Climate Change Assessment Report
<b>Climate Change (Base Considerations)</b>	Does the proposed development incorporate any of the energy efficient and environmental designed development criteria under B.3.7.2, including:	Energy and Climate Change Assessment Report

Theme	Considerations	Submission Requirement
	<ul style="list-style-type: none"> <li>- Use of environmental building rating system (LEED).</li> <li>- Designs with renewable or alternative energy systems.</li> <li>- Designs with cogeneration energy systems.</li> <li>- Designs to minimum heat loss in winter / heat island effect in summer.</li> <li>- Designs to include sustainable forms of transportation.</li> <li>- Pilots new community energy plans.</li> <li>- Passive House.</li> <li>- Canadian Home Builders Association Net Zero Homes Label.</li> </ul>	
<b>Climate Change (Locational Considerations)</b>	<p>Does the location of the expansion area have the ability to promote a community form that reduces reliance on private automobiles helping to reduce transportation GHG's?</p>	<p>Energy and Climate Change Assessment Report</p> <p>Transportation Impact Study</p> <p>Transit Assessment</p> <p>Pedestrian Route and Sidewalk</p>
	<p>Does the location provide an opportunity for district energy, wind, or solar power generation?</p>	<p>Energy and Climate Change Assessment Report</p>

Theme	Considerations	Submission Requirement
	<p>Is there sufficient capacity in existing stormwater management systems to manage potential changes in weather patterns and increased climate variability?</p> <p>Does the proposed stormwater management provide resilience and consider climate change adaptability?</p> <p>Does the proposed stormwater management consider Low Impact Development Best Management Practices</p> <ul style="list-style-type: none"> <li>- Other green infrastructure measures (e.g. rain/ green streets, sponge parks, etc.)</li> </ul>	<p>Functional Servicing Report</p>
<b>Natural Hazards (Base Considerations)</b>	<p>Are the urban expansion lands directed away from hazardous lands? (PPS)</p>	<p>Subwatershed Study (Phase 1)</p> <p>Geotechnical Study</p> <p>Karst Assessment</p> <p>Floodline Delineation Study / Hydraulic Analysis</p> <p>Functional Servicing Report (Natural Heritage Components)</p> <p>Subwatershed Study (Phase 1)</p> <p>Karst Assessment</p>
<b>Municipal Finance (Base Considerations)</b>	<p>Is the required infrastructure and public service facilities required to service the urban expansion area financially viable over their lifecycle, leverage the capacity of</p>	<p>Financial Impact Analysis</p>

Theme	Considerations	Submission Requirement
	development proponents and meet current and projected needs? (PPS 3.1.1).	
	Will the urban expansion increase the City's Infrastructure Deficit?	Financial Impact Analysis
	What is the financial value of natural heritage features within the proposed expansion area to the City?	Financial Impact Analysis Subwatershed Study (Phase 1)
<b>Infrastructure and Public Service Facilities (Base Considerations)</b>	Would the proposed expansion remove planned infrastructure capacity for new development within the existing built-up area?	Community Facilities and Recreational Needs Assessment
	Is there sufficient capacity in existing or planned water/wastewater/stormwater distribution and treatment systems?	School Accommodation Issues Assessment
<b>Infrastructure and Public Service Facilities (Locational Considerations)</b>	Are significant extensions / expansions beyond planned/budgeted trunk infrastructure required to service this area?	Functional Servicing Feasibility/Options Report
	Does the expansion area maximize existing capacity within the available water/wastewater and stormwater distribution systems?	Transportation Impact Study
	Is there sufficient capacity in planned waste management facilities?	Emergency Service Assessment (Police / Fire / Ambulance)
	Is the expansion area serviceable from a police / fire / medical emergency response perspective? If not, will new infrastructure be required?	
	Does the expansion area protect corridors and right-of-ways for infrastructure including transportation, transit, and electricity generation to meet current and projected needs? (PPS 3.3.1)	

Theme	Considerations	Submission Requirement
<b>Transportation Systems (Base Considerations)</b>	Does the expansion area provide an urban form that will expand convenient access to a range of transportation options including active transportation, to promote complete communities?	Transportation Impact Study  Transit Assessment  Pedestrian Route and Sidewalk Analysis  Concept Plan
	Does the expansion area prioritize development of areas that would be connected to the planned BLAST network, the (Re)envision Plan and existing transit?	Transportation Impact Study  Transit Assessment
	Does the expansion area make use of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible? (PPS 3.2.2)	Transportation Impact Study  Transit Assessment  Concept Plan
<b>Transportation Systems (Locational Considerations)</b>	Does the expansion area contain or is it adjacent to existing City transit routes or stops?	Transit Assessment
	Can the expansion lands be connected to a planned City transit route or stop in a way that is financially feasible?	Financial Impact Analysis and Financial Strategy
	Does the expansion area contain an existing or planned pedestrian or cycling networks?	Pedestrian Route and Sidewalk Analysis

<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
	Is there sufficient reserve capacity in the existing street network (with consideration to the proposed street network) to accommodate the proposed increase in population and/or employment?	Transportation Impact Study
	Is the proposed or potential street network within the expansion area a logical extension of the existing street network? Does it connect the expansion area to surrounding areas and key destinations?	Transportation Impact Study  Transit Assessment
<b>Natural Heritage and Water Resources (Base Considerations)</b>	Would the expansion protect natural features and areas for the long-term? (PPS 4.1.1)	Subwatershed Study (Phase 1)
	<p>Would the expansion protect, improve, or restore the quality and quantity of water by:</p> <ul style="list-style-type: none"> <li>a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;</li> <li>b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;</li> <li>c) identifying water resource systems;</li> <li>d) maintaining linkages and functions of water resource systems;</li> <li>e) implementing necessary restrictions on development and site alteration to; <ul style="list-style-type: none"> <li>a. protect drinking water supplies and designated vulnerable areas; and</li> <li>b. protect, improve, or restore vulnerable surface and ground water, and their hydrologic functions;</li> </ul> </li> <li>f) planning for efficient and sustainable use of water resources,</li> </ul>	Subwatershed Study (Phase 1)

<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
	<p>through practices for water conservation and sustaining water quality; and;</p> <p>g) ensuring consideration of environmental lake capacity, where applicable? (PPS 4.2.1)</p>	
<p><b>Natural Heritage and Water Resources (Locational Considerations)</b></p>	<p>Protect Water Resource Systems - Does the expansion area demonstrate an avoidance and/or mitigation of potential negative impacts on watershed conditions and the water resource system including quality and quantity of water?</p>	<p>Subwatershed Study (Phase 1) Species Habitat Assessment</p>
	<p>Avoid Key Hydrological Areas - Does the expansion area avoid key hydrologic areas including significant groundwater recharge areas, vulnerable aquifers, surface water contribution areas, and intake protection zones?</p>	
	<p>Connected and Protected Natural Heritage System - Does the expansion area avoid and protect Natural Heritage Systems as identified by the City and Province?</p>	
	<p>Mitigate Impact on Natural Heritage - Does the expansion area maintain, restore, or enhance the functions and features of the area including diversity and connectivity of natural features, the long-term ecological function and biodiversity of natural heritage systems?</p>	
	<p>Is the applicant proposing specific measures as part of the expansion proposal that would strengthen protection of biodiversity in both rural and urban contexts?</p>	



<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
<b>Complete Communities (Base Considerations)</b>	Is there a clear vision for the urban boundary expansion lands and how these lands would function and be integrated with the broader community?	Planning Justification Report  Draft Official Plan Amendment
	Does the expansion area provide a diverse mix of land uses in a compact built form, with a range of housing options to accommodate people at all stages of life and to accommodate the needs of all household sizes and incomes?	Housing Needs Assessment  Concept Plan
	Does the expansion area improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes?	Housing Needs Assessment  Recreational Needs Assessment
<b>Complete Communities (Base Considerations) (continued)</b>	<p>Does the urban expansion support the achievement of complete communities by:</p> <ul style="list-style-type: none"> <li>a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including, schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;</li> <li>b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and,</li> <li>c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups. (PPS 2.1.6)</li> </ul>	<p>Housing Needs Assessment</p> <p>Community Facilities and Recreational Needs Assessment</p> <p>Concept Plan</p>

<b>Theme</b>	<b>Considerations</b>	<b>Submission Requirement</b>
<b>Complete Communities (Locational Considerations)</b>	Is the expansion area contiguous to the existing settlement area boundary?	Concept Plan
	Based on identified gaps in specific geographies, does the expansion area contribute to the surrounding community's completeness?	Planning Justification Report  Concept Plan
	Does the expansion area have access to planned community facilities?	Housing Needs Assessment
	Does the expansion area have access to existing community facilities? Are there gaps in the types of facilities currently available?	Community Facilities and Recreational Needs Assessment
	Can the expansion area function as a complete community including an appropriate mix of jobs, stores, services, housing, transportation options, and public service facilities for all ages and abilities?	School Accommodation Issues Assessment  Recreational Needs Assessment
	Taking into consideration protection of natural heritage areas and other development constraints (e.g. public infrastructure, NEF contours etc.) is there sufficient, consolidated developable land within the proposed urban expansion area to create a comprehensive, integrated, complete community?	Subwatershed Study (Phase 1)
<b>Agricultural System (Base Considerations)</b>	Does the expansion area prioritize development of areas that are non-prime agricultural?	Agricultural Impact Assessment
	Does the expansion area comprise specialty crop lands? (PPS 2.3.2.1 c))	Planning Justification Report
	Does the expansion area avoid prime agricultural areas and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in prime agricultural areas? (PPS 2.3.2.1 e))	

Theme	Considerations	Submission Requirement
<b>Agricultural System (Base Considerations) (continued)</b>	Does the expansion area comply with the minimum distance separation formulae? (PPS 2.3.2.1 f))	
	Does the expansion area impact on the agricultural system avoid, or where avoidance is not possible, minimize and mitigate to the extent feasible as determined through an agricultural impact assessment or equivalent analysis, based on provincial guidance? (PPS 2.3.2.1 g))	
	Does the expansion area promote healthy, local, and affordable food options, including urban agriculture?	
	Does the proposed expansion area impact community food security from a climate emergency point of view?	
<b>Agricultural System (Locational Considerations)</b>	Does the expansion area include an evaluation of alternative locations which avoid prime agricultural areas and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in prime agricultural areas? (PPS 2.3.2.1 d))	Agricultural Impact Assessment  Planning Justification Report
<b>Cultural Heritage Resources (Base Considerations)</b>	Does the expansion area have the potential to impact cultural heritage resources including designated heritage properties, and can they be conserved? (GRIDS2)	Cultural Heritage Impact Assessment
	Does the expansion area have the potential to impact significant archaeological resources? (PPS 4.6)	Archaeological Assessment

Theme	Considerations	Submission Requirement
	<p>Has the proponent engaged early with Indigenous communities and First Nations whose treaty or traditional territories are located within the City of Hamilton municipal boundary and ensure their interests are considered when identifying, protecting, and managing archaeological resources, built heritage resources and cultural heritage landscapes? (PPS 4.6.5)</p>	<p>Indigenous Community Consultation Summary and Comment Response Report</p>

## **PART C – Application Submission & Review Process**

### **1. Pre-Submission Discussions with the City**

Proponents for future urban boundary expansion applications are encouraged to contact the City's Planning Division as early as possible to discuss their forthcoming application including any questions related to this framework, most notably the scoping of technical studies. In any preliminary discussions with the City, the proponent must clearly identify the landowners they are representing. These discussions would be without prejudice to any future urban boundary expansion application.

### **2. First Nations, Indigenous and Metis Communities Consultation**

The City of Hamilton supports meaningful early engagement with Indigenous communities whose treaty of traditional territories are located within the City of Hamilton municipal boundary and strongly encourages proponents of new urban boundary expansion applications to contact First Nation, Indigenous and Métis communities which may have an interest in the land prior to the submission of a Formal Consultation and/or Official Plan Amendment application. Initial notification shall include an offer to meet to discuss the project. Where no response to commencement notice is received, a follow-up email and phone call will occur to confirm whether there are any interests related to the proposal. Where an interest has been expressed, the proponent shall begin constructive, cooperative discussions to ensure that their interests are considered through the formation of the proposal and to confirm when and how they would like to participate in the planning of these lands moving forward. Any discussions with First Nation, Indigenous and Métis communities must be documented and shared with the City as part of its Official Plan Amendment submission to the City through the submission of an Indigenous Community Consultation Summary and Comment Response.

The City will also circulate any urban boundary expansion Formal Consultation application and/or Official Plan Amendment application to First Nations and local Indigenous communities for input through both a Development Review Team meeting and direct in-person meetings.

### **3. Formal Consultation**

Bill 185 amended the *Planning Act* to allow applicants to opt out of this process. Given the complexity of any urban boundary expansion proposal, the City strongly encourages applicants to proceed through the Formal Consultation application process.

Where a Formal Consultation application has been submitted for an urban boundary expansion application the City may waive the requirement to submit specific technical plans and studies identified in Part A of this Framework, Schedule I of the Urban Hamilton Official Plan and Schedule H of the Rural Hamilton Official Plan where it has been determined that they are not required to fully assess the application. City staff will

also work with the applicant to ensure that the timing, length, and agenda of the Development Review Team meeting best enables a productive discussion on the proposal.

#### Opting out of Formal Consultation

Where an applicant opts out of the Formal Consultation process, the applicant must submit the complete list of technical plans and studies identified in Part A prior to the City deeming the application complete.

#### **4. Pre-Submission Community Meeting/Event**

Early public engagement is a critical part of an urban boundary expansion application to ensure that residents are informed of the proposal and have an opportunity to provide any input prior to the application being deemed complete. The City strongly supports public participation in any urban boundary expansion proposal above and beyond the minimum requirements set out under the *Planning Act* and Official Plans. Nothing in this guideline is intended to restrict additional public engagement from taking place.

Building upon the Terms of Reference for a [Public Consultation Summary and Comment Response](#), the City strongly encourages that prior to the submission of an Official Plan Amendment application to expand the urban boundary, the applicant will:

- Send written notice to all landowners and residents within the proposed urban expansion area and within 400 metres of the subject lands advising of their intention to submit an urban boundary expansion application to the City. The notice shall clearly identify the names of the individuals(s) and/or corporation(s) that will be making the application as well as providing contact information for the applicant (or agent) who residents can contact if they have any questions.
- Using the same notification list and working with City staff and the local Ward Councillor(s) to identify any additional residents or community organizations, scheduling a community meeting or event open to the public that residents can attend to receive information regarding the proposal, ask questions of the applicant and provide input.

Additional direction of scheduling a community meeting/event and the required documentation is provided within the Public Consultation Summary and Comment Response Terms of Reference.

#### **5. Deeming an Urban Boundary Expansion Application Incomplete**

Should an Official Plan Amendment application be submitted that does not provide the information and materials identified in the City's Official Plans, Planning staff will deem the application incomplete within 30 days.

If an application has been deemed incomplete, Planning staff will submit a Communication Update to Mayor and Council informing them of the status of the application. All materials submitted in support of the application will also be posted on the City's website at [www.Hamilton.ca/UBE](http://www.Hamilton.ca/UBE). The Planning Division will not circulate an incomplete application to applicable internal City Departments or to external review agencies and the public for comment.

## **6. Deeming an Urban Boundary Expansion Applications Complete**

Urban boundary expansion Official Plan Amendments applications, including application fees and technical studies, shall be submitted to the City's Planning Division in the same manner as typical Official Plan Amendment applications. Upon receipt, the Planning Division will notify the applicant within the prescribed *Planning Act* timeframe whether the application has been deemed complete or if any other information or material is required. This notification will also provide a primary contact person within the Planning Division that has been assigned the application.

## **7. Enhanced Public Notification for Urban Boundary Expansion Applications Deemed Complete**

Given the potential for urban boundary expansion applications covering a large geographic area as well as the significant impacts of urbanizing rural lands, the City has established enhanced public notification requirements above and beyond what is required for a standard Official Plan Amendment application. This will include:

- Providing written notice of the application being deemed complete and of the statutory public meeting to every owner of land within the urban expansion area and within 400 metres of the subject lands.
- Requiring multiple public notice signs be posted on the property with one (1) public notice sign installed approximately every 500 metres of frontage along any public right-of-way surrounding the proposed expansion area and along any right-of-way that bisects the area. In situations where it is not feasible for the applicant to install public notice signs every 500 metres, alternative locations may be approved by Planning Division staff. Each sign must clearly illustrate the location of the proposed urban expansion area, providing appropriate labels so the size and locational context can be clearly understood. The locations and design of the public notice signs must be approved by the City.
- Posting all application materials on the City of Hamilton's webpage for public review.
- Sending notice via e-mail to the City's Urban Boundary notification list.

## **8. Circulation & Review**

Once the application has been deemed complete and the notice has been issued, the Planning Division will circulate the application to all applicable City Departments and external review agencies for comment. Acceptance by City Departments and/or

External Review agencies of technical plans and studies as part of the urban boundary expansion application does not imply or constitute a positive staff recommendation of the application. As noted above, the City will also circulate any urban boundary expansion application to First Nation, Indigenous and Métis communities for input.

In the City's review of an urban boundary expansion application, it is critical that it receives comments from all applicable external review agencies, most notably the Hamilton International Airport, applicable Conservation Authorities, and School Boards in order for the City to fully consider and assess the urban expansion application against this Framework.

The planner assigned to the application will provide the applicant with a consolidated set of comments and coordinate any requested meetings between the applicant and the commenting department/agency. The Planning Division may advise the applicant that a subsequent technical submission is required to respond to the comments prior to the scheduling of the statutory Public Meeting and preparation of Staff's recommendation report to Planning Committee. However, if this information cannot be submitted and assessed by the City within 120 days of the application being deemed complete, staff will provide a recommendation based on the information that was submitted at the time the application was deemed complete.

#### External Peer Reviews

As per section F.1.19.7 of the Urban Hamilton Official Plan, the City may request or conduct a peer review of any other information and materials submitted where the City lacks the appropriate expertise to review such other information and materials. Such peer review shall be completed by an appropriate agency or professional consultant retained by the City, at the applicant's expense. The City will identify which technical plans and studies may be subject to an external peer review through the Formal Consultation process.

### **9. Open House**

The Planning Division will determine whether the statutory Public Meeting to receive input on the urban boundary expansion application will be held in advance of or at the same Planning Committee meeting in which staff's recommendation report will be submitted.

In addition, depending on the level of community interest in the application and input from the local Councillor(s), the City may initiate its own Open House (separate from any applicant-lead community meeting) prior to the statutory public meeting. This Open House may be in person and/or virtual. The Planning Division would determine the time, location and format of the Open House as well as prepare all consultation materials with input from the applicant.



### **10. Statutory Public meeting & Planning Division Report for Consideration**

Once the urban boundary expansion application has been fully assessed, the Planning Division will prepare a Report for Consideration to Planning Committee. At this same meeting the City will hold its statutory public meeting under the *Planning Act* where the public can make delegations directly to Planning Committee. In addition to the required notification required under the *Planning Act* staff will provide notice of this meeting through the City's Urban Boundary notification list.

### **11. Appeal to the Ontario Land Tribunal**

Under the *Planning Act*, the applicant may appeal Council's refusal or non-decision on an Official Plan Amendment application to expand an urban boundary to the Ontario Land Tribunal within 120 days. The City's Planning Division will provide the link to the Ontario Land Tribunal Website where residents can get information on application appeals.