CITY OF HAMILTON

BY-LAW NO. 22-083

To Adopt:

Official Plan Amendment No. 33 to the
Rural Hamilton Official Plan

Respecting:

Housekeeping Amendments
(City Wide)

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

1. Amendment No. 33 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 April, 2022.

N. Nann  
Acting Mayor

J. Pilon  
Acting City Clerk
The following text, together with:

**Volume 1**

Appendix “A”  Chapter D - Rural Systems, Designations and Resources  
Appendix “B”  Chapter G - Glossary  
Appendix “C”  Schedule B - Natural Heritage System  
Appendix “D”  Schedule B-2 - Detailed Natural Heritage Features Key Natural Heritage Feature Significant Woodlands

**Volume 2**

Appendix “E”  Chapter A - Rural Settlement Area Plans

attached hereto, constitutes Official Plan Amendment No. 33 to the Rural Hamilton Official Plan.

1.0 **Purpose and Effect**

The purpose and effect of this Amendment is to:

- Reinstate and revise policies and add a new definition; 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 Policies D.2.1.3 and D.2.1.3.1 f) of Volume 1: Chapter D – City Wide Systems and Designations be revised, as outlined in Appendix “A”, attached to this Amendment:

4.1.2 Chapter G - Glossary

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

Maps and Appendices

4.1.3 Schedules

a. That Volume 1: Schedule B - Natural Heritage System be amended, as shown on Appendix “C”, 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 “D”, 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 reinstate and revise policies, as outlined in Appendix “E”, 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. 22-083 passed on the 13th of April, 2022.

The
City of Hamilton

N. Nann
ACTING MAYOR

J. Pilon
ACTING CITY CLERK
<table>
<thead>
<tr>
<th>Proposed Change</th>
<th>Proposed New/ Revised Policy</th>
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<tbody>
<tr>
<td><strong>D.2.1.3</strong> To encourage on-farm economic diversification as a means of reinforcing the agricultural economy, limited secondary uses are permitted. On-farm secondary uses are secondary to the primary agricultural use and are limited to agri-tourism uses, farm vacation homes, home industries, kennels, and small scale retailing of agricultural products, and an agricultural alcohol production facility. On-farm secondary uses shall be permitted provided the following conditions are met in all cases:</td>
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<p>| <strong>D.2.1.3.1</strong> In addition to the above policies, on-farm secondary uses shall be subject to the following conditions: |
| <strong>f)</strong> A small scale winery, brewery, or cidery may be permitted secondary to a permitted agricultural use in the Agriculture designation in accordance with the Zoning By-law and provided the following conditions are met: |
| <strong>i)</strong> A small scale winery, brewery, or cidery shall only be permitted as an accessory use to an agricultural use on lots 4 hectares (10 acres) or greater; |
| <strong>ii)</strong> Site Plan approval shall be required to address appropriate setbacks, building size and location, parking, lighting, drainage, buffering, screening and landscaping, and any other matters; |
| <strong>iii)</strong> A minimum of 2 hectares (5 acres) of the agricultural use parcel shall be used for the production of grapes, fruits, hops or other produce directly associated with on-site beer, cider, wine or spirit production; |
| <strong>iv)</strong> A small scale winery, brewery, or cidery shall be located where access is provided by an appropriate road capable of accommodating the traffic generated. A transportation impact study may be required; |
| <strong>v)</strong> The maximum building area devoted to |</p>
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<td>v) The maximum building area devoted to an agricultural alcohol production facility is restricted to 500 square metres of gross floor area not including the basement or cellar; vi) The display, retail sale and/or tasting of wine, beer, cider, spirits and related products produced on the farm parcel and accessory retail sale may be permitted, as provided for by the Zoning By-law; and vii) Restaurants, banquet halls, hotels, motels, hostels, schools, residences, and conference facilities shall not be permitted.</td>
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**Proposed Change** | **Proposed New/ Revised Policy**
---|---
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**Agricultural Alcohol Production Facility:** means a Secondary Use to an Agricultural operation on the same lot, for the processing of grapes, fruit, honey, hops or other produce in the production of beer, wine, cider and/or spirits. Agricultural Alcohol Production Facility uses may include the crushing, fermentation, distillation, production, bottling, aging, storage and accessory sale of beers, ciders, wines, spirits and related products, a laboratory, an administrative office, and a tasting, hospitality and retail area, but shall not include a Restaurant, a Conference or Convention Centre, overnight accommodation or an Alcohol Production Facility.

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Appendix C
APPROVED Amendment No. 33
to the Rural Hamilton Official Plan

Remove "Core Area" identification
(1852 Concession 6 West, Flamborough)

Date: April 6, 2022
Revised By: DM/NS
Reference File No.: OPA-R-33(F)

Legend
Rural Settlement Areas
Natural Heritage Features
- Core Areas
- Linkages
  - Greenbelt Protected Countryside
  - Greenbelt Natural Heritage System
Niagara Escarpment Area
Other Features
- Urban Area
- Niagara Escarpment Plan Area
- Municipal Boundary
- Urban Boundary
- John C. Munro Hamilton International Airport

Council Adoption: September 27, 2006
Ministerial Approval: December 24, 2008
Effective Date: June 28, 2011

Rural Hamilton Official Plan
Schedule B
Natural Heritage System

Not To Scale
Date: November 2021
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
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Appendix D
APPROVED Amendment No. 33
to the Rural Hamilton Official Plan

Remove "Significant Woodlands" identification
(1852 Concession 6 West, Flamborough)

Date: April 6, 2022
Revised By: DM/NB
Reference File No.: OPA-R-33(F)

Legend
- Key Natural Heritage Feature
  - Significant Woodlands*
- Greenbelt Protected Countryside
- Greenbelt Natural Heritage System
- Niagara Escarpment Plan Area
- Other Features
  - Urban Area
  - John C. Munro Hamilton International Airport
  - Niagara Escarpment
  - Urban Boundary
  - Municipal Boundary

* Note: Feature mapped with a 30m Vegetation Protection Zone.

Council Adoption: September 27, 2005
Ministerial Approval: December 24, 2008
Effective Date: March 7, 2012

Rural Hamilton Official Plan
Schedule B-2
Detailed Natural Heritage Features
Key Natural Heritage Feature
Significant Woodlands

Haldimand County
Brant County
Wellington County
### Proposed Change

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<td>Reinstate Policy A.1.3.2 in its entirety.</td>
<td>A.1.3.2 Garden suites may be permitted on a temporary basis subject to a Temporary Use By-law provided the following conditions are met:</td>
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<tr>
<td>a) The water and sewage disposal services available on the site are designed and have the capacity to sustain the uses;</td>
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<td>b) The temporary residence is designed for removal following the expiration of the Temporary Use By-law; and</td>
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<td>c) The owner enters into an agreement and posts financial securities with the municipality to ensure the removal of the temporary residence and its associated uses following the expiration of the Temporary Use By-law.</td>
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| 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 shall not be permitted in the Rural Settlement Areas of Carlisle, Greensville, Freelton and Lynden until such time as the City: | 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 shall not be permitted in the Rural Settlement Areas of Carlisle, Greensville, Freelton and Lynden until such time as the City: |
| a) has completed a study to address the adequacy of sustainable servicing policies of Section C.5 to address these uses; and, | a) has completed a study to address the adequacy of sustainable servicing policies of Section C.5 to address these uses; and, |
| b) has developed and implemented appropriate policies and regulations for these uses. | b) has developed and implemented appropriate policies and regulations for these uses. |

| A.3.13.3.1 Map 16 establishes the land use pattern of future development and redevelopment. There are three land use categories: Settlement Residential, Settlement Commercial, Settlement Institutional, Neighbourhood Park and Natural Open Space. | A.3.13.3.1 Map 16 establishes the land use pattern of future development and redevelopment. There are five land use categories: Settlement Residential, Settlement Commercial, Settlement Institutional, Neighbourhood Park and Natural Open Space. |