

**Authority:** Item 9.3, Planning Committee  
Report: 21-014 (PED21167)  
CM: October 13, 2021  
Ward: City Wide

**Bill No. 174**

**CITY OF HAMILTON**

**BY-LAW NO. 21-174**

**To Adopt:**

**Official Plan Amendment No. 155 to the  
Urban Hamilton Official Plan**

Respecting:

**Updates and Modifications to the Urban Hamilton Official Plan  
(City-Wide)**

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

1. Amendment No. 155 to the Urban Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 13<sup>th</sup> day of October, 2021.

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B. Johnson  
Acting Mayor

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A. Holland  
City Clerk

## Urban Hamilton Official Plan Amendment No. 155

The following text, together with:

### Volume 1

Appendix “A”	Chapter E – Urban Designations
Appendix “B”	Chapter F – Implementation
Appendix “C”	Chapter G – Glossary

### Volume 2

Appendix “D”	Map B.6.1-1 – Downtown Hamilton Secondary Plan – Land Use Plan
Appendix “E”	Map B.7.3-1 – Urban Lakeshore Secondary Plan – Land Use Plan
Appendix “F”	Map B.7.4-1 – Fruitland Winona Secondary Plan – Land Use Plan
Appendix “G”	Map B.7.4-2 – Fruitland Winona Secondary Plan – Natural Heritage System

### Volume 3

Appendix “H”	Chapter C – Urban Site Specific Policies
Appendix “I”	Map 2 – Site Specific Policies Key Map

attached hereto, constitutes Official Plan Amendment No. 155 to the Urban Hamilton Official Plan.

### 1.0 Purpose and Effect:

The purpose and effect of this Amendment is to:

- Clarify policies by correcting administrative errors (i.e. formatting, numbering, typographical and grammar);
- Add new policies and remove duplicate and/or redundant wording; and,
- Correct policy and mapping errors.

## **2.0 Location:**

The lands affected by this Amendment are located within the Urban Area of the City of Hamilton.

## **3.0 Basis:**

The basis for permitting this Amendment is:

- The Amendment reflects existing land uses and approvals and will more accurately guide future development; and,
- The Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

## **4.0 Actual Changes:**

### **4.1 Volume 1 – Parent Plan**

#### **Text**

#### **4.1.1 Chapter E – Urban Designations**

- a. That the following policy of Volume 1: Chapter E – Urban Designations be amended, as outlined in Appendix “A”, attached to this Amendment:
- E.4.3.4 d)

#### **4.1.2 Chapter F – Implementation**

- a. That the following policies of Volume 1: Chapter F – Implementation be amended, as outlined in Appendix “B”, attached to this Amendment:
- F.1.12.11
  - F.1.14.3.9
  - F.1.17.1
  - F.1.17.2
  - F.1.20.1

#### **4.1.3 Chapter G – Glossary**

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

## **4.2 Volume 2 – Secondary Plans**

### ***Maps and Appendices***

#### **4.2.1 Maps**

- a. That Volume 2: Map B.6.1-1 – Downtown Hamilton Secondary Plan – Land Use Plan be amended, as shown on Appendix “D”, attached to this Amendment.
- b. That Volume 2: Map B.7.3-1 – Urban Lakeshore Secondary Plan – Land Use Plan be amended, as shown on Appendix “E”, attached to this Amendment.
- c. That Volume 2: Map B.7.4-1 – Fruitland Winona Secondary Plan – Land Use Plan be amended, as shown on Appendix “F”, attached to this Amendment.
- d. That Volume 2: Map B.7.4-2 – Fruitland Winona Secondary Plan – Natural Heritage System be amended, as shown on Appendix “G”, attached to this Amendment.

## **4.3 Volume 3 – Special Policy Areas, Area Specific Policies, and Site Specific Policies**

### ***Text***

#### **4.3.1 Chapter C – Urban Site Specific Policies**

- a. That Volume 3: Chapter C – Urban Site Specific Policies be amended to add two new policies, as outlined in Appendix “H”, attached to this Amendment:
- UHC-9
  - UHC-10

### ***Maps and Appendices***

#### **4.3.2 Maps**

- a. That Volume 2: Map 2 – Site Specific Policies Key Map be amended, as shown on Appendix “I”, 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. 21-174 passed on the 13<sup>th</sup> day of October, 2021.

### **The City of Hamilton**

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B. Johnson  
ACTING MAYOR

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A. Holland  
CITY CLERK

## Appendix “A” – Volume 1, Chapter E – Urban Designations

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
<del>Grey highlighted strikethrough text</del> = text to be deleted	<b>Bolded text</b> = text to be added
E.4.3.4 d) Notwithstanding Policy E.4.6.9 Mixed Use – Medium Density Designation, <del>only</del> commercial uses shall <del>only</del> be permitted on the ground floor, and a place of worship and day nursery shall only be permitted above the ground floor of a building facing a Pedestrian Focus Street.	E.4.3.4 d) Notwithstanding Policy E.4.6.9 Mixed Use – Medium Density Designation, <b>only</b> commercial uses shall be permitted on the ground floor, and a place of worship and day nursery shall only be permitted above the ground floor of a building facing a Pedestrian Focus Street.

## Appendix “B” – Volume 1, Chapter F – Implementation

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
<del>Grey highlighted strikethrough text</del> = text to be deleted	<b>Bolded text</b> = text to be added
<p>Add new policy F.1.12.11:</p> <p><b>F.1.12.11 Where the Province has passed a Minister's Zoning Order under the <u>Planning Act, R.S.O., 1990 c. P.13</u>, the use of the property shall be deemed to comply with the policies and land use designations of this Plan.</b></p>	<p>F.1.12.11 Where the Province has passed a Minister's Zoning Order under the <u>Planning Act, R.S.O., 1990 c. P.13</u>, the use of the property shall be deemed to comply with the policies and land use designations of this Plan.</p>
<p>Add new policy F.1.14.3.9:</p> <p><b>F.1.14.3.9 Severances shall not be granted for dwellings created as <i>Secondary Dwelling Units – Detached</i>.</b></p>	<p>F.1.14.3.9 Severances shall not be granted for dwellings created as <i>Secondary Dwelling Units – Detached</i>.</p>
<p>F.1.17.1 The City may use a variety of communication methods to seek input on planning matters or to provide information to the general public. Depending on the issues and in accordance with the <u>Planning Act, R.S.O., 1990 c. P.13</u>, the City shall choose the most appropriate method of communication. Communication may be in the form of:</p> <ul style="list-style-type: none"> <li>a) Direct mail outs;</li> <li>b) Public notice signs;</li> <li>c) Surveys, electronic or mail out;</li> <li>d) Public information open houses <b>held virtually or in person</b>;</li> <li>e) Public meetings <b>held virtually or in person</b>;</li> <li>f) City web site; or</li> <li>g) Workshops.</li> </ul>	<p>F.1.17.1 The City may use a variety of communication methods to seek input on planning matters or to provide information to the general public. Depending on the issues and in accordance with the <u>Planning Act, R.S.O., 1990 c. P.13</u>, the City shall choose the most appropriate method of communication. Communication may be in the form of:</p> <ul style="list-style-type: none"> <li>a) Direct mail outs;</li> <li>b) Public notice signs;</li> <li>c) Surveys, electronic or mail out;</li> <li>d) Public information open houses held virtually or in person;</li> <li>e) Public meetings held virtually or in person;</li> <li>f) City web site; or</li> <li>g) Workshops.</li> </ul>
<p>F.1.17.2 Notification of public meeting(s) for the adoption of the Official Plan and amendments, changes to the Zoning By-law, plans of subdivision, <b>draft plan of condominium as required by the <u>Planning Act</u></b>, and Community Improvement Plans shall be given to the public at least 17 days prior to the date of the meeting(s) and the notice shall be given in accordance with the applicable requirements of the <u>Planning Act, R.S.O., 1990 c. P.13</u> regulations.</p>	<p>F.1.17.2 Notification of public meeting(s) for the adoption of the Official Plan and amendments, changes to the Zoning By-law, plans of subdivision, draft plan of condominium as required by the <u>Planning Act</u>, and Community Improvement Plans shall be given to the public at least 17 days prior to the date of the meeting(s) and the notice shall be given in accordance with the applicable requirements of the <u>Planning Act, R.S.O., 1990 c. P.13</u> regulations.</p>

Proposed Change	Proposed New / Revised Policy
Grey highlighted strikethrough text = text to be deleted	<b>Bolded text</b> = text to be added
<p>F.1.20.1 Where a proponent is required, under the Zoning By-law, to provide and/or maintain parking facilities, the City may require a cash payment in lieu of all or part of the parking requirements, <b>in accordance with the City's Cash-in-Lieu of Parking Policy</b>. Such funds shall be used for the <b>following purposes</b>, <del>acquisition of lands and/or the provision of off-street parking as deemed appropriate by the City:</del></p> <p><b>a) The acquisition of lands and/or the provision of off-street parking;</b></p> <p><b>b) Support for measures that reduce or shift the demand for parking through outreach, education and targeted programs; and,</b></p> <p><b>c) Provision of infrastructure and services that support micro-mobility including bicycles, shared bicycles, E-scooters and electric bicycles.</b></p>	<p>Where a proponent is required, under the Zoning By-law, to provide and/or maintain parking facilities, the City may require a cash payment in lieu of all or part of the parking requirements, in accordance with the City's Cash-in-Lieu of Parking Policy. Such funds shall be used for the following purposes, as deemed appropriate by the City:</p> <p>a) The acquisition of lands and/or the provision of off-street parking;</p> <p>b) Support for measures that reduce or shift the demand for parking through outreach, education and targeted programs; and,</p> <p>c) Provision of infrastructure and services that support micro-mobility including bicycles, shared bicycles, E-scooters and electric bicycles.</p>

## Appendix "C" – Volume 1, Chapter G – Glossary

Proposed Change	Proposed New Policy
<p>Grey highlighted strikethrough text = text to be deleted</p> <p>Secondary Dwelling Unit: means a <b>separate and self-contained</b> dwelling unit that is accessory to and located <del>on the same lot as</del> <b>within</b> the principal dwelling and shall be physically located within the principal dwelling, or located within an accessory building to the principal dwelling.</p>	<p><b>Bolded text</b> = text to be added</p> <p>Secondary Dwelling Unit: means a separate and self-contained dwelling unit that is accessory to and located within the principal dwelling.</p>
<p>Add definition of Secondary Dwelling Unit - Detached to Chapter G – Glossary.</p>	<p>Secondary Dwelling Unit - Detached: means a separate and self-contained detached dwelling unit that is accessory to and located on the same lot as the principal dwelling.</p>

Appendix D  
APPROVED Amendment No. 155  
to the Urban Hamilton Official Plan

Remove "Pedestrian Focus"  
identification from the lands  
  
(350 King Street East)

Date:  
Sept. 21, 2021

Revised By:  
LV/NB

Reference File No.:  
OPA-U-155(H)

The map displays the downtown Hamilton area with various land use designations. Streets shown include Stuart St, Murray St W, Barton St W, Colbourne St, Sheaffe St, Mulberry St, Cannon St W, Park St, Vine St, York Blvd, King St W, Main St W, Hunter St W, Bold St, Duke St, Robinson St, Charlton Av W, Stuart St, Murray St E, Barton St E, Robert St, Cannon St E, Kelly St, Elgin St, Wilson St, Rebecca St, King William St, John St, Catharine St, Mary St, Walnut St, Jarvis St, King St E, Main St E, Spring St, Wellington St S, West Ave S, Victoria Ave S, Hunter St E, Haymarket St, Augusta St, Young St, Forest St, and Charlton Av E. Designations include Downtown Residential (yellow), Downtown Mixed Use (red), General Open Space (green), Community Park (teal), City Wide Park (light green), Utility and Transport (grey), and Institutional (light blue). Specific areas are labeled A, A-1, B, C, D, E, F, and G. Area A is a large light blue area with a red dashed border. Area A-1 is a small red area within Area A. Area B is a red area with a red dashed border. Area C is a small green area with a red dashed border. Area D is a teal area with a red dashed border. Area E is a red area with a red dashed border. Area F is a red area with a red dashed border. Area G is a red area with a red dashed border. Pedestrian Focus areas are indicated by hatched patterns. Gateway areas are indicated by blue dashed circles. Area or Site Specific Policy areas are indicated by red dashed borders. The Secondary Plan Boundary is shown as a thick black line.

★ Lands Under Appeal

- 215, 217, 219, 221, 225 and  
231 Main Street West,  
67 & 69 Queen Street South,  
and 62 & 64 Hess Street South

Legend

Residential Designations

Downtown Residential

Commercial and Mixed Use  
Designations

Downtown Mixed Use

Parks and Open Space Designations

General Open Space

Community Park

City Wide Park

Other Designations

Utility and Transport

Institutional

Other Features

Pedestrian Focus

Gateway

Area or Site Specific Policy

Secondary Plan Boundary

Urban Hamilton Official Plan  
Downtown Hamilton  
Secondary Plan  
Land Use Plan  
Map B.6.1-1

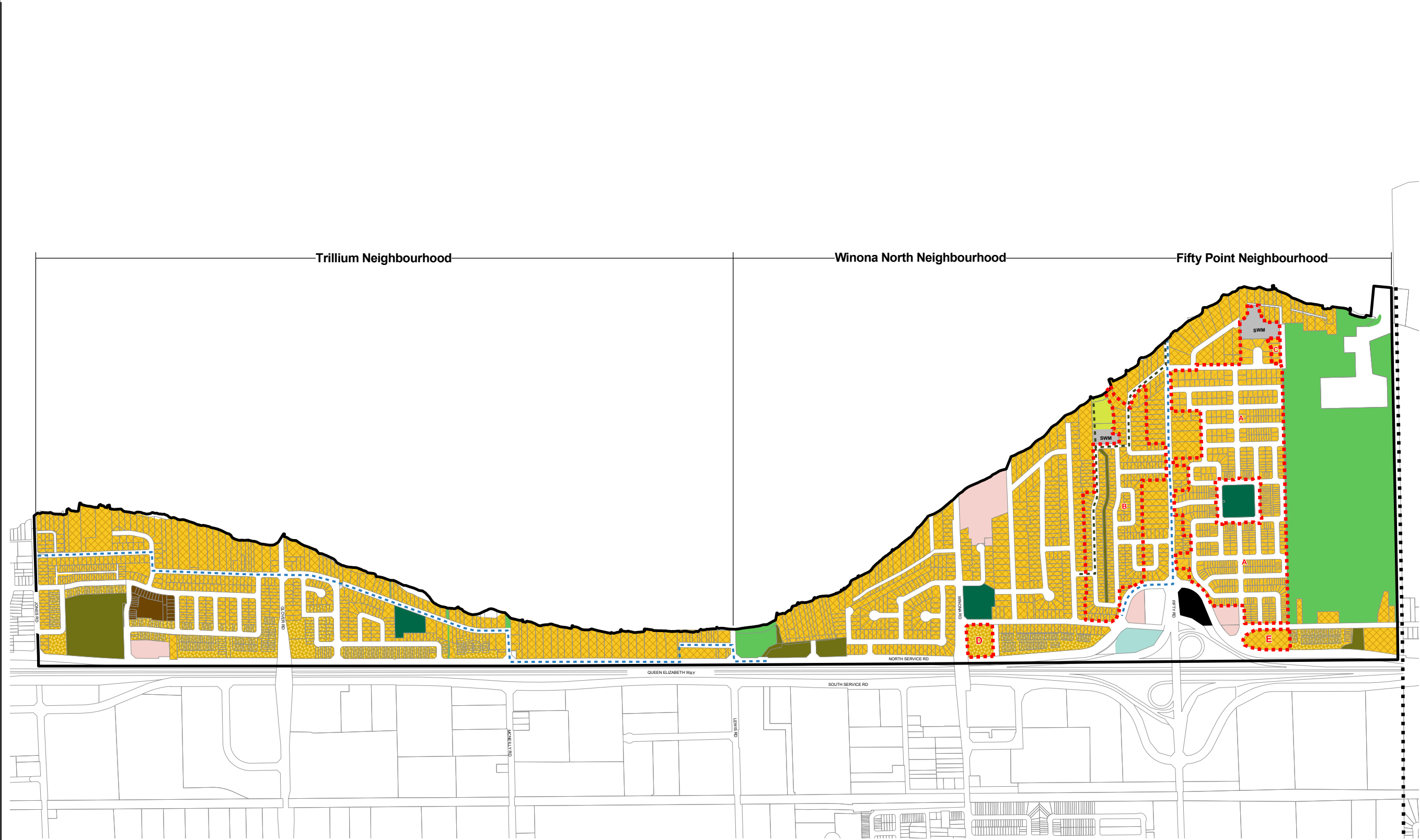
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Date: April 2020

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Hamilton



Legend

- Residential Designations**
  - Low Density Residential 2b
  - Low Density Residential 2e
  - Low Density Residential 3c
  - Medium Density Residential 3
- Parks and Open Space Designations**
  - Parkette
  - Neighbourhood Park
  - City Wide Park
  - General Open Space
  - Natural Open Space
- Other Designations**
  - Local Commercial
  - Institutional
- ES** Elementary School
- SWM** Storm Water Management
- Utility
- Other Features**
  - Area or Site Specific Policy
  - On Street Bikeway
  - Off Street Bikeway / Walkway
  - Municipal Boundary
  - Secondary Plan Boundary

Council Adopted: July 9, 2009  
Ministerial Approval: March 16, 2011  
Effective Date: August 16, 2013

Urban Hamilton Official Plan  
Urban Lakeshore Area  
Secondary Plan  
Land Use Plan  
Map B.7.3-1



Appendix F  
APPROVED Amendment No. 155  
to the Urban Hamilton Official Plan

Lands to be redesignated from "Natural Open Space" to "Low Density Residential 2"

Lands to be redesignated from "Natural Open Space" to "Low Density Residential 3"

(188, 192, 218, 222, 224, 226 and 230 Fruitland Road and 669 Highway No. 8)

Date:  
Sept. 21, 2021

Revised By:  
LV/NB

Reference File No.:  
OPA-U-155(S)

The map displays the Fruitland-Winona area with various land use designations color-coded according to the legend. Key roads include Queen Elizabeth Way, Barton Street, Highway No. 8, and several collector roads (A, B, C, D, E, F). Landmarks such as Lake Ontario and the CN Railway are also shown. Specific areas are highlighted with red dashed lines, indicating areas or site-specific policies. The map includes a north arrow and a scale indicator.

APPEALS

Lands Under Appeal

- 238, 252 Jones Road

- 820, 822 Barton Street East

- 212 Fruitland Road

- 228, 244 McNeilly Road

- 667, 1069 Highway No. 8

Legend

Residential Designations

Low Density Residential 1

Low Density Residential 2

Low Density Residential 3

Medium Density Residential 2

Commercial and Mixed Use Designations

Local Commercial

District Commercial

Arterial Commercial

Parks and Open Space Designations

Neighbourhood Park

Community Park

General Open Space

Natural Open Space

Other Designations

Employment Area - Business Park

Institutional

ES

Elementary School

Utility

SWM

Storm Water Management

Other Features

Area or Site Specific Policy

Major Gateway

Minor Gateway

Proposed Roads

Secondary Plan Boundary

Urban Hamilton Official Plan  
Fruitland-Winona  
Secondary Plan  
Land Use Plan  
Map B.7.4-1

Not To Scale

Date: Aug. 21, 2020

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Page 11 of 14



Appendix G  
APPROVED Amendment No. 155  
to the Urban Hamilton Official Plan

Remove "Core Areas" from following properties: 188, 192, 218, 222, 224, 226 and 230 Fruitland Road and 669 Highway No. 8

Remove "Vegetation Protection Zone" from following properties: 186, 188, 192, 216, 218, 222, 224, 226, 230 and 236 Fruitland Road and 661, 663 and 669 Highway No. 8

Remove "Restoration Area" from following properties: 218, 224, 226, 230 and 236 Fruitland Road

Date:  
Sept. 21, 2021

Revised By:  
LV/NB

Reference File No.:  
OPA-U-155(S)



APPEALS

Lands Under Appeal

- 238, 252 Jones Road

- 820, 822 Barton Street East

- 212 Fruitland Road

- 228, 244 McNeilly Road

- 667, 1069 Highway No. 8

Legend

Core Areas

Linkages

Restoration Areas

Vegetation Protection Zone

Streams

Other Features

Lands in the Rural Area

Secondary Plan Boundary

Urban Hamilton Official Plan  
Fruitland-Winona  
Secondary Plan  
Natural Heritage System  
Map B.7.4-2

Not To Scale

Date: July 22, 2018

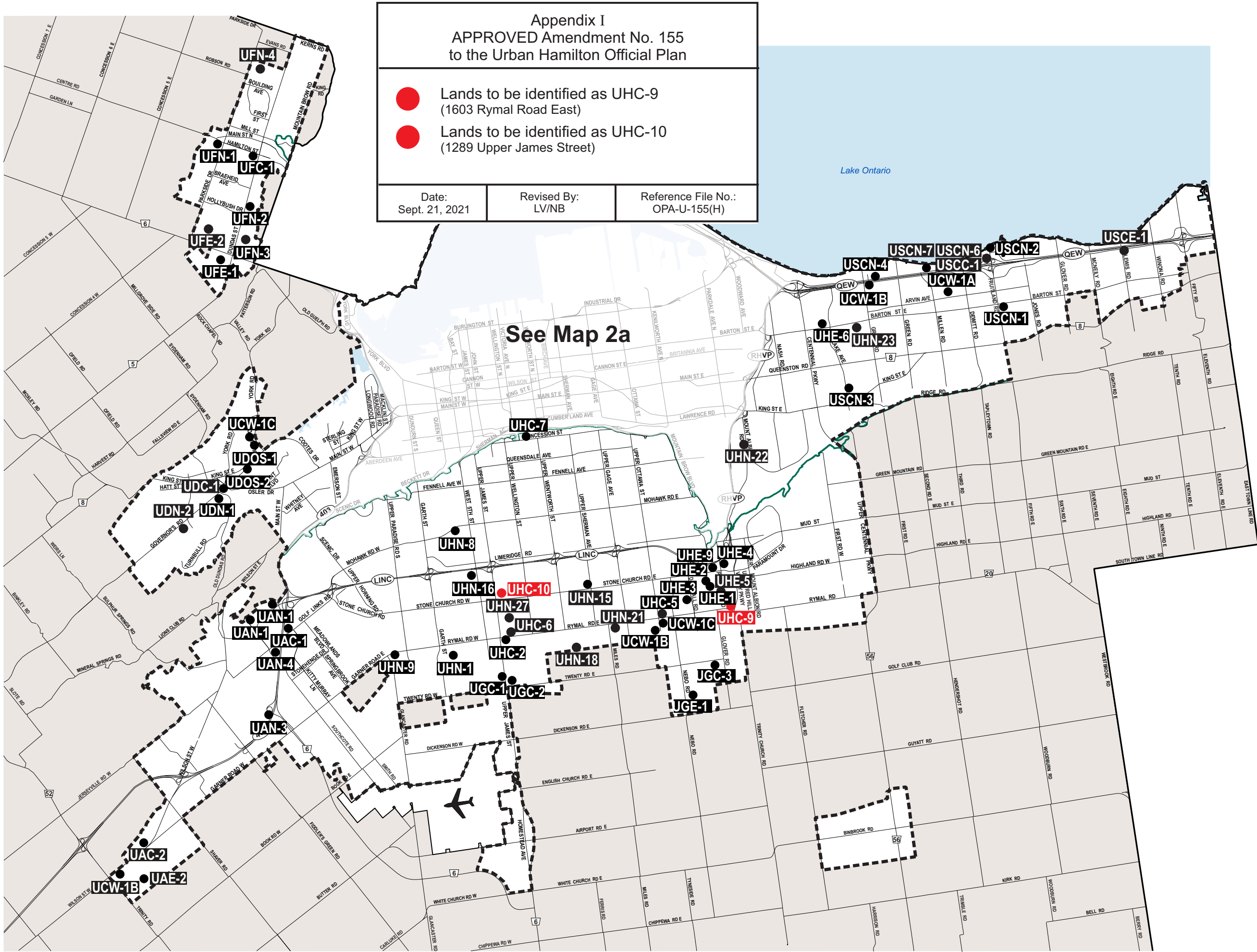
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Page 12 of 14

## Appendix “H” – Volume 3, Chapter C – Site Specific Policies

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
<del>Grey highlighted strikethrough text</del> = text to be deleted	<b>Bolded text</b> = text to be added
Add Site Specific Policy UHC-9	<p>UHC-9 Lands located at 1603 Rymal Road East, former City of Hamilton</p> <p>1. In addition to the permitted uses of Policy E.4.8.2 of Volume 1, and notwithstanding Policy E.4.8.3 a), b), and d) of Volume 1, for the lands located at 1603 Rymal Road East, designated Arterial Commercial, the following uses are permitted:</p> <ul style="list-style-type: none"> <li>a) retail uses</li> <li>b) personal service uses</li> <li>c) office uses</li> <li>d) financial establishments</li> <li>e) medical clinics</li> <li>f) day nursery</li> </ul> <p>2. The scale of the permitted uses shall be regulated by the Zoning By-law.</p>
Add Site Specific Policy UHC-10	<p>UHC-10 1289 Upper James Street, former City of Hamilton</p> <p>In addition to the permitted uses of Policy E.4.8.2 of Volume 1, and notwithstanding Policy E.4.8.3 b) and d) of Volume 1, for the lands located at 1289 Upper James Street, designated Arterial Commercial, the following uses shall be permitted within the existing building:</p> <ul style="list-style-type: none"> <li>a) Office uses;</li> <li>b) Retail stores; and,</li> <li>c) Food stores, including a food store with restaurant.</li> </ul>



Appendix I  
APPROVED Amendment No. 155  
to the Urban Hamilton Official Plan

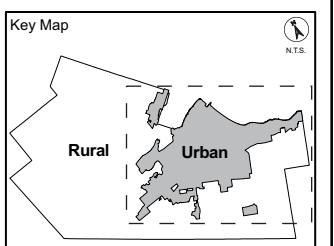
Lands to be identified as UHC-9  
(1603 Rymal Road East)

Lands to be identified as UHC-10  
(1289 Upper James Street)

Date:  
Sept. 21, 2021

Revised By:  
LV/NB

Reference File No.:  
OPA-U-155(H)



**Note:** For Rural Site Specific Areas, refer to Volume 3: Appendix A of the Rural Hamilton Official Plan.

### APPEAL

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal – see illustration on Schedules E and E-1, Volume 1

### Legend

- Site Specific Areas (SSA)
- U- Refers to Urban Site Specific Area #, Volume 3, Chapter B

### Other Features

- Rural Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary

Council Adoption: July 9, 2009  
Ministerial Approval: March 16, 2011  
Effective Date: August 16, 2013

Urban Hamilton Official Plan  
Volume 3: Map 2  
Urban Site Specific Key Map

Not To Scale

Hamilton

Date: May 18, 2021

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