

Authority: Item 5, Planning Committee
Report: 22-005 (PED22047)
CM: April 13, 2022
Ward: City-Wide

Bill No. 083

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)**

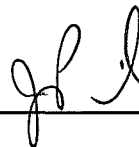
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

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



DRAFT Rural Hamilton Official Plan Amendment No. 33

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:

- Reinststate 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:

- A.1.3.2 (Reinstate policy)
- A.1.3.3
- A.3.13.3.1

5.0 Implementation:

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

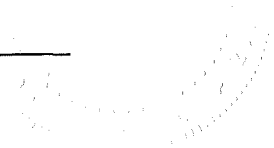
This Official Plan Amendment is Schedule "1" to By-law No. 22-083 passed on the 13th of April, 2022.

**The
City of Hamilton**



N. Nann
ACTING MAYOR



J. Pilon
ACTING CITY CLERK

Appendix "A" – Volume 1, Chapter D – Rural Systems, Designations and Resources


Proposed Change	Proposed New / Revised Policy
<p>Grey highlighted strikethrough text = text to be deleted</p>	<p>Bolded text = text to be added</p>
<p>D.2.1.3 To encourage on-farm economic diversification as a means of reinforcing the agricultural economy, limited <i>secondary uses</i> are permitted. On-farm <i>secondary uses</i> 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:</p>	<p>D.2.1.3 To encourage on-farm economic diversification as a means of reinforcing the agricultural economy, limited <i>secondary uses</i> are permitted. On-farm <i>secondary uses</i> are secondary to the primary agricultural use and are limited to agri-tourism uses, farm vacation homes, home industries, kennels, <i>small scale</i> 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</p>
<p>D.2.1.3.1 In addition to the above policies, on-farm <i>secondary uses</i> shall be subject to the following conditions: f) A small scale winery, brewery, or cidery agricultural alcohol production facility 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: i) A small scale winery, brewery, or cidery agricultural alcohol production facility shall only be permitted as an accessory use to an agricultural use on lots 4 hectares (10 acres) or greater; ii) 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; iii) 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, or wine or spirit production; iv) A small scale winery, brewery, or cidery agricultural alcohol production facility shall be located where access is provided by an appropriate road capable of accommodating the traffic generated. A transportation impact study may be required;</p>	<p>D.2.1.3.1 In addition to the above policies, on-farm <i>secondary uses</i> shall be subject to the following conditions: f) A <i>small scale agricultural alcohol production facility</i> 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: i) A <i>small scale agricultural alcohol production facility</i> shall only be permitted as an accessory use to an agricultural use on lots 4 hectares (10 acres) or greater; ii) 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; iii) 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; iv) A <i>small scale agricultural alcohol production facility</i> shall be located where access is provided by an appropriate road capable of accommodating the traffic generated. A transportation impact study may be required; v) The maximum building area devoted to</p>

Proposed Change	Proposed New / Revised Policy
<p>Grey highlighted strikethrough text = text to be deleted</p>	<p>Bolded text = text to be added</p>
<p>v) The maximum building area devoted to an winery, brewery, or cidery agricultural alcohol production facility is restricted to 500 square metres of gross floor area not including the basement or cellar;</p> <p>vi) The display, retail sale and/or tasting of wine, beer, or 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</p> <p>vii) Restaurants, banquet halls, hotels, motels, hostels, schools, residences, and conference facilities shall not be permitted.</p>	<p>an <i>agricultural alcohol production facility</i> is restricted to 500 square metres of gross floor area not including the basement or cellar;</p> <p>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</p> <p>vii) Restaurants, banquet halls, hotels, motels, hostels, schools, residences, and conference facilities shall not be permitted.</p>

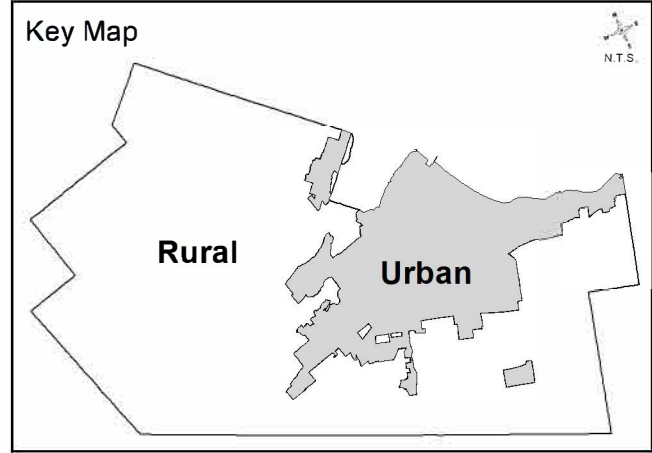
Appendix "B" – Volume 1, Chapter G – Glossary

Proposed Change	Proposed New / Revised Policy
<p>Grey highlighted strikethrough text = text to be deleted</p>	<p>Bolded text = text to be added</p>
<p>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.</p>	<p>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.</p>

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

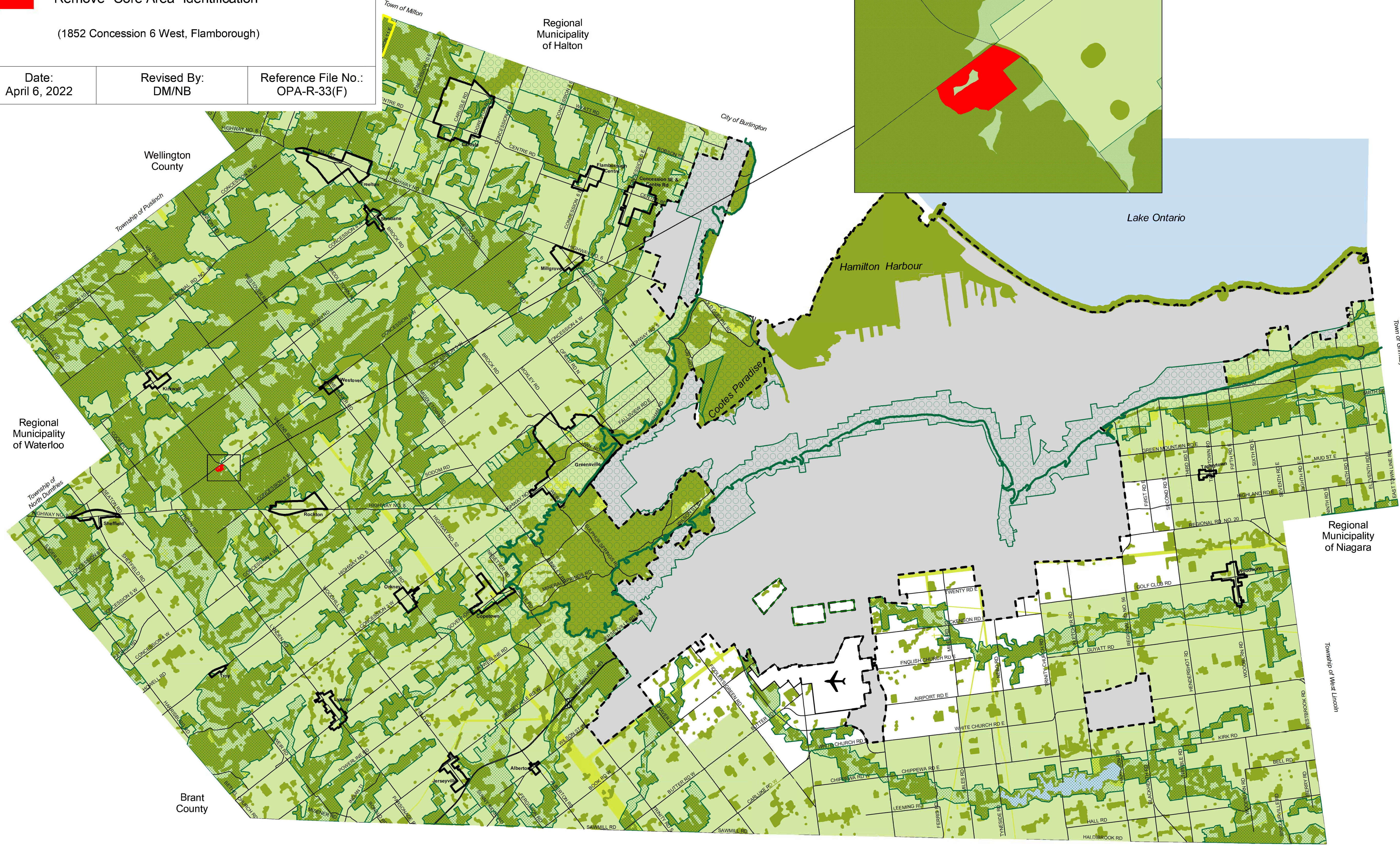
 Remove "Core Area" identification
 (1852 Concession 6 West, Flamborough)

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







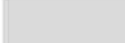

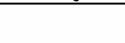




Note: For Urban Natural Heritage Features refer to Schedule B of the Urban Hamilton Official Plan.

 Deferral pending the resolution of the Official Plan Amendment application




Legend

-  Rural Settlement Areas
- Natural Heritage Features**
 -  Core Areas
 -  Linkages
 -  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

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

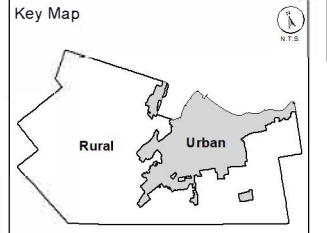
Remove "Significant Woodlands" identification

(1852 Concession 6 West, Flamborough)

Date:
 April 6, 2022

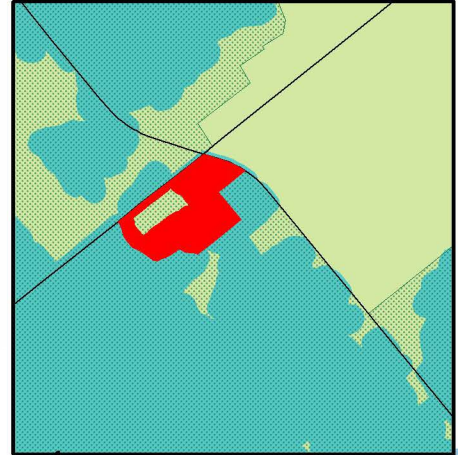
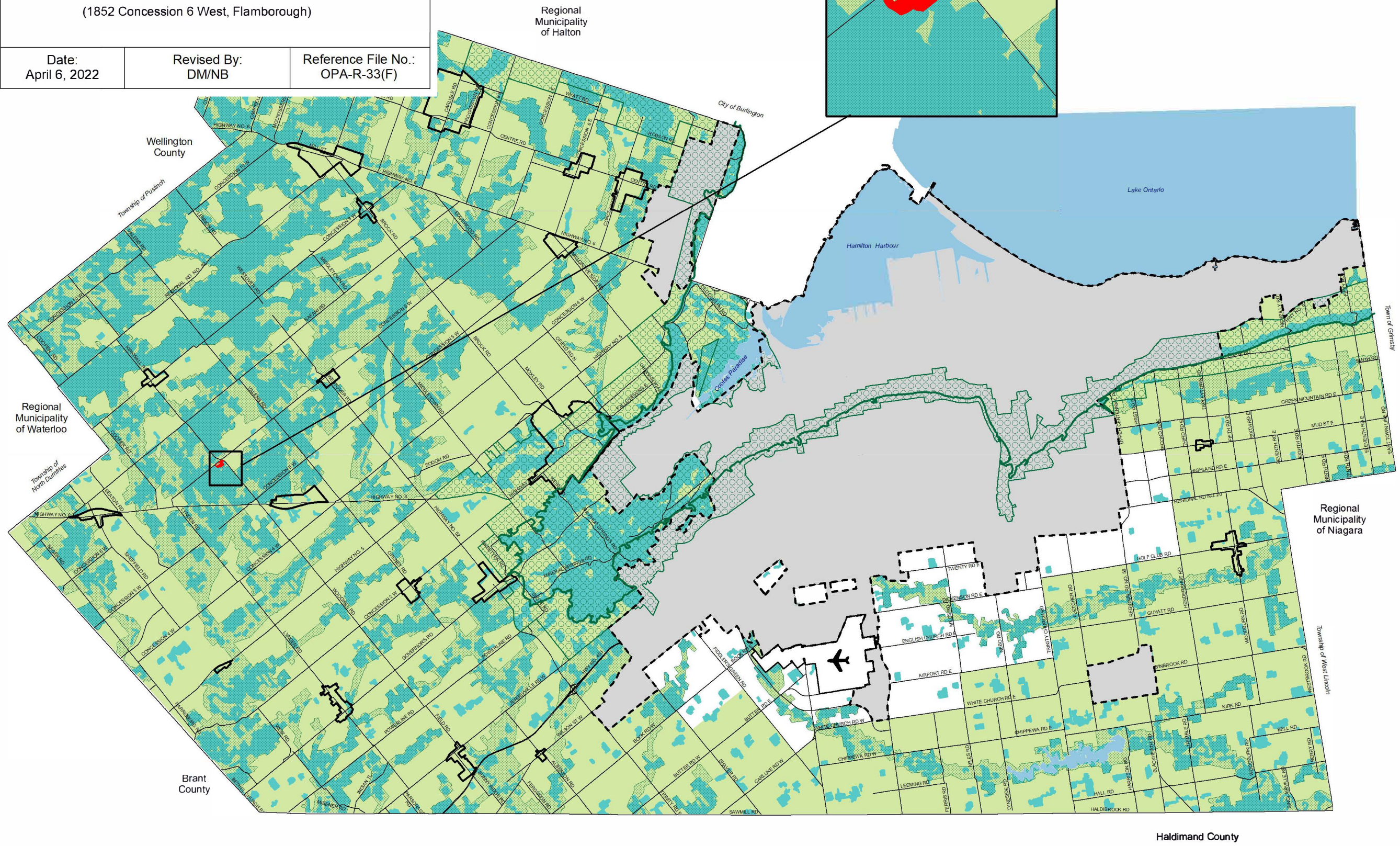
Revised By:
 DM/NB

Reference File No.:
 OPA-R-33(F)



Note: For Urban Detailed Natural Heritage Features refer to Schedule B-2 of the Urban Hamilton Official Plan.

Deferral pending the resolution of the Official Plan Amendment application



- 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, 2006
 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



Date: November 2021
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Appendix "E" – Volume 2, Chapter A – Rural Settlement Area Plans

Proposed Change	Proposed New / Revised Policy
<p>Grey highlighted – strikethrough text = text to be deleted</p>	<p>Bolded text = text to be added</p>
<p>Reinstate Policy A.1.3.2 in its entirety. 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: a) The water and sewage disposal services available on the site are designed and have the capacity to sustain the uses; b) The temporary residence is designed for removal following the expiration of the Temporary Use By-law; and 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.</p>	<p>A.1.3.2 <i>Garden suites</i> may be permitted on a temporary basis subject to a Temporary Use By-law provided the following conditions are met: a) The water and sewage disposal services available on the site are designed and have the capacity to sustain the uses; b) The temporary residence is designed for removal following the expiration of the Temporary Use By-law; and 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.</p>
<p>A.1.3.3 Notwithstanding Policies C.3.1.2 d) and C.3.1.4 c) of Volume 1, a <i>garden suite</i> or a <i>secondary dwelling unit</i> – detached shall not be permitted in the Rural Settlement Areas of Carlisle, Greensville, Freulton 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, b) has developed and implemented appropriate policies and regulations for these uses.</p>	<p>A.1.3.3 Notwithstanding Policies C.3.1.2 d) and C.3.1.4 c) of Volume 1, a <i>garden suite</i> or a <i>secondary dwelling unit</i> shall not be permitted in the Rural Settlement Areas of Carlisle, Greensville, Freulton 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, b) has developed and implemented appropriate policies and regulations for these uses.</p>
<p>A.3.13.3.1 Map 16 establishes the land use pattern of future <i>development</i> and redevelopment. There are three five land use categories: Settlement Residential, Settlement Commercial, Settlement Institutional, Neighbourhood Park and Natural Open Space (Hazard Lands).</p>	<p>A.3.13.3.1 Map 16 establishes the land use pattern of future <i>development</i> and redevelopment. There are five land use categories: Settlement Residential, Settlement Commercial, Settlement Institutional, Neighbourhood Park and Natural Open Space (Hazard Lands).</p>