

CITY OF HAMILTON

BY-LAW NO. 05-153

To Adopt:

Official Plan Amendment No. 200 to the former City of Hamilton Official Plan;

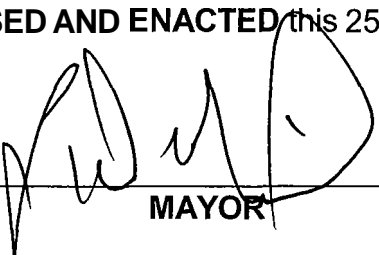
Respecting:

THE DOWNTOWN SECONDARY PLAN

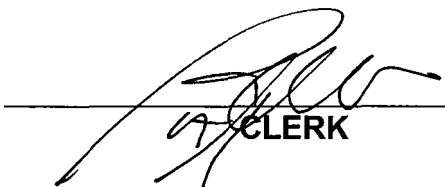
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 200 to the Official Plan of the City of Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 25th day of May, 2005.



MAYOR



CLERK

Amendment No. 200
to the
Official Plan of the former City of Hamilton

The following text together with Schedules "A", "B", and "C", attached hereto constitute Official Plan Amendment No. 200.

Purpose:

The purpose of this Amendment is to incorporate a number of changes to the Official Plan to reflect existing land uses, allow new uses, harmonize existing schedules with policy text descriptions, add new policy, delete specific subsections and parts of policies and renumber subsections to reflect new changes. The Amendment will redesignate portions of land on Schedule L-1, Land Use and Development Permit Areas Schedule and Schedule L-8, Overall Land Use Strategy from "Medium Density Residential" to "Mixed Use"; from "Low Density" to "Medium Density", from "Low Density" to "Mixed Use", from "Local Commercial" to "Mixed Use", from "Low Density" to "Local Commercial" and from "Medium Density" to "Local Commercial". The Amendment will also redefine the Central Business District (CBD) by dividing it into Jackson Square, Civic and Cultural and Main Street Corridor, on Schedule L-5, Development Permit Sub-Areas.

Location:

The lands affected by this Amendment are located at the following locations:

- 118 Market Street
- Area behind 66 Bay Street
- 181 Hunter Street East (Hunter and Ferguson)
- 250 Main Street East
- 85, 87, and 91 John Street. South; 80 Jackson Street East, Part of 84 Jackson Street East and 94 Jackson Street East; 81-85 Hunter Street East, 89 and 91 Hunter Street East and 74 Catharine Street South;
- 80 Queen Street North and 7 Peter Street;
- 90 Bay Street North and 103 Vine Street.;
- 14 Vine Street and 96 MacNab Street North.
- 181-191 Main St. West (Jackson and Hess);
- 155 King William Street, 164-166 Rebecca Street, 172 Rebecca Street, 182 Rebecca Street, 34, 40 and 42 Mary Street;
- 225-229 King William Street;

- 199 Wilson Street;
- 60 and 66 Mary Street, Part of 68 Mary Street; 127, 129, 135, 161, 163, 167, 177, 181, and 183 Rebecca Street; 73 Ferguson Avenue North.

Basis:

The basis for the Amendment is as follows:

- It is consistent with the former Hamilton-Wentworth Official Plan;
- It is consistent with the former City of Hamilton Official Plan;
- It is consistent with the overall intent of the Downtown Secondary Plan; and,
- It provides flexibility to encourage and facilitate continued appropriate redevelopment in the Downtown and provide for recognition of the scale of existing buildings in the Downtown Area.

Actual Changes:

TEXT

- That the following text be added to subsection A.6.2.3.3.1 h) (after the second sentence): “Where there is a discrepancy between Low Rise, Mid Rise and High Rise and Schedule L-3, the heights shown on Schedule L-3 will prevail”; so that subsection A.6.2.3.3.1 h) reads:

“It is the intention of this Plan that density of development be achieved through complete site coverage rather than through building height in accordance with this Plan. All new development in the Downtown will be a minimum of two storeys in height and subject to height limitations as shown on Schedule “L-3 of this Plan. *Where there is a discrepancy between Low Rise, Mid Rise and High Rise and Schedule L-3, the heights shown on Schedule L-3 will prevail.* Building height limitations fall into three ranges:

 - Low rise - 2 to **4** stories
 - Mid rise - 6 to 8 stories
 - High rise -12 to 15 stories”
- That policy A.6.2.6.3.3 d) be deleted and policy A.6.2.6.3.3 e) be renumbered A.6.2.6.3.3 d);
- That the following policy be added to Subsection A.6.2.6.2, General Residential Policies, and be numbered A.6.2.6.2 g):

“The Zoning By-law will recognize residential buildings which existed on the effective date of the Zoning By-law where height and density exceed the policies of this plan, as shown on Schedule L-5”;

Schedule '1'

- That the following statement be deleted from the second introductory paragraph of policy A.6.2.5.3.2, Prime Retail Streets: “The only exceptions will be retail development situated in the Jackson Square Complex and local commercial uses in appropriately designated areas serving the needs of residents in the vicinity”; so that second paragraph reads:

“King Street and James Street, North and South are the historical core of the Downtown shopping district and future retail development will be encouraged to locate along these streets”.
- That policy A.6.2.5.3.3.2 e) be deleted from the Subsection A.6.2.5.3.3.2 - King William Mixed Use Area – and policy A.6.2.5.3.3.2 f) be renumbered A.6.2.5.3.3.2 e).
- That the following text be added to subsection A.6.2.5.3.2 b) (after the word Building); “will generally be built close to the street line and” so that Subsection A.6.2.5.3.2 b) reads:

“Building *will generally be built close to the street line and* will maintain the traditional building line and height at the street to provide an uninterrupted building line at the street level”.

Schedules

- That Schedule L-1, Land Use and Development Permit Areas, and Schedule L-8, Overall Land Use Strategy, be revised by redesignating 118 Market Street; 181-191 Main St. West; 80 Queen Street North and 7 Peter Street; 155 and 225-229 King William Street; 164-166 Rebecca Street; 172 and 182 Rebecca Street; 85, 87, and 91 John Street South; 34, 40 and 42 Mary Street; 80 Jackson Street East, Part of 84 Jackson Street East, and 94 Jackson Street East; 81-85 Hunter Street East, 89 and 91 Hunter Street East and 74 Catherine Street South from “Medium Density” to “Mixed Use” as shown on Schedules “A and “B” attached to this Amendment.
- That Schedule L-1, Land Use and Development Permit Areas and Schedule L-8, Overall land Use Strategy, be revised by redesignating 181 Hunter Street East from “Low Density” to “Medium Density” as shown on Schedules “A and “B” attached to this Amendment;
- That Schedule L-1, Land Use and Development Permit Areas, and Schedule L-8, Overall Land Use Strategy, be revised by redesignating the lands located at 250 Main Street East and the lands behind 66 Bay Street from “Low Density” to “Mixed Use” as shown on Schedules “A and “B” attached to this Amendment:
- That Schedule L-1, Land Use and Development Permit Areas, and Schedule L-8,

Schedule 'I'

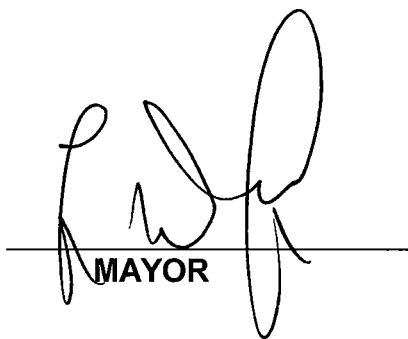
Overall Land Use Strategy, be revised by redesignating the lands located at 90 Bay Street North and 103 Vine Street from "Local Commercial" to "Mixed Use" as shown on Schedules "A" and "B" attached to this Amendment;

- That Schedule L-1, Land Use and Development Permit Areas, and Schedule L-8, Overall Land Use strategy, be revised by redesignating the lands located at 14 Vine Street and 96 MacNab Street North from "Low Density" to "Local Commercial" as shown on Schedules "A" and "B" attached to this Amendment;
- That Schedule L-1, Land Use and Development Permit Areas, and Schedule L-8, Overall Land Use Strategy, be revised by redesignating lands located at 60 and 66 Mary Street, Part of 68 Mary Street; 127, 129, 135, 161, 163, 167, 177, 181, and 183 Rebecca Street, 199 Wilson Street and 73 Ferguson Avenue North from "Medium Density" to "Local Commercial" as shown on Schedules "A" and "B" attached to this Amendment;
- That Schedule L-5, Development Permit Sub-Areas, be revised by dividing the Central Business District (CBD) into Jackson Square, Civic and Cultural and Main Street Corridor, and adding listed changes to the "Legend", as shown on Schedule "C" attached to this Amendment;
- That Schedule L-5, Development Permit Sub-Areas, be revised by deleting "Core Lofts" (66 Bay Street) from the Main Street Corridor designation, as shown on Schedule "C" attached to this Amendment;

Implementation:

The provisions of Section F: Implementation of the former City of Hamilton Official Plan will give effect to this Amendment.

This is Schedule "1" to By-law No. 05-153, passed on the 25th day of May, 2005.



MAYOR

The City of Hamilton



CLERK

Schedule A
 Amendment No. 265 to the
 Official Plan for the
 former City of Hamilton

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

Lands to be redesignated from "Low Density" to "Medium Density"

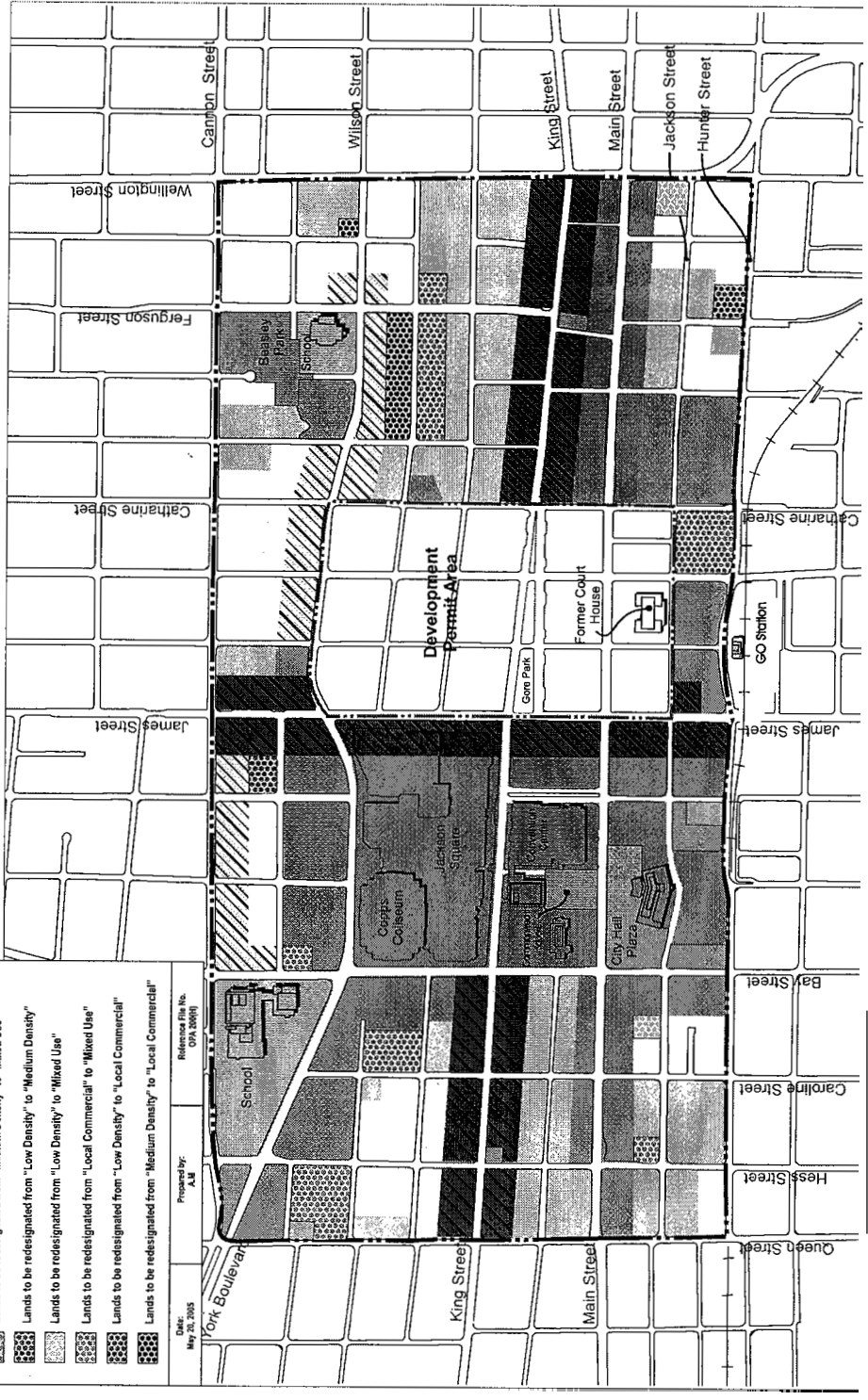
Lands to be redesignated from "Low Density" to "Mixed Use"

Lands to be redesignated from "Local Commercial" to "Mixed Use"

Lands to be redesignated from "Low Density" to "Local Commercial"

Lands to be redesignated from "Medium Density" to "Local Commercial"

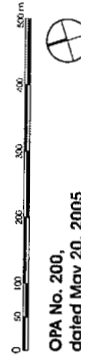
Date: May 20, 2005
 Prepared by: A.M.
 Reference File No.: OPA 2005/011



Putting People First
 The New Land Use Plan
 for Downtown Hamilton
 November 2004






SCHEDULE L-1 - LAND USE AND DEVELOPMENT PERMIT AREA

- Legend
- Public Open Space
 - Public Use
 - Central Business District
 - Prime Retail Streets
 - Mixed Use
 - Specialty Commercial
 - Local Commercial
 - Low Density Residential
 - Medium Density Residential
 - Station
 - GO Station
 - Planning Area Boundary
 - DPA Boundary

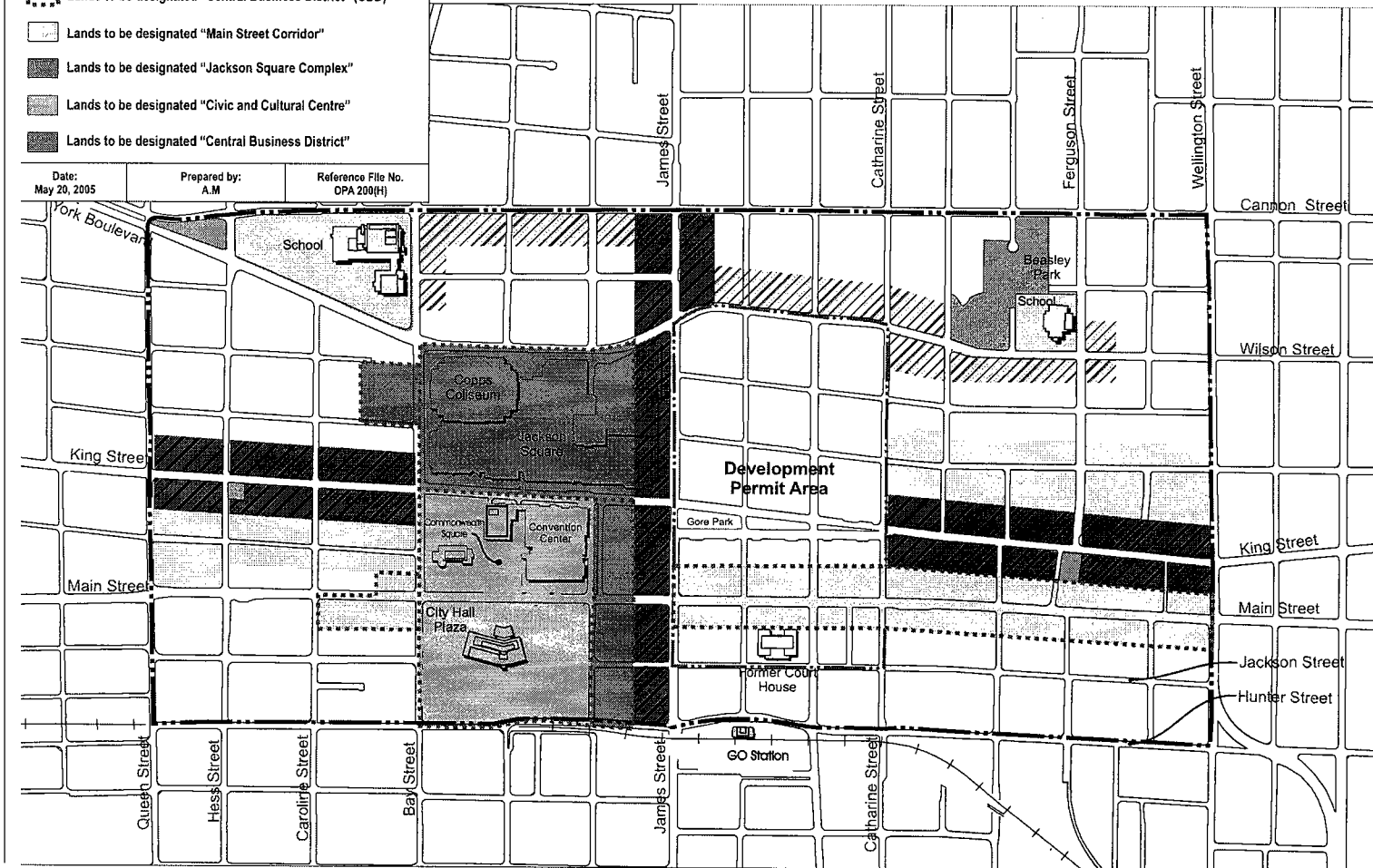


OPA No. 200,
 dated May 20, 2005

Schedule C
Amendment No. 200 to the
Official Plan for the
former City of Hamilton

-  Lands to be designated "Central Business District" (CBD)
-  Lands to be designated "Main Street Corridor"
-  Lands to be designated "Jackson Square Complex"
-  Lands to be designated "Civic and Cultural Centre"
-  Lands to be designated "Central Business District"

Date: May 20, 2005
Prepared by: A.M.
Reference File No. DPA 200(H)



CCHEDULE L-5

DOWNTOWN COMMERCIAL AREAS

Legend

- | | | | | |
|--|--|---|---|---|
|  Parks/
Open Space |  Central Business
District |  Specialty
Areas |  Local Commercial
Area |  Planning Area
Boundary |
|  Schools |  Prime Retail
streets |  Main street
Corridor | |  DPA
Boundary |

Putting People First

The New Land Use Plan
for Downtown Hamilton

May 20, 2005

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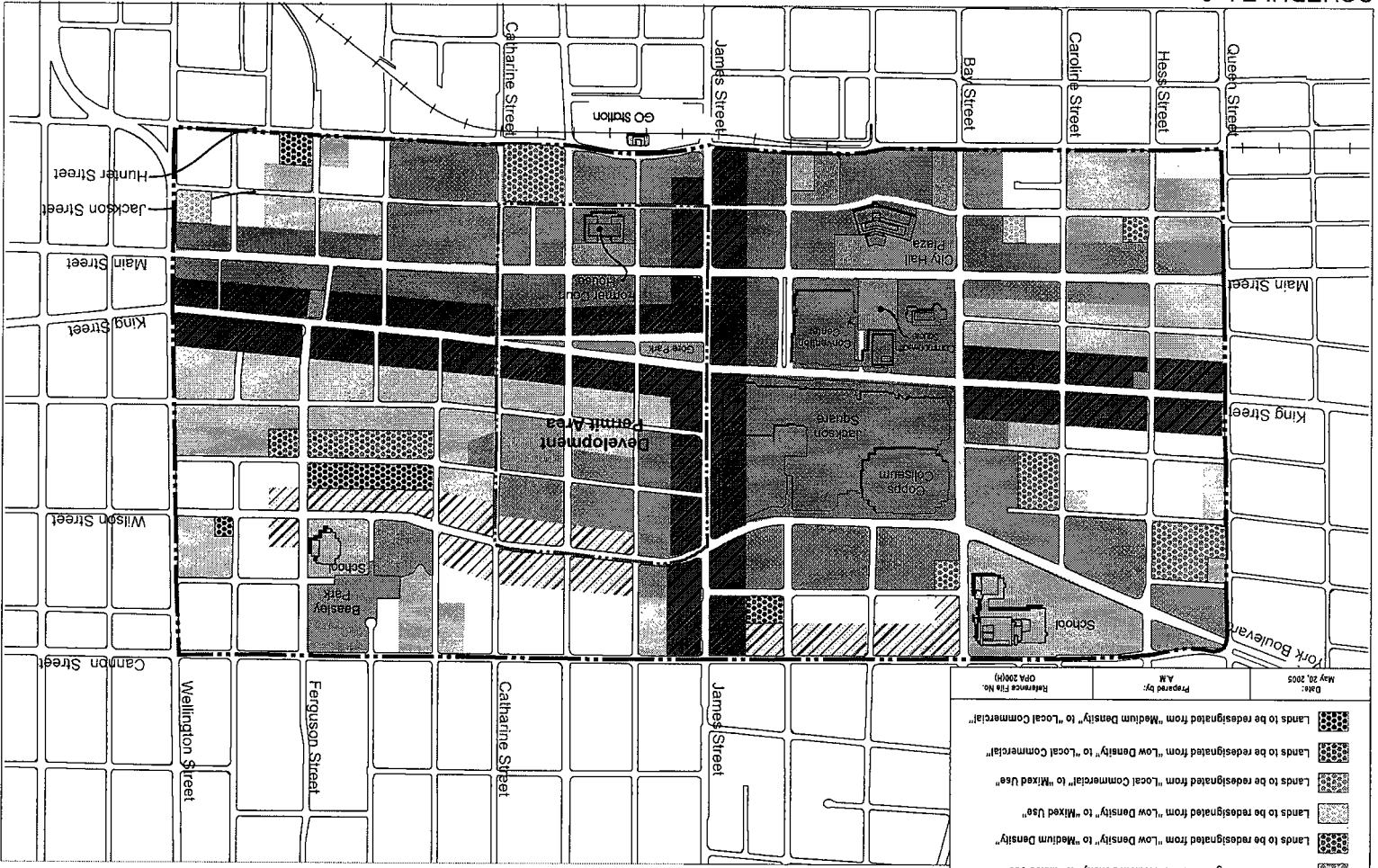


Putting People First
 The New Land Use Plan
 for Downtown Hamilton
 November, 2004
 OPA No. 200
 dated May 20, 2005



**SCHEDULE L-8
 OVERALL LAND USE STRATEGY**

- Legend
- Public Open Space
 - Central Business District
 - Specialty Commercial
 - Mixed Use
 - Low Density Residential
 - Boundary
 - Planning Area
 - Public Use
 - Prime Retail Streets
 - Local Commercial
 - Local Commercial
 - Medium Density Residential
 - Station
 - DPA Boundary



Schedule B Amendment No. 200 to the Official Plan for the former City of Hamilton	
Lands to be redesignated from "Medium Density" to "Mixed Use"	Prepared by: A.M. Reference File No. OPA 200(1)
Date: May 20, 2005	
Lands to be redesignated from "Medium Density" to "Mixed Use"	
Lands to be redesignated from "Low Density" to "Medium Density"	
Lands to be redesignated from "Low Density" to "Mixed Use"	
Lands to be redesignated from "Local Commercial" to "Mixed Use"	
Lands to be redesignated from "Low Density" to "Local Commercial"	
Lands to be redesignated from "Medium Density" to "Local Commercial"	