Draft Official Plan Amendment / Draft Zoning By-law Amendment

PURPOSE:

This document provides guidance for the preparation of a Draft Official Plan Amendment and/or a Draft Zoning By-law Amendment, which may be required for the submission of an application under the *Planning Act*. All Draft Official Plan Amendments and Zoning By-law Amendments shall follow the guidelines contained and referenced in this document.

A Draft Official Plan Amendment provides information required for an Official Plan Amendment application under the *Planning Act* where changes to the policies, schedules and/or maps of the Official Plan are proposed.

The purpose of the Draft Official Plan Amendment is to provide a draft of the implementing amendment to the Official Plan for consideration by Planning Committee and Council.

A Draft Zoning By-law Amendment is required for a Zoning By-law Amendment application under the *Planning Act* where changes to the zones, districts, permitted uses and/or development standards of the Zoning By-law are proposed.

The purpose of the Draft Zoning By-law Amendment is to provide a draft of the implementing by-law to amend the Zoning By-law for consideration by Planning Committee and Council.

PREPARED BY:

Draft Official Plan Amendments and Draft Zoning By-law Amendments must be prepared by a Registered Professional Planner (RPP) or a Certified Planning Technician (CPT).

CONTENTS:

A Draft Official Plan Amendment shall be prepared using the standard template for Draft Official Plan Amendments attached as Appendix “A1” and Appendix “A2” to this Guideline, and shall include the following:

- The purpose and effect of the proposed Official Plan Amendment;
- The location of the lands affected by the Amendment (municipal address);
- The planning basis for the proposed Official Plan Amendment, including confirmation that the amendment is consistent with the Provincial Planning Statement; and,
- Detailed explanation of the proposed changes to the Official Plan, including reference to the sections, policies, maps, and schedules to be amended.

A Draft Zoning By-law Amendment shall be prepared using the standard template for the Zoning By-law being amended attached as Appendices “B1” to “B7” to this Guideline and shall include the following:

- Location Map showing the lands affected by the change in zoning;
- Proposed changes to the Maps and/or Schedules of the Zoning By-law;
- Proposed changes to the development standards of the Zoning By-law, including reference to the section number of each regulation being amended; and,
- A copy of the Signed Acknowledgement Clause for Zoning Compliance Review Applications in Support of a Zoning By-law Amendment.

Please note that the attached templates may be updated from time to time, and that the following staff may be contacted for assistance:

- Policy Planning staff via policyplanning@hamilton.ca respecting the Draft Official Plan Amendment template; and,
- Zoning staff via zoninginquiry@hamilton.ca respecting the Draft Zoning By-law Amendment templates.
- Policy Planning staff and Zoning staff may be contacted to obtain a copy of the most up to date Draft Official Plan Amendment template and Zoning By-law Amendment templates in the form of a word document which is formatted to be AODA complaint.

OTHER INFORMATION:

City of Hamilton Official Plans:

Urban Hamilton Official Plan | City of Hamilton

Rural Hamilton Official Plan | City of Hamilton

City of Hamilton Zoning By-laws:

Zoning By-law 05-200 | City of Hamilton

Zoning By-laws for the Former Communities | City of Hamilton

Acknowledgement Clause contained within link below:

Zoning Compliance Review | City of Hamilton

REVIEWED AND APPROVED BY:

Development Planning, Planning and Economic Development Department

CONTACT:

Development Planning, Planning and Economic Development Department

pdgening@hamilton.ca

Policy Planning, Planning and Economic Development Department

policyplanning@hamilton.ca

Zoning, Planning and Economic Development Department

zoninginquiry@hamilton.ca

APPENDICES:

Appendix “A1” – Draft Urban Hamilton Official Plan Amendment

Appendix “A2” – Draft Rural Hamilton Official Plan Amendment

Appendix “B1” – Draft Zoning By-law Amendment – City-wide Zoning By-law No. 05-200

Appendix “B2” – Draft Zoning By-law Amendment – Ancaster Zoning By-law No. 87-57

Appendix “B3” – Draft Zoning By-law Amendment – Dundas Zoning By-law No. 3581-86

Appendix “B4” – Draft Zoning By-law Amendment – Flamborough Zoning By-law No. 90-145-Z

Appendix “B5” – Draft Zoning By-law Amendment – Glanbrook Zoning By-law No. 464

Appendix “B6” – Draft Zoning By-law Amendment – Stoney Creek Zoning By-law No. 3692-92

Appendix “B7” – Draft Zoning By-law Amendment – Former City of Hamilton By-law No. 6593

Schedule “1”

Draft Urban Hamilton Official Plan

Amendment No. X

The following text, together with:

Appendix Letter	Appendix Volume and Title
Appendix A	Volume #: <Schedule/Map X – Title>
Appendix B	Volume #: <Schedule/Map X – Title>
Appendix C	Volume #: <Schedule/Map X – Title>
Appendix D	Volume #: <Schedule/Map X – Title>
Appendix E	Volume #: <Schedule/Map X – Title>

attached hereto, constitutes Official Plan Amendment No. “X” to the Urban Hamilton Official Plan.

1.0 Purpose and Effect

The purpose and effect of this Amendment is to <purpose and effect text>.

2.0 Location

The lands affected by this Amendment are known municipally as <Subject Address>, in the former <former municipality>.

3.0 Basis:

The basis for permitting this Amendment is:

- <text>
- <text>
- The Amendment is consistent with the Provincial Planning Statement, 2024.

4.0 Actual Changes

4.1 Volume 1 – Parent Plan

4.1.1 Text

4.1.1.1 Chapter X – <Title>

That Volume 1: Chapter X – <Title, Section Title, Policy> be amended by:

4.1.2 Schedules and Appendices

4.1.2.1 Schedules

a. That Volume 1: Schedule X – <Title> be amended, as shown on Appendix "X", attached to this Amendment.

b. That Volume 1: Schedule X - <Title > be amended by <redesignating/identifying> the subject lands from "<designation>" to "<designation>", as shown on Appendix "X" attached to this Amendment.

4.2 Volume 2 – Secondary Plans

4.2.1 Text

4.2.1.1 Chapter B.X.0 – <Former Municipality> Secondary Plans

That Volume 2: Chapter B.X – <Former Municipality> Secondary Plans – Section B.X.X - < Title> Secondary Plan be amended by adding the following:

““Area/Site Specific Policy – Area “X”

X.X.X.X.

For lands identified as Site Specific Policy ….”

4.2.2 Maps

4.2.2.1 Map

That Volume 2: Map B.X. – <Title > Secondary Plan - <Map Title> be amended by:

a. Redesignating the subject lands from “<text>” to “<text.”; and,
b. Identifying the subject lands as Area/Site Specific Policy Area “X”

as shown on Appendix “X”, attached to this Amendment.

4.3 Volume 3 – Special Policy Areas, Area Specific Policies & Site Specific Policies

4.3.1 Text

4.3.1.1 Chapter X.0 – <Title>

That Volume 3: Chapter X –< Title> be amended by adding the following:

““UXX-X Lands located at <Address>, <former municipality>

1.0

For lands identified as Site Specific Policy ….”

4.3.2 Maps

4.3.2.1 Map

That Volume 3: Map X. – <Title > be amended by identifying the subject lands as UXX-X, as shown on Appendix “X”, attached to this Amendment.

5.0 Implementation

An implementing Zoning By-Law Amendment and Site Plan Approval will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule “1” to By-law No.<text> passed on the <text> day of <text>, 202X.

The City of Hamilton

A. Horwath	M. Trennum
Mayor	City Clerk

Appendix “A” – Volume X: <Schedule/Map Title>



Map Description

<Description of the map.>

Appendix “B” – Volume X: <Appendix Title>

<Map Title>



Map Description

<Description of the map >

Schedule “1”

Draft Rural Hamilton Official Plan

Amendment No. X

The following text, together with:

Appendix Letter	Appendix Volume and Title
Appendix A	Volume #: <Schedule/Map X – Title>
Appendix B	Volume #: <Schedule/Map X – Title>
Appendix C	Volume #: <Schedule/Map X – Title>
Appendix D	Volume #: <Schedule/Map X – Title>
Appendix E	Volume #: <Schedule/Map X – Title>

attached hereto, constitutes Official Plan Amendment No. “X” to the Rural Hamilton Official Plan.

6.0 Purpose and Effect

The purpose and effect of this Amendment is to <purpose and effect text>.

7.0 Location

The lands affected by this Amendment are known municipally as <Subject Address>, in the former <former municipality>.

8.0 Basis:

The basis for permitting this Amendment is:

- <text>
- <text>
- The Amendment is consistent with the Provincial Planning Statement, 2024.

9.0 Actual Changes

9.1 Volume 1 – Parent Plan

9.1.1 Text

9.1.1.1 Chapter X – <Title>

That Volume 1: Chapter X – <Title, Section Title, Policy> be amended by:

9.1.2 Schedules and Appendices

9.1.2.1 Schedules

c. That Volume 1: Schedule X – <Title> be amended, as shown on Appendix "X", attached to this Amendment.

d. That Volume 1: Schedule X - <Title > be amended by <redesignating/identifying> the subject lands from "<designation>" to "<designation>", as shown on Appendix "X" attached to this Amendment.

9.2 Volume 2 – Rural Settlement Areas

9.2.1 Text

9.2.1.1 Chapter A.X.0 – <Former Municipality> Rural Settlement Area

That Volume 2: Chapter A.X – <Former Municipality> Rural Settlement Areas – Section B.X.X - < Title> Rural Settlement Area be amended by adding the following:

““Area/Site Specific Policy – Area “X”

X.X.X.X.

For lands identified as Site Specific Policy ….”

9.2.2 Maps

9.2.2.1 Map

That Volume 2: Map B.X. – <Title > Rural Settlement Area - <Map Title> be amended by:

c. Redesignating the subject lands from “<text>” to “<text.”; and,
d. Identifying the subject lands as Area/Site Specific Policy Area “X”

as shown on Appendix “X”, attached to this Amendment.

9.3 Volume 3 – Special Policy Areas, Area Specific Policies & Site Specific Policies

9.3.1 Text

9.3.1.1 Chapter X.0 – <Title>

That Volume 3: Chapter X –< Title> be amended by adding the following:

““UXX-X Lands located at <Address>, <former municipality>

1.0

For lands identified as Site Specific Policy ….”

9.3.2 Maps

9.3.2.1 Map

That Volume 3: Map X. – <Title > be amended by identifying the subject lands as UXX-X, as shown on Appendix “X”, attached to this Amendment.

10.0 Implementation

An implementing Zoning By-Law Amendment and Site Plan Approval will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule “1” to By-law No.<text> passed on the <text> day of <text>, 202X.

The City of Hamilton

A. Horwath	M. Trennum
Mayor	City Clerk

Appendix “A” – Volume X: <Appendix/Map Title>



Map Description

<Description of the map.>

Appendix “B” – Volume X: <Appendix Title>

<Map Title>



Map Description

<Description of the map >

Template Instructions:

Please only edit <Address>, <Former Municipality>, and the contents of Schedule “C” (highlighted content).

Staff to Complete:

Authority

Item XX, <NAME> Committee Minutes 26-0XX (Report Number)

Council Meeting <DATE>, Ward <#>

Mayoral Approval through Decision MDE-202X-XX, <DATE>

Bill No. XXX

City of Hamilton By-law No. 26-XXX

To Amend Zoning By-law No. 05-200 with respect to lands located at <Address>, <Former Municipality>

Whereas Council approved Item <text> of Report <text> of the Planning Committee, at its meeting held on <Month Day, Year>; and

Staff to Complete: Official Plan Amendment required? (Choose Yes or No)

[Choice 1] No:

Whereas this By-law conforms to the <applicable Official Plan>;

[Choice 2] Yes:

Whereas this By-law conforms with the <applicable Official Plan> upon adoption of Official Plan Amendment No. <OPA No. #>;

Now therefore be it resolved that the Council of the City of Hamilton amends Zoning By-law No. 05-200 as follows:

Schedule “A” – Zoning Maps

1. That Schedule “A” – Zoning Maps, Map No. <##> is amended by <changing the zoning> from the <current zone> to the <new zone> **<OR>** <adding the lands to Zoning By-law No. 05-200> as <new zone>, for the lands known as <address>, <former municipality>, the extent and boundaries of which are shown on Schedule “1” to this By-law.

Applicant to Complete:

Schedule “C” – Special Exceptions

2. That Schedule “C” – Special Exceptions is amended by adding the following new Special Exception:

“<###> Within the lands zoned <new zone>, identified on Map No. <##> of Schedule “A” – Zoning Maps and described as <address>,<former municipality>, the following special provisions shall apply:

a) Notwithstanding Section 3: Definitions as it relates to the definition of <”text”>, for the purpose of this By-law, the following definition(s) shall apply:

<text>

<text>

b) <In addition to> **OR** <Notwithstanding> Section 4.<Insert subsection(s)>, the following regulations shall apply:

i) <text>

<text>

c) <In addition to> **OR** <Notwithstanding> Section 5. <Insert subsection(s)>, the following regulations shall apply:

i) <text>

<text>

ii) <text>

<text>

d) <In addition to> Section #.#.#, the following use(s) shall be permitted in accordance with Section #.#.#:

<use>

<use>

e) <In addition to> **<AND/OR>** <Notwithstanding> Section #.#.#. x), the following regulations shall apply:

i) <text>

A) <text>

1) <text>

ii) <text>

<text>”

Staff to Complete:

Implementation

3. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, not shall any land be used, except in accordance with the provisions of the <zone> subject to the special requirements referred to in Section <#> of this By-law.
4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

PASSED this <#> day of <Month>, 202X.

<Name>	<Name>
Mayor	City Clerk

Schedule “1” – Zoning Map – FOR OFFICE USE

<Map Title>



Map Description

<Description of the map>