

**Authority:** Item 7, Planning Committee  
Report: 18-006 (PED18074)  
CM: April 25, 2018  
Ward: 2, 3

**Bill No. 112**

**CITY OF HAMILTON**  
**BY-LAW NO. 18-112**

**To Adopt:**

**Official Plan Amendment No. 102 to the  
Urban Hamilton Official Plan**

**Respecting:**

**Downtown Hamilton Secondary Plan**

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

1. Amendment No. 102 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 9<sup>th</sup> day of May, 2018.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

## Urban Hamilton Official Plan Amendment No. 102

The following text, together with:

Appendix "A"	Volume 1, Schedule E – Urban Structure
Appendix "B"	Volume 1, Schedule E-1 – Urban Land Use Designations
Appendix "C"	Volume 1, Appendix A – Parks Classification Map
Appendix "D"	Volume 1, Appendix F – Cultural Heritage Resources
Appendix "E"	Volume 1, Appendix F-2 – Area Specific Cultural Heritage Resources
Appendix "F"	Volume 1, Appendix G – Boundaries Map
Appendix "G"	Volume 2, B.6.1 - Downtown Hamilton Secondary Plan
Appendix "H"	Volume 2, Downtown Hamilton Secondary Plan – Land Use Plan Map B.6.1-1
Appendix "I"	Volume 2, Downtown Hamilton Secondary Plan – Maximum Building Heights Map B.6.1-2
Appendix "J"	Volume 2, Downtown Hamilton Secondary Plan – Higher Order Transit Appendix A
Appendix "K"	Volume 2, Downtown Hamilton Secondary Plan – Cultural Heritage Resources Appendix B
Appendix "L"	Volume 2, Downtown Hamilton Secondary Plan – Cultural Heritage Landscapes Appendix B-1
Appendix "M"	Volume 2, Downtown Hamilton Secondary Plan – Viewshed Analysis Appendix C

Appendix "N"	Volume 2, Downtown Hamilton Secondary Plan – Niagara Escarpment Height Appendix D
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attached hereto, constitutes Official Plan Amendment No. 102 to the Urban Hamilton Official Plan.

### **1.0 Purpose and Effect:**

The purpose of this amendment is to revise the policies and amend mapping within the Urban Hamilton Official Plan to update the Downtown Hamilton Secondary Plan. The proposed update to the Downtown Hamilton Secondary Plan conforms to the Urban Hamilton Official Plan, implements the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement.

The effect of this amendment to the Urban Hamilton Official Plan is to:

- Update the Secondary Plan to permit uses that were not contemplated when the plan was approved in 2001;
- Implement recommendations from the James Street North Mobility Hub Study;
- Expand the boundaries of the Downtown Hamilton Secondary Plan to align with the boundaries of the Downtown Urban Growth Centre as set out by the Province; and,
- Revise and correct section numbering and other typographical errors.

### **2.0 Location:**

The lands affected by this Amendment are located within Wards 2 and 3 of the Urban Area of the City of Hamilton and are bounded by Cannon Street to the north, Victoria Avenue to the east, Hunter Street to the south and Queen Street to the west. It also includes the lands fronting on James Street North from Cannon Street to the GO Station and the lands fronting on James Street South from Hunter Street to Charleton Avenue.

### **3.0 Basis:**

The basis for permitting this Amendment is as follows:

- The Amendment will align the boundaries of the Secondary Plan with the Urban Growth Centre;
- The Amendment will update outdated policies and create a document that is consistent with the language and format of the Urban Hamilton Official Plan;

- The Amendment complies with Volume 1 of the Urban Hamilton Official Plan; and,
- The Amendment is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe.

#### **4.0 Actual Changes:**

#### **Text and Schedule/Map Changes:**

#### **4.1 Volume 1 – Parent Plan**

##### **4.1.1 Volume 1 – Text Changes**

- a) Volume 1, Chapter E – Urban Designations – Section E.4.0, is amended by adding “Downtown Mixed Use” to Policy E.4.3.1 to read as follows:

“E.4.3.1 Within lands designated Downtown Mixed Use, Mixed Use – High Density and Medium Density on Schedule E-1 – Urban Land Use designations, the following streets shall be planned as *pedestrian focus streets*.”

- b) Volume 1, Chapter E – Urban Designations, Section E.4.0, Table E.4.3.1: Pedestrian Focus Streets is amended by adding the following streets to the table in alphabetical order:

Street	From	To
<b>Hamilton</b>		
King William Street	James Street	John Street
King Street, south side only	Wellington Street	West Avenue
York Boulevard, south side only	Bay Street	James Street
Bay Street, east side only	King Street	Queen Street

##### **4.1.2 Volume 1 – Schedules and Appendices Changes**

- a) Volume 1, Schedule C-2 – Future Road Widening, be amended by:
- i) transferring the Downtown Future Road Widening table from Volume 2 to Volume 1 by adding the following streets in alphabetical order to

the Future Road Widenings table:

<b>Road</b>	<b>From</b>	<b>To</b>	<b>Future Right-of-Way Width (metres)</b>
Cannon Street	Queen Street	Wellington Street	26.213
Caroline Street	Main Street	King Street	20.117
Ferguson Avenue	Jackson Street	Main Street	20.117
George Street	Hess Street	Bay Street	15.24
Hughson Street	Rebecca Street	Cannon Street	20.117
Hunter Street	Queen Street	Wellington Street	20.117
Jackson Street	James Street	Wellington Street	15.24
John Street	King William Street	Cannon Street	26.213
King William Street	John Street	Wellington Street	20.117
	Queen Street	Wellington Street	26.213
Mary Street	King Street	King William Street	15.24
Queen Street	King Street	Cannon Street	26.213
Rebecca Street	John Street	Wellington Street	20.117
Spring Street	Main Street	King Street	15.24
Walnut Street	Jackson Street	Main Street	15.24
Wilson Street	James Street	Wellington Street	26.213
York Boulevard	Queen Street	James Street	26.213

- ii) by adding in alphabetical order the following street to the table the "Roads with Offset Road Allowances Widenings" table of Schedule C-2 – Future Road Widenings of Volume 1:

Road	From	To	Future Right-of-Way Width (metres)
King William Street	James Street	John Street	Widen 3 m from south side only

- b) That, Schedule E – Urban Structure, be amended by deleting the “Primary Corridor” Urban Structure Element from James Street South as shown on Appendix “A”, to this amendment.
- c) That Schedule E-1 – Urban Land Use Designations, be amended by redesignating the lands on James Street South from “Mixed Use Medium Density” to “Downtown Mixed Use Area”, and by redesignating the lands on King Street East and Main Street East between Wellington Street North and Victoria Street North from “Neighbourhoods” to “Downtown Mixed Use Area” as shown on Appendix “B”, to this amendment.
- d) That Appendix A – Parks Classification Map, be amended by adding lands on James Street North and South, and the lands bounded by Cannon Street, Victoria Avenue, Hunter Street East and Wellington Street to “Downtown Hamilton” as shown on Appendix “C”, to this amendment.
- e) That Appendix F – Cultural Heritage Resources, be amended by identifying the lands bounded by Cannon Street to the north, Victoria Avenue to the east, Hunter Street to the south and Queen Street to the west, and the lands on James Street North and South as follows: “See Volume 2: Appendix B Downtown Hamilton Secondary Plan”, as shown on Appendix “D”, to this amendment.
- f) That Appendix F-2 – Area Specific Cultural Heritage Resources, be amended by identifying the lands bounded by Cannon Street to the north, Victoria Avenue to the east, Hunter Street to the south and Queen Street to the west, and the lands on James Street North and South as follows: “See Volume 2: Appendix B Downtown Hamilton Secondary Plan”, as shown on Appendix “E”, to this amendment.
- g) That, Appendix G – Boundaries Map be amended by removing the lands on James Street North and South, and the lands bounded by Cannon Street, Victoria Avenue, Hunter Street East and Wellington Street from “Central Hamilton” and adding the lands to “Built-up Area” as shown on Appendix “F”, to this amendment.

## 4.2 Volume 2 – Secondary Plans

### 4.2.1 Chapter B.6.1 – Downtown Hamilton Secondary Plan Text Changes

- a) That Chapter B Secondary Plans, be amended by deleting the text of Section B.6.1 - Downtown Hamilton Secondary in its entirety and replacing it with the new Section 6.1 – Downtown Hamilton Secondary Plan, attached as Appendix "G" to this amendment.

### 4.2.2 Chapter B.6.1 – Downtown Hamilton Secondary Plan Map Changes

- a) That Chapter B Secondary Plans, be amended by deleting the maps from Section B.6.1 - Downtown Hamilton Secondary the maps in their entirety and replacing it with the new Section 6.1 – Downtown Hamilton Secondary Plan, attached as Appendices "H" to "N", as follows:
- Map B.6.1-1 - Downtown Hamilton Secondary Plan – Land Use Plan, attached as Appendix "H" to this amendment;
  - Map B.6.1-2 - Downtown Hamilton Secondary Plan – Maximum Building Heights, attached as Appendix "I" to this amendment;
  - Appendix A – Downtown Hamilton Secondary Plan – Higher Order Transit, attached as Appendix "J" to this amendment,
  - Appendix B - Downtown Hamilton Secondary Plan – Cultural Heritage Resources, attached as Appendix "K" to this amendment;
  - Appendix B-1 - Downtown Hamilton Secondary Plan – Cultural Heritage Landscapes, attached as Appendix "L" to this amendment;
  - Appendix C - Downtown Hamilton Secondary Plan – Viewshed Analysis, attached as Appendix "M" to this amendment; and,
  - Appendix D – Downtown Hamilton Secondary Plan – Niagara Escarpment Height, attached as Appendix "N" to this amendment.

**5.0 Implementation:**

An implementing Zoning By-law Amendment will give effect to this Amendment.

This is Schedule “1” to By-law No. 18-112 passed on the 9<sup>th</sup> day of May, 2018.

**The  
City of Hamilton**

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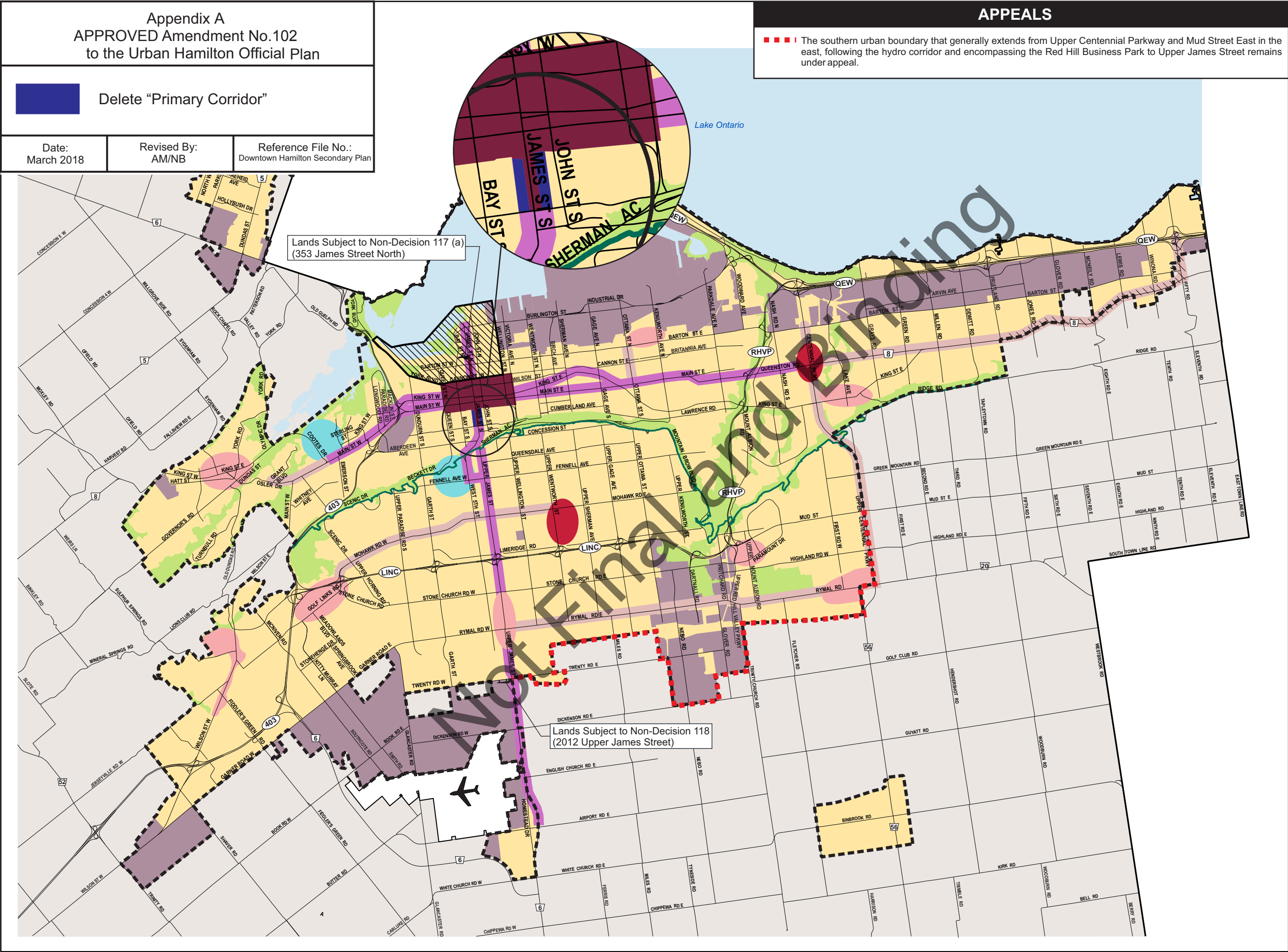
F. Eisenberger  
MAYOR

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J. Pilon  
ACTING CITY CLERK

Not Final and Binding





**Legend**

**Urban Structure Elements**

Neighbourhoods

Employment Areas

Major Activity Centres

Major Open Space

**Nodes**

Downtown Urban Growth Centre

Sub Regional Service

Community

**Corridors**

Primary

Secondary

Potential Expansion of Secondary Corridor

**Other Features**

Rural Area

John C. Munro Hamilton International Airport

Niagara Escarpment

Urban Boundary

Municipal Boundary

Lands Subject to Non Decision 113 West Harbour Setting Sail

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

Urban Hamilton Official Plan  
Schedule E  
Urban Structure

Not To Scale

Hamilton

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Appendix B  
APPROVED Amendment No. 102  
to the Urban Hamilton Official Plan

- Lands to be redesignated from "Mixed Use - Medium Density" to "Downtown Mixed Use Area"
- Lands to be redesignated from "Neighbourhoods" to "Downtown Mixed Use Area"

Date:  
March 2018

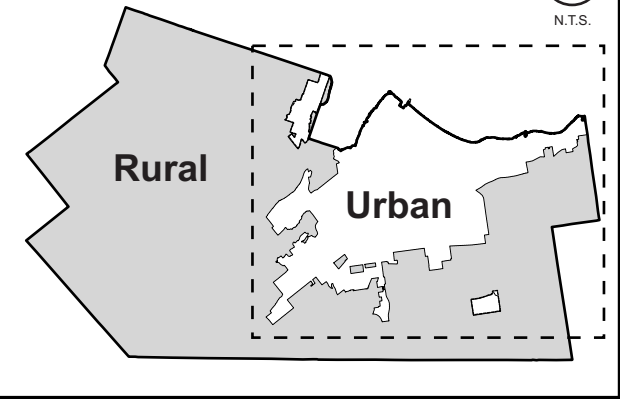
Revised By:  
AM/NB

Reference File No.:  
Downtown Hamilton  
Secondary Plan

APPEALS

■■■■ 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

Key Map



**Note:** For Rural Land Use Designations, refer to Schedule D of the Rural Hamilton Official Plan.

- Neighbourhoods
- Open Space
- Institutional
- Utility

Commercial and Mixed Use Designations

- Downtown Mixed Use Area
- Mixed Use - High Density
- Mixed Use - Medium Density
- District Commercial
- Arterial Commercial

Employment Area Designations

- Industrial Land
- Business Park
- Airport Employment Growth District
- Shipping & Navigation

Other Features

- Rural Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary
- Lands Subject to Non Decision 113 West Harbour Setting Sail

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

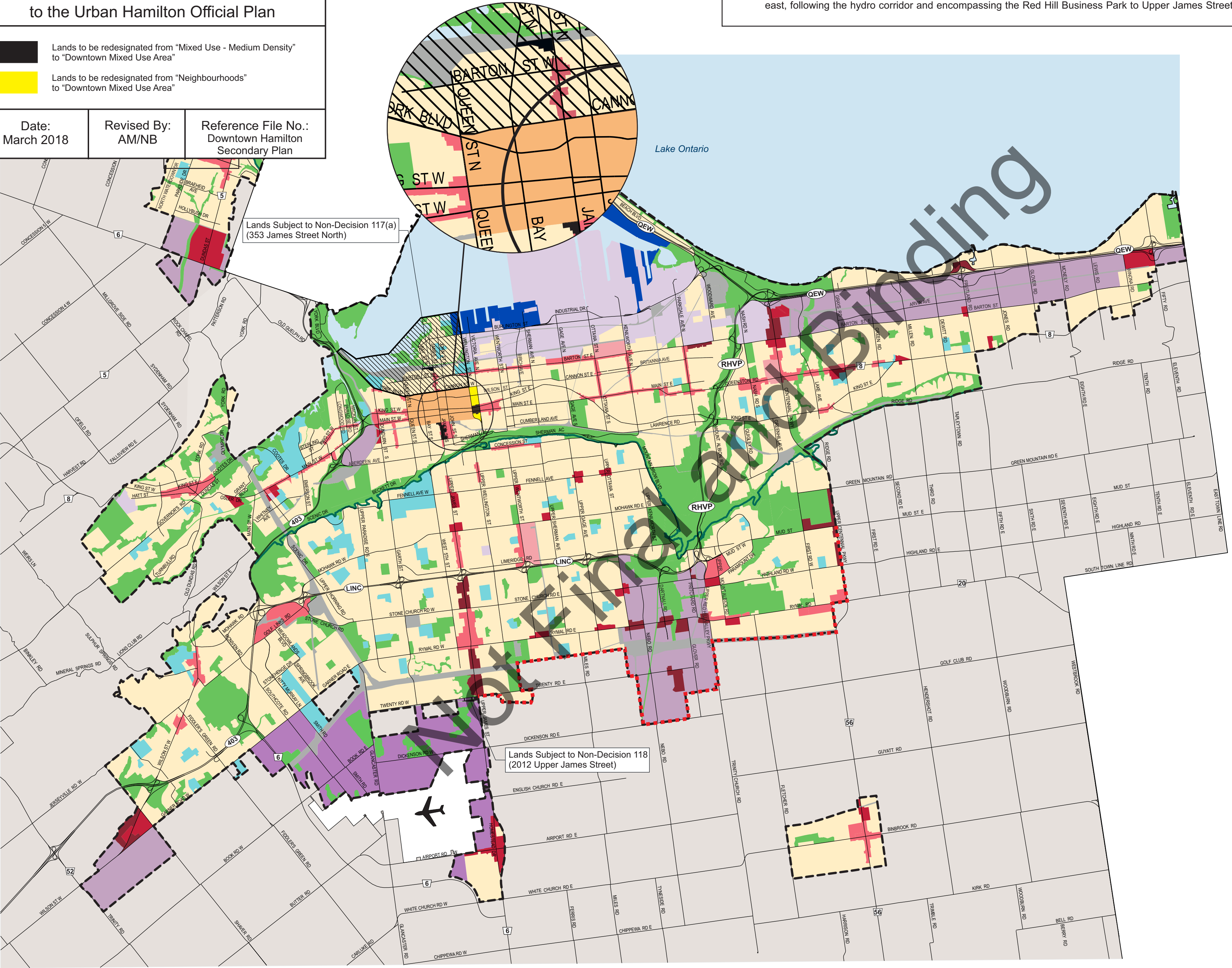
Urban Hamilton Official Plan  
Schedule E-1  
Urban Land Use Designations



Date: April 2017

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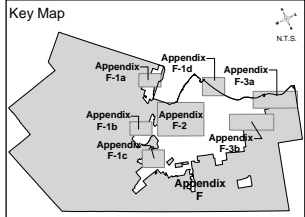
Appendix D  
APPROVED Amendment No. 102  
to the Urban Hamilton Official Plan

See Volume 2, Appendix B and B-1,  
Downtown Hamilton Secondary Plan

Date:  
March 2018

Revised By:  
AM/NB

Reference File No.:  
Downtown Hamilton  
Secondary Plan



**Note:** For a detailed view of Cultural Heritage Resources, refer to Appendices F-1, F-2 & F-3.

**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**

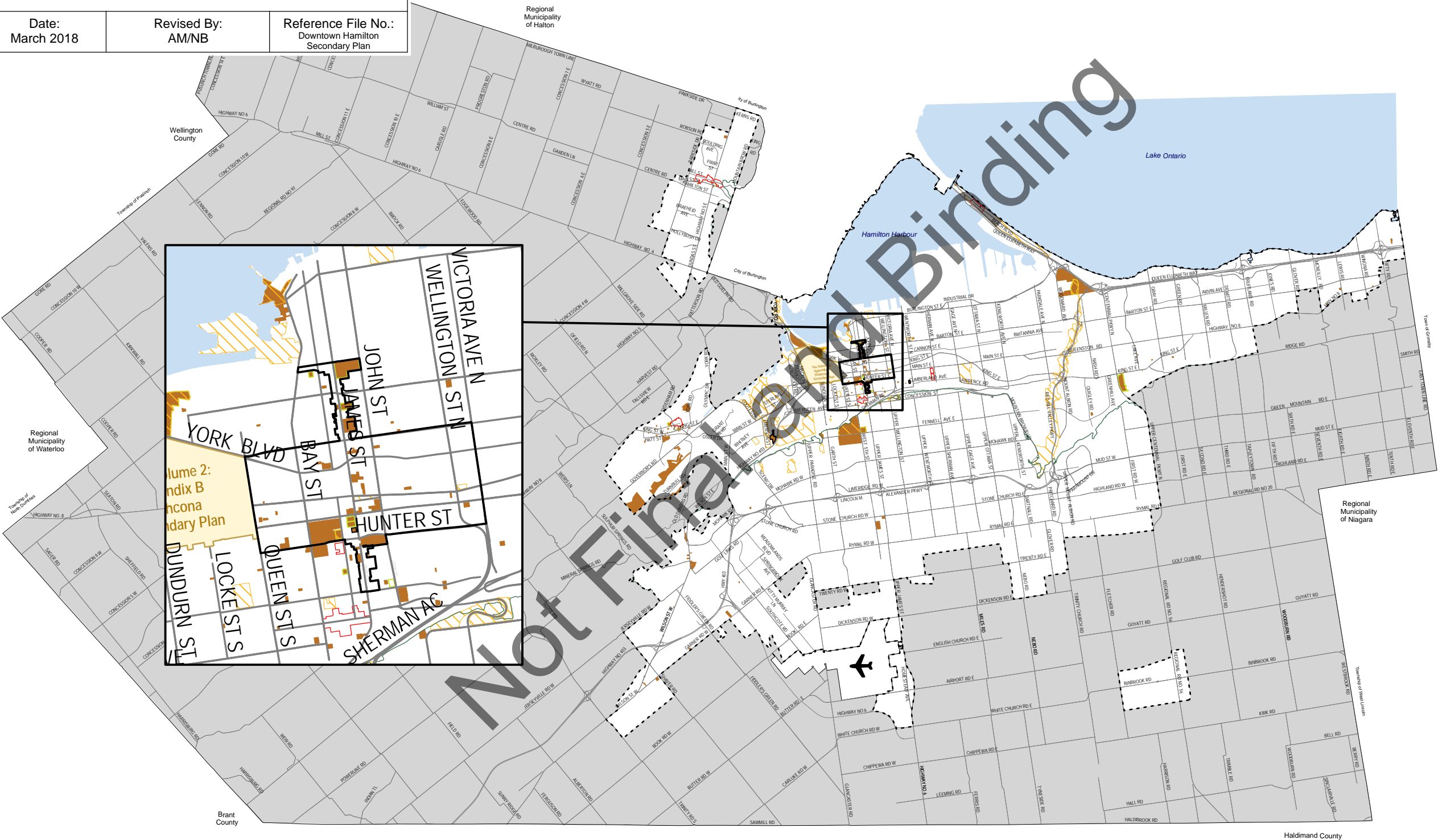
- Cultural Heritage Landscapes
- Individually Designated Properties
- Heritage Conservation Districts
- Municipal Easements (Part IV)
- Ontario Heritage Trust Easements (Part V)

**Other Features**

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

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

**Urban Hamilton Official Plan  
Appendix F  
Cultural Heritage Resources**



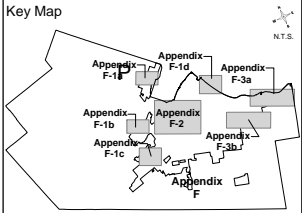
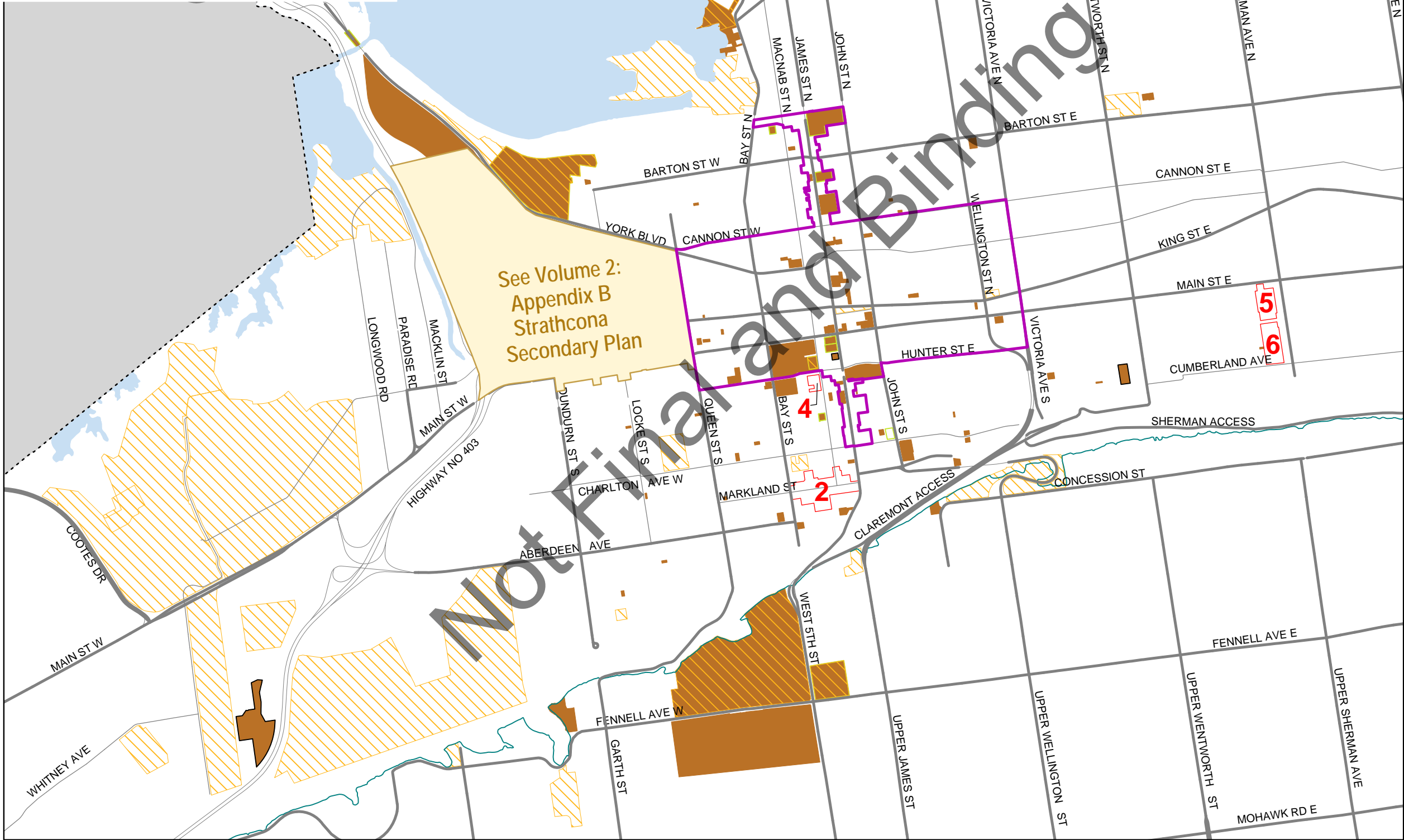
Appendix E  
APPROVED Amendment No. 102  
to the Urban Hamilton Official Plan

See Volume 2, Appendix B and B-1,  
Downtown Hamilton Secondary Plan

Date:  
March 2018

Revised By:  
AM/NB

Reference File No.:  
Downtown Hamilton  
Secondary Plan



**Note:** For a detailed view of Cultural Heritage Resources, refer to Appendices F-1, F-2 & F-3.

**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, the Mount Hope area, and the Airport Business Park, and following Twenty Road and Garner Road to Fiddlers Green Road in the west remains under appeal – see illustration on Schedules E and E-1, Volume 1

**Legend**

Cultural Heritage Landscapes

Individually Designated Properties (Part IV)

Heritage Conservation Districts (Part V)

2 Durand-Markland

4 MacNab-Charles

5 St Clair Ave

6 St Clair Blvd

Municipal Easements (Part IV)

Ontario Heritage Trust Easements

**Other Features**

Rural Area

John C. Munro  
Hamilton International Airport

Niagara Escarpment

Urban Boundary

Municipal Boundary

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

**Urban Hamilton Official Plan  
Appendix F-2  
Area Specific Cultural Heritage  
Resources**

Not To Scale  
Date: Sept. 28/15

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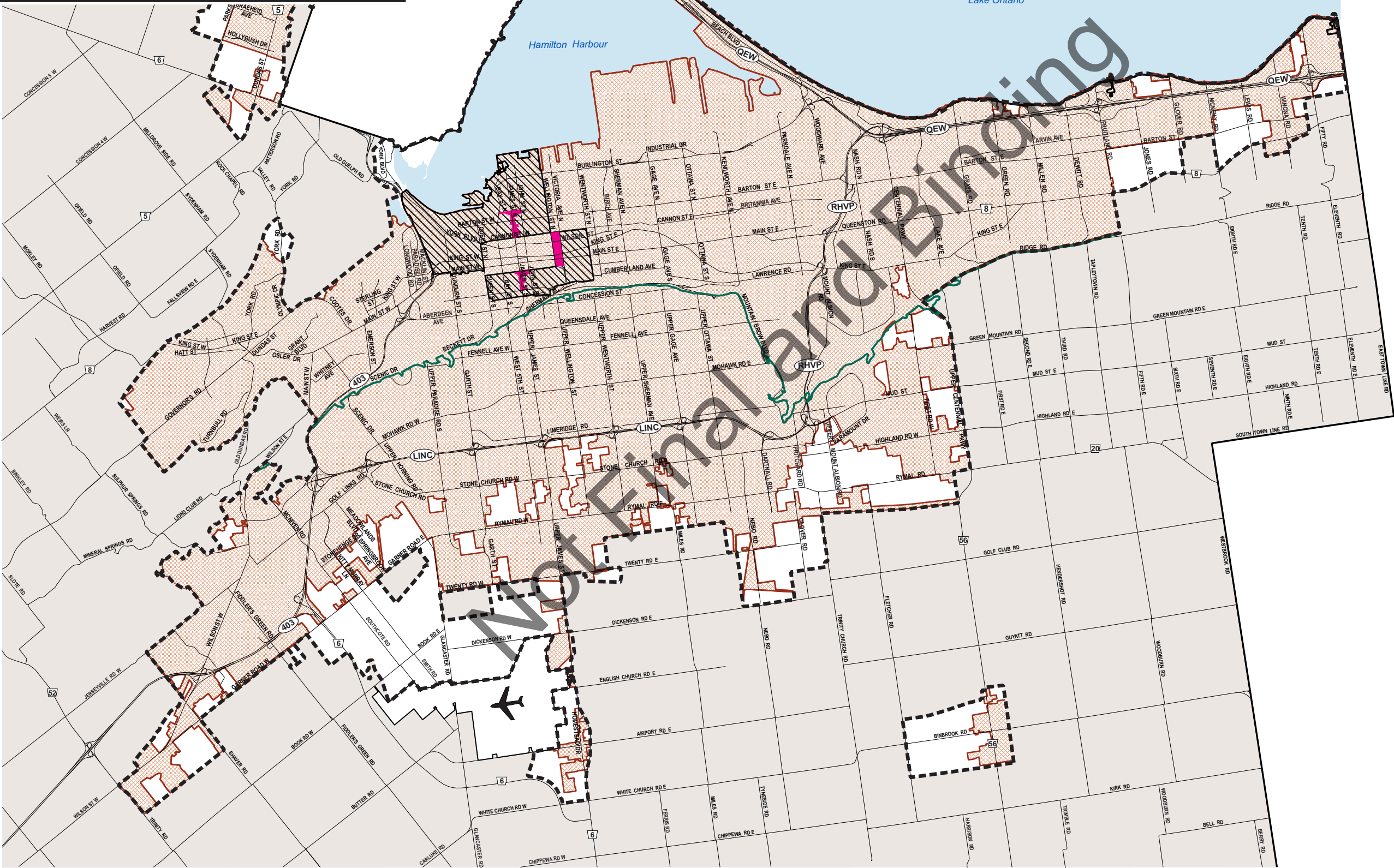
Appendix F  
APPROVED Amendment No.102  
to the Urban Hamilton Official Plan

 Lands to be removed from “Central Hamilton Area” and added to “Built up Area”

Date:  
March 2018

Revised By:  
AM/NB

Reference File No.:  
Downtown Hamilton Secondary 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,

Legend

- Built Boundary
- Built-up Area
- Central Hamilton

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  
Appendix G  
Boundaries Map



Not To Scale

Date: January 2017



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Appendix G  
Amendment No.102  
to the Urban Hamilton Official Plan

## **B.6.0 HAMILTON SECONDARY PLANS**

### **6.1 Downtown Hamilton Secondary Plan**

Downtown Hamilton is identified as an *Urban Growth Centre* in the Province's Growth Plan for the Greater Golden Horseshoe and as such, Downtown is the City's pre-eminent node due to its scale, density, range of uses, function, and identity by residents of the City as the Downtown. Downtown shall be the location for tall buildings, and shall be planned for a range of uses appropriate to its role as the City's pre-eminent node.

The Downtown Hamilton Secondary Plan area is bounded by Cannon Street to the north, Victoria Avenue to the east, Hunter Street to the south and Queen Street to the west and includes the frontage properties along James Street North to Stuart Street and along James Street South to Charlton Avenue West. Section B.6.1 and Maps B.6.1-1 – Downtown Hamilton – Land Use Plan, B.6.1-2 – Downtown Hamilton – Building Heights, Appendix A – Downtown Hamilton – Higher Order Transit, Appendix B – Downtown Hamilton – Cultural Heritage Resources, Appendix B-1 – Downtown Hamilton – Cultural Heritage Landscapes, and Appendix C – Downtown Hamilton – Viewshed Analysis, and Appendix “D” – Niagara Escarpment Height constitute the Downtown Hamilton Secondary Plan.

#### **6.1.1 Vision**

The Downtown Hamilton of the future shall be a vibrant focus of attraction where all ages, abilities, and incomes can live, work, learn, shop, and play. The future Downtown shall be a healthy, safe, comfortable, accessible, and prosperous community that promotes a high quality of life. It will combine the best of our heritage with new concepts and designs while seamlessly linking together the Downtown, surrounding neighbourhoods, the Waterfront, and the Escarpment.

#### **6.1.2 Principles**

The following principles provide guidance for evaluating initiatives and proposals for the Downtown to ensure that the City is taking a consistent approach to Downtown development:

- a) *Use public realm improvements as a catalyst for revitalization.* The Downtown Hamilton Secondary Plan emphasizes the importance of streets and public spaces. By supporting streetscaping, landscaping, park enhancements, public art, pedestrian, cycling, and transit amenities, the City signals its pride and confidence in the Downtown. A focus on improved public spaces shall be used to stimulate investment on adjacent private properties.

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- b) *Strengthen the connection to neighbourhoods, the Waterfront, the Escarpment and other surrounding features or attractions.* The Downtown Hamilton Secondary Plan emphasizes the importance of strengthening connections to neighbourhoods and major destinations such as the Waterfront and the Niagara Escarpment. The Downtown shall be reconnected to its neighbourhoods by developing vacant land and parking lots, and by rebalancing Downtown streets as attractive pedestrian places. This Plan supports a number of projects to foster multi-modal linkages and strengthen existing connections.
- c) *Promote Downtown living.* Creating residential neighbourhoods in the Downtown has long been recognized as key to its revitalization. Downtown residents can contribute to Downtown retailers' and service providers' viability. The ability to walk or bicycle to work, school, shopping, services, recreation, and entertainment facilities shall reduce or potentially eliminate vehicle trips and the associated demand for parking. Increased densities along major routes into the Downtown will support public transit. The Downtown Hamilton Secondary Plan identifies opportunities for a range of housing types catering to a variety of income levels and household characteristics. This Plan also commits the City to provide the public services and amenities required by future Downtown residents.
- d) *Build on existing strengths.* Downtown Hamilton is the location for major public and cultural facilities and functions as the cultural and institutional centre of the City. Downtown is a destination for those seeking diverse experiences, products, and services. All of these activities are set within an architecturally and historically rich area. Hamilton's legacy of historic buildings and streetscapes are its greatest distinction and worthy of enhanced restoration effort. The Downtown Hamilton Secondary Plan builds on these strengths.
- e) *Downtown is healthy and safe.* Downtown neighbourhoods will be designed and built to provide a foundation for healthy living by promoting physical activity (connected streets, active transportation, mixed land uses, parks and open space), healthy diets (farmer's markets, community gardens), and supportive environments (places to gather, cultural spaces, architecture and public art). There are many ways the built environment can impact health and this Plan recognizes the importance of improving public health and preventing disease through built form and changes to the environment.
- f) *Recognize the value of modest improvements and changes.* A desire for quick and simple solutions often nurtures "big project" responses, however, modest actions by individuals, small businesses and community organizations are also important and can have significant cumulative impacts. This Plan identifies opportunities for a range of large and small actions.
- g) *Culture is fundamental to Downtown Revitalization.* The City of Hamilton embraces the international consensus that culture is the fourth pillar of sustainable development, joining economic prosperity, environmental responsibility, and social equity. Consideration of integrating cultural vitality into all City decisions and initiatives shall be given as the City adopts a holistic approach to culture.



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- h) *The Niagara Escarpment is an essential part of the character and appearance of the City; views to the Escarpment are important assets to protect.* The Niagara Escarpment meanders through the City of Hamilton providing a natural backdrop to the Downtown, access to a unique natural environment, and a home to a diverse ecosystem of international significance - a UNESCO World Biosphere Reserve. The Downtown Hamilton Secondary Plan recognizes the importance of the relationship between topography and building height and the impacts on significant views to and of the Niagara Escarpment.
  - i) *Improve climate change mitigation and adaptation.* Hamilton's downtown will contribute to the emission reduction targets outlined in Hamilton's Climate Action Plan and address potential impacts of climate change through adaptation. Downtown will be a stronger, more resilient community by transitioning to a low carbon economy and by leveraging alternative forms of energy and green infrastructure opportunities to improve air quality, absorb stormwater, minimize urban heat island and expand biodiversity.

### **6.1.3 Objectives**

The following objectives shall apply to *development* within the Downtown Hamilton Secondary Plan area:

#### **6.1.3.1 Respect Design and Heritage**

Downtown Hamilton has a rich cultural legacy. The heritage structures and spaces provide a physical history of the community. Conservation and re-use of these buildings not only enhances the Downtown but can serve as a catalyst for other public and private investments. Heritage buildings also provide living examples of design elements that can be reflected in new construction that complements rather than diminishes the surrounding streetscape. The Downtown Hamilton Secondary Plan policies call for a greater emphasis on urban design and heritage conservation as critical elements of downtown revitalization. To achieve these objectives *development* shall:

- a) *Conserve and enhance the built heritage resources and cultural heritage landscapes* of Downtown Hamilton.
- b) Ensure that new *development* is compatible with the design of surrounding *built heritage resource* buildings.
- c) *Conserve and enhance the Gore area as the primary landscaped open space and concentration of built heritage resource buildings* in Downtown Hamilton.
- d) Create new programs and planning mechanisms to ensure a higher standard of urban design in Downtown Hamilton.
- e) Ensure that public improvement projects are undertaken within an overall design and implementation program that respects these objectives.

#### **6.1.3.2 Carve Out a Distinct Economic Role**

Downtown Hamilton is identified as an Urban Growth Centre in the Province's Growth Plan for the Greater Golden Horseshoe and shall be planned to accommodate a range of economic activities including retail and services that

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appeal to a broad Regional market and serve residents across the City and within the Downtown as well. The Downtown shall function as a major employment centre for business, professional, and government offices. To achieve these objectives *development* shall:

- a) Support Downtown Hamilton's role as the governmental, institutional, entertainment, and cultural centre of the City.
- b) Establish a defined and compact core within the Downtown.
- c) Establish defined commercial office and retail areas within the Downtown.
- d) Promote retail areas geared to the needs of residents in the Downtown and adjacent neighbourhoods.
- e) Promote culture and the creative industries by encouraging, supporting, and ensuring there is a place for creative occupations within the Downtown.

#### **6.1.3.3 Create Quality Residential Neighbourhoods**

The Downtown Hamilton Secondary Plan supports creating new housing throughout the Downtown as well as improving the quality of the existing residential neighbourhoods. The Secondary Plan policies aim to ensure that new residential areas in the Downtown are compatible with the scale and character of nearby historical neighbourhoods. To achieve these objectives *development* shall:

- a) Improve the linkages between the Downtown and surrounding residential areas through the *development* of vacant properties. Residential and mixed use *development* on these sites shall create a transitional area on the edges of the Downtown.
- b) Create a diversified housing supply in the Downtown geared to the needs of various age groups, household size, and income levels with increased opportunities for affordable housing.
- c) Preserve and enhance the *existing* residential communities within the Downtown Hamilton Secondary Plan area.
- d) Provide and maintain neighbourhood services such as local shopping areas, community centres, parks and open spaces, educational facilities, community gardens, cooling zones, and emergency shelters.
- e) Residential *development* shall reflect urban design features compatible with a Downtown location and the heritage character of the area.

#### **6.1.3.4 Enhance Streets and Public Spaces**

The Downtown Hamilton Secondary Plan emphasizes the importance of the continued enhancement of the public realm in the Downtown, including streets and public places that knit together the individual buildings and structures. The creation of quality infrastructure through new parks, and the establishment of

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new landmarks shall enhance the overall image of the City and demonstrate civic pride. To achieve these objectives *development* shall:

- a) Identify priority streets for specialized urban design treatment.
- b) Enhance existing and establish new connections to the Waterfront, the Escarpment and other parts of the City.
- c) Establish new locations and policies for parks and open space directed towards increasing the overall tree canopy in the Downtown.
- d) Identify and integrate the key civic spaces through a public realm master planning process.
- e) Establish a high standard of design in public spaces as a model for private sector initiatives.

#### **6.1.3.5 Mobility and Complete Streets**

The transportation system in the Downtown includes an integrated network for pedestrians, cyclists, transit users and drivers. The Downtown benefits when these integrated networks collectively provide a range of safe and sustainable travel choices to ensure mobility and accessibility for all people, contributing to the creation of *complete communities*. To achieve these objectives *development* shall:

- a) Establish an overall plan that appropriately allocates safe space for all users of the street including pedestrians, cyclists, motorists, people with disabilities, and public transit users as well as goods delivery, service vehicles and emergency vehicles.
- b) Prioritize pedestrians, cyclists, and public transit relative to private automobiles through the application of Complete, Livable, Better Streets Policy.
- c) Reduce dependence on single occupant vehicles.
- d) Promote accessibility and improve options for walking, cycling, and transit.

#### **6.1.3.6 Sustainable and Resilient Downtown**

Changes in temperature, precipitation, wind, and other indicators are affecting the Downtown and these changes are expected to continue in the future. The Downtown Hamilton Secondary Plan recognizes the importance of adapting and preparing for the risks of climate change such as variable and extreme weather and social and infrastructure stresses. To help mitigate climate change, Hamilton has set a target to reduce greenhouse gas levels by 50% from 2005 levels by 2030, and by 80% from 2005 levels by 2050. Meeting these targets requires new approaches for energy efficient buildings, energy distribution systems, and the use of renewable energy sources. To achieve these objectives *development* shall:

- a) Encourage *development* to incorporate recovery of low-carbon energy from infrastructure sources such as sewers and transit power stations to reduce emissions.

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- b) Encourage the integration on on-site electricity production to reduce electricity demand.
  - c) Encourage *development* to limit the loss of embodied energy contained within existing building stock.
  - d) Encourage *development* to target net-zero energy use and emissions.
  - e) Investigate ways to leverage green infrastructure opportunities to improve air quality, absorb stormwater, minimize the urban heat island, and expand biodiversity.

#### **6.1.3.7 Diversity of Housing**

Housing is fundamental to the economic, social, and physical well-being of Downtown's residents and neighbourhoods. Housing is a basic human need and is the central place from which people build their lives, nurture their families and themselves, and engage in their communities. Downtown's livability and prosperity is connected to the provision of housing that meets the requirements of a diverse population with varying housing needs. Downtown offers various built form housing options, including grade-related, mid-rise, and tall buildings with a variety of ownership and tenancy. Providing housing to a wide range of residents that is affordable, secure, of an appropriate size, and located to meet the needs of people throughout their life is the goal of an inclusive Downtown and essential to the creation of *complete communities*. To achieve these objectives *development* shall:

- a) Provide for a range of housing types, forms, and densities to meet the social, health, and well-being requirements of all current and future residents.
- b) Provide housing within *complete communities*.
- c) Increase Downtown's stock of affordable housing of all types.
- d) Maintain a balance of *primary rental* and ownership housing stock as outlined in the Affordable Housing Strategy.

#### **6.1.4 General Land Use Policies**

The Downtown Hamilton Secondary Plan guides *development* within the Secondary Plan area. The following policies direct land uses and other matters common to all parts of the Downtown Hamilton Secondary Plan.

- 6.1.4.1 Policies applying to the Downtown Hamilton Secondary Plan area that are presently contained in the following Neighbourhood Plans are no longer in effect: Beasley, Central, Corktown, Durand, Landsdale and Stinson.
- 6.1.4.2 The City's Design Review Panel shall provide a design peer review of public and private projects in the Downtown to ensure that projects reflect appropriate architectural and urban design of a high quality and that the design objectives and policies of this Plan are reflected in all projects.
- 6.1.4.3 The following uses shall be permitted throughout the Downtown:
  - a) social service facilities;

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- b) places of worship; and,
  - c) parks and open space.
- 6.1.4.4 Transfers of *development* rights may be accommodated within the Downtown Hamilton Secondary Plan area, subject to land use regulations through the Zoning By-law. In no case shall the Transfer of *development* rights allow building heights exceeding the maximum building height permissions in accordance with Policies 6.1.4.5 a) and c), 6.1.4.12 and established in the implementing Zoning By-law. Transfers of *development* rights may be undertaken to achieve the following policy objectives:
- a) conservation of *built heritage resources* and *cultural heritage landscapes*;
  - b) provision of at-grade open space conforming to Section B.6.1.7, Open Space and Parks designation of this Plan;
  - c) access to views of the Niagara Escarpment;
  - d) mitigation of shadow impacts on the public realm and surrounding properties; and,
  - e) retention of *existing* open space/park areas adjacent to private *development*.
- 6.1.4.5 The Zoning By-law shall recognize buildings and permissions which existed on the effective date of the Zoning By-law where height exceeds the maximum permitted heights, as shown on Map B.6.1-2 – Downtown Hamilton – Building Heights.
- 6.1.4.6 When considering an application for *development*, the following matters shall be evaluated:
- a) compatibility with adjacent land uses including matters such as shadowing, grading, overlook, noise, lighting, traffic and other impacts;
  - b) the consideration of transition in height to adjacent and *existing* buildings;
  - c) that height, massing, scale and arrangement of the buildings and structures are *compatible* with adjacent *development* and sympathetic to the character and heritage of the neighbourhood; and,
  - d) the conservation of on-site and *adjacent cultural heritage resources*.
- 6.1.4.7 Music plays an important role in a strong vibrant city and is part of Hamilton's economic prosperity and identity both locally, nationally, and internationally. To ensure that live music venues can continue to function in the Downtown, where residential *development* is proposed in close proximity to an existing live music venue, the proposed residential *development* shall be required to ensure that the appropriate noise attenuation measures or other appropriate measures identified through the development review process, are employed through either building design, urban design, or land use separation, to prevent noise conflicts.

### Section 37 Bonusing

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6.1.4.8 Through the implementing Zoning By-law for the Downtown Hamilton Secondary Plan, or site-specific zoning by-law amendments, the City may authorize increases in the height of a proposed *development* beyond those permitted in the Zoning By-law, subject to the policies of the Secondary Plan, in return for the provision of community benefits. Where the City enters into Section 37 agreements with a landowner for increases in height, the following shall apply:

- a) The proposed height increase:
  - i) shall be no greater than the height of the top of the Escarpment in accordance with Policy 6.1.4.14 of this Plan;
  - ii) is consistent with the principles, objectives, and policies of the Downtown Hamilton Secondary Plan;
  - iii) is compatible with the surrounding area;
  - iv) provides community benefits consistent with the Downtown Hamilton Secondary Plan, above and beyond those that would otherwise be provided under the provisions of the *Planning Act*, *Development Charges Act*, or other statute; and,
  - v) provides community benefits consistent with the Downtown Hamilton Secondary Plan that bear a reasonable planning relationship to the increase in height, including, at a minimum, having a geographic relationship to the development and addressing the planning issues associated with the development.
- b) Notwithstanding Policy F.1.9.2 of Volume 1, priority community benefits considered appropriate for the application of increased height shall be limited to the following:
  - i) provision of housing, in particular rental and affordable housing;
  - ii) community facilities/services;
  - iii) child care facilities;
  - iv) cultural facilities;
  - v) protection of *cultural heritage resources*; and,
  - vi) transit station improvements.
- c) Increases to height shall only be considered where the proposed development can be accommodated by existing or improved infrastructure. Planning studies may be required to address infrastructure capacity to the proposed development and any impacts on the surrounding area in accordance with Policy 6.1.13.1 f) of this Plan.
- d) A by-law passed under Section 34 of the *Planning Act* is required to permit increases in height. The by-law shall set out the approved height and shall describe the community benefits which are being exchanged for the

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increase in height. The landowner may be required to enter into an agreement with the City that addresses the provision of community benefits. The agreement may be registered against the land to which it applies.

- 6.1.4.9 The City shall develop an implementation protocol for Bonus agreements using Section 37 of the *Planning Act*.

### **Housing**

- 6.1.4.10 The *development* of housing with a full range of tenure, affordability, and support services shall be provided for and promoted throughout the Downtown in a full range of built housing forms in accordance with the policies of Section B.3.2 – Housing Policies of Volume 1.
- 6.1.4.11 Notwithstanding Policy B.3.2.5.6 of Volume 1, the demolition/redevelopment of rental housing units shall be permitted only where the following can be achieved to offset the impacts:
- a) it shall be demonstrated that the rental housing units have been replaced on-site; and,
  - b) an acceptable tenant relocation and assistance plan addressing the right to return to occupy the replacement housing at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen the hardship, is provided.

### **Building Heights**

- 6.1.4.12 Building heights are identified on Map B.6.1.2 - Downtown Hamilton Building Heights and the maximum heights for each area shall fall into the following categories:
- a) Low-Rise 1 – up to 3 storeys;
  - b) Low Rise 2 – up to 6 storeys;
  - c) Mid Rise – up to 12 storeys;
  - d) High Rise 1 – up to 20 storeys; and,
  - e) High Rise 2 – up to 30 storeys.
- 6.1.4.13 All *development* in the Downtown shall be a minimum of two storeys in height except for lands identified as *Pedestrian Focus Streets* which shall be a minimum of three storeys in height.
- 6.1.4.14 Notwithstanding Policy B.6.1.4.12 and Map B.6.1-2 Building Heights, maximum building height within the Downtown Hamilton Secondary Plan area shall be no greater than the height of the top of the Escarpment as measured between Queen Street and Victoria Avenue, identified on Appendix “D” – Niagara Escarpment Heights.
- 6.1.4.15 The siting, massing, height, and design of a building on one site shall not necessarily be a precedent for development on an adjacent or nearby site.

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6.1.4.16 For lands identified as Low-rise 2 on Map B.6.1.2 - Downtown Hamilton Building Heights, increases in height to a maximum of 12 storeys (mid-rise), may be permitted without an amendment to this Plan, subject to the following:

- a) meeting the principles, objectives and policies of this Plan, in particular, Policy B.6.1.4.14 and Policies B.6.1.4.31 through B.6.1.4.39;
- b) demonstrating how the proposed building and site design relate to and is compatible with the *existing* and/or planned context of the area;
- c) demonstrating how the proposed building and site relate to topography, the Niagara Escarpment, and other buildings in the area;
- d) demonstrating how any impacts on streetscapes and views of streetscapes, landmark structures or *cultural heritage resources* from public sidewalks or public spaces will be mitigated;
- e) demonstrating how the proposed development mitigates impacts to on-site or *adjacent cultural heritage resources*; and,
- f) in order to demonstrate the considerations listed above, proponents may be required to submit all of the following studies, in addition to any other studies identified as part of the Formal Consultation required under Section F – Implementation of Volume 1, as part of a *development* application:
  - i) Shadow Impact Study;
  - ii) Pedestrian Wind Impact Study;
  - iii) Visual Impact Assessment;
  - iv) Transportation Studies, including, but not limited to:
    - 1. Transportation Impact Study;
    - 2. Cycling Route Analysis;
    - 3. Pedestrian Route and Sidewalk Analysis;
    - 4. Neighbourhood Traffic Calming Options Report;
    - 5. Transit Assessment; and,
    - 6. Transportation Demand Management Options Report.
  - v) Infrastructure and Servicing Study;
  - vi) Cultural Heritage Impact Assessment;
  - vii) Urban Design Brief; and,
  - viii) Planning Justification Report.

#### **Mid-Rise Buildings**



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6.1.4.17 The following policies shall apply to mid-rise building forms:

- a) a mid-rise building is any building greater than 6 storeys but no greater than 12 storeys in height;
- b) mid-rise buildings shall be designed to address the street with active frontages, and provide principal entrances from the public realm;
- c) mid-rise buildings shall create an effective transition between low-rise neighbourhoods and existing or future tall buildings through the use of appropriate setbacks and stepbacks in accordance with Policies B.6.1.4.31 through B.6.1.4.39 of this Plan;
- d) mid-rise buildings shall be designed to frame the street they are fronting while allowing access to sunlight to adjacent properties. This shall be achieved through considerations given to building orientation, setbacks, stepbacks, angular plane, and relationship to grade and land uses; and,
- e) Shadow Impact Studies, Visual Impact Assessments, and Pedestrian Level Wind Studies may be required to determine potential impacts arising from mid-rise buildings.

#### **High-Rise (Tall) Buildings**

6.1.4.18 The following policies shall apply to High-rise (tall) buildings:

- a) a tall building is any building that is greater than 12 storeys in height;
- b) new tall buildings shall be no greater than the height of the top of the Escarpment as measured between Queen Street and Victoria Avenue;
- c) a tall building is typically defined as having a *building base* component (also known as podium), a *tower* component and *tower top*, however, Policies B.6.1.4.18 through B.6.1.4.24 shall also apply to other typologies of a tall building;
- d) a *building base* is defined as the lower storeys of a tall building which are intended to frame the public realm with good street proportion and pedestrian scale or contains streetwall heights that respect the scale and built form character of the *existing* context through design, articulation, and use of the ground floor;
- e) a *tower* is defined as the storeys above the building base; and,
- f) the *tower top* is defined as the uppermost floors of the building including rooftop mechanical or telecommunications equipment, signage and amenity space. This portion of the building shall have a distinctive presence in Hamilton's skyline by employing interesting architectural features and roof treatments.

6.1.4.19 The Downtown Hamilton Tall Building Guidelines shall apply to tall building *development* and shall be used by City Staff when evaluating tall building *development* proposals.

- 6.1.4.20 In addition to Policy B.6.1.4.19 above, it is not the intent of the Downtown Hamilton Tall Building Guidelines to limit creativity and innovation in design. Where it can be demonstrated that an alternative built form achieves the intent of the Downtown Hamilton Tall Building Guidelines, alternative built forms shall be permitted, subject to demonstrating good planning principles and meeting the intent and vision of the policies of this Plan.
- 6.1.4.21 Tall building *development* shall require transition to adjacent existing and planned low-rise and mid-rise buildings through the application of separation distances, setbacks, and stepbacks in accordance with Policies B.6.1.4.31 through B.6.1.4.39 of this Plan and as informed by the Downtown Hamilton Tall Building Guidelines.
- 6.1.4.22 Not every site in the Downtown identified as High-rise 1 or High-rise 2 can accommodate a tall building or is a suitable site for a tall building. The Tall Building Guidelines and Zoning By-law, shall establish the minimum criteria for assessing the suitability of an individual site for a tall building.
- 6.1.4.23 All tall buildings shall meet the following requirements:
- a) the *building base* shall be designed to:
    - i) fit harmoniously within the context of neighbouring streetwall heights. Where there is no consistent streetwall height context for the area, the streetwall height shall be established in a manner that maintains a comfortable pedestrian scale and appropriate street proportion;
    - ii) reduce and mitigate wind impacts on the public realm, including streets, sidewalks, parks and open spaces, and privately owned publicly accessible spaces. Pedestrian level wind conditions shall be suitable for sitting and standing, with higher standards applied to parks and open spaces and *Pedestrian Focus Streets*; and,
    - iii) minimize shadows, in accordance with Policies B.6.1.4.34 through B.6.1.4.39 of this Plan, to preserve the utility of sidewalks, parks, public and private open spaces, school yards and buildings, childcare centres, playgrounds, sitting areas, patios, and other similar uses.
  - b) the *building base* may be required to setback at grade to achieve access to sunlight on sidewalks, parks, public and private open spaces, schoolyards and buildings, childcare centres, playgrounds, sitting areas, patios, and other similar uses;
  - c) tall building *development* shall provide setbacks from the lot line to the building face of the tower and adequate separation distance between towers on the same lot. These lot line tower setbacks shall ensure that individual tall buildings within a city block and the cumulative effect of multiple tall buildings within a block contribute to creating a strong and healthy neighbourhood by fitting in with the *existing* and/or planned context. Providing adequate space between towers shall:
    - i) enhance the ability to provide a high-quality, comfortable public realm;
    - ii) protect development potential of other sites within blocks;

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- iii) provide access to sunlight on sidewalks, parks, public and private open spaces, school yards and buildings;
  - iv) provide access to natural light and a reasonable level of privacy for occupants of tall buildings;
  - v) provide pedestrian-level views of the sky between towers particularly as experienced from adjacent streets, parks and open spaces, and views between towers for occupants of tall buildings;
  - vi) limit the impacts of uncomfortable wind conditions on streets, parks, open spaces, and surrounding properties; and,
  - vii) provide appropriate transitions to adjacent lower-scale planned context, *built heritage resources*, and *cultural heritage landscapes*.
- d) as building heights increase, greater setbacks may be required from the tower to the lot line to achieve the requirements of Policy B.6.1.4.23 c); and,
- e) the following studies may be required, in addition to any other studies identified as part of the Formal Consultation required under Section F – Implementation of Volume 1, for tall building development to demonstrate that the proposal meets the applicable design criteria of the Downtown Hamilton Tall Building Guidelines:
- i) Shadow Impact Study;
  - ii) Pedestrian Wind Impact Study
  - iii) Visual Impact Assessment;
  - iv) Transportation Studies, including, but not limited to:
    - 1. Transportation Impact Study;
    - 2. Cycling Route Analysis;
    - 3. Pedestrian Route and Sidewalk Analysis;
    - 4. Neighbourhood Traffic Calming Options Report;
    - 5. Transit Assessment; and,
    - 6. Transportation Demand Management Options Report.
  - v) Infrastructure and Servicing Study;
  - vi) Cultural Heritage Impact Assessment;
  - vii) Urban Design Brief; and,
  - viii) Planning Justification Report.

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- f) *development* proposals that do not comply with Policy B.6.1.4.23 c), of this Plan present significant concerns for building a strong healthy Downtown and as such shall not be approved for tall building *development*.

6.1.4.24 *Development* proposals for tall buildings containing residential units shall be encouraged to provide a range of unit types and unit sizes, including those suitable for larger households, and those with children and seniors.

#### **Built Form**

6.1.4.25 In addition to Section B.3.3 – Urban Design Policies of Volume 1, *development* in the Downtown shall achieve the following:

- a) eliminating expanses of blank walls;
- b) integrating roof top design and function with the surrounding buildings and public spaces. This shall be achieved through:
  - i) integrating roof design with the building architecture;
  - ii) designing the tower top of tall buildings so that they are a recognizable landmark that contributes to an iconic and distinctive skyline;
  - iii) ensuring that roof top mechanical equipment, as well as stair and elevator towers, are sized and located so that they are screened from view from the street;
  - iv) developing rooftop terraces, gardens, and associated landscape areas for private amenity areas, climate enhancement and for storm water management; and,
  - v) incorporating best practices and appropriate technology to reduce energy consumption and improve air quality.

6.1.4.26 All *development* shall be oriented toward the surrounding streets and shall include direct pedestrian access, including barrier free access from grade level, to the principle entrances.

6.1.4.27 All *development* shall be built close to the street line. Additional setbacks may be permitted, based on the locational context, to protect significant views, to protect cultural heritage resources, to accommodate pedestrian amenities such as street plantings and enhanced landscaping, wider sidewalks, open space, outdoor cafés, seating areas, transit shelters, bicycle parking, and other public amenities.

6.1.4.28 All *development* shall:

- a) be massed to frame streets in a way that respects and supports the adjacent street proportions;
- b) be compatible with the context of the surrounding neighbourhood;
- c) contribute to high quality spaces within the surrounding public realm; and,
- d) provide high quality spaces within the buildings themselves.

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- 6.1.4.29 Residential development shall provide amenity space within new developments in the form of private or semi-private parkettes, rooftop gardens or internalized open spaces within courtyard areas created by new buildings.
- 6.1.4.30 Development shall incorporate high quality durable building materials for aesthetics, fire suppression, and energy efficiency.

#### **Transition in Scale**

- 6.1.4.31 Development shall provide built form transition in scale through a variety of design methods including angular planes, location and orientation of the building, and the use of setbacks and stepbacks of building mass.
- 6.1.4.32 Transition between development, and adjacent streets, parks or open spaces shall ensure access to sunlight and sky view.
- 6.1.4.33 Development shall be required to provide transition in scale, within the development site, as a result of any of the following:
- a) the development is of greater intensity and scale than the adjacent existing scale, or where appropriate, the planned built form context;
  - b) the development is adjacent to a cultural heritage resource or a cultural heritage landscape; or,
  - c) the development is adjacent to existing or planned parks, or open spaces.

#### **Public Realm**

- 6.1.4.34 Development shall, to the satisfaction of the City, through building massing and orientation, minimize shadows on public sidewalks, parks, public and private open spaces, school yards and buildings, childcare centres, playgrounds, sitting areas, patios and other similar amenities.
- 6.1.4.35 Proposed development shall allow for a minimum of 3 hours of sun coverage between 10:00 a.m. and 4:00 p.m. as measured on March 21st to September 21st on public sidewalks, and public and private outdoor amenity areas such as patios, sitting areas, and other similar areas.
- 6.1.4.36 Proposed development shall allow for a minimum of 50% sun coverage at all times of the day as measured on March 21st to September 21st on public plazas, existing and planned parks, and open spaces, school yards, and playgrounds.
- 6.1.4.37 Downtown Hamilton contains a number of primary gathering spaces where civic life occurs. The quality, image, and amenity of these spaces strongly affect how people perceive the Downtown. Notwithstanding Policy B.6.1.4.35 and Policy B.6.1.4.36, development shall not cast any net new shadow between 10:00 a.m. and 4:00 p.m. as measured from March 21<sup>st</sup> to September 21<sup>st</sup> on the following parks, squares, plazas and open spaces areas that serve as Downtown's key civic gathering spaces:
- a) Gore Park;
  - b) Prince's Square (50 Main Street East);
  - c) Hamilton City Hall Forecourt (71 Main Street West);

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d) Whitehern Museum (41 Jackson Street West); and,

e) Ferguson Station (244, 248 King Street East).

6.1.4.38 Buildings shall be sited, massed and designed to reduce and mitigate wind impacts on the public realm, including streets, sidewalks, parks, and open spaces. Pedestrian wind levels shall be suitable for sitting and standing. Higher standards may be required for *development* adjacent to parks and open spaces, and along *Pedestrian Focus Streets*.

6.1.4.39 Proponents shall be required to submit a Shadow Impact Study and a Pedestrian Level Wind Study, in accordance with Chapter F – Implementation Policies of Volume 1, to demonstrate that the height, orientation, design and massing of a building or structure does not unduly overshadow, block light, result in the loss of privacy of adjacent residential uses, or create uncomfortable or unsafe wind conditions. Studies shall be completed to the satisfaction of the City and shall demonstrate conformity with Policies 6.1.4.34 through 6.1.4.38.

#### **Parking**

6.1.4.40 There shall be no vehicular surface parking along the street frontage.

6.1.4.41 Above-ground vehicular parking shall be fronted by permitted uses other than parking at street level and upper storeys shall be screened from view from the street.

6.1.4.42 Parking standards shall ensure that the re-use of *existing* buildings is not compromised.

6.1.4.43 Surface parking lots *existing* on the date of adoption shall be legal non-complying uses to the Downtown Hamilton Secondary Plan.

6.1.4.44 New surface parking lots shall not be permitted.

6.1.4.45 *Existing* surface parking lots shall be permitted to expand under the following conditions:

a) the expansion is minor in nature; and,

b) the expansion shall not result in a net increase in the number of surface parking spaces on the site.

6.1.4.46 Where parking is required, *development* shall be required to provide charging stations for electric vehicles.

6.1.4.47 *Development* shall be encouraged to provide for autonomous vehicle parking and shared vehicles.

#### **6.1.5 Downtown Residential Designation**

The Downtown Hamilton Secondary Plan supports the improved multi-modal connection of residential neighbourhoods to the Downtown core, the *development* of vacant land for higher and better use at an appropriate scale and the overall balancing of commercial and residential *development* for a vibrant healthy core.

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6.1.5.1 The residential areas within the Downtown Hamilton Secondary Plan are designated Downtown Residential on Map B.6.1.1 - Downtown Hamilton Secondary Plan - Land Use Plan. The following policies shall apply to lands designated Downtown Residential:

- a) uses permitted in areas designated Downtown Residential include single-detached, semi-detached, duplex, triplex, street townhouses, and *multiple dwellings*.
- b) local commercial uses shall be permitted on the ground floor of buildings containing *multiple dwellings*, in accordance with Section E.3.8 – Local Commercial Policies of Volume 1, and the following:
  - i) notwithstanding Policy E.3.8.2, only the following uses shall be permitted: retail and service uses such as a craftsperson shop, day nursery, commercial school, office, personal service, repair service, restaurant, studio, art gallery, and tradesperson shop; and,
  - ii) notwithstanding Policy E.3.8.3, the following uses shall be prohibited: drive-through facilities accessory to or in conjunction with commercial uses, auto-oriented commercial uses such as gas stations, and outdoor commercial patios.

6.1.5.2 The existing residential areas within the Downtown shall be maintained by encouraging the retention and adaptive re-use of existing buildings, including those identified as a built heritage resource through listing on the *Register* or through designation under the *Ontario Heritage Act*. Land use regulations and special programs shall support the conversion of existing structures subject to the following:

- a) heritage attributes of the on-site cultural heritage resources are conserved as demonstrated through a *cultural heritage impact assessment*; and,
- b) additions shall be *compatible* with the existing structure in terms of relationship to the street, front setbacks, architectural form, and massing.

#### **6.1.6 Downtown Mixed Use Designation**

Downtown Hamilton shall continue to maintain its key role as the governmental, institutional, educational, cultural, and residential centre of the City. The Downtown Mixed Use policies of the Secondary Plan are intended to support intensive, urban-scale mixed use *development*.

6.1.6.1 In addition to Section E.4.4 – Downtown Mixed Use Designation of Volume 1, the following policies shall apply to lands designated Downtown Mixed Use:

- a) Main Street contains a number of prominent buildings and public spaces. *Development* shall conserve and enhance the character of the following prominent sites:
  - i) Hamilton Club at 6 Main Street East and the building at 8 Main Street East;
  - ii) the John Sopinka Courthouse at 45 Main Street East;

- iii) the former Wentworth County Courthouse at 50 Main Street East;
  - iv) Hamilton City Hall at 71 Main Street West;
  - v) First Pilgrim United Church at 200 Main Street East;
  - vi) the former St. Thomas Church at 16 West Avenue South; and,
  - vii) The former Landed Banking and Loan Building at 47 James Street North.
- b) all *development* of the former Wentworth County Courthouse at 50 Main Street East shall maintain the open space area including the pedestrian pathways; and,
- c) The following policies shall apply to *development* fronting onto John Street, King William Street, Catharine Street and Rebecca Street, across from the Community Park:
- i) buildings shall address and help frame the street and open space with active and accessible uses at grade;
  - ii) the orientation of the building, including windows, entrances, balconies, and other building elements shall be oriented towards the park where possible; and,
  - iii) buildings shall incorporate appropriate setbacks to provide a human scale podium as well as mitigate potential shadow and wind impacts on the park.

#### **Pedestrian Focus Streets**

6.1.6.2 A portion of the lands designated Downtown Mixed Use are also identified as *Pedestrian Focus Streets* on Map B.6.1.1 - Downtown Hamilton Secondary Plan - Land Use Plan. In addition to Section E.4.3 – Pedestrian Focus Streets of Volume 1, the following policies shall apply to areas identified as *Pedestrian Focus Streets*:

- a) the vision for *Pedestrian Focus Streets* is to complete the streetwall and provide an uninterrupted building line at the street level through compatible *development* and infill *development* along the corridor;
- b) notwithstanding Policy E.4.3.4 f) of Volume 1, all *development* shall be a minimum height of three storeys;
- c) the height of new buildings and additions shall be consistent with the traditional streetwall height at the street line;
- d) taller building masses shall be sufficiently stepped back from the street to avoid interference with the perceived massing of the street as primarily a low to mid-rise corridor;
- e) the articulation of façades shall retain a similar rhythm and scale to the street front shops in its surroundings;



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- f) the articulation of the façade of new buildings shall reflect or complement the traditional patterns of fenestration in adjacent buildings;
  - g) limited articulation of the front façades may be permitted in order to create sheltered areas at ground level or to allow for the incorporation of architectural design elements and access to significant views, provided that the sense of enclosure is maintained and that the articulation does not detract from the retention of the traditional building line;
  - h) the ground floor frontage shall be clearly articulated in the massing of the façade, substantially glazed, with generous floor-to-floor heights and designed to accommodate signage;
  - i) where possible, buildings shall be constructed to the side lot line in order to maintain the sense of enclosure and avoid gaps in the streetscape; and,
  - j) to maintain the architecture and heritage character of the Gore, between James Street and Catharine Street, traditional materials of stone, wood and brick shall be used; other materials may be allowed provided that they are visually harmonious with adjacent buildings in accordance with the Heritage Character Design Guidelines.

#### **6.1.7 Parks and Open Space Designations**

6.1.7.1 The Parks and Open Space areas within the Downtown Hamilton Secondary Plan are designated Community Park, City-Wide Park and General Open Space, as identified on Map B.6.1-1 – Downtown Hamilton Secondary Plan – Land Use Plan. In addition to Section B.3.5.3 – Parkland Policies and Section C.3.3 – Open Space Designations of Volume 1, the following policies shall apply to all Parks and Open Space Designations:

- a) new parks and open spaces shall be sited and designed in a manner that identifies them as part of the public realm and promotes comfort, safety, enjoyment and accessibility for all members of the public;
- b) parks and open spaces shall be designed to achieve the following:
  - i) direct at-grade access to the streets, bicycle paths, trails or pedestrian routes on which they front with clearly identified pedestrian and cycling access points from surrounding areas;
  - ii) continuity of design between the public spaces, the streets that surround them, and the buildings that face them; and,
  - iii) on-site parking shall be discouraged.
- c) design plans and public improvement programs shall be developed in partnership with adjacent landowners for a series of feature areas in the Downtown including, but not limited to:
  - i) the open space area adjacent to Main Street and the former County Courthouse located at 50 Main Street East and known as Prince's Square;

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- ii) the small open spaces on the north side of Hunter Street across from the GO Station; and,
  - iii) the civic space formed by Commonwealth Square at the Art Gallery of Hamilton and the City Hall forecourt. The design study shall address the following:
    - 1. clear identification of the area as the prime civic gathering space for citizens of the City of Hamilton;
    - 2. an integrated design for the area extending from the rear of the Art Gallery to the front of Hamilton City Hall;
    - 3. east-west landscape and pedestrian linkages to the David Braley Health Sciences Centre Building at 100 Main Street West and the Convention Centre/Hamilton Place;
    - 4. recognition of landmark buildings in the vicinity including Hamilton City Hall and Whitehern Historic House and Garden;
    - 5. provision of commercial opportunities accessory to the Art Gallery and the Convention Centre fronting on Summer's Lane and King Street East;
    - 6. an improved pedestrian environment and pedestrian access for Summer's Lane;
    - 7. street level pedestrian and cyclist linkages; and,
    - 8. visual linkages through streetscape elements, paving patterns, lighting and banners are to be provided to encourage pedestrian traffic and to portray a vibrant Downtown.
  - d) privately owned publicly accessible open spaces (POPS) provide opportunities for expanding the public realm by creating open spaces and connecting streets, parks and open spaces. POPS provided through development shall:
    - i) be publicly accessible;
    - ii) be designed for uses of all ages and abilities;
    - iii) avoid the use of design elements that discourage public access such as fencing, grade separation, or other barriers;
    - iv) be sited in highly visible locations and designed to serve the local population;
    - v) include new trees, seating, bicycle parking, and landscaping;
    - vi) incorporate child-specific elements if not located within 500 metres of a public playground; and,
    - vii) not provide for any parking or loading areas within a POP.

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- e) privately owned publicly accessible open spaces approved as part of a *development* shall not be in lieu of parkland dedication.

#### **6.1.8 Institutional Designation**

- 6.1.8.1 Sections B.3.5 – Community Facilities/Services Policies, E.3.10 – Community Facilities/Services and E.6.0 – Institutional Designation of Volume 1, shall apply to lands designated Institutional on Map B.6.1.1 – Downtown Hamilton Secondary Plan – Land Use Plan.

#### **6.1.9 Utility and Transport Designation**

- 6.1.9.1 Section C.3.4 – Utility Designation, Policy B.3.3.6 – Urban Services and Utilities and Policy B.3.6.3 – Noise, Vibration and other Emissions of Volume 1, shall apply to lands designated Utility on Map B.6.1.1 – Downtown Hamilton Secondary Plan – Land Use Plan.

#### **6.1.10 Urban Design Policies**

- 6.1.10.1 *Development* in The Downtown Hamilton Secondary Plan supports a high standard of urban design through an emphasis on protecting and conserving *built heritage resources* and *cultural heritage landscapes* and the adoption of defined standards for the design of new buildings and structures. In addition to Section B.3.3 – Urban Design Policies of Volume 1, the following policies shall apply to all *development* in the Downtown:

- a) All public and private initiatives in the Downtown Hamilton Secondary Plan area will be subject to architectural and design review by the Design Review Panel, to assist the City in ensuring that the design objectives of this plan are reflected in all projects.

#### **Gateways**

- 6.1.10.2 Gateway features shall be located at key entrance points to the Downtown. Proposed Gateway locations are shown on Map B.6.1.1 – Downtown Hamilton Secondary Plan – Land Use Plan. In addition to Section B.3.3.4 – Gateways of Volume 1, the following policies shall apply:

- a) gateway features shall be incorporated into site plans for *developments* and shall conform to the requirements of site-specific traffic operations and planned changes in the Downtown Hamilton Transportation Master Plan; and,
- b) the York Boulevard gateway shall create a strong streetwall that shall emphasize the character of the corridor as a primary access to the Downtown.

#### **Views and Vistas**

- 6.1.10.3 The Niagara Escarpment is the prominent feature that is visible at the terminus of several streets in the Downtown due to its close proximity, height, and forested natural character. This distinct feature is a UNESCO Biosphere Reserve that separates lower Hamilton from the upper urban area above the brow of the escarpment. The Niagara Escarpment is a powerful visual feature due to its height and striking landscape character that terminates the vistas looking southwards on several Downtown streets.

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- 6.1.10.4 The Niagara Escarpment is part of Hamilton's unique identity and contributes significantly to the character of the Downtown. Significant views to this natural feature shall be protected.
- 6.1.10.5 In order to understand and limit the loss of views to the Niagara Escarpment, significant view locations and corridors have been identified on Appendix C – Downtown Hamilton – Viewshed Analysis. The City of Hamilton shall prepare visual impact guidelines and a visual impact assessment shall be prepared in accordance with the guidelines.
- 6.1.10.6 A Visual Impact Assessment may be required for *development* located on streets identified as View Corridors to the Niagara Escarpment, and properties identified as Locations Where There May Be Impacts to Views, as shown on Appendix C – Downtown Hamilton Secondary Plan – Viewshed Analysis.
- 6.1.10.7 Visual Impact Assessments shall be required for *development* on properties identified as Locations Where There Are Impacts to Views as identified on Appendix C – Downtown Hamilton Secondary Plan – Viewshed Analysis.
- 6.1.10.8 *Development* shall be required to provide setbacks, stepbacks, or reduced heights in order to mitigate the impact of the proposed development on existing views.
- 6.1.10.9 A Visual Impact Assessment shall include the following:
- a) visualizations that demonstrate the impact of the proposed *development* to existing views of the Niagara Escarpment by providing before and after visualizations of the views;
  - b) existing and proposed streetscape treatment to enhance views (quality and extent); and,
  - c) proposed design refinements to demonstrate that there is no loss of views from the public realm. Design refinements to protect views may include:
    - i) the size, massing, and placement of new buildings;
    - ii) the size and placement of future transportation and utility infrastructure; and,
    - iii) *development* of building façades that create visual connections to the streets and public spaces.
- 6.1.10.10A Visual Impact Assessment may be required for *development* that is adjacent to a *cultural heritage resource*, a *cultural heritage landscape*, a place of worship, or an existing landmark, that creates a distinct visual orientation point within the Downtown and that may be impacted by proposed development.

### **Signage and Wayfinding**

- 6.1.10.11 In accordance with the City Sign By-laws, the following policies shall apply to signage in the Downtown:

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- a) signage shall be used for way-finding and identifying buildings and public places in Downtown.
  - b) signage shall be *compatible* with the residential environment and shall be non-flashing, shall be restricted to the building face and shall exclude stand-alone structures; and,
  - c) new signage geared to fast-moving vehicular traffic such as billboards or permanent portable signs shall not be permitted.

## **Public Art Policies**

6.1.10.12 In addition to the policies of Section B.3.3.12 Public Art of Volume 1, public improvement projects in the Downtown shall allocate 1% of the project budget to the City's Public Art Program for use in the Downtown.

## **6.1.11 Cultural Heritage Resource Policies**

6.1.11.1 Heritage buildings and streetscapes define Downtown Hamilton as a unique place. The existing concentration of heritage built form is one of the key strengths and opportunities in Downtown Hamilton. The Downtown Hamilton Secondary Plan recognizes the value of heritage buildings, streetscapes, and the cultural landscape and places a priority on their retention and enhancement. In addition to Section B.3.4 – Cultural Heritage Resource Policies of Volume 1, the following policies shall also apply to *cultural heritage resources* within the Downtown Hamilton Secondary Plan:

- a) the Downtown Hamilton Secondary Plan is comprised of six *established historical neighbourhoods*: Beasley Neighbourhood, Central Neighbourhood, Corktown Neighbourhood, Durand Neighbourhood, Landsdale Neighbourhood and Stinston Neighbourhood, as identified on Appendix B – Downtown Hamilton Secondary Plan – Cultural Heritage Resources and as such, Policies B.3.4.3.6 and B.3.4.3.7 – General Cultural Heritage Policies for Urban Areas of Volume 1 shall apply;
- b) *cultural heritage landscapes* shall be protected by retaining major characteristics through the review of *Planning Act* applications. The Downtown *cultural heritage landscapes* are identified on Appendix B-1 – Downtown Hamilton Secondary Plan – Cultural Heritage Landscapes;
- c) as part of the City-wide inventory of *cultural heritage landscapes*, the extent of the *cultural heritage landscapes* identified in on Appendix B-1 – Downtown Hamilton Secondary Plan – Cultural Heritage Landscapes shall be confirmed;
- d) conservation of existing *cultural heritage resources* shall be a priority in all development. New development shall be compatible with on-site and adjacent *cultural heritage resources*. Adaptive re-use will be given priority for all built heritage resources;
- e) the City may require that as part of *development* proposals that *cultural heritage resources* be retained on-site and incorporated, used or *adaptively re-used*, as appropriate with the proposed *development*. Retention and protection of cultural heritage resources on lands subject to *development* may be a requirement as a condition of *development* approval. Specifically, heritage easements under subsection 37(1) of the *Ontario*

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*Heritage Act* may be required and negotiated, as well as *development* agreements, respecting the care and conservation of the affected heritage property.

#### **6.1.12 General Transportation Policies**

- 6.1.12.1 In addition to Section C.4.0 – Integrated Transportation Network of Volume 1, the policies in Section B.6.1.12 of the Downtown Hamilton Secondary Plan shall also apply.
- 6.1.12.2 Public right-of-way road widenings may be required in order to provide for expanded public realm, landscaping, or to accommodate additional street capacity. Public right-of-way widenings shall not be taken from streets within the Downtown Hamilton Secondary Plan area except for each street segment identified in Schedule C-2 – Future Road Widenings of Volume 1 and shall be taken in accordance with Policy C.4.5.6 – Road Widenings of Volume 1.
- 6.1.12.3 The Downtown Transportation Master Plan is the primary policy document for multi-modal transportation in the Downtown. All plans and improvement programs for Downtown Streets, including street reconstruction and public improvements shall conform to this Plan and are subject to the Downtown Transportation Master Plan.
- 6.1.12.4 *Development* in the Downtown shall implement the approved parking strategy providing for the consolidation of parking opportunities in strategic locations.
- 6.1.12.5 The historic grid street pattern in Downtown Hamilton shall be retained or restored through the following measures:
- a) re-opening streets, lanes and alleyways that have been closed, where feasible;
  - b) ensuring that all new *development* supports or incorporates a grid street pattern; and,
  - c) acquiring land for public lane and street purposes through the *development* of sites in the Downtown.
- 6.1.12.6 Walking accounts for more daily trips in Downtown Hamilton than any other mode of transportation. All streets in Downtown Hamilton shall provide a safe pedestrian realm through appropriately designed sidewalks as per the Pedestrian Mobility Plan, barrier free access, traffic calming, and provision of *urban braille*, landscaping, seating areas, transit shelters, bicycle parking, and other amenities. The extent to which these amenities can be incorporated may vary from street to street.
- 6.1.12.7 Provision of on-street parking shall be a priority in the Downtown. Designs for street improvements shall maximize opportunities for on-street parking. The requirements for public *transit* stops and the effect on *transit* route travel times shall be reviewed prior to establishing additional on-street parking.
- 6.1.12.8 Where residential uses abut a street, enhanced landscaped boulevards within the public right-of-way shall be provided where possible, including trees and plantings.
- 6.1.12.9 Construction of new elevated walkways over public streets shall not be permitted in the Downtown.

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6.1.12.10 Alleyways provide important access to many properties in the Downtown. Properties with alleyway access may use such access in lieu of street access where direct street access would compromise other objectives. In addition, the following policies shall apply to alleys in the Downtown:

- a) *existing* alleyways shall be maintained as public right-of-way for pedestrians, cyclists, service delivery or loading, and other modes of transportation;
- b) the City may require existing alleyways adjacent to properties along the *priority transit corridor* to be widened in accordance with Policy 6.1.12.19 of this Plan; and,
- c) the City shall not support closure of an alleyway unless private *development* adjacent to the alleyway can be serviced from the public street without compromising the design objectives, relative to streets, heritage buildings, and urban design.

6.1.12.11 To promote sustainable transportation, all *development* shall be encouraged to:

- a) promote short and long-term bicycle parking;
- b) provide shower and change room facilities for employees;
- c) provide seating areas;
- d) provide electric vehicle charging stations;
- e) provide a car share vehicle on-site, in collaboration with local operators;
- f) provide a bike share station on-site in collaboration with local operators; and,
- g) provide autonomous and shared vehicle parking.

6.1.12.12 The City shall complete street master plans for the entire length of the following streets:

- Bay Street;
- Cannon Street;
- Caroline Street;
- Catharine Street;
- Ferguson Avenue;
- George Street;
- Hess Street;
- Hughson Street;
- Hunter Street;
- Jackson Street;
- James Street;
- John Street;
- King Street;
- King William Street;
- Main Street;
- Queen Street;
- Wellington Street;

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- York Boulevard/Wilson Street; and,
  - Victoria Avenue.

6.1.12.13 Streetscape Master Plans shall be developed within the context of an overall urban design and public realm enhancement perspective for streets listed in Policy B.6.1.12.12 above. Landscaping elements to be addressed include *transit* shelters, cycling amenities, public signage, seating areas, vegetation, lighting, and operations. A description of the design function and objectives for these streets is provided in Table B.6.1.16 of this Plan.

6.1.12.14 A design plan and program of public improvements shall be developed for the streets surrounding the Jackson Square Complex (Bay Street, York Boulevard, James Street, King Street). Portions of this project shall be undertaken in conjunction with the redevelopment of the Hamilton City Centre (former Eatons Centre). The following elements shall be addressed in the design plan:

- a) widened sidewalks to a minimum clear zone width of 3.5 metres, where feasible;
- b) creation of a continuous canopy over the sidewalks through street tree plantings or the use of lighting, banners and awnings;
- c) installation of sheltered public seating areas;
- d) landscaping improvements;
- e) installation of public art;
- f) provision of cycling access and amenities;
- g) improved pedestrian areas along the streets;
- h) increased pedestrian access, including AODA accessibility, from the street to buildings and stores in the Jackson Square Complex;
- i) opportunities for complementary enhancements of adjacent private structures or lands; and,
- j) opportunities for improved design to the open space and plaza area, including:
  - i) introducing pedestrian paths/ sidewalks that replicate the historic grid street pattern through the Jackson Square Complex;
  - ii) improving connections between the street level areas and the open space and plaza area; and,
  - iii) examining the feasibility of reintroducing streets in accordance with the historic grid street pattern and orienting new buildings to these streets.

6.1.12.15 Reclaiming space for enhanced sidewalk width or the appropriate bicycle facilities, where appropriate, shall be completed as *development* occurs. The City may, at its discretion, require dedication of private land or an easement on private land, to enhance the public realm on Downtown streets. The



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landscaping plan for the private *development* shall include improvements in the boulevard that shall be constructed by the private developer.

6.1.12.16 Hamilton's waterfront is one of the prime areas of the City. Linking Hamilton Harbour to Downtown Hamilton began with the Ferguson Avenue Master Plan. Continuous pedestrian, bicycle and vehicular linkages are key to achieving the public realm goals of the Master Plan. Implementation of the Ferguson Avenue Master Plan for streets and public spaces shall continue along the corridor.

### **Rapid Transit**

6.1.12.17 Appendix A – Downtown Hamilton – Higher Order Transit, shows the location of planned *higher order transit* stations, areas and a *priority transit corridor* within the Downtown.

6.1.12.18 In order to promote a high quality pedestrian realm adjacent to the *priority transit corridor*, a 2.5 metre wide sidewalk shall be provided on both sides of the corridor, where possible.

6.1.12.19 Notwithstanding Policy B.6.1.12.2, as it relates to the *priority transit corridor*, any lands required for the *priority transit corridor* shall be dedicated to the City, to the satisfaction of the City in accordance with Section C.4.5.6 – Road Widening of Volume 1.

6.1.12.20 *Development* in proximity to *higher order transit* station areas shall be required to provide access to the station.

6.1.12.21 In locations where the public right-of-way of streets intersect with the *priority transit corridor* on King Street (including Mary Street, Walnut Street and Ferguson Avenue) and where partial or full vehicle access is restricted in these locations, the following design elements shall be considered:

- a) prioritize pedestrians by removing curbs and deploying a shared street approach that includes design treatments to resemble a civic plaza;
- b) incorporate hardscape features such as unit pavers or coloured concrete; plantings such as street trees, shrubs and perennials; and furnishings such as bench seating, bike racks, bike share, and waste receptacles;
- c) both corners of the *development* site should address the street and the plaza through the provision of substantial fenestration; and,
- d) building ground floors fronting onto these plazas should be highly transparent and animated.

6.1.12.22 In locations where the public right-of-way of streets intersect the *priority transit corridor* on King Street and where full vehicular access is maintained, the following design elements shall be considered:

- a) relocate curbs to maximize the pedestrian through-zone and plantings zone to accommodate street trees, where feasible;
- b) ensure that safe access to loading facilities are maintained;

- c) incorporate hardscape features such as unit pavers or coloured concrete; plantings such as street trees, shrubs and perennials; and furnishings such as bench seating, bike racks, bike share, and waste receptacles;
- d) both corners of the *development* site should address the street and the plaza through the provision of substantial fenestration; and,
- e) building ground floors fronting onto these plazas should be highly transparent and animated.

#### **6.1.13 Infrastructure, Energy and Sustainability Policies**

6.1.13.1 Municipal services such as sewers, water, stormwater systems, and public/private utilities shall be provided, maintained and upgraded, as required, to accommodate the needs of existing and future *development* in the Downtown Hamilton Secondary Plan area, in accordance with Section C.5.0 – Infrastructure and B.3.7 – Energy and Environmental Design of Volume 1, and the following:

- a) infrastructure related works within the Downtown Hamilton Secondary Plan area shall have regard for the character of *established historical neighbourhoods* and shall ensure that *built heritage resources* and *cultural heritage landscapes* are conserved, where feasible;
- b) the processing and approval of *development* applications shall be contingent on the availability of water and wastewater capacity, and stormwater capacity;
- c) Low Impact Development (LID) measures and innovative servicing technologies intended to minimize stormwater run-off and loading on the treatment plant, including rainwater harvesting and reuse systems, bio-swales or water features, greywater recycling, infiltration measures, permeable paving materials, on-site retention and green roofs shall be encouraged in building design and *development* in accordance with City and Provincial standards and guidelines;
- d) new Mid-rise and High-rise *development* shall demonstrate how LID measures and innovative servicing technologies have been employed in their site and building design;
- e) the City shall monitor the capacity of storm sewers and reassess the need to manage stormwater runoff, as may be required;
- f) *development* shall demonstrate compliance with the limits of the existing adjacent water and wastewater servicing networks. Private on-site controls and enhanced building design may be required, to the satisfaction of the City, to mitigate any increased demand that exceeds existing capacity;
- g) to increase the energy efficiency of buildings, all commercial, institutional, mixed-use and multi-unit residential *development* shall be encouraged to:
  - i) have a green roof;
  - ii) provide solar capture equipment;

- iii) use cooling roof materials;
- iv) plant trees and other vegetation to provide shade and additional tree canopy;
- v) utilize soft landscaping on the flat portion of rooftops (excluding the area required for mechanical equipment);
- vi) consider options for district energy, and design features that would enable the future implementation of district energy;
- vii) provide for a minimum of 40% of the building's total energy requirements through alternative energy sources, including solar hot water, photovoltaic, or geothermal, etc.;
- viii) utilize low demand or low flow fixtures; and,
- ix) provide for a minimum of 50% of the projected water demand for toilets/urinals through greywater recycling.
- h) all *development* shall be encouraged to strive for a LEED Gold or higher rating, or an equivalent standard.

#### **6.1.14 Implementation**

6.1.14.1 In addition to Section F.1.0 – Planning Act Implementation Tools of Volume 1, the following policy shall apply to the Downtown Hamilton Secondary Plan area:

- a) *development* proposals may include infrastructure for drainage control located on private lands. Where deemed necessary, the City may require the registration of Site Plan agreements on title of a property, to give the City legal authority to ensure that these controls continue to function appropriately in the future; and,
- b) *higher order transit* station area delineations and density targets for the Downtown Secondary Plan shall be determined as part of a future *municipal comprehensive review* process.

6.1.14.2 Community Improvement Plans for the Downtown Hamilton Secondary Plan area shall align with the vision, principles, and objectives of this Plan.

#### **6.1.15 Site Specific Policies**

##### **Site Specific Policy - Area A and A-1**

6.1.15.1 For the lands municipally known as 130 York Boulevard, designated Institutional and shown as Site Specific Policy Area A and Area A-1 on Map B.6.1-1 - Downtown Hamilton Secondary Plan – Land Use Plan, the following policies shall apply:

##### **Area A**

- a) notwithstanding Policy E.6.2.6 – Other Uses of Volume 1, where institutional uses cease on the above noted lands, Downtown Mixed Use uses in accordance with Section B.6.1.6, and, parks/open space uses, and *community facilities/services* uses shall be permitted without an amendment

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to this Plan provided the uses are *compatible* with the surrounding areas and are in keeping with the policies of this Plan.

- b) Increases in height shall be permitted without an amendment to this Plan subject to the following:
  - i) maximum building height shall be no greater than the height of the top of the Escarpment as measured between Hess Street and Bay Street North;
  - ii) the provision of a publicly accessible open space area through one or all of the following:
    - 1. maintaining the existing open space area on the property; or,
    - 2. the provision of a Privately Owned Public (POP) space in accordance with Policy 6.1.7.1 9 f) of this Plan; or,
    - 3. parkland dedication in accordance with Section F.1.18 – Parkland Dedication Policies of Volume 1.

#### **Area A-1**

- c) in addition to Policy B.6.1.15.1 a), for the lands shown on Map B.6.1-1 - Downtown Hamilton Secondary Plan – Land Use Plan as Site Specific Policy – Area A-1, a utility plant for the generation and transmission of heat, steam and electricity shall be permitted provided the following criteria are met:
  - ii) the proposed noise levels and emissions from the utility operation comply with provincial requirements; and,
  - iii) appropriate buffering is provided and maintained between the utility use and adjacent (*existing* and future planned) residential and institutional uses to mitigate potential adverse noise and air emission related impacts.

#### **Site Specific Policy – Area B**

6.1.15.2 For the lands located at the southeast corner of Cannon Street East and Cathcart Street, municipally known as 220 Cannon Street East, designated Downtown Mixed Use and shown as Site Specific Policy – Area B on Map B.6.1-1 - Downtown Hamilton Secondary Plan – Land Use Plan, the following policies shall apply:

- a) a maximum residential density of 705 units per hectare shall be permitted.

#### **Site Specific Policy - Area C**

6.1.15.3 For the lands municipally known as 41 Jackson Street West (Whitehern Museum), designated Institutional and shown as Site Specific Policy – Area C on Map B.6.1-1 - Downtown Hamilton Secondary Plan – Land Use Plan, the following policies shall apply:

- a) notwithstanding Section E.6.0 – Institutional Designation of Volume 1, Whitehern, the current museum use and its accessory functions are recognized as of the date of adoption of the Downtown Hamilton

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Secondary Plan. Any change in use shall require an amendment to this Plan.

**Site Specific Policy - Area D**

6.1.15.4 For the lands municipally known as 99 Ferguson Avenue North, designated Institutional and shown as Site Specific Policy – Area D on Map B.6.1-1 - Downtown Hamilton Secondary Plan – Land Use Plan, the following policies shall apply:

- a) notwithstanding Policy E.6.2.6 – Other Uses of Volume 1, where institutional uses cease on the above noted lands, Downtown Residential uses, in accordance with Section B.6.1.5 – Downtown Residential Designation, and, parks/open space uses, and *community facilities/services* uses shall be permitted without an amendment to this Plan provided the uses are *compatible* with the surrounding areas and are in keeping with the policies of this Plan.

**Area Specific Policy – Area E**

6.1.15.5 For the lands located east of Caroline Street, between Hunter Street and Jackson Street, designated Downtown Residential and shown as Area Specific Policy Area – E on Map B.6.1-1 - Downtown Hamilton Secondary Plan – Land Use Plan, the following policies shall apply:

- a) notwithstanding Policy B.6.1.5.1 a), the only uses permitted shall be single-detached dwellings.

**Site Specific Policy – Area F**

6.1.15.6 For the lands municipally known as 200 James Street North, known as the John Weir Foote VC Armoury and recognized as a National Historic Site of Canada, designated Downtown Mixed Use and shown as Site Specific Policy Area F on Map B.6.1-1 - Downtown Hamilton Secondary Plan – Land Use Plan, the following policies shall apply:

- a) in addition to Section B.6.1.6 – Downtown Mixed Use designation, the John Weir Foote VC Armoury and its *accessory* functions are recognized as of the date of adoption of the Downtown Hamilton Secondary Plan; and,
- b) Any future *development* of the property shall be encouraged to conserve the Nationally significant site.

**Area Specific Policy – Area G**

6.1.15.7 For the lands municipally known as 252-254 James Street North, designated Downtown Mixed Use and shown as Site Specific Policy Area G on Map B.6.1-1 - Downtown Hamilton Secondary Plan – Land Use Plan, the following policies shall apply:

- a) in addition to Section B.6.1.6 – Downtown Mixed Use designation, the *existing* place of worship and its *accessory* functions are recognized as of the date of adoption of the Downtown Hamilton Secondary Plan.

**Table B.6.1.16**

Street	Design Functions	Design Objectives
Bay Street	<ul style="list-style-type: none"> <li>• Key linkage from Escarpment to Waterfront</li> <li>• Priority cycling corridor for separated bike lane</li> </ul>	<ul style="list-style-type: none"> <li>• Widen public sidewalk where feasible</li> <li>• Strengthen pedestrian linkages to east-west streets and key <i>transit</i> nodes</li> <li>• Balance pedestrian, cycle and <i>transit</i> needs with vehicular needs</li> <li>• Retention of bike lanes</li> </ul>
Cannon Street	<ul style="list-style-type: none"> <li>• Primary east-west link on north side of Downtown</li> <li>• Serves a mix of residential and commercial areas within the Downtown</li> <li>• Priority cycling corridor for separated bike lane</li> </ul>	<ul style="list-style-type: none"> <li>• Recognize through traffic needs</li> <li>• Establish safe pedestrian and cycling environment with appropriate separation from vehicles</li> <li>• Retention of bike lanes</li> </ul>
Caroline Street	<ul style="list-style-type: none"> <li>• Important pedestrian linkage between Downtown, the Waterfront and adjacent residential areas</li> </ul>	<ul style="list-style-type: none"> <li>• Provide pedestrian and cycling amenities along length of street</li> <li>• Partner with Board of Education to extend the pedestrian route through the Sir John A. Macdonald site</li> </ul>
Catharine Street	<ul style="list-style-type: none"> <li>• Neighbourhood linkage</li> </ul>	<ul style="list-style-type: none"> <li>• Improve vehicular/pedestrian and cycling separation</li> <li>• Provide improved pedestrian and cycling amenities</li> </ul>
Ferguson Avenue	<ul style="list-style-type: none"> <li>• See Ferguson Avenue Master Plan</li> </ul>	<ul style="list-style-type: none"> <li>• See Ferguson Avenue Master Plan</li> </ul>
George Street	<ul style="list-style-type: none"> <li>• Supports commercial activities along George</li> <li>• Key pedestrian linkage</li> </ul>	<ul style="list-style-type: none"> <li>• New <i>development</i> shall address the street directly and provide at grade access</li> <li>• Public improvements shall be consistent with recent Hess Village improvements</li> <li>• Design elements to discourage or restrict through traffic and prioritize pedestrians</li> </ul>
Street	Design Functions	Design Objectives

Hess Street	<ul style="list-style-type: none"> <li>• Hess Street supports the Hess Village commercial area</li> <li>• Provides a linkage to the Waterfront area and adjacent neighbourhoods</li> </ul>	<ul style="list-style-type: none"> <li>• Within Hess Village the street shall receive specialty treatment to recognize its commercial role</li> <li>• Pedestrian and cycling amenities shall be provided where feasible</li> <li>• Provide an appropriate amount of bicycle parking</li> </ul>
Hughson Street	<ul style="list-style-type: none"> <li>• Key north-south pedestrian route GO Centre and commercial areas to the south</li> <li>• Linkage between Gore Park and Hamilton GO Station</li> </ul>	<ul style="list-style-type: none"> <li>• Protect view from GO Centre to Gore Park</li> <li>• Establish a pedestrian link between Go Centre and LRT Station at Gore Park</li> <li>• Create special pedestrian crossing at Hunter Street</li> <li>• Introduce pedestrian and cycling amenities along entire route</li> <li>• New development to provide direct, at grade access to street</li> <li>• No blank façades along street</li> </ul>
Hunter Street	<ul style="list-style-type: none"> <li>• Provides alternative east-west route on south side of Downtown</li> <li>• Provides important pedestrian linkages from major north-south streets to Hamilton GO Centre</li> <li>• Links Durand and Corktown neighbourhoods</li> <li>• Priority cycling corridor for separated bike lane</li> </ul>	<ul style="list-style-type: none"> <li>• Improve pedestrian and cycling environment on east-west route</li> <li>• Improve north-south pedestrian and cycling connections to Gore Park</li> <li>• Landscaped area on north side of Hunter between James and Catharine Street shall be maintained and retained in development proposals</li> <li>• Street improvements shall provide greater separation between pedestrians and vehicles, particularly west of James Street</li> <li>• Improve north/south crossings, particularly in the area around the GO station and City Hall.</li> </ul>
<b>Street</b>	<b>Design Functions</b>	<b>Design Objectives</b>

Jackson Street	<ul style="list-style-type: none"> <li>• Key pedestrian and vehicle route on south side of Downtown</li> <li>• Gateway to significant historic sites (i.e. Whitehern Museum)</li> </ul>	<ul style="list-style-type: none"> <li>• Recreate public street between Bay and MacNab</li> <li>• Integrate Jackson Street design with City Hall Forecourt on the east side of Bay Street</li> <li>• Create a pedestrian oriented streetscape east of City Hall with potential for shared street treatment</li> </ul>
James Street	<ul style="list-style-type: none"> <li>• Primary north-south street within the Downtown</li> <li>• Provides key pedestrian and traffic linkage to the Waterfront and Escarpment</li> <li>• Pedestrian focussed street</li> <li>• Prime retail and commercial street</li> </ul>	<ul style="list-style-type: none"> <li>• Widen public sidewalks where feasible</li> <li>• Strengthen pedestrian linkages to east-west streets, <i>transit</i> hubs</li> <li>• Provision of additional on street parking where feasible</li> <li>• Protection of views southward along James Street toward the Escarpment</li> </ul>
John Street	<ul style="list-style-type: none"> <li>• Important link between Downtown, the Waterfront and adjacent residential areas</li> <li>• Support James and King Street retail area</li> <li>• Escarpment Access</li> </ul>	<ul style="list-style-type: none"> <li>• Widen public sidewalk where feasible</li> <li>• Establish safe pedestrian environment with appropriate separation from vehicles</li> <li>• Better balance of pedestrian, cycle &amp; <i>transit</i> needs with vehicular needs</li> <li>• Provide connections to east-west streets into neighbourhood areas</li> </ul>
King Street	<ul style="list-style-type: none"> <li>• Transit focussed street</li> <li>• Pedestrian focussed street</li> <li>• Prime retail and commercial street</li> <li>• LRT corridor</li> </ul>	<ul style="list-style-type: none"> <li>• Widen public sidewalk where feasible; maintain north sidewalk in sun</li> <li>• Prioritize transit access</li> <li>• Strengthen pedestrian and cycling linkages to east-west streets and north-south streets, <i>transit</i> hubs</li> <li>• Provide seating at <i>transit</i> stops, where space permits</li> <li>• Alignment with LRT EA Document</li> </ul>



Street	Design Functions	Design Objectives
King William Street	<ul style="list-style-type: none"> <li>• Focus of the King William commercial area</li> <li>• Supports King Street prime retail area</li> <li>• Shall link the new Community Park at John and Rebecca Streets with adjacent residential and commercial areas</li> <li>• Pedestrian focussed street</li> <li>• Prime retail and commercial street</li> </ul>	<ul style="list-style-type: none"> <li>• Pedestrian amenities shall be introduced along entire length of street</li> <li>• Permanent and temporary public art shall be encouraged along the entire length of the street in keeping with the precedent established by the King William Art Walk Program</li> <li>• Discourage through traffic and prioritize pedestrians</li> </ul>
Main Street	<ul style="list-style-type: none"> <li>• Primary east-west link on south side of Downtown</li> </ul>	<ul style="list-style-type: none"> <li>• Widen public sidewalk where feasible</li> <li>• Improve vehicular pedestrian separation through wider sidewalks, street tree plantings and parallel parking</li> <li>• Strengthen pedestrian and cycling linkages to east-west streets and north-south streets, <i>transit</i> hubs</li> <li>• Provision of additional on-street parking where feasible</li> </ul>
Queen Street	<ul style="list-style-type: none"> <li>• Arterial route through Downtown core; has Escarpment access</li> <li>• Western boundary of Downtown linking east-west routes to the Escarpment</li> </ul>	<ul style="list-style-type: none"> <li>• Widen public sidewalk where feasible;</li> <li>• Strengthen pedestrian and cycling linkages to east-west streets; <i>transit</i> hubs</li> <li>• Provision of additional on-street parking where feasible</li> </ul>
Victoria Avenue	<ul style="list-style-type: none"> <li>• Northbound arterial route through Downtown core; has Escarpment access and to industrial sector</li> <li>• Eastern boundary of Downtown</li> <li>• Priority cycling corridor for separated bike lane</li> </ul>	<ul style="list-style-type: none"> <li>• Establish a safe pedestrian and cycling environment with appropriate separation from vehicles</li> <li>• Improve crossing points and provide additional opportunities</li> <li>• Widen sidewalks where feasible</li> </ul>
Street	Design Functions	Design Objectives

Wellington Street	<ul style="list-style-type: none"> <li>• Southbound arterial route through Downtown; has Escarpment access</li> </ul>	<ul style="list-style-type: none"> <li>• Establish a safe pedestrian environment with appropriate separation from vehicles</li> </ul>
York Blvd./Wilson Street	<ul style="list-style-type: none"> <li>• Key entry route and gateway into the Downtown from Highway 403</li> <li>• Primary route through on north side of Downtown</li> <li>• Priority cycling corridor for separated bike lane</li> </ul>	<ul style="list-style-type: none"> <li>• Establish a safe pedestrian and cycling environment with appropriate separation from vehicles</li> </ul>

Not Final and Binding

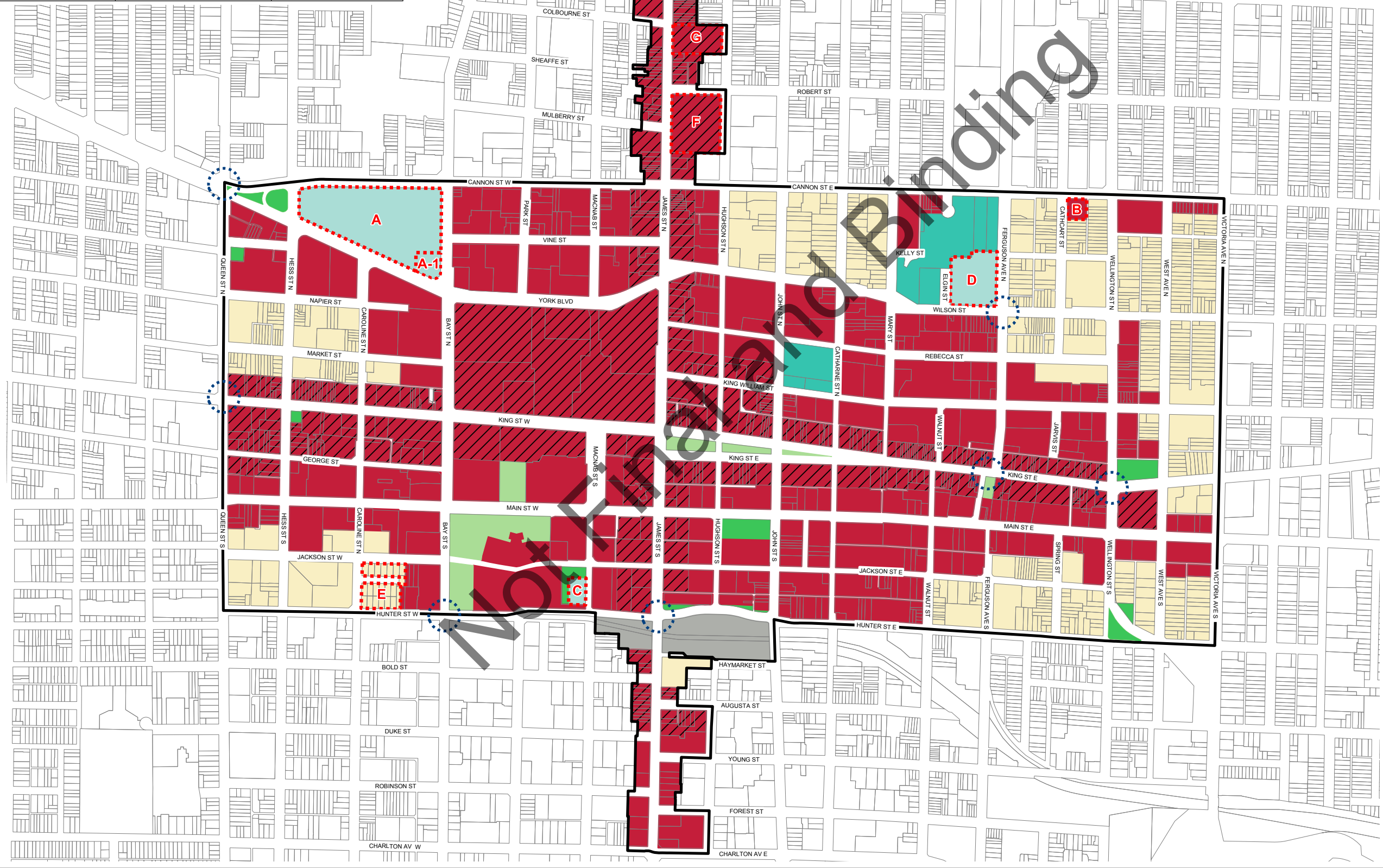
Appendix H  
APPROVED Amendment No. 102  
to the Urban Hamilton Official Plan

Downtown Hamilton Secondary Plan Land  
Use Map B.6.1-1 to be added to the Urban  
Hamilton Official Plan.

Date:  
March 2018

Revised By:  
AM/NB

Reference File No.:  
Downtown Hamilton SP



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  
DRAFT Land Use Plan  
Map B.6.1-1

Not To Scale

Hamilton

Date: March 2018

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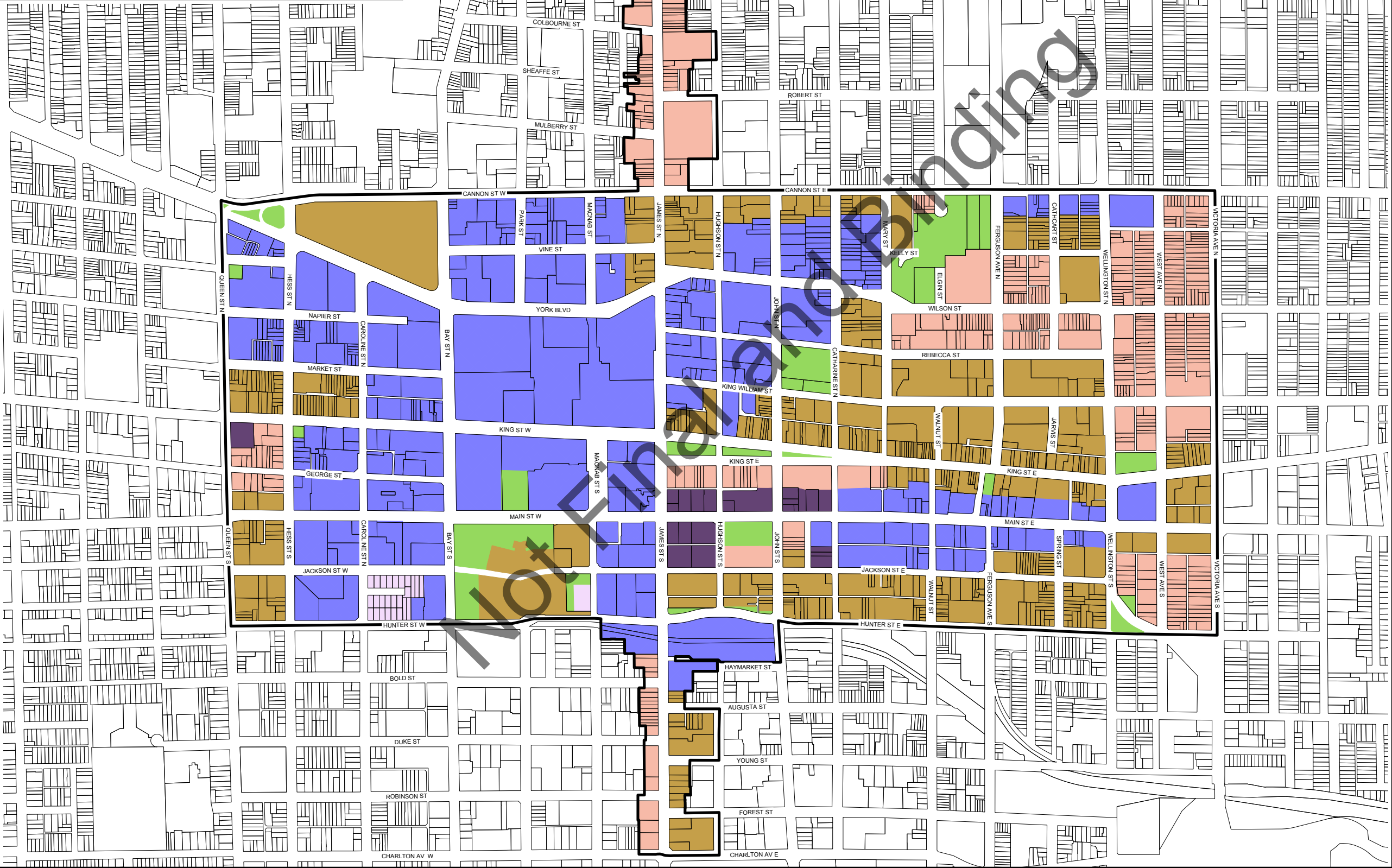
Appendix I  
APPROVED Amendment No. 102  
to the Urban Hamilton Official Plan

Downtown Hamilton Secondary Plan  
Maximum Building Heights Map B.6.1-2 to be  
added to the Urban Hamilton Official Plan.

Date:  
March 2018

Revised By:  
AM/NB

Reference File No.:  
Downtown Hamilton SP



**NOTE:** Maximum Building Heights within the Downtown shall be no greater than the height of the top of the Escarpment in accordance with Policy B.6.1.4.9.

**NOTE:** This Map is implemented through specific zoning provisions and Figure 1, Schedule F - Special Figures of Zoning By-law 05-200

Legend

Low-rise 1

Low-rise 2

Mid-rise

High-rise 1

High-rise 2

Parks/Open Space

Secondary Plan Boundary

Urban Hamilton Official Plan  
Downtown Hamilton  
Secondary Plan  
Maximum Building Heights  
Map B.6.1-2

Not To Scale  
Date: March 2018

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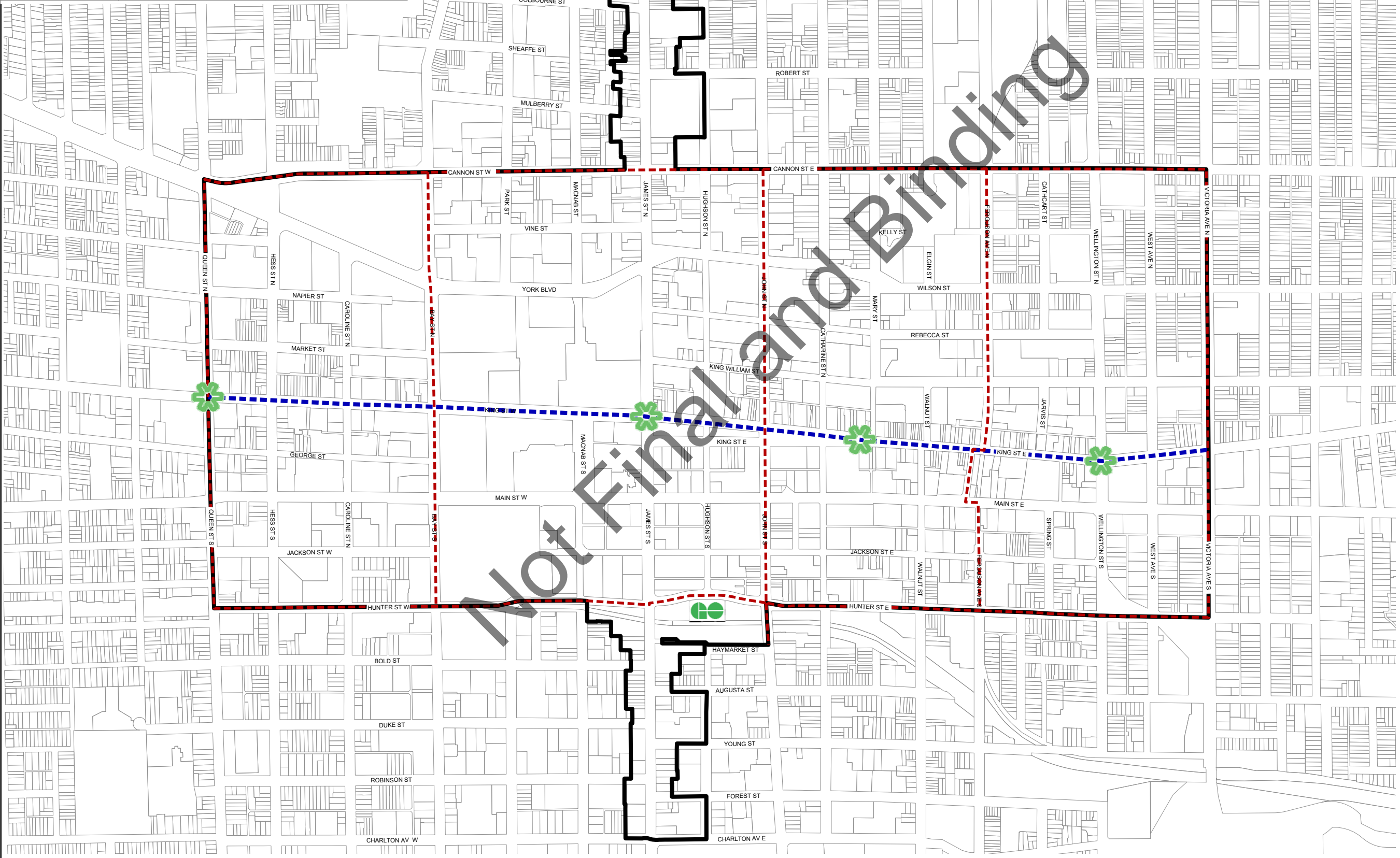
Appendix J  
APPROVED Amendment No. 102  
to the Urban Hamilton Official Plan

Downtown Hamilton Secondary Plan  
Planned Rapid Transit Stations Appendix A to be  
added to the Urban Hamilton Official Plan.

Date:  
March 2018

Revised By:  
AM/NB

Reference File No.:  
Downtown Hamilton SP



Legend

GO Transit Station

Higher Order Transit Station

Higher Order Transit Station Area

Priority Transit Corridor (B-line LRT McMaster to Eastgate)

Secondary Plan Boundary

Urban Hamilton Official Plan  
Downtown Hamilton  
Secondary Plan  
DRAFT Higher Order Transit  
Appendix A

Not To Scale

Hamilton

Date: March 2018

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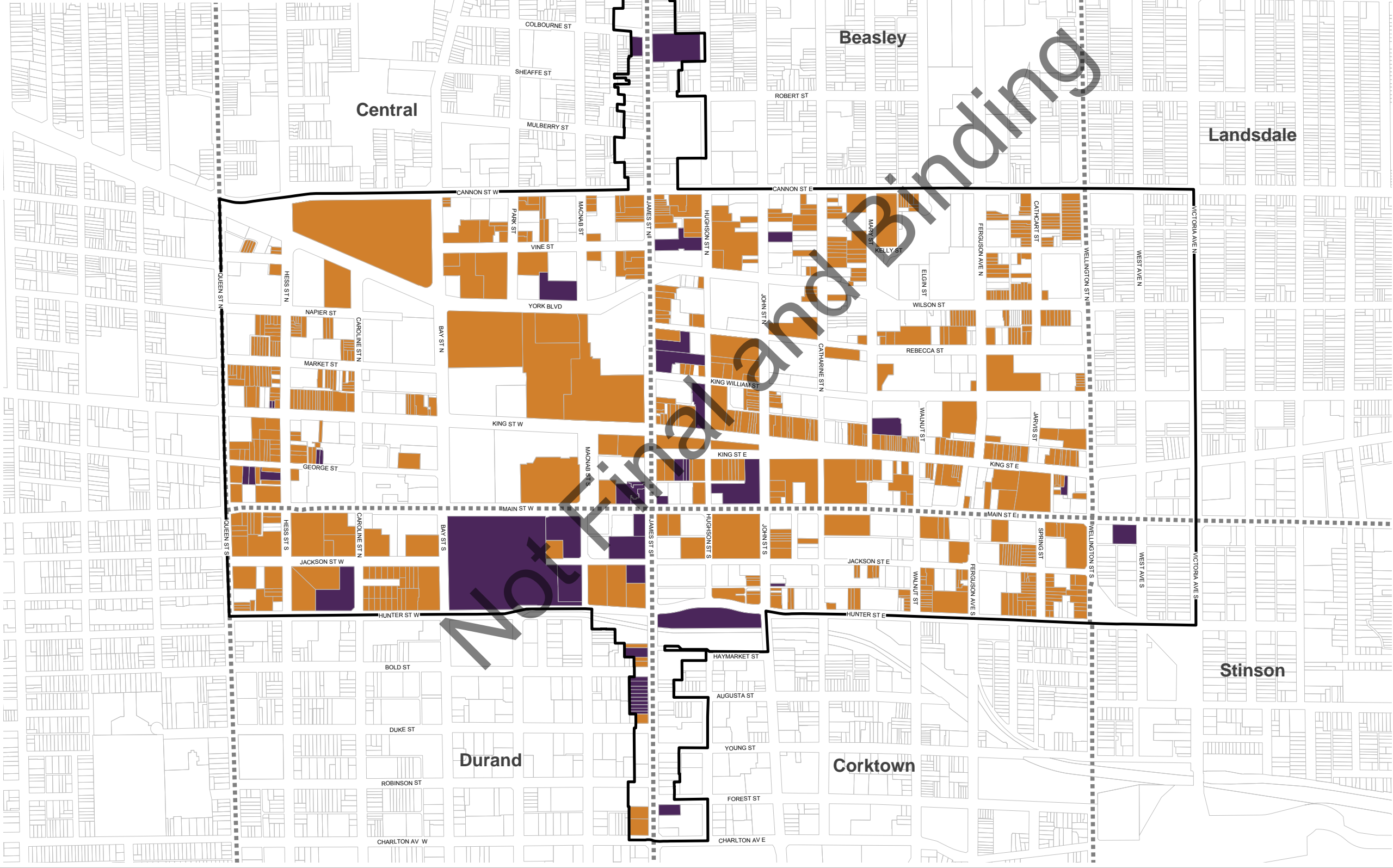
Appendix K  
APPROVED Amendment No. 102  
to the Urban Hamilton Official Plan

Downtown Hamilton Secondary Plan  
Cultural Heritage Resources Appendix B to be  
added to the Urban Hamilton Official Plan.

Date:  
March 2018

Revised By:  
AM/NB

Reference File No.:  
Downtown Hamilton SP



**Legend**

- Registered Non-Designated
- Designated
- Established Historical Neighbourhoods
- Secondary Plan Boundary

**Urban Hamilton Official Plan  
Downtown Hamilton  
Secondary Plan  
DRAFT Cultural Heritage Resources  
Appendix B**

Not To Scale  
Date: March 2018

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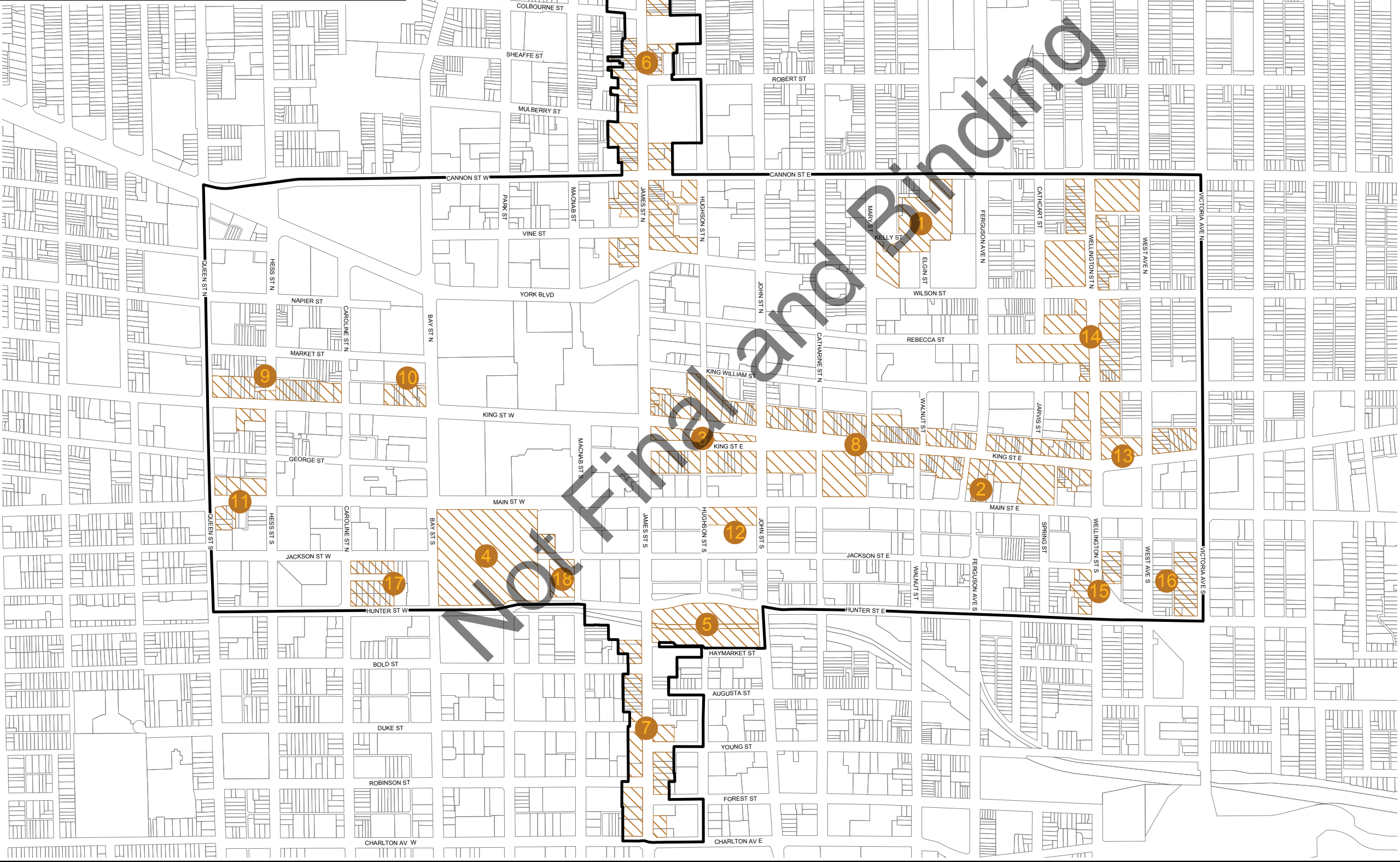
Appendix L  
APPROVED Amendment No. 102  
to the Urban Hamilton Official Plan

Downtown Hamilton Secondary Plan  
Cultural Heritage Landscapes Appendix B-1  
to be added to the Urban Hamilton Official Plan.

Date:  
March 2018

Revised By:  
AM/NB

Reference File No.:  
Downtown Hamilton SP



Legend

Cultural Heritage Landscapes

Secondary Plan Boundary

1. Beasley Park

2. Former Ferguson Rail Line - Main St. to King St.

3. Gore Park - James St. to Catharine St.

4. Hamilton City Hall (designated under Part IV of the Ontario Heritage Act)

5. Hamilton GO Station (designated under Part IV of the Ontario Heritage Act)

6. James St. N. Streetscape - York Blvd./Wilson St. to Murray St.

7. James St. S. Streetscape - Hunter St. to Charleton Av.

8. King St. E. Streetscape - James St. to Wellington St.

9. King St. W. Streetscape - Queen St. to Caroline St.

10. King St. W. Streetscape - at Bay St.

11. Main St. W. Streetscape - Queen St. S. to Hess St. S.

12. Prince's Square

13. Wellington Park

14. Wellington St. N Streetscape - King St. E. to Cannon St. E.

15. Wellington St. S. Streetscape - East and West sides, Main St. E. to Hunter St. E.

16. Victoria Av. S. Streetscape - Main St. E. to Hunter St.

17. Wesanford Place

18. Whitehern National Historic Site (designated under Part IV of the Ontario Heritage Act)

Urban Hamilton Official Plan  
Downtown Hamilton  
Secondary Plan  
DRAFT Cultural Heritage Landscapes  
Appendix B-1

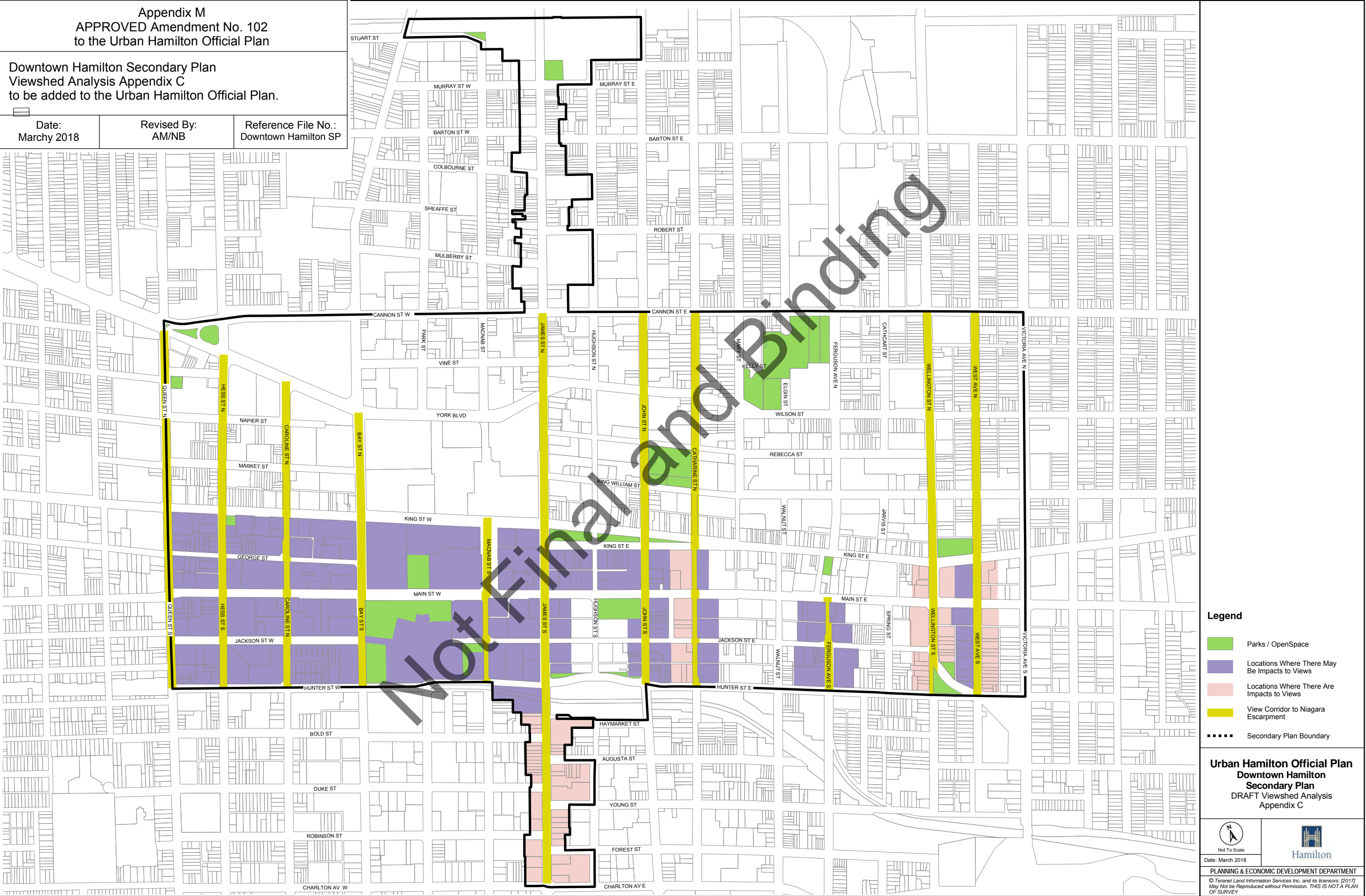
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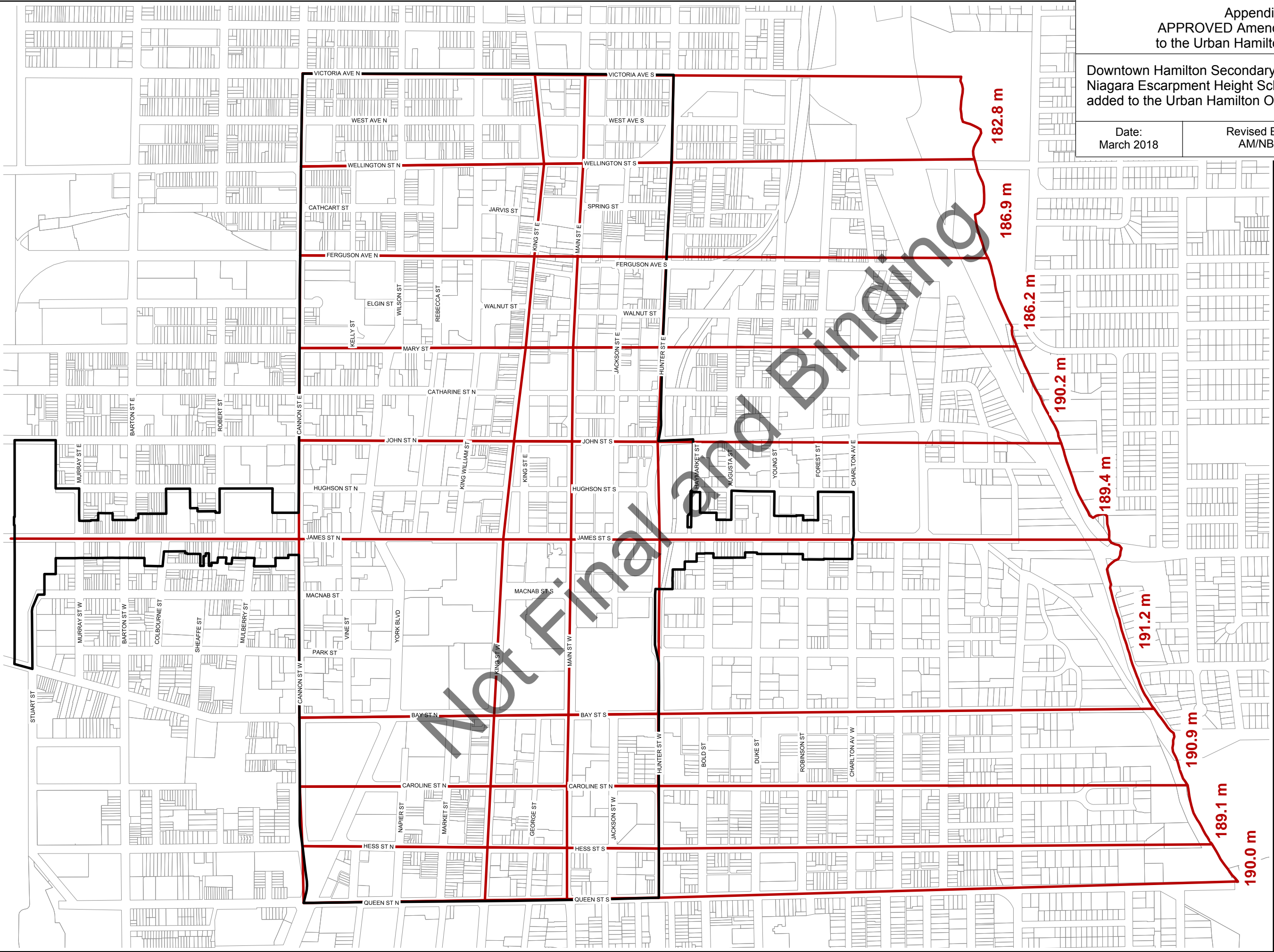


Appendix N  
APPROVED Amendment No. 102  
to the Urban Hamilton Official Plan

Downtown Hamilton Secondary Plan  
Niagara Escarpment Height Schedule D to be  
added to the Urban Hamilton Official Plan.

Date: March 2018	Revised By: AM/NB	Reference File No.: Downtown Hamilton SP
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**Note:** Mesurments are in  
meters above sea level.



- Legend**
- Downtown Elevation Study Lines
  - Secondary Plan Boundary

Urban Hamilton Official Plan  
Downtown Hamilton  
Secondary Plan  
DRAFT Niagara Escarpment Height  
Appendix D

Not To Scale

Hamilton

Date: March 2018

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