

Authority: Item 9, Planning Committee
Report: 14-014 (PED14161)
CM: September 24, 2014

Bill No. 272

CITY OF HAMILTON

BY-LAW NO. 14-272

To Adopt:

Official Plan Amendment No. 31 to the Urban Hamilton Official Plan

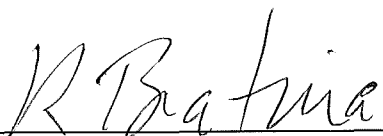
Respecting:

Urban Agriculture

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 31 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 24th day of September, 2014.



R. Bratina
Mayor



R. Caterini
City Clerk

Amendment No. 31 to the Urban Hamilton Official Plan

The following text constitutes Official Plan Amendment No. 31 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose of this Amendment is:

- to introduce new policies on Urban Agriculture;
- to add definitions of "Urban Farm", "Farm Produce/Product Stand" and "Community Garden"; and,
- to amend Section C.3.0 – General Land Use Provisions and Designations, to permit urban farms and community gardens within certain land use designations.

2.0 Location:

The lands subject to this Amendment apply to the Urban Area,

3.0 Basis:

- a) Urban agriculture is part of a city's community infrastructure and helps meet the needs of a changing population and fosters complete communities.
- b) Urban agriculture is one means of addressing food security and provides options for under used lands in the urban area.
- c) Urban Farms and community gardens are new uses not originally contemplated in the Official Plan. For purposes of clarity, new definitions added to the Glossary are important to describe the uses.
- d) The addition of these uses is consistent with the Provincial Policy Statement and conforms to Growth Plan for the Greater Golden Horseshoe.

4.0 Changes:

4.1 Text Changes:

4.1.1 Volume 1, Chapter C, Policy C.3.2.1 f) is deleted.

4.1.2 Volume 1, Chapter C, Section C.3.0 – General Land Use Provisions and Designations is amended by adding the following subsections:

“3.2.4 Urban Agriculture

Urban agriculture consists of *urban farms* and *community gardens*. Together, these uses are considered part of Hamilton’s community infrastructure, providing opportunity for social inclusion, local economic development, education and learning. Urban agriculture contributes to community and neighbourhood sustainability, community health and nutrition, food security and provides land use diversity that helps achieve complete communities.

3.2.4.1 Urban farms and community gardens may be permitted in the following designations in accordance with the provisions of the Zoning By-laws:

- a) Neighbourhoods, Institutional, Utility, Downtown Mixed Use Area, Mixed Use-High Density, Mixed Use-Medium Density, District Commercial and Arterial Commercial designations;
- b) Opens Space designation except areas designated Natural Open Space in secondary plans or identified as Natural Open Space in accordance with Section B.3.5.3.5 b);
- c) Notwithstanding 3.2.4.1a), in areas defined as *Pedestrian Predominant Streets* under Section E.4.3, or secondary plans or policy direction where the desired built form is consistent with a *pedestrian predominant street*, *urban farms* and *community gardens* shall be permitted as ancillary uses only and may be located in rear yards or on a rooftop. “

4.1.3 Volume 1, Chapter C, Section C.3.4 – Utility Designation, Policy 3.4.2 d) is amended by adding “, urban farms” following the word “trails” to read as follows:

“d) open space uses such as trails, urban farms and community gardens;”

4.1.4 Volume 1, Chapter B - Communities, Policy B.3.5.3.5 a) is amended by adding “urban farms;” following the words “golf courses,” to read as follows:

“a) General Open Space shall include golf courses, urban farms, community gardens, pedestrian and bicycle trails, walkways, picnic areas, beaches, remnant parcels of open space lands, and urban plazas, squares and core spaces. These areas do not function as parks but are used for both active and passive recreational activities.”

4.1.5 Volume 1, Chapter G – Glossary is amended by the addition of the following definitions:

a) “**Community Garden** shall mean land used for the growing and harvesting of edible plants, grains, vegetables or fruits and provided the crops are for the sole use, donation or consumption by the individual or individuals growing or working the community garden.”

b) “**Urban Farm** shall mean land used for the growing and harvesting of edible plants, grains, vegetables or fruits and that the edible plants, grains, fruits and vegetables grown on-site may be sold on-site. It may include buildings and structures such as farm produce/product stand, greenhouses, hoopouses or cold frames. It shall not include a medical marihuana growing and harvesting facility, an aquaponics, or aquaculture facility, or a mushroom operation.”

c) “**Farm Produce/Product Stand** shall mean a building or structure used for the sale of fresh fruit, vegetables, grains, and edible plants which are grown on urban farms on a seasonal basis. Products derived from the urban farm produce may also be sold.”

5.0 Implementation:

Implementing Zoning By-law Amendments will give effect to this Amendment.

This Official Plan Amendment is Schedule "1" to By-law No. 14-272 passed on the 24th day of September, 2014.

**The
City of Hamilton**



R. Bratina
Mayor



R. Caterini
City Clerk