

Hamilton

UH-1 Lands located along the edge of the Bayfront Employment Area, Hester Street, and west of Upper Wellington Street, north of Hester Street

1.0 Area Specific UH-1, comprised of UH-1a to UH-1g inclusive, shown on H-1, H-2, H-3 and H-5 include the following areas: (OPA 142)

- a) The lands south of Lloyd Street in the Stipley Neighbourhood designated Mixed Use Medium, shown as UH-1a on Map H-1;
- b) The lands between Barton Street East, Lincoln Street, Linden Street and Gage Avenue North in the Crown Point West Neighbourhood designated Mixed Use – Medium Density shown as UH-1b on Map H-2;
- c) The lands south of Barton Street between Glendale and Kensington Avenue North in Crown Point West Neighbourhood designated Neighbourhood, Utility and Mixed Use-Medium Density shown as UH-1c on Map H-2;
- d) The lands north of Barton Street East, between Lincoln Street and Rosslyn Avenue North in the Crown Point West Neighbourhood designated Neighbourhood, Utility and Mixed Use - Medium Density shown as UH-1d on Map H-2;
- e) The lands south of Barton Street in the McQuesten West Neighbourhood designated Arterial Commercial shown as UH-1e on Map H-3; and, (OPA 142)
- f) Deleted by OPA 92
- g) The lands located on Hester Street and west of Upper Wellington Street, north of Hester Street designated Neighbourhoods shown as UH-1g shown on Map H-5.

1.1 Notwithstanding Sections C.3.4 – Utility Designation, E.3 – Neighbourhoods Designation, and E.4 – Commercial and Mixed Use Designations of Volume 1, lands within Area Specific UH-1 on Maps H-1, H-2, H-3 and H-5 shall be zoned to allow for the continuation of existing industrial or commercial uses that are compatible with surrounding non-employment land uses. Limited light industrial and commercial uses may be permitted provided they are *compatible* with surrounding non-employment land uses. At such time as the industrial uses(s) cease(s) and alternative land uses are proposed, the following criteria shall be met: (OPA 142)

- a) No *major retail* uses(s) shall be permitted;
- b) The proposed new use does not create a negative effect on the adjacent land uses;
- c) The use does not have a negative effect on the planned residential and commercial structure of the Official Plan and is consistent with the goals and objectives of the Official Plan;
- d) A record of site condition has been completed and filed with the City and the appropriate Provincial Ministry for the proposed use; and,

- e) The use must have regard for the Provincial “D” series guidelines.

UH-2 Lands along Lake Ontario Shoreline, on the north and south side of Beach Boulevard

1.0 The following policies shall apply to lands located along the Lake Ontario Shoreline, on the north and south side of Beach Boulevard, shown as Area Specific UH-2 on Map H-6:

- a) The City shall ensure that appropriate shoreline protection measures as may be prescribed by the province and will be taken to mitigate flooding, erosion and pollution.
- b) Recreational-oriented and water-related commercial uses, such as theme parks, amusement parks, boating facilities, interpretive centres, craft centres, etc., shall be permitted, in addition to those uses set out in Section C.3.3 - Open Space of Volume 1. This policy does not purport to prohibit or otherwise regulate the Hamilton Port Authority from using their lands for bona fide shipping and navigation purposes.

UH-3 Lands located along the east side of Upper James Street from Stone Church Road East to Rymal Road, and 1616 Upper James Street (west side of Upper James Street), 16-24 Stone Church Road East, 19-55 Rymal Road East (north side of Rymal Road East), 20 and 30 Rymal Road East (south side of Rymal Road East), and 25-79 Rymal Road West

1.0 Area Specific UH-3, shown on Map H-7 includes the following lands located:

- a) east of Upper James Street, south of Stone Church Road East, and north of Rymal Road;
- b) 1616 Upper James Street (west side of Upper James Street);
- c) 16-24 Stone Church Road East;
- d) 19-55 Rymal Road East (north side of Rymal Road East);
- e) 20 and 30 Rymal Road East (south side Rymal Road East); and,
- f) 25 -79 Rymal Road West.

1.1 In addition to Policies E.2.3.3 – Community Nodes and E.4.6 – Mixed Use – Medium Density Designation, the lands designated Mixed Use - Medium Density shown as Area Specific UH-3 on Map H-7, shall permit arterial commercial uses in accordance with Section E.4.8 – Arterial Commercial Designation.

UH-4 Lands located on Part of 0 Rymal Road and 212 Glover Road, former City of Hamilton and Former Town of Glanbrook

1.0 Area Specific UH-4, shown on Map H-8 includes the lands located at 0 Rymal Road East identified as Parcels A and A1 and lands located on part of 212 Glover Road and identified as Parcel B. The following policies shall apply to UH-4:

Area A

- a) In addition to Policy E.4.8.2 of Volume 1, and notwithstanding Policy E.4.8.3 b) and d) of Volume 1, the following uses shall be permitted on Area A:
 - i) retail stores;
 - ii) hardware stores, beer stores, LCBO stores and drugstores;
 - iii) banks, financial institutions and personal services;
 - iv) offices;
 - v) food stores;
 - vi) stores primarily selling apparel, housewares, electronics, sporting goods, or general merchandise.
- b) The maximum total combined gross floor area of retail uses in a) i), v) and vi) above shall not exceed 10,000 square metres on Area A.
- c) Office uses on Area A permitted in a) iv) above shall not exceed a combined total of 2,000 square metres of gross floor area.

Area A1

- d) A zoning by-law amendment application for commercial uses for any portion of lands within Area A1 shall not be deemed complete, and no official plan amendment shall be undertaken, until the studies for Area B described in j) have been completed and approvals received in accordance with k) below. The purpose of these studies is for determining the total developable area on Area B (part of 212 Glover Road).
- e) In the event that the developable lands on Area B is in excess of the developable area of Area A, additional lands on Area A1 shall be re-designated to “Arterial Commercial” on Volume 1, Schedule E-1 – Urban Land Use Designations through an administrative amendment to create a developable Arterial Commercial designation equivalent to the developable area on Area B.
- f) Redesignation of lands on Area A1 from “Employment-Business Park” to “Arterial Commercial” shall not be considered conversion of employment lands and shall not require a *Municipally Initiated Comprehensive Review*.
- g) If the developable area on Area B is greater than the combined land area of Areas A and A1, the total area to be designated “Arterial Commercial” shall be no larger than the combined areas of Areas A and A1.
- h) The permitted uses on any lands designated “Arterial Commercial” on Area A1 shall be those uses listed in a) above.
- i) The cap on total combined retail area specified in b) above shall be applied across the combined lands designated “Arterial Commercial” on Areas A and A1.

Area B

- j) Studies on Area B are required to determine the total developable area for Area B. Prior to deeming any development application for Area A1 complete, studies, investigations, and/or reports on Area B lands shall be required by the City. These studies may generally include but may not be limited to the following:
 - i) Floodplain mapping;
 - ii) Mender belt assessment;
 - iii) Headwater tributary assessment;
 - iv) Environmentally Sensitive Areas buffer assessment;
 - v) Karst assessment;
 - vi) Stormwater management report;
 - vii) Fisheries setback; and/or
 - viii) Species at Risk assessment.

- k) The studies completed in j) above shall be to the satisfaction of the City.

UH-5 Lands located to the north of Rymal Road West, east of West 5th, west of Upper James Street and south of Stone Church Road East (OPA 28)

1.0 Notwithstanding Policy E.3.5.7 – Medium Density Residential and Section E.3.6.6 – High Density Residential of Volume 1, on those lands designated Neighbourhoods, located to the north of Rymal Road West, east of West 5th Street, west of Upper James Street and south of Stone Church Road East, shown as Area Specific UH-5 on Map H-7, shall not be subject to minimum net residential density requirements.

UH-6 Lands located on King Street East between Victoria Avenue and the Delta, Main Street East between the Delta and the Queenston Traffic Circle, and Queenston Road between the Queenston Traffic Circle and Reid Avenue South (OPA 65) (OPA 94)

These policies are under appeal as they relate to 435-437 Main Street East and 1124 Main Street East. (OPA 65)

- 1.0 The following policies shall apply to lands located on King Street East between Victoria Avenue and the Delta, Main Street East between the Delta and the Queenston Traffic Circle, and Queenston Road between the Queenston Traffic Circle and Reid Avenue South, shown as Area Specific “UH-6” on Maps H-9 to H-12:
- 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 focus street* or Area Specific Policy UH-6; (OPA 69)
 - 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, and the Access and Circulation policies of Section B.3.3.9 of Volume 1.