Changes to Appendices of Report PED18074 (Official Plan and Zoning By-law Amendment for the Downtown Hamilton Secondary Plan (Wards 2 and 3))

<table>
<thead>
<tr>
<th>Appendix No.</th>
<th>Proposed Change</th>
<th>Revision</th>
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<tbody>
<tr>
<td><strong>Urban Hamilton Official Plan, Appendix “B” to Report PED18074, Page 22 of 57, Policy 6.1.4.11</strong></td>
<td>Add the words “of Volume 1, the” after “Policy B.3.2.5.6”. Remove capital letters for the words: Demolition, Redevelopment, Rental, Housing, Units. To correct a typo, delete the word “of Volume 1”.</td>
<td>“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...”</td>
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<tr>
<td><strong>Urban Hamilton Official Plan, Appendix “B” to Report PED18074, Page 34 of 57, Policy 6.1.10.1</strong></td>
<td>To correct a typo in the sentence, delete the words “the following policies shall apply” after the word “Downtown”. To correct a typo in the sentence, add the words “the following policies” after the word “Volume 1”.</td>
<td>“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...”</td>
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<tr>
<td><strong>Urban Hamilton Official Plan, Appendix “B” to Report PED18074, Page 53 of 57, Draft Higher Order Transit Appendix A</strong></td>
<td>The higher order transit station location at Walnut Street and Main Street has been relocated to the correct location at Mary Street and King Street.</td>
<td>Mapping Change.</td>
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<tr>
<td><strong>Urban Hamilton Official Plan, Appendix “B” to Report PED18074, Page 57 of 57, Draft Niagara Escarpment Height Map Appendix D</strong></td>
<td>Add the following note to the legend: “Note: Measurements are in metres above sea level” to provide clarity.</td>
<td>Mapping Change.</td>
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| **Zoning By-law Amendment, Appendix “D” to Report PED18074, Page 37 of 56** | **Add Site Specific Zoning By-law regulation for 64 Main Street East to recognize approved Committee of Adjustment application HM/A-17:106.**                                                                                                                                                                                                                                                                                                                                                                                     | **692. Within the lands zoned Downtown Central Business District (D1) Zone, identified on Map 952 and 953 of Schedule “A” – Zoning Maps and described as 64 Main Street the following special provisions shall apply:**

  a) Notwithstanding Section 6.0 e) i) of this By-law a minimum of the ground floor façade shall be clear glazed windows and doors in accordance with the following:

  i. 44% along Main Street East;

  ii. 52% along John Street South; and

  iii. 1.0% along Bowen Street.

  b) Notwithstanding Section 6.0 e) iii) the ground floor storey maximum height of 4.7 metres shall be permitted and a minimum storey height of 2.7 metres for the third storey.

  c) Notwithstanding Section 6.1.3 a) i) of this By-law a maximum 5.0 metre building setback from a streetline for the first storey shall be permitted.

  d) Notwithstanding Section 5.5 of this By-law a minimum of 3 barrier free parking spaces shall be provided.

  e) Notwithstanding Section 5.6 a) of this By-law a minimum of 69 parking spaces shall be provided.                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

<p>| <strong>Zoning By-law Amendment, Appendix “D” to Report PED18074, Page 40 of 56, Holding Provision 21</strong> | <strong>To correct a typo in the sentence, delete the words “no development shall be restricted by the following” and replace with “no development shall be permitted and uses shall be restricted by the following”.</strong>                                                                                                                                                                                                                                               | <strong>21. Notwithstanding Figure 1 – Special Figures of By-law 05-200, on those lands zoned Downtown (D1), (D2), and (D5) Zone, identified on Maps 868, 869, 909, 910, 911, 951, 952, 953, 954, 994, 995 of Schedule “A” – Zoning Maps, no development shall be permitted and uses shall be restricted by the following.”</strong>                                                                                                                                                                                                 |</p>
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<td><strong>Zoning By-law Amendment</strong>, Appendix “D” to Report PED18074, Page 54 of 56, Schedule F – Figure 1, Zoning By-law 15-2—Maximum Building Heights</td>
<td>There was an error in the building height for the property at 64 Main Street West. It has been changed from 22 metres to 54 metres to reflect the approved building height of 54 metres</td>
<td>Mapping Change.</td>
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</tbody>
</table>
| **Zoning By-law Amendment**, Appendix “D” to Report PED18074, Page 55 of 56, Figure 15: Building Base Façade | Mapping error corrected, building façade heights were missing. Add Building Base Façade Heights to the following streets:  
- Murray Street East and West  
- Barton Street East and West  
- Colbourne Street  
- Sheaffe Street  
- Robert Street  
- Mulberry Street  
- Haymarket Street  
- Bold Street  
- Augusta Street  
- Duke Street  
- Young Street  
- Robinson Street  
- Forest Street  
- Charlton Avenue  
- George Street | Mapping Change. |
Shadow Impact Studies will be prepared using the following:  
- Time Zone: Eastern  
- Daylight Saving Time: Universal Time (UTC) minus 4 hours |
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 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 Bonusing 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.
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.

   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


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

Reference File No.: Downtown Hamilton SP

Date: March 2018

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
Note: Measurements are in meters above sea level.
the portion of the building extending from the southerly canopy overhang on the westerly side of the building to the limit.

f) Notwithstanding Section 6.1.3 a) i) of this By-law a maximum building setback of 7.0 metres shall be permitted adjacent to the hypotenuse of the daylight triangle located at the intersection of Wilson Street and Mary Street.

g) Notwithstanding Section 4.9 a) ii) of this By-law mechanical equipment shall be permitted to be located in any side yard.

686. Within the lands zoned Downtown Mixed Use - Pedestrian Focus (D2) Zone, identified on Map 953 of Schedule “A” - Zoning Maps and described as 82-114 King Street East the following special regulations shall apply:

a) Notwithstanding Section 6.2.3 a) i) of this By-law a maximum building setback of 14.0 metres shall be permitted from the Street line.

b) Notwithstanding Section 6.1.3 a) i) of this By-law a maximum setback of 6.2 metres shall be provided for that portion of a building providing an access driveway to a garage.

c) Notwithstanding Section 6.0. e) i) of this By-law a minimum of 51% of the area of the ground floor façade shall be composed of clear glazed windows and doors.

d) Notwithstanding Section 6.0. e) ii) of this By-law a minimum of 22.5% of the façade of the second and third storeys shall be composed of windows.

e) Notwithstanding Section 6.1.3 b) iii) of this By-law a maximum height of 4.2 metres shall be provided for the second storey.

688. Notwithstanding Section 6.1.1 of this By-law within the lands zoned Downtown Central Business District (D1) Zone, identified on Map 910 of Schedule “A” – Zoning Maps and described as 107 MacNab Street North, Clothing Manufacturing shall also be permitted.

692. Within the lands zoned Downtown Central Business District (D1) Zone, identified on Map 952 and 953 of Schedule “A” – Zoning Maps and described as 64 Main Street the following special provisions shall apply:

a) Notwithstanding Section 6.0 e) i) of this By-law a minimum of the ground floor façade shall be clear glazed windows and doors in accordance with the following:

i. 44% along Main Street East;
ii. 52% along John Street South; and
iii. 1.0% along Bowen Street.

b) Notwithstanding Section 6.0 e) iii) the ground floor storey maximum height of 4.7 metres shall be permitted and a minimum storey height of 2.7 metres for the third storey.

c) Notwithstanding Section 6.1.3 a) i) of this By-law a maximum 5.0 metre building setback from a streetline for the first storey shall be permitted.

d) Notwithstanding Section 5.5 of this By-law a minimum of 3 barrier free parking spaces shall be provided.

e) Notwithstanding Section 5.6 a) of this By-law a minimum of 69 parking spaces shall be provided.

9. That SCHEDULE D – HOLDING PROVISIONS of By-law 05-200 is hereby amended as follows:

9.1. That the following additional Holding Provision be added:

“17. Notwithstanding Figure 1 – Special Figures of By-law 05-200, on those lands zoned Downtown (D1), (D2), and (D5) Zone, identified on Maps 868, 869, 909, 910, 911, 951, 952, 953, 954, 994, 995 of Schedule “A” – Zoning Maps development shall be restricted in accordance with the following:

a) For such time as the Holding Provision is in place, these lands shall only be used for permitted uses, buildings and structures listed in the (D1), (D2), or (D5) Zone.

b) Regulations

For such time as the Holding Provision is in place, these lands shall be subject to the regulations of the (D1), (D2), or (D5) Zones except where in conflict with the following:

i) No development exceeding the maximum height of 44.0 metres.

c) Conditions for Holding Provision Removal

The Holding Provision shall, upon application by the landowner, be removed by way of an amending Zoning By-law, from all or part of the lands subject to this provision when the following conditions have been satisfied:

i) That the landowner demonstrate to the satisfaction of the Director of Planning and Chief Planner, City of Hamilton, that sufficient land assembly has occurred to achieve the minimum lot area
i) That the landowner shall be required to enter into a Section 37 Agreement to secure provision of Community Benefits to the satisfaction of the Director of Planning and Chief Planner, City of Hamilton.

20. Notwithstanding Figure 1 – Special Figures of By-law 05-200 on those lands zoned Downtown (D1), (D2), and (D5) Zone, identified on Maps 868, 869, 909, 910, 911, 951, 952, 953, 954, 994, 995 of Schedule “A” – Zoning Maps development shall be restricted by the following:

a) For such time as the Holding Provision is in place, these lands shall only be used for permitted uses, buildings and structures listed in the (D1), (D2), or (D5) Zone.

b) Regulations

For such time as the Holding Provision is in place, these lands shall be subject to the regulations of the (D1), (D2), or (D5) Zones except where in conflict with the following:

i) No development exceeding 22.0 metres in height.

c) Conditions for Holding Provision Removal

The Holding Provision shall, upon application by the landowner, be removed by way of an amending Zoning By-law, from all or part of the lands subject to this provision when the following conditions have been satisfied:

i) That the landowner demonstrate that how any development having the effect of removing all or part of rental housing comprised of three or more units will be replaced to the satisfaction of the Director of Planning and Chief Planner, City of Hamilton.

ii) That the landowner enter into an Agreement with the City of Hamilton.

21. Notwithstanding Figure 1 – Special Figures of By-law 05-200, on those lands zoned Downtown (D1), (D2), and (D5) Zone, identified on Maps 868, 869, 909, 910, 911, 951, 952, 953, 954, 994, 995 of Schedule “A” – Zoning Maps, no development shall be permitted and uses shall be restricted by the following:

a) For such time as the Holding Provision is in place, these lands shall only be used for permitted uses listed in the (D1), (D2), and (D5) Zone, within the existing buildings and structures.

b) Regulations
4.0  **Who should prepare the study?**

The Shadow Impact Study should be prepared by a registered architect, professional engineer, a Registered Professional Planner (RPP), or Landscape Architect.

5.0  **Test Dates, Time Zone, and Geographical Coordinates**

**Dates**

Shadow Impact Studies will be conducted on March 21\textsuperscript{st} and September 21\textsuperscript{st}.

**Times**

Shadow Impact Studies will be conducted at the following times:

- Solar Noon (SN)
- Hourly intervals starting 1.5 hours after sunrise and ending 1.5 hours before sunset

**Time Zone**

Shadow Impact Studies will be prepared using the following:

- Time Zone: Eastern
- Daylight Saving Time: Universal Time (UTC) minus 4 hours

**Geographical Coordinates**

Shadow Impact Studies will be prepared for the following geographic coordinates:

- Latitude: N 43 degrees: 14’30”
- Longitude: W 79 degrees: 51’00”

6.0  **Shadow Impact Study Format**

A Shadow Impact Study should include a shadow model and written analysis.

**The Shadow Model**

Images of shadow tests using models that clearly indicate the development site, its boundary, the footprint and mass of buildings within the test site, all streets, sidewalks, public and private open spaces, school yards and buildings, playgrounds, sitting areas, patios, and all adjacent properties and buildings affected by shadows.

Shadow models should include the following information: