

If you require this information in an alternate format, please contact the Accessibility Coordinator at accessibility@northumberland.ca or 1-800-354-7050 ext. 2327



Report 2024-067

Report Title: Hamilton Official Plan Amendment No. 13 - Alternate Notice Provisions

Committee Name: Economic Development, Tourism and Planning

Committee Meeting Date: May 1, 2024

Prepared by: Ashley Yearwood
Senior Planner
Economic Development, Tourism and Strategic Initiatives

Reviewed by: Dwayne Campbell
Director (Acting)
Economic Development, Tourism and Strategic Initiatives

Approved by: Jennifer Moore, CAO

Council Meeting Date: May 15, 2024

Strategic Plan Priorities: Innovate for Service Excellence
 Ignite Economic Opportunity
 Foster a Thriving Community
 Propel Sustainable Growth
 Champion a Vibrant Future

Recommendation

“That the Economic Development, Tourism and Land Use Planning Committee, having considered Report 2024-067 ‘Hamilton Official Plan Amendment No. 13 – Alternate Notice Provisions’, recommend that County Council approve Hamilton Official Plan Amendment No. 13; and

Further That the Committee recommend that County Council direct staff to provide notice of the approval to the Township of Hamilton and all prescribed persons in accordance with the *Planning Act*.”

Purpose

The purpose of this report is to recommend approval for Hamilton Official Plan Amendment No. 13 – Alternate Notice Provisions (Amendment No. 13). The Amendment proposes to include

alternate notice provisions to Hamilton property owners and other members of the public interested in receiving notification on development proposals.

This amendment will enable Hamilton to include alternate notice provisions on future official plan and zoning by-law amendments as well as community improvement plans when necessary.

Background

The *Planning Act* requires municipalities to provide public notice of receipt for various planning application types (e.g., official plans, zoning by-law amendments, plans of subdivision and condominium, minor variances, and consent/land divisions). Acceptable public notice under the *Act* consists of mail delivery, sign posting from a public highway, and/or by newspaper. The *Planning Act* also provides municipalities with the option of implementing alternate notice provisions for new official plans, zoning by-law amendments and community improvement plans if the posting provides reasonable notice of the public meeting or open house.

Until recently, municipalities would typically provide public notice through newspaper postings when a development proposal affects a large area or when sign posting is not appropriate. In September 2023, the news company that serves Hamilton Township (and other small communities across Ontario) announced that it was ending its community newspaper print editions. The community newspaper was the only distributor for Hamilton. As such, the municipality has prepared alternative notice provisions to ensure that residents are kept informed of planning matters within the community.

Consultations

In lieu of a newspaper posting, public notice of this amendment was included in the Township of Hamilton's Newsletter, which was mailed out with the tax bills to each property owner on January 25, 2024.

A link to the newsletter was also provided on the Township of Hamilton's Facebook page and copies were made available at the Township's Municipal Office. These notices were circulated in accordance with the *Planning Act's* public notification requirements.

No written submissions were received. Two residents visited the Township's Municipal Office requesting clarification on the Official Plan Amendment, which was provided by Township staff.

On February 20, 2024, the Township of Hamilton held a public meeting. No comments were received at the public meeting.

Discussion / Options

The Hamilton Official Plan establishes general notification policies to all property owners and agencies in accordance with the *Planning Act*.

Amendment No. 13 will add a new policy to include alternate notice provisions for official plan and zoning by-law amendments as well as for community improvement plans that typically affect a large geographical area in Hamilton Township.

The proposed alternate notice provisions will require the Township to create and maintain a public notification registry that interested members of the public can register to receive an e-mail containing the public notice for specific planning applications. The alternate notice provisions will also require the Township to post public notices at the Township Offices, libraries, municipal website and on its social media pages (refer to Attachment 1).

Application notice for minor variance, consent/land division, site-specific zoning by-law amendment applications will continue to be mailed to all property owners within the circulation radiuses as specified in the *Planning Act*.

Legislative Authority / Risk Considerations

Amendment No. 13 intends to provide the municipality with an alternate tool to provide public notification on specific planning applications in accordance with the *Planning Act*.

The Township's proposed alternate notice provisions identified in Amendment No. 13 has regard for *Planning Act* legislation.

Amendment No. 13 also conforms with the Northumberland County Official Plan ensuring that the alternate notice provisions will maintain public participation and consultation with community residents and businesses.

The adopted amendment is being approved by County Council in accordance with the provisions of the *Planning Act* and County By-law 2016-58.

The recommendations of the Economic Development, Tourism and Land Use Planning Committee are scheduled to be considered by County Council on May 15, 2024. Once County Council has rendered a decision on Amendment No. 13, and the County Clerk has issued a decision notice, a 20-day appeal period will begin during which time any interested party can submit an appeal to the Ontario Land Tribunal. If no appeals are received, County Council's decision will become final (refer to Attachment 2).

Financial Impact

Amendment No. 13 does not pose any financial impacts to the County since the use of alternate notice provisions is intended for specific planning applications where the Township is the decision-making authority.

Member Municipality Impacts

The proposed policies of Amendment No. 13 will allow the Township to send e-mail notices to members of the public interested in receiving notification on development applications. Public notices will also be posted in municipal buildings throughout the Township as well as on its website and social media pages.

Conclusion / Outcomes

Amendment No. 13 includes policy text amendments that add reference to the Township's notification requirements on specific *Planning Act* applications. The additional policy references are supported by the *Planning Act* and County Official Plan. As such, it is recommended that Hamilton Township Official Plan Amendment No. 13 be approved as adopted.

Attachments

- 1) Hamilton Township Official Plan Amendment No. 13 (Hamilton By-law 2024-19)
- 2) Decision Notice