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Statutory and supplementary public notice requirements for Committee of Adjustment and *Planning Act* applications during Canada Post mail delivery service disruptions

POLICY STATEMENT	This Policy is the Planning Division’s process for meeting Statutory and supplementary public notice requirements during a Canada Post mail delivery service disruption to maintain public notification and participation in planning processes.
PURPOSE	The purpose of this Policy is to establish a protocol for ensuring the public is informed of Committee of Adjustment and Delegated Consent Authority applications and <i>Planning Act</i> Applications in the event of Canada Post disruptions in mail delivery service.
SCOPE	This Policy applies to applications processed by the Committee of Adjustment and Delegated Consent Authority, and <i>Planning Act</i> applications for an Official Plan Amendment (including Urban Boundary Expansions), Zoning By-law Amendment, Draft Plan of Subdivision and Draft Plan of Condominium (Vacant Land).
TERMS AND CONDITIONS	
Committee of Adjustment & Delegated Consent Authority	<p>In accordance with the <i>Planning Act</i>, Notice may be given in one of the following methods: either by mail to property owners within 60 metres of the subject lands and a notice (sign) posted on the subject lands, or by publication in a newspaper with sufficiently general circulation.</p> <p>Notices for Consent for Severance and Minor Variances in the City of Hamilton are currently circulated by mail to assessed property owners within 60 metres of the lands subject to an application and a sign is posted on the lands by the applicant/owner. Notices are also posted on the Committee of Adjustment’s webpage www.hamilton.ca/committeeofadjustment and listed under either “Items being decided upon by the Committee of Adjustment” or the “Delegated Consent Authority”.</p>

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	<p>To ensure that Notice is provided in accordance with the <i>Planning Act</i> and ensure that agenda dates do not need to be cancelled due to insufficient Notice, in the event of a mail delivery service disruption, Notice will be provided in the following ways:</p> <ul style="list-style-type: none"> • Circulation by mail to assessed property owners within 60 metres of the subject lands provided the labour disruption has not impacted mail delivery; • A sign posted on the subject lands; • A newspaper Notice in The Hamilton Spectator at least 14 days prior to a Committee of Adjustment Hearing date or date of Decision for the Delegated Consent Authority; and, • A notice will be posted on the City’s social media.
Planning Act Applications	<p>Applications for Official Plan Amendment / Zoning By-law Amendments, Draft Plan of Subdivision / Vacant Land Condominium</p> <p>The requirement for providing notice of planning applications is established by the <i>Planning Act</i> and its associated Regulations (O.Reg.s.). In accordance with the <i>Planning Act</i>, Notice is to be given in one of the following three ways:</p> <ol style="list-style-type: none"> 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. <p>To ensure that Notice of Complete Application and Notice of Public Meeting is provided in accordance with the <i>Planning Act</i> and Council approved direction, during a Canada Post mail delivery service disruption Notice will be provided in the following ways:</p>

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	<p>Notice of a Complete Application</p> <ul style="list-style-type: none"> • Circulation by mail to assessed property owners within 240 metres of the subject lands within 15 days of deeming the application complete, provided the labour disruption has not impacted mail delivery; • A sign posted on the subject lands within 15 days of deeming the application complete; and, • A newspaper Notice in The Hamilton Spectator of the Notice of Complete Application within 15 days of deeming the application complete. Staff will ensure the notice is published in both print and digital format to ensure it reaches the widest audience. <p>Notice of Public Meeting</p> <ul style="list-style-type: none"> • Circulation by mail to assessed property owners within 240 metres of the subject lands at least seven days prior to the Statutory Public Meeting, provided the labour disruption has not impacted mail delivery; • A sign posted on the subject lands at least seven days prior to the Statutory Public Meeting; and, • A newspaper Notice in The Hamilton Spectator at least seven days prior to the Statutory Public Meeting. Staff will ensure the notice is published in both print and digital format to ensure it reaches the widest audience. <p>To supplement the statutory requirements above, the Planning Division will utilize a combination of the following options:</p> <ul style="list-style-type: none"> • A digital notice will be posted on the City’s website (News and Notices page); and/or, • A Notice will be posted on the City’s social media; <p>It is important to note, that these supplementary measures do not replace or satisfy the statutory <i>Planning Act</i> requirements, but are meant to ensure clear, transparent, and accessible engagement of citizens.</p>
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Planning Act Applications	<p>Applications for Official Plan Amendment – Urban Boundary Expansions</p> <p>The requirement for providing public notification for Urban Boundary Expansion applications is given in accordance with the Council approved <u>Framework for Processing and Evaluating Urban Boundary Expansion Applications</u>.</p> <p>During a Canada Post mail delivery service disruption where the enhanced public notification requirements outlined in the Framework cannot be met, Notice will be provided in the following ways:</p> <ul style="list-style-type: none"> • A newspaper Notice in The Hamilton Spectator at least seven days prior to the Statutory Public Meeting. Staff will ensure the notice is published in both print and digital format to ensure it reaches the widest audience.
ACCOUNTABILITIES Leaders	<p>Further updates to this Divisional policy are at the discretion of the Director of Planning and Chief Planner and will be communicated to Council through a Communication Update.</p>
Employees	<p>Planning Division staff shall ensure this policy is followed to ensure the Statutory requirements of the <i>Planning Act</i> are met.</p>
HISTORY	<p>The Policy was prepared as a result of the Notice of Motion put forth at the June 4, 2019, Planning Committee, 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 disruptions in mail delivery service.</p>