



Public Input

PED25248(a) – Neighbourhood Plans Review

Contemporary Opportunities in Lieu of Neighbourhood Plans

Tuesday, May 05, 2026

To Members of the Planning Committee,

I am writing to provide a follow-up submission further to my delegation and presentation respecting PED25248, *Comprehensive Neighbourhood Plans Review*, considered on November 11, 2025 (attached as Appendix A).

This submission builds on my previous comments, which focused on statutory alignment and process clarity, with additional consideration of the practical impacts that have become increasingly evident.

In my earlier submission, I recommended that the City revoke existing Neighbourhood Plans and redirect engagement and planning resources toward statutory planning tools, including, but not limited to, Secondary Plans. My perspective on this matter remains consistent.

Neighbourhood Plans served a meaningful purpose during their inception in 1967 (Neighbourhood Planning In Undeveloped Area) and 1971 (Neighbourhood Planning in Developed Areas). However, nearly 60 years later, their utility is more limited. More importantly, their role has evolved from guidance toward something resembling a non-statutory, tertiary planning requirement, applied in practice as though it carries regulatory weight.

This evolution has tangible consequences. Neighbourhood Plans are influencing development outcomes in a manner that:

- Impacts housing delivery,
- Introduces additional timelines and uncertainty, and
- May impose financial burdens on applicants through amendment-related processes and fees.

Statutory Authority and Alignment

As a municipality, it is important that planning decisions and tools operate within the authority conferred by statute.

The *Planning Act* does not provide a framework for Neighbourhood Plans to regulate land use. This is reinforced by the City's Official Plan, which explicitly states that Neighbourhood Plans do not form part of the Official Plan.

Despite this, development is often expected to “conform” to these plans, and in some cases, applicants are required to undergo an amendment process. In practice, this can function as a form of “shadow regulation”, where non-statutory documents influence land use decisions in a manner similar to regulatory instruments, but without the same legislative framework or safeguards.

The intent of this observation is not to diminish the historical value of Neighbourhood Plans, but to ensure that their role is aligned with the current statutory and policy context.

The Ontario Land Tribunal has consistently treated non-statutory documents as informative rather than determinative. Where relied upon as binding, they be afforded limited weight. Aligning planning tools with the appropriate legal status helps reduce uncertainty for both applicants and the City.

Statutory Tools and Implementation

The *Planning Act* provides a comprehensive suite of tools that are:

- Legally enforceable,
- Transparent,
- Subject to defined public engagement processes, and
- Consistently applied.

These include Official Plans, Zoning By-laws, Secondary Plans, Site Plan Control, and Community Planning Permit Systems.

While Neighbourhood Plans are often framed as vehicles for local engagement, they do not provide the procedural clarity, accountability, or implementation mechanisms associated with these statutory tools.

Transparency and Completeness of the Current Review

While staff have outline an engagement strategy and provided mapping of existing Neighbourhood Plans, the underlying policy documents themselves have not been included.

If Neighbourhood Plans are to be reviewed, retained, amended, or repealed, it is important that:

- Their fully policy content be made available, and
- Council and the public be able to meaningfully assess their substance, relevance and implications.

Providing this information would support a more transparent and informed review process. It may therefore be appropriate to consider deferring further decisions on this matter until complete materials are made available.

Resource Allocation and Strategic Direction

At a time when resource allocation is a key consideration, it is important to focus planning efforts where they have the greatest impact.

Reinvesting resources into maintaining or updating Neighbourhood Plans, documents that do not form part of the statutory framework, may limit the City's ability to advance higher-impact initiatives.

Opportunities exist to instead prioritize:

- Secondary Plans in key growth areas such as LRT corridors and Transit-Oriented Development Areas;
- Community Planning Permitting Systems to support streamlined approvals; and
- Targeted neighbourhood-level engagement initiatives in areas experiencing housing or socio-economic pressures.

These approaches provide both legal clarity and meaningful implementation capacity.

Conclusion

Neighbourhood Plans were an appropriate and valuable tool in an earlier era of planning.

In the current context, there is an opportunity to better align planning tools with the statutory framework, contemporary policy direction, and the City's broader objectives.

Ensuring that planning instruments:

- Operate within their intended legal scope,
- Provide clarity and predictability, and
- Support housing and community outcomes.

Recommendation

Accordingly, I believe it would be appropriate for Council to consider:

1. Revoking existing Neighbourhood Plans and removing associated references within the Official Plan;
2. Discontinuing the use of Neighbourhood Plans as instruments requiring conformity or amendment;
3. Eliminating any fees associated with amendments to non-statutory plans; and
4. Redirecting resources toward statutory planning tools and city-wide engagement frameworks that provide transparency, consistency, and measurable outcomes.

Appendix A

PED25248 Presentation

Neighbourhood Plans

Highlighting Contemporary Opportunities

Planning Committee – City of Hamilton

Friday, November 14, 2025 | 09:30 EST

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Talking Points



Modernization

Updating planning tools to reflect today's Hamilton.



Alignment

Ensuring local plans have actionable objectives.



Efficiency

Focusing resources where they have real impact.



Recommendations

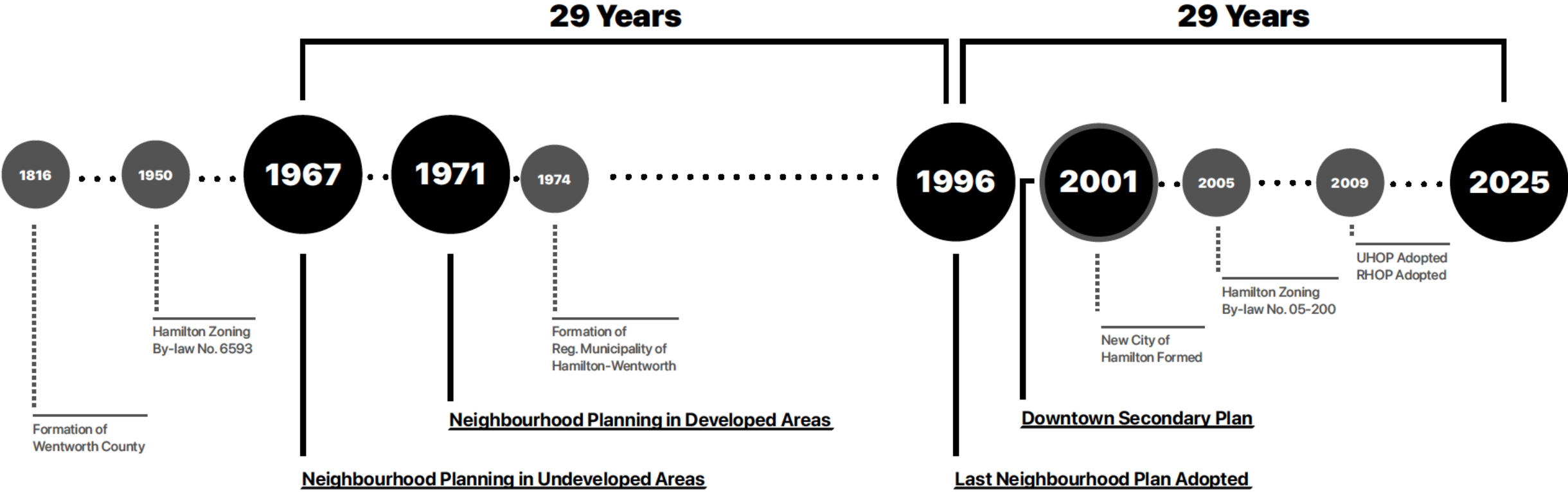
Building a coordinated, transparent, future-ready planning framework.

Modernization

Updating planning tools for today's Hamilton.

Neighbourhood Plans

Nearly 60 years of History



Creating a NP

A good framework... 58 years ago.

Based in Neighbourhood Needs

Neighbourhood Planning began in 1967 for undeveloped areas, and 1971 for developed areas. These plans were intended to document local needs and guide planning decisions at a neighbourhood scale.

A Familiar, Yet Limited Framework

Their process resembled early versions of today's engagement, but relied on small, narrowly representative committees. While innovative at the time, this structure does not reflect the inclusive standards of modern planning practice.

Key Missing Processes

Neighbourhood Plans were never formally tied to the Official Plan, and no process has existed to keep them aligned with statutory planning tools. Without ongoing updates, they have become increasingly disconnected from today's planning framework.

1

This work is the bread and butter of the Section. The City of Hamilton is divided into 137 Neighbourhoods and the Town of Dundas is divided into 31 Neighbourhoods.

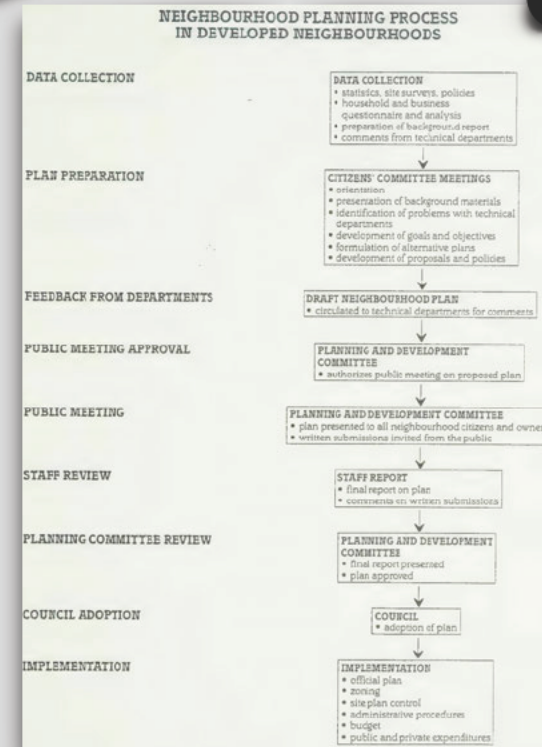
These are the basic planning units, usually about 200 acres in size and bounded by arterial roads, railway lines, topographic features, or political boundaries. Neighbourhood (or Secondary) Plans for these areas are formulated to guide development.

In Hamilton, 72 Plans have been prepared, and in Dundas, 9 Plans have been prepared. Greatest priority is given to areas where the greatest amount of change is likely to take place. Neighbourhood Plans for the undeveloped areas were started in 1967, and for the developed areas in 1971.

2

By 1956, the lack of comprehensive land use planning became critical in the areas annexed since 1950. Murray V. Jones Limited was hired in 1955 to prepare a plan for the undeveloped areas of the city. After various revisions, this plan was adopted by Council in 1967 as Amendment No. 228 to the Official Plan; and was approved by the Minister of Municipal Affairs in 1969. This plan forms the basis for the series of neighbourhood plans prepared by the Planning Department, that give effective guidelines for the zoning and development of the areas concerned.

The neighbourhood planning programme was adopted by the city as a basis for planning developed and undeveloped areas. The city was divided into 118 neighbourhoods which were designated in the Official Plan as the basic planning units. They are being utilized by the Planning and Development Department as guide plans once adopted by Council, in both the developed and undeveloped areas of the city.



1. Neighbourhood Section 1977-1989 (Oct 1989), describing how "Neighbourhoods" and planning units were formed.
2. Hamilton General Background Information (1977), describing the formation of the Neighbourhood Planning Program
3. Neighbourhood Section 1977-1989 (Oct 1989), describing the Neighbourhood Planning process in developed areas.
4. Pamphlet from 1977 defining the mapped geographies used for developed area Neighbourhood Plans

1

NEIGHBOURHOOD OR SECONDARY PLANS FOR THESE AREAS ARE NOW BEING USED OR FORMULATED BY THE PLANNING DEPARTMENT AS GUIDE PLANS IN BOTH THE DEVELOPED AND UNDEVELOPED AREAS OF THE CITY.

2

in the older areas of the city, residential overcrowding is a source of problems.

3

THE VEHICLE THROUGH WHICH THE INDIVIDUAL NEIGHBOURHOOD PLANS WILL BE INTEGRATED -- AND NO DOUBT, IN SOME CASES, ALTERED CONSIDERABLY -- WILL BE A COMPREHENSIVE AMENDMENT TO THE OFFICIAL PLAN. THE FLEXIBILITY OF THE NEIGHBOURHOOD PLANS TO BE THUS REVIEWED AND/OR REGULARLY UPDATED WITHOUT UNDUE PROCEDURAL RED TAPE IS ONE OF THEIR GREATEST ADVANTAGES.

4

EACH NEIGHBOURHOOD CITIZENS' COMMITTEE IS COMPOSED OF APPROXIMATELY A DOZEN PEOPLE USUALLY INCLUDING A MINISTER, A TEACHER, TWO OR THREE LOCAL BUSINESSMEN AND THE REMAINDER RESIDENTS. ALSO ON THE COMMITTEE IS A PLANNING BOARD MEMBER AND AT LEAST ONE OF THE REPRESENTATIVE COUNCIL MEMBERS, USUALLY AN ALDERMAN WHO HELPS IN THE SELECTION OF THE COMMITTEE.

5

5. How is a Plan Approved?

A Neighbourhood Plan, is approved by the Planning and Development Committee, and adopted by City Council. It is a guide plan, to be used in evaluating development applications, and is subject to change. Unanticipated proposals may be considered appropriate; therefore, the Plan would have to be amended accordingly.

6



7

1.2.10 Neighbourhood plans are policies adopted by council resolution and do not form part of the Official Plan. Any proposal for development or redevelopment must conform to the designations, and policies in the Neighbourhood Plan.

1. 1977 Pamphlet for Neighbourhood Planning in Developed Areas, incorrectly describing NPs as "Secondary Plans".

2-4: Snippets from a 1977 Pamphlet depicting the values associated with neighbourhood plans at the time.

5-6: Snippets from a 1997 document titled "Existing Zoning and Approved Neighbourhood Maps, showing conflicting information on what a Neighbourhood Plan is.

7. Snippet from the current Urban Hamilton Official Plan. A contradictory statement, since NPs are non-statutory there is no legal basis for their requirements.

Why Review Now?

A modern Hamilton needs modern solutions.

Major Planning Reforms

Decades of growth and evolving policy have reshaped municipal planning. Tools created in the 1960s–70s now have limited value.

The Need for Coherence, Clarity, and Certainty

Modern planning requires statutory, clear, and reliable tools. Neighbourhood Plans no longer offer coordinated or transparent direction for stakeholders.

Biased Policies and Mapping

Without regular updates, these plans retain outdated policies and mapping that no longer reflect best practices or current land-use needs.

Opportunity to Modernize

Acknowledging these gaps creates a timely opportunity to bring Hamilton's planning tools into the modern era.

"...Due to the scale of land use change that has occurred and the changes in planning policy over the same period, there is a need to comprehensively review these plans and make changes..."

"...a comprehensive review of Neighbourhood Plans has never been conducted..."

"...Since many of these neighbourhoods are now built out, some plans no longer provide a benefit in terms of guiding changes while others no longer meet city-wide goals..."

"...Neighbourhood Plans do not form part of the Urban Hamilton Official Plan..."

"...Withdrawing the policies of old Neighbourhood Plans would provide parks with more flexibility to implement the Parks Master Plan..."

It's not just me...

Staff comments echo the need for change.

Alignment

Ensuring local plans have actionable outcomes.

Available Tools

What we can (and ought to) use.

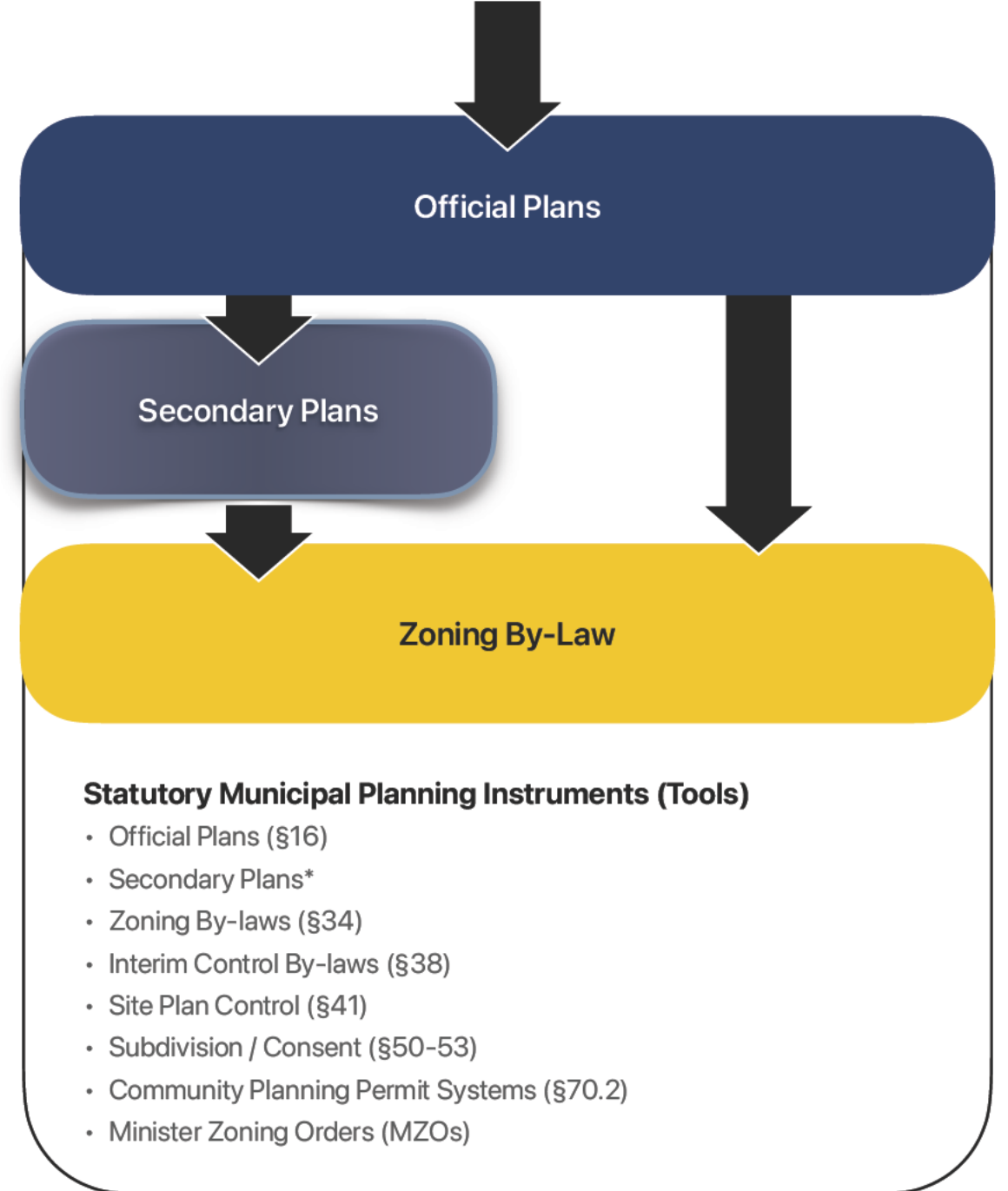
Empowering Plans with Empowered Tools

The *Planning Act* provides the only tools that can reliably implement municipal land-use objectives. A “Made in Hamilton” approach still needs to operate within this statutory framework to ensure clarity, consistency, and, enforceability.

Secondary Plans: Our closest cousin to Neighbourhood Plans

Neighbourhood Plans were created to address localized, community-specific needs. Fortunately, the Planning Act already offers a modern equivalent: **Secondary Plans**.

Secondary Plans provide detailed, area-specific policy direction where the Official Plan requires more articulation, and unlike Neighbourhood Plans, they are legally enforceable.



Benefits

Why choose Statutory Tools?

Statutory Tools are Powerful

Planning tools allowed under the *Planning Act* give municipalities clear legal authority to guide land use and development.

Provide Certainty, Clarity and Transparency

Stakeholders expect planning processes that are predictable and easy to understand. Statutory tools deliver this by offering clear direction and transparent procedures that align with the Official Plan.

Meaningful Engagement

Modern planning requires structured engagement where the community can contribute in a clear and accountable way. Statutory processes establish defined opportunities for input, helping ensure planning outcomes reflect shared priorities.



Legal Status

Legally binding nature ensures conformity.



Implementation

Meaningfully direct zoning and objectives.



Scope

Combines City-wide and local priorities.



Certainty

Reliable and predictable outcomes.



Public Engagement

Formal process ensures resident voices are heard and considered.

Analogy

Similar, but distinct.



Neighbourhood Plan = Security Guard

Guides and advises — limited enforcement capabilities.

Key Points

- Looks official and promotes order.
- Guides decision-making and community expectations.
- Not legally binding under the *Planning Act*.
- Can't approve, refuse, or regulate development.
- Influences, but does not control.

Helpful presence, but limited authority.



Secondary Plan = Police Officer

Has authority under the law.

Key Points

- Created under the *Planning Act*.
- Legally part of the Official Plan
- Binds council, staff, and developers
- Set enforceable planning policies.
- Must be in conformity in zoning and development decisions.

Carries the force of governing law.

Ultra Vires

Impact of Treating NPs as Statutory

Keeping Planning Policy in Scope

Planning decisions must stay within the authority of the *Planning Act*; acting beyond it (*ultra vires*) creates legal and procedural uncertainty.

Neighbourhood Plan Conflicts

Neighbourhood Plans are non-statutory and outside the Official Plan framework. Treating them as enforceable creates conflict and misguides planning decisions.

Real-World Impacts

Stakeholders need clear, current, and legally grounded policies. Neighbourhood Plans sit in a “grey area,” outdated yet often relied on, causing confusion and undermining due process.



Ontario Land Tribunal

Limited weight given to non-statutory policies.



Planning Applications

Complete applications stalled by NP.



Committee of Adjustment

Inconsistently analyzed, rarely updated.



Access to Information

Public-facing information is unavailable.



















Public Engagement

A resolution in council forgoes due planning process and inhibits public participation.

Neighbourhood Plans ≠ Secondary Plans

Key Differences

Criteria	Neighbourhood Plans	Secondary Plans
Enacted by	 Council Resolution (Non-Statutory)	 Formal Planning Act Process (Statutory)
Required Updates	 No – No policy requirement	 Yes – Every 5-10yrs per the Act
Publicly Accessible Documents	 No – Must be requested from PED	 Yes – Transparent Public-Facing Materials
Aligns with Planning Act, PPS, etc.	 No – Frequently outdated	 Yes – Must Conform
Conforms with Official Plan	 No – Designations not reflected in OP	 Yes – Must Conform
Reflects Current Priorities	 No – Based on 58-29yr old consultation.	 Yes – Conform & Adaptable
Public Consultation	 Limited – No formal process	 Yes – Formal Consultation Process
Costs to Amend	 \$2790 (Not Required under the Act)	 \$46,115.00 (Official Plan Amendment)

Efficiency

Focusing resources where they have real impact.

An aerial photograph of a large, rusted shipwreck in the ocean. The ship is oriented vertically, with its bow at the top. The hull is heavily corroded and broken apart, with debris scattered around it. The water is a dark, deep blue-green color. The overall scene conveys a sense of abandonment and decay.

Sunk Cost Fallacy

Knowing when to restart.

What is the Sunk Cost Fallacy?

It is the phenomenon where a person or organization is reluctant to abandon a strategy or course of action because they have invested heavily in it, even when it is clear that abandonment would be more beneficial.

Neighbourhood Plans are a Prime Example

Decades of investment, retention, and utilization create pressure to maintain them, but their framework and value no longer fit today's needs. Understanding this helps us take a more effective approach

Getting More

True efficiency means recognizing when to redirect resources toward higher-impact work. **Secondary Plans.**

The Resource Case

Cost-Conscious Customer Service

Similar Paths, Divergent ROI

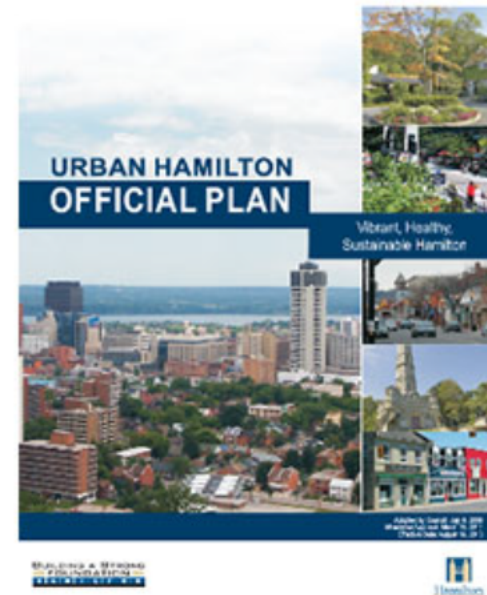
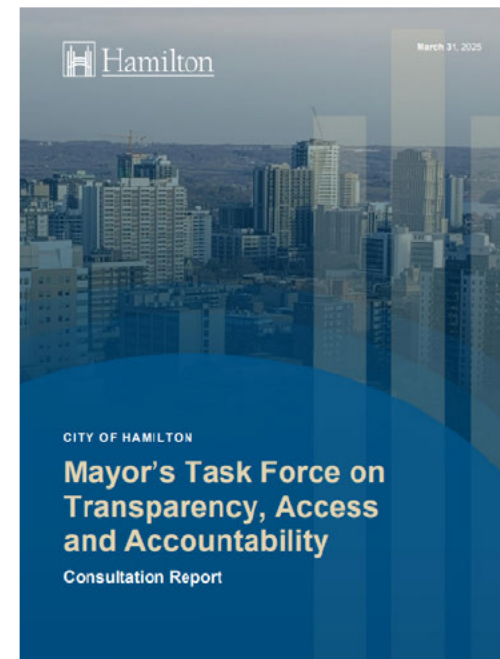
The proposed engagement process would evaluate whether Neighbourhood Plans should be amended, retained, or repealed. While useful, this effort misses the chance to direct the same work toward Secondary Plans. Tools with far greater impact and statutory authority.

Support Key City Initiatives with Statutory Weight

As Hamilton grows, planning tools must enable major initiatives to be implemented. Secondary Plans provide the legal foundation and flexibility needed to support Transit Station Areas, Community Hubs, and other priority neighbourhoods.

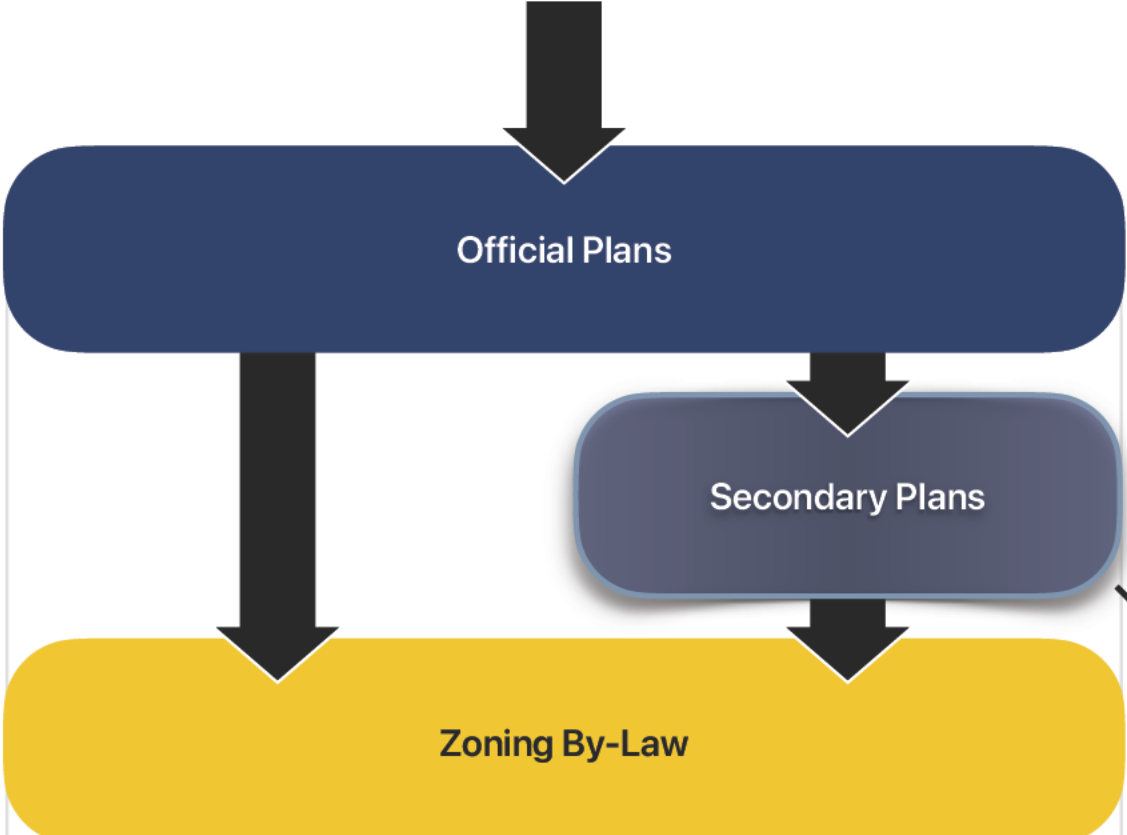
Value Proposition

Even when updated, Neighbourhood Plans offer limited practical value because they lack enforceability. The return on effort is far lower than investing in Secondary Plans that can meaningfully shape development.



Recommendations

Building a coordinated, transparent, future-ready planning framework.



Path Forward

My recommendations.

Invest in the Right Tool. Secondary Plans.

Secondary Plans provide neighbourhood-level direction with the statutory weight Neighbourhood Plans lack. They align with the Planning Act and offer the clarity and reliability needed for effective implementation.

Integrate City Priorities and Identify Key Areas

Hamilton needs modern tools that reflect today's priorities. Secondary Plans can integrate Transit-Oriented Development, Complete Streets, Vision Zero, intensification, climate action, and parks planning into a coordinated framework. They also allow for targeted, flexible planning in areas that have never undergone this level of analysis, building on the success seen in other Secondary Plan areas.

Alternative Recommendations

1. That Council **DIRECT** that all existing Neighbourhood Plans **BE REPEALED**, and that Planning Division staff **BE DIRECTED** to prepare a draft Official Plan Amendment (OPA) to remove or amend related policies and references to Neighbourhood Plans within the City's Official Plan.
2. That Planning Division staff **BE DIRECTED** to develop a framework and set of criteria for assessing and prioritizing areas of the city for the preparation of secondary plans, and to report back to Planning Committee with the proposed framework, evaluation process, and recommended implementation approach.

In Closing

A Message.

Plan for a Future-Ready Hamilton.

Neighbourhood Plans reflected an earlier era of growth.

Secondary Plans reflect Hamilton's future.

Coordinated. Transparent. Equitable.