



GUIDELINES FOR THE PREPARATION OF A PLANNING JUSTIFICATION REPORT

PURPOSE AND OBJECTIVE:

The purpose of this document is to provide a guideline for the preparation of Planning Justification Reports which are required for the submission of an application for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, and/or Site Plan, under the Ontario *Planning Act*, R.S.O. 1990. All Planning Justification Reports shall follow the guidelines contained in this document. Failure to adhere to the guidelines may result in a report being considered unsatisfactory and a submitted application being deemed incomplete.

The goal of a Planning Justification Report is to provide a background context, an overview of the purpose and effect of an application, and establish a professional planning rationale for the application by demonstrating how a proposal conforms to applicable planning policy documents and good planning principles.

All reports must indicate the author of the report, and be signed by a Registered Professional Planner (RPP) or a Certified Planning Technician (CPT).

Reports are expected to vary widely in content and detail according to the nature and complexity of the application; however, all reports must include the following general sections:

- Introduction
- Site Context
- Description of Proposal
- Policy and Planning Analysis
- Summary/Conclusion
- Appendices/Maps/Plans

The information requirements for the above sections are outlined below.

Planning Justification Briefs:

For less complex proposals, a Planning Justification Brief may be requested instead of a full report. A Planning Justification Brief may be included as a covering letter with a formal application, or as a short report. The purpose of a Planning Justification Brief is to give a summary of the proposal and outline the merits of the proposal based on good

planning principles. The requirement for a Planning Justification Brief will be determined on a case by case basis, through the Formal Consultation process.

Planning Justification Briefs must be signed by a Registered Professional Planner (RPP) or Certified Planning Technician (CPT). Briefs do not need to include a detailed policy analysis or detailed Appendices, Maps and Plans, but must include, at a minimum:

- A short description of the proposal and the site context;
- A summary addressing how the proposal meets the general intent of Provincial policies and the City of Hamilton's policies, including any policies specific to the subject lands; and
- A summary of how the proposal is consistent with good planning principles.

REPORT CONTENT

A. Introduction

Every report must contain a brief introduction which outlines:

- Who was retained to write the report and date retained
- What application(s) has/have been submitted or are required
- Whether pre-consultation took place with the City and date of meeting(s)
- A statement of the purpose of the report

B. Site Context

The site context is intended to assist the reader in understanding where the proposal is located and the characteristics of the landscape surrounding the site of the proposal. Specifically, this section of the report will contain:

- A description of the location and existing condition of the subject lands;
- A description of surrounding land uses (if industrial or commercial, specify types of businesses) and important features such as roads and environmental features;
- Identification of constraints affecting the site (e.g. water features, hazard lands, access restrictions, etc);
- Identification of any lands on the site regulated by a Conservation Authority;
- Identification of other development proposals affecting surrounding land uses; and,
- Maps or reference to appendices which help to provide a context for the site and the surrounding lands (Surveys, aerial photographs, area maps, etc.)

C. Description of the Proposal

The intent of the proposal description is to provide sufficient information to allow the reader to understand the purpose and effect of the application(s). This section of the report must provide details about proposed uses, proposed buildings, if known, the planning history of the site (i.e. previous applications), and any previous consultation with the City or a Conservation Authority.

Where modifications to the parent zoning by-law provisions are proposed, a detailed concept plan shall be provided showing all applicable zoning regulations (e.g. lot frontage, setbacks, coverage, encroachments, building height, parking (both number and size of spaces) etc.).

The description of the proposal will also list and provide a brief description of any other supporting technical studies that have been submitted in support of the application, as these may relate to applicable planning policies (e.g. Traffic Studies, Noise Assessments, etc.).

D. Policy and Planning Analysis

The Policy and Planning Analysis is the most important part of the Planning Justification Report, as it is the basis for establishing why a proposal should be considered and approved.

Policy Analysis

The Policy Analysis must provide an outline of applicable planning policy documents and the regulatory contexts, quoting specific policies that are relevant to the proposal. The report must establish a basis for the application(s) by providing a detailed analysis, including a rationale and opinion, of the identified relevant policies and demonstrate:

For an Official Plan Amendment:

- Whether the portions of the Official Plan that would be affected by the proposal are inconsistent with a policy statement issued under subsection 3(1) of the *Planning Act* or fails to conform or conflicts with a provincial plan.

For a Zoning By-law Amendment:

- Whether the existing part or parts of the by-law that would be affected by the Amendment that is the subject of the application are inconsistent with a policy statement issued under subsection 3(1) of the *Planning Act*, or fail to conform with or conflict with a provincial plan or fail to conform with a City of Hamilton Official Plan.

- Whether the Amendment that is the subject of the Application is consistent with policy statements issued under subsection 3(1) of the *Planning Act*, conforms with or does not conflict with provincial plans and conforms with a City of Hamilton Official Plan.

For a Plan of Subdivision:

- How the Plan is consistent with policy statements issued under subsection 3(1) of the *Planning Act* and an explanation of how the plan conforms or does not conflict with the provincial plan or plans.

Where changes to zoning are proposed, the report must discuss the appropriateness of any requested zoning, including the basis for any requested modifications which are specific to the proposal.

The following documents must be addressed, where they are applicable to a submitted application:

1. Provincial Policy and Legislation

- Provincial Policy Statement
- Growth Plan for the Greater Golden Horseshoe
- Greenbelt Plan
- Niagara Escarpment Plan
- Parkway Belt West Plan
- Any other applicable policy statement issued under subsection 3(1) of the *Planning Act*

2. Municipal Policy

- Urban or Rural Hamilton Official Plan
- Secondary Plans
- Neighbourhood Plans
- Council Adopted Guidelines and Studies

3. Zoning By-law

Notes:

Applications for Residential Uses

Applications which propose residential uses must provide an analysis of proposed densities and unit counts compared to the requirements in applicable policy documents.

Documents Under Appeal

In some cases policy documents or zoning by-laws affecting the subject lands may have been adopted or approved by Council, but are under appeal. In these cases, the documents are not in effect, but are relevant to the proposal. All Planning Justification

Reports should address the policies in these documents as part of the Policy Analysis, and identify if changes would be needed if the document or by-law were in effect.

Applications for Conversion from Rental Tenure to Condominium Ownership

All applications for Draft Plan of Condominium which propose to convert a building from rental tenure to condominium ownership require the submission of a Planning Justification Report. In addition to providing a site context and a description of the proposal, the report shall provide a detailed analysis addressing the criteria for rental conversions as set out in the Official Plan.

Planning Analysis

The planning analysis is intended to provide a rationale and opinion as to why the proposal is appropriate, in terms of how the proposal addresses “good planning principles”. For example, this may include a discussion of how the proposal provides beneficial social, economic or environmental outcomes; how the proposal contributes to creating complete, vibrant communities; and/or how potential negative impacts have been avoided or mitigated.

E. Summary/Conclusion

The purpose and intent of this portion of the report is to provide City Staff with a summary that contains statements presenting:

- The purpose and effect of the application, including why the requested amendments are necessary;
- Whether the portions of the Official Plan that would be affected by the proposal are inconsistent with a policy statement issued under subsection 3(1) of the *Planning Act* or fails to conform or conflicts with a provincial plan;
- Whether the existing part or parts of the Zoning By-law that would be affected by the Amendment that is the subject of the application are inconsistent with a policy statement issued under subsection 3(1) of the *Planning Act*, or fail to conform with or conflict with a provincial plan or fail to conform with a City of Hamilton Official Plan;
- Whether the Zoning By-law Amendment that is the subject of the Application is consistent with policy statements issued under subsection 3(1) of the *Planning Act*, conforms with or does not conflict with provincial plans and conforms with a City of Hamilton Official Plan;
- How the Plan of Subdivision is consistent with policy statements issued under subsection 3(1) of the *Planning Act* and an explanation of how the plan conforms or does not conflict with the provincial plan or plans;
- A summary of the key relevant plans and policies and how they are being addressed;
- A summary of the key merits of the application; and,
- Final recommendations.

F. Appendices, Figures, Maps and Plans

The following visual aids and/or appendices are commonly included in Planning Justification Reports and should be included where applicable:

- Maps, including aerial photographs, land parcel mapping or legal surveys
- Street level pictures of the land subject to proposed development
- Official Plan maps of land use designations or other designations
- Zoning mapping
- Concept Plan or Preliminary Site Plan
- Official Plan Amendment Sketch/Copy of draft Official Plan Amendment
- Zoning By-law Amendment Sketch/Copy of draft Zoning By-law modifications
- Draft Plan of Subdivision