



City of Hamilton Report for Consideration

To: Chair and Members
Planning Committee

Date: June 10, 2025

Report No: PED25055

Subject/Title: Updates to Public Notice Requirements for *Planning Act* Applications

Ward(s) Affected: City Wide

Recommendations

1. That an increased public notice circulation radius from 120 metres to 240 metres for applications for Official Plan Amendments, Zoning By-law Amendments, Draft Plan of Subdivision, and Draft Plan of Condominium (Vacant Land), not including Official Plan Amendment applications for Urban Boundary Expansions, **BE APPROVED**.
2. That the By-law to amend By-law No. 12-282 (Respecting Tariff of Fees), as amended, to update application fees to cover the cost of an increased public notice circulation radius, **BE APPROVED** on the following basis:
 - a. That public notice of the proposal to amend the Tariff of Fees By-law has been provided in accordance with By-law No. 07-351.
 - b. That the draft By-law, attached as Appendix A to Report PED25055 has been prepared in a form satisfactory to the City Solicitor.
3. That staff **BE DIRECTED** to update the Development Application Guideline titled "Public Consultation Summary and Comment Response" to increase the public notice circulation radius from 120 metres to 240 metres for applications for Official Plan Amendment, Zoning By-law Amendments, Draft Plan of Subdivision, and Draft Plan of Condominium (Vacant Land), not including Official Plan Amendment applications for Urban Boundary Expansions.

4. That the revised Public Notice sign template and revised Notice of Complete Application and Notice of Public Meeting letter templates, attached as Appendix B to Report PED25055, **BE ENDORSED**.
5. That the “Statutory and supplementary public notice requirements for Committee of Adjustment and *Planning Act* applications during Canada Post mail delivery service disruptions” Planning Division policy, attached as Appendix D to Report PED25055 **BE APPROVED**, and that item 19.P be removed from the Outstanding Business List.

Key Facts

- The purpose of this report is to summarize the Planning Division’s review of the public notice requirements for *Planning Act* applications and identify recommendations for improvements.
- The review is aimed to improve the public’s access to, and involvement in, the City’s *Planning Act* application processes, and ensure the City’s public notification practices for development applications comply with the requirements of the *Planning Act* and the City’s customer service standards.
- The recommendations are part of a larger initiative to improve access to *Planning Act* application information in digital format and encourage more residents to get involved in the planning application and decision-making process.
- The report recommends that the circulation radius for public notice mailouts for the Notice of Complete Application, Notice of Public Meeting and public consultation notices mailed out by an applicant be increased from 120 metres to 240 metres, that the application fees be revised to cover the increased cost, and that the Public Notice sign and letter templates be updated.
- The report recommends formalizing a Planning Division policy to address public notice requirements during Canada Post mail delivery service disruptions.

Financial Considerations

The recommendation to increase the circulation radius to 240 metres will result in an increase to the cost of mailing both the Notice of Complete Application and Notice of Public Meeting associated with *Planning Act* applications (not to include Official Plan Amendment applications for Urban Boundary Expansions). As detailed in the Analysis section below, the average cost increase per application type is calculated to be \$395 for Official Plan Amendment applications, \$550 for Zoning By-law Amendment applications, \$380 for Draft Plan of Subdivision applications, and \$485 for Draft Plan of Condominium – Public Process applications. These increased costs will be added to the 2025 Planning Division Fee Schedule through an amendment to the Tariff of Fees By-law (Refer to Recommendation 2 and Appendix A to Report PED25055).

Background

The Planning Division identified a need to review and improve the public notice requirements for *Planning Act* applications, including Official Plan Amendments, Zoning By-law Amendments, Draft Plan of Subdivision, and Draft Plan of Condominium - Vacant Land (hereafter referred to “*Planning Act* applications”), and is considered a first step in improving the information the City provides in a digital format (i.e. posting notices on the City’s website).

This report also addresses a Notice of Motion (attached as Appendix E to Report PED25055) put forth at the June 4, 2019, Planning Committee meeting, and approved by Council on June 26, 2019, directing Planning staff to report back on a strategy for informing residents that goes beyond the traditional newspaper advertisement in the event of future Canada Post mail delivery service disruptions (including labour disruptions). Recommendation 5 addresses the outstanding business list item 19P.

Analysis

The *Planning Act* and the associated Regulations under the Act (O. Reg.) set out ways in which the municipality, at a minimum, must notify the public, specified persons and public bodies (including the Ministry of Municipal Affairs and Housing, School Boards, Conservation Authorities, utility companies, adjacent municipalities, and First Nations within one kilometre of the proposed development, etc.) of *Planning Act* applications. These prescribed requirements direct the way notice is given as well as the information and content included in the Notices. This Report focuses on two key points in the *Planning Act* application process where Notice is given – these include the Notice of Complete Application and Notice of Public Meeting. The methods of providing notice under the *Planning Act* and by the City of Hamilton have generally remained unchanged for a number of years, with minor updates due to changing technology (e.g. fax, email, loss of local print newspaper).

In accordance with the *Planning Act*, both the Notice of Complete Application and the Notice of Public Meeting (hereafter referred to as “Notice(s)”) are to be given in one of the following three ways:

1. By personal service or ordinary mail, to every owner of land within 120 metres of the subject land, and by posting a notice (signage) on the lands subject to the planning application;
2. By publishing a notice in a newspaper that is of sufficiently general circulation in the area to which the planning application would apply; or
3. Where a local newspaper does not exist, notice can be given by posting a notice on the website of the municipality.

Providing notice on a municipality’s website is a recent example of modernizing public notice requirements which responded specifically to the loss of published newspapers in print format. This regulatory change was implemented through Bill 185, *Cutting Red*

Tape to Building More Homes Act, 2024, but does not apply to the City of Hamilton as The Hamilton Spectator, is still published in print format.

For *Planning Act* applications that require public notification and consultation (Official Plan Amendments, Zoning By-law Amendments and Draft Plans of Subdivision / Vacant Land Condominium), the Planning Division's current method of providing Notice is as follows:

Notice of Complete Application

- Circulation by mail to assessed property owners within 120 metres of the subject lands within 15 days of deeming the application complete; and,
- Requiring a Public Notice sign to be posted on the subject lands within 15 days of deeming the application complete.

Notice of Public Meeting

- Circulation by mail to assessed property owners within 120 metres of the subject lands at least seven days prior to the Public Meeting, and,
- Requiring the Public Notice sign to be updated with the date, time, and location of the Public Meeting.

The City of Hamilton continues to give Notice of Public Meeting and hold a Public Meeting for Draft Plan of Subdivision / Condominium (Vacant Land) applications, even though there is no longer a statutory requirement to do so under the *Planning Act*.

Publishing a Public Notice in the local newspaper is more commonly used for projects with City wide implications, such as City Initiated Official Plan Amendments and City Initiated Zoning By-law Amendments, and during a disruption to mail delivery service (e.g. Canada Post strike). In the case of site-specific *Planning Act* applications, the City does not regularly publish in the local newspaper due to the cost to print the advertisement (\$1,500 to \$2,500 depending on the size of the advertisement). The mailout method ensures property owners within the vicinity of the proposed application, and who may be directly impacted by the application, receive individual mailed letters.

The Planning Division undertook a review of its current public notification practices for *Planning Act* applications, and conducted a best practices municipal review to gather examples of what is being done in other municipalities. Recent improvements to the Division's public notification process include expanding the circulation list for all development applications by adding Mississauga of the Credit First Nation and Six Nations of the Grand River as well as additional neighbourhood associations in consultation with Ward Councillors. Several recommendations to improve the public's access to planning information and increase the number of residents involved in the planning process are proposed and discussed in detail below.

The recommendations of this report do not apply to Official Plan Amendment applications for Urban Boundary Expansions as those applications will be subject to a separate Framework for Processing and Evaluating Urban Boundary Expansion Applications.

1. Policy Implications and Legislated Requirements

The Provincial Planning Policy Framework is established through the *Planning Act* (Section 3) and the Provincial Planning Statement (2024) which came into effect on October 20, 2024.

Planning Act

The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with and conform to provincial plans and policies.

Sections 22(6.4), 34(10.7), and 51(19.4) under the *Planning Act* set out “Notice of particulars and public access” for Official Plan Amendments, Zoning By-law Amendments and Draft Plan of Subdivision applications and require that the municipality give Notice of Complete Application to the prescribed persons and public bodies, in the prescribed manner, accompanied by the prescribed information within 15 days of receiving a complete application, and must make the application information and material available to the public.

Sections 17(17) and 34(13) under the *Planning Act* set out requirements for “Notice” of the public meeting for Official Plan Amendments and Zoning By-law Amendments applications which must be sent to the prescribed persons and public bodies, in the prescribed manner, accompanied by the prescribed information. Sections 17(19) and 34(14.1) of the *Planning Act* states that Notice of Public Meeting must be given at least 20 days in advance of the scheduled public meeting date, or by alternate measures set out in an Official Plan, as outlined in Sections 17(19.3) and 34(14.3).

The associated Regulations for Official Plan Amendments (O. Reg. 543/06), Zoning By-law Amendments (O. Reg. 545/06) and Plans of Subdivision (O. Reg. 544/06) set out the specifics on who must be provided the Notice (list of specified persons, public bodies, and members of the public), the method for providing notice (mailed notices, public notice signage, newspaper) as well as what information must be included in the notice (explanation of purpose and effect of the application; the date, time and location of the public meeting; description of the subject land or key map; details about where and when information is available for public inspections; and specific statements for notice of decision and appeal clauses). These Regulations require that Notice is given to every owner of land within 120 metres of the land(s) subject to the application.

The proposed recommendations address the requirements in the *Planning Act*.

Provincial Planning Statement (2024)

Section 6.2 Coordination of the Provincial Planning Statement (2024) states that “3. Planning authorities are encouraged to engage the public and stakeholders early in local efforts to implement the Provincial Planning Statement, and to provide the necessary information to ensure the informed involvement of local citizens, including equity-deserving groups.” This is a new policy direction from the Province which came into force in October 2024. This specific policy was not included in the former version of the Provincial Policy Statement (2020).

The proposed recommendations are consistent with the Provincial Planning Statement, (2024).

Urban Hamilton and Rural Hamilton Official Plans

The Urban and Rural Hamilton Official Plans contain policies in Chapter F – Implementation that deal with Public Participation and Notification Policies. Policy F.1.17.1 indicates “The City may use a variety of communication methods to seek input on planning matters or to provide information to the general public. Depending on the issues and in accordance with the *Planning Act*, R.S.O., 1990 c. P.13, the City shall choose the most appropriate method of communication. Communication may be in the form of:

- a) direct mail outs;
- b) public notice signs;
- c) surveys, electronic or mail out;
- d) public information open houses held virtually or in person;
- e) public meetings held virtually or in person;
- f) City web site; and/or,
- g) workshops.”

Policy F.1.17.2 indicates “Notification of public meeting(s) for the adoption of the Official Plan and amendments, changes to the Zoning By-law, plans of subdivision, draft plan of condominium as required by the *Planning Act*, and Community Improvement Plans shall be given to the public at least 7 days prior to the date of the meeting(s) and the notice shall be given in accordance with the applicable requirements of the *Planning Act*, R.S.O., 1990 c. P.13 regulations.”

Policy F.1.17.4 further indicates that “Where a notice of public meeting or written notice of an application is required for *Planning Act*, R.S.O., 1990 c. P.13 application, other than those identified in Section F.1.17.2, notice shall be given in accordance with the applicable requirements of the *Planning Act*, R.S.O., 1990 c. P.13.”

The proposed recommendations comply with the policies of the Urban Hamilton and Rural Hamilton Official Plans.

West Harbour (Setting Sail) Secondary Plan Area (Hamilton-Wentworth Official Plan and former City of Hamilton Official Plan)

The West Harbour (Setting Sail) Secondary Plan was approved by Council in 2005. Due to appeals to the Ontario Municipal Board (now Ontario Land Tribunal), the Secondary Plan was not deemed to be in effect until the Ontario Land Tribunal issued its final decision in 2012. This decision added the Secondary Plan to the former City of Hamilton Official Plan and former Hamilton-Wentworth Official Plan as those were the Official Plans in effect for the West Harbour (Setting Sail) Secondary Plan area.

Part D – Implementation of the former Hamilton-Wentworth Official Plan contains policies under Section 2 dealing with Public Participation and Notification. Policy D.2.2 indicates “Notification of public meeting(s) for the adoption of the Official Plan and Amendments and Community Improvement Plans will be given to the public at least 17 days prior to the date of the meeting(s) and the notice will be given in accordance with the applicable requirements of the *Planning Act* regulations.”

Policy D.2.4 indicates “Where a notice of public meeting or written notice of an application is required for *Planning Act* application, other than those identified in Policy D.2.2, notice will be given in accordance with the applicable requirements of the *Planning Act*.”

Section D – Implementation of the former Hamilton Official Plan contains policies under Subsection D.9 dealing with Notification and Public Participation Procedure. Policy D.9.1 ii) indicates “Notification of public meeting(s) for the adoption of the Official Plan and Amendments, changes to the Zoning By-law, Plans of Subdivision and Community Improvement Plans will be given to the public at least 17 days prior to the date of the meeting (s) and the notice will be given in accordance with the applicable requirements of the *Planning Act* regulations.” Policy D.9.1 iv) indicates “Where a notice of public meeting or written notice of an application is required for *Planning Act* application, other than those identified in Policy D.9.1.ii), notice will be given in accordance with the applicable requirements of the *Planning Act*.”

The proposed recommendations comply with the policies of the former Hamilton-Wentworth Official Plan and the former Hamilton Official Plan.

2. Review of Current Templates and Practices

The focus of this review was on public notice requirements for *Planning Act* applications processed by the Development Planning Section, including Official Plan Amendments, Zoning By-law Amendments and Draft Plan of Subdivision, and Draft Plan of Condominium (Vacant Land) applications. This review did not include Committee of Adjustment applications, City-wide amendments to the Official Plan(s) or Zoning By-law(s) or Official Plan Amendment applications for Urban Boundary Expansions.

Staff undertook a review of the Division's current Public Notice sign and mailed Notices. Staff note the following for the Public Notice sign (Refer to Figure 1 in Appendix C):

- The sign template has remained unchanged for an extended period, lacks colour and visual interest.
- The sign contains a significant amount of text, font size is small, and language used is often technical in nature.
- The vertical sign orientation and mounting specifications result in a sign that is three metres (10 feet high), and not at eye level.
- The location map does not provide any "visual" description of the proposal.
- The installed sign was not always readable from the street, there was a lack of consistency with sign placement on the property, text updates were not always completed in a professional manner, and signage was not always removed after a Council decision is made.
- Information related to the sign posting requirements is contained in several documents (application form, submission requirements, letters to the Applicant) and not contained within one guiding document.

Similarly, the template for the mailed Notices have generally remained unchanged for an extended period, except for the Notice of Complete Application which was updated in 2023 as part of Bill 109 process changes. These Notices serve to inform two distinct groups (members of the public and specified persons / public bodies) and are often written using formal, technical language. Recipients of these Notices, including members of the public who may lack an in-depth knowledge of planning processes, may find it challenging to understand the notices and information provided. Generally, staff utilize the 120 metre circulation radius for mailing notices to the public, however, in some instances staff have been asked by the Ward Councillor to increase the circulation radius beyond the *Planning Act* requirement.

Staff undertook a review of all Zoning By-law Amendment, Official Plan Amendment, Draft Plan of Subdivision and Draft Plan of Condominium (Vacant Land) applications submitted in 2024 to obtain baseline data related to the number and cost of notices mailed to property owners for each application type, which is summarized in Table 1 below.

Table 1 – Analysis of 2024 *Planning Act* Applications: Average number of mailed Notices (120 metre radius) and associated costs per application type

	Average number of mailed letters (120 metre circulation radius)		
	Urban area	Rural area	Overall
Zoning By-law Amendment Application			
Notice of Complete Application	122*	28	112
Notice of Public Meeting	124	28	114
Cost** per mailout	\$139.56	\$31.58	\$128.76
Total mailout cost per application (two circulations)	\$279.12	\$63.17	\$257.52
Official Plan Amendment Application			
Notice of Complete Application	87*	24	81
Notice of Public Meeting	89	24	84
Cost* per mailout	\$100.49	\$27.07	\$94.38
Total mailout cost per application (two circulations)	\$200.99	\$54.14	\$188.75
Draft Plan of Subdivision			
Notice of Complete Application	123	24	109
Notice of Public Meeting	123	24	109
Cost* per mailout	\$138.74	\$27.07	\$122.79
Total mailout cost per application (two circulations)	\$277.49	\$54.14	\$245.58
Draft Plan of Condominium (Vacant Land)			
Notice of Complete Application	150	32	91
Notice of Public Meeting	150	32	91
Cost* per mailout	\$169.20	\$36.10	\$102.65
Total mailout cost per application (two circulations)	\$338.40	\$72.19	\$205.30

*some Notices were given by newspaper publication, instead of mailout.

**cost per individual mailout is \$1.13 (2024 rate)

Includes stock (three sheets), printing, envelope, and postage. No additional cost for Print / Mail room tasks.

A summary of 2024 application types is as follows:

- Zoning By-law Amendment applications - average of 114 Notices were mailed to property owners within 120 metres at an average cost of \$257.52 per application.
- Official Plan Amendment applications - average of 84 Notices were mailed to property owners within 120 metres at an average cost of \$188.75 per application.
- Draft Plan of Subdivision applications - average of 109 Notices were mailed to property owners within 120 metres at an average cost of \$245.58 per application.
- Draft Plan of Condominium (Vacant Land) applications - average of 91 Notices were mailed to property owners within 120 metres at an average cost of \$205.30 per application.

3. Best Practices Research Across Other Municipalities

A best practices review was undertaken across several surrounding municipalities including Toronto, Mississauga, Burlington, Oakville, Markham, Vaughan, Brant, Kitchener, and London. The review included both a desktop review and correspondence with surrounding municipalities aimed at gathering information on what other municipalities are doing in terms of public notice requirements.

The results of the review found there was no standardized approach to public notice requirements for both signage and mailed Notices. Many Greater Toronto and Hamilton Area municipalities use Toronto's signage as a template. In terms of the circulation radius for applications, there is a varied approach used across municipalities, which is summarized in Table 2.

Table 2 - Comparison of circulation radius in surrounding municipalities

	Use 120 metre circulation radius	Use alternate circulation radius	Other information
City of Toronto	✓	✗	
City of Mississauga	✓	✗	
Town of Oakville	✗	✓	240 metres
City of Kitchener	✗	✓	240 metres
Town of Markham	✗	✓	200 metres
City of Vaughan	✗	✓	150 metres
County of Brant	✗	✓	125 metres

Table 2 – continued	Use 120 metre circulation radius	Use alternate circulation radius	Other information
City of Burlington	✓	✓	300 metres - Rural areas 300 metres - North Aldershot
City of London	✓	✓	Circulation radius may be increased based on set of criteria outlined in the Official Plan

Similar to the City of Hamilton, both the City of Toronto and City of Mississauga indicated that applications are circulated in accordance with the *Planning Act* regulation of 120 metres. The City of Vaughan and County of Brant use a radius just over the 120 metre requirement. The Town of Oakville and City of Kitchener have doubled the circulation radius and use 240 metres. The City of Burlington uses both the 120 metres as well as an area-specific approach that increases the radius to 300 metres for Rural areas and other defined areas such as North Aldershot. The City of London uses 120 metres and may increase the circulation radius based on a set of criteria outlined in their Official Plan at the discretion of their City Planner (e.g. a significant population is located just beyond the minimum circulation radius).

Staff noted that all municipalities had some form of digital presence on their websites for planning applications which includes utilizing the “News and Notices” webpage, mapping systems and project pages for individual applications, all of which provide access to a variety of information related to the application (application status, supporting documents, public meeting information, etc.).

4. Proposed Increase to Circulation Radius

As discussed in Item 1 above, a review of the circulation radius for Notice mailouts was undertaken. A range of circulation radius distances were considered and are summarized in Table 3 below:

Table 3 – Comparison of circulation radius distances

Circulation Radius	Consideration and Rationale
120 metres	<ul style="list-style-type: none"> - Follows the requirements of the <i>Planning Act</i> and is a longstanding standard for providing Notice. - Improvements can be made by posting all Notices to the City’s website.

Table 3 - continued Circulation Radius	Consideration and Rationale
240 metres	<ul style="list-style-type: none"> - Doubles the circulation distance which increases the number of recipients. - Data collected for 2024 applications showed this radius could result in 140% increase in recipients. - Goes above and beyond the minimum requirements of the <i>Planning Act</i> to improve public notification and consultation.
800 metres	<ul style="list-style-type: none"> - This radius results in a significant increase in the number of recipients. - Data collected showed this far exceeds the established neighbourhood patterns across the City. 400 metres is more characteristic of a neighbourhood unit. - This exceeds the proposed circulation distance of 400 metres for Urban Boundary expansion applications proposed in the draft framework.
Criteria based requirement	<ul style="list-style-type: none"> - This would be based on an established set of criteria, as outlined in the Official Plan. - Increasing the circulation distance could be based on any number of pre-determined factors, such as land use of the proposed application; land uses with perceived health/safety or nuisance impacts; proposal-specific criteria (e.g. increased radius for increased building height); area-specific criteria (e.g. rural areas where circulation numbers are low given large lot fabric). - The more criteria to consider could result in room for error in determining the circulation distance and number of properties included. - This would result in each application having a different circulation radius.

Based on a review of the above considerations and rationale, consideration for the draft “Framework for Processing and Evaluating Urban Boundary Expansion Applications” which proposes a 400 metre radius, and a review of best practice approach among surrounding municipalities, staff determined that an increase to 240 metres circulation radius was appropriate to provide an expanded notification area of site specific *Planning Act* applications (refer to Recommendation 1). The data collected through review of the 2024 applications was used to predict average increases to the number of circulations to be mailed out under the 240 metre radius, which is summarized in Table 4.

Table 4 – Analysis of 2024 *Planning Act* Applications: Average number of mailed Notices (240 metre radius) and associated costs per application type

	Average number of mailed letters (240 metre circulation radius)		
	Urban area	Rural area	Overall
Zoning By-law Amendment Application			
Notice of Complete Application	315	51	289
Notice of Public Meeting	315	51	289
Cost* per mailout	\$439.66	\$70.50	\$402.75
Total mailout cost per application (two circulations)	\$879.32	\$141.00	\$805.49
Official Plan Amendment Application			
Notice of Complete Application	224	45	209
Notice of Public Meeting	224	45	209
Cost* per mailout	\$312.32	\$62.82	\$291.53
Total mailout cost per application (two circulations)	\$624.65	\$125.64	\$583.06
Draft Plan of Subdivision			
Notice of Complete Application	256	30	224
Notice of Public Meeting	256	30	224
Cost* per mailout	\$357.61	\$41.88	\$312.50
Total mailout cost per application (two circulations)	\$715.22	\$83.76	\$625.01
Draft Plan of Condominium (Vacant Land)			
Notice of Complete Application	438	56	247
Notice of Public Meeting	438	56	247
Cost* per mailout	\$611.45	\$78.18	\$344.81
Total mailout cost per application (two circulations)	\$1,222.90	\$156.35	\$689.62
*cost per individual mailout is \$1.40 per letter (2025 rate). Reflects increase postage costs.			

Based on the review of 2024 applications increasing the circulation radius from 120 metres to 240 metres are forecasted to result in the following:

- Zoning By-law Amendment applications - average number of Notices being mailed to property owners will increase to 289 per application, which represents a 153% increase. The average cost to mail the Notices will increase to \$805.49, a difference of \$547.97 per application.
- Official Plan Amendment applications - average number of Notices being mailed to property owners will increase to 209 per application, which represents a 150% increase. The average cost to mail the Notices will increase to \$583.06, a difference of \$394.31 per application.
- Draft Plan of Subdivision applications - average number of Notices being mailed to property owners will increase to 224 per application, which represents a 106% increase. The average cost to mail the Notices will increase to \$625.01, a difference of \$379.43 per application.
- Draft Plan of Condominium applications requiring public process - average number of Notices being mailed to property will increase to 247, which represents a 134% increase. The average cost to mail the Notices will increase to \$689.62, a difference of \$484.32 per application.

Staff are recommending that the 2025 Planning Division Fee Schedule be updated to include the increased cost (rounded to the nearest \$5.00) in accordance with Table 5 below:

- \$550.00 for Zoning By-law Amendment applications;
- \$395.00 for Official Plan Amendment applications;
- \$380.00 for Draft Plan of Subdivision; and,
- \$485.00 for Draft Plan of Condominium (Vacant Land) Applications

New / expansion of a Pit or Quarry applications will be increased by the fee for Official Plan Amendment applications. The draft by-law to update By-law No. 12-282, as amended, is attached as Appendix A to Report PED25055.

Table 5 - Proposed updates to Planning Division Fee Schedule.

Fee Type	New Fee
Official Plan Amendment and/or Zoning By-law Amendment to establish a New Pit or Quarry	\$168,805
Pit or Quarry Expansion	\$67,765
Official Plan Amendment (Rural or Urban)	\$46,115
Public Notice recirculation due to cancellation of a Public Meeting by the applicant or agent	\$1,780
Rezoning Application - Secondary Suites	\$7,130
Rezoning Application - Complex (includes the first 10 units)	\$32,045
Public Notice recirculation due to cancellation of a Public Meeting by the applicant or agent	\$1,935

Subdivision Application	\$60,180
Amended Application with public consultation	\$9,835
Plan of Condominium – New Construction – with Public Process	\$22,400

In addition, Staff are recommending that the Terms of Reference (TOR) titled “Public Consultation Summary and Comment Response” be updated to reflect the increased circulation radius of 240 metres (refer to Recommendation 3). This change would be applicable to applicant led consultation. The current Terms of Reference is part of the Phase 1 which are in “Council approved – draft format”. The proposed change should be reflected in the final version of the Phase 1 Terms of References which are being brought forward for Council’s final approval through an upcoming staff report later in 2025.

The increase to the circulation radius for Public Notices and application fees will be implemented starting July 1, 2025, and will be applicable to new applications or amended applications requiring a new public circulation. Ongoing or legacy files will continue to be circulated using the 120 metre radius as the application fee has already been paid. Staff will work with the Office of the City Clerk to determine any changes to their processes for sending out Notice of Passage / Adoption / or Decision for these application types.

5. Proposed Updates to the Public Notice Sign and Mailed Notices

Following the review of the Planning Division’s current templates and procedures and the best practice review of surrounding municipalities, several improvements are proposed for the Public Notice sign and mailed Notices.

Public Notice Sign

With the assistance of the City’s Communications & Strategic Initiatives team, the Public Notice sign template has been redesigned to create a sign that is more modern, informative, eye-catching, uses plain language and meets AODA requirements (refer to Appendix B of Report PED25055, Figure 1). The sign will incorporate a three dimensional image which provides the viewer a visual representation of the proposed development in the context of the neighbourhood. Staff will be preparing a user guide for applicants that contains all sign requirements and detailed specifications (including the requirement for posting two signs on corner properties) for the installation, maintenance, and removal of Public Notice signs.

Notice of Complete Application and Notice of Public Meeting

Staff are proposing updates to the mailed Notices that go beyond the legislative text and information requirements to be more relatable and understandable for the public. The updated Notices will include plain language descriptions, incorporate a rendering to provide a visual description of the proposed development, and will be designed to have

a unified appearance using similar phrases, headers, and icons to create alignment with the redesigned Public Notice sign (refer to Appendix B of Report PED25055, Figures 2 and 3). The letter template has been restructured to group the information into four sections in a way that is logical and easy to read. The four sections include:

1. Application details and proposal description with a location map and rendering.
2. A series of prompts under the header “Learn more. Share your thoughts. Stay involved” with corresponding information geared to the public.
3. A simplified linear timeline of the application process.
4. Legislative requirements and additional information – including *Planning Act* required text, appeal information, collection of personal information and accessibility accommodations.

To improve digital access to *Planning Act* applications both the Notice of Complete Application and Notice of Public Meeting will be posted to the City’s News and Notices webpage which will allow all residents access to the Notices, regardless of whether they are within the circulation radius. The City’s website also includes a feature which allows users to subscribe to the “Public Notices e-updates newsletter” which is in line with the theme of Community Engagement and Participation in the City’s strategic plan.

The updates to the Public Notice Sign and mailed Notice templates will be implemented starting July 1, 2025, to align with the circulation radius and application fee increases. The updated templates will be applicable to new applications or amended applications requiring a new public circulation. Ongoing or legacy files will continue to use the current templates as the increased radius and other aspects of the Notices (e.g. 3D image) would not be applicable.

For ongoing/legacy files, the Notice of Complete Application and the Notice of Complete Application will be recirculated to the public when a target Planning Committee date has been determined to give the public as much notice as possible of the public meeting.

6. Canada Post Strike Protocol

Due to the reliance on providing *Planning Act* Notices through the mail, staff are impacted in the event of a Canada Post strike and have been impacted by strike action on several occasions, which resulted in Item 19.P being added to the Outstanding Business List, in Appendix E attached to Report PED25055.

During these times when there is no delivery of mail, staff relies on the alternate form of providing statutory Notice for Planning applications, as set out in the *Planning Act* which is posting a Notice in the local newspaper – The Hamilton Spectator.

Staff have drafted a corporate policy, in Appendix D attached to Report PED25055, applicable to both Committee of Adjustment and *Planning Act* applications to address public notice requirements during Canada Post labour and mail delivery service disruptions. Aside from providing Notice as required by the *Planning Act*, the policy

includes supplementary options for notifying the public of *Planning Act* applications through the City's social media accounts.

7. Next Steps

Staff has identified a number of medium and long term continuous improvement initiatives including:

- Expanding circulation lists to include additional recipients who may have an interest in planning applications, such as Business Improvement Areas;
- Rebuilding the City's development application mapping and public facing mapping tools;
- Development of a specific webpage for *Planning Act* applications – following the lead of Urban Boundary Expansion applications; and,
- Further consideration to how social media can be used, and how to tailor notification and engagement to equity deserving groups in accordance with the Provincial Planning Statement (2024).

Staff have on-going projects with CityLAB and City of Hamilton's Future Ready program with a focus on new and innovative ways to improve the City's public consultation and notification processes and will consider implementing project recommendations through subsequent reviews. In addition, the Bloomberg Harvard Innovation Track Initiative seeks to optimize processes and documentation of the development application processes, and there may be other prioritized action items which relate to the initiatives listed above.

Alternatives

Council may direct staff not to proceed with increasing the radius for circulations of Notices under the *Planning Act*. This will result in the circulation radius for Notice remaining at 120 metres as prescribed by the applicable O. Regs in the *Planning Act*. Alternatively, Council may direct staff to proceed with a different radius for circulations of Notices under the *Planning Act*, which is not recommended as this would have a greater cost implication which has not been considered.

With respect to the matter related to Canada Post mail service disruptions, Council may direct staff not to formalize the protocol. This is not a recommended approach as it may lead to inconsistencies and delays in the processing of applications if public notices are not given in accordance with *Planning Act* timelines.

Relationship to Council Strategic Priorities

3. Responsiveness & Transparency
 - 3.1. Prioritize customer service and proactive communication
 - 3.2. Get more people involved in decision making and problem solving
 - 3.3. Build a high performing public service
 - 3.4. Modernize City systems

Previous Reports Submitted

Not applicable.

Consultation

- Staff consulted with several sections across the Planning Division, including Development Planning, Sustainable Communities, Urban Design, and the Information Systems and Cartographic Planning Team to obtain feedback on current public notice templates, and suggested improvements.
- Staff consulted and worked with the City's Communications and Strategic Initiatives Division with respect to the redesign of the Public Notice sign and adding Notices to the City's website.
- Staff consulted with Legal Services and Office of the City Clerks respecting the new templates for Notice of Complete Application and Notice of Public Meeting, and incorporated feedback into the templates.
- Consultation with the Development Industry Liaison Group (DILG) was held on January 20, 2025. Feedback from DILG members included recommending staff investigate the City of Edmonton's review of public notification practices, consideration to not including a detailed rendering of the development proposal on the sign and notices as the proposal could change and create confusion with the public, and asked how staff are measuring the value of increasing the circulation radius of the public notices to 240 metres. Staff note that other municipalities are adding renderings to the signs and are not reporting any negative feedback. However, in response to DILG feedback, staff have decided to include a 3D massing image of the building instead of a building rendering. The value of increasing the circulation radius to 240 metres may be monitored through tracking public inquiries, delegations to Planning Committee and increased visits to the City's website and an online visitor's poll.
- Notice of proposed changes to the Tariff of Fees By-law was advertised in The Hamilton Spectator on May 27, 2025, in accordance with By-law No. 07-351.

Appendices and Schedules Attached

Appendix A: Draft Tariff of Fees By-law

Appendix B: Proposed templates for Public Notice sign and Public Notice letters

Appendix C: Current Public Notice sign

Appendix D: Planning Policy "Statutory and supplementary public notice requirements for planning applications during mail delivery service disruptions"

Appendix E: Notice of Motion – June 4, 2019, Planning Committee

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**Submitted and
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