

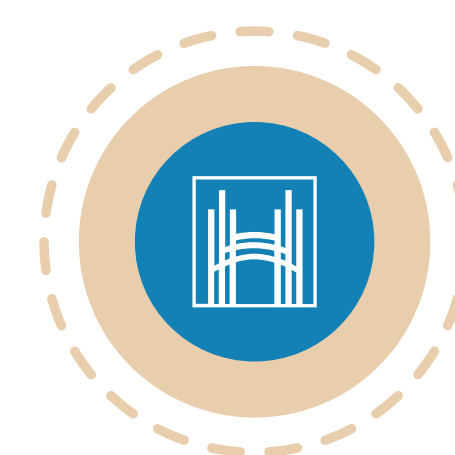
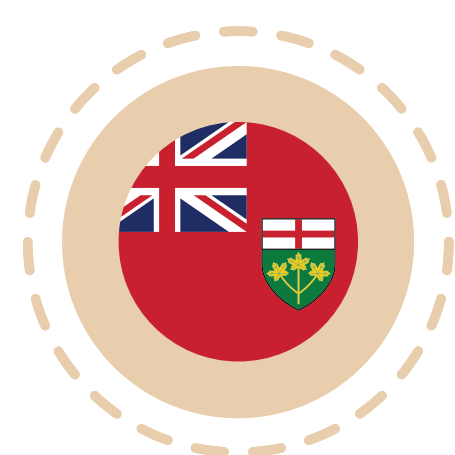
Urban Boundary Expansion Applications

Responsibilities of the Province and the City

The Province of Ontario sets rules and regulations for municipal growth under the Planning Act, allowing municipalities to create Official Plans and Zoning By-laws. Recent legislation, including Bill 185 (Cutting Red Tape to Build More Homes Act, 2024) and the new Provincial Planning Statement (2024), has changed how urban growth is managed. These enable urban boundary expansion proposals of any size, at any time.

The table below outlines recent Provincial policy changes regarding urban boundary expansion proposals and the actions the City can take in response, based on the Draft Framework for Processing and Evaluating Urban Boundary Expansion Applications.

Provincial Policy Changes



Hamilton's Response

Topic	Provincial Policy Changes	Hamilton's Response
Consideration of Urban Boundary Expansion Applications	<ul style="list-style-type: none"> New Provincial Planning Statement (2024) permits urban boundary expansion applications to occur at any time Allows proponents to submit Official Plan Amendments for settlement area expansions Sets out the minimum criteria for settlement area expansions 	<ul style="list-style-type: none"> Determines strategic growth areas, identifying the parts of the City that are to be focus for development Current Official Plan maintains a firm boundary, where growth is expected to occur in nodes, corridors and elsewhere within existing greenfield areas and built up areas Complete applications are accepted for processing City can establish criteria for decision-making around settlement area expansion given the unique characteristics of the City
Early Consultation Requirements	<ul style="list-style-type: none"> Bill 185 allows proponents to opt out of formal consultation requirements and public consultation before submitting an application 	<ul style="list-style-type: none"> Establish policies that strongly encourage pre-application consultation with municipalities, community residents, and Indigenous Communities
Required Information	<ul style="list-style-type: none"> Proponents can appeal municipal submission requirements (e.g. Sub-Watershed Studies) requirements to the Ontario Land Tribunal (OLT) 	<ul style="list-style-type: none"> The City can identify specific plans and studies, defensible based on land use policy, that must be submitted as part of a complete application
Application Fees	<ul style="list-style-type: none"> Proponents can appeal fees to the Ontario Land Tribunal (OLT) 	<ul style="list-style-type: none"> Able to establish the fees for submitting a planning application that cover the cost of processing the application
Public Notification	<ul style="list-style-type: none"> Minimum notification requirements for Official Plan Amendment Applications are established 	<ul style="list-style-type: none"> Can establish enhanced notification requirements for members of the public and interested parties
Public Access to Information	<ul style="list-style-type: none"> Requires all information associated with an application to be made public 	<ul style="list-style-type: none"> Can share all information on the City's website
Public Meetings	<ul style="list-style-type: none"> Requires at least one statutory public meeting 	<ul style="list-style-type: none"> Can hold additional community meetings in advance of and in addition to the statutory public meeting and can request proponents do the same
Decision Timeline	<ul style="list-style-type: none"> Proponents can appeal to the Ontario Land Tribunal (OLT) if no decision is made within 120 days 	<ul style="list-style-type: none"> No ability to request the Province extend the 120 day review timeline
Approval Decisions	<ul style="list-style-type: none"> Applicants can appeal Council's refusal of an application to the Ontario Land Tribunal (OLT) 	<ul style="list-style-type: none"> City Council can approve or deny an application, subject to appeal
Refusal of Applications	<ul style="list-style-type: none"> Proponents can appeal to the Ontario Land Tribunal (OLT) if the City fails to review an application within 120 days or deems an application as incomplete 	<ul style="list-style-type: none"> Can refuse applications that are missing certain required information (i.e. incomplete applications)
Appeals on Council's Decision to the Ontario Land Tribunal (OLT)	<ul style="list-style-type: none"> Through Bill 185, the Province eliminated 'third party appeals,' meaning only registered landowners within the area subject to the application can appeal 	<ul style="list-style-type: none"> Similar to other planning decisions, the City would be responsible for defending Council decisions on matters appealed to the Ontario Land Tribunal (OLT)
Attendance at OLT Hearings	<ul style="list-style-type: none"> The Province has legislation that determines who can participate in and attend Ontario Land Tribunal (OLT) hearings 	<ul style="list-style-type: none"> The City has no control over who attends Ontario Land Tribunal (OLT) hearings
Approved Urban Boundary Expansion Areas	<ul style="list-style-type: none"> The applicant can appeal a Secondary Plan Official Plan Amendment based on policy or mapping discrepancies 	<ul style="list-style-type: none"> Before development can proceed, long-term land use must be approved using the City's approved Framework for establishing urban boundary expansion area Secondary Plans