CITY OF HAMILTON

BY-LAW NO. 21-173

To Adopt:

Official Plan Amendment No. 30 to the
Rural Hamilton Official Plan

Respecting:

Updates and Modifications to the Rural Hamilton Official Plan
(City-Wide)

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

1. Amendment No. 30 to the Rural Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 13th day of October, 2021.

B. Johnson
Acting Mayor

A. Holland
City Clerk
Schedule “1”

Rural Hamilton Official Plan
Amendment No. 30

The following text, together with:

**Volume 1**
- Appendix “A” Chapter C - City-Wide Systems and Designations
- Appendix “B” Chapter F - Implementation
- Appendix “C” Chapter G - Glossary
- Appendix “D” Schedule B - Natural Heritage System
- Appendix “E” Schedule B-2 - Detailed Natural Heritage Features
  - Key Natural Heritage Feature
  - Significant Woodlands
- Appendix “F” Schedule B-6 - Detailed Natural Heritage Features
  - Local Natural Area Environmentally Significant Areas

**Volume 2**
- Appendix “G” Chapter A - Rural Settlement Area Plans
- Appendix “H” Map 8a - Greensville Rural Settlement Area Plan
- Appendix “I” Map 13 - Rockton Rural Settlement Area Plan
- Appendix “J” Map 16 - Troy Rural Settlement Area Plan

attached hereto, constitutes Official Plan Amendment No. 30 to the Rural Hamilton Official Plan.

1.0 **Purpose and Effect:**

The purpose and effect of this Amendment is to:

- Clarify policies by correcting administrative errors (i.e. formatting, numbering, typographical and grammar);

- Add new policies and remove duplicate and/or redundant wording; and,

- Correct policy and mapping errors.

2.0 **Location:**

The lands affected by this Amendment are located within the City of Hamilton Rural Area.
3.0 **Basis:**

The basis for permitting this Amendment is:

- The proposed Amendment reflect existing land uses and approvals to more accurately guide future development; and,

- The proposed Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Greenbelt Plan, 2017.

4.0 **Actual Changes:**

4.1 **Volume 1 - Parent Plan**

**Text**

4.1.1 **Chapter C - City Wide Systems and Designations**

a. That the following policies of Volume 1: Chapter C - City Wide Systems and Designations be revised, as outlined in Appendix “A”, attached to this Amendment:
   - C.3.1.2 d)
   - C.3.1.2 e)

4.1.2 **Chapter F - Implementation**

a. That the following policies of Volume 1: Chapter F - Implementation be added or revised, as outlined in Appendix “B”, attached to this Amendment:
   - F.1.12.7
   - F.1.14.2.1 (i)
   - F.1.14.2.8 c) (ii)
   - F.1.17.1 d) and e)
   - F.1.17.2

4.1.3 **Chapter G - Glossary**

a. That Volume 1: Chapter G - Glossary be amended by revising one definition and adding one definition, as outlined in Appendix “C”, attached to this Amendment.

**Schedules and Appendices**
4.1.4 **Schedules**

a. That Volume 1: Schedule B - Natural Heritage System be amended, as shown on Appendix “D”, attached to this Amendment.

b. That Volume 1: Schedule B-2 - Detailed Natural Heritage Features Key Natural Heritage Feature Significant Woodlands be amended, as shown on Appendix “E”, attached to this Amendment.

c. That Volume 1: Schedule B-6 - Detailed Natural Heritage Features Local Natural Area Environmentally Significant Areas be amended, as shown on Appendix “F”, attached to this Amendment.

4.2 **Volume 2 - Secondary Plans and Rural Settlement Areas**

**Text**

4.2.1 **Chapter A – Rural Settlement Area Plans**

a. That Volume 2: Chapter A - Rural Settlement Area Plans be amended to revise or add policies, as outlined in Appendix “G”, attached to this Amendment:

   - A.1.3.3
   - A.3.5.18.3

**Maps and Appendices**

4.2.2 **Map**

a. That Volume 2: Map 8a - Greensville Rural Settlement Area Plan be amended as shown on Appendix “H”, attached to this Amendment.

b. That Volume 2: Map 13 - Rockton Rural Settlement Area Plan be amended as shown on Appendix “I”, attached to this Amendment.

c. That Volume 2: Map 16 - Troy Rural Settlement Area Plan be amended as shown on Appendix “J”, attached to this Amendment.

5.0 **Implementation:**

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

This Official Plan Amendment is Schedule “1” to By-law No. 21-173 passed on the 13th of October, 2021.

The
City of Hamilton

_________________________    __________________________
B. Johnson                      A. Holland
ACTING MAYOR                     CITY CLERK
### Appendix “A” – Volume 1, Chapter C – City Wide Systems and Designations

<table>
<thead>
<tr>
<th>Proposed Change</th>
<th>Proposed New / Revised Policy</th>
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<tbody>
<tr>
<td>Grey highlighted strikethrough text = text to be deleted</td>
<td>Bolded text = text to be added</td>
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<tr>
<td>C.3.1.2 d) A secondary dwelling unit may be permitted within a single or semi-detached dwelling on a lot with a minimum size of 0.4 ha (one acre), provided it complies with all applicable policies and Zoning By-law regulations.</td>
<td>C.3.1.2 d) A secondary dwelling unit may be permitted within a single or semi-detached dwelling on a lot with a minimum size of 0.6 ha, provided it complies with all applicable policies and Zoning By-law regulations.</td>
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<tr>
<td>C.3.1.2 e) A detached secondary dwelling unit - detached shall not be permitted in Rural Hamilton until such time as the City: i) has completed a study to address the adequacy of sustainable servicing policies of Section C.5 to address secondary dwelling units - detached; and, ii) has developed and implemented appropriate policies and regulations for these uses.</td>
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### Proposed Change

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<tr>
<td>Add new policy F.1.12.7</td>
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<td>F.1.12.7 Where the Province has passed a Minister’s Zoning Order under the Planning Act, R.S.O., 1990 c. P.13, the use of the property shall be deemed to comply to the policies and land use designations of this Plan.</td>
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<td>Add new policy F.1.14.2.1 (i)</td>
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<td>F.1.14.2.1 (i) Severances shall not be granted for dwellings created as secondary dwelling units - detached.</td>
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<td>F.1.14.2.8 c) In cases of a farm dwelling made surplus as a result of acquisition as part of a farm operation that does not result in the merging in title of parcels of land, applications for severance of the surplus dwelling shall comply with the following conditions: ii) The parcels of land comprising the consolidated farm operation shall generally be a minimum of 38.4 hectares (95 acres) in total in the Agriculture and Rural designations and 14.2 hectares (35 acres) in the Specialty Crop designation.</td>
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<td>F.1.17.1 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, 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; or g) Workshops.</td>
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<td>F.1.17.2 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, R.S.O., 1990 c. P.13, and Community Improvement Plans shall be given to the public at least 17 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.</td>
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**Appendix “C” – Volume 1, Chapter G – Glossary**

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<td><strong>Secondary Dwelling Unit</strong>: means a separate and self-contained dwelling unit that is accessory to and located within the principal dwelling, and shall not include a Farm Labour Residence.</td>
<td>Secondary Dwelling Unit: means a separate and self-contained dwelling unit that is accessory to and located within the principal dwelling and shall not include a Farm Labour Residence.</td>
</tr>
<tr>
<td>Add definition of Secondary Dwelling Unit - Detached to Chapter G – Glossary</td>
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Appendix E

Appendix A

N.T.S.

APPROVED Amendment No. 30 to the Rural Hamilton Official Plan

Remove "Key Natural Heritage Feature - Significant Woodlands" identification and lands to remain identified as "Greenbelt Protected Countryside" and "Greenbelt Natural Heritage System".

Rural Urban Lands to be removed from "Key Natural Heritage Feature - Significant Woodlands" and lands to remain identified as "Greenbelt Protected Countryside" and "Greenbelt Natural Heritage System".

Note: For Urban Detailed Natural Heritage Feature Significant Woodlands application.

Date: Sept. 21, 2021
Revised By: LV/NB
Reference File No.: OPA-R-30(F)
Remove "Local Natural Area Environmentally Significant Area" identification and lands to remain identified as "Greenbelt Protected Countryside" and "Greenbelt Natural Heritage System"

(Approved Amendment No. 30 to the Urban Hamilton Official Plan)

(N.T.S. Sept. 21, 2021 CT/KM/LMM)

Legend

- Local Natural Area Environmentally Significant Area
- Greenbelt Protected Countryside
- Greenbelt Natural Heritage System
- Niagara Escarpment Plan Area
- Other Features
  - Urban Area
  - John C. Munro Hamilton International Airport
  - Municipal Boundary
  - Urban Boundary
  - Niagara Escarpment

Schedule B-6
Detailed Natural Heritage Features
Environmentally Significant Areas

Note: For Urban Detailed Natural Heritage Feature refer to Schedule B-6 of the Urban Hamilton Official Plan

Ministerial Approval: December 24, 2008
effective date: March 7, 2012

Page 11 of 15
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<tr>
<td>A.1.3.3 Notwithstanding Policies C.3.1.2 d) and C.3.1.4 c) of Volume 1, a garden suite or a secondary dwelling unit – detached shall not be permitted in the Rural Settlement Areas of Carlisle, Greensville, Freelton and Lynden until such time as the City:</td>
<td>A.1.3.3 Notwithstanding Policies C.3.1.2 d) and C.3.1.4 c) of Volume 1, a garden suite or a secondary dwelling unit – detached shall not be permitted in the Rural Settlement Areas of Carlisle, Greensville, Freelton and Lynden until such time as the City:</td>
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<tr>
<td>Add new Site Specific Policy A.3.5.18.3 to Chapter A, Section A.3.5 – Greensville Rural Settlement Area Plan</td>
<td>A.3.5.18.3 In addition to the permitted uses of the Settlement Commercial policies of Section A.3.5.6 of the Greensville Rural Settlement Area Plan, for the lands located at the intersection of Highway 8 and Brock Road designated Settlement Commercial and identified as Site Specific Area X on Volume 2: Map 8a – Greensville Rural Settlement Area Plan, a maximum of two residential dwelling units shall be permitted within the building containing a commercial use.</td>
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Appendix H
APPROVED Amendment No. 30
to the Rural Hamilton Official Plan

Lands to be identified as
Site Specific Area-3
(78 Highway No. 8, Flamborough)

Date: Sept. 21, 2021
Revised By: LV/NB
Reference File No.: OPA-R-30(F)

Volume 2: Map 8a
Greensville Rural Settlement Area Plan
Rural Hamilton Official Plan
Council Adoption: September 27, 2006
Ministerial Approval: December 24, 2008
Effective Date: February 2021

Legend
- Settlement Area Boundary
- Site Specific Area

LAND USE DESIGNATIONS
- Settlement Residential
- Settlement Commercial
- Settlement Institutional

Open Space and Parks
Designations
- Community Park
- General Open Space
- Natural Open Space (Hazard Lands)
- Neighbourhood Park
Appendix I
APPROVED Amendment No. 30
to the Rural Hamilton Official Plan

Lands to be redesignated from "Natural Open Space (Hazard Lands)" to "Settlement Residential"
(19 McDonald Street, Flamborough)

Date: Sept. 21, 2021
Revised By: LV/NB
Reference File No.: OPA-R-30(F)

Volume 2: Map 13
Rockton Rural Settlement Area Plan

Legend
- Settlement Area Boundary

LAND USE DESIGNATIONS
- Settlement Residential
- Settlement Commercial

Open Space and Parks Designations
- City Wide Park
- General Open Space
- Natural Open Space (Hazard Lands)

Rural Hamilton Official Plan
Council Adoption: September 27, 2006
Ministerial Approval: December 24, 2008
Effective Date: May 3, 2016
Appendix J
APPROVED Amendment No. 30
to the Rural Hamilton Official Plan

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<th>Reference File No.:</th>
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<td>Sept. 21, 2021</td>
<td>LV/NB</td>
<td>OPA-R-30(F)</td>
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Lands to be redesignated from “Settlement Residential” to “Settlement Institutional”

(2299 Troy Road, Flamborough)

Legend

<table>
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<tr>
<th>LAND USE DESIGNATIONS</th>
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<tr>
<td>Settlement Residential</td>
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Open Space and Parks Designations

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Volume 2: Map 16
Troy Rural Settlement Area Plan

Rural Hamilton Official Plan
Council Adoption: September 27, 2006
Ministerial Approval: December 24, 2008
Effective Date: May 3, 2016

Hamilton