

Authority: Item 2, Planning Committee
Report 16-017 (PED16100(a))
CM: October 12, 2016

Bill No. 264

CITY OF HAMILTON

BY-LAW NO. 16-264

To Adopt:

**Official Plan Amendment No. 65 to the
Urban Hamilton Official Plan**

Respecting:

**Text and Schedule/Mapping Amendment to Implement Transit Oriented
Corridor Zoning for Wards 1-4**

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

1. Amendment No. 65 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 12th day of October, 2016.

F. Eisenberger
Mayor

R. Caterini
City Clerk

Urban Hamilton Official Plan Amendment No. 65

The following text, together with:

Appendix "A"	Volume 1, Schedule E-1 – Urban Land Use Designations
Appendix "B"	Volume 2, Ainslie Wood Westdale Secondary Plan – Land Use Plan – Map B.6.2-1
Appendix "C"	Volume 2, Strathcona Secondary Plan – Land Use Plan Map B.6.6-1
Appendix "D"	Volume 3, Map 1 – Area Specific Policies Key Map
Appendix "E"	Volume 3, Map H-9 – Area Specific Policies
Appendix "F"	Volume 3, Map H-10 – Area Specific Policies
Appendix "G"	Volume 3, Map H-11 – Area Specific Policies

attached hereto, constitutes Official Plan Amendment 65 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose of this amendment is to change current policies, include new policies, and amend mapping within the Urban Hamilton Official Plan to enable the implementation of new Transit Oriented Corridor Zoning for Wards 1-4. The proposed Transit Oriented Corridor Zones conform to the Urban Hamilton Official Plan, implements the Growth Plan for the Greater Golden Horseshoe and are consistent with the Provincial Policy Statement.

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

- Improve consistency between the Urban Hamilton Official Plan and the new Transit Oriented Corridor Zones to be included within the comprehensive Hamilton Zoning By-law 05-200;
- Add new policies to Volume One of the plan to address the future development of Light Rail Transit (LRT) Station Area locations;
- Remove policies that restrict development of the LRT Corridor;
- Revise certain policies within the Ainslie Wood Westdale Secondary Plan to create consistency for properties along the LRT Corridor;
- Add new policies to Volumes 2 and 3 to prohibit certain uses that are not supportive of an LRT system; and,

- Revise and correct section numbering and other typographical errors.

2.0 Location:

The lands affected by this Amendment are located within Wards 1-4 of the Urban Area of the City of Hamilton.

3.0 Basis:

The basis for permitting this Amendment is as follows:

- The changes allow for consistency between the policies of the Urban Hamilton Official Plan and the regulations proposed in the new Transit Oriented Corridor Zones;
- The changes allow for the amendment of Schedule E, Schedule E-1 and Secondary Plan mapping to reflect the future development of the LRT Corridor; and,
- The changes achieve the goals that were set out as a part of Interim Control By-law 15-245 and 15-246, to ensure the City’s planning documents:
 - support residential and commercial intensification;
 - do not impede the operation of the LRT system;
 - incorporate the appropriate built form and urban design regulations; and,
 - remove regulatory barriers for new investment and/or redevelopment opportunities in accordance with the City’s Open for Business mandate.
- The Amendment is consistent with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe.

4.0 Text and Schedule/Map Changes:

4.1 Volume 1 – Parent Plan

4.1.1 Chapter C.4 –Integrated Transportation network

- a) That Policy C.4.4.12 be deleted in its entirety and the subsequent policies be renumbered.

4.1.2 Chapter E – Urban Systems and Designations

a) That Policy E.2.4.13 be amended by:

- i) by deleting the word ‘shall’ in the first line and replacing it with the word ‘may’;
- ii) adding the words, ‘or portions,’ between the words ‘Urban Corridors’ and ‘to provide’; and
- iii) adding the words ‘and Volume 2,’ between the words ‘Designations,’ and ‘shall provide’;

so the policy reads as follows:

2.4.13 Corridor studies or secondary planning may be undertaken for the Urban Corridors, or portions, to provide greater direction on mix of uses, heights, densities, built form, and design. Pending the completion of such studies, the land use designations and policies, set out in Chapter E – Urban Systems and Designations, and Volume 2, shall provide direction for development proposals.

b) That Policy E.2.4.14. is amended by the splitting the policy as follows:

2.4.14 *Urban Corridors* shall provide a comfortable and attractive pedestrian experience.

2.4.15 Corridor studies and secondary planning shall make recommendations for *active transportation* connections including pedestrian improvements to individual sections of a corridor.

e) That Section 4.6.9 be amended by adding the words “except for pedestrian predominant streets as listed by Policy E.4.3.1.” to the end of the paragraph.

So that the policy reads as follows:

“The predominant built form shall be mid-rise and low rise buildings. The intent is to increase the proportion of multiple storey, mixed use buildings that have retail and service commercial stores at grade; however, single use commercial buildings and medium density ground related housing forms shall be permitted, except for pedestrian predominant streets as listed by Policy E.4.3.1.”

4.1.6 Volume 1 – Schedules and Appendices

That the following Schedules be amended by identifying the subject lands and changes as shown on Appendices A, B and C of this amendment:

- a) That Schedule E-1 – Urban Land Use Designations be amended by redesignating the subject lands from "Neighbourhoods" to "Mixed Use – Medium Density", as shown on Appendix "A" of this amendment;

4.2 Volume 2 – Secondary Plans

4.2.1 Chapter B.6.2 – Ainslie Wood Westdale Secondary Plans

- a) That Section 6.2 Ainslie Wood Westdale Secondary Plan, Policy B.6.2.7.2 be amended as follows:
 - i) Deleting policy B.6.2.7.2 b) in its entirety and renumbering subsequent policies; and,
 - ii) Amending policy B.6.2.7.2 c) by:
 - 1) adding the words "for lands designated Mixed Use Medium Density and Mixed Use Medium Density – Pedestrian Predominant and not included in Area Specific Policy E," between the words "Volume 1" and permitted building heights"; and,
 - 2) deleting the last sentence.
- b) That Section 6.2 Ainslie Wood Westdale Secondary Plan, Policy B.6.2.16 be amended by:
 - i) adding the words 'Area and' before the words 'Site Specific Policies'; and,
 - ii) adding a new Area Specific Policy as follows:

Area Specific Policy - Area E

- B.6.2.16.6 The following policies shall apply to the lands located on Main Street between Hollywood Avenue and Highway 403, designated Mixed Use - Medium Density and Local Commercial, and identified as Area Specific Policy – Area E on Map B.6.21 – Ainslie Wood Westdale – Land Use Plan:

- a) In addition to Section E.4.6.6 and notwithstanding Sections E.3.8.2 a), and E.4.6.5 a) of Volume 1, the following uses shall be prohibited:
 - i) drive through facilities;
 - ii) gas bars and car washes; and,
 - iii) vehicular service stations
- b) Applications to amend this Plan and/or the City's Zoning By-law to permit a drive-through facility within Area Specific Policy – Area E shall require demonstration that the proposed drive-through facility:
 - i) cannot be located in other potential locations in the Mixed Use-Medium Density designation which are not part of the pedestrian predominant street or Area Specific Policy – Area E;
 - ii) shall not change the existing and planned streetscape character;
 - iii) Maintains the pedestrian environment;
 - iv) shall not compromise the safe, efficient and comfortable movement of pedestrians;
 - v) shall not preclude the planned function and design intent for the LRT Corridor including:
 - 1) a comfortable, active and visually stimulating walking and shopping environment;
 - 2) a streetscape with buildings and storefronts oriented to the street; and,
 - 3) the operation of the LRT and the associated traffic movements.

- vi) shall not have an adverse impact on surrounding residential neighbourhoods including potential noise and traffic impacts; and,
- vii) addresses the design principles of Section B.3.3.2, the built form policies of Section B.3.3.3, the Access and Circulation policies of Section B.3.3.9 of Volume 1 and policy B.6.2.12 of Volume 2.

B.6.2.16.7 The following policies shall apply to the lands located on Main Street between Hollywood Avenue and Highway 403, designated Mixed Use Medium Density, and identified as Area Specific Policy – Area E on Map B.6.21 – Ainslie Wood Westdale – Land Use Plan:

- a) In addition to Section E.4.0 – Commercial and Mixed Use Designations of Volume 1, and notwithstanding B.6.2.7.2 of Volume 2, the following policies shall:
 - i) Building forms shall be in keeping with the predominant character of the surrounding area with respect to materials, roofline and setbacks.
 - ii) Provisions of sufficient parking to accommodate all uses shall be required. Shared parking should be considered where appropriate.
 - iii) Development or redevelopment of lands for mixed uses shall be in accordance with the following criteria:
 - 1) provision of satisfactory access and parking shall be required.
 - 2) Measures to ensure the safety of pedestrian traffic crossing Main Street West shall be required.

4.2.2 Chapter B.6.6 - Strathcona Secondary Plan

- a) That Section B.6.6 Strathcona Secondary Plan, be amended as follows:
 - i) That Policy B.6.6.2 e) iii) be amended by adding the following clause:
 - 3) the operation of the LRT and the associated traffic movements.
 - ii) That Policy B.6.6.15 be amended adding a new Area Specific Policy as follows:

Area Specific Policy - Area K

B.6.6.15.11 The following policies shall apply to certain lands located on King Street between Pearl Street and Queen Street, designated Mixed Use Medium Density identified to Area Specific Policy - Area K on Map B.6.6-1 – Strathcona – Land Use Plan:

- a) In addition to Section E.4.6.6 and notwithstanding Sections E.4.6.5 a) of Volume 1, the following uses shall be prohibited:
 - i) drive through facilities;
 - ii) gas bars and car washes; and,
 - iii) vehicular service stations
- b) Applications to amend this Plan and/or the City's Zoning By-law to permit a drive-through facility within Area Specific Policy – Area K shall require demonstration that the proposed drive-through facility:
 - i) cannot be located in other potential locations in the Mixed Use-Medium Density designation which are not part of the *pedestrian predominant street* or Area Specific Policy K;
 - ii) shall not change the existing and planned streetscape character;
 - iii) maintains the pedestrian environment;

- iv) shall not compromise the safe, efficient and comfortable movement of pedestrians;
- v) shall not preclude the planned function and design intent for the LRT Corridor including:
 - 1) A comfortable, active and visually stimulating walking and shopping environment;
 - 2) A streetscape with buildings and storefronts oriented to the street; and,
 - 3) the operation of the LRT and the associated traffic movements.
- vi) shall not have an adverse impact on surrounding residential neighbourhoods including potential noise and traffic impacts; and,
- vii) addresses the design principles of Section B.3.3.2, the built form policies of Section B.3.3.3, the Access and Circulation policies of Section B.3.3.9 of Volume 1 and policy B.6.6.10 of Volume 2.

4.2.3 Secondary Plan Maps

- a) That the Ainslie Wood Westdale Secondary Plan Land Use Plan Map B.6.2-1 be amended to by:
 - i) redesignating lands located at: the north east corner of Leland Street and Sussex Street, the south side of Treymore Avenue between Forsyth Avenue South and Dalewood Avenue, 65-71 Dow Avenue, the north side of Main Street West between Newton Avenue and Paisley Avenue South and 127-131 and 150-158 Bond Street South from "Low Density Residential 2" to "Mixed Use – Medium Density", as shown on Appendix "B", attached to this Amendment.
 - ii) redesignating the lands known as 1190 Main Street West from "Institutional" to "Mixed Use – Medium Density", as shown on Appendix "B", attached to this Amendment.

- iii) redesignating a portion of the lands known as 38 Emerson Street from "Low Density Residential 2" to "Institutional", as shown on Appendix "B", attached to this Amendment.
 - iv) redesignating the lands known as 690 Main Street West from "Local Commercial" to "Mixed Use – Medium Density", as shown on Appendix "B", attached to this Amendment.
 - v) identifying certain lands on Main Street West between Hollywood Avenue and Highway 403 as "Area of Site Specific Area – Area E", as shown on Appendix "B", attached to this Amendment.
- b) That the Strathcona Secondary Plan Land Use Plan Map B.6.6-1 be amended to by:
- i) identifying certain lands on King Street between Pearl Street and Queen Street as "Area of Site Specific - Area K", as shown on Appendix "C", attached to this Amendment.

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

4.3.1 Text

- a) That Chapter B- Urban Area Specific Policies be amended by adding a new Policy as follows:

UH-6 Certain lands located on King Street between Victoria Street and the Delta and Queenston Road between the Delta and just west of Parkdale Avenue

1.0 The following policies shall apply to certain lands located on King Street between Victoria Street and the Delta and Queenston Road between the Delta and just west of Parkdale Avenue, shown as Area Specific UH-6 on Maps H-9 to H-11:

- a) In addition to Section E.4.6.6 b) and c) and notwithstanding Sections E.4.6.5 a) and E.4.6.6 a) of Volume 1, the following uses shall be prohibited:
 - i) drive through facilities;
 - ii) gas bars and car washes; and,

- iii) vehicular service stations
- b) Applications to amend this Plan and/or the City's Zoning By-law to permit a drive-through facility within Area Specific Policy UH-6 shall require demonstration that the proposed drive-through facility:
 - i) cannot be located in other potential locations in the Mixed Use-Medium Density designation which are not part of the *pedestrian predominant street* or Area Specific Policy x;
 - ii) shall not change the existing and planned streetscape character;
 - ii) Maintains the pedestrian environment;
 - iv) shall not compromise the safe, efficient and comfortable movement of pedestrians;
 - v) shall not preclude the planned function and design intent for the LRT Corridor including:
 - 1) A comfortable, active and visually stimulating walking and shopping environment;
 - 2) A streetscape with buildings and storefronts oriented to the street; and,
 - 3) the operation of the LRT and the associated traffic movements.
 - vi) shall not have an adverse impact on surrounding residential neighbourhoods including potential noise and traffic impacts; and,
 - vii) addresses the design principles of Section B.3.3.2, the built form policies of Section B.3.3.3, and the Access and Circulation policies of Section B.3.3.9 of Volume 1.

4.3.2 Volume 3 Maps

- a) That Map 1 – Area Specific Policies Key Map be amended to by identifying Area Specific Policies "UH-6", as shown on Appendix "D" of this

amendment.

- b) That new Area Specific Policies Maps H-9 to H-11 be added to Chapter B-Urban Area Specific Policies, as shown on Appendix “E”, “F” and “G” of 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. 16-264 passed on the 12th day of October, 2016.

**The
City of Hamilton**

F. Eisenberger
MAYOR

R. Caterini
CITY CLERK

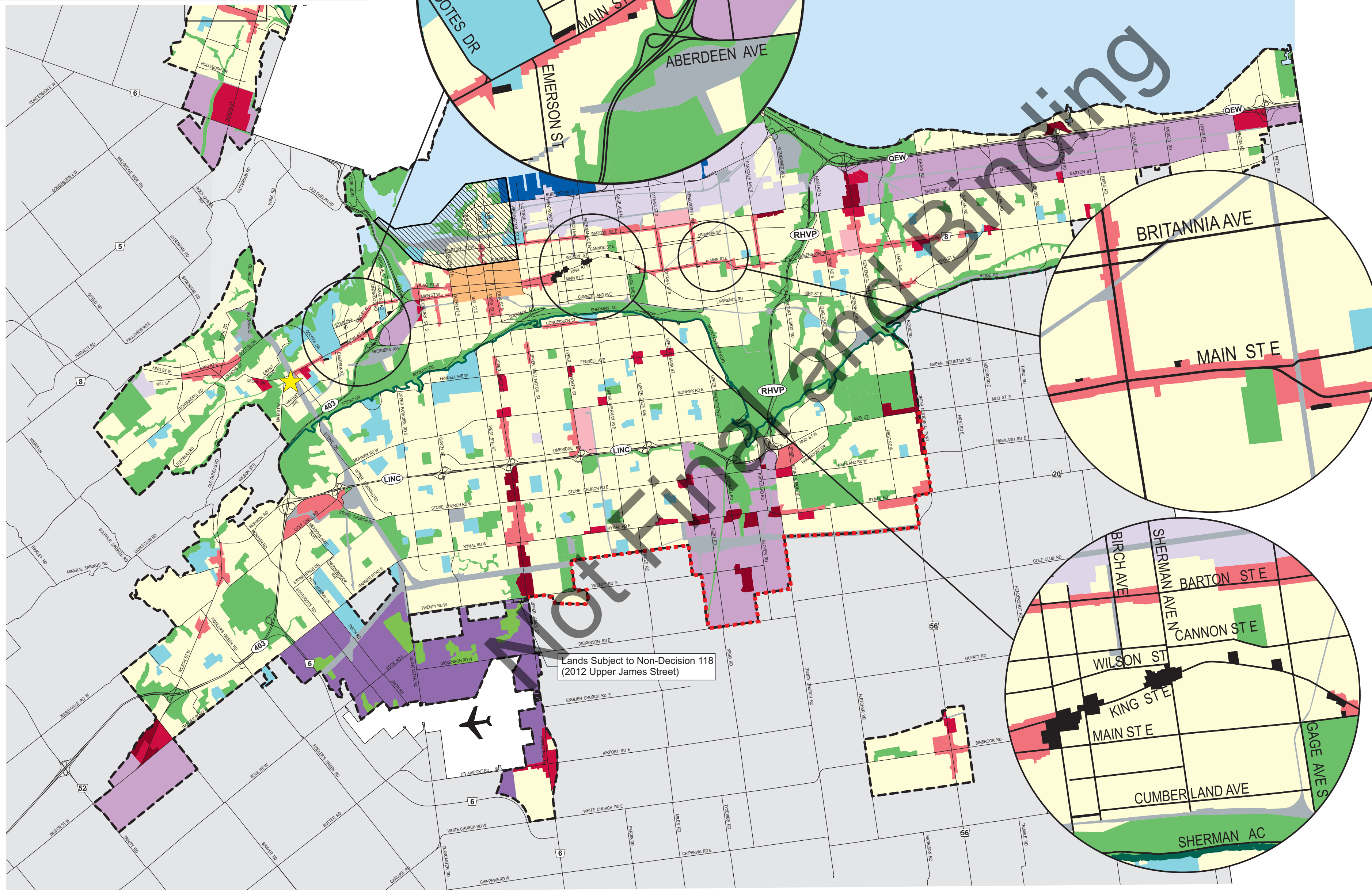
Appendix A Amendment No. 65 to the Urban Hamilton Official Plan

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

Date:
October 4, 2016

Revised By:
SM/NB


Reference File No.:
CI-15-F



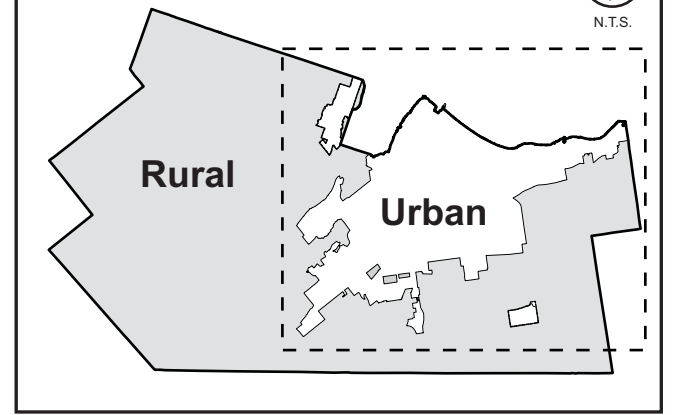
Lands Subject to Non-Decision 118
(2012 Upper James Street)

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 under appeal.

 **Lands Under Appeal**
- 17, 20, 22, 26, 28, 58 & 60 Ewen Road, 5 Offield Range Range Road (AWW Lands)






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


Not To Scale






Date: May 9, 2016

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Appendix B
Amendment No. 65
to the Urban Hamilton Official Plan

-  Lands to be redesignated from "Low Density Residential 2" to "Mixed Use - Medium Density"
-  Lands to be redesignated from "Low Density Residential 2" to "Institutional"
-  Lands to be redesignated from "Institutional" to "Mixed Use - Medium Density"
-  Lands to be redesignated from "Local Commercial" to "Mixed Use - Medium Density"
-  Lands to be identified as Area or Site Specific Policy "E"

Date:
October 4, 2016




Revised By:
SM/NB

Reference File No.:
CI-15-F





★ Lands Under Appeal
- Specific Policy Areas C & D

Legend

Residential Designations

-  Low Density Residential 2
-  Low Density Residential 3C
-  Low Density Residential 1




Commercial and Mixed Use Designations

-  Local Commercial
-  Mixed Use - Medium Density
-  Mixed Use - Medium Density - Pedestrian Predominant
-  District Commercial



Parks and Open Space Designations

-  Parkette
-  Neighbourhood Park
-  Natural Open Space
-  General Open Space
-  Community Park

Other Designations

-  Institutional
-  Employment Area - Industrial Lands
-  Utility

Other Features

-  Area or Site Specific Policy
-  Secondary Plan Boundary

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

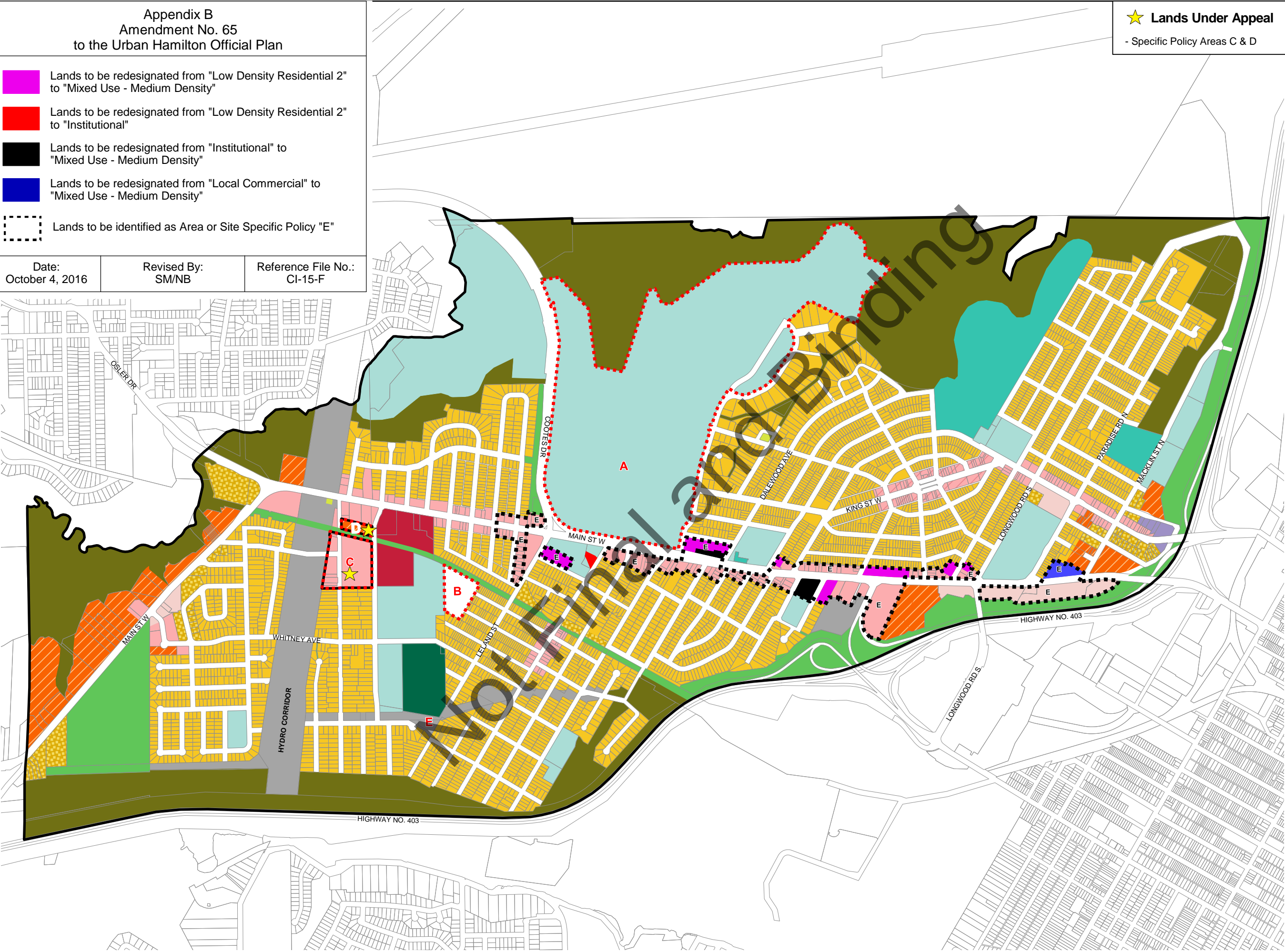
Urban Hamilton Official Plan
Ainslie Wood Westdale
Secondary Plan
Land Use Plan
Map B.6.2-1




Date: Aug. 16, 2013



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Appendix C
Amendment No. 65
to the Urban Hamilton Official Plan

 Lands to be identified as Area or Site
Specific Policy “K”




Date:
October 4, 2016

Revised By:
SM/NB

Reference File No.:
CI-15-F

Legend

Residential Designations

-  Low Density Residential 3
-  Medium Density Residential 2
-  High Density Residential

Commercial and Mixed Use
Designations

-  Mixed Use - Medium Density


Parks and Open Space Designations

-  Parkette
-  Neighbourhood Park
-  Community Park
-  General Open Space
-  Natural Open Space

Other Designations

-  Institutional
-  Utility

Other Features

-  Pedestrian Predominant
-  Area or Site Specific Policy
-  Neighbourhood Node
-  Secondary Plan Boundary

Urban Hamilton Official Plan
Strathcona
Secondary Plan
Land Use Plan
Map B.6.6-1



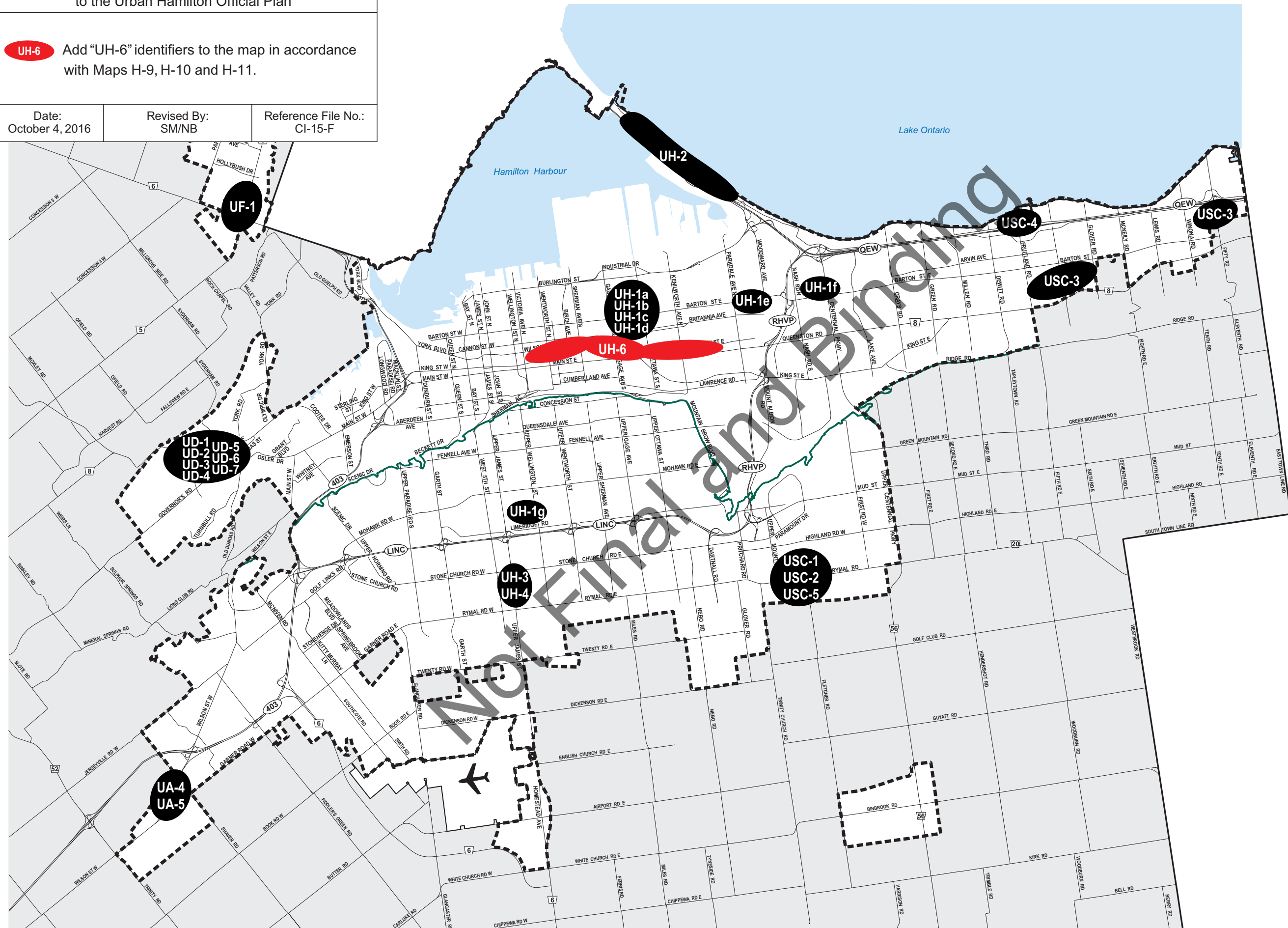
Date: May 9, 2016



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UH-6 Add “UH-6” identifiers to the map in accordance with Maps H-9, H-10 and H-11.


Reference File No.:
CI-15-F



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

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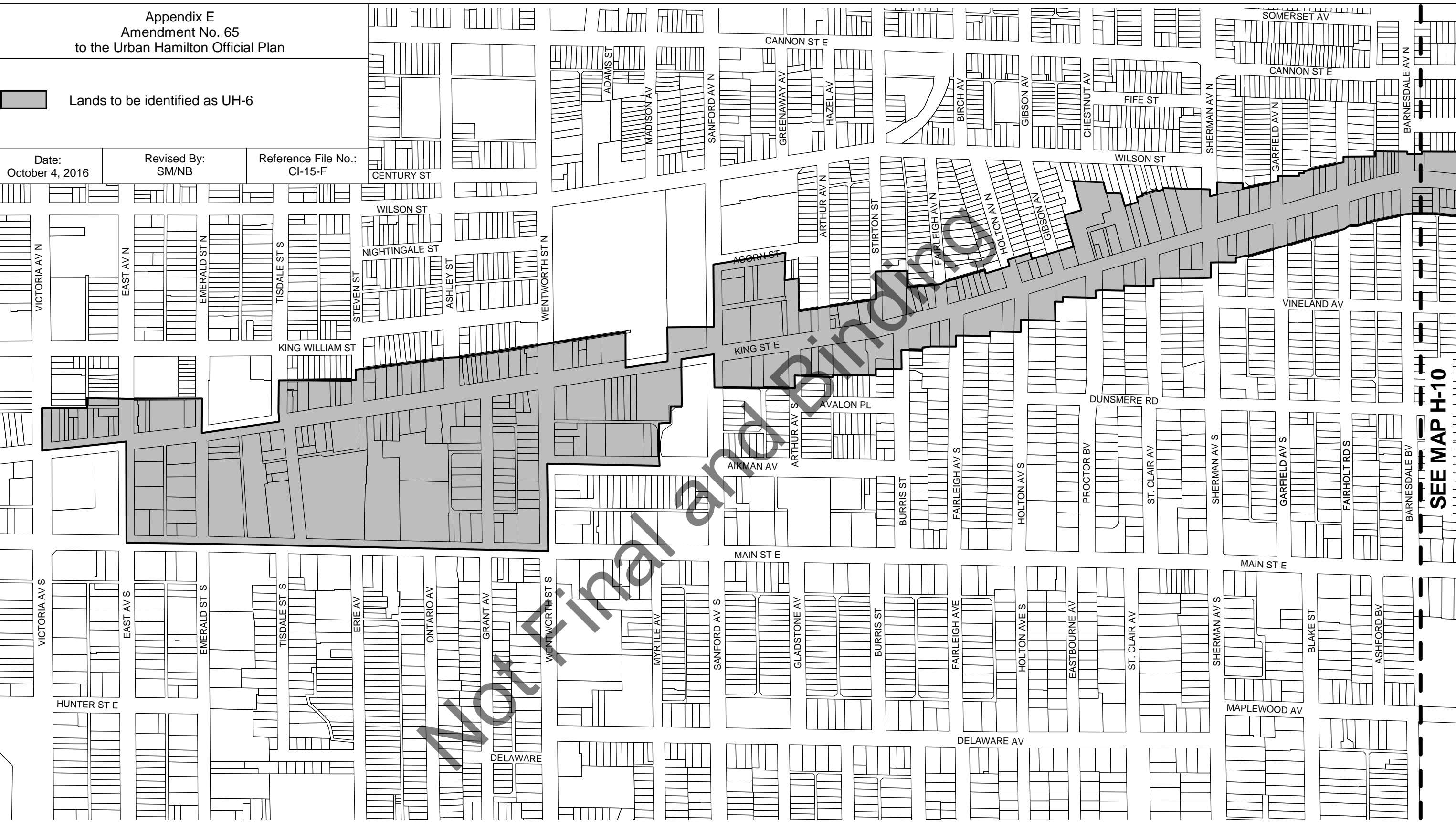
Appendix E
Amendment No. 65
to the Urban Hamilton Official Plan

 Lands to be identified as UH-6

Date:
October 4, 2016


Revised By:
SM/NB

Reference File No.:
CI-15-F




SEE MAP H-10

Legend

 UH-6

Appendix F
Amendment No. 65
to the Urban Hamilton Official Plan

 Lands to be identified as UH-6

Date:
October 4, 2016

Revised By:
SM/NB

Reference File No.:
CI-15-F

SEE MAP H-9

SEE MAP H-11

Legend


 UH-6

Urban Hamilton Official Plan
Volume 3: Map H-10
Area Specific Policies



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Appendix G
Amendment No. 65
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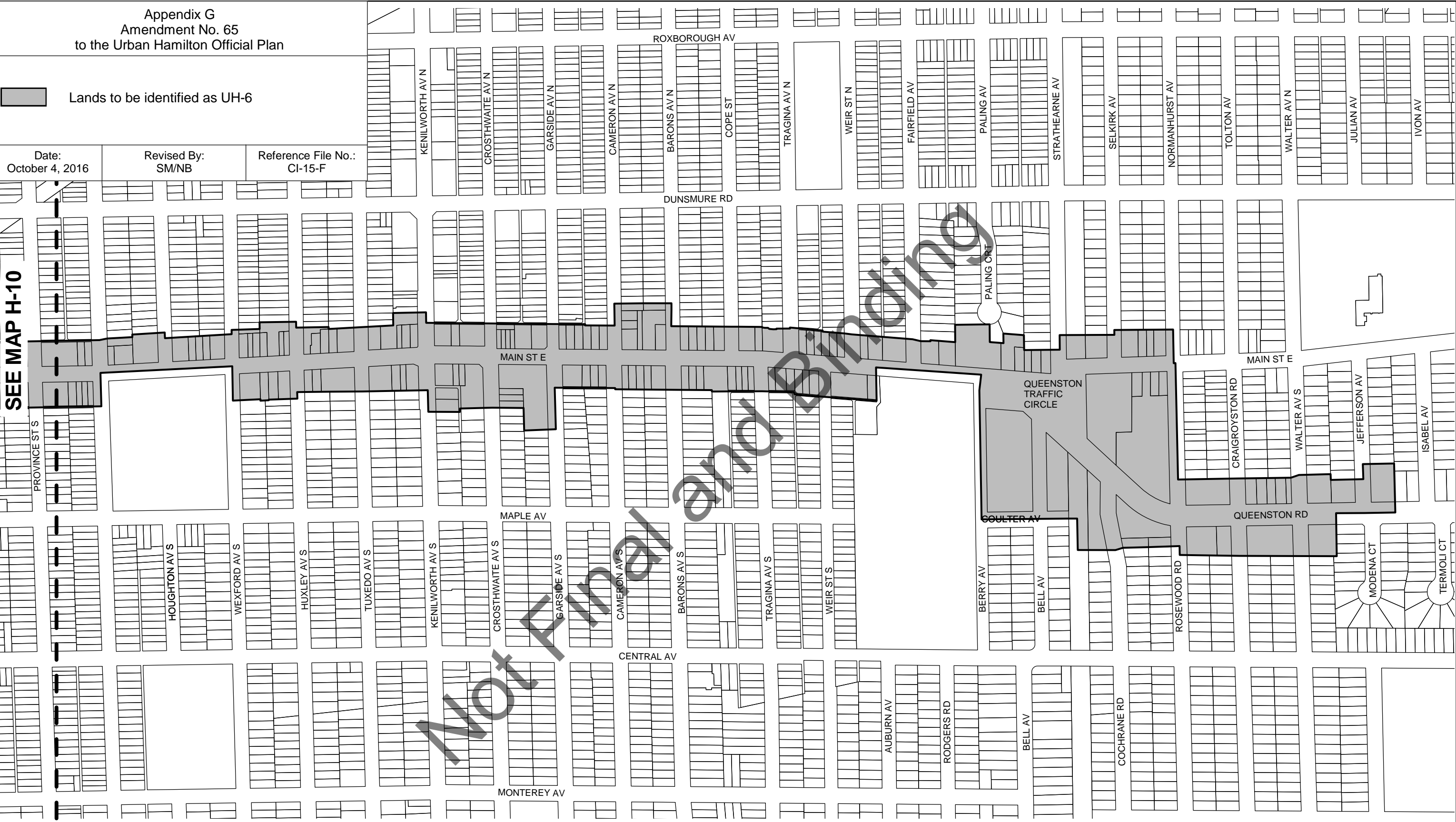
 Lands to be identified as UH-6

Date:
October 4, 2016

Revised By:
SM/NB

Reference File No.:
CI-15-F

SEE MAP H-10



Legend

 UH-6

Urban Hamilton Official Plan
Volume 3: Map H-11
Area Specific Policies



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